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PROCEEDINGS AND DEBATES OF THE 115th CONGRESS, FIRST SESSION

SENATE—Monday, February 27, 2017

The Senate met at 12 noon and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

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

Let us pray.

Infinite Spirit, maker of Heaven and Earth, we experience peace because of the knowledge that You are the same yesterday, today, and forever. May we continue to find rest and peace in You as You continue to be our help in ages past and our hope for years to come. Loose us from the changes that create cynicism, pessimism, and despair. Remind us of the foolishness of seeking security apart from You.

Lord, bless the Members of this body. Help them in the making of laws to execute justice for the oppressed and to set the captives free.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

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

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. STRANGE). Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will pro-

ceed to executive session to resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Wilbur L. Ross, Jr., of Florida, to be Secretary of Commerce.

The PRESIDING OFFICER. The Senator from Utah.

(The remarks of Mr. HATCH pertaining to the introduction of S.J. Res. 24 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

ORDER FOR RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. HATCH. Mr. President, I ask unanimous consent that at 2:55 p.m., the Senate stand in recess subject to the call of the chair to prepare for Washington's Farewell Address.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

PRESIDENT'S JOINT SESSION ADDRESS

Mr. SCHUMER. Mr. President, I welcome the majority leader and everyone back after the first district work period of the year. Tomorrow night, the President will give his first address to a joint session of Congress. I will have more to say later this afternoon at the National Press Club about the first month of the Trump administration and what we can expect from the speech. For now, I will just say that if past is prologue, the President will come to Congress with a populist message in an attempt to cloak what has been a hard-right, anti-working person administration.

His words are populist. He talks as though he favors the working men and

women of America, but his actions are straight out of the hard-right playbook, which makes it easier for the special interests and puts greater burdens on the backs of the working class and the middle class.

Every American should be looking at what this President is doing, not saying, because, thus far, the two have been vastly different.

AFFORDABLE CARE ACT

Now for the ACA, Mr. President. This past week, Republicans across the country in both Chambers were greeted in townhalls by angry constituents who waited in long lines and packed high school gyms, auditoriums, and community centers wall to wall to question their Republican representatives about their plan to repeal the Affordable Care Act.

Americans are speaking loudly and clearly that their jobs, their hospitals—particularly rural hospitals—and their health care is on the line and want to know how Republicans plan to replace the law. On Friday, we saw the outline of the Republican plan. Like every single draft plan that Republicans have come up with, the outline we saw on Friday would raise costs and provide fewer benefits to average Americans and put the insurance companies back in the driver's seat. Average Americans under this Republican plan will get less, and they will pay more.

Today, President Trump is meeting with the insurance companies about this plan. What happened to the President we saw on the campaign trail railing against the special interests? It turns out that the special interests are getting their way at the expense of working Americans—less coverage, higher premiums, fewer sick people insured.

My Republican friends listened to the outcry from their constituents: Don't repeal the Affordable Care Act and replace it with a threadbare health insurance plan that puts insurance companies back in charge. Keep the law and work with Democrats on reasonable fixes.

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

CABINET NOMINATIONS

Finally, Mr. President, I want to comment again on the Cabinet. The three nominees the Senate will consider this week are similar to the rest of the President's Cabinet in the number of conflicts of interest they possess, their lack of confidence and expertise, and their hard-right ideology. The Cabinet confirmation process has been like an assembly line of the least qualified and most conflicted nominees I have seen in my time in the Senate.

Just yesterday, the nominee to be the Secretary of the Navy withdrew his name from consideration because he couldn't disentangle himself from his massive personal business interests. He may have more integrity than some of the others who continued through the process with conflicts of interest hanging over their heads. The Secretary of the Navy nominee is 1 of 14 relatively high-level administration officials who have left, resigned or withdrawn their nomination in just the first month of this Presidency. That list includes the nominee for Secretary of Labor, Secretary of the Army, Secretary of the Navy, and the principal National Security Advisor.

It is clear the Trump administration did not properly vet or carefully select these picks. With that in mind, the Senate should carefully scrutinize the nominees this week on the floor and vote their conscience.

I yield the floor.

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

The PRESIDING OFFICER (Mr. PERDUE). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. STRANGE). Without objection, it is so ordered.

Mr. BARRASSO. Mr. President, since Inauguration Day, the Senate has been slow making its way through confirming Cabinet Secretaries. Democrats, it seems, have used just about every trick in the book to try to slow down the process. There are Democrats in the Senate who are delaying things even when other Democrats in the Senate support the person who has actually been nominated by the President. (Mr. YOUNG assumed the Chair.)

Remember when President Obama took office, Republicans were far more willing to let the President have the team he wanted. He had won the election and was entitled to his Cabinet.

We are now 39 days into President Trump's term, and the Senate has confirmed now 17 of his nominees—17 over 39 days. President Obama got 20 of his people confirmed in the first 9 days. It does seem the more the Democrats delay, the more the American people will see the Democrats are just being childish and spiteful.

NOMINATION OF RYAN ZINKE

One of the most recent people whom the Democrats have been delaying is Congressman RYAN ZINKE. He has been nominated to be Secretary of the Department of the Interior. We have all heard about his qualifications for the job. His time serving the people of Montana in the State senate and in the House of Representatives is something that people hold up as to why he is qualified for this job. He is a Navy SEAL. He is an adopted member of the Fort Peck Tribes. He is a westerner. As a westerner, RYAN ZINKE understands the importance of the position he has been now nominated to fill.

Don't take my word for it. Listen to Senator TESTER, Democrat from Montana, who came to the confirmation hearing for Congressman ZINKE and he said so. He said: "I believe it is very important for someone who knows the West to serve as Interior Secretary."

He was full of praise for this nominee. Senator TESTER took the time to come to the Energy and Natural Resources Committee and tell all of us on the committee about his support for Congressman ZINKE to be Secretary of the Interior. He actually said: "I am honored to introduce Congressman Zinke to this committee." He went on to say: "I trust that this Navy SEAL will shoot straight as they always do."

The Department of Interior manages an incredible amount of acreage and water resources. It is responsible for protecting thousands of species of animals and plants. The person who heads up this Department has a very big and important job to do. We need someone in this job who can work with the people who are most invested in the good stewardship of our natural resources, and that is the people who actually live on the land. I believe that Congressman ZINKE will do exactly that. He will work with States and with communities to find solutions that work for everyone, because America's natural resources actually belong to all of us.

He understands that Washington does not always get the answers right, and he certainly knows that when Washington comes up with a one-size-fits-all approach, it can do real damage. During Congressman ZINKE's confirmation hearing, I asked him about some of the policies that we have seen over the past few years that have been restricting American energy production. He said he thinks the correct policy on energy development is "all of the above." Well, I agree. Do Democrats really object to using all of our options for creating the energy that we need to power our economy and our country?

We should be trying to make American energy as clean as we can, as fast as we can, and do it in ways that don't raise costs for American families. I think Congressman ZINKE understands this. I think he will do all that he can to make sure that we achieve what we need, which is the right balance.

Democrats on the committee actually think so as well. His nomination was reported out of the committee on a strong bipartisan vote of 16 to 6. That is a significant bipartisan show of support for the nominee. But the obstructionists on the other side should listen to their colleagues and give up the delaying tactics and senseless obstruction that is ongoing.

NOMINATION OF RICK PERRY

There is one other nomination I would like to mention today, and that is the nomination of Gov. Rick Perry to be Secretary of Energy. Once again, we have a nominee who is totally qualified to lead the Department. Democrats have no real objection to the candidate. They just want to delay. We need to have an Energy Secretary in place as soon as possible. Again, this was the nominee who drew bipartisan praise in his confirmation hearings. For his nomination, again, there was a bipartisan vote in the committee—a strong vote of 16 to 7.

Senator JOE MANCHIN, a member of the Democratic leadership, actually introduced Governor Perry at the hearing. He said that Rick Perry is "uniquely qualified to hold this position." Senator MANCHIN praised the nominee's ability to work across the aisle to get things done. That is important. It is important in a Cabinet Secretary, and it is important for all of us here in the Senate. I appreciate Senator MANCHIN and the other Democrats who reached across the aisle and have supported Rick Perry's nomination. They are willing to put aside the petty calls for gridlock that some of the other Members of their party have been making.

I mention the importance of having a responsible all-of-the-above energy policy. This includes energy sources such as liquefied natural gas. The problem right now is that the Energy Department has a very large backlog of permits to export this gas. These are permits where all of the environmental reviews have already been completed. Still, permits haven't been issued. The Energy Department has just been sitting on the permits. Bipartisan majorities in Congress have said that we need to speed up this permitting process. It is time for us to have a new Energy Secretary in office today to start tackling this backlog. That is something we need this Department to do. There is no need or reason for delay.

Governor Perry knows how to get this Department focused, how to get it moving, and how to make sure it is doing its job. There are reasonable and responsible Democrats here in the Senate who agree that doing the job is more important than just trying to run out the clock. Governor Perry and Congressman ZINKE have been nominated to do important jobs for the American people. They are qualified. They are ready. We need them in office to do

these jobs now. There is bipartisan support. We need to vote not some day in the future; we need to vote now.

The President deserves to have his Cabinet. He needs them in place. It is regrettable that a group of Democrats have decided to stand in the way of what is best for the American people—deliberate obstruction.

So I urge my colleagues on the other side of the aisle to stop the charade and stop the delays. It is time for us to vote on these nominations.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Ms. WARREN. Mr. President, I rise today to oppose President Trump's nomination of Wilbur Ross for Secretary of Commerce. Mr. Ross is a Wall Street billionaire with a long history of profiting from the suffering of others. He also has shady ties to Vladimir Putin's Russia. That is just his record. Because of that record, I do not have confidence that he will protect the interests of the American people as Secretary of Commerce.

This administration's disturbing ties to Russia have been all over the news. Here is what has been publicly reported as of today.

Our intelligence agencies have concluded that the Russian Government conducted a successful series of cyber attacks against the United States designed to help Donald Trump get elected President. Our intelligence agencies are actively examining a dossier alleging that the Russian Government has collected compromising information on President Trump, and numerous press reports indicate that investigators have already corroborated some of that dossier's contents.

The President's National Security Advisor resigned in disgrace and is the subject of an FBI counterintelligence investigation for his conversations with the Russian Government before the inauguration, conversations that may have been illegal and conversations that he has apparently lied about in public.

Knowingly or unknowingly, the Vice President of the United States has repeated these lies on national television. According to CNN, high-level advisers close to then-Presidential nominee Donald Trump were in constant communication during the campaign with Russians known to U.S. intelligence.

CNN confirmed the New York Times' original investigation with "multiple current and former intelligence law enforcement and administration offi-

cials." Our allies documented regular calls between the Trump campaign and the Russians, confirming the reports of U.S. intelligence agencies. According to reports published in Newsweek, "the British government obtained information that people acting on behalf of Russia were in contact with members of the Trump campaign."

Many news outlets have reported on U.S. intelligence worries that NATO allies will no longer share sensitive information because they fear the new administration could share it with Russia. When asked about the regular points of contact between Russian intelligence operatives and his most senior campaign staff, President Trump refused to take the question seriously. He claimed the multiple reports of staff communications with Russian were "fake news."

Behind the scenes, Trump's chief of staff was pressuring the FBI to help cover up the links between Russia and the Trump campaign. We are 1 month into the Trump Presidency. I wish this were not happening. I wish things were normal, but this is not normal. It is shameful if we ignore all of it as we evaluate the President's nominees to critical foreign policy and national security jobs.

In this context, Mr. Ross's connections to Russia raise dangerous issues. We know that Ross installed a former KGB official and close associate of Vladimir Putin as the vice chairman of the Bank of Cyprus, a bank that Mr. Ross controlled and a bank that was flooded with Russian money. Now, how closely connected was this former KGB official to Vladimir Putin? Here is one hint. He was so closely connected to Putin that he was given a \$100 million payout by a Russian-controlled mining company as a golden parachute. He wasn't even the only Putin pal on Mr. Ross's board. That is right. Mr. Ross wanted the bank he controlled to have multiple board members from Putin's inner circle.

Mr. Ross surrounds himself with Russian oligarchs, and he has invested financially in their success. As he explained during his testimony before the Senate Commerce Committee, Mr. Ross has no intention of divesting from Diamond Shipping, a company that operates 33 oil tankers and jointly charters with even more. So a man who personally selected multiple Vladimir Putin associates to serve with him on the board of the bank he controls has been totally open about his plan to continue profiting from oil tankers shuttling over \$1 billion worth of crude oil through international waters while serving as Commerce Secretary.

It is not just one shipping company. Mr. Ross is retaining his investments in 11—11 separate entities, mostly private companies registered in the Cayman Islands. Among his retained interests, the state-owned China Investment

Company will be one of Mr. Ross's largest fellow investors.

We have never seen a Cabinet like this in history. Like many of President Trump's other nominees and like President Trump himself, this nominee seems to see his time in public service as a chance to increase his own wealth. In other words, on any given deal, he might be working for the American people or he might just be working for himself. We will have no way to know.

President Trump has apparently asked Mr. Ross to lead American trade policy. He claims to want aggressive enforcement of antidumping and currency manipulation rules, which sounds great, but when Ross actually has this job, is he really going to be thinking about American workers or will he be thinking about how to make his KGB buddy from the Bank of Cyprus just a little richer or will he be thinking about how to help out his own oil tankers circling the globe or will he be thinking about his offshore companies and his coinvestors from China or will he be thinking about the next billion dollars he plans to make?

The American people should not be left guessing about who Mr. Ross will be working to protect. There is significant reason to believe the President of the United States has substantial financial ties with Russia, but nobody actually knows any of the details because he has failed to reveal his tax returns.

Now President Trump expects the Senate to rubberstamp his nomination of a top banker to Vladimir Putin's buddies to run the Commerce Department of the United States. This is dangerous and I will vote no. Mr. Ross's financial ties with Russians and his worldwide business deals are not the only problem with this nomination. He is practically a cartoon stereotype of a Wall Street fat cat with no interest in anyone but himself. Ross ran a secret club of top Wall Street tycoons called Kappa Beta Phi. I am not making this up. It is actually true.

So he runs this secret club, which apparently gathers every year to get drunk and entertain themselves by putting on off-color skits that make fun of the millions of Americans they have swindled over the years. That certainly reflects Mr. Ross's world view. This is a man who made a fortune from the housing crisis at the expense of working families. After buying the servicing rights to over \$100 billion in subprime loans, Mr. Ross swiftly got to work cheating borrowers out of their homes.

Here are just a few of the examples of Mr. Ross's approach to business: lying to borrowers about loan modifications; charging borrowers fees that were not authorized; taking payments from borrowers, then not applying those payments to their loans; forcing homeowners insurance on borrowers who already had homeowners insurance; robo-

signing fraudulent foreclosure documents.

The violations were so widespread, his company had to settle with 49 States. Let me repeat that—49 States. A man who builds a fortune off illegally cheating people out of their homes has no business running our Commerce Department.

So let's summarize. Mr. Ross has extensive ties to Russia. He plans to keep making money from his major oil shipping companies while working as Commerce Secretary. He has made billions off the backs of struggling homeowners, and in his free time he hangs out with Wall Street tycoons who sit around and make fun of everyone else. This is disgusting. For all of these reasons—for any of them, really—I urge my colleagues to reject this nomination.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

RECESS SUBJECT TO THE CALL OF THE CHAIR

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess subject to the call of the Chair.

Thereupon, the Senate, at 2:56 p.m., recessed subject to the call of the Chair and reassembled at 3 p.m. when called to order by the Presiding Officer (Mr. YOUNG).

READING OF WASHINGTON'S FAREWELL ADDRESS

The PRESIDING OFFICER. Pursuant to the order of the Senate of January 24, 1901, as amended by the order of February 1, 2017, the Senator from Nebraska, Mr. SASSE, will now read Washington's Farewell Address.

Mr. SASSE, at the rostrum, read the Farewell Address, as follows:

To the people of the United States:

FRIENDS AND FELLOW-CITIZENS: The period for a new election of a citizen to administer the executive government of the United States being not far distant, and the time actually arrived when your thoughts must be employed in designating the person who is to be clothed with that important trust, it appears to me proper, especially as it may conduce to a more distinct expression of the public voice, that I should now apprise you of the resolution I have formed, to decline being considered among the number of those out of whom a choice is to be made.

I beg you at the same time to do me the justice to be assured that this reso-

lution has not been taken without a strict regard to all the considerations appertaining to the relation which binds a dutiful citizen to his country—and that, in withdrawing the tender of service which silence in my situation might imply, I am influenced by no diminution of zeal for your future interest, no deficiency of grateful respect for your past kindness, but am supported by a full conviction that the step is compatible with both.

The acceptance of, and continuance hitherto in, the office to which your suffrages have twice called me have been a uniform sacrifice of inclination to the opinion of duty and to a deference for what appeared to be your desire. I constantly hoped that it would have been much earlier in my power, consistently with motives which I was not at liberty to disregard, to return to that retirement from which I had been reluctantly drawn. The strength of my inclination to do this, previous to the last election, had even led to the preparation of an address to declare it to you; but mature reflection on the then perplexed and critical posture of our affairs with foreign nations, and the unanimous advice of persons entitled to my confidence, impelled me to abandon the idea.

I rejoice that the state of your concerns, external as well as internal, no longer renders the pursuit of inclination incompatible with the sentiment of duty or propriety and am persuaded, whatever partiality may be retained for my services, that in the present circumstances of our country you will not disapprove my determination to retire.

The impressions with which I first undertook the arduous trust were explained on the proper occasion. In the discharge of this trust, I will only say that I have, with good intentions, contributed towards the organization and administration of the government the best exertions of which a very fallible judgment was capable. Not unconscious in the outset of the inferiority of my qualifications, experience in my own eyes, perhaps still more in the eyes of others, has strengthened the motives to diffidence of myself, and every day the increasing weight of years admonishes me more and more that the shade of retirement is as necessary to me as it will be welcome. Satisfied that if any circumstances have given peculiar value to my services, they were temporary, I have the consolation to believe that, while choice and prudence invite me to quit the political scene, patriotism does not forbid it.

In looking forward to the moment which is intended to terminate the career of my public life, my feelings do not permit me to suspend the deep acknowledgment of that debt of gratitude which I owe to my beloved country for the many honors it has conferred upon me, still more for the steadfast confidence with which it has supported me

and for the opportunities I have thence enjoyed of manifesting my inviolable attachment by services faithful and persevering, though in usefulness unequal to my zeal. If benefits have resulted to our country from these services, let it always be remembered to your praise and as an instructive example in our annals that, under circumstances in which the passions agitated in every direction were liable to mislead, amidst appearances sometimes dubious, vicissitudes of fortune often discouraging, in situations in which not unfrequently want of success has countenanced the spirit of criticism, the constancy of your support was the essential prop of the efforts and a guarantee of the plans by which they were effected. Profoundly penetrated with this idea, I shall carry it with me to my grave as a strong incitement to unceasing vows that Heaven may continue to you the choicest tokens of its beneficence; that your union and brotherly affection may be perpetual; that the free constitution, which is the work of your hands, may be sacredly maintained; that its administration in every department may be stamped with wisdom and virtue; that, in fine, the happiness of the people of these states, under the auspices of liberty, may be made complete by so careful a preservation and so prudent a use of this blessing as will acquire to them the glory of recommending it to the applause, the affection, and adoption of every nation which is yet a stranger to it.

Here, perhaps, I ought to stop. But a solicitude for your welfare, which cannot end but with my life, and the apprehension of danger natural to that solicitude, urge me on an occasion like the present to offer to your solemn contemplation, and to recommend to your frequent review, some sentiments which are the result of much reflection, of no inconsiderable observation, and which appear to me all important to the permanency of your felicity as a people. These will be offered to you with the more freedom as you can only see in them the disinterested warnings of a parting friend, who can possibly have no personal motive to bias his counsel. Nor can I forget, as an encouragement to it, your indulgent reception of my sentiments on a former and not dissimilar occasion.

Interwoven as is the love of liberty with every ligament of your hearts, no recommendation of mine is necessary to fortify or confirm the attachment.

The unity of government which constitutes you one people is also now dear to you. It is justly so; for it is a main pillar in the edifice of your real independence, the support of your tranquility at home, your peace abroad, of your safety, of your prosperity, of that very liberty which you so highly prize. But as it is easy to foresee that, from different causes and from different

quarters, much pains will be taken, many artifices employed, to weaken in your minds the conviction of this truth; as this is the point in your political fortress against which the batteries of internal and external enemies will be most constantly and actively (though often covertly and insidiously) directed, it is of infinite moment that you should properly estimate the immense value of your national Union to your collective and individual happiness; that you should cherish a cordial, habitual, and immovable attachment to it; accustoming yourselves to think and speak of it as of the palladium of your political safety and prosperity; watching for its preservation with jealous anxiety; discountenancing whatever may suggest even a suspicion that it can in any event be abandoned; and indignantly frowning upon the first dawning of every attempt to alienate any portion of our country from the rest, or to enfeeble the sacred ties which now link together the various parts.

For this you have every inducement of sympathy and interest. Citizens by birth or choice of a common country, that country has a right to concentrate your affections. The name of American, which belongs to you in your national capacity, must always exalt the just pride of patriotism more than any appellation derived from local discriminations. With slight shades of difference, you have the same religion, manners, habits, and political principles. You have in a common cause fought and triumphed together. The independence and liberty you possess are the work of joint councils and joint efforts—of common dangers, sufferings, and successes.

But these considerations, however powerfully they address themselves to your sensibility, are greatly outweighed by those which apply more immediately to your interest. Here every portion of our country finds the most commanding motives for carefully guarding and preserving the Union of the whole.

The North, in an unrestrained intercourse with the South, protected by the equal laws of a common government, finds in the productions of the latter great additional resources of maritime and commercial enterprise and precious materials of manufacturing industry. The South in the same intercourse, benefitting by the agency of the North, sees its agriculture grow and its commerce expand. Turning partly into its own channels the seamen of the North, it finds its particular navigation invigorated; and while it contributes, in different ways, to nourish and increase the general mass of the national navigation, it looks forward to the protection of a maritime strength to which itself is unequally adapted. The East, in a like intercourse with the West, already finds, and in the

progressive improvement of interior communications by land and water will more and more find a valuable vent for the commodities which it brings from abroad or manufactures at home. The West derives from the East supplies requisite to its growth and comfort—and what is perhaps of still greater consequence, it must of necessity owe the secure enjoyment of indispensable outlets for its own productions to the weight, influence, and the future maritime strength of the Atlantic side of the Union, directed by an indissoluble community of interest as one nation. Any other tenure by which the West can hold this essential advantage, whether derived from its own separate strength or from an apostate and unnatural connection with any foreign power, must be intrinsically precarious.

While then every part of our country thus feels an immediate and particular interest in union, all the parts combined cannot fail to find in the united mass of means and efforts greater strength, greater resource, proportionably greater security from external danger, a less frequent interruption of their peace by foreign nations; and, what is of inestimable value! they must derive from union an exemption from those broils and wars between themselves which so frequently afflict neighboring countries not tied together by the same government, which their own rivalships alone would be sufficient to produce, but which opposite foreign alliances, attachments, and intrigues would stimulate and embitter. Hence likewise they will avoid the necessity of those overgrown military establishments, which under any form of government are inauspicious to liberty, and which are to be regarded as particularly hostile to republican liberty. In this sense it is, that your Union ought to be considered as a main prop of your liberty, and that the love of the one ought to endear to you the preservation of the other.

These considerations speak a persuasive language to every reflecting and virtuous mind and exhibit the continuance of the Union as a primary object of patriotic desire. Is there a doubt whether a common government can embrace so large a sphere? Let experience solve it. To listen to mere speculation in such a case were criminal. We are authorized to hope that a proper organization of the whole, with the auxiliary agency of governments for the respective subdivisions, will afford a happy issue to the experiment. It is well worth a fair and full experiment. With such powerful and obvious motives to union affecting all parts of our country, while experience shall not have demonstrated its impracticability, there will always be reason to distrust the patriotism of those who in any quarter may endeavor to weaken its bands.

In contemplating the causes which may disturb our Union, it occurs as matter of serious concern that any ground should have been furnished for characterizing parties by geographical discriminations—northern and southern—Atlantic and western; whence designing men may endeavor to excite a belief that there is a real difference of local interests and views. One of the expedients of party to acquire influence within particular districts is to misrepresent the opinions and aims of other districts. You cannot shield yourselves too much against the jealousies and heart burnings which spring from these misrepresentations. They tend to render alien to each other those who ought to be bound together by fraternal affection. The inhabitants of our western country have lately had a useful lesson on this head. They have seen in the negotiation by the executive—and in the unanimous ratification by the Senate—of the treaty with Spain, and in the universal satisfaction at that event throughout the United States, a decisive proof how unfounded were the suspicions propagated among them of a policy in the general government and in the Atlantic states unfriendly to their interests in regard to the Mississippi. They have been witnesses to the formation of two treaties, that with Great Britain and that with Spain, which secure to them everything they could desire, in respect to our foreign relations, towards confirming their prosperity. Will it not be their wisdom to rely for the preservation of these advantages on the Union by which they were procured? Will they not henceforth be deaf to those advisers, if such there are, who would sever them from their brethren and connect them with aliens?

To the efficacy and permanency of your Union, a government for the whole is indispensable. No alliances, however strict, between the parts can be an adequate substitute. They must inevitably experience the infractions and interruptions which all alliances in all times have experienced. Sensible of this momentous truth, you have improved upon your first essay by the adoption of a Constitution of government better calculated than your former for an intimate Union and for the efficacious management of your common concerns. This government, the offspring of our own choice uninfluenced and unawed, adopted upon full investigation and mature deliberation, completely free in its principles, in the distribution of its powers uniting security with energy, and containing within itself a provision for its own amendment, has a just claim to your confidence and your support. Respect for its authority, compliance with its laws, acquiescence in its measures, are duties enjoined by the fundamental maxims of true liberty. The basis of our political systems is the

right of the people to make and to alter their constitutions of government. But the Constitution which at any time exists, until changed by an explicit and authentic act of the whole people, is sacredly obligatory upon all. The very idea of the power and the right of the people to establish government presupposes the duty of every individual to obey the established government.

All obstructions to the execution of the laws, all combinations and associations under whatever plausible character with the real design to direct, control, counteract, or awe the regular deliberation and action of the constituted authorities, are destructive of this fundamental principle and of fatal tendency. They serve to organize faction; to give it an artificial and extraordinary force; to put in the place of the delegated will of the nation the will of a party, often a small but artful and enterprising minority of the community; and, according to the alternate triumphs of different parties, to make the public administration the mirror of the ill concerted and incongruous projects of faction, rather than the organ of consistent and wholesome plans digested by common councils and modified by mutual interests. However combinations or associations of the above description may now and then answer popular ends, they are likely, in the course of time and things, to become potent engines by which cunning, ambitious, and unprincipled men will be enabled to subvert the power of the people and to usurp for themselves the reins of government, destroying afterwards the very engines which have lifted them to unjust dominion.

Towards the preservation of your government and the permanency of your present happy state, it is requisite not only that you steadily discountenance irregular oppositions to its acknowledged authority but also that you resist with care the spirit of innovation upon its principles, however specious the pretexts. One method of assault may be to effect in the forms of the Constitution alterations which will impair the energy of the system and thus to undermine what cannot be directly overthrown. In all the changes to which you may be invited, remember that time and habit are at least as necessary to fix the true character of governments as of other human institutions, that experience is the surest standard by which to test the real tendency of the existing constitution of a country, that facility in changes upon the credit of mere hypotheses and opinion exposes to perpetual change from the endless variety of hypotheses and opinion; and remember, especially, that for the efficient management of your common interests in a country so extensive as ours, a government of as much vigor as is consistent with the perfect security of liberty is indispen-

sable; liberty itself will find in such a government, with powers properly distributed and adjusted, its surest guardian. It is indeed little else than a name, where the government is too feeble to withstand the enterprises of faction, to confine each member of the society within the limits prescribed by the laws, and to maintain all in the secure and tranquil enjoyment of the rights of person and property.

I have already intimated to you the danger of parties in the state, with particular reference to the founding of them on geographical discriminations. Let me now take a more comprehensive view and warn you in the most solemn manner against the baneful effects of the spirit of party, generally.

This spirit, unfortunately, is inseparable from our nature, having its root in the strongest passions of the human mind. It exists under different shapes in all governments, more or less stifled, controlled, or repressed; but in those of the popular form it is seen in its greatest rankness and is truly their worst enemy.

The alternate domination of one faction over another, sharpened by the spirit of revenge natural to party dissension, which in different ages and countries has perpetrated the most horrid enormities, is itself a frightful despotism. But this leads at length to a more formal and permanent despotism. The disorders and miseries which result gradually incline the minds of men to seek security and repose in the absolute power of an individual; and sooner or later the chief of some prevailing faction, more able or more fortunate than his competitors, turns this disposition to the purposes of his own elevation on the ruins of public liberty.

Without looking forward to an extremity of this kind (which nevertheless ought not to be entirely out of sight) the common and continual mischiefs of the spirit of party are sufficient to make it the interest and the duty of a wise people to discourage and restrain it.

It serves always to distract the public councils and enfeeble the public administration. It agitates the community with ill founded jealousies and false alarms, kindles the animosity of one part against another, foment occasionally riot and insurrection. It opens the door to foreign influence and corruption, which find a facilitated access to the government itself through the channels of party passions. Thus the policy and the will of one country are subjected to the policy and will of another.

There is an opinion that parties in free countries are useful checks upon the administration of the government and serve to keep alive the spirit of liberty. This within certain limits is probably true—and in governments of a monarchical cast patriotism may look with indulgence, if not with favor,

upon the spirit of party. But in those of the popular character, in governments purely elective, it is a spirit not to be encouraged. From their natural tendency, it is certain there will always be enough of that spirit for every salutary purpose. And there being constant danger of excess, the effort ought to be by force of public opinion to mitigate and assuage it. A fire not to be quenched, it demands a uniform vigilance to prevent its bursting into a flame, lest instead of warming it should consume.

It is important, likewise, that the habits of thinking in a free country should inspire caution in those entrusted with its administration to confine themselves within their respective constitutional spheres, avoiding in the exercise of the powers of one department to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one and thus to create, whatever the form of government, a real despotism. A just estimate of that love of power and proneness to abuse it which predominates in the human heart is sufficient to satisfy us of the truth of this position. The necessity of reciprocal checks in the exercise of political power, by dividing and distributing it into different depositories and constituting each the guardian of the public weal against invasions by the others, has been evinced by experiments ancient and modern, some of them in our country and under our own eyes. To preserve them must be as necessary as to institute them. If in the opinion of the people the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the Constitution designates. But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance in permanent evil any partial or transient benefit which the use can at any time yield.

Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports. In vain would that man claim the tribute of patriotism who should labor to subvert these great pillars of human happiness, these firmest props of the duties of men and citizens. The mere politician, equally with the pious man, ought to respect and to cherish them. A volume could not trace all their connections with private and public felicity. Let it simply be asked where is the security for property, for reputation, for life, if the sense of religious obligation desert the oaths, which are the instruments of investigation in courts of justice? And let us with caution indulge the supposition

that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect that national morality can prevail in exclusion of religious principle.

It is substantially true that virtue or morality is a necessary spring of popular government. The rule indeed extends with more or less force to every species of free government. Who that is a sincere friend to it can look with indifference upon attempts to shake the foundation of the fabric?

Promote then, as an object of primary importance, institutions for the general diffusion of knowledge. In proportion as the structure of a government gives force to public opinion, it is essential that public opinion should be enlightened.

As a very important source of strength and security, cherish public credit. One method of preserving it is to use it as sparingly as possible, avoiding occasions of expense by cultivating peace, but remembering also that timely disbursements to prepare for danger frequently prevent much greater disbursements to repel it; avoiding likewise the accumulation of debt, not only by shunning occasions of expense, but by vigorous exertions in time of peace to discharge the debts which unavoidable wars may have occasioned, not ungenerously throwing upon posterity the burden which we ourselves ought to bear. The execution of these maxims belongs to your representatives, but it is necessary that public opinion should cooperate. To facilitate to them the performance of their duty, it is essential that you should practically bear in mind that towards the payment of debts there must be revenue; that to have revenue there must be taxes; that no taxes can be devised which are not more or less inconvenient and unpleasant; that the intrinsic embarrassment inseparable from the selection of the proper objects (which is always a choice of difficulties) ought to be a decisive motive for a candid construction of the conduct of the government in making it, and for a spirit of acquiescence in the measures for obtaining revenue which the public exigencies may at any time dictate.

Observe good faith and justice towards all nations; cultivate peace and harmony with all; religion and morality enjoin this conduct, and can it be that good policy does not equally enjoin it? It will be worthy of a free, enlightened, and, at no distant period, a great nation, to give to mankind the magnanimous and too novel example of a people always guided by an exalted justice and benevolence. Who can doubt that in the course of time and things the fruits of such a plan would richly repay any temporary advantages which might be lost by a steady adherence to it? Can it be, that Providence has not

connected the permanent felicity of a nation with its virtue? The experiment, at least, is recommended by every sentiment which ennobles human nature. Alas! is it rendered impossible by its vices?

In the execution of such a plan nothing is more essential than that permanent, inveterate antipathies against particular nations and passionate attachments for others should be excluded and that in place of them just and amicable feelings towards all should be cultivated. The nation which indulges towards another an habitual hatred, or an habitual fondness, is in some degree a slave. It is a slave to its animosity or to its affection, either of which is sufficient to lead it astray from its duty and its interest. Antipathy in one nation against another disposes each more readily to offer insult and injury, to lay hold of slight causes of umbrage, and to be haughty and intractable when accidental or trifling occasions of dispute occur. Hence frequent collisions, obstinate, envenomed, and bloody contests. The nation, prompted by ill will and resentment, sometimes impels to war the government, contrary to the best calculations of policy. The government sometimes participates in the national propensity and adopts through passion what reason would reject; at other times, it makes the animosity of the nation subservient to projects of hostility instigated by pride, ambition and other sinister and pernicious motives. The peace often, sometimes perhaps the liberty, of nations has been the victim.

So likewise, a passionate attachment of one nation for another produces a variety of evils. Sympathy for the favorite nation, facilitating the illusion of an imaginary common interest in cases where no real common interest exists and infusing into one the enmities of the other, betrays the former into a participation in the quarrels and wars of the latter, without adequate inducement or justification. It leads also to concessions to the favorite nation of privileges denied to others, which is apt doubly to injure the nation making the concessions, by unnecessarily parting with what ought to have been retained and by exciting jealousy, ill will, and a disposition to retaliate in the parties from whom equal privileges are withheld. And it gives to ambitious, corrupted, or deluded citizens (who devote themselves to the favorite nation) facility to betray or sacrifice the interests of their own country without odium, sometimes even with popularity, gilding with the appearances of a virtuous sense of obligation, a commendable deference for public opinion, or a laudable zeal for public good, the base or foolish compliances of ambition, corruption, or infatuation.

As avenues to foreign influence in innumerable ways, such attachments are particularly alarming to the truly en-

lightened and independent patriot. How many opportunities do they afford to tamper with domestic factions, to practice the arts of seduction, to mislead public opinion, to influence or awe the public councils! Such an attachment of a small or weak towards a great and powerful nation dooms the former to be the satellite of the latter.

Against the insidious wiles of foreign influence (I conjure you to believe me, fellow citizens) the jealousy of a free people ought to be constantly awake, since history and experience prove that foreign influence is one of the most baneful foes of republican government. But that jealousy to be useful must be impartial; else it becomes the instrument of the very influence to be avoided, instead of a defense against it. Excessive partiality for one foreign nation and excessive dislike of another cause those whom they actuate to see danger only on one side, and serve to veil and even second the arts of influence on the other. Real patriots, who may resist the intrigues of the favorite, are liable to become suspected and odious, while its tools and dupes usurp the applause and confidence of the people to surrender their interests.

The great rule of conduct for us in regard to foreign nations is, in extending our commercial relations, to have with them as little political connection as possible. So far as we have already formed engagements, let them be fulfilled with perfect good faith. Here let us stop.

Europe has a set of primary interests, which to us have none or a very remote relation. Hence she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence therefore it must be unwise in us to implicate ourselves, by artificial ties, in the ordinary vicissitudes of her politics or the ordinary combinations and collisions of her friendships or enmities.

Our detached and distant situation invites and enables us to pursue a different course. If we remain one people under an efficient government, the period is not far off when we may defy material injury from external annoyance; when we may take such an attitude as will cause the neutrality we may at any time resolve upon to be scrupulously respected; when belligerent nations, under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provocation; when we may choose peace or war, as our interest guided by justice shall counsel.

Why forgo the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalship, interest, humor, or caprice?

It is our true policy to steer clear of permanent alliances with any portion

of the foreign world—so far, I mean, as we are now at liberty to do it, for let me not be understood as capable of patronizing infidelity to existing engagements (I hold the maxim no less applicable to public than to private affairs, that honesty is always the best policy)—I repeat it therefore, let those engagements be observed in their genuine sense. But in my opinion it is unnecessary and would be unwise to extend them.

Taking care always to keep ourselves, by suitable establishments, on a respectably defensive posture, we may safely trust to temporary alliances for extraordinary emergencies.

Harmony, liberal intercourse with all nations, are recommended by policy, humanity, and interest. But even our commercial policy should hold an equal and impartial hand: neither seeking nor granting exclusive favors or preferences; consulting the natural course of things; diffusing and diversifying by gentle means the streams of commerce but forcing nothing; establishing with powers so disposed—in order to give to trade a stable course, to define the rights of our merchants, and to enable the government to support them—conventional rules of intercourse, the best that present circumstances and mutual opinion will permit, but temporary, and liable to be from time to time abandoned or varied, as experience and circumstances shall dictate; constantly keeping in view, that it is folly in one nation to look for disinterested favors from another—that it must pay with a portion of its independence for whatever it may accept under that character—that by such acceptance it may place itself in the condition of having given equivalents for nominal favors and yet of being reproached with ingratitude for not giving more. There can be no greater error than to expect or calculate upon real favors from nation to nation. It is an illusion which experience must cure, which a just pride ought to discard.

In offering to you, my countrymen, these counsels of an old and affectionate friend, I dare not hope they will make the strong and lasting impression I could wish—that they will control the usual current of the passions or prevent our nation from running the course which has hitherto marked the destiny of nations. But if I may even flatter myself that they may be productive of some partial benefit, some occasional good, that they may now and then recur to moderate the fury of party spirit, to warn against the mischiefs of foreign intrigue, to guard against the impostures of pretended patriotism—this hope will be a full recompense for the solicitude for your welfare by which they have been dictated.

How far in the discharge of my official duties I have been guided by the

principles which have been delineated, the public records and other evidences of my conduct must witness to you and to the world. To myself, the assurance of my own conscience is that I have at least believed myself to be guided by them.

In relation to the still subsisting war in Europe, my proclamation of the 22d of April 1793 is the index to my plan. Sanctioned by your approving voice and by that of your representatives in both houses of Congress, the spirit of that measure has continually governed me, uninfluenced by any attempts to deter or divert me from it.

After deliberate examination with the aid of the best lights I could obtain, I was well satisfied that our country, under all the circumstances of the case, had a right to take—and was bound in duty and interest to take—a neutral position. Having taken it, I determined, as far as should depend upon me, to maintain it with moderation, perseverance, and firmness.

The considerations which respect the right to hold this conduct it is not necessary on this occasion to detail. I will only observe that, according to my understanding of the matter, that right, so far from being denied by any of the belligerent powers, has been virtually admitted by all.

The duty of holding a neutral conduct may be inferred, without anything more, from the obligation which justice and humanity impose on every nation, in cases in which it is free to act, to maintain inviolate the relations of peace and amity towards other nations.

The inducements of interest for observing that conduct will best be referred to your own reflections and experience. With me, a predominant motive has been to endeavor to gain time to our country to settle and mature its yet recent institutions and to progress without interruption to that degree of strength and consistency which is necessary to give it, humanly speaking, the command of its own fortunes.

Though in reviewing the incidents of my administration I am unconscious of intentional error, I am nevertheless too sensible of my defects not to think it probable that I may have committed many errors. Whatever they may be, I fervently beseech the Almighty to avert or mitigate the evils to which they may tend. I shall also carry with me the hope that my country will never cease to view them with indulgence and that, after forty-five years of my life dedicated to its service with an upright zeal, the faults of incompetent abilities will be consigned to oblivion, as myself must soon be to the mansions of rest.

Relying on its kindness in this as in other things, and actuated by that fervent love towards it which is so natural to a man who views in it the native soil of himself and his progenitors for several generations, I anticipate

with pleasing expectation that retreat, in which I promise myself to realize without alloy the sweet enjoyment of partaking in the midst of my fellow citizens the benign influence of good laws under a free government—the ever favorite object of my heart, and the happy reward, as I trust, of our mutual cares, labors and dangers.

GEO. WASHINGTON.

UNITED STATES, 19th September 1796.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mrs. ERNST). Without objection, it is so ordered.

EXECUTIVE CALENDAR—Continued

Mr. CASEY. Madam President, I ask unanimous consent to speak as in morning business.

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

TRIBUTE TO DR. CONSTANCE E. CLAYTON

Mr. CASEY. Madam President, I rise today, as I have every year that I have been in the Senate, which is quite a long time now—the last 10 years, going into 11—to give some remarks in commemoration of Black History Month. The way I have done that, and the way our office has done it, is to recognize a special figure in my home State of Pennsylvania, an individual who we are very proud of. Today we honor Dr. Constance E. Clayton, a trailblazing figure whose career in education positively impacted the lives of countless children in Philadelphia, and whose work continues to pay dividends in the city public schools to this day. Throughout her long career as a teacher and administrator in the Philadelphia School District, Dr. Clayton never lost sight of her mission. In her words: “The children come first.”

A product of Philadelphia public schools, Dr. Clayton became the first African American and the first woman to serve as superintendent of the Philadelphia School District. This Black History Month, we celebrate Dr. Clayton's place in that history, but as we do, we should also ask ourselves if we are living up to her legacy and if we are putting the children first—all children everywhere first.

I will be seeing Dr. Clayton today and so many of her friends. The rules don't allow me to acknowledge anyone else in the Chamber. So I will do that later. But I do want her to know how much we appreciate her giving us this much time to pay tribute to her and to her work.

Connie Clayton's story is a great American story. Born to a plumber and

social worker, she was raised by her mother and grandmother after her parents divorced when she was just 2 years old. She attended Paul Lawrence Dunbar Elementary School in Philadelphia.

Her mind, like that of so many children, was awakened by a special teacher. In her case, it was her fourth grade teacher at Dunbar, whose name she still readily recalls—Ms. Alice Spotwood. She remembers that Ms. Spotwood was kind, and she made learning fun. She also remembers that Ms. Spotwood seemed interested in her individually, even as she was interested in every other child in that classroom. Ms. Spotwood made Connie feel special.

Connie Clayton went on to attend Jay Cook Junior High School and Philadelphia High School for Girls, where she excelled academically. She thought she wanted to be a doctor, even taking 4 years of Latin at Girls High School on the theory that she would need to decipher dated medical jargon. Her enthusiasm waned when she realized that calling a body a corpus didn't make studying its contents any more appealing. She chose, instead, to focus on the mind, earning her bachelor's degree and her master of education degree from Temple University, before going on to her doctorate of education in educational leadership from the University of Pennsylvania, where she was a Rockefeller scholar.

Dr. Constance E. Clayton recognized that education—her education—was what empowered her to succeed. It started at Dunbar, where teachers like Ms. Spotwood first taught her to raise her sights and to reach out and to believe. So it is no coincidence that her first step in her professional life was to go back to Dunbar and return the favor. She took a role as a student teacher alongside many of the same people who taught her before she could imagine that the letters “Ph.D” would follow her name or that the title “Superintendent” would someday precede it.

In 1955, Dr. Clayton got her first full-time teaching job at Philadelphia's Harrison Elementary School, where she taught fifth grade social studies. Grounded in that personal mission that children come first, Dr. Clayton's years as a teacher revealed a unique gift for understanding children, their specific challenges and their particular needs. This is no doubt why, in the years that followed, she earned a role in developing the social studies curriculum for the entire district and led an effort to develop and train teachers to implement a Black history curriculum throughout the school district.

Dr. Clayton recalls understanding that for students at a predominantly Black school in Philadelphia, it is Black History Month every day, every month, and they need to see their lived experience reflected in the course ma-

terial because they didn't see many white picket fences where they were growing up. To paraphrase Carter Woodson, often known as the father of Black history himself: Kids need to learn, not just about Black history but about Black people in American history. Dr. Clayton recalls the reward of watching kids excited to learn that they, too, could be a painter, an author, an astronaut or whatever they wanted, and of watching the limits of those children's imaginations dissolve before their eyes.

Dr. Clayton didn't limit her own imagination either. In 1972, she was named executive director and associate superintendent of early childhood education programs for the Philadelphia School District.

Early childhood education is an issue dear to my own heart, as the sponsor of legislation here in the Senate to ensure universal early education nationwide. We know that the stakes for this issue are high. Early learning increases future income. It reduces the chance of arrest or incarceration, and it also reduces reliance on social services. Under Dr. Clayton's leadership, the Philadelphia School District expanded and enhanced its early education program into a national model.

Connie Clayton's passion for helping children and her competence did not go unnoticed. In 1982, she was chosen as superintendent of the Philadelphia School District, the first African American and the first woman to hold that role. She knew the expectation would be high, but her mother always told her: “Delete the word ‘can’t’ from your vocabulary.” So Connie hit the ground running hard, declaring in the press conference where she accepted the job that motto that would come to define her tenure: “The children come first.”

I have often said that there is a light inside of every child, and it is the obligation of adults, especially elected officials, to make sure that this light shines brightly to the full measure of its potential. We know that from day one as superintendent, Dr. Connie Clayton knew her job was to nurture this light. But as a product of segregated education herself, she understood that our system doesn't always allow every light to shine equally bright.

High minority schools often receive less funding, often have less experienced teachers, and often offer fewer high-level math and science courses. We know still today that this is true. Black K–12 students are almost four times as likely as White students to receive an out-of-school suspension and almost twice as likely to be expelled. Black students represent 16 percent of the public school population today but 42 percent of the population of justice facility education programs.

Connie Clayton refused to simply curse the darkness of these numbers.

She worked to change them. She knew that an enlightened mind can empower students to overcome the traps laid by cynicism, indifference, and underfunding—to slip the bounds of low expectation, beat the odds, and then turn around and work to change them. A good education can take that light inside and make it flare.

She might have asked, and we still are asking: What, then, is a good education? Can some combination of facts and numbers alone contain this transformative power of education?

Well, W.E.B. Du Bois said: “Education must not simply teach work—it must teach life.” Dr. Clayton understood this in all of its implications, both clear and subtle. She knew it was clear that a good education starts with an open school.

In the 5 years preceding Dr. Clayton's term as superintendent, there were five teacher strikes in Philadelphia that cost students 1,000 days in the classroom. But during her 11 years in office, there wasn't a single strike. She knew it was clear that a good education requires funding. When she came in, the Philadelphia School District was facing a crushing \$90 million deficit. When she left, it was running a surplus, and she had created financial partnerships with area businesses, all without closing a single school.

Dr. Clayton knew it was clear that a good education comes from a good curriculum. When she came in, she noticed the school district had stopped teaching algebra. When she left as superintendent, she fostered a partnership with local university professors to teach the subject of algebra to a voluntary class that grew from 9 kids the first year to over 1,900.

She implemented a free breakfast program because she knew that students from certain parts of the district might not be able to get food in the morning. We know, as she knew well, that hungry kids cannot learn.

She reinstated summer school because she knew that a few credits here or there can mean the difference between a diploma and a dropout, and in that difference lay the blueprints to divergent lives.

She treated her schools like second homes for children because she remembered, from all of her years of teaching, how the vast majority of parents wanted more for their kids than they were able to provide and that they just needed some help in filling the gaps.

She took just 1 week of vacation in 11 years as superintendent—that has to be some kind of national record—and just 1 day of vacation in her many years of teaching before that, because she felt not just a passion for her work but an urgency to see its results.

Dr. Clayton had a sense of urgency about educating these children, in the same way it was urgent for the followers of Sojourner Truth in the 19th

century. It was urgent for the students in the Student Nonviolent Coordinating Committee, known as SNCC, in the 20th century. They had that urgency. It has been urgent for all the ordinary lives before, between, and since. It was urgent for little Hannah A. Lions, a girl studying in Philadelphia in the 1830s whose family saved her school copybook as “proof that there were some educated [Black] people back when” and donated this copybook to the recently opened National Museum of African American History and Culture here in Washington, where it sits on display.

It was as urgent, of course, for Dr. Constance Clayton, when she attended segregated schools in the same city some 100 years after Hannah. That is because a good education is not just some combination of numbers and facts. It is enlightenment for a mind constrained, freedom for a soul repressed, and a passport to a future that transcends artificial limitations and unleashes potential.

Dr. Clayton worked feverishly to put one of those passports in the pockets of each student who passed through the Philadelphia schools under her watch. Her passion and her vision earned her a reputation as a reformer whom the New York Times wrote led an “educational renaissance” in Philadelphia.

She would do whatever it took to make schools better for her students. She pushed the district to meet the goals of the America 2000 Program, an ambitious plan to significantly increase the achievements of urban school districts across the country. She instituted the Homeless Student Initiative, a successful program to provide continuity in education and a level of consistent support to the hundreds, perhaps thousands, of homeless children in the district enduring the daily hardships of life in shelters. Connie worked to desegregate schools and made sure the district was providing employment opportunities to minority candidates.

Several years into her administration, the executive director of the Council of Great City Schools remarked of Dr. Clayton’s tenure as superintendent: “Looking at an array of programs carried out in Philadelphia, you will see almost every innovative reform that has been proposed in urban schools.” So it is no surprise that Dr. Clayton received all manner of awards and honors. Let me mention a few: the Dr. Constance E. Clayton Chair in Urban Education at the Graduate School of Education at the University of Pennsylvania, which was named in her honor—the first endowed professorship in the United States to be named after an African-American woman. She received the Distinguished Daughters of Pennsylvania Award and the Humanitarian Service Award from the Philadelphia Commission on

Human Relations, as well as the 2008 Star Community Commitment in Education Award from the Philadelphia Education Fund, just to name a few. She has received honorary doctorates from 17 colleges and universities, not to mention being a visiting professor at Harvard Graduate School of Education. I could go on and on today.

She currently serves as trustee of the Philadelphia Museum of Art, chairing the African and Afro-American Collections and Exhibits Committee and is a life member of the Delta Sigma Theta Sorority, where she has served in multiple leadership roles.

Connie Clayton’s life has been a life of service. We know that in our State capitol—the building has the following inscription: “All public service is a trust given in faith and accepted in honor.” Dr. Clayton honored the trust of public service. She validated the faith that the parents of all those students placed in her to carry out that trust, and she always put schoolchildren first. So on behalf of those students and their parents and everyone else her work touched in the course of her long career, it is my distinct privilege to honor Dr. Constance E. Clayton in celebration of Black History Month on the Senate floor today. I want to convey our gratitude for her devotion to education and, of course, to the children of Philadelphia.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. CORNYN. Madam President, it has been since January 20 when President Trump was inaugurated that we have been trying to get his Cabinet choices confirmed here in the Senate. Unfortunately, it has been slow-walked to the point now that tonight we are going to be voting on the President’s nominee to lead the Commerce Department, Mr. Wilbur Ross. I am grateful to Mr. Ross for wanting to serve the country in this way. I think President Trump has chosen wisely as to the Commerce Secretary.

One of the things President Trump said Mr. Ross will do is enter into the negotiation process on NAFTA, the North American Free-Trade Agreement. In my part of the world, in Texas, NAFTA is viewed positively; it is not a dirty word.

Some people have suggested that trade somehow has a negative impact on our economy, but I believe the evidence is to the contrary. As a matter of fact, just between Mexico and the United States—5 million jobs depend on binational trade between Mexico

and the United States. I know from time to time we have differences of views with Mexico. I saw that Secretary Kelly and Secretary Tillerson were in Mexico City on Wednesday talking about some of those differences but reassuring our Mexican counterparts of our sincerity and good will in trying to work through those. But the fact is, we share a common border with Mexico. What happens in Mexico has an impact on the economy and public safety in the United States and vice versa.

So I am actually grateful for the conversation I have had with the Secretary of Commerce nominee, Wilbur Ross and that he is interested in updating NAFTA, the North American Free-Trade Agreement, rather than throwing the baby out with the bath water. I think that is a positive approach and one that I certainly support.

We have a lot more Cabinet posts that remain vacant in the executive branch because our friends across the aisle have decided that somehow serves their political interests. But it does not serve the public’s interests and it does not serve the country’s interests to have a brandnew administration without the ability of the President to pick and choose the people he wants to help him govern the country. It creates more problems, and it also prevents us from getting on with the other important business of the Congress and working together with this President to try to move the country forward in so many important ways.

I am glad we will actually consider Congressman ZINKE’s nomination for the Department of Interior later this evening, but we are going to have to go through this arduous process, this procedural process of cloture and postcloture time-burning before we can actually vote on this qualified nominee. I have said before that by holding up these qualified nominees, they are not only preventing the executive branch from working for the benefit of the American people, but they are also keeping us from our other job. After we get out of the personnel business, we need to get about the business of legislating and producing results for the American people. So I hope that at some point and at some point soon, our Democratic friends will let us move on from the confirmation process and get down to work where we can make that progress.

NOMINATION OF NEIL GORSUCH

One of the areas in which I am very excited about our ability to effect change will be in considering the President’s nominee to fill the seat left vacant by the tragic passing of Justice Antonin Scalia. It has been a month since President Trump nominated Judge Neil Gorsuch to that position. As Americans—including Members of the Senate—are familiarizing themselves with his incredible record, I have been

glad to see folks on both sides of the aisle speak so well of him, not just his sterling character and his sterling legal career but how he appears to be really the role model for the type of person you would want to see sitting on the Supreme Court of the United States. Those who know him and his work understand that he exemplifies the integrity, intellect, and accomplishment we would expect from someone on our highest Court.

Some of our colleagues across the aisle—notably the minority leader—have complained that Judge Gorsuch has refused to prejudice certain issues he has been asked about that will likely come before him as a member of the Supreme Court of the United States. I think Judge Gorsuch has it right. It is common practice for Supreme Court nominees, reflecting the judicial ethics of not deciding cases before they are actually presented, to decline to answer those sorts of speculative questions. Justice Ginsburg, whom the minority leader clearly respects, made this point eloquently, and Supreme Court nominees have adhered to the norm ever since. If following the well-conceived practices developed by people like Justice Ginsburg of declining to answer questions about how they would decide a case if it came before the Supreme Court—certainly if that is the rule she would embrace, then that ought to be good enough for Judge Gorsuch as well.

I think it reflects the fact that our friends across the aisle who are looking for something to complain about with Judge Gorsuch simply can't find anything, and so they are creating this false choice of asking him to decide cases before he even assumes the bench on the Supreme Court, which clearly is unethical for any judge to do because judges are not politicians running on a platform; a judge's job is to decide the law according to the law and the Constitution. How can you possibly know before the case is presented what the facts might be or how the issue might be presented to the court?

Every ethicist, every legal scholar who has had a chance to comment on such things understands that we can't ethically require judges to say how they would decide cases before they go on the court. If they did, I think they would be disqualified from serving because they would really be just a politician wearing a black robe but one who is unaccountable to the American people since they serve literally for life.

Editorial boards across the country and even former Obama administration officials have recognized Judge Gorsuch as a man who would "help restore confidence in the rule of law." Before he was even announced as the nominee, an editorial in the *Denver Post*, his hometown newspaper, encouraged President Trump to select him.

They called Judge Gorsuch "a brilliant legal mind and talented writer." That same paper, by the way, endorsed Hillary Clinton for President. But they agree that Neil Gorsuch is a tremendous nominee for the Supreme Court.

Just last week, the *Washington Post* issued an article titled "Simply stated, Gorsuch is steadfast and surprising." Well, that is a very concise way to put it, and it is actually a great summary. He is steadfast in his belief in originalism; that is, the text of the Constitution actually means what it says, not based on some desire to see some particular policy affected that has nothing to do with the literal text of the Constitution. That is what judges do—they interpret a written Constitution, not an evolving Constitution or decide cases based on their public policy preferences.

It is clear that Judge Gorsuch is independent. He interprets the law as a judge should—with fairness and without bias.

To put it another way, Judge Gorsuch is exactly the kind of nominee you would hope to see from any administration, and it is gratifying to see him nominated to this important seat by President Trump. I am sure, because of the qualities I have described, that is why he was previously confirmed unanimously by the U.S. Senate to his current position on the U.S. Court of Appeals for the Tenth Circuit.

Judge Gorsuch is a tremendous jurist and scholar. He will be appearing before the Senate Judiciary Committee in March for questioning by members of the Judiciary Committee, and then there will be a vote. He has been confirmed by the Senate before unanimously, as I said, because he was then and is now a mainstream pick with an exceptional legal record. The more we learn about him, it seems the more we hear from folks along his journey from childhood, to law school, to his professional life, commending his intellect, integrity, and his strong sense of character. I believe he is simply the right man for the job. I look forward to considering him before the Judiciary Committee and to confirming him soon.

Madam President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

CALLING FOR THE APPOINTMENT OF A SPECIAL COUNSEL

Mr. LEAHY. Madam President, I have been concerned. As I read the press and talk with officials, I learn more about the troubling connections between the Russian Government and President Trump's campaign and administration.

We already knew—it is very, very factual—that Russian President Putin ordered a multifaceted campaign to undermine public faith in our election and to help President Trump win in November. That is something all of us as Americans should be concerned about. Whether you are a Republican, a Democrat, or an Independent, when you have that kind of an attack on our democracy, it is a concern to all of us.

Reports indicate that Trump officials were in repeated contact with senior Russian intelligence officials during this time. This comes on the heels of the President's National Security Advisor having to resign after providing misleading details on conversations he had with the Russian Ambassador concerning U.S. sanctions. But there is a lot we still don't know, including the extent of the contacts, who directed them, whether people who at one point or another left the Trump campaign were involved, whether there was collusion, and, of course, the obvious question: What did the President know and when he did he know it?

The American people deserve to know the facts. They deserve a full and fair investigation that is free from any political influence. The White House has already demonstrated it is not going to respect the independence of this investigation. The fact that the White House Chief of Staff attempted to use the FBI—in violation of Justice Department policies—to suppress news reports about Russian contacts reveals why we really can't trust the White House to play by the rules. And, of course, the rules are very, very clear.

For these reasons, I am calling on Attorney General Sessions to step aside on this issue and to appoint a special counsel to conduct an independent investigation. That is not an attack on Attorney General Sessions. I have known him for 30 years. I just want to make sure we do not have these continuing questions about what the President knew and when he knew it.

Even a cursory review of the Justice Department's recusal standards reveals that the Attorney General does not—indeed, cannot—have the independence necessary to assure wary Americans that this investigation will be driven by the facts, not by relationships. Certainly those who have served as prosecutors—Attorney General Sessions has; I have—know that there are times when the prosecutor has to step aside and let someone else do it just so that everybody can be confident in the investigation.

In fact, Justice Department regulations mandate that "no employee shall participate in a criminal investigation or prosecution if he has a personal or political relationship with . . . [a]ny person or organization substantially involved in the conduct that is the subject of the investigation." Of course, a

“political relationship” is defined as “a close identification with an elected official . . . arising from service as a principal adviser thereto.” Prior to his confirmation, when we were holding the confirmation hearings on then-Senator Jeff Sessions, I asked him whether he met the standard. It is not really a close call. The rule perfectly describes the relationship between Attorney General Sessions and President Trump. But he brushed the question off, claiming that he was “merely . . . a supporter of the President’s during the campaign.”

Well, that is an obvious mischaracterization of the role he played as a top adviser to the Trump campaign. Attorney General—then-Senator—Sessions was widely recognized as a central figure in the campaign. He had his fingerprints all over the President’s policies. In fact, one of the President’s top advisers, Steve Bannon, even called him the President’s “clearinghouse for policy and philosophy.” That is a pretty close connection. I could hardly think of anything closer. To suggest the Attorney General was just “a supporter” and that he did not have a “political relationship” with the Trump campaign, when you look at the Bannon comments, that is patently false.

If the Attorney General refuses to follow the Department’s recusal standard—now as the head of the Department, well, then, I would hope he would follow his own recusal standards. Last year, just days before the election, then-Senator Sessions and other Trump campaign surrogates wrote an op-ed. He criticized then-Attorney General Lynch for not recusing herself from matters involving Secretary Clinton. The basis of his complaint was a “39-minute conversation”—to use his words—that Attorney General Lynch had with former President Bill Clinton in Phoenix, AZ. I would hope he would set the same standard for himself that he sets for others because it is kind of hard to talk about a half-hour conversation and say that requires recusal when it comes to the Clintons, but a year’s worth of vigorously campaigning with and vigorously advising does not when it comes to the Trump campaign. A year working on the Trump campaign doesn’t count, but 39 minutes talking to former President Clinton does? Come on. If that is the standard for recusal in one case—I won’t do the math on how many times 39 minutes goes into a year, but I would say, using Jeff Sessions’ own standards, he has far, far more reason to recuse himself in this matter.

During the 20 years I have worked with him, Jeff Sessions has often spoken of his commitment to the rule of law. I know he feels strongly about that, just as I do. As Senators, every one of us should. Certainly every one of us who has had the privilege to be a

prosecutor should have a commitment to the rule of law. Well, Attorney General Sessions’ commitment is now being tested.

Whether we apply the Justice Department’s recusal standard, which is very, very clear, or use the Jeff Sessions’ 39-minute recusal standard, it is clear that Attorney General Sessions must step aside. In fact, nothing less than the integrity of our democracy is at stake with this investigation. And I do not say that lightly. Nothing less than the integrity of our democracy is at stake with this investigation. What did everybody know? When did they know it?

It is essential that the investigation be led by someone who—in both appearance and in reality—is impartial and removed from politics. That does not describe someone who was in the trenches of a political campaign with the subjects of the investigation while they were allegedly engaged in the activity under investigation, or somebody who has been described by Steve Bannon as a “clearinghouse for policy and philosophy” for President Trump.

For the good of the country, for the good of all of us—Republicans, Democrats, Independents—the Attorney General really has just one thing to do: Appoint a special counsel and let the public have the answers. What did everybody know? When did they know it? It is pretty simple. The people of Vermont, and I suspect throughout the country, would like to have those answers that go to the bedrock of our democracy.

In my 42 years here, I have never seen anything that has concerned me so much as another country that does not have the best interests of the United States at heart trying to interfere in our election, another country trying to determine what the United States does. This is a country that does not have the United States’ best interests at heart but a country that wants to manipulate the United States. This U.S. Senator, for the time I have in office, will continue to speak out against it.

Mr. DURBIN. Will the Senator yield for a question?

Mr. LEAHY. Yes, of course, I will yield to the distinguished Senator.

Mr. DURBIN. I thank my colleague from the State of Vermont and, for many years, my fellow colleague on the Senate Judiciary Committee for his statement. I couldn’t agree with him more that we need an independent, transparent investigation of this Russian invasion into the body politic of America in an effort to subvert our sovereignty. It was made by a country that is not our friend and was made at a time when they were trying to influence the outcome of an election.

I just want to note to my colleague and friend from Vermont that during the break I visited Poland, Lithuania,

and Ukraine. It was interesting. In Poland, they put up with the notion of Putin’s interference on a daily basis. The most frightening prospect, of course, is the movement of military forces, which we hope never occurs, but they look at it as a very real threat. They have what they call the hybrid war. They said it isn’t just the military; it is also his cyber attacks on our country, and it is also his propaganda on our country.

One of the Polish leaders asked me a question: We have been wondering, Senator, if the United States is not willing to confront Russia with its invasion of your sovereignty in your Presidential election, would you be willing to stand up for your NATO allies if there is an effort of aggression by Putin? Would you be willing to stand up against Russia in those times?

I think that is a legitimate issue. If we don’t take what the Senator has raised very seriously about putting independence in the investigation of this matter, and we don’t do it with dispatch, shame on us. But it is also going to say to the world that we did not respond in a positive and forceful way when it came to this aggression against the United States.

Mr. LEAHY. Madam President, if I might respond to my good friend and senior Senator from Illinois, he has been a friend and colleague for decades. The Judiciary Committee and the whole Senate has benefited from his knowledge.

What the leader of Poland said to the distinguished Senator is a very chilling thing, Madam President. He knows from his own family ancestors how bad an area can be if it is under the domination of something like the then-Soviet Union and now Russia. He also knows from his own experience as an American how important it is that we have the freedoms we have.

I was privileged, along with my wife Marcelle and several others—Senator COCHRAN, Senator UDALL, and Senator BENNET and Congressman MCGOVERN—to visit Cuba and have long discussions with people who would like to see real democracy come, and then to go to Colombia where they have fought for over 50 years a terrible internal civil war with countless deaths and atrocities and to see how they were trying to bring back the rule of law and the rule of democracy. And we just sit there, and it is so easy for us who grew up in an era in which we believe in our democracy and we believe in our voices being heard, where sometimes we win elections and sometimes we lose them, but we believe in the fairness of it. It is so easy to sit there and think: But we do it right.

This makes me wonder. Can we continue to say that? Can we be the beacon to the rest of the world? Can we say: Do as the United States does because we are open, we are transparent, we are honest.

Well, this has not been open, transparent, or honest. Let's make it so. Let's not let it drag on. Let's go to it now so people can then start debating issues. I expect there will be areas where I will agree with the new administration and there are areas where I disagree with the new administration. But I want to know I am agreeing and disagreeing with an American administration, not with Vladimir Putin's administration.

So I am moved by what my friend from Illinois has said. I hope the rest of the country listens because we are supposed to be the example. We pride ourselves on being the example. We are the oldest existing democracy in the world. Let's not do anything that will come back to haunt us.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. MORAN). Without objection, it is so ordered.

NOMINATION OF RYAN ZINKE

Mr. TESTER. Mr. President, I am very pleased to see the majority of the Senate move forward and vote on the nomination of a fellow westerner, Montana's Congressman, and the next Secretary of the Interior, RYAN ZINKE. I appreciate RYAN's willingness to serve in this very important post. The Department of the Interior is vital to Montana's economy, and I am glad to see someone from the West selected to lead it.

The job of the Interior Secretary is critically important, especially today as America's public lands come under attack by way too many folks who want to see them transferred to the States or outright sold off. Selling them off to the States is the first step in selling our public lands to the highest bidder, and we can't let that happen.

Congressman ZINKE has publicly said that he will not sell off our public lands nor transfer them to the States, and in Montana, your word is your bond. For that, I am pleased to support his nomination.

Congressman ZINKE's to-do list is no doubt long, and I look forward to working with him to check that list off for the people of Montana.

Montana is home to some of the world's most prized public lands, including Glacier and Yellowstone National Parks and the Bob Marshall Wilderness. The fact is, our public lands are huge economic drivers, creating and sustaining more than 64,000 jobs in Montana alone through our outdoor recreation economy and thereby pumping billions of dollars back into our local economies.

That is why, when a foreign mining company threatened the gateway to Yellowstone National Park, I was pleased that Congressman ZINKE expressed interest in joining me and local businesses and community leaders to protect it. I look forward to working with him to permanently safeguard the doorstep of Yellowstone National Park because Montanans know there are some places more valuable than gold, and Yellowstone is one of those places.

I feel confident that Congressman ZINKE will handle the issues before him with Montana common sense—issues like our national parks, and coming up with a responsible solution to the deferred maintenance backlog that is wreaking havoc on our national park system; the Land and Water Conservation Fund, and how to work with Congress and work in this administration to ensure full and devoted funding to initiatives like LWCF, the visionary Land and Water Conservation Fund; in Indian country, living up to our trust responsibilities that we owe to America's sovereign Indian nations; and in resource development, how to responsibly manage our public lands for energy and resource development, and how to balance that with respect to clean water and clean air and wildlife.

Of course, there are always some issues where Congressman ZINKE and I don't see eye-to-eye, but he has publicly committed to working with Congress to try and address some of the most important issues of this Nation's economy as it applies to our public lands. Montana's economy is no exception, and I will take him at his word.

As a Montanan, I know how important the Department of the Interior is to our way of life, and I am optimistic that Congressman ZINKE will do right by Montana and the country in his new role. Montana will be watching. For that matter, the country will be watching, and I know Congressman ZINKE will make us proud.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. MURPHY. Mr. President, believe it or not, there are some smart people out there in America who are not billionaires. I know it doesn't seem like it as we debate yet another megarich Wall Street titan to head another department in the Federal Government, but billionaires do not actually have a monopoly on wisdom in this country.

But it doesn't seem that this is what our new President thinks. If they all get confirmed, Donald Trump's Cabinet will have a net wealth that is greater

than one-third of all Americans. Think about that for a second. The Cabinet of the United States will have a net wealth all together that is greater than one-third of every single American—the poorest third of Americans—if you put them all together.

He has nominated millionaires and billionaires to head the Department of Education, the Department of Labor, the Department of the Treasury, the Department of Commerce—the nominee we are now debating—and the Department of Health and Human Services. He even nominated two of his rich friends to head the Army and the Navy.

I heard President Trump talk over and over the past 2 years about how he was going to drain the swamp once he got here. As far as I can tell, all he has done thus far is just sell the swamp to his rich friends.

I am not saying that billionaires like Wilbur Ross aren't smart. You have to be pretty savvy in order to make all of that money for yourself or for your investors. There is honor in making money. That is the American dream—to have the opportunity, if you want it, to become very rich, to become very affluent, to create a business that makes you, your family, and maybe those who invested in it very well off. I have a lot of friends who have made a lot of money in and around Wall Street. I don't begrudge the fact that they did it. But making a lot of money for yourself doesn't automatically equate to the ability to run an agency or to run a country.

President Trump made a whole bunch of money for himself, but his first month on the job as President has been a series of not just domestic embarrassments but international embarrassments—writing Executive orders without even checking with the Cabinet to see if what he is doing is legal or illegal; not being able to fill positions in the White House or in Federal agencies—the number of foreign diplomats who tell me they have no idea whom to call right now in the Federal Government is as embarrassing as it is maddening—getting into public spats with even our most reliable allies like Germany and Australia; spending most of his time in pitch battles with the media and his own staff, rather than working with us on trying to solve the problems of this country.

Donald Trump is good at making money for himself, but those skills, as we have found, do not translate very well to running a country. Maybe that is because when the entire focus of your entire life is making as much money as humanly possible for yourself, you cannot pivot on a dime all of a sudden and start putting all of your energy into helping other people. Maybe life doesn't work like that. So that is what really worries me about these billionaire nominees.

A few weeks ago, I was on the floor talking about the now-Secretary of

State Rex Tillerson. He spent his career at Exxon helping to build a very successful business, but in doing so, he hurt a lot of people. Exxon deals with horrible dictators who used those oil revenues in order to help murder thousands of their people. That was good for business, but it was awful for humanity.

Andy Puzder, who is no longer a nominee for the Department of Labor, openly mocked his workers. He suggested they just got in the way of the efficient operation of his business, and he pined for the day when robots would replace them.

Now we are debating Wilbur Ross to be Secretary of Commerce. Wilbur Ross made a lot of money for himself, but he has taken advantage of the very bad trade deals that this body has passed in order to offshore thousands of U.S. jobs. One such company that he owned, a textile company, employed 4,700 workers in factories in North Carolina and South Carolina. That was inefficient in Wilbur Ross's desire to make as much money for himself as he could. So he took those 4,700 jobs and he shipped them to Guatemala. He said: This project will benefit from Guatemala's realistic wages.

When Mr. Ross acquired an auto parts factory in Carlisle, PA, a decade ago, in order to make more money for himself, he took a hard line with the workers, demanding cuts in wages and benefits that were worth between 25 and 30 percent of the workers' earnings. That is what he needed to do in order to squeeze as much money out of that company to make himself a few extra million dollars. When the union rejected the demands of Mr. Ross and when the workers rejected those demands, he shut the plant down and moved their work to North Carolina, to Canada, and to Mexico.

Wilbur Ross, Rex Tillerson, Steve Mnuchin, and Andy Puzder spent their entire lives obsessed with making as much money for themselves as possible and not letting anyone's good fortune get in their way. They fired workers, they foreclosed on people's homes, they shipped jobs overseas, and they supported brutal dictators—all of it justifiable as long as it meant they would make more money for themselves and for their investors. How on Earth has that become a qualification to serve the public, to serve at the highest level of the U.S. Government?

I am on the floor today to oppose the nomination of Wilbur Ross to be Secretary of Commerce—not because he didn't do a good job enriching himself through the myriad of businesses that he owned and operated during his time in the private sector but because during that time he trampled on the rights of workers, he offshored jobs, and he eliminated people's livelihoods in order to make more money for himself. All of the things that Candidate Trump

talked about taking on were the things that Wilbur Ross was doing as he took advantage of these trade agreements to kill jobs in the United States and offshored them to other places.

President Trump said he was going to fight for the working guy. He isn't. He is doing the exact opposite. He is turning the keys of this government over to his wealthy friends so that they can potentially profit off of taxpayer dollars, so that they can deregulate the industries that, by the way, they are going to return to when their term is up. They will get richer, just like they have through their entire lives, while the rest of us pay for it.

It is time for us to recognize that billionaires in this country do not have a monopoly on wisdom. Sometimes the very skills that allow you to make a fortune for yourself don't equate to the skills necessary to fight for everybody else through public service. I would urge my colleagues to oppose the nomination of Wilbur Ross to be Secretary of Commerce.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. THUNE. Mr. President, I rise to voice my strong support for the nomination of Wilbur Ross to be Secretary of Commerce. We held a hearing on his nomination on January 18, 2017. Mr. Ross has also completed the required paperwork and responded to all of the committee questions for the record. Five weeks ago, on January 24, the Commerce Committee acted by voice vote to favorably report his nomination to the floor. We invoked cloture on Mr. Ross's nomination by a vote margin of 66 to 31 on February 17, with 15 Democratic Senators voting to invoke cloture.

I am glad the Senate will finally confirm his nomination today after a long and unnecessary delay. When he is confirmed, Mr. Ross will bring decades of business, entrepreneurial, and civic experience to this important position.

Mr. Ross is perhaps best known for his expertise in revitalizing distressed businesses, such as those in the U.S. steel industry. At a time when most investors had abandoned the industry, he organized the International Steel Group in 2002, and through acquisitions, he made it the largest integrated steel company in North America. Later, it merged with Mittal Steel to form the largest steel company in the world. It is for this reason that all of the major steel-industry labor unions also support his confirmation.

I ask unanimous consent that the letter of support for the confirmation

of Wilbur Ross from the United Steelworkers, dated January 9, 2017, be printed in the RECORD at the conclusion of my remarks.

Mr. Ross's nomination is also supported by a bipartisan group of former Secretaries of Commerce, including Secretary William M. Daley, who served as Commerce Secretary under President Clinton, and later as Chief of Staff to President Barack Obama.

Mr. Ross's strong record of achievement in business led Bloomberg Businessweek to name him one of the "50 Most Influential People in Global Finance" in 2011. It is also why he is the only person elected to both the Turnaround Management Hall of Fame and the Private Equity Hall of Fame.

Mr. Ross's nomination comes at an important time in our Nation's economic recovery. I believe his extensive management experience in the private sector and his understanding of the challenges faced by workers and businesses alike will equip him well for the job of leading the Department of Commerce.

This large Department, which has 12 different bureaus and nearly 47,000 employees located in all 50 States and around the world, oversees a diverse array of issues, from trade to fishery management and from weather forecasting to the Census Bureau. Mr. Ross's experience turning around businesses should help them anticipate and mitigate the risk of major programs like FirstNet, the independent authority charged with creating a nationwide broadband network for first responders and the acquisition of critical weather satellites by the National Oceanic and Atmospheric Administration.

I would also like to underscore that the collaboration between the public and private sectors is one of the hallmarks of the Department's work, as exemplified by the ongoing development of cyber security best practices and standards, which the Commerce Committee has strongly endorsed. I look forward to Mr. Ross continuing his collaboration and strengthening it where necessary.

I believe Mr. Ross's business know-how and intelligence make him an excellent candidate to serve as the next Secretary of Commerce. I strongly support his nomination. I hope my colleagues on both sides of the aisle will support his nomination as well. It is high time we got this position filled and got this experienced person—someone who has a wide range of know-how all across the business sector and our economy—into a position where he can make a difference in helping to create jobs and grow this economy for our country.

I see that my colleague from Florida, Senator NELSON, the ranking Democrat on the Commerce Committee, is here as well. I would love to yield the floor to him and hear what he has to say about this nomination.

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

UNITED STEELWORKERS,
Pittsburgh, PA, January 9, 2017.

UNITED STATES SENATE,
Washington, DC.

DEAR SENATOR: On behalf of the United Steelworkers (USW) representing hundreds of thousands of American workers, we urge you to support Wilbur Ross, Chairman and Chief Strategy Officer of WL Ross & Co., LLC, to serve as Secretary of the U.S. Department of Commerce.

Mr. Ross has shown a deep commitment to the future of our domestic manufacturing sector. Many of us have seen firsthand how he has worked to keep production and manufacturing jobs here in the U.S. The USW worked directly with Mr. Ross to save thousands of jobs in the steel industry at a time of crisis. In fact, there are now thousands of our members in the steel and auto parts sectors that are working because of our ability to work together to save a critical piece of America's industrial base.

He knows what it takes to get the economy back on track, create jobs, and keep jobs from leaving the United States and build a framework so that American workers and companies are competitive and innovative in the 21st Century. There is much work to be done to restore America's manufacturing base and the good jobs it supports. As Secretary, Wilbur Ross will be someone who has a deep understanding of the challenges this vital sector faces.

We urge the Senate to move swiftly on his nomination and look forward to working with him to create more jobs for American workers.

Sincerely,

LEO W. GERARD,
USW International President.

The PRESIDING OFFICER (Mr. LANKFORD). The Senator from Florida. Mr. NELSON. Mr. President, I, too, support Wilbur Ross. I know him. He lives in Palm Beach. I think he is a very good selection to be our next Secretary of Commerce. He is certainly qualified to do this job. He gave extensive answers during his confirmation hearing before the Commerce Committee. He has accumulated significant experience in dealing with the international business community, and he has detailed to the committee—in our examination of him, he detailed many of his ideas.

There have been some questions that have been raised about some of his business ties, particularly involving some of his foreign activities. One example is the Bank of Cyprus, which has significant levels of Russian investment. In the wake of the former National Security Advisor, General Flynn's resignation and under the overhanging question of the unlawful Russian involvement in a U.S. election, I certainly thought that it was prudent to get Mr. Ross's assurances on this matter in his dealings with the Bank of Cyprus and certain Russians who were involved in the Bank of Cyprus, so on February 16, I sent him a letter, along with four other members of the Commerce Committee, requesting informa-

tion on any contact Russian investors in the Bank of Cyprus may have with officials from the Trump campaign or the Trump organization. I have spoken with Mr. Ross on at least two occasions since sending him the letter, one of those being today. He has verbally reiterated to me that he only had one meeting, approximately an hour, with one of the bank's Russian investors and that it occurred in 2014. The timing is important—2014—because that was before the Presidential campaign. He also assured me that he knows of no loans or interaction between the bank and anyone affiliated with the Trump campaign or organization.

Mr. Ross has been forthcoming with me, and I believe him in what he has told me, that it is true to his belief. But I want to say that at the same time, the White House and the way they have handled this matter is not doing Wilbur Ross any favors. There are a number of Senators on the Commerce Committee who are extremely troubled and frustrated that the White House has chosen to sit on Mr. Ross's written response to the questions I and other Senators have posed, and they have refused to provide them to the Senate prior to tonight's vote. This is despite repeated phone calls to the White House—repeated phone calls. It is also despite repeated phone calls from me to Mr. Ross to ask him to get the White House off the dime since he has told me he has already filled out the answers in writing—they are just sitting in the White House. So there is someone in the White House who is making the decision that they don't want the Senate to have, in writing, what Mr. Ross has told me verbally in a private conversation.

If that is any indication of the level of transparency Congress and the American people can expect from this White House, then it appears that there is going to be a lot left on the floor and there is going to be the appearance of being in the dark on a lot of important matters. That is not the way you do confirmations. You do it in a collaborative fashion, especially when you have a good nominee like Wilbur Ross. The President proposes, the Congress disposes. The President nominates, the Congress confirms.

Not only is this lack of transparency unsettling, it is behavior that everyone in this Senate should agree is unacceptable and should not be tolerated. I do not want this to be taken out on Wilbur Ross because of the administration's secretive behavior. Instead, as I said at the outset, following my colleague, the chairman of the committee, I am going to urge our colleagues to support his nomination, but the problem is that Wilbur Ross is going to get fewer "yes" votes than if the White House would release his written statements to all of those Senators' ques-

As I said, I know Wilbur Ross. He is a good man. One of the reasons, aside from this problem of communication with the White House, is that Wilbur Ross brought forth candid answers about the work of the National Oceanic and Atmospheric Administration, NOAA. That agency, which is a part of the Department of Commerce, impacts the daily lives of every single American. NOAA provides the satellite data that is critical to observing hurricanes and severe weather and everyday forecasts that we have now come to rely on, that we pull up on our smartphones to find out what the weather is going to be. Where do you think that comes from? A lot of it comes from data from NOAA satellites.

Through the National Weather Service, NOAA provides the weather forecasts that drive this economy, answering questions like whether a farmer's crops are going to get rain today or warning of dangerous tornadoes, particularly plaguing the State of the Presiding Officer. Of course, we remember the ones that just devastated parts of Georgia and Florida just a few weeks ago.

The National Ocean Service tells us if ships will have enough clearance to get their cargo into a port on time because it often depends on the tide as to how much depth there is with that heavy load of cargo, if they can get in the channel.

NOAA also provides world-class science regarding atmospheric conditions, including climate change and its impacts. My State of Florida, the impacts of climate change—we are ground zero. It is not unusual now that at seasonal monthly high tides, the streets of Miami Beach are flooded, and city wellfields have now had to be moved further to the west away from the Atlantic Ocean because of the rise of sea level and therefore the saltwater intrusion into the freshwater aquifer. Since 2006, Miami Beach has flooded significantly more often than it used to. Rain-related flooding events in southeast Florida have increased by 33 percent, and tide-related flooding has increased by a whopping 400 percent. That is not good for business.

We simply cannot afford to deny what is happening. The impacts of climate change are affecting Florida. They are also affecting a lot of other places around the world, read: Bangladesh.

NOAA quite literally saves lives and property, so naturally I fully expect any nominee for Secretary of Commerce to unequivocally support the ability of the experts at NOAA to do what they do best: collect the data, do the research, and provide critical products and services to the public free from political interference and free from censorship.

The Department of Commerce has three Nobel laureate scientists who are

employees. While some of the nominees for other key administration posts have either been less than forthright, less than committal, or less than knowledgeable about the very real threat posed by climate change, Wilbur Ross candidly and explicitly assured me during his nomination hearing in our Commerce Committee that he believes—and I will quote him—that “science should be left to the scientists.” I urge his fellow Cabinet nominees to follow suit. Don’t do what we have seen—the intimidation techniques of saying that you can’t use the term “climate change” or “sea level rise.” Let the scientists do their work. Wilbur Ross also assured me that he would work collaboratively “to address the impacts of changes in sea level and ocean temperatures on coastal communities and fisheries.”

So I want to say to the Senate that I appreciate Wilbur Ross’s candor, his commitment, and his recognition that the important weather and climate work being done in NOAA directly benefits commerce. I am confident he is going to follow through.

I also want to thank him, at his age, for offering himself for public service. This is a very schooled, experienced individual.

I hope this hiccup with the White House not being transparent and not returning what he has already written as answers to the Senator’s questions—this problem—is going to disappear and, that rather than hinder him, as they have, they will instead support him, as they should.

For that reason, I am here to ask my colleagues to vote yes on Wilbur Ross’s nomination.

I yield the floor.

Mr. VAN HOLLEN. Mr. President, creating jobs, fostering economic growth, maintaining sustainable development, and improving standards of living of all Americans are central tasks for any administration, and they are the mission of the Commerce Department.

Congress created the Department of Commerce and Labor in 1903, and then renamed the Department of Commerce in 1913 as the offices working on labor were transferred to the Department of Labor. Through 12 bureaus and nearly 47,000 employees, the Department runs programs that affect broad swaths of the American economy.

The Department includes the National Oceanic and Atmospheric Administration, which warns of dangerous weather, charts seas, and protects ocean and coastal resources. The Department includes the Patent and Trademark Office, which fosters technology and innovation, and the National Institute of Standards and Technology, headquartered in Gaithersburg, MD, which promotes innovation and industrial competitiveness. The Department includes the Census Bureau and

Bureau of Economic Analysis, which provide economic data to help business and policymakers make intelligent decisions. The Department includes the International Trade Administration, which ensures that Americans have access to international markets and safeguards Americans from unfair competition. And the Department includes the Economic Development Administration to promote job growth in economically distressed communities.

To run the Commerce Department, President Trump has nominated Wilbur Ross, Jr., a 79-year-old private-equity billionaire with extensive holdings and extensive potential conflicts of interest. I have real questions about whether Mr. Ross is out of touch with ordinary Americans. And I have real questions about whether Mr. Ross’s personal interests will conflict with his job as Commerce Secretary, if he is confirmed.

The Commerce Secretary enforces our trade laws, including against major trade competitors like China. Last year, Mr. Ross told Bloomberg TV that he had extensive holdings in China. Mr. Ross said, “We have—various portfolio companies have almost 20 factories doing one thing or another over there.” And the New York Times reported that Mr. Ross is vice chairman of the Bank of Cyprus, making him a de facto business partner with Viktor F. Vekselberg, one of Russia’s most prominent businesspeople and a person with ties to the Kremlin. Several newspapers have reported that Mr. Ross plans to keep millions of dollars invested in offshore entities whose values could be affected by policies that he implements as Commerce Secretary. Mr. Ross reported plans to hold on to investments in an oil-tanker company and 10 other entities that invest in shipping and real estate financing, according to Federal financial-disclosure and ethics filings cited in the reports.

I have questions about Mr. Ross’s ability to work for Americans. Starting in the 1990s, Mr. Ross ran an investment firm that specialized in distressed assets. The Securities and Exchange Commission said that Mr. Ross’s firm had failed to disclose how it calculates its fees for some funds, which led to investors to pay roughly \$10.4 million of management fees that they should not have in the decade leading up to 2011.

The Commerce Secretary is a part of the President’s economic team; yet Mr. Ross appears all too willing to play fast and loose with fiscal showdowns. When, in April 2011, Bloomberg’s Mark Crumpton asked Mr. Ross whether S&P’s downgrade of America’s credit rating is “a step in the right direction,” Mr. Ross said it was. Ross said: “Well I think it’s a step in the right direction in that it will put pressure on the Democrats in the Senate and on the President to go along with some of

the Republican reviews about really cutting the budget deficit and ultimately cutting the total indebtedness of the United States. So in that limited sense I think it is a step in the right direction.”

Mr. Ross was all too quick to dismiss the strain that a furlough put on Federal Government workers. In October 2013, CNBC’s Betty Liu had this exchange with Mr. Ross:

Ross: I think shutting down the government—so-called shutting down the government, which it’s not really shut down—

Liu: What do you mean?

Ross: Well, many parts of it are still quite open. And it’s just at the fringe that it—that it really matters.

Liu: Yeah, but tell that to the government workers though who are furloughed, right?

Ross: Yeah, but they’re going to get their pay. They know they’ll get their back pay. So I don’t see that that’s a permanent damage.

Mr. Ross was all too quick to dismiss the pain of homeowners who lost their homes in the financial crisis. Bloomberg TV’s Betty Liu had this exchange with Mr. Ross:

Ross: I think you have to look far and wide to find a home owner who’s an actual victim. These are all theoretical things. They’re mostly technical problems that the banks did wrong. To the best of my knowledge—

Liu: I think it’d be really hard to find, to pinpoint down to individuals, right?

Ross: Well there’s never been a case that I know of where someone was dispossessed who didn’t have a mortgage and wasn’t in default.

Liu: What do you mean?

Ross: Well all these claims that there was robo signing and all these imperfections, that’s true. Those were not what should be. But the real question is was anyone actually dispossessed wrongly.

Liu: Of their property.

Ross: Yeah, incorrectly. And I don’t think you find a single case.

The Commerce Secretary oversees the NOAA and the National Weather Service. But in a conversation with Fox Business’s Neil Cavuto, Mr. Ross was dismissive of the reality of climate change. Mr. Ross said: “Well, I think unless the weatherman can tell me if it will rain tomorrow why would I believe you can make a 100 year forecast. So, I’m skeptical about the underlying basis.”

And so President Trump has nominated to be Commerce Secretary a person who has so much wealth and so many foreign interests that it appears that it will be difficult for him to work in the interests of middle-class Americans. His extensive foreign business interests call into question his ability to fight to enforce America’s trade laws. Mr. Ross has expressed cavalier attitudes toward economic brinksmanship and shown little concern for the people laid off or who lose their homes as a result. And Mr. Ross has expressed an open skepticism toward the reality of climate change that calls into question his ability to run the agency that does research into global climate. For these

reasons, I cannot support his nomination.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. Mr. President, I ask unanimous consent to speak as in morning business.

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

ENDING GLOBAL HUNGER

Mr. MORAN. Mr. President, I am here on the floor tonight to speak about our Nation's efforts to end global hunger. It is an undertaking that countless individuals, foundations, and government agencies have devoted a significant amount of time, resources, and effort attempting to solve.

Those who have dedicated their lives to feeding the hungry deserve our deepest gratitude and respect. They made the decision to improve the lives of others less fortunate than themselves, and they often have done that at their own loss of comfort and their own well-being. There is no nobler a calling than trying to do something for someone else, especially when it costs you something as well.

Regardless of our faith, our creed, or our religion, almost all of us are taught early in life that it is our duty to help those in need. Americans consistently have taken that moral responsibility to heart. As individuals, we help our neighbors through our churches and other local organizations. We help feed our hometowns. As a country, we lead the world in providing food aid to millions of people who are in need of that assistance.

In 1983, at a signing of a World Food Day proclamation, President Reagan cited 450 million people in developing countries who were undernourished. Our global population has risen by 3 billion people since that time, and today there are nearly 800 million undernourished people in the world who do not have enough food to lead healthy, normal lives.

While strides are being made in the fight against food insecurity, it is clear that our commitment cannot waiver, and ending hunger must remain a priority.

At that same White House ceremony, President Reagan chided the Soviet Union for failing to provide humanitarian relief to those in need. President Reagan offered a direct challenge to the Kremlin to explain why the Soviet Union only provided weapons but not food assistance to the underdeveloped world.

While the threats in the world today are different than those faced during the Cold War, American food assistance remains a powerful foreign policy tool. American food aid elevates our country's moral standing and leadership in the world, as realized by President Reagan, but our efforts to reduce food insecurity also serve our own national interests by promoting political, eco-

nomic, and social stability in the world.

Food-related hardships and hunger—either due to price increases or food shortages—act as a catalyst for protests and armed conflicts. We have witnessed regions of the world that are critical to America's strategic interests descend into chaos due to people not having access to affordable food.

From 2007 to 2011, spikes in global food prices led to increased food insecurity and unrest in the world. In the Middle East and North Africa, food-related challenges were one of the major drivers of the mass uprising that we call the Arab Spring.

In Syria, Islamic State rebels use the promise of food and basic necessities to recruit soldiers. Food shortages have led refugees to leave camps and return to an active war zone in search of food for themselves and their families.

Closer to home, food prices contributed to rioting in Haiti in 2007 and 2008. As food prices increased and economic conditions deteriorated, U.S. Coast Guard interceptions of people from Haiti attempting to immigrate to our country rose by 20 percent, straining Coast Guard resources.

The National Intelligence Council warns that a continuation of the fundamental contributors to food insecurity—such as expanding populations, slowing of agricultural yields, and gaps in infrastructure and distribution systems—will result in increased food insecurity, hunger, and instability in the Middle East, Africa, and South Asia over the next 10 years without greater, greater intervention by the United States and others.

In America, we take our food system for granted. Americans spend less than 10 percent of our disposable income on food. Even though less than 2 percent of our country is directly engaged in farming, Americans have direct access to the safest, most affordable, and highest quality food in the world.

I am proud of the wheat farmers and the ranchers in my home State of Kansas. Agriculture production is a noble calling. Feeding the world is important and a meaningful way to spend one's life, and Kansas families have done it for generations.

Our country's food system at home is critical to our own security and well-being, and helping other countries achieve food security and stability serves our national interests as well.

Utilizing U.S.-grown commodities in food aid programs also benefits American farmers and ranchers by creating export markets for our agricultural products, sometimes reducing an excess of supply.

Almost 10 percent of exports of the hard red winter wheat grown in Kansas in 2016 was utilized by international food programs, representing a significant market share for wheat grown in our State. Today's low commodity

prices only serve to highlight the need for ag export markets for producers.

A few months ago, I called on the U.S. Agency for International Development and the Department of Agriculture to significantly increase the amount of wheat in our global food aid programs.

Our country's abundance of food imparts a moral duty to provide humanitarian relief to those in need. We have witnessed great unsettlement and mass migration in the world due to political instability and civil wars. The vast majority of people affected, including displaced refugees whose lives were uprooted and whose ability to feed themselves was taken away, are suffering through no fault of their own.

In other parts of the world, people are born into such poverty that simply finding sufficient food is a daily challenge. Reading recent articles, the question has often been: Where am I going to find food to feed my family?

People in Cambodia indicate they have no idea. It is a day-to-day, moment-to-moment, meal-to-meal experience. Even if that food is available, it is often not accessible to people without the means to pay for it.

Many of these people—worn, desolate, and hungry—survive only because of the generosity of the American people. Those hungry and less fortunate depend on a nation with moral strength and clarity to give them a helping hand.

There is still more work to be done in the fight against hunger, and America ought to continue to rise to the challenge of providing food and helping people feed themselves throughout the world.

It is a turbulent world stricken with conflict, and sometimes the hunger and problem seem so great that it would be easy just to walk away and say it is too big of a problem to solve. But certainly we have the ability.

We have the means to feed one person. If we can feed one, why not two? And if we can all feed two, why not three?

We can't simply look at this challenge as being too big to overcome and that the world will always have hungry people and then just say: We have no responsibility to respond.

Food aid provided by the U.S. reduces despair and increases stability. My point is that it has a moral component. It is the right thing to do, but it is also beneficial to our own Nation, providing stability around the globe and increasing our own national security.

The importance of these issues motivated me when I was in the House to chair the House Hunger Caucus, and now I cochair the Senate Hunger Caucus. I can't remember what year it was, but I had a midlife crisis. I have probably had several since then. But my thoughts were at that point in time, back in my House days, that at least

then I thought of myself as a pretty good Member of Congress. I answered the mail. I met with constituents. I visited my State on a weekend-by-weekend basis. I had input. I did the things that a good Member of Congress is supposed to do. I represented my constituents well.

But we all can do something more than just be a good Member of Congress, and that was my conclusion. If there is an issue that we want to champion, if there is an issue on which we want to make a difference, if there is a moral cause we want to rise to the occasion to support, hunger, particularly for Congressman—now a Senator—from Kansas, ought to be a place I put my stake in the ground and go to work.

I suppose I have taken a few months off of this issue—and maybe I am having another midlife crisis—but it is time for me to reengage and to engage effectively as best I can to see that we live up to a moral commitment that also benefits our own country.

So I now cochair the Senate Hunger Caucus. I have since I came to the Senate. I serve with a number of my colleagues, including the one who is on the floor tonight, the Senator from Illinois. I ask my colleagues to join us in the effort to meet the needs of a hungry world, to take the step to see that one more person is fed, one more family has less insecurity, one more mother or father no longer worries about whether their children are going to go to bed hungry.

Former Kansas Senator Bob Dole has set many standards in the way that he led his life, which we should all aspire to meet, not the least of which is his unwavering commitment to ending hunger. Those of us in this Senate today ought to seek to carry on Senator Dole's legacy. I would encourage my colleagues to join me and others as we work to put the Senate Hunger Caucus together, to enhance its ability to address the issues that we face in the real world to fight hunger.

I am committed to reengaging these efforts. Along with the other caucus cochairs—Senators BOOZMAN, CASEY, DURBIN, and BROWN—I would extend an invitation to each of my colleagues to join that caucus so that we can take the small step of fighting hunger by becoming more knowledgeable, more aware and engaging in the moral and strategic battle to end hunger around the globe.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, let me start by commending my colleague from Kansas. It is an honor to join him in this Senate Hunger Caucus effort. He does it in the tradition of Senator Bob Dole of Kansas. Along with George McGovern, they were two of the most unlikely political allies. They really dedicated a large part of their public lives to fighting hunger.

I am happy to join him in the memory of Paul Simon, who did the same for the State of Illinois. So I am looking forward to joining the Senator in this effort. I hope the Senator doesn't have to suffer another midlife crisis in the future. Let's continue this in a good bipartisan spirit.

I thank the Senator from Kansas.

Mr. President, I have come to the floor repeatedly in recent months to raise concerns about the Russian cyber act of war against our Nation, about Russia's aggression elsewhere against the West, this President's disturbing alliance with Russia, and the majority party's incredible silence on the Senate floor on these matters.

Well, I just spent several days visiting our allies in Eastern Europe—notably Poland, Lithuania, and Ukraine—and return even more concerned.

You see, regardless of the partisan leanings of who is in government in these nations, the concern is the same.

Is the United States, history's champion of democracy and collective security in Europe, backing away from these values and commitments just as Russia is more aggressively challenging them?

Is the American President really using phrases like “enemy of the people” to describe a free press—a term used by Soviet dictator Joseph Stalin, that was so ominous that Soviet Premier Nikita Khrushchev later demanded the Communist Party halt its use because it “eliminated the possibility of any kind of ideological fight”?

Are the Trump administration's bizarre blinders to Vladimir Putin's aggression and true nature—and the silence of too many of my Republican colleagues on this danger—a harbinger of some kind of Western retreat to the Russians?

Well, I met with many of our dedicated diplomatic and military personnel in the region who, as part of ramped up reassurance efforts by the previous administration, are working to keep Putin in check.

These included more than 100 U.S. military personnel working with their Lithuanian counterparts about an hour outside of the capital in Rukla. These U.S. troops and their colleagues rotate out of Poland and throughout the Baltics to augment their NATO partners in deterring a Russian attack.

Mr. President, the concerns about Russian aggression are legitimate and warrant serious attention. Let's take a look at just recent Russian actions in Europe. One day after President Trump spoke to Putin on the phone in late January, Russian-backed separatists increased their fighting in Ukraine—leading to the highest death toll in months.

After Vice President PENCE tried to reassure allies at the Munich Security Conference the other week, Russia agreed to start accepting identification

documents issued by the separatists in eastern Ukraine—one step closer to annexing the illegally seized territory.

Putin is strong-arming Belarussian President Lukashenko to allow Russian troops to remain based in Belarus following an upcoming significant military exercise. Russia is putting more and more sophisticated weapons into Kaliningrad, which when combined with permanent troops in Belarus, will significantly increase security threats to the region. Russia just announced a referendum to rename land it illegally seized by force in Georgia.

Putin is trying to stir unrest in Kosovo where NATO is trying to maintain stability after the horrific violence of the Balkan war. He attempted a coup in Montenegro. And Russia continues its aggressive disinformation campaign and cyber attacks throughout Europe, trying to manipulate elections and sow instability and lack of trust in democratic institutions. One Polish expert summed all this up wisely, saying “if the United States does not respond to the Russian attack on its election, Putin will feel he has a free hand to keep taking such destabilizing actions in the West.” I worry that is what is already happening.

So, what is the response to these actions by this White House and the majority party—the party of Ronald Reagan who understood the Russians so well?

So far, with the exception of a few important voices, largely silence.

In fact, as I have mentioned here before, since October when the first intelligence reports came out about the Russian attack on our election, not a single Republican has come to the floor to discuss this act of cyber war by a former KGB official on our country.

And our President, who has attacked hundreds by Twitter for even the most benign perceived slight, has refused to say anything negative about Putin.

Obviously, we need to get to the bottom of the Russia attacks on our election and if anyone in the Trump campaign had inappropriate contact with the Russians. An independent commission led by respected individuals such as Sandra Day O'Connor or Colin Powell could lead such an effort. And we need to see the President's tax returns to clarify what his son said in 2008 regarding Trump's businesses seeing “a lot of money pouring in from Russia.”

We need to pass the bipartisan Russian sanctions bills pending in the Senate Foreign Relations Committee—one that tightens sanctions on Russia for its actions here and abroad and one that requires congressional approval before any sanctions on Russia are lifted.

And we need to make sure we include continued support to Ukraine and for the European Reassurance Initiative in our next appropriations bills.

Mr. President, I remember as a young Congressman trying to get into Lithuania more than 25 years ago when it

courageously tried to hold an election breaking free from the Soviet Union.

Those brave Lithuanians had little but their idealism and a few rifles to protect themselves from the Soviet tanks.

But in the end they prevailed, and one by one, Eastern European nations freed themselves from Communist tyranny, a struggle Ukraine is still fighting against Russia.

Today one can still visit the KGB museum in the capital of Lithuania—a hall of horrors that nobody should ever forget. One Lithuanian member of parliament I met, who remembers life not only under the Soviets but also under the Nazis, recalled how his mother had survived 4 years in a Nazi concentration camp.

He emotionally said that he had always seen the United States as the champion of freedom, democracy, and a Western global order. I could tell he was deeply worried about any backsliding on that important role and any possibility of returning to the darker days in Europe.

I don't know exactly what Steve Bannon is whispering in Trump's ear regarding his dark world view and indifference to the transatlantic Western alliance, but this post World War II partnership has served American and global interests. The relationship has brought stability to Europe after decades of horrific war. It has brought democracy and common markets and served as a check against the Soviet Union and now Russia.

I am glad Vice President PENCE made some references to this at the Munich Security Conference, but those words will not be enough on their own. Quite simply, any sympathies in the White House with Russian efforts to undermine the transatlantic relationship are outrageous and dangerous, and I will oppose them here in the Senate.

To reiterate, Mr. President, during the Presidents Day break, I took a trip to three capitals, which I consider to be timely and important visits: Warsaw, Poland; Vilnius, Lithuania, and Kiev, Ukraine. I have been to these cities many times, and I have a particular attachment to them. My mother was born in Lithuania, and so returning there, as I have for over 35 years, I have seen a sweep of history as that small Baltic State has moved from a republic of the Soviet Union to a free and independent nation today. I am so proud of the courage of Lithuanians that had brought them to this moment.

Going to Warsaw, Poland, is natural for a Senator from Chicago. We have more Polish Americans in that city and in our State than anyplace outside of Poland. We are very proud of our Polish heritage. They are wonderful people. They are not only hard-working, good Polish Americans, but they are also always thinking about their own homeland, which was under the

control of the Warsaw Pact, a Soviet-inspired alliance, for decades, at the expense of their freedom.

I also visited Kiev, Ukraine. That capital has become well known to many of us since the invasion by Vladimir Putin, which is the point I would like to make.

The thing that ties these three countries together, despite their differences in history, is the fact that if you ask each of these countries today to identify the major external threat to their existence and to their freedom, they would identify Vladimir Putin of Russia. I found that in Warsaw, again in Vilnius, the capital of Lithuania, as well as in Ukraine.

It was interesting—and Senator JEANNE SHAHEEN joined me on my trip to visit Poland—that as we met with the leaders of that nation, we heard repeatedly their concerns about Russian aggression. It was something that was critically important to them. They were heartened by statements made by Vice President PENCE at the Munich conference about the future of the NATO alliance, but let's put it in context. The reason the Vice President had to travel from Washington to Munich, Germany, to say to the Western world that was gathered there that the NATO alliance was still strong was because the current President of the United States, Donald Trump, had tweeted that NATO was obsolete, and one of his followers, Steve Bannon of Breitbart fame, had questioned whether we should be engaging in these kinds of alliances.

Well, I think those alliances are critical. The NATO alliance has been one of the most successful in history. So when Vice President PENCE went to Munich to assure our NATO allies that we were still on their side, it was an important message.

I did find one other thing telling and memorable about that trip to Warsaw. One of the Polish leaders said to me: We have read that the Russians invaded your election. We are used to this. He called it the hybrid war. He said: It isn't just aggression by Russians with military aggression, which is scary enough, but it is a war of cyber aggression and a war of propaganda, and clearly Vladimir Putin believed in your last Presidential election that he could use some of those same tactics that he uses against Poland and the Baltics in the United States. This leader in Poland then challenged me: What are you going to do about that? Now that you know that Vladimir Putin has invaded your election, now that your intelligence agencies tell you that, will you do something? Will you take this seriously? Will you investigate it? He said: Our worry in Poland is, if you will not respond to Vladimir Putin's invasion into your cyber space, what will you do if he invades Poland? Will you stand by us as you promised in article

5? If you don't take him seriously when he invades your sovereignty, will you take it seriously when he invades ours?

It is an important question and a right question. I hope we take a lesson from it—not to take Vladimir Putin for granted, not to view him as a superhero or great leader but to understand that people around the world are watching to see how we react to this Russian invasion of our election.

In Lithuania, they face propaganda on a daily basis. German troops under the flag of NATO are now in Lithuania making it clear that we are committed to the future and security of that nation. What did Vladimir Putin and the Russian propagandists do as soon as these German troops moved into Lithuania? They created an absolutely false rumor that a German soldier had raped a Lithuanian woman. It wasn't true, but it was the kind of false information that they have spread in the hopes of undermining the confidence of Lithuania and the NATO alliance.

I met with the President of Lithuania, Dalia Grybauskaitė, and she is a very decisive leader. I thought of Margaret Thatcher's style when I met with President Grybauskaitė. She is an "Iron Lady" in her own right to protect Lithuania and other Baltic States from Russian aggression.

The last trip we made was to Ukraine, and Congressman MIKE QUIGLEY of Chicago joined me in that visit. In that visit, we had a chance to meet late at night, 9 o'clock at night with the President of Ukraine, Petro Poroshenko, who was kindly waiting for us to get off the plane and come join him at his Presidential offices. They are struggling even to this day. As President Trump is in conversation with President Putin about future relationships, sadly, at that very same moment, aggression by the Russians in Ukraine was growing. Over 10,000 people have been injured or died now because of the Russian invasion of Ukraine. There is speculation, and I hope it is just that, that some backroom negotiations are underway to recognize this Russian aggression in Ukraine. I sincerely hope that never happens. We should never condone what Vladimir Putin has done to that country of Ukraine. They are struggling now to get back on their feet. They are making reforms that are unpopular but necessary. They are strengthening their economy and at the same time they are fighting a war.

I left there with two resolves. One was to make sure we provide military equipment necessary for Ukraine to be successful to ward off this Russian aggression; No. 2, to continue to work with them in terms of building their economy and reform; and, No. 3, that we have a visible physical presence with those NATO forces in the Baltic States and in Poland. We have a great alliance in these countries. In Poland

the Illinois National Guard has been a longtime ally of the Polish forces, and we are very proud of that relationship.

When it came to Lithuania, we were able to see a group from Fort Carson in Colorado. It was a tank command. I never saw prouder soldiers in my life—American soldiers anxious to show this Senator the Abrams M1 and the fighting vehicles they were using preparing for the possibility of defending Lithuania and the Baltics. It was an inspiring moment.

I made my statement part of the record, and I know the Senator from South Dakota is seeking the floor, but I left there committed to the NATO alliance and committed to the effort to stop the aggression of Vladimir Putin, committed as well to come home to the United States and say to my colleagues in the Senate and House that we have to take it seriously when Vladimir Putin tries to change the outcome of an American election. It is a sad day in American history. I believe November 8, 2016, is a day that will live in cyber infamy for what Vladimir Putin tried to do in the United States. For us to ignore it, to sweep it under the table, to hide it behind some committee door, when no one knows what is going on inside, is not the appropriate answer. We need an independent, transparent investigation of what the Russians did, a special prosecutor at the executive level, and an independent commission like the 9/11 Commission, headed by notable Americans like GEN Colin Powell or Justice Sandra Day O'Connor, who will bring all the facts to light so we know once and for all the truth of what happened and make certain it never happens again.

I yield the floor.

The PRESIDING OFFICER (Mrs. ERNST). The Senator from South Dakota.

REPEALING AND REPLACING OBAMACARE

Mr. THUNE. Madam President, 2 weeks ago, major health insurer Humana announced its decision to completely withdraw from ObamaCare exchanges for 2018. The company decision was not particularly surprising. Humana had already sharply reduced its participation in the exchanges for 2017, but the decision did confirm yet again that President Obama's healthcare law is on its last legs.

Choices on the exchanges declined sharply for 2017 as insurer after insurer cut back on participation. Nearly one-third of U.S. counties have just one choice of insurer on their exchange for 2017. Meanwhile premiums on the exchanges are soaring. Exchange premiums increased a staggering 25 percent on average for 2017. That is a 25-percent premium increase for just 1 year. How many working families can afford a 25-percent increase in their healthcare premiums for 1 year?

Things are even worse in some States. Seven States saw an average

premium increase of more than 50 percent for 1 year. It is no surprise that many people who have ObamaCare insurance have found they can't afford to actually use their plan. Well, Democrats can talk about coverage all they want, but coverage doesn't mean much if you can't afford to actually take advantage of it.

It is time to give the American people some relief. Over the next few weeks, Congress will continue with the process of repealing and replacing ObamaCare. Our priority is replacing ObamaCare with personalized, patient-centered healthcare that is affordable for every American. ObamaCare was supposed to lower healthcare costs for Americans, but it has spectacularly failed to do so. Our reform efforts will focus on keeping healthcare affordable, including increasing competition, expanding innovation, and increasing flexibility.

ObamaCare has defaulted to a one-size-fits-all solution when it comes to healthcare. That means that many Americans have found themselves paying for healthcare that they don't need or want.

We need much more flexibility in insurance plans. A thriving healthcare system would offer a wide variety of choices that would allow Americans to pick a plan that is tailored to their needs. We also need to give Americans the tools to better manage their healthcare and to control costs. Along with keeping healthcare affordable, we are going to focus on restoring decisionmaking power to the American people.

ObamaCare has put Washington bureaucrats in charge of healthcare decisions that should be made by individuals in consultation with their doctor. We are going to move control away from Washington and give it back to individuals. We are also going to ensure that States have the power to innovate and embrace healthcare solutions that work for individuals and employers in their States.

Our healthcare system wasn't perfect before ObamaCare—nobody is denying that—but ObamaCare has just made things worse. The American people are ready for healthcare reform that actually works, and that is exactly what Republicans are going to give them.

NOMINATION OF NEIL GORSUCH

Madam President, in addition to healthcare reform, another Republican priority for this spring is confirming Judge Neil Gorsuch to the Supreme Court. The Judiciary Committee will hold hearings on his confirmation beginning March 20, and I am hopeful Judge Gorsuch will be confirmed not too long thereafter. President Trump made an outstanding choice when he chose Judge Gorsuch for the Supreme Court.

Judge Gorsuch has a distinguished resume. He graduated with honors from

Harvard Law School and received a doctorate from Oxford University where he was a Marshall Scholar. He clerked for two Supreme Court Justices, Byron White and Anthony Kennedy, and he worked in both private practice and at the Justice Department before being nominated to the Tenth Circuit Court of Appeals, where he served with distinction for the last 10 years.

He is widely regarded as a brilliant and thoughtful jurist and a gifted writer whose opinions are known for their clarity. Above all, however, he is known for his impartiality, for his commitment to following the law wherever it leads, whether he likes the results or not. "A judge who likes every outcome he reaches is very likely a bad judge," Judge Gorsuch has said more than once. Why? Because a judge who likes every outcome he reaches is likely making decisions based on something other than the law, and that is a problem. The job of a judge is to interpret the law, not write it, to call the balls and strikes, not to rewrite the rules of the game.

Everyone's rights are put in jeopardy when judges step outside their role and start changing the law to suit their personal opinions. Judge Gorsuch's nomination has been met with acclaim from conservatives, and it has also been met with acclaim from liberals. I think one of the biggest reasons for that is because both groups know Judge Gorsuch can be relied on to judge impartially.

Here is what Neal Katyal, an Acting Solicitor General, had to say about Judge Gorsuch: "His years on the bench reveal a commitment to judicial independence—a record that should give the American people confidence that he will not compromise principle to favor the president who appointed him."

The Colorado Springs Gazette recently highlighted a letter signed by 96 prominent Colorado lawyers and judges and sent to the senior Senator from Colorado. Here is what those individuals had to say about Judge Gorsuch in that letter:

We hold a diverse set of political views as Republicans, Democrats, and Independents.

Many of us have been critical of actions taken by President Trump. Nonetheless, we all agree that Judge Gorsuch is exceptionally well-qualified to join the Supreme Court. We know Judge Gorsuch to be a person of utmost character. He is fair, decent, and honest, both as a judge and a person. His record shows that he believes strongly in the independence of the judiciary.

Well, that is a pretty significant tribute. Again, those weren't just conservatives speaking.

Given Judge Gorsuch's character, his sterling record, and deep commitment to impartiality and the rule of law, it is no surprise that his nomination has

won support from liberals and conservatives alike or that the American people are liking what they see when it comes to Judge Gorsuch.

Well-known Democratic pollster Mark Penn recently noted that Judge Gorsuch is “off to an excellent start in his nomination process.” Unfortunately, there are still far-left extremists who would like to see Democrats in the Senate attempt to block Judge Gorsuch’s confirmation, but I am hopeful that my colleagues will ignore these voices for obstruction and, instead, listen to the many voices—liberal and conservative—that are highlighting just why Judge Gorsuch would be an outstanding addition to the Supreme Court.

I recently met with Judge Gorsuch, and I could not have been more impressed. I look forward to hearing from him again at his confirmation hearings, and I hope the Senate will act to confirm him shortly thereafter. He is the kind of judge all of us should want on the Nation’s highest Court.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. SCHUMER. Madam President, I rise to echo the concerns expressed by my colleague from Florida, BILL NELSON, about the White House’s refusal to provide written testimony relevant to Mr. Ross’s nomination prior to the vote this evening.

Mr. Ross was a key economic adviser to the Trump campaign, and he has had business ties with the Bank of Cyprus, a bank with significant Russian investors. I understand that the Commerce, Science, and Transportation Committee, of which my friend from Florida is the ranking member, sent a letter to Mr. Ross to get more information about those ties. That is a perfectly reasonable request, especially given the circumstances. This information is particularly relevant to the Senate since, in recent days, questions about connections between the Trump administration and Russia have proliferated.

While Mr. Ross told my friend from Florida that there is nothing to worry about, the White House is sitting on Mr. Ross’s written response to Senator NELSON’s letter. So the Senate will not get written answers to these important questions before voting on this nomination.

This is just another example of this administration’s abandoning transparency and trying to jam nominees through without making all of the relevant information public and available.

They have not enjoyed a good few weeks with these nominees. They have gotten them through but with a lot of pain and a lot of public disconcert, and here we have another example.

We are getting to the end of the Cabinet nominees—a nominee with ties to Russia. There is a document that states what they are. As is so typical of this administration, which stonewalls and despises transparency, they do not let the letter be freed and be made available until after the vote on a sensitive issue and one that is important to national security—Russia and this administration’s relationship to it. This is another black mark on this Nation’s administration.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. THUNE. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

Under the previous order, all postcloture time has expired.

The question is, Will the Senate advise and consent to the Ross nomination?

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Georgia (Mr. ISAKSON).

The PRESIDING OFFICER (Mr. DAINES). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 72, nays 27, as follows:

[Rollcall Vote No. 73 Ex.]

YEAS—72

Alexander	Ernst	Murkowski
Barrasso	Feinstein	Nelson
Bennet	Fischer	Paul
Blunt	Flake	Perdue
Boozman	Gardner	Peters
Brown	Graham	Portman
Burr	Grassley	Risch
Capito	Hassan	Roberts
Carper	Hatch	Rounds
Casey	Heitkamp	Rubio
Cassidy	Heller	Sasse
Cochran	Hoeven	Schatz
Collins	Inhofe	Scott
Coons	Johnson	Shaheen
Corker	Kaine	Shelby
Cornyn	Kennedy	Strange
Cortez Masto	King	Sullivan
Cotton	Klobuchar	Tester
Crapo	Lankford	Thune
Cruz	Lee	Tillis
Daines	McCain	Toomey
Donnelly	McCaskill	Warner
Duckworth	McConnell	Wicker
Enzi	Moran	Young

NAYS—27

Baldwin	Heinrich	Reed
Blumenthal	Hirono	Sanders
Booker	Leahy	Schumer
Cantwell	Manchin	Stabenow
Cardin	Markey	Udall
Durbin	Menendez	Van Hollen
Franken	Merkley	Warren
Gillibrand	Murphy	Whitehouse
Harris	Murray	Wyden

NOT VOTING—1

Isakson

The nomination was confirmed.

The PRESIDING OFFICER. The majority leader.

Mr. McCONNELL. Colleagues, let me just say, this next vote will be the last vote of the evening.

Mr. President, I move to reconsider the vote on the nomination, and I move to table the motion to reconsider.

The PRESIDING OFFICER. The question is on agreeing to the motion to table.

The motion was agreed to.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of RYAN ZINKE, of Montana, to be Secretary of the Interior.

Mitch McConnell, Roger F. Wicker, John Boozman, Orrin G. Hatch, Roy Blunt, Steve Daines, Tim Scott, Chuck Grassley, John Hoeven, Michael B. Enzi, John Barrasso, John Thune, Mike Rounds, Mike Crapo, James M. Inhofe, Joni Ernst, John Cornyn.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of RYAN ZINKE, of Montana, to be Secretary of the Interior shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. WYDEN (when his name was called). Present.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Georgia (Mr. ISAKSON).

The yeas and nays resulted—yeas 67, nays 31, as follows:

[Rollcall Vote No. 74 Ex.]

YEAS—67

Alexander	Cochran	Cruz
Barrasso	Collins	Daines
Bennet	Coons	Donnelly
Blunt	Corker	Enzi
Boozman	Cornyn	Ernst
Burr	Cortez Masto	Feinstein
Capito	Cotton	Fischer
Cassidy	Crapo	Flake

Gardner	Manchin	Sasse
Graham	McCain	Scott
Grassley	McCaskill	Shelby
Hatch	McConnell	Strange
Heinrich	Moran	Sullivan
Heitkamp	Murkowski	Tester
Heller	Murphy	Thune
Hoeven	Nelson	Tillis
Inhofe	Paul	Toomey
Johnson	Perdue	Udall
Kaine	Portman	Warner
Kennedy	Risch	Wicker
King	Roberts	Young
Lankford	Rounds	
Lee	Rubio	

NAYS—31

Baldwin	Gillibrand	Reed
Blumenthal	Harris	Sanders
Booker	Hassan	Schatz
Brown	Hirono	Schumer
Cantwell	Klobuchar	Shaheen
Cardin	Leahy	Stabenow
Carper	Markey	Van Hollen
Casey	Menendez	Warren
Duckworth	Merkley	Whitehouse
Durbin	Murray	
Franken	Peters	

ANSWERED "PRESENT"—1

Wyden

NOT VOTING—1

Isakson

The PRESIDING OFFICER. On this vote, the yeas are 67, the nays are 31. One Senator responded "present."

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of RYAN ZINKE, of Montana, to be Secretary of the Interior.

The PRESIDING OFFICER. The majority leader.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

CONFIRMATION OF WILBUR ROSS

Mr. LEAHY. Mr. President, today Mr. Ross joins the growing list of billionaires appointed by the Trump administration. It is not their wealth that concerns me, but their past conflicts with the agencies they are promoted to lead and support, providing guidance for policy and for administration of the laws. It is for this reason I cannot support Mr. Ross today.

Every American has a stake in the strength of our economy. We rely on the Department of Commerce to facilitate trade, investment, and innovation in a direction that ensures long-term benefits for Americans. Today while the wealthiest among us continue to

profit, middle class families are working long hours to pay their bills and put food on their tables. The cost of living is outstripping their family budgets, and we must get ahead of this curve.

Mr. Ross has a background of buying fledgling companies, and while he might turn around the profit margins of those companies, it is at the cost of American jobs. He has been called fair and practical, but has also committed his career in business by expanding in low-cost countries like Mexico and China. The economic policies of this country cannot be built on representing the interests of rich investors, but must also be creative in spurring job growth in American communities where industry has disappeared. We can shape our global trade policy in ways that benefit the United States, without having to do so under the assumption that the United States needs to operate in isolation in order to realize economic success. We can build industry at home, while partnering abroad in trade for our products. But it will take the commitment of the next Secretary to focus on our human capital as innovators and not as mere cost considerations.

Although America's role in the global market is expanding, our closest trade partner remains across our northern border. Each year, we export hundreds of billions of dollars' worth of goods and services to Canada, making it our largest export market in the world. Vermont is an active contributor to this flow of commerce. Supporting initiatives that strengthen this partnership will benefit local businesses in Vermont and across the Nation. Mr. Ross wants to renegotiate the North American Free Trade Agreement, and while we can debate the merits of NAFTA, the talk of renegotiating this agreement without the partnership of Mexico and Canada has many Vermont businesses concerned about the implications for their future and for the Vermont jobs that depend on our export markets.

We live in a global economy, and I work with Vermont businesses every day who rely on importing goods and materials in order to successfully create a final products that are a combination of U.S. and foreign made. This is the reality for many businesses today. I do not criticize the decisions a businessowner makes for the quality of their product. But every large corporation makes a choice between cheaper overseas labor and materials or investing in the workforce here at home for greater gains in the future. That is a choice that Mr. Ross has made on several occasions for the benefit of profits not workers.

I have said it time and again, but America thrives when our middle class is strong. As Secretary, Mr. Ross will be expected to represent the interests of all Americans. I hope he takes this

commitment seriously and works across party lines to create new industry and opportunity that take root in the very communities that suffer from lack of it. The Secretary of Commerce cannot look at individuals as statistics of profit or loss, but must understand the innovative spirit that brings opportunity where it may otherwise be lost.

COMMITTEE ON APPROPRIATIONS

RULES OF PROCEDURE

Mr. COCHRAN. Mr. President, the Senate Committee on Appropriations has adopted rules governing its procedures for the 115th Congress. Pursuant to rule XXVI, paragraph 2, of the Standing Rules of the Senate, on behalf of myself and Vice Chairman LEAHY, I ask unanimous consent that a copy of the committee rules be printed in the RECORD.

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

SENATE COMMITTEE ON APPROPRIATIONS

COMMITTEE RULES—115TH CONGRESS

I. MEETINGS

The Committee will meet at the call of the Chairman.

II. QUORUMS

1. Reporting a bill. A majority of the members must be present for the reporting of a bill.

2. Other business. For the purpose of transacting business other than reporting a bill or taking testimony, one-third of the members of the Committee shall constitute a quorum.

3. Taking testimony. For the purpose of taking testimony, other than sworn testimony, by the Committee or any subcommittee, one member of the Committee or subcommittee shall constitute a quorum. For the purpose of taking sworn testimony by the Committee, three members shall constitute a quorum, and for the taking of sworn testimony by any subcommittee, one member shall constitute a quorum.

III. PROXIES

Except for the reporting of a bill, votes may be cast by proxy when any member so requests.

IV. ATTENDANCE OF STAFF MEMBERS AT CLOSED SESSIONS

Attendance of staff members at closed sessions of the Committee shall be limited to those members of the Committee staff who have a responsibility associated with the matter being considered at such meeting. This rule may be waived by unanimous consent.

V. BROADCASTING AND PHOTOGRAPHING OF COMMITTEE HEARINGS

The Committee or any of its subcommittees may permit the photographing and broadcast of open hearings by television and/or radio. However, if any member of a subcommittee objects to the photographing or broadcasting of an open hearing, the question shall be referred to the full Committee for its decision.

VI. AVAILABILITY OF SUBCOMMITTEE REPORTS

To the extent possible, when the bill and report of any subcommittee are available,

they shall be furnished to each member of the Committee thirty-six hours prior to the Committee's consideration of said bill and report.

VII. AMENDMENTS AND REPORT LANGUAGE

To the extent possible, amendments and report language intended to be proposed by Senators at full Committee markups shall be provided in writing to the Chairman and Ranking Minority Member and the appropriate Subcommittee Chairman and Ranking Minority Member twenty-four hours prior to such markups.

VIII. POINTS OF ORDER

Any member of the Committee who is floor manager of an appropriations bill is hereby authorized to make points of order against any amendment offered in violation of the Senate Rules on the floor of the Senate to such appropriations bill.

IX. EX OFFICIO MEMBERSHIP

The Chairman and Ranking Minority Member of the full Committee are ex officio members of all subcommittees of which they are not regular members but shall have no vote in the subcommittee and shall not be counted for purposes of determining a quorum.

CONFIRMATION OF SCOTT PRUITT

Ms. CORTEZ MASTO. Mr. President, I speak in unity with my colleagues and highlight the irreparable harm that will be done to our environment and communities now that Scott Pruitt has been confirmed to be the head of the Environmental Protection Agency.

Mr. Pruitt has focused his career on working against the EPA's fundamental mission of protecting our Nation's environment, instead pushing an antienvironment agenda dictated by big corporations that have funded his campaigns and political career.

Mr. Pruitt has been serving as Oklahoma's attorney general since 2010, during which he has spent countless hours working to undermine and repudiate the very Agency he is nominated to run.

Throughout his tenure, Mr. Pruitt sued the EPA 14 times over orders that seek to protect our environment and the health and safety of our communities.

Included in Mr. Pruitt's lawsuits were efforts to undercut basic, commonsense measures that are essential to Americans' health and safety: EPA safeguards for clean air and clean water. Yes, Mr. Pruitt supports undoing measures that ensure the air we breathe is not polluted and the water we drink is free of contaminants.

And during his confirmation hearing, Mr. Pruitt contradicted his own record and biography, calling into question his knowledge of basic principles. Pruitt claimed he believes that the EPA has "a very valuable role." And yet his own LinkedIn profile brags that he is "a leading advocate against the EPA's activist agenda."

Almost 4,000 Nevadans reached out to my office urging me to vote against Mr. Pruitt.

I want to read some stories from Nevadans who voiced their concerns about Mr. Pruitt and what is at stake for them—as well as countless other families across the country.

From Jean Pierre LeBarry of Las Vegas, NV:

I am of Basque descent, as is my whole family. I grew up in Northern Nevada, as many other Basque folks did, on a ranch. We did not have running water or even electricity. We did have our sheep though. We were sheep ranchers, across the great state of Nevada the industry flourished, but before I had heard Al Gore say anything about climate change, I saw its effects in our state [Nevada]. We stopped getting as much snowfall; we would scour the desert for water to keep our herd alive on the range. Year after year it got worse, slowly killing our industry, thinning our herd, and giving me first hand example of how severe climate change is. This was more than 30 years ago I saw these changes taking place. After I left the ranch, I worked as a government employee for the Bureau of Land Management, until I retired. To see how much disregard Scott Pruitt would have for my family and their struggles with the deterioration of our climate; it is appalling that anyone would dare to confirm his nomination to head the Environmental Protection Agency, the very agency he has tried so hard to dismantle already.

From Sharon Ingram-Bevans of Reno, NV:

My Husband was a Vietnam Vet and he died last March after a 10 year illness directly related to environmental pollution. He was stationed at Camp Le Juhen North Carolina, exposed to drinking water full of jet fuel, and some great general's idea to have young Marines scrape and repaint Agent Orange boxes while serving in the Refugee camps at Okinawa Japan. Our Daughter has Thyroid disease due to this exposure also. If we only paid attention to how we use and dispose of substances we might have a better world to give to our children. There is no Planet "B" and even rich people need clean air and water.

From Brittany Lamborn of Las Vegas, NV:

I was born and raised in Nevada. My sister, brother, and I grew up in the Las Vegas valley, surrounded by majestic mountain ranges, fragrant pines, and breathtaking sunsets. Away from the glitz and glamour of the Strip, I could lose myself in the beauty of Red Rock or walk the trails on Mt. Charleston. My mom would take us to Gilcrease Orchard to pick fresh produce. My dad would take us on stargazing trips to Cathedral Gorge in Panaca. I have never wished for another home. Home means Nevada.

Now I have two young children of my own. I put on a brave face every morning so that they do not see my fear that increases with each day. I fear that these God given wonders will not be protected for them. I fear that the overwhelming need to consume will eat up our natural resources. And I fear that, unchecked, we will do irreparable harm to the only planet we have. When the dust has cleared, I fear: What will be left for our children?

Climate change is a fact, not a feeling or an opinion. We need someone at the helm of the Environmental Protection Agency that will protect every Gilcrease Orchard, every Red Rock, and every Cathedral Gorge in the United States. Scott Pruitt is not that man.

I know I am not the only Senator whose office was contacted by countless constituents, urging us to put the health and safety of our children and our environment first and oppose Mr. Pruitt's nomination.

I promised Nevadans I would come to Washington and fight for them and their priorities, and that is why I could not support Mr. Pruitt to lead the EPA. I urged my colleagues on both sides of the aisle to do the same.

TRIBUTE TO MAJOR GENERAL CAMILLE M. NICHOLS

Mr. REED. Mr. President, today I want to pay special tribute to an exceptional officer of the U.S. Army, MG Camille M. Nichols. Currently serving as the director of the Department of Defense Sexual Assault Prevention and Response Office, General Nichols will retire after more than 41 years of Active military service on April 1, 2017. From enlisted private, to academy graduate, to two-star general, MG Camille Nichols has demonstrated the Army values of duty, integrity, selfless service, and dedication to country. Many of my colleagues and I have had the pleasure of working with Major General Nichols on a number of issues and programs, and it is my distinct privilege to recognize her accomplishments.

MG Camille Nichols began her military career in 1975, as an enlisted soldier in the U.S. Army. While serving in Germany and at the insistence of her leadership, she applied for acceptance as a cadet candidate to the U.S. Military Academy Preparatory School, thus enabling her to join the U.S. Military Academy Class, USMA, class of 1981. Upon her graduation from USMA, Major General Nichols was commissioned as a second lieutenant in the Corps of Engineers. Throughout her years of service, Major General Nichols attended numerous advanced military and civilian schools, receiving three masters degrees, and while working full time, earned a Ph.D. in engineering management from George Washington University.

After serving in several command and high-level staff positions, General Nichols developed expertise in contracting and acquisition procedures and systems. These demonstrated abilities were recognized by her selection as one of the general officers named to stand up the U.S. Army's Contracting Command. It cannot be overstated that, in all her leadership and staff roles, Camille Nichols positively influenced the lives of thousands of military personnel while she did the Nation's bidding around the world and at home. From Korea to Saudi Arabia; from Operation Iraqi Freedom/New Dawn to commanding general of U.S. Army Contracting Command, Major General Nichols has been out front, pressing

hard to ensure the Army is well-equipped with a 21st century fighting force capable of defeating the enemy.

As the director of the Sexual Assault Prevention and Response Office, Major General Nichols' undeterred leadership, soldier-scholar depth and breadth of knowledge, commitment to eliminating sexual assault, and common-sense approach to problem solving have contributed immeasurably to the improvement and execution of Sexual Assault Prevention and Response program and the DOD-wide strategy. She also spearheaded specialized policies and strategies focusing on prevention efforts, combating retaliation, and addressing the needs of male victims. Major General Nichols' efforts have been instrumental in shaping and articulating program initiatives, plans, and objectives to Congress, senior defense leaders, and the American public, earning the respect of both her superiors and peers.

I ask that you and our colleagues join me, as well as Major General Nichols' family, many friends, and peers in saluting this distinguished officer's many contributions and sacrifices in the defense of our great Nation. It is fitting that today we publicly recognize her service and wish her health, happiness, and success in the years to come. Congratulations, Major General Nichols, on completing an exceptional and exemplary career.

ADDITIONAL STATEMENTS

TRIBUTE TO MAJOR GENERAL FRANK VAVALA

• Mr. CARPER. Mr. President, it is with great pleasure that I rise today on behalf of Delaware's congressional delegation—Senator CHRIS COONS, Congresswoman LISA BLUNT ROCHESTER and myself—to honor the exemplary service of MG Frank Vavala, the adjutant general for Delaware for the past 18 years. As Governor of Delaware, I had the distinct pleasure of nominating him to serve as Adjutant General in February 1999, and I believe to this day it is one of the best appointments I have ever made. Over the past 17 years, General Vavala has been responsible for the mission readiness of all Delaware National Guard units for both Federal and State missions. He served as a cabinet member and trusted military adviser to me when I was Governor, as well as to the three Governors who succeeded me: Governor Ruth Ann Minner, Governor Jack Markell, and Governor John Carney. In January 2017, he was promoted to the rank of lieutenant general Delaware, becoming the first three-star general to lead the Delaware National Guard.

During General Vavala's tenure, the Delaware National Guard has deployed close to 11,000 soldiers and airmen to

support our State and country. Nearly half of them were deployed abroad to Bosnia, South America, Africa, Saudi Arabia, Kuwait, Iraq, and Afghanistan, among other countries. Once in theater, these men and women accomplished almost every mission imaginable. They ran entry control points, provided security, established and maintained communications and conducted medical evacuation from the battlefield. They also transported supplies, patients, personnel, and dignitaries in both UH-60 Blackhawk helicopters and C-130 aircraft. Back at home, the Delaware Guard activated nearly 5,000 soldiers and airmen to provide support during 11 snowstorms, 8 hurricanes—including Hurricane Katrina, where hundreds of Delawareans went to help in Mississippi and Louisiana just 24 hours after the devastating storm made landfall, 1 tornado, dozens of floods, Noreasters, and three Presidential inaugurations. General Vavala oversaw all operations as soldiers and airmen helped transport emergency workers and patients, evacuate flooded areas, get residents to shelter, safety, and medical assistance, and even set up emergency communications around the state.

Like many successful leaders, General Vavala did not keep regular office hours. He routinely came to work early, stayed late, and worked on weekends. He was known for taking the time to recognize, thank, console, and care for everyone under his command from the newest private to the most senior officer. He valued every person who wore the uniform equally. I have met Guard men and women for years who say that when they were in a time of need, General Vavala was there for them, even if it was just taking time to drop them an email or note. Sometimes they wondered how he found out about what was going on in their lives, but however he did it, he found out. He prioritized his soldiers and airmen over his own career. Instead of focusing the spotlight on his individual accomplishments, General Vavala put the focus on his soldiers and airmen, and it made his career a success by default.

In addition to holding dozens of leadership positions in the Delaware Guard, General Vavala held prominent national positions as president of the Adjutants General Association of the United States and chairman of the board of the National Guard Association of the United States, NGAUS. During his tenure as chairman of the board, NGAUS was the main driver responsible for passing one of the most significant pieces of military legislation in a generation—the National Guard Empowerment Act. General Vavala provided key testimony before the House Armed Services Committee and was instrumental in advocating for the passage of this important legislation. In January 2012, Delaware's 146th

General Assembly passed H.J. Res. 10, recognizing General Vavala for his leading role in helping to reshape the U.S. military.

General Vavala is from a proud military family, having served with both his father, COL Frank P. Vavala, and brother MSG Gerard P. Vavala. Before serving as Adjutant General, he worked full time for the DuPont Company, where he was employed as marketing services supervisor for 31 years. He has been honored with the Anthony of Padua Founders' Award and the Italian-American Man of the Year Award. He also cares about his community, organizing food drives for the Food Bank of Delaware, and he is a person of deep faith who takes seriously what the Bible tells us about caring for others and focused that into his career as Adjutant General.

I believe General Vavala has been successful in no small part because he possesses some of the finest leadership qualities that I have ever observed in a military leader. Frank Vavala understands that leaders are humble, not haughty. They have the heart of a servant. They understand that their role is to serve, not be served. General Vavala leads by example. It is not do as I say, but do as I do. He knows that the best leaders aren't afraid to keep out of step when everyone else is marching to the wrong tune. Leaders unite, not divide. They build bridges not walls. They are aspirational—purveyors of hope, if you will—and they appeal to our better angels. Like the very best leaders, Frank has always sought to do what is right, not what is easy or expedient. He embraces the Golden Rule and treats other people the way he would want to be treated. General Vavala surrounds himself with the best people he can find. When his team does well, he gives the credit to them. And when the team falls short of the mark, this leader takes the blame. Finally, when General Frank Vavala knows he is right, he never gives up. As a leader, General Frank Vavala is in a class of his own, and he is one whom other leaders, both civilian and military would do well to emulate.

On behalf of Senator COONS and Congresswoman BLUNT ROCHESTER, let me wholeheartedly thank General Vavala for his service to our country and our State. The leadership and commitment he modeled helped keep Delaware and our Nation more safe and secure. Today, we are honored to be able to offer General Vavala our sincere congratulations on a job well done. From our hearts, we wish him and his wife Jane, who he has been married to for 50 years—along with their children Anne, Jane, and Nick and their three granddaughters—many happy, healthy, and successful years to come. Bravo Zulu.●

MESSAGE FROM THE HOUSE

At 12:02 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that pursuant to section 4 of the United States Semiquincentennial Commission Act of 2016 (Public Law 114-196), and the order of the House of January 3, 2017, the Speaker appoints the following Members of the House of Representatives to the United States Semiquincentennial Commission: Mr. MEEHAN of Pennsylvania, Mr. ADERHOLT of Alabama, and from private life: Mr. Jim Koch of Newton, Massachusetts, Mr. Val Crofts of Milton, Wisconsin, Dr. Wilfred McClay of Norman, Oklahoma, and Mrs. Lynn Young of Rockdale, Texas.

The message also announced that pursuant to section 161(a) of the Trade Act of 1974 (19 U.S.C. 2211), and the order of the House of January 3, 2017, the Speaker appoints the following Members of the House of Representatives as Congressional Advisors on Trade Policy and Negotiations: Mr. BRADY of Texas, Mr. REICHERT of Washington, and Mr. NUNES of California.

The message further announced that pursuant to 22 U.S.C. 276h and the order of the House of January 3, 2017, the Speaker appoints the following Members of the House of Representatives to the Mexico-United States Interparliamentary Group: Ms. SÁNCHEZ of California, Mr. GENE GREEN of Texas, Mr. POLIS of Colorado, Mrs. TORRES of California, and Ms. LOFGREN of California.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-805. A communication from the Assistant to the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled "Amendments to the Capital Plan and Stress Test Rules" (RIN7100-AE59) received in the Office of the President of the Senate on February 14, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-806. A communication from the Chairman, Federal Financial Institutions Examination Council, transmitting, pursuant to law, the report of a rule entitled "Description of Office, Procedures, and Public Information" (12 CFR Part 1101) received in the Office of the President of the Senate on February 14, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-807. A communication from the Attorney Advisor, Federal Highway Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "National Performance Management Measures; Assessing Pavement Condition for the National Highway Performance Program and Bridge Condition for the National Highway Performance Program" (RIN2125-AF53) received in the Office of the President of the Senate on February 14, 2017; to the Committee on Environment and Public Works.

EC-808. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of Commissioner, U.S. Customs and Border Protection, Department of Homeland Security, received in the Office of the President of the Senate on February 14, 2017; to the Committee on Finance.

EC-809. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Dividend Equivalents from Sources within the United States" (RIN1545-BM33) (TD 9815) received in the Office of the President of the Senate on February 14, 2017; to the Committee on Finance.

EC-810. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Revenue Procedure for Early Voluntary Country-by-Country Filing" (Rev. Proc. 2017-23) received in the Office of the President of the Senate on February 14, 2017; to the Committee on Finance.

EC-811. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Updated Withholding Foreign Partnership Agreement and Withholding Foreign Trust Agreement" (Rev. Proc. 2017-21) received in the Office of the President of the Senate on February 14, 2017; to the Committee on Finance.

EC-812. A communication from the Principal Deputy Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS-2017-0164); to the Committee on Foreign Relations.

EC-813. A communication from the Principal Deputy Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS-2017-0163); to the Committee on Foreign Relations.

EC-814. A communication from the Principal Deputy Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS-2017-0162); to the Committee on Foreign Relations.

EC-815. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Refuse to Accept Procedure for Premarket Tobacco Product Submissions; Revised Effective Date" (Docket No. FDA-2016-N-1555) received in the Office of the President of the Senate on February 14, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-816. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Clarification of When Products Made or Derived From Tobacco Are

Regulated as Drugs, Devices, or Combination Products; Amendments to Regulations Regarding 'Intended Uses'; Delayed Effective Date" ((RIN0910-AH19) (Docket No. FDA-2015-N-2002)) received in the Office of the President of the Senate on February 14, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-817. A communication from the Assistant General Counsel for Regulations, Office of Policy and Research, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "Federal Policy for the Protection of Human Subjects" (24 CFR Part 60) received in the Office of the President of the Senate on February 14, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-818. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-603, "Omnibus Public Safety and Justice Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-819. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-604, "Nonwoven Disposable Products Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-820. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-605, "West End Parcels Development Omnibus Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-821. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-606, "Green Yards Recognition Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-822. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-607, "Historic Preservation of Derelict District Properties Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-823. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-608, "H Street, N.E., Retail Priority Area Clarification Temporary Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-824. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, ten (10) reports relative to vacancies in the Department of Homeland Security, received in the Office of the President of the Senate on February 14, 2017; to the Committee on Homeland Security and Governmental Affairs.

EC-825. A communication from the Acting Chief Privacy Officer, Department of Homeland Security, transmitting, pursuant to law, a report entitled "Department of Homeland Security Privacy Office Fiscal Year 2016 Semiannual Report to Congress"; to the Committee on Homeland Security and Governmental Affairs.

EC-826. A communication from the Acting Director, Employee Services/Recruitment and Hiring, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Medical Qualification Determination" (RIN3206-AL14) received in the Office of the President of the Senate on February 14, 2017; to the Committee on Homeland Security and Governmental Affairs.

EC-827. A communication from the Acting Director, Employee Services/Recruitment and Hiring, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Recruitment and Selection through Competitive Examination" (RIN3206-AN46) received in the Office of the President of the Senate on February 14, 2017; to the Committee on Homeland Security and Governmental Affairs.

EC-828. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of Under Secretary for Intelligence and Analysis, Department of Homeland Security, received in the Office of the President of the Senate on February 14, 2017; to the Select Committee on Intelligence.

EC-829. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of Under Secretary for Intelligence and Analysis, Department of Homeland Security, received in the Office of the President of the Senate on February 14, 2017; to the Select Committee on Intelligence.

EC-830. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of Under Secretary for Intelligence and Analysis, Department of Homeland Security, received in the Office of the President of the Senate on February 14, 2017; to the Select Committee on Intelligence.

EC-831. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, two (2) reports relative to vacancies in the position of Assistant Secretary/Director, U.S. Immigration and Customs Enforcement, Department of Homeland Security, received in the Office of the President of the Senate on February 14, 2017; to the Committee on the Judiciary.

EC-832. A communication from the Acting Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report relative to the Bureau of Prisons' compliance with the privatization requirements of the National Capital Revitalization and Self-Government Improvement Act of 1997; to the Committee on the Judiciary.

EC-833. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary/Director, U.S. Immigration and Customs Enforcement, Department of Homeland Security, received in the Office of the President of the Senate on February 14, 2017; to the Committee on the Judiciary.

EC-834. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of Director, U.S. Citizenship and Immigration Services, Department of Homeland Security, received in the Office of the President of the Senate on February 14, 2017; to the Committee on the Judiciary.

EC-835. A communication from the Acting Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report relative to the Victims Compensation Fund established

by the Witness Security Reform Act of 1984; to the Committee on the Judiciary.

EC-836. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer" (RIN0648-XF073) received in the Office of the President of the Senate on February 14, 2017; to the Committee on Commerce, Science, and Transportation.

EC-837. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Exchange of Flatfish in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XE880) received in the Office of the President of the Senate on February 14, 2017; to the Committee on Commerce, Science, and Transportation.

EC-838. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Shortraker Rockfish in the Western Regulatory Area of the Gulf of Alaska" (RIN0648-XE894) received in the Office of the President of the Senate on February 14, 2017; to the Committee on Commerce, Science, and Transportation.

EC-839. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Several Groundfish Species in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XE925) received in the Office of the President of the Senate on February 14, 2017; to the Committee on Commerce, Science, and Transportation.

EC-840. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Big Skate in the Central Regulatory Area of the Gulf of Alaska" (RIN0648-XE922) received in the Office of the President of the Senate on February 14, 2017; to the Committee on Commerce, Science, and Transportation.

EC-841. A communication from the Assistant General Counsel, Office of the General Counsel, Consumer Product Safety Commission, transmitting, pursuant to law, the report of a rule entitled "Safety Standard for Sling Carriers" (CPSC Docket No. CPSC-2014-0018) received in the Office of the President of the Senate on February 14, 2017; to the Committee on Commerce, Science, and Transportation.

EC-842. A communication from the Deputy Chief, Disability Rights Office, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Structure and Practices of the Video Relay Service Program; and Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities" ((CG Docket No. 10-51 and CG Docket No. 03-123) (DA 17-76)) received in the Office of the President of the Senate on February 14, 2017; to the Committee on Commerce, Science, and Transportation.

EC-843. A communication from the Attorney Advisor, Federal Highway Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "National Goals and Performance

Management Measures; Assessing Performance of the National Highway System, Freight Movement on the Interstate System, and Congestion Mitigation and Air Quality Improvement Program" (RIN2125-AF54) received in the Office of the President of the Senate on February 14, 2017; to the Committee on Commerce, Science, and Transportation.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. CASEY (for himself, Mr. GRASSLEY, Mr. LEAHY, and Ms. COLLINS):

S. 443. A bill to amend the Age Discrimination in Employment Act of 1967 and other laws to clarify appropriate standards for Federal employment discrimination and retaliation claims, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. HEITKAMP (for herself and Mr. HELLER):

S. 444. A bill to amend the Investment Company Act of 1940 to expand the investor limitation for qualifying venture capital funds under an exemption from the definition of an investment company; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. COLLINS (for herself and Mr. CARDIN):

S. 445. A bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program; to the Committee on Finance.

By Mr. CORNYN (for himself, Mr. BARASSO, Mr. BLUNT, Mr. BOOZMAN, Mrs. CAPITO, Mr. COCHRAN, Mr. CRAPO, Mr. CRUZ, Mr. DAINES, Mr. ENZI, Mrs. ERNST, Mrs. FISCHER, Mr. GRAHAM, Mr. GRASSLEY, Mr. HATCH, Mr. HELLER, Mr. HOEVEN, Mr. ISAKSON, Mr. MCCAIN, Mr. MORAN, Ms. MURKOWSKI, Mr. PERDUE, Mr. PORTMAN, Mr. ROBERTS, Mr. ROUNDS, Mr. RUBIO, Mr. THUNE, Mr. WICKER, Mr. YOUNG, Mr. JOHNSON, and Mr. FLAKE):

S. 446. A bill to allow reciprocity for the carrying of certain concealed firearms; to the Committee on the Judiciary.

By Ms. BALDWIN (for herself, Mr. RUBIO, Mr. BLUMENTHAL, Mr. CASEY, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Mr. HATCH, Mr. JOHNSON, Mr. MARKEY, Mr. MCCAIN, Mr. PETERS, Mr. SCHUMER, Mr. THUNE, Ms. WARREN, and Mr. BOOKER):

S. 447. A bill to require reporting on acts of certain foreign countries on Holocaust era assets and related issues; to the Committee on Foreign Relations.

By Mr. BROWN (for himself and Ms. COLLINS):

S. 448. A bill to amend title XVIII of the Social Security Act to provide for treatment of clinical psychologists as physicians for purposes of furnishing clinical psychologist services under the Medicare program; to the Committee on Finance.

By Mr. MARKEY:

S. 449. A bill to promote worldwide access to the Internet, and for other purposes; to the Committee on Foreign Relations.

By Mr. MANCHIN:

S. 450. A bill to award a Congressional Gold Medal to members of the Armed Forces who

fought in defense of Guam, Wake Island, and the Philippine Archipelago between December 7, 1941 and May 10, 1942, and who died or were imprisoned by the Japanese military in the Philippines, Japan, Korea, Manchuria, Wake Island, and Guam from April 9, 1942 until September 2, 1945, in recognition of their personal sacrifice and service to the United States; to the Committee on Banking, Housing, and Urban Affairs.

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

S. 451. A bill to amend the Water Resources Research Act of 1984 to reauthorize grants for and require applied water supply research regarding the water resources research and technology institutes established under that Act; to the Committee on Environment and Public Works.

By Mr. FLAKE (for himself, Mr. MCCAIN, Mr. WICKER, Mrs. CAPITO, and Mr. COTTON):

S. 452. A bill to amend the Clean Air Act to delay the enforcement and implementation of the 2015 national ambient air quality standards for ozone; to the Committee on Environment and Public Works.

By Mr. FLAKE (for himself, Mr. MCCAIN, and Mr. COTTON):

S. 453. A bill to require the Administrator of the Environmental Protection Agency to include in any proposed rule that limits greenhouse gas emissions and imposes increased costs on other Federal agencies an offset from funds available to the Administrator for all projected increased costs that the proposed rule would impose on other Federal agencies; to the Committee on Environment and Public Works.

By Mr. FLAKE (for himself, Mr. MCCAIN, and Mr. COTTON):

S. 454. A bill to amend the Clean Air Act with respect to exceptional event demonstrations, and for other purposes; to the Committee on Environment and Public Works.

By Mr. TESTER:

S. 455. A bill to amend title XVIII of the Social Security Act to count resident time spent in a critical access hospital as resident time spent in a nonprovider setting for purposes of making Medicare direct and indirect graduate medical education payments; to the Committee on Finance.

By Mr. BENNET (for himself, Mr. RUBIO, Mr. VAN HOLLEN, and Mr. GARDNER):

S. 456. A bill to amend the Federal Food, Drug, and Cosmetic Act to establish a program to increase the development of new drugs to treat pediatric cancers, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. TESTER (for himself, Mr. FRANKEN, and Mr. Kaine):

S. 457. A bill to amend the Higher Education Act of 1965 to establish a scholarship program for educators of rural students and provide for loan forgiveness for rural educators, to amend the Elementary and Secondary Education Act of 1965 to provide professional development grants for rural elementary schools and secondary schools, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. TESTER (for himself, Mr. FRANKEN, and Mr. UDALL):

S. 458. A bill to support the education of Indian children; to the Committee on Indian Affairs.

By Mr. RUBIO:

S. 459. A bill to designate the area between the intersections of Wisconsin Avenue, Northwest and Davis Street, Northwest and Wisconsin Avenue, Northwest and Edmunds

Street, Northwest in Washington, District of Columbia, as "Boris Nemtsov Plaza", and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. HIRONO (for herself and Mr. SCHATZ):

S. 460. A bill for the relief of Vichai Sae Tung (also known as Chai Chaowasaree); to the Committee on the Judiciary.

By Mr. HEINRICH (for himself and Mr. HELLER):

S. 461. A bill to allow Homeland Security Grant Program funds to be used to safeguard faith-based community centers across the United States, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. HATCH (for himself, Mr. MCCONNELL, Mr. CORNYN, Mr. BARRASSO, Mr. BLUNT, Mr. BOOZMAN, Mr. BURR, Mrs. CAPITO, Mr. CASSIDY, Mr. COCHRAN, Ms. COLLINS, Mr. CORKER, Mr. CRAPO, Mr. CRUZ, Mr. DAINES, Mr. ENZI, Mrs. ERNST, Mrs. FISCHER, Mr. FLAKE, Mr. GARDNER, Mr. GRAHAM, Mr. GRASSLEY, Mr. HELLER, Mr. HOEVEN, Mr. INHOFE, Mr. ISAKSON, Mr. JOHNSON, Mr. KENNEDY, Mr. LANKFORD, Mr. LEE, Mr. MCCAIN, Mr. MORAN, Ms. MURKOWSKI, Mr. PAUL, Mr. PERDUE, Mr. PORTMAN, Mr. RISCHE, Mr. ROBERTS, Mr. ROUNDS, Mr. RUBIO, Mr. SASSE, Mr. SCOTT, Mr. SHELBY, Mr. STRANGE, Mr. SULLIVAN, Mr. THUNE, Mr. TILLIS, Mr. TOOMEY, Mr. WICKER, and Mr. YOUNG):

S.J. Res. 24. A joint resolution proposing an amendment to the Constitution of the United States relative to balancing the budget; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. CORKER (for himself and Mr. CARDIN):

S. Res. 68. A resolution raising awareness of modern slavery; to the Committee on Foreign Relations.

By Mr. BOOKER (for himself, Mr. COCHRAN, Mr. SCOTT, Mrs. GILLIBRAND, Ms. HARRIS, Mr. MARKEY, Mr. CASEY, Mr. CARPER, Mr. COONS, Mr. SCHUMER, Ms. BALDWIN, Ms. HASSAN, Mr. MENENDEZ, Ms. WARREN, Mr. REED, Mr. WICKER, Ms. MURKOWSKI, Mr. PORTMAN, Mr. MORAN, Mr. PAUL, Ms. HIRONO, Mr. BENNET, Ms. STABENOW, Mr. NELSON, Mr. BLUMENTHAL, Mr. LEAHY, Mrs. MURRAY, Mr. WARNER, Mr. DURBIN, Mr. KAINE, Mr. SANDERS, Mrs. SHAHEEN, Mr. DONNELLY, Mr. WYDEN, Mr. CARDIN, Mr. FRANKEN, Ms. KLOBUCHAR, Ms. CORTEZ MASTO, Mr. UDALL, Mr. TILLIS, Mr. ISAKSON, Mr. PERDUE, Mr. MCCAIN, Mr. LANKFORD, Mr. BURR, Mr. HELLER, Ms. COLLINS, Mr. GRASSLEY, Mr. ALEXANDER, Mrs. FEINSTEIN, Mr. SHELBY, Mr. STRANGE, Mr. PETERS, Mr. RUBIO, and Mr. MURPHY):

S. Res. 69. A resolution celebrating Black History Month; considered and agreed to.

By Ms. HIRONO (for herself, Mr. SCHUMER, Mr. DURBIN, Mrs. MURRAY, Ms. BALDWIN, Mr. BLUMENTHAL, Mr. BOOKER, Mr. BROWN, Mr. CARPER, Mr. COONS, Ms. CORTEZ MASTO, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Mr. KAINE, Ms. KLOBUCHAR, Mr. LEAHY, Mr. MAR-

KEY, Mr. MENENDEZ, Mr. MURPHY, Mr. REED, Mr. SANDERS, Mr. SCHATZ, Mr. VAN HOLLEN, Ms. WARREN, Mr. WYDEN, and Mr. FRANKEN):

S. Res. 70. A resolution recognizing the 75th anniversary of Executive Order 9066 and expressing the sense of the Senate that policies that discriminate against any individual based on the actual or perceived race, ethnicity, national origin, or religion of that individual would be a repetition of the mistakes of Executive Order 9066 and contrary to the values of the United States; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 66

At the request of Mr. HELLER, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 66, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation, and for other purposes.

S. 93

At the request of Mrs. ERNST, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of S. 93, a bill to allow women greater access to safe and effective contraception.

S. 105

At the request of Mrs. FISCHER, the name of the Senator from Nebraska (Mr. SASSE) was added as a cosponsor of S. 105, a bill to amend the Consumer Financial Protection Act of 2010 to transition the Bureau of Consumer Financial Protection to a 5-member board of directors.

S. 116

At the request of Mr. HELLER, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 116, a bill to amend title 10, United States Code, to permit veterans who have a service-connected, permanent disability rated as total to travel on military aircraft in the same manner and to the same extent as retired members of the Armed Forces entitled to such travel.

S. 134

At the request of Mr. NELSON, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 134, a bill to expand the prohibition on misleading or inaccurate caller identification information, and for other purposes.

S. 191

At the request of Mr. CASSIDY, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 191, a bill to improve patient choice by allowing States to adopt market-based alternatives to the

Affordable Care Act that increase access to affordable health insurance and reduce costs while ensuring important consumer protections and improving patient care.

S. 206

At the request of Mr. KAINE, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 206, a bill to amend the Higher Education Act of 1965 to allow the Secretary of Education to award job training Federal Pell Grants.

S. 207

At the request of Ms. KLOBUCHAR, the names of the Senator from New Hampshire (Ms. HASSAN) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of S. 207, a bill to amend the Controlled Substances Act relating to controlled substance analogues.

S. 236

At the request of Mr. WYDEN, the names of the Senator from California (Mrs. FEINSTEIN) and the Senator from Washington (Ms. CANTWELL) were added as cosponsors of S. 236, a bill to amend the Internal Revenue Code of 1986 to reform taxation of alcoholic beverages.

S. 248

At the request of Mr. MURPHY, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 248, a bill to block implementation of the Executive order that restricts individuals from certain countries from entering the United States.

S. 251

At the request of Mr. WYDEN, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 251, a bill to repeal the Independent Payment Advisory Board in order to ensure that it cannot be used to undermine the Medicare entitlement for beneficiaries.

S. 275

At the request of Ms. HEITKAMP, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 275, a bill to allow the financing by United States persons of sales of agricultural commodities to Cuba.

S. 294

At the request of Mr. NELSON, the name of the Senator from Georgia (Mr. ISAKSON) was withdrawn as a cosponsor of S. 294, a bill to amend the Federal Food, Drug, and Cosmetic Act to clarify the Food and Drug Administration's jurisdiction over certain tobacco products, and to protect jobs and small businesses involved in the sale, manufacturing and distribution of traditional and premium cigars.

At the request of Mr. NELSON, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 294, *supra*.

S. 301

At the request of Mr. LANKFORD, the name of the Senator from Wyoming

(Mr. BARRASSO) was added as a cosponsor of S. 301, a bill to amend the Public Health Service Act to prohibit governmental discrimination against providers of health services that are not involved in abortion.

S. 324

At the request of Mr. HATCH, the names of the Senator from New York (Mr. SCHUMER), the Senator from New York (Mrs. GILLIBRAND) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 324, a bill to amend title 38, United States Code, to improve the provision of adult day health care services for veterans.

S. 341

At the request of Mr. GRAHAM, the names of the Senator from Kansas (Mr. MORAN), the Senator from Rhode Island (Mr. REED), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Illinois (Mr. DURBIN), the Senator from Colorado (Mr. BENNET), the Senator from Massachusetts (Ms. WARREN), the Senator from Delaware (Mr. COONS), the Senator from Montana (Mr. TESTER), the Senator from Indiana (Mr. DONNELLY) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 341, a bill to provide for congressional oversight of actions to waive, suspend, reduce, provide relief from, or otherwise limit the application of sanctions with respect to the Russian Federation, and for other purposes.

S. 370

At the request of Mr. CRUZ, the names of the Senator from Nebraska (Mr. SASSE) and the Senator from Texas (Mr. CORNYN) were added as cosponsors of S. 370, a bill to eliminate the Bureau of Consumer Financial Protection by repealing title X of the Dodd-Frank Wall Street Reform and Consumer Protection Act, commonly known as the Consumer Financial Protection Act of 2010.

S. 377

At the request of Mr. MENENDEZ, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 377, a bill to amend the Trafficking Victims Protection Act of 2000 to clarify report dates, modify the criteria for determinations of whether countries are meeting the minimum standards for elimination of trafficking, and highlight the importance of concrete actions by countries to eliminate trafficking, and for other purposes.

S. 379

At the request of Mr. WHITEHOUSE, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 379, a bill to amend title II of the Social Security Act to eliminate the five month waiting period for disability insurance benefits under such title for individuals with amyotrophic lateral sclerosis.

S. 382

At the request of Mr. MENENDEZ, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 382, a bill to require the Secretary of Health and Human Services to develop a voluntary registry to collect data on cancer incidence among firefighters.

S. 387

At the request of Mr. PERDUE, the name of the Senator from Nebraska (Mr. SASSE) was added as a cosponsor of S. 387, a bill to amend the Consumer Financial Protection Act of 2010 to subject the Bureau of Consumer Financial Protection to the regular appropriations process, and for other purposes.

S. 397

At the request of Mr. PERDUE, his name was added as a cosponsor of S. 397, a bill to amend title XVIII of the Social Security Act to ensure fairness in Medicare hospital payments by establishing a floor for the area wage index applied with respect to certain hospitals.

S. 422

At the request of Mrs. GILLIBRAND, the names of the Senator from Arkansas (Mr. BOOZMAN) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 422, a bill to amend title 38, United States Code, to clarify presumptions relating to the exposure of certain veterans who served in the vicinity of the Republic of Vietnam, and for other purposes.

S. 426

At the request of Mr. TESTER, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 426, a bill to increase educational assistance provided by the Department of Veterans Affairs for education and training of physician assistants of the Department, to establish pay grades and require competitive pay for physician assistants of the Department, and for other purposes.

S. 438

At the request of Mr. BLUNT, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor of S. 438, a bill to encourage effective, voluntary investments to recruit, employ, and retain men and women who have served in the United States military with annual Federal awards to employers recognizing such efforts, and for other purposes.

S.J. RES. 16

At the request of Mr. WYDEN, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S.J. Res. 16, a joint resolution approving the discontinuation of the process for consideration and automatic implementation of the annual proposal of the Independent Medicare Advisory Board under section 1899A of the Social Security Act.

S.J. RES. 18

At the request of Mr. SULLIVAN, the name of the Senator from Arizona (Mr.

FLAKE) was added as a cosponsor of S.J. Res. 18, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule submitted by the Department of the Interior relating to Non-Subsistence Take of Wildlife, and Public Participation and Closure Procedures, on National Wildlife Refuges in Alaska.

S.J. RES. 19

At the request of Mr. PERDUE, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S.J. Res. 19, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Bureau of Consumer Financial Protection relating to prepaid accounts under the Electronic Fund Transfer Act and the Truth in Lending Act.

S.J. RES. 23

At the request of Mr. CRUZ, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S.J. Res. 23, a joint resolution disapproving the rule submitted by the Department of Labor relating to drug testing of unemployment compensation applicants.

S. RES. 60

At the request of Mr. DAINES, the names of the Senator from Idaho (Mr. RISCHE) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. Res. 60, a resolution designating May 5, 2017, as the "National Day of Awareness for Missing and Murdered Native Women and Girls".

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CORNYN (for himself, Mr. BARRASSO, Mr. BLUNT, Mr. BOOZMAN, Mrs. CAPITO, Mr. COCHRAN, Mr. CRAPO, Mr. CRUZ, Mr. DAINES, Mr. ENZI, Mrs. ERNST, Mrs. FISCHER, Mr. GRAHAM, Mr. GRASSLEY, Mr. HATCH, Mr. HELLER, Mr. HOEVEN, Mr. ISAKSON, Mr. MCCAIN, Mr. MORAN, Ms. MURKOWSKI, Mr. PERDUE, Mr. PORTMAN, Mr. ROBERTS, Mr. ROUNDS, Mr. RUBIO, Mr. THUNE, Mr. WICKER, Mr. YOUNG, Mr. JOHNSON, and Mr. FLAKE):

S. 446. A bill to allow reciprocity for the carrying of certain concealed firearms; to the Committee on the Judiciary.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 446

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Constitutional Concealed Carry Reciprocity Act of 2017".

SEC. 2. RECIPROCITY FOR THE CARRYING OF CERTAIN CONCEALED FIREARMS.

(a) IN GENERAL.—Chapter 44 of title 18, United States Code, is amended by inserting after section 926C the following:

"§ 926D. Reciprocity for the carrying of certain concealed firearms

"(a) IN GENERAL.—Notwithstanding any provision of the law of any State or political subdivision thereof to the contrary—

"(1) an individual who is not prohibited by Federal law from possessing, transporting, shipping, or receiving a firearm, and who is carrying a government-issued photographic identification document and a valid license or permit which is issued pursuant to the law of a State and which permits the individual to carry a concealed firearm, may possess or carry a concealed handgun (other than a machinegun or destructive device) that has been shipped or transported in interstate or foreign commerce in any State other than the State of residence of the individual that—

"(A) has a statute that allows residents of the State to obtain licenses or permits to carry concealed firearms; or

"(B) does not prohibit the carrying of concealed firearms by residents of the State for lawful purposes; and

"(2) an individual who is not prohibited by Federal law from possessing, transporting, shipping, or receiving a firearm, and who is carrying a government-issued photographic identification document and is entitled and not prohibited from carrying a concealed firearm in the State in which the individual resides otherwise than as described in paragraph (1), may possess or carry a concealed handgun (other than a machinegun or destructive device) that has been shipped or transported in interstate or foreign commerce in any State other than the State of residence of the individual that—

"(A) has a statute that allows residents of the State to obtain licenses or permits to carry concealed firearms; or

"(B) does not prohibit the carrying of concealed firearms by residents of the State for lawful purposes.

"(b) CONDITIONS AND LIMITATIONS.—The possession or carrying of a concealed handgun in a State under this section shall be subject to the same conditions and limitations, except as to eligibility to possess or carry, imposed by or under Federal or State law or the law of a political subdivision of a State, that apply to the possession or carrying of a concealed handgun by residents of the State or political subdivision who are licensed by the State or political subdivision to do so, or not prohibited by the State from doing so.

"(c) UNRESTRICTED LICENSE OR PERMIT.—In a State that allows the issuing authority for licenses or permits to carry concealed firearms to impose restrictions on the carrying of firearms by individual holders of such licenses or permits, an individual carrying a concealed handgun under this section shall be permitted to carry a concealed handgun according to the same terms authorized by an unrestricted license of or permit issued to a resident of the State.

"(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to preempt any provision of State law with respect to the issuance of licenses or permits to carry concealed firearms."

(b) CLERICAL AMENDMENT.—The table of sections for chapter 44 of title 18, United States Code, is amended by inserting after the item relating to section 926C the following:

"926D. Reciprocity for the carrying of certain concealed firearms."

(c) SEVERABILITY.—Notwithstanding any other provision of this Act, if any provision of this Act, or any amendment made by this Act, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional, this Act and amendments made by this Act and the application of such provision or amendment to other persons or circumstances shall not be affected thereby.

(d) EFFECTIVE DATE.—The amendments made by this Act shall take effect 90 days after the date of enactment of this Act.

By Mr. HATCH (for himself, Mr. MCCONNELL, Mr. CORNYN, Mr. BARRASSO, Mr. BLUNT, Mr. BOOZMAN, Mr. BURR, Mrs. CAPITO, Mr. CASSIDY, Mr. COCHRAN, Ms. COLLINS, Mr. CORKER, Mr. CRAPO, Mr. CRUZ, Mr. DAINES, Mr. ENZI, Mrs. ERNST, Mrs. FISCHER, Mr. FLAKE, Mr. GARDNER, Mr. GRAHAM, Mr. GRASSLEY, Mr. HELLER, Mr. HOEVEN, Mr. INHOFE, Mr. ISAKSON, Mr. JOHNSON, Mr. KENNEDY, Mr. LANKFORD, Mr. LEE, Mr. MCCAIN, Mr. MORAN, Ms. MURKOWSKI, Mr. PAUL, Mr. PERDUE, Mr. PORTMAN, Mr. RISCHE, Mr. ROBERTS, Mr. ROUNDS, Mr. RUBIO, Mr. SASSE, Mr. SCOTT, Mr. SHELBY, Mr. STRANGE, Mr. SULLIVAN, Mr. THUNE, Mr. TILLIS, Mr. TOOMEY, Mr. WICKER, and Mr. YOUNG):

S.J. Res. 24. A joint resolution proposing an amendment to the Constitution of the United States relative to balancing the budget; to the Committee on the Judiciary.

Mr. HATCH. Mr. President, 70 years ago this May, the Senate Appropriations Committee sent to the full Senate a constitutional amendment to require a balanced Federal budget. It had been proposed by Senator Millard Tydings, a Democrat from Maryland. In its report, the committee said this: "In no other way except by an amendment to the Constitution can Congress be compelled to balance its budget in peacetime."

Seven decades of experience proved that the Appropriations Committee was right, and we have never been in a more serious, perilous situation than we are today.

Two essential facts compel me once again to introduce a constitutional amendment to require fiscal responsibility: the gravity of the national debt crisis and the fact that neither willpower nor legislation will solve it.

The greatest challenge in describing the gravity of the national debt crisis is deciding how much of the bad news to present at one time. During the 2008 Presidential campaign, one of the candidates criticized the outgoing President for adding \$4 trillion to the national debt. That increase, Barack Obama said, was not only irresponsible but "unpatriotic." The national debt

on inauguration day 2009 was \$10.6 trillion, and on inauguration day 2017 it was \$19.9 trillion. If a \$4 trillion increase was irresponsible and unpatriotic, what words describe a \$9.3 trillion increase?

President Obama won the 2008 election with the Government Accountability Office warning that the Nation's long-term fiscal outlook was unsustainable. In its January 2017 assessment of the Nation's fiscal health, GAO reports that the national debt as a share of GDP in 2016 was 75 percent higher than the average since World War II. As it had been before, GAO concluded that "the federal government's fiscal path is unsustainable."

One way to understand the gravity of the national debt is to compare it to the size of the economy, or the gross domestic product. In other words, we can compare what we owe to our ability to pay. When President Obama took office, the national debt was 82 percent of GDP and is now 105 percent of GDP today. Some economists prefer to evaluate the national debt as a percentage of tax revenue; that is, by comparing what we owe to what we earn. The national debt rose from approximately 350 percent of Federal revenue when President Obama took office to 600 percent of Federal revenue today.

But neither numbers nor percentages tell the whole story because the national debt crisis is becoming not only a bigger crisis but a different kind of crisis. During the last several years of skyrocketing national debt, the interest rate on that debt has been nearly zero. If interest rates had been at the historical average, annual interest costs would be more than twice what they are today and on their way to consuming more than half of all Federal revenue. And now interest rates are starting to creep up. The Concord Coalition and the Committee for a Responsible Federal Budget both anticipate that over the next decade, interest payments on the national debt alone will approach \$1 trillion per year. That is interest payments. In other words, as GAO found in its new fiscal report, the growing national debt now means that the rising cost of servicing that debt becomes one of the drivers of the growing debt itself. This is becoming what one study calls a self-propelling crisis.

A national debt of this magnitude dampens the economic growth necessary to minimize borrowing to fund the government, and rising interest costs for such a monstrous debt add to the debt on which more interest must then be paid. Last month, for instance, the Treasury Department echoed this point in its financial report with the U.S. Government for fiscal year 2016. The Treasury Department concluded:

The debt-to-GDP ratio rises at an accelerating rate despite primary deficits that flatten out because higher levels of debt lead to higher net interest expenditures, and

higher net interest expenditures lead to higher debt. The continuous rise of the debt-to-GDP ratio . . . indicates that current policy is unsustainable.

We can also consider the legislative budget and economic outlook from the Congressional Budget Office. I want to highlight a few things that stood out to me.

First, annual budget deficits are on their way back up after 6 years of decline. In fact, the budget deficit for fiscal year 2016 will be one-third larger than in 2015.

Second, CBO projects that the national debt will rise by nearly \$10 trillion over the next decade. Looking beyond the next decade, CBO says that under current law, the national debt will explode to more than 150 percent of GDP—by far the highest level in American history.

Third, CBO also says that interest on the national debt is itself an increasingly forceful engine driving the debt even higher. Interest payments on the national debt are increasing nearly twice as fast as spending on Social Security and Medicare. Just last month, CBO Director Keith Hall said that over the next 10 years, interest payments are expected to triple in nominal terms and double relative to GDP.

Fourth, CBO repeated some of the serious negative consequences of this national debt for the budget, the economy, and the Nation. In addition to substantially higher interest payments, these include lower productivity and wages, less flexibility by lawmakers to respond to fiscal challenges, and increased likelihood of a fiscal crisis.

In addition to these problems, former Joint Chiefs of Staff Chairman Michael Mullen and experts from the Heritage Foundation to the Brookings Institution warn that the national debt crisis is a serious threat to national security.

Economists tell us that national debt above 90 percent of GDP for a sustained period of time will lead to substantially slower economic growth and higher interest rates. The United States is now in the longest period in its history with the national debt above that toxic 90-percent level. Not surprisingly, since the recession ended in June 2009, the national debt has grown more than twice as fast and GDP has grown less than half as fast as during the comparable period after previous recessions.

It is no wonder to me and to many others that more than two-thirds of Americans say that their concern over the national debt is growing and more than three-quarters of Americans say that the national debt should be among Congress's top three priorities. The national debt was once such a top priority. In fact, America's Founders were so determined to avoid debt that their commitment to fiscal balance was often called our unwritten fiscal con-

stitution. President George Washington, for example, told Congress that the regular redemption of the public debt was the most urgent fiscal priority. That was George Washington. Thomas Jefferson wrote in 1798 that if he could add a single amendment to the Constitution, it would prohibit the Federal Government from borrowing. That commitment, of course, is long gone. The Federal budget has been balanced in only a dozen of the last 80 years. And, as I said earlier, we are in the longest period in American history with a debt above 90 percent of GDP.

As its fiscal willpower failed, Congress has also tried to address the debt crisis by legislation. The first bill requiring a balanced budget was introduced in 1934 when the national debt was 40 percent of GDP. Fifty years later, Congress enacted the Balanced Budget and Emergency Deficit Control Act. Since then, we have enacted multiple budget control acts and budget enforcement acts, only to see the national debt climb from 42 percent of GDP in 1985 to 105 percent of GDP today.

Good intentions will not balance the Nation's checkbook. Statutes that Congress can change or ignore will not keep our fiscal house in order. Neither willpower nor legislation will tackle the national debt crisis. Pretending otherwise is the fiscal equivalent of fiddling while Rome burns.

All the evidence—every bit of it—proves true the conclusion drawn by the Appropriations Committee 70 years ago. In no other way except by amendment to the Constitution can Congress be compelled to balance its budget in peacetime. We have, as lawyers put it, exhausted our other remedies for this crisis. This would be a very different country—a freer and more prosperous country—if Congress had already proposed the only solution that exists, a constitutional amendment which requires fiscal responsibility.

The first balanced budget amendment was introduced in the House of Representatives in 1936. As you can see, the national debt as a percentage of GDP has been going up by leaps and bounds. I introduced my first balanced budget amendment in June of 1979, during my first term in the Senate when the national debt was 32 percent of GDP. That share of GDP doubled by 1997 when the Senate came within one vote of passing a balanced budget amendment that I introduced—one vote. It rose to 95 percent when the Senate last voted on a balanced budget amendment in 2011 and is 105 percent of GDP today.

Since this crisis is already so grave and getting worse, since the only way to tackle it is through the Constitution, we should propose a balanced budget amendment and let the American people decide whether to take this step. After all, Congress cannot amend

the Constitution. A requirement that Congress keep its fiscal house in order cannot become part of the Constitution until that is approved by three-quarters of the States.

Congress, however, is not the only way to propose constitutional amendments. Article V of the Constitution also allows the States to apply for a convention to propose constitutional amendments. Concerned citizens have been working since the mid-1970s to reach the two-thirds threshold for calling such a convention to propose a balanced budget amendment and are only six States away from that goal. Since Congress has never called an article V convention, questions remain unresolved and theories untested regarding that method of proposing an amendment. I can assure my colleagues, however, that Congress's continued failure to propose a balanced budget—and a balanced budget amendment at that—guarantees that our fellow citizens will continue working to force that course upon us.

There are two facts that we must face: the gravity of the nation's debt crisis and the failure to address it by willpower or legislation. Perhaps some of my colleagues believe that the Congressional Budget Office is wrong in its disturbing projections and dire warnings; that the Government Accountability Office is mistaken and the fiscal path we are on is sustainable after all; that the Treasury Department is wrong about the spiral of increased debt and growing interest payments—some people feel that way; that the Concord Coalition and the Committee for a Responsible Federal Budget are wrong about how national debt interest payments will continue to grow and add to the debt; and that economists are wrong to warn about the impact of sustained national debt of this magnitude.

If my colleagues are convinced that everyone else is wrong and our fiscal future is just fine after all, then they should say so and then try to make that case to the American people. Even they will not do that because they know they are wrong, yet we can't seem to get them to do what is right. I, for one, think that would be a very tough sell for them to make. Americans have been polled about this issue dozens of times over the years by major polling firms and national news organizations. Three-quarters of Americans supported a balanced budget amendment in 1976, and three-quarters support it today.

Perhaps all of these polls over the last 40 years are wrong. Perhaps the American people are content watching their national debt swallow the economy. Perhaps our fellow citizens are actually OK with slower economic growth, a rising threat to national security, the greater likelihood of a fiscal crisis, and an unsustainable path to

fiscal disaster. If that is what the American people actually believe, then they certainly are inclined to ratify a balanced budget amendment.

The real reason Members of Congress refuse to give the American people this choice is that they know what the American people will say. I say with respect, but as strongly as I can, that this is not a legitimate basis for refusing to propose a balanced budget amendment. In our system of government, as Founder James Wilson once put it, the people are the masters of government. They alone have authority to set rules for government. This choice must be theirs, not ours.

Here is the heart of the matter. First, the national debt crisis poses a significant and growing threat to the economic and national security of this country. In fact, we have never been in such an extended, perilous period as we are right now. Second, Congress has tried and failed to address this crisis by either willpower or legislation and will actually do so only if the Constitution requires it. Third, the decision of whether to use the Constitution to require fiscal responsibility belongs to the American people, not to Congress.

We can either take the responsibility we were elected for and propose a balanced budget amendment or the American people may do it for us. I hope we have the guts to do what is right. Our very country is hanging in the balance. The rest of the world depends on the United States and the strong principles of the United States, and we need to do what is right.

I think it is time for us to wake up and realize this is the Congress that can make the difference. After all these years of impropriety and excessive spending, we can do it. We can live within certain constraints. It may take a period of time to wind this down, but we can do it. This amendment does provide for some ways of getting there.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 68—RAISING AWARENESS OF MODERN SLAVERY

Mr. CORKER (for himself and Mr. CARDIN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 68

Whereas it is estimated that tens of millions of children, women, and men around the world are subjected to conditions of modern slavery;

Whereas the International Labour Organization estimates that modern slavery generates more than \$150,000,000,000 in criminal profits each year;

Whereas, despite being outlawed in every nation, modern slavery exists around the world, including in the United States;

Whereas, around the world, 55 percent of forced labor victims are women or girls, and nearly 1 in 5 victims of slavery is a child;

Whereas global leadership continues to coalesce around real and coordinated actions to end modern slavery, as exemplified in statements by senior officials such as U.K. Prime Minister Theresa May, who has stated, "Britain is leading the way in pioneering international efforts to crack down on modern slavery—one of the great scourges of our world—wherever it is found.";

Whereas, on December 23, 2016, the End Modern Slavery Initiative, a bipartisan initiative, was authorized to help establish a powerful effort in concert with the private sector and foreign governments to eliminate modern slavery and human trafficking around the globe; and

Whereas, each year, individuals around the world join together to call for an end to modern slavery by symbolically drawing a red "X" symbol on their hands to share the message of the END IT movement: Now, therefore, be it

Resolved, That the Senate—

(1) commends each individual who supported the END IT movement on February 23, 2017;

(2) notes the dedication of individuals, organizations, and governments to end modern slavery; and

(3) calls for concerted, international action to bring an end to modern slavery around the world.

SENATE RESOLUTION 69—CELEBRATING BLACK HISTORY MONTH

Mr. BOOKER (for himself, Mr. COCHRAN, Mr. SCOTT, Mrs. GILLIBRAND, Ms. HARRIS, Mr. MARKEY, Mr. CASEY, Mr. CARPER, Mr. COONS, Mr. SCHUMER, Ms. BALDWIN, Ms. HASSAN, Mr. MENENDEZ, Ms. WARREN, Mr. REED, Mr. WICKER, Ms. MURKOWSKI, Mr. PORTMAN, Mr. MORAN, Mr. PAUL, Ms. HIRONO, Mr. BENNET, Ms. STABENOW, Mr. NELSON, Mr. BLUMENTHAL, Mr. LEAHY, Mrs. MURRAY, Mr. WARNER, Mr. DURBIN, Mr. KAINE, Mr. SANDERS, Mrs. SHAHEEN, Mr. DONNELLY, Mr. WYDEN, Mr. CARDIN, Mr. FRANKEN, Ms. KLOBUCHAR, Ms. CORTEZ MASTO, Mr. UDALL, Mr. TILLIS, Mr. ISAKSON, Mr. PERDUE, Mr. MCCAIN, Mr. LANKFORD, Mr. BURR, Mr. HELLER, Ms. COLLINS, Mr. GRASSLEY, Mr. ALEXANDER, Mrs. FEINSTEIN, Mr. SHELBY, Mr. STRANGE, Mr. PETERS, Mr. RUBIO, and Mr. MURPHY) submitted the following resolution; which was considered and agreed to:

S. RES. 69

Whereas in 1776, people envisioned the United States as a new nation dedicated to the proposition stated in the Declaration of Independence that "all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness . . .";

Whereas Africans were first brought involuntarily to the shores of America as early as the 17th century;

Whereas African Americans suffered enslavement and subsequently faced the injustices of lynch mobs, segregation, and denial of the basic and fundamental rights of citizenship;

Whereas in 2017, the vestiges of those injustices and inequalities remain evident in the society of the United States;

Whereas in the face of injustices, people of good will and of all races in the United States have distinguished themselves with a commitment to the noble ideals on which the United States was founded and have fought courageously for the rights and freedom of African Americans and others;

Whereas African Americans, such as Lieutenant Colonel Allen Allensworth, Maya Angelou, Arthur Ashe Jr., James Baldwin, James Beckwourth, Clara Brown, Blanche Bruce, Ralph Bunche, Shirley Chisholm, Holt Collier, Frederick Douglass, W. E. B. Du Bois, Ralph Ellison, Medgar Evers, Alex Haley, Dorothy Height, Lena Horne, Charles Hamilton Houston, Mahalia Jackson, Stephanie Tubbs Jones, B.B. King, Martin Luther King, Jr., Thurgood Marshall, Constance Baker Motley, Rosa Parks, Walter Payton, Bill Pickett, Homer Plessy, Bass Reeves, Hiram Revels, Amelia Platts Boynton Robinson, Jackie Robinson, Aaron Shirley, Sojourner Truth, Harriet Tubman, Booker T. Washington, the Greensboro Four, and the Tuskegee Airmen, along with many others, worked against racism to achieve success and to make significant contributions to the economic, educational, political, artistic, athletic, literary, scientific, and technological advancements of the United States;

Whereas the contributions of African Americans from all walks of life throughout the history of the United States reflect the greatness of the United States;

Whereas many African Americans lived, toiled, and died in obscurity, never achieving the recognition they deserved, and yet paved the way for future generations to succeed;

Whereas African Americans continue to serve the United States at the highest levels of business, government, and the military;

Whereas the birthdays of Abraham Lincoln and Frederick Douglass inspired the creation of Negro History Week, the precursor to Black History Month;

Whereas Negro History Week represented the culmination of the efforts of Dr. Carter G. Woodson, the "Father of Black History", to enhance knowledge of Black history through the Journal of Negro History, published by the Association for the Study of African American Life and History, which was founded by Dr. Carter G. Woodson and Jesse E. Moorland;

Whereas Black History Month, celebrated during the month of February, originated in 1926 when Dr. Carter G. Woodson set aside a special period in February to recognize the heritage and achievement of Black people of the United States;

Whereas Dr. Carter G. Woodson stated: "We have a wonderful history behind us. . . If you are unable to demonstrate to the world that you have this record, the world will say to you, 'You are not worthy to enjoy the blessings of democracy or anything else.'";

Whereas since the founding of the United States, the Nation has imperfectly progressed toward noble goals;

Whereas the history of the United States is the story of people regularly affirming high ideals, striving to reach those ideals but often failing, and then struggling to come to terms with the disappointment of that failure, before committing to trying again;

Whereas on November 4, 2008, the people of the United States elected Barack Obama, an African-American man, as President of the United States; and

Whereas on February 22, 2012, people across the United States celebrated the groundbreaking of the National Museum of African American History and Culture on

the National Mall in Washington, District of Columbia, which opened to the public on September 24, 2016: Now, therefore, be it

Resolved, That the Senate—

(1) acknowledges that all people of the United States are the recipients of the wealth of history provided by Black culture;

(2) recognizes the importance of Black History Month as an opportunity to reflect on the complex history of the United States, while remaining hopeful and confident about the path ahead;

(3) acknowledges the significance of Black History Month as an important opportunity to commemorate the tremendous contributions of African Americans to the history of the United States;

(4) encourages the celebration of Black History Month to provide a continuing opportunity for all people in the United States to learn from the past and understand the experiences that have shaped the United States; and

(5) agrees that, while the United States began as a divided country, the United States must—

(A) honor the contribution of all pioneers in the United States who have helped to ensure the legacy of the great United States; and

(B) move forward with purpose, united tirelessly as a nation "indivisible, with liberty and justice for all."

SENATE RESOLUTION 70—RECOGNIZING THE 75TH ANNIVERSARY OF EXECUTIVE ORDER 9066 AND EXPRESSING THE SENSE OF THE SENATE THAT POLICIES THAT DISCRIMINATE AGAINST ANY INDIVIDUAL BASED ON THE ACTUAL OR PERCEIVED RACE, ETHNICITY, NATIONAL ORIGIN, OR RELIGION OF THAT INDIVIDUAL WOULD BE A REPETITION OF THE MISTAKES OF EXECUTIVE ORDER 9066 AND CONTRARY TO THE VALUES OF THE UNITED STATES

Ms. HIRONO (for herself, Mr. SCHUMER, Mr. DURBIN, Mrs. MURRAY, Ms. BALDWIN, Mr. BLUMENTHAL, Mr. BOOKER, Mr. BROWN, Mr. CARPER, Mr. COONS, Ms. CORTEZ MASTO, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Mr. KAINE, Ms. KLOBUCHAR, Mr. LEAHY, Mr. MARKEY, Mr. MENENDEZ, Mr. MURPHY, Mr. REED, Mr. SANDERS, Mr. SCHATZ, Mr. VAN HOLLEN, Ms. WARREN, Mr. WYDEN, and Mr. FRANKEN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 70

Whereas, on December 7, 1941, the Imperial Japanese Navy launched a surprise attack against the United States naval base at Pearl Harbor, Hawaii, which led to—

(1) increased prejudice and suspicion toward Japanese Americans; and

(2) calls from civilians and public officials to remove Japanese Americans from the west coast of the United States;

Whereas, on February 19, 1942, President Franklin Delano Roosevelt signed Executive Order 9066 (7 Fed. Reg. 1407; relating to authorizing the Secretary of War to prescribe military areas) (referred to in this preamble as "Executive Order 9066"), which led to—

(1) the exclusion of all individuals of Japanese ancestry in the United States; and

(2) the incarceration of 120,313 United States citizens and lawful permanent residents of Japanese ancestry in incarceration camps during World War II;

Whereas President Gerald Ford formally rescinded Executive Order 9066 in Presidential Proclamation 4417, dated February 19, 1976 (41 Fed. Reg. 7741) (referred to in this preamble as "Presidential Proclamation 4417");

Whereas Presidential Proclamation 4417—

(1) states that Japanese Americans were and are loyal people of the United States who have contributed to the well-being and security of the United States;

(2) states that the issuance of Executive Order 9066 was a grave mistake in United States history; and

(3) resolves that actions such as the actions authorized by Executive Order 9066 shall never happen again;

Whereas, in 1980, Congress established the Commission on Wartime Relocation and Internment of Civilians to investigate the circumstances surrounding the issuance of Executive Order 9066;

Whereas, in 1983, the Commission on Wartime Relocation and Internment of Civilians issued a report entitled "Personal Justice Denied" in which the Commission on Wartime Relocation and Internment of Civilians concluded that—

(1) the promulgation of Executive Order 9066 was not justified by military necessity; and

(2) the decision to issue Executive Order 9066 was shaped by "race prejudice, war hysteria, and a failure of political leadership";

Whereas, on August 10, 1988, the Civil Liberties Act of 1988 (Public Law 100-383; 102 Stat. 903) was enacted—

(1) to acknowledge the grave injustice done to citizens and permanent residents of the United States of Japanese ancestry by requiring the evacuation, relocation, and internment of those individuals during World War II;

(2) to apologize for "fundamental violations of the basic civil liberties and constitutional rights of these individuals of Japanese ancestry" and provide monetary reparations to Japanese Americans who had been incarcerated by the Federal Government; and

(3) to establish the Civil Liberties Public Education Fund to ensure that "the events surrounding the exclusion, forced removal, and incarceration of civilians and permanent resident aliens of Japanese ancestry will be remembered, and so that the causes and circumstances of this and similar events may be illuminated and understood";

Whereas the terrorist attacks carried out in the United States on September 11, 2001, have led to heightened levels of suspicion and hate crimes, xenophobia, and bigotry directed toward the Arab, Middle Eastern, South Asian, Muslim, Sikh, and Hindu American communities, including—

(1) on August 5, 2012, an attack on the Sikh Temple of Wisconsin in Oak Creek, Wisconsin, which led to several injuries and the death of 6 Sikh Americans; and

(2) on February 10, 2015, the execution-style shooting of 3 Muslim American students in Chapel Hill, North Carolina;

Whereas the terrorist attacks carried out in Paris, France, on November 5, 2015, have led to renewed calls from public officials and figures to register Muslim Americans and bar millions of individuals from entering the United States based solely on the religion of

those individuals, repeating the mistakes of 1942;

Whereas Executive Order 13769 (82 Fed. Reg. 8977; relating to protecting the Nation from foreign terrorist entry into the United States) (in this preamble referred to as “Executive Order 13769”), issued on January 27, 2017, embodies an unconstitutional, disruptive step backwards that has promoted discrimination against individuals based on national origin and religion, which is contrary to the values of the United States; and

Whereas, on February 9, 2017, the United States Court of Appeals for the Ninth Circuit unanimously upheld the decision of a Federal district court judge to temporarily block the implementation of Executive Order 13769: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the historical significance of February 19, 1942, as the date on which President Franklin Delano Roosevelt signed Executive Order 9066 (7 Fed. Reg. 1407; relating to authorizing the Secretary of War to prescribe military areas) (referred to in this resolving clause as “Executive Order 9066”), which restricted the freedom of Japanese Americans;

(2) recognizes the historical significance of February 19, 1976, as the date on which President Gerald Ford issued Presidential Proclamation 4417 (41 Fed. Reg. 7741), which formally terminated Executive Order 9066;

(3) supports the goals of the Japanese American community in recognizing a National Day of Remembrance to increase public awareness about the unjust measures taken to restrict the freedom of Japanese Americans during World War II;

(4) expresses the sense that the National Day of Remembrance described in paragraph (3) is an opportunity—

(A) to reflect on the importance of upholding justice and civil liberties for all people of the United States; and

(B) to oppose hate, xenophobia, and bigotry;

(5) recognizes the positive contributions that people of the United States of every race, ethnicity, religion, and national origin have made to the United States;

(6) steadfastly confirms the dedication of the Senate to the rights and dignity of all people of the United States; and

(7) expresses the sense that policies that discriminate against any individual based on the actual or perceived race, ethnicity, national origin, or religion of that individual would be—

(A) a repetition of the mistakes of Executive Order 9066; and

(B) contrary to the values of the United States.

PRIVILEGES OF THE FLOOR

Mr. CORNYN. Mr. President, Robert Ivanauskas is a congressional detailee to the Energy Committee. I ask unanimous consent that he be granted floor privileges through December 31, 2017.

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

Mr. NELSON. Mr. President, I ask unanimous consent that privileges of the floor be granted to Harry Knight, a detailee from the Department of Commerce, during the pendency of the first session of the 115th Congress.

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

RECOGNIZING FEBRUARY 26, 2017, AS THE 100TH ANNIVERSARY OF THE ESTABLISHMENT OF DENALI NATIONAL PARK AND PRESERVE IN THE STATE OF ALASKA

On Friday, February 17 (legislative day of Thursday, February 16), 2017, the Senate adopted S. Res. 55, with its preamble, as amended, as follows:

S. RES. 55

Whereas Alaska Natives have lived on the land surrounding the Denali area and used the resources of the land for food, shelter, clothing, transportation, handicrafts, and trade for thousands of years;

Whereas Judge James Wickersham, of Fairbanks, Alaska, discovered gold in the Kantishna Hills following his attempted ascent of Denali in 1903, prompting a gold rush with several thousand prospectors and the establishment of successful placer and commercial mining operations that lasted for decades;

Whereas explorer Belmore Browne and hunter-naturalist Charles Sheldon visited the Denali region, observed the natural splendor of Denali, and, along with Alaska's territorial delegate to Congress, Judge Wickersham, and pioneering biological survey naturalist Edward Nelson, tirelessly advocated for Denali's protection;

Whereas early proponents of national parks, such as the Boone and Crockett Club, the Campfire Club of America, and the American Game Protective and Propagation Association, sponsored early expeditions, including those of Sheldon and Brown, and advocated for the creation of a national park at Denali;

Whereas in 1910, miners from the Kantishna Hills discovered an approach by which Denali might be climbed, relying on years of observations while following quartz leads and hunting sheep in the foothills of the Denali area;

Whereas Athabascan Walter Harper joined Archdeacon Hudson Stuck, Harry Karstens, and Robert Tatum to successfully summit the highest peak of Denali in 1913, opening the door for thousands of individuals to test their own endurance and fortitude by attempting to climb the giant massif;

Whereas President Woodrow Wilson signed into law the Act entitled “An Act to establish the Mount McKinley National Park, in the Territory of Alaska”, approved February 26, 1917 (39 Stat. 938, chapter 121), for the benefit and enjoyment of the people of the United States and the preservation of the Denali area's scenic beauty, animals, birds, and fish;

Whereas Congress expanded the boundaries of Mount McKinley National Park in 1922, 1932, and 1980 and renamed that national park Denali National Park and Preserve after the traditional Koyukon Athabascan name for the highest peak in the park, Deenaalee, meaning the High One;

Whereas Denali National Park and Preserve protects and interprets Denali, which is the highest mountain in North America, at 20,310 feet, and the tallest above-water mountain, with a vertical relief of almost 18,000 feet measured from its base;

Whereas Denali National Park and Preserve preserves a wild subarctic landscape with a rich and diverse tapestry of plant life and intact ecosystems where bears, wolves, caribou, moose, and Dall sheep roam as they have for thousands of years;

Whereas Denali National Park and Preserve protects a wide array of fossils that

point to an age 70,000,000 years ago, when dinosaurs roamed that northern land;

Whereas Denali National Park and Preserve contains 2 of the oldest-known archaeology sites in North America, the oldest of which dates to just over 13,000 years old;

Whereas glaciers still blanket ⅓ of Denali National Park and Preserve and continue to shape the landscape by carving mountains, feeding silt-laden rivers, and depositing rock and silt across the valleys;

Whereas Denali National Park and Preserve was designated as an International Biosphere Reserve in 1976 and has become a premier international tourist destination;

Whereas in 2016, nearly 600,000 visitors set foot in Denali National Park and Preserve, the greatest number of visitors in the history of Denali National Park and Preserve and a record number of visitors for the State of Alaska;

Whereas Denali National Park and Preserve has provided a wide array of visitor experiences to tourists, including hiking, dog mushing, rafting, and cycling;

Whereas Denali National Park and Preserve's historic Denali Park Road provides visitors with unparalleled opportunities to experience and explore millions of acres of an accessible wildlife sanctuary that represents one of the crown jewels of the United States;

Whereas residents of the State of Alaska continue their subsistence way of life by hunting and gathering in the majority of Denali National Park and Preserve;

Whereas Denali National Park and Preserve hosts the only working sled dog kennel in a national park, and winter patrols are conducted inside Denali National Park and Preserve using the age-old tradition of dog mushing; and

Whereas Denali National Park and Preserve, known for its breathtaking scenery and iconic wildlife, protects more than 6,000,000 acres of towering mountains, expansive valleys, glacial rivers of ice, braided streams, and wildland for the benefit of all people of the United States: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates and celebrates Denali National Park and Preserve on its centennial anniversary;

(2) encourages all people of the State of Alaska and the United States to visit and experience this national treasure; and

(3) designates February 26, 2017, as “Denali National Park and Preserve Day”.

AUTHORIZING APPOINTMENT OF ESCORT COMMITTEE

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Presiding Officer of the Senate be authorized to appoint a committee on the part of the Senate to join with a like committee on the part of the House of Representatives to escort the President of the United States into the House Chamber for the joint session to be held at 9 p.m. on Tuesday, February 28, 2017.

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

APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the Democratic leader, pursuant to the provisions of S. Res. 64, adopted March 5, 2013, appoints the following Senators as members of the Senate National Security Working Group for the 115th Congress: Dianne Feinstein of California (Democratic Administrative Co-Chairman), Jack Reed of Rhode Island (Democratic Co-Chairman), Robert Menendez of New Jersey (Democratic Co-Chairman), Richard J. Durbin of Illinois, Bill Nelson of Florida, Benjamin L. Cardin of Maryland, Robert P. Casey, Jr., of Pennsylvania, Heidi Heitkamp of North Dakota, and Tammy Duckworth of Illinois.

CELEBRATING BLACK HISTORY MONTH

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 69, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 69) celebrating Black History Month.

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

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

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

The resolution (S. Res. 69) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

ORDERS FOR TUESDAY,
FEBRUARY 28, 2017

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Tuesday, February 28; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, that following leader remarks, the Senate proceed to executive session and resume consideration of the Zinke nomination postcloture; finally, that all time during leader remarks, morning business, recess, and adjournment of the Senate count postcloture on the Zinke nomination.

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

ORDER FOR ADJOURNMENT

Mr. MCCONNELL. If there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Mr. DAINES.

The PRESIDING OFFICER (Mr. YOUNG). Without objection, it is so ordered.

The Senator from Montana.

NOMINATION OF RYAN ZINKE

Mr. DAINES. Mr. President, tonight the Senate took a long overdue step forward in finally confirming Congressman RYAN ZINKE to be our next Secretary of the Interior. You know, we could have done this on January 20. You see, RYAN ZINKE is not a controversial nominee. He is a westerner. He is a Montanan whom we need serving as our next Secretary.

Back on January 17, when the Energy and Natural Resources Committee had a hearing on RYAN ZINKE's nomination, I detailed for the committee exactly why he is a good fit for this job.

Frankly, it is shameful that it took this body this long to move forward on RYAN ZINKE's nomination. You see, this is a historic moment for Montana, as Congressman ZINKE will be the first Montanan ever to serve in a President's Cabinet. That dates back to statehood in 1889.

Back in 1979, there was a junior from Bozeman High School and another junior from Whitefish High School who were both headed to Dillon, MT, for Boys State. They were both Boys State delegates. In fact, the keynote speaker that year was a newly elected U.S. Senator. He had been elected in the fall of 1978. This was June of 1979, at Boys State, and this Senator was named Max Baucus.

So 38 years later, that kid from Bozeman was serving on the U.S. Senate Energy and Natural Resources Committee, and that kid from Whitefish was testifying before that very same committee to be the next Secretary of the Interior.

You see, RYAN ZINKE was also captain of the soon-to-be undefeated State champion Whitefish Bulldogs football team. He was also president of his class.

After high school RYAN went on to the University of Oregon, where he was a full-scholarship, starting athlete for the Oregon Ducks football team, where he won numerous awards for both outstanding academic and athletic performance. He majored in geology, a subject matter that I know has served him well in serving the people of Montana.

RYAN ZINKE was a U.S. Navy SEAL commander whose assignments included the elite SEAL Team Six. In fact, part of that tenure was serving under General Mattis—now Secretary Mattis—as the commander of Joint Special Forces in Iraq at the very height of insurgent activity.

During his 23 years as a U.S. Navy SEAL, RYAN conducted special operations on four continents. RYAN ZINKE earned two Bronze Stars and many other awards for his service to our Nation. We should all be thankful to him, to his wife Lola, and their children for his service.

Following his retirement from the Navy, after more than two decades of honorable service to our Nation, RYAN came back home to Montana, and he continued to serve again, this time in our State government. RYAN ran for and won a seat in the State senate and then as Montana's sole Representative in the U.S. House.

For the past couple of years, RYAN has been a strong supporter of conservation, of responsible natural resources development, of LWCF, as well as increased recreational access to our public lands.

RYAN grew up 30 minutes from Glacier National Park. I grew up about 60 minutes from Yellowstone National Park. We both understand the importance of our national parks.

RYAN is intimately familiar with the vast jurisdiction of the Department of Interior because he has lived it. He has seen his own hometown suffer due to bad government policies that hurt rural communities like Libby, where the logging industry has been decimated; like Malta, like Colstrip, which depend on our public lands for access.

Above all, RYAN is a Montanan who grew up on our public lands. He knows that we must strike the right balance between conservation and responsible energy development, and he understands more than most that these one-size-fits-all policies from Washington, DC, never work for real America. The bureaucrats in Washington, DC, oftentimes can't even find Montana on a map.

RYAN ZINKE is whip smart. He is a guy you want in your corner while you are fighting in the streets of Fallujah for your life or you are fighting on the floor of Congress for your livelihood. He listens. He fights for what he believes in. I have absolutely no doubt he will be a fighter for America; he will be a fighter for our public lands as the next Secretary of the Interior. So I look forward to confirming RYAN ZINKE within the next day and a half.

Mr. President, I yield the floor.

ADJOURNMENT UNTIL 10 A.M.
TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 10 a.m. tomorrow.

Thereupon, the Senate, at 8 p.m., adjourned until Tuesday, February 28, 2017, at 10 a.m.

CONFIRMATION

Executive nomination confirmed by the Senate February 27, 2017:

DEPARTMENT OF COMMERCE

WILBUR L. ROSS, JR., OF FLORIDA, TO BE SECRETARY OF COMMERCE.

HOUSE OF REPRESENTATIVES—Monday, February 27, 2017

The House met at noon and was called to order by the Speaker pro tempore (Mr. DENHAM).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
February 27, 2017.

I hereby appoint the Honorable JEFF DENHAM to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2017, the Chair would now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 1 minute p.m.), the House stood in recess.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DENHAM) at 2 p.m.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Loving God, we give You thanks for giving us another day.

You sent Your prophet Isaiah to Your people when they were in need of hope and vision. May Isaiah's prophetic words guide us still.

Send Your spirit upon this Nation and this Congress that we may be open to hearing Your word and actively seek the salvation You alone can bring.

Make of us a people of compassion and holiness. In pursuing the avenues of justice for all, may we be a sign to the community of nations.

Help us to work toward the complete fulfillment of the deepest human hopes and Your inspiring promises. With

humility let us embrace our calling: to be truly prophetic, as Your servants of old, by earnestly fulfilling Your commands now and forever.

Lord, bless the Members of the people's House today and all days, and may all that is done be for Your greater honor and glory.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from California (Mrs. MIMI WALTERS) come forward and lead the House in the Pledge of Allegiance.

Mrs. MIMI WALTERS of California led the Pledge of Allegiance as follows:

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

REVIVE THE KEYSTONE PIPELINE

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

Mr. POE of Texas. Mr. Speaker, President Trump has signed an executive order to revive the Canadian Keystone XL pipeline. If Keystone does not go through, it is not as if Americans will stop buying oil to meet our energy needs. No, we will just buy it from somewhere else. That includes countries like Saudi Arabia or corrupt Venezuela.

It seems to me that we would rather see a stable country and neighbor like Canada get this contract than Venezuela or Middle Eastern countries.

Keystone is also good for the United States. Keystone XL pipeline will bring thousands of jobs to my home State of Texas. This is where the pipeline ends at the refineries in southeast Texas.

At peak capacity, the pipeline is expected to deliver 830,000 barrels a day to the Gulf Coast. That is as much fuel as we get from Saudi Arabia. At peak capacity, this will be better for the United States and energy independence.

TransCanada has reapplied for this permit, and the State Department

needs to approve it. Pipelines are the most economical and environmentally safe way to move fuel, and it is time we make this happen.

And that is just the way it is.

SNAP: A RUNG ON THE ECONOMIC LADDER

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to identify an important rung on the economic ladder.

The Supplemental Nutrition Assistance Program, or SNAP, can help pave the way for recipients to climb the economic ladder through work training. The truth is simple: where poverty exists, skills gaps can prevent access to jobs with family-sustaining wages.

Underemployment and unemployment are leading causes of poverty, and promoting pathways to employment is the best way to help individuals climb the economic ladder out of poverty and into self-sufficiency. Combined with other welfare programs, SNAP recipients may face a welfare cliff when they are just above the income eligibility level, which can create disincentives to finding work or increasing earnings.

Better enforcement of work requirements is needed in some States, and enforcement needs to be coupled with more effective SNAP employment and training programs.

As the House Agriculture Nutrition Subcommittee chair and House Career and Technical Education Caucus co-chair, I am committed to reforming the nutrition needs of today and greater opportunities for tomorrow for all Americans.

REMEMBERING PAUL GLAAB OF ORANGE COUNTY, CALIFORNIA

(Mrs. MIMI WALTERS of California asked and was given permission to address the House for 1 minute.)

Mrs. MIMI WALTERS of California. Mr. Speaker, I rise today in memory of Paul Glaab who passed away on January 26.

Paul's career in public service began in the 1980s when he worked for the Republican caucus in the California State assembly on business, transportation, and housing issues. He continued to serve two California Governors in the State's Division of Codes and Standards and the Department of Transportation. He then served on the board of

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

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

the Orange County Transportation Authority and later as the board's chair. Notably, he served two terms as Laguna Niguel's mayor.

Paul was a true public servant, and he will be missed by everyone in the Orange County community.

Our thoughts and prayers are with his wife, Janice, his daughter Molly, and the rest of his family. We join them in their mourning and hope that they will find comfort in knowing that Paul's legacy of leadership will live on for years to come.

BLACK HISTORY MONTH

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

Ms. BARRAGÁN. Mr. Speaker, I rise today as we close out Black History Month. Last night at the Oscars, we saw "Moonlight" win the Best Picture, which was a real milestone for Black filmmakers. We also saw Viola Davis, the first African-American woman to win an Oscar, an Emmy, and a Tony.

We have come a long way since the civil rights era. As a kid in school, I was intrigued by the period. It is when I first learned about standing up, fighting for people, for equality against racial discrimination, and injustices. The struggle is real, and it continues today.

I am looking forward this weekend to going with one of my civil rights heroes, Congressman JOHN LEWIS, on a Faith and Politics trip to Selma, Montgomery, and Birmingham. May we learn from history to end the hatred, divisions, and the injustices that continue.

TRUMP'S EXECUTIVE ORDERS POPULAR

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

Mr. SMITH of Texas. Mr. Speaker, a recent poll shows that the American people agree with all of President Trump's major executive orders, though they are not likely to learn about it from the liberal media.

Fifty-five percent approve of revoking Federal funding for sanctuary cities. Only 33 percent disapprove. Fifty-five percent approve of prohibiting refugees from seven countries from entering the U.S. Only 38 percent disapprove.

By wide margins, the American people side with the President on freezing regulations and Federal hiring, building pipelines, and constructing a wall along the U.S. border with Mexico.

As favorable to the President as this poll is, think how much more favorable it would have been if the media had not incessantly criticized his executive orders.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 24, 2017.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on February 24, 2017, at 9:54 a.m.:

That the Senate passed S. 442.

With best wishes, I am
Sincerely,

KAREN L. HAAS.

APPOINTMENT OF INDIVIDUAL TO BOARD OF TRUSTEES OF THE AMERICAN FOLKLIKE CENTER IN THE LIBRARY OF CONGRESS

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to 20 U.S.C. 2103(b), and the order of the House of January 3, 2017, of the following individual to the Board of Trustees of the American Folklife Center in the Library of Congress on the part of the House for a term of 6 years:

Ms. Amy Kitchener, Fresno, California.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 4:30 p.m. today.

Accordingly (at 2 o'clock and 9 minutes p.m.), the House stood in recess.

□ 1630

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. ROGERS of Kentucky) at 4 o'clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken later.

SHILOH NATIONAL MILITARY PARK BOUNDARY ADJUSTMENT AND PARKER'S CROSSROADS BATTLEFIELD DESIGNATION ACT

Mr. MCCLINTOCK. Mr. Speaker, I move to suspend the rules and pass the

bill (H.R. 88) to modify the boundary of the Shiloh National Military Park located in Tennessee and Mississippi, to establish Parker's Crossroads Battlefield as an affiliated area of the National Park System, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 88

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Shiloh National Military Park Boundary Adjustment and Parker's Crossroads Battlefield Designation Act".

SEC. 2. DEFINITIONS.

In this Act, the following definitions apply:

(1) **AFFILIATED AREA.**—The term "affiliated area" means the Parker's Crossroads Battlefield established as an affiliated area of the National Park System under section 4.

(2) **PARK.**—The term "Park" means Shiloh National Military Park, a unit of the National Park System.

(3) **SECRETARY.**—The term "Secretary" means the Secretary of the Interior.

SEC. 3. AREAS TO BE ADDED TO SHILOH NATIONAL MILITARY PARK.

(a) **ADDITIONAL AREAS.**—The boundary of Shiloh National Military Park is modified to include the areas that are generally depicted on the map entitled "Shiloh National Military Park, Proposed Boundary Adjustment", numbered 304/80,011, and dated July 2014, as follows:

(1) Fallen Timbers Battlefield.

(2) Russell House Battlefield.

(3) Davis Bridge Battlefield.

(b) **ACQUISITION AUTHORITY.**—The Secretary may acquire lands described in subsection (a) by donation, purchase from willing sellers with donated or appropriated funds, or exchange.

(c) **ADMINISTRATION.**—Any lands acquired under this section shall be administered as part of the Park.

SEC. 4. ESTABLISHMENT OF AFFILIATED AREA.

(a) **IN GENERAL.**—Parker's Crossroads Battlefield in the State of Tennessee is hereby established as an affiliated area of the National Park System.

(b) **DESCRIPTION.**—The affiliated area shall consist of the area generally depicted within the "Proposed Boundary" on the map entitled "Parker's Crossroads Battlefield, Proposed Boundary", numbered 903/80,073, and dated July 2014.

(c) **ADMINISTRATION.**—The affiliated area shall be managed in accordance with this Act and all laws generally applicable to units of the National Park System.

(d) **MANAGEMENT ENTITY.**—The City of Parkers Crossroads and the Tennessee Historical Commission shall jointly be the management entity for the affiliated area.

(e) **COOPERATIVE AGREEMENTS.**—The Secretary may provide technical assistance and enter into cooperative agreements with the management entity for the purpose of providing financial assistance with marketing, marking, interpretation, and preservation of the affiliated area.

(f) **LIMITED ROLE OF THE SECRETARY.**—Nothing in this Act authorizes the Secretary to acquire property at the affiliated area or to assume overall financial responsibility for the operation, maintenance, or management of the affiliated area.

(g) **GENERAL MANAGEMENT PLAN.**—

(1) IN GENERAL.—The Secretary, in consultation with the management entity, shall develop a general management plan for the affiliated area. The plan shall be prepared in accordance with section 100502 of title 54, United States Code.

(2) TRANSMITTAL.—Not later than 3 years after the date that funds are made available for this Act, the Secretary shall provide a copy of the completed general management to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

SEC. 5. PRIVATE PROPERTY PROTECTION.

(a) NO USE OF CONDEMNATION.—The Secretary of the Interior may not acquire by condemnation any land or interests in land under this Act or for the purposes of this Act.

(b) WRITTEN CONSENT OF OWNER.—No non-Federal property may be included in the Shiloh National Military Park without the written consent of the owner.

(c) NO BUFFER ZONE CREATED.—Nothing in this Act, the establishment of the Shiloh National Military Park, or the management plan for the Shiloh National Military Park shall be construed to create buffer zones outside of the Park. That activities or uses can be seen, heard, or detected from areas within the Shiloh National Military shall not preclude, limit, control, regulate, or determine the conduct or management of activities or uses outside of the Park.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. MCCLINTOCK) and the gentlewoman from California (Mrs. TORRES) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. MCCLINTOCK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, H.R. 88, introduced by Representative MARSHA BLACKBURN of Tennessee, expands the boundaries of the Shiloh National Military Park to include 2,126 acres of battlefields in Corinth and designates the Parker's Crossroads Battlefield as an affiliated area of the National Park System.

The Battle of Shiloh was one of the bloodiest battles in the history of this Nation and a turning point of which it was once said that, after Shiloh, the South never smiled again. The Battle of Parker's Crossroads was fought later that year and, though not as decisive a battle as Shiloh, was worthy of preservation in remembrance of the fallen.

I would like to add something on a personal note. I would like to speak of Private James H. Ewing, of the Third Iowa Volunteer Infantry Regiment, the fifth of 10 children of James and Agnes

Ewing of Marshall County, Iowa. The family had begun in Ohio and journeyed to the frontier of Iowa, following Horace Greely's advice to go west and grow with the Nation. In 1861, that Nation was torn apart by secession. James Ewing met President Lincoln's call to defend her and was 24 years old when he was killed on April 6, 1862, at Pittsburg Landing on the first day of the Battle of Shiloh.

The words of his younger brother, John, written 64 years later, in 1926, expressed both the enduring anguish of that loss with equal parts of enduring pride, saying: "Brother James gave up his life at the Battle of Shiloh . . . fighting to save our free government." That free government survived because of the sacrifices and suffering of these brave young men, and I am honored to speak the name of one of them in this Chamber today.

Private James H. Ewing is one of 3,584 courageous Americans whose graves our Nation has cared for and honored through the generations that have followed at Shiloh. This bill assures that several more of the battlefields they struggled on will be preserved in a cohesive unit. Our family remains proud of him to this day and grateful to Congresswoman BLACKBURN for bringing forward this bill to assure that the sacrifices, gallantry, and idealism of those young men who struggled at Bloody Shiloh shall never be forgotten by their larger family, the American people.

This bill would preserve approximately 2,126 acres of that battlefield associated with the Siege of Corinth, including the Fallen Timbers, Russell House, and Davis Bridge Battlefields. The National Park Service determined that each of these sites provides extensive opportunities for visitor use and interpretation or the potential for archaeological research. An identical version of this legislation passed the House of Representatives last Congress.

I commend Representative BLACKBURN for her work to preserve these historically significant sites, and I urge my colleagues to vote in favor of this measure.

I reserve the balance of my time.

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

By expanding the boundaries of the Shiloh National Military Park in the State of Tennessee, H.R. 88 will assist the National Park Service in its efforts to preserve lands and share the history of the Civil War for generations to come.

The bill adjusts the boundary of the park to include several sites identified in the 2004 boundary expansion study conducted by the National Park Service. This bill also establishes the Parker's Crossroads Battlefield as an associated area of the National Park System.

Between the Union and Confederacy, Parker's Crossroads saw over 700 Amer-

icans lose their lives in the war for our Nation's future. Preserving this site will provide even broader opportunities to commemorate and learn from the legacy of the Civil War.

The emphasis that we all need to place on preserving our country's history cannot be overstated. The Civil War is a chapter in our national story that continues to shape the thoughts and actions of this country over 150 years after its conclusion.

The struggles and personal conflicts faced by millions of soldiers and the impact on families throughout and after the war have provided us with many lessons, lessons that continue to remain relevant today. Only through learning from our past will we learn how to be a better and stronger nation in the future.

Parks, such as Shiloh National Military Park, offer countless opportunities for us to explore the rich history and lessons of the past. These opportunities are most effective when visitors to sites can immerse themselves in the full setting of the area and gain a true understanding of the historical context, something that this expansion of the Shiloh National Military Park will achieve.

I would like to thank Representative BLACKBURN for her hard work and commitment to protecting the historical resources in her State, and I urge my colleagues to support this bill.

I reserve the balance of my time.

Mr. MCCLINTOCK. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Tennessee (Mrs. BLACKBURN), the author of this measure.

Mrs. BLACKBURN. Mr. Speaker, I thank the gentleman from California for yielding the time.

I do encourage my colleagues to support this legislation.

Recently, National Geographic ranked this as the third best Civil War site to visit—the third best—and there is a reason for that. It is because of the dedication of the National Park Service personnel that are there at the Shiloh battlefield and the local volunteers from Tennessee and Mississippi that work to preserve and to enhance.

Mrs. TORRES was so right when she talked about the relevancy of the site and the opportunity for introspection and remembrance and the importance of preservation and the lessons that can be learned as individuals go and visit this park. It is significant, and in our Civil War history it is significant that we preserve this and work with the National Park Service.

The Battle of Shiloh was fought on April 6 and 7 in 1862. It was the bloodiest battle of the Civil War up to that point: 23,000 Americans died. General Grant's Union Army was victorious. The Confederate forces withdrew to Corinth, and the outcome of the battle eventually led to the fall of Vicksburg

in July of 1863. This permanently divided the Confederacy and crippled the Southern war effort.

As we look at this legislation that goes around this battlefield, it does preserve the historical legacy of Tennessee, of Shiloh, and of our Nation. It gives the Park Service the authority that they would like to preserve more than 2,100 additional acres of the historic Shiloh National Military Park.

As the gentleman from California said, Fallen Timbers, Davis Bridge, and Russell House are all included in this, as well as Parker's Crossroads Battlefield, which would be named an affiliated area.

As we look at visitors to our Nation's park, the Shiloh National Military Park welcomes more than 500,000 visitors each and every year.

I thank my colleagues for the time and the support.

Mrs. TORRES. Mr. Speaker, I would like to again thank Representative BLACKBURN for her efforts, and I urge adoption of this bill.

I yield back the balance of my time. Mr. MCCLINTOCK. Mr. Speaker, I would join in asking for adoption of this measure.

I yield back the balance of my time. The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. MCCLINTOCK) that the House suspend the rules and pass the bill, H.R. 88.

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

A motion to reconsider was laid on the table.

INDIAN EMPLOYMENT, TRAINING AND RELATED SERVICES CONSOLIDATION ACT OF 2017

Mr. MCCLINTOCK. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 228) to amend the Indian Employment, Training and Related Services Demonstration Act of 1992 to facilitate the ability of Indian tribes to integrate the employment, training, and related services from diverse Federal sources, and for other purposes, as amended.

The Clerk read the title of the bill.
The text of the bill is as follows:

H.R. 228

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Indian Employment, Training and Related Services Consolidation Act of 2017".

SEC. 2. AMENDMENT OF SHORT TITLE.

(a) IN GENERAL.—Section 1 of the Indian Employment, Training and Related Services Demonstration Act of 1992 (25 U.S.C. 3401 note; 106 Stat. 2302) is amended to read as follows:

"SECTION 1. SHORT TITLE.

"This Act may be cited as the 'Indian Employment, Training and Related Services Act of 1992'."

(b) REFERENCES.—Any reference in law to the "Indian Employment, Training and Related Services Demonstration Act of 1992" shall be deemed to be a reference to the "Indian Employment, Training and Related Services Act of 1992".

SEC. 3. STATEMENT OF PURPOSE.

Section 2 of the Indian Employment, Training and Related Services Act of 1992 (25 U.S.C. 3401), as amended by section 2 of this Act, is amended—

(1) by striking "The purposes of this Act are to demonstrate how Indian tribal governments can" and inserting "The purpose of this Act is to facilitate the ability of Indian tribes and tribal organizations to";

(2) by inserting "from diverse Federal sources" after "they provide";

(3) by striking "and serve tribally-determined" and inserting ", and serve tribally determined"; and

(4) by inserting ", while reducing administrative, reporting, and accounting costs" after "policy of self-determination".

SEC. 4. DEFINITIONS.

Section 3 of the Indian Employment, Training and Related Services Act of 1992 (25 U.S.C. 3402), as amended by section 2 of this Act, is amended—

(1) by striking paragraph (2) and inserting the following:

"(2) INDIAN TRIBE.—

"(A) IN GENERAL.—The terms 'Indian tribe' and 'tribe' have the meaning given the term 'Indian tribe' in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

"(B) INCLUSION.—The term 'Indian tribe' includes tribal organizations (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)).";

(2) by redesignating paragraph (4) as paragraph (5); and

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

"(4) PROGRAM.—The term 'program' means a program described in section 5(a)."

SEC. 5. INTEGRATION OF SERVICES AUTHORIZED.

Section 4 of the Indian Employment, Training and Related Services Act of 1992 (25 U.S.C. 3403), as amended by section 2 of this Act, is amended to read as follows:

"SEC. 4. INTEGRATION OF SERVICES AUTHORIZED.

"The Secretary shall, after approving a plan submitted by an Indian tribe in accordance with section 8, authorize the Indian tribe to, in accordance with the plan—

"(1) integrate the programs and Federal funds received by the Indian tribe in accordance with waiver authority granted under section 7(d); and

"(2) coordinate the employment, training, and related services provided with those funds in a consolidated and comprehensive tribal plan."

SEC. 6. PROGRAMS AFFECTED AND TRANSFER OF FUNDS.

Section 5 of the Indian Employment, Training and Related Services Act of 1992 (25 U.S.C. 3404), as amended by section 2 of this Act, is amended to read as follows:

"SEC. 5. PROGRAMS AFFECTED.

"(a) PROGRAMS AFFECTED.—

"(1) IN GENERAL.—The programs that may be integrated pursuant to a plan approved under section 8 shall be only programs—

"(A) implemented for the purpose of—

"(i) job training;

"(ii) welfare to work and tribal work experience;

"(iii) creating or enhancing employment opportunities;

"(iv) skill development;

"(v) assisting Indian youth and adults to succeed in the workforce;

"(vi) encouraging self-sufficiency;

"(vii) familiarizing individual participants with the world of work;

"(viii) facilitating the creation of job opportunities;

"(ix) economic development; or

"(x) any services related to the activities described in clauses (i) through (x); and

"(B) under which an Indian tribe or members of an Indian tribe—

"(i) are eligible to receive funds—

"(I) under a statutory or administrative formula making funds available to an Indian tribe; or

"(II) based solely or in part on their status as Indians under Federal law; or

"(ii) have secured funds as a result of a noncompetitive process or a specific designation.

"(2) TREATMENT OF BLOCK GRANT FUNDS.—For purposes of this section, programs funded by block grant funds provided to an Indian tribe, regardless of whether the block grant is for the benefit of the Indian tribe because of the status of the Indian tribe or the status of the beneficiaries the grant serves, shall be eligible to be integrated into the plan.

"(b) PROGRAM AUTHORIZATION.—The Secretary shall, in cooperation with the Attorney General, the Secretary of Agriculture, the Secretary of Commerce, the Secretary of Education, the Secretary of Energy, the Secretary of Health and Human Services, the Secretary of Homeland Security, the Secretary of Housing and Urban Development, the Secretary of Labor, the Secretary of Transportation, and the Secretary of Veterans Affairs, after the Secretary approves a plan submitted by an Indian tribe or tribal organization under section 8, authorize the Indian tribe or tribal organization, as applicable, to coordinate, in accordance with the plan, federally funded employment, training, and related services programs and funding in a manner that integrates the programs and funding into a consolidated and comprehensive program."

SEC. 7. PLAN REQUIREMENTS.

Section 6 of the Indian Employment, Training and Related Services Act of 1992 (25 U.S.C. 3405), as amended by section 2 of this Act, is amended to read as follows:

"SEC. 6. PLAN REQUIREMENTS.

"A plan submitted to the Secretary for approval under this Act shall—

"(1) identify the programs to be integrated and consolidated;

"(2) be consistent with the purposes of this Act;

"(3) describe—

"(A) a comprehensive strategy identifying the full range of potential employment opportunities on and near the service area of the Indian tribe;

"(B) the education, training, and related services to be provided to assist Indians to access those employment opportunities;

"(C) the way in which services and program funds are to be integrated, consolidated, and delivered; and

"(D) the results expected, including the expected number of program participants in unsubsidized employment during the second quarter after exit from the program, from the plan;

"(4) identify the projected expenditures under the plan in a single budget covering all consolidated funds;

"(5) identify any agency of the Indian tribe to be involved in the delivery of the services integrated under the plan;

“(6) identify any statutory provisions, regulations, policies, or procedures that the Indian tribe believes need to be waived to implement the plan; and

“(7) be approved by the governing body of the Indian tribe.”.

SEC. 8. PLAN REVIEW; WAIVER AUTHORITY; AND DISPUTE RESOLUTION.

Section 7 of the Indian Employment, Training and Related Services Act of 1992 (25 U.S.C. 3406), as amended by section 2 of this Act, is amended to read as follows:

“SEC. 7 PLAN REVIEW.

“(a) IN GENERAL.—Upon receipt of a plan from an Indian tribe, the Secretary shall consult with—

“(1) the head of each Federal agency overseeing a program identified in the plan; and

“(2) the Indian tribe that submitted the plan.

“(b) IDENTIFICATION OF WAIVERS.—The parties identified in subsection (a) shall identify any waivers of applicable statutory, regulatory, or administrative requirements, or of Federal agency policies or procedures necessary to enable the Indian tribe to efficiently implement the plan.

“(c) TRIBAL WAIVER REQUEST.—In consultation with the Secretary, a participating Indian tribe may request that the head of each affected agency waive any statutory, regulatory, or administrative requirement, policy, or procedure identified subsection (b).

“(d) WAIVER AUTHORITY.—

“(1) IN GENERAL.—Except as provided in paragraph (2), notwithstanding any other provision of law, the head of each affected Federal agency shall waive any applicable statutory, regulatory, or administrative requirement, regulation, policy, or procedure promulgated by the agency that has been identified by the parties under subparagraph (b).

“(2) EXCEPTION.—The head of an affected Federal agency shall not grant a waiver under paragraph (1) if the head of the affected agency determines that a waiver will be inconsistent with—

“(A) the purposes of this Act; or

“(B) the provision of law from which the program included in the plan derives its authority that is specifically applicable to Indians.

“(e) DECISION ON WAIVER REQUEST.—

“(1) IN GENERAL.—Not later than 90 days after the head of an affected agency receives a waiver request, the head of the affected agency shall decide whether to grant or deny the request.

“(2) DENIAL OF REQUEST.—If the head of the affected agency denies a waiver request, not later than 30 days after the date on which the denial is made, the head of the affected agency shall provide the requesting Indian tribe and the Secretary with written notice of the denial and the reasons for the denial.

“(3) FAILURE TO ACT ON REQUEST.—If the head of an affected agency does not make a decision under paragraph (1) by the deadline identified in that paragraph, the request shall be considered to be granted.

“(f) SECRETARIAL REVIEW.—If the head of an affected agency denies a waiver request under subsection (e)(2), not later than 30 days after the date on which the request is denied, the Secretary shall review the denial and determine whether granting the waiver—

“(1) will be inconsistent with the provisions of this Act; or

“(2) will prevent the affected agency from fulfilling the obligations of the affected agency under this Act.

“(g) INTERAGENCY DISPUTE RESOLUTION.—

“(1) IN GENERAL.—Not later than 30 days after the date on which the Secretary determines that granting the waiver will not be inconsistent with the provisions of this Act and will not prevent the affected agency from fulfilling the obligations of the affected agency under this Act, the Secretary shall establish and initiate an interagency dispute resolution process involving—

“(A) the Secretary;

“(B) the participating Indian tribe; and

“(C) the head of the affected agency.

“(2) DURATION.—A dispute subject to paragraph (1) shall be resolved not later than 30 days after the date on which the process is initiated.

“(h) FINAL AUTHORITY.—If the dispute resolution process fails to resolve the dispute between a participating Indian tribe and an affected agency, the head of the affected agency shall have the final authority to resolve the dispute.

“(i) FINAL DECISION.—Not later than 10 days after the date on which the dispute is resolved under this section, the Secretary shall provide the requesting Indian tribe with—

“(1) the final decision on the waiver request; and

“(2) notice of the right to file an appeal in accordance with the applicable provisions described in section 8(d).”.

SEC. 9. PLAN APPROVAL; SECRETARIAL AUTHORITY; REVIEW OF DECISION.

Section 8 of the Indian Employment, Training and Related Services Act of 1992 (25 U.S.C. 3407), as amended by section 2 of this Act, is amended to read as follows:

“SEC. 8. PLAN APPROVAL; SECRETARIAL AUTHORITY; REVIEW OF DECISION.

“(a) IN GENERAL.—The Secretary shall have exclusive authority to approve or disapprove a plan submitted by an Indian tribe in accordance with section 6.

“(b) APPROVAL PROCESS.—

“(1) IN GENERAL.—Not later than 90 days after the date on which the Secretary receives a plan, the Secretary shall, after coordinating with the Secretary of each Federal agency providing funds to be used to implement the plan, approve or deny the plan.

“(2) APPROVAL.—If the Secretary approves a plan under paragraph (1), the Secretary shall authorize the transfer of program funds identified in the plan in accordance with section 13.

“(3) DENIAL.—If the Secretary denies the plan under paragraph (1), the Secretary shall provide to the Indian tribe a written notification of disapproval of the plan that contains a specific finding that clearly demonstrates, or that is supported by a controlling legal authority, that the plan does not meet the requirements described in section 6.

“(4) PARTIAL APPROVAL.—

“(A) IN GENERAL.—If a plan is denied under paragraph (3) solely on the basis that a request for a waiver that is part of the plan has not been approved (or is subject to dispute resolution) under section 7, the Secretary shall, upon a request from the tribe, grant partial approval for those portions of the plan not affected by the request for a waiver.

“(B) APPROVAL AFTER RESOLUTION.—With respect to a plan described in subparagraph (A), on resolution of the request for a waiver under section 7, the Secretary shall, on a request from the tribe, approve the plan or amended plan not later than 90 days after the date on which the Secretary receives the request.

“(5) FAILURE TO ACT.—If the Secretary does not make a decision under paragraph (1) within 90 days of the date on which the Sec-

retary receives the plan, the plan shall be considered to be approved.

“(c) EXTENSION OF TIME.—Notwithstanding any other provision of law, the Secretary may extend or otherwise alter the 90-day period identified in subsection (b)(1) for not more than 90 additional days, if, before the expiration of the period, the Secretary obtains the express written consent of the Indian tribe.

“(d) REVIEW OF DENIAL.—

“(1) PROCEDURE UPON REFUSAL TO APPROVE PLAN.—If the Secretary denies a plan under subsection (b)(3), the Secretary shall—

“(A) state any objections in writing to the Indian tribe;

“(B) provide assistance to the Indian tribe to overcome the stated objections; and

“(C) unless the Indian tribe brings a civil action under paragraph (2), provide the Indian tribe with a hearing on the record with the right to engage in full discovery relevant to any issue raised in the matter and the opportunity for appeal on the objections raised, under such rules and regulations as the Secretary may promulgate.

“(2) CIVIL ACTIONS.—

“(A) IN GENERAL.—The district courts of the United States shall have original jurisdiction of a civil action against the appropriate Secretary arising under this section.

“(B) ADMINISTRATIVE HEARING AND APPEAL NOT REQUIRED.—An Indian tribe may bring a civil action under this paragraph without regard to whether the Indian tribe had a hearing or filed an appeal under paragraph (1).

“(C) RELIEF.—In an action brought under this paragraph, the court may order appropriate relief (including injunctive relief to reverse a denial of a plan under this section or to compel an officer or employee of the United States, or any agency thereof, to perform a duty provided under this Act or regulations promulgated thereunder) against any action by an officer or employee of the United States or any agency thereof contrary to this Act or regulations promulgated thereunder.

“(3) FINAL AGENCY ACTION.—Notwithstanding any other provision of law, a decision by an official of the Department of the Interior or the Department of Health and Human Services, as appropriate (collectively referred to in this paragraph as the ‘Department’) that constitutes final agency action and that relates to an appeal within the Department that is conducted under paragraph (1)(C) shall be made—

“(A) by an official of the Department who holds a position at a higher organizational level within the Department than the level of the departmental agency (such as the Indian Health Service or the Bureau of Indian Affairs) in which the decision that is the subject of the appeal was made; or

“(B) by an administrative law judge.”.

SEC. 10. EMPLOYER TRAINING PLACEMENTS.

Section 10 of the Indian Employment, Training and Related Services Act of 1992 (25 U.S.C. 3409), as amended by section 2 of this Act, is amended to read as follows:

“SEC. 10. EMPLOYER TRAINING PLACEMENTS.

“(a) IN GENERAL.—Subject to subsection (b), an Indian tribe that has in place an approved plan under this Act may use the funds made available for the plan under this Act—

“(1) to place participants in training positions with employers; and

“(2) to pay the participants a training allowance or wage for a training period of not more than 24 months, which may be non-consecutive.

“(b) REQUIREMENTS.—An Indian tribe may carry out subsection (a) only if the Indian

tribe enters into a written agreement with each applicable employer under which the employer shall agree—

“(1) to provide on-the-job training to the participants; and

“(2) on satisfactory completion of the training period described in subsection (a)(2), to prioritize the provision of permanent employment to the participants.”.

SEC. 11. FEDERAL RESPONSIBILITIES.

Section 11 of the Indian Employment, Training and Related Services Act of 1992 (25 U.S.C. 3410), as amended by section 2 of this Act, is amended to read as follows:

“SEC. 11. FEDERAL RESPONSIBILITIES.

“(a) LEAD AGENCY.—

“(1) IN GENERAL.—Notwithstanding any other provision of law, the lead agency responsible for implementation of this Act shall be the Bureau of Indian Affairs.

“(2) INCLUSIONS.—The responsibilities of the Director of the Bureau of Indian Affairs in carrying out this Act shall include—

“(A) in coordination with the head of each Federal agency overseeing a program identified in the plan, the development of a single model report for each Indian tribe that has in place an approved plan under this Act to submit to the Director reports on any consolidated activities undertaken and joint expenditures made under the plan;

“(B) the provision, directly or through contract, of appropriate voluntary and technical assistance to participating Indian tribes;

“(C) the development and use of a single monitoring and oversight system for plans approved under this Act;

“(D)(i) the receipt of all funds covered by a plan approved under this Act; and

“(ii) the distribution of the funds to the respective Indian tribes by not later than 45 days after the date of receipt of the funds from the appropriate Federal department or agency; and

“(E)(i) the performance of activities described in section 7 relating to agency waivers; and

“(ii) the establishment of an interagency dispute resolution process.

“(3) MEMORANDUM OF AGREEMENT.—

“(A) IN GENERAL.—Not later than 1 year after the date of enactment of the Indian Employment, Training and Related Services Consolidation Act of 2017, the Secretary (acting through the Director of the Bureau of Indian Affairs), in conjunction with the Secretaries of Agriculture, Commerce, Education, Energy, Health and Human Services, Homeland Security, Housing and Urban Development, Labor, Transportation, and Veterans Affairs and the Attorney General, shall enter into an interdepartmental memorandum of agreement providing for the implementation of this Act.

“(B) INCLUSIONS.—The memorandum of agreement under subparagraph (A) shall include provisions relating to—

“(i) an annual meeting of participating Indian tribes and Federal departments and agencies, to be co-chaired by—

“(I) a representative of the President; and

“(II) a representative of the participating Indian tribes;

“(ii) an annual review of the achievements under this Act, including the number and percentage of program participants in unsubsidized employment during the second quarter after exit from the program, and any statutory, regulatory, administrative, or policy obstacles that prevent participating Indian tribes from fully and efficiently carrying out the purposes of this Act; and

“(iii) a forum comprised of participating Indian tribes and Federal departments and

agencies to identify and resolve interagency conflicts and conflicts between the Federal Government and Indian tribes in the administration of this Act.

“(b) REPORT FORMAT.—

“(1) IN GENERAL.—The lead agency shall develop and distribute to Indian tribes that have in place an approved plan under this Act a single report format, in accordance with the requirements of this Act.

“(2) REQUIREMENTS.—The lead agency shall ensure that the report format developed under paragraph (1), together with records maintained by each participating Indian tribe, contains information sufficient—

“(A) to determine whether the Indian tribe has complied with the requirements of the approved plan of the Indian tribe;

“(B) to determine the number and percentage of program participants in unsubsidized employment during the second quarter after exit from the program; and

“(C) to provide assurances to the head of each applicable Federal department or agency that the Indian tribe has complied with all directly applicable statutory and regulatory requirements not waived under section 7.

“(3) LIMITATION.—The report format developed under paragraph (1) shall not require a participating Indian tribe to report on the expenditure of funds expressed by fund source or single agency code transferred to the Indian tribe under an approved plan under this Act but instead shall require the Indian tribe to submit a single report on the expenditure of consolidated funds under such plan.”.

SEC. 12. NO REDUCTION IN AMOUNTS.

Section 12 of the Indian Employment, Training and Related Services Act of 1992 (25 U.S.C. 3411), as amended by section 2 of this Act, is amended to read as follows:

“SEC. 12. NO REDUCTION IN AMOUNTS.

“(a) IN GENERAL.—In no case shall the amount of Federal funds available to an Indian tribe that has in place an approved plan under this Act be reduced as a result of—

“(1) the enactment of this Act; or

“(2) the approval or implementation of a plan of an Indian tribe under this Act.

“(b) INTERACTION WITH OTHER LAWS.—The inclusion of a program in a tribal plan under this Act shall not—

“(1) modify, limit, or otherwise affect the eligibility of the program for contracting under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.); or

“(2) eliminate the applicability of any provision of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.), as the provision relates to a specific program eligible for contracting under that Act.”.

SEC. 13. TRANSFER OF FUNDS.

Section 13 of the Indian Employment, Training and Related Services Act of 1992 (25 U.S.C. 3412), as amended by section 2 of this Act, is amended to read as follows:

“SEC. 13. TRANSFER OF FUNDS.

“(a) IN GENERAL.—Notwithstanding any other provision of law, not later than 30 days after the date of apportionment to the applicable Federal department or agency, the head of a Federal agency overseeing a program identified in a plan approved under this Act shall transfer to the Director of the Bureau of Indian Affairs for distribution to an Indian tribe any funds identified in the approved plan of the Indian tribe.

“(b) TRANSFER OF FUNDS.—Notwithstanding any other provision of law, at the

request of the Indian tribe, all program funds transferred to an Indian tribe in accordance with the approved plan of the Indian tribe shall be transferred to the Indian tribe pursuant to an existing contract, compact, or funding agreement awarded pursuant to title I or IV of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.).”.

SEC. 14. ADMINISTRATION OF FUNDS.

Section 14 of the Indian Employment, Training and Related Services Act of 1992 (25 U.S.C. 3413), as amended by section 2 of this Act, is amended—

(1) by redesignating subsection (b) as subsection (d);

(2) by striking the section designation and heading and all that follows through subsection (a) and inserting the following:

“SEC. 14. ADMINISTRATION OF FUNDS.

“(a) REQUIREMENTS.—

“(1) IN GENERAL.—

“(A) CONSOLIDATION AND REALLOCATION OF FUNDS.—Notwithstanding any other provision of law, all amounts transferred to a tribe pursuant to an approved plan may be consolidated, reallocated, and rebudgeted as specified in the approved plan to best meet the employment, training, and related needs of the local community served by the Indian tribe.

“(B) AUTHORIZED USE OF FUNDS.—The amounts used to carry out a plan approved under this Act shall be administered in such manner as the Secretary determines to be appropriate to ensure the amounts are spent on activities authorized under the approved plan.

“(C) EFFECT.—Nothing in this section interferes with the ability of the Secretary or the lead agency to use accounting procedures that conform to generally accepted accounting principles, auditing procedures, and safeguarding of funds that conform to chapter 75 of title 31, United States Code (commonly known as the ‘Single Audit Act of 1984’).

“(2) SEPARATE RECORDS AND AUDITS NOT REQUIRED.—Notwithstanding any other provision of law (including regulations and circulars of any agency (including Office of Management and Budget Circular A-133)), an Indian tribe that has in place an approved plan under this Act shall not be required—

“(A) to maintain separate records that trace any service or activity conducted under the approved plan to the program for which the funds were initially authorized or transferred;

“(B) to allocate expenditures among such a program; or

“(C) to audit expenditures by the original source of the program.

“(b) CARRYOVER.—

“(1) IN GENERAL.—Any funds transferred to an Indian tribe under this Act that are not obligated or expended prior to the beginning of the fiscal year after the fiscal year for which the funds were appropriated shall remain available for obligation or expenditure without fiscal year limitation, subject to the condition that the funds shall be obligated or expended in accordance with the approved plan of the Indian tribe.

“(2) NO ADDITIONAL DOCUMENTATION.—The Indian tribe shall not be required to provide any additional justification or documentation of the purposes of the approved plan as a condition of receiving or expending the funds.

“(c) INDIRECT COSTS.—Notwithstanding any other provision of law, an Indian tribe shall be entitled to recover 100 percent of any indirect costs incurred by the Indian tribe as a

result of the transfer of funds to the Indian tribe under this Act.”; and

(3) in subsection (d) (as redesignated by paragraph (1))—

(A) by striking “All administrative” and inserting the following:

“(1) IN GENERAL.—All administrative”; and

(B) by striking “regulations”) and all that follows through the end of the subsection and inserting the following: “regulations).

“(2) TREATMENT.—The amount equal to the difference between the amount of the commingled funds and the actual administrative cost of the programs, as described in paragraph (1), shall be considered to be properly spent for Federal audit purposes if the amount is used to achieve the purposes of this Act.

“(e) MATCHING FUNDS.—Notwithstanding any other provision of law, any funds transferred to an Indian tribe under this Act shall be treated as non-Federal funds for purposes of meeting matching requirements under any other Federal law, except those administered by the Department of Labor or the Department of Health and Human Services.

“(f) CLAIMS.—The following provisions of law shall apply to plans approved under this Act:

“(1) Section 314 of the Department of the Interior and Related Agencies Appropriations Act, 1991 (Public Law 101-512; 104 Stat. 1959).

“(2) Chapter 171 of title 28 (commonly known as the ‘Federal Tort Claims Act’).

“(g) INTEREST OR OTHER INCOME.—

“(1) IN GENERAL.—An Indian tribe shall be entitled to retain interest earned on any funds transferred to the tribe under an approved plan and such interest shall not diminish the amount of funds the Indian tribe is authorized to receive under the plan in the year the interest is earned or in any subsequent fiscal year.

“(2) PRUDENT INVESTMENT.—Funds transferred under a plan shall be managed in accordance with the prudent investment standard.”.

SEC. 15. LABOR MARKET INFORMATION ON INDIAN WORK FORCE.

Section 17(a) of the Indian Employment, Training and Related Services Act of 1992 (25 U.S.C. 3416(a)), as amended by section 2 of this Act, is amended in the first sentence—

(1) by striking “The Secretary” and all that follows through “manner,” and inserting “The Secretary of Labor, in consultation with the Secretary, Indian tribes, and the Director of the Bureau of the Census, shall”; and

(2) by striking “, by gender.”.

SEC. 16. REPEALS; CONFORMING AMENDMENTS.

(a) REPEALS.—Sections 15 and 16 of the Indian Employment, Training and Related Services Act of 1992 (25 U.S.C. 3414, 3415), as amended by section 2 of this Act, are repealed.

(b) CONFORMING AMENDMENTS.—Sections 17 and 18 of the Indian Employment, Training and Related Services Act of 1992 (25 U.S.C. 3416, 3417) (as amended by this Act) are redesignated as sections 15 and 16, respectively.

SEC. 17. EFFECT OF ACT.

Nothing in this Act or any amendment made by this Act—

(1) affects any plan approved under the Indian Employment, Training and Related Services Act of 1992 (25 U.S.C. 3401 et seq.) (as so redesignated) before the date of enactment of this Act;

(2) requires any Indian tribe or tribal organization to resubmit a plan described in paragraph (1); or

(3) modifies the effective period of any plan described in paragraph (1).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. McCLINTOCK) and the gentlewoman from California (Mrs. TORRES) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. McCLINTOCK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, H.R. 228, the Indian Employment, Training and Related Services Consolidation Act, is sponsored by my colleague from Alaska, Congressman DON YOUNG. This bipartisan legislation would make the Tribal 477 Program permanent and make improvements to its administration.

The 477 Program was established by Congress in 1992 as a demonstration program. It allows tribes to combine employment, childcare, and job training funding from a variety of Federal sources and conduct consolidated, comprehensive reporting. The 477 Program embodies tribal self-determination by allowing tribes to provide opportunities tailored to the unique needs of their communities.

The bill improves accounting procedures and reporting mechanisms to uphold the original intent of the program, ensures that agencies treat tribes fairly, and sets a foundation for participants’ continued success.

Mr. Speaker, I thank Chairman KEVIN BRADY of the Ways and Means Committee and Chairwoman VIRGINIA FOXX of the Education and the Workforce Committee for agreeing to help expedite consideration of this bill.

I urge adoption of H.R. 228.

I reserve the balance of my time.

COMMITTEE ON WAYS AND MEANS,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 22, 2017.

Hon. ROB BISHOP,
Chairman, Committee on Natural Resources,
Washington, DC.

DEAR CHAIRMAN BISHOP: I write concerning H.R. 228, the “Indian Employment, Training and Related Services Consolidation Act of 2017,” which was referred to the Committee on Natural Resources.

As a result of your having consulted with us on provisions in H.R. 228 that fall within the Rule X jurisdiction of the Committee on Ways and Means, I agree not to request a sequential referral on this bill so that it may proceed expeditiously to the House floor. The Committee on Ways and Means takes this action with our mutual understanding that by foregoing formal consideration of H.R. 228, we do not waive any jurisdiction over subject matter contained in this or similar legislation, and that our Committee will be

appropriately consulted and involved as this bill or similar legislation moves forward. Our Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and asks that you support any such request.

I would appreciate your response to this letter confirming this understanding, and would request that you include a copy of this letter and your response in the Congressional Record during the floor consideration of this bill. Thank you in advance for your cooperation.

Sincerely,

KEVIN BRADY,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON NATURAL RESOURCES,
Washington, DC, February 22, 2017.

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

DEAR MR. CHAIRMAN: H.R. 228, Indian Employment, Training and Related Services Consolidation Act of 2017, was introduced on January 3, 2017.

I understand that the bill contains provisions that fall within the Rule X jurisdiction of the Committee on Ways and Means, and I thank you or allowing the Committee on Ways and Means to be discharged from further consideration of the bill so that it may be scheduled by the Majority Leader. This discharge in no way affects your jurisdiction over the subject matter of the bill, and it will not serve as precedent for future referrals. In addition, should a conference on the bill be necessary, I would support having the Committee on Ways and Means represented on the conference committee. Finally, to memorialize our understanding, I would be pleased to include your letter and this response in the Congressional Record when the bill is considered by the House.

Thank you for your response and cooperation. I look forward to further opportunities to work with you this Congress.

Sincerely,

ROB BISHOP,
Chairman, Committee on Natural Resources.

COMMITTEE ON EDUCATION AND THE
WORKFORCE, HOUSE OF REPRESENTATIVES,
Washington, DC, February 27, 2017.

Hon. ROB BISHOP,
Chairman, Committee on Natural Resources,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I write to confirm our mutual understanding with respect to H.R. 228, the Indian Employment, Training and Related Services Consolidation Act of 2015. Thank you for consulting with the Committee on Education and the Workforce with regard to H.R. 228 on those matters within my committee’s jurisdiction and making improvements to the legislation to address concerns.

The Committee on Education and the Workforce will not delay further consideration of this bill. However, I do so only with the understanding this procedural route will not be construed to prejudice my committee’s jurisdictional interest and prerogatives on this bill or any other similar legislation and will not be considered as precedent for consideration of matters of jurisdictional interest to my committee in the future.

I respectfully request your support for the appointment of outside conferees from the Committee on Education and the Workforce should this bill or a similar bill be considered in a conference with the Senate. I also

request you include our exchange of letters on this matter in the Congressional Record during consideration of this bill on the House Floor. Thank you for your attention to these matters.

Sincerely,

VIRGINIA FOXX,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON NATURAL RESOURCES,
Washington, DC, February 27, 2017.

Hon. VIRGINIA FOXX,
Chairwoman, Committee on Education and the Workforce, Washington, DC.

DEAR MADAM CHAIRMAN: H.R. 228, Indian Employment, Training and Related Services Consolidation Act of 2017, was introduced on January 3, 2017.

I understand our staffs have been able to negotiate out text that is agreeable to you. Therefore, I ask that you allow the Committee on Education and the Workforce to be discharged from further consideration of the bill, so that this revised text for H.R. 228 may be scheduled by the majority leader. This discharge in no way affects your jurisdiction over the subject matter of the bill, and it will not serve as precedent for future referrals. In addition, should a conference on the bill be necessary, I would support having the Committee on Education and the Workforce represented on the conference committee. Finally, to memorialize our understanding, I would be pleased to include your letter and this response in the Congressional Record when the bill is considered by the House.

Thank you for your response and cooperation. I look forward to further opportunities to work with you this Congress.

Sincerely,

ROB BISHOP,
Chairman, Committee on Natural Resources.

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

Public Law 102-477 establishes what is commonly known as the 477 Program to foster employment and economic development in Indian Country. This highly successful program authorizes tribal governments to consolidate up to 13 different Federal grant programs into a single plan with a single budget in a single reporting system.

Current participants in the program have significantly improved the effectiveness of the delivery of services included in their 477 plan, while lowering administrative costs. These cost savings have been translated into more accessible and available services for their communities.

The Citizen Potawatomi Nation of Oklahoma's 477 Program has been in place since 1996. Since 2010, the Nation has served well over 6,000 participants through the program. Of those who had employment as their goal, 47 percent achieved unsubsidized employment.

H.R. 288 will build on this success by permanently authorizing the program, increasing the scope and availability of participating Federal grant programs, and setting a streamlined process for tribes to follow.

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I want to congratulate Chairman YOUNG for his tireless work on this leg-

islation and for bringing together all of the stakeholders to address their concerns and find a workable solution.

I supported this legislation last year, as it passed the House last Congress unanimously. I ask my colleagues to join me in supporting this legislation.

I reserve the balance of my time.

Mr. MCCLINTOCK. Mr. Speaker, I yield such time as he may consume to the legendary gentleman from Alaska (Mr. YOUNG), the sponsor of this legislation.

Mr. YOUNG of Alaska. Mr. Speaker, I thank my chairman, Mr. MCCLINTOCK, and the ranking member for her work on this legislation. Much has been explained about it. This is a good piece of legislation.

I am not going to take a great deal of time, but it shows that we can work together. The stakeholders got involved 4 years ago. We wanted to make this permanent. We worked it all out last year and we passed it, and it got bogged down on the other side.

It is a chance where we can show and take programs and put them together with tribes and have a better efficiency for the dollar we spend. If we do more of that in this Congress, we will have a lot better Congress and a better nation.

This is a small minority group that has done well under these programs, and it is not a new law. In 1992, I was here when we passed it. We would like to see to fruition the work put together by Mr. GOODLATTE, Mr. BISHOP, Mr. BRADY, and Chairwoman FOXX. They all worked together with their staffs to put this, I think, excellent piece of legislation together to put to the voters on this floor, and I urge the passage of this legislation.

Mr. Speaker, my bill—the Indian Employment, Training, and Related Services Consolidation Act—enables tribes and tribal organizations to offer highly effective workforce development initiatives that uplift Native communities around the country. We passed this bipartisan legislation in the House by a voice vote at the end of last Congress, and the Senate simply ran out of time to secure final passage.

H.R. 228 makes the Tribal “477 Program” permanent and improves its administration. The 477 Program allows tribes to combine employment, childcare, and job training funding from a variety of federal sources and conduct consolidated, comprehensive reporting. Participants have leveraged these advantages to develop and run innovative programs that have had a meaningful impact on thousands of Alaska Native and American Indian families. In addition, the efficiencies of the 477 Program save both tribes and the federal government money, time, and resources.

Congress established the 477 Program in 1992 as a demonstration program. The Central Council of Tlingit and Haida Indian Tribes in Southeast Alaska was actually the first in the nation to begin operating a 477 program and to this day continues to benefit from offering services through 477.

The 477 Program has a proven track record of success and allows for bold approaches to

address significant education and training needs that exist in Indian country. This program is what tribal self-determination is all about. Tribes understand their members best and know how to use these tools for creating and expanding employment opportunities in their communities.

My bill improves accounting procedures and reporting mechanisms to uphold the original intent of the program, ensure that agencies treat tribes fairly, and set a foundation for participants' continued success.

I would like to thank the members of the 477 Tribal Work Group who, over the last 4 years, have been stalwart advocates for this legislation and did not give up at the end of last Congress.

I would also like to thank Chairman BISHOP, Ranking Member GRIJALVA, and their staffs for making this bill possible and working to move it to the floor quickly this year. Finally, I offer my thanks to Chairman BRADY, Chairwoman FOXX, Chairman GOODLATTE, and their staffs for their assistance with the legislation.

I urge adoption of H.R. 228 today and encourage the Senate to take up this bill as soon as possible.

Mr. MCCLINTOCK. Mr. Speaker, I have no additional speakers, and I reserve the balance of my time.

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

This is an important program that deserves to be reauthorized. As we know, this bill passed out of the House last Congress without objection. I look forward to continuing to work with Mr. YOUNG at finding other pieces of legislation that we can work on on a bipartisan level.

I urge my colleagues to support this bill, and I yield back the balance of my time.

Mr. MCCLINTOCK. Mr. Speaker, I urge adoption of the measure, and I yield back the balance of my time.

Mr. SCOTT of Virginia. Mr. Speaker, I rise to express my concerns with H.R. 228. While the legislation seeks to provide additional flexibility and support to Indian tribes—a worthy goal—I remain concerned that it could have the effect of weakening the services provided to families and children in Indian tribes.

Currently, Indian tribes have the option to consolidate certain federal funding streams related to work and job training into one grant. H.R. 228 includes a number of changes to this consolidation option and expands the number of programs that can be consolidated.

The legislation could be interpreted in an overly broad fashion resulting in the inclusion of programs that may not be appropriate to include—programs or services only “related to” job training, skill development, and economic development, or other related goals.

Last Congress, the legislation was given a sequential referral to the Education and the Workforce Committee, on which I serve as Ranking Member. However, the legislation was not considered in the Committee and we have yet to assess its impact on education and training programs within our jurisdiction.

Specifically, our Committee has an interest in ensuring that program funds are used for their intended purpose. Whether the TANF

program or Head Start, adequate reporting and oversight protect beneficiaries and ensure the quality of services. For example, Head Start performance standards are vital to the success of the program.

While I do not intend to oppose the legislation, I encourage continued robust oversight of the programs impacted by this bill to ensure that quality and effective education and job training programs remain available to our nation's tribes.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. McCLINTOCK) that the House suspend the rules and pass the bill, H.R. 228, as amended.

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

A motion to reconsider was laid on the table.

MOUNT HOOD COOPER SPUR LAND EXCHANGE CLARIFICATION ACT

Mr. McCLINTOCK. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 699) to amend the Omnibus Public Land Management Act of 2009 to modify provisions relating to certain land exchanges in the Mt. Hood Wilderness in the State of Oregon.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 699

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Mount Hood Cooper Spur Land Exchange Clarification Act".

SEC. 2. COOPER SPUR LAND EXCHANGE CLARIFICATION AMENDMENTS.

Section 1206(a) of the Omnibus Public Land Management Act of 2009 (Public Law 111-11; 123 Stat. 1018) is amended—

(1) in paragraph (1)—

(A) in subparagraph (C), by striking "120 acres" and inserting "107 acres"; and

(B) in subparagraph (E)(ii), by inserting "improvements," after "buildings,"; and

(2) in paragraph (2)—

(A) in subparagraph (D)—

(i) in clause (i), by striking "As soon as practicable after the date of enactment of this Act, the Secretary and Mt. Hood Meadows shall select" and inserting "Not later than 120 days after the date of the enactment of the Mount Hood Cooper Spur Land Exchange Clarification Act, the Secretary and Mt. Hood Meadows shall jointly select";

(ii) in clause (ii), in the matter preceding subclause (I), by striking "An appraisal under clause (i) shall" and inserting "Except as provided under clause (iii), an appraisal under clause (i) shall assign a separate value to each tax lot to allow for the equalization of values and"; and

(iii) by adding at the end the following:

"(iii) FINAL APPRAISED VALUE.—

"(I) IN GENERAL.—Subject to subclause (II), after the final appraised value of the Federal land and the non-Federal land are determined and approved by the Secretary, the Secretary shall not be required to reappraise or update the final appraised value for a pe-

riod of up to 3 years, beginning on the date of the approval by the Secretary of the final appraised value.

"(II) EXCEPTION.—Subclause (I) shall not apply if the condition of either the Federal land or the non-Federal land referred to in subclause (I) is significantly and substantially altered by fire, windstorm, or other events.

"(iv) PUBLIC REVIEW.—Before completing the land exchange under this Act, the Secretary shall make available for public review the complete appraisals of the land to be exchanged."; and

(B) by striking subparagraph (G) and inserting the following:

"(G) REQUIRED CONVEYANCE CONDITIONS.—Prior to the exchange of the Federal and non-Federal land—

"(i) the Secretary and Mt. Hood Meadows may mutually agree for the Secretary to reserve a conservation easement to protect the identified wetland in accordance with applicable law, subject to the requirements that—

"(I) the conservation easement shall be consistent with the terms of the September 30, 2015, mediation between the Secretary and Mt. Hood Meadows; and

"(II) in order to take effect, the conservation easement shall be finalized not later than 120 days after the date of enactment of the Mount Hood Cooper Spur Land Exchange Clarification Act; and

"(ii) the Secretary shall reserve a 24-foot-wide nonexclusive trail easement at the existing trail locations on the Federal land that retains for the United States existing rights to construct, reconstruct, maintain, and permit nonmotorized use by the public of existing trails subject to the right of the owner of the Federal land—

"(I) to cross the trails with roads, utilities, and infrastructure facilities; and

"(II) to improve or relocate the trails to accommodate development of the Federal land.

"(H) EQUALIZATION OF VALUES.—

"(i) IN GENERAL.—Notwithstanding subparagraph (A), in addition to or in lieu of monetary compensation, a lesser area of Federal land or non-Federal land may be conveyed if necessary to equalize appraised values of the exchange properties, without limitation, consistent with the requirements of this Act and subject to the approval of the Secretary and Mt. Hood Meadows.

"(ii) TREATMENT OF CERTAIN COMPENSATION OR CONVEYANCES AS DONATION.—If, after payment of compensation or adjustment of land area subject to exchange under this Act, the amount by which the appraised value of the land and other property conveyed by Mt. Hood Meadows under subparagraph (A) exceeds the appraised value of the land conveyed by the Secretary under subparagraph (A) shall be considered a donation by Mt. Hood Meadows to the United States."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. McCLINTOCK) and the gentlewoman from California (Mrs. TORRES) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. McCLINTOCK. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include any extraneous material on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, H.R. 699, the Mount Hood Cooper Spur Land Exchange Clarification Act, was introduced by Congressman GREG WALDEN and cosponsored by Congressman EARL BLUMENAUER to address an ongoing land exchange issue in the State of Oregon.

In 2009, the Omnibus Public Land Management Act authorized a land exchange in Government Camp, Oregon. This land exchange was supposed to be completed within 16 months of the enactment of the legislation; however, this still has not occurred more than 7 years later. The long delay, primarily due to disagreements surrounding easement terms, has frustrated local communities such as Mt. Hood Meadows and other local groups.

This legislation, along with the Senate companion, comes as a result of a mediation session held by the Forest Service in September 2015 to resolve longstanding issues between the agency and the local community. Subsequently, the parties released a joint statement that they arrived at mutually satisfactory terms during the mediation session.

H.R. 699 updates the details and process for the land exchange to clarify issues relating to land appraisals and the parameters of a wetland conservation easement on the Federal portion of the conveyance. This legislation also includes several technical provisions, including changes to conveyance conditions regarding wetland boundaries on the Federal land, reservation of a non-exclusive trail easement, and equalization of values of the exchange properties.

This bill was amended in committee last Congress to address concerns raised by the Forest Service, including clarifying language for the easement allowed in the bill and the length of time allowed for the Forest Service to implement this legislation.

It is illustrative of the state of Federal Land Management that the Forest Service has not already carried out the provisions of this bill. This bill previously passed the House in September 2016, and it is my hope that the Senate will see fit to act on the legislation during this Congress.

I appreciate Congressman WALDEN's continuous efforts to see this issue addressed once and for all, and I hope my colleagues will join me in supporting this bill. I urge adoption of the measure.

I reserve the balance of my time.

Mrs. TORRES. Mr. Speaker, I yield 4 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, it is a pleasure to be on the floor here

this afternoon with my friend and colleague, Congressman WALDEN, who is going to talk at great length—maybe not, but he could.

This represents, hopefully, the culmination of over 12 years' work. Congressman WALDEN and I spent a good deal of time with stakeholders back in Oregon focusing on what needed to be done to protect the treasure that is Mt. Hood and the surrounding wilderness area.

It culminated with a hike that we took around Mt. Hood—a 3-day camping trip with Congressman WALDEN, his family, our staff, having a series of meetings with people who cared about the work. It was, for me, one of the most memorable experiences I have had as a Member of the House, both in terms of the delightful experience we had enjoying that wilderness area, but also being able to focus on things that were concrete, that would make a difference.

This is the remaining piece. In fact, it was 8 years ago in the first hours of the first Obama administration that the legislation that we worked on as part of the Wilderness Act was signed into law. And as has been referenced by our friend from California, we have been here before trying to complete this last piece.

The land exchange is necessary to be able to fully realize the benefits of the hard work of the stakeholders, to preserve the recreational benefits, to preserve the water, to be able to have a true win-win situation. All that remains is this little exchange.

I know my colleague is frustrated, as am I, that we have to be back here again with a piece of legislation. I am hopeful, as it was in the past, the House will approve, that our friends in the Senate will follow through, and that, somehow, this time it won't be a casualty in conference. It is important to be able to finish this land exchange to realize the potential of the hard work that people back in Oregon have done with us to be able to realize the benefit of this hard work.

I actually will just stop at this point. I look forward to hearing from my friend. I look forward to making sure we get this across the finish line so that this important, bipartisan piece of legislation is finally enacted into law and that we have the Forest Service follow through on the last elements of this critical land exchange.

Mr. MCCLINTOCK. Mr. Speaker, I am now pleased to yield such time as he may consume to the gentleman from Oregon (Mr. WALDEN), the author of this measure, whose dogged determination has brought us within reach of resolving this dispute.

Mr. WALDEN. Mr. Speaker and Ranking Member TORRES, thank you for bringing this legislation to the floor once again.

I want to elaborate a little bit on what my friend and colleague from

Portland talked about. It was more than just a camping trip. It was 3 nights with backpacks, 4 days, 41 miles, and 9,000 feet of gain and loss in elevation. We went all the way around Mt. Hood, which is an extraordinary piece of Oregon, and we had a wonderful time.

Along the way, we had our ornithologist there; we had geologists there; we had biologists; we had advocates for wilderness and advocates for recreation. We were met by, I think it was, the Mazamas with watermelons. One afternoon, they hiked them up I don't know how many thousand feet to share with us. It was really a kind of Oregon-way experience, because we all care deeply about the watersheds, the jobs, the recreation, the beauty, the incredible piece of the world we live in around Mt. Hood.

It is my home area. I grew up around the Hood River. This land exchange has been a battle since the 1970s, in a sense, in that my community long ago said: We don't want a lot of development up in this Crystal Springs watershed and in this very pristine area around the Hood River upper valley. It really belongs around the corner of Mt. Hood, up in Government Camp where there already is development.

This fight has gone on for years; and all sides came together, as we did in our legislation, and said: We agree. And so we said: Fine, we will put that in the bill. They worked it out with the Forest Service and everybody else, and then we said: Okay. They have done the heavy lift for the last, I don't know, 30 years. Forest Service, you just make this transfer and do it in 16 months. That is what the law said.

We are nearly 8 years later and this is still languishing; and, unfortunately, we are back trying again, because we are never going to quit until we are done. We are getting much closer.

In fact, the law we passed back in 2009, Public Law 111-11, deals with this Public Lands Act. It said: "Deadline for completion of land exchange. It is the intent of the Congress that the land exchange under this subsection shall be completed not later than 16 months after the date of enactment of this Act."

Again, that was back in 2009. It is important to protect this watershed. It is important that where development occurs, it occurs in the right places. We have always felt that way in Oregon. And, indeed, facilitating this exchange resolves a decades-long controversy and puts development where it belongs, protects a special area in the upper Hood River Valley that needs protection, and finally brings certainty and resolution.

I hope you all will come out and see it, or you can come over to the Energy and Commerce Mt. Hood Room which soon will have a beautiful photograph there of Mt. Hood at Lost Lake, and I

encourage you to come over. When you are tired of that, you can come over to the new Crater Lake room in the Energy and Commerce Committee suites as well. I have discovered being chairman of the full committee, you get to name rooms—at least briefly during your tenure—and show off some of the best aspects of your State.

With that, Mr. Speaker, thank you for bringing this to the floor. I look forward to House passage, Senate passage, and getting this puppy signed into law.

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

Mr. Speaker, H.R. 699 clarifies the terms of the land exchange between the Forest Service and Mt. Hood Meadows, a privately held ski resort. The exchange was authorized by Congress in 2009, but due to lack of clarity, here we are 7 years later and the exchange still has not been executed.

Last year, the Forest Service and Mt. Hood Meadows engaged in mediation to resolve the issues that have held up the exchange. This bill is a result of that mediation, and its passage will ensure that, after 7 long years, the exchange will finally move forward.

I want to thank the sponsors, Representative WALDEN and Representative BLUMENAUER from Oregon, for their hard work and commitment to resolving this issue.

Last year, this bill passed the House and Senate as part of S. 2012. Given all the positive momentum this legislation has seen in recent years, I hope that we can get this bill across the finish line as soon as possible and finally complete the land exchange. I urge my colleagues to support this bill.

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

Mr. MCCLINTOCK. Mr. Speaker, I have no further speakers and yet another show of bipartisan comity.

Mr. Speaker, I ask for adoption of this measure.

I yield back the balance of my time. The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. MCCLINTOCK) that the House suspend the rules and pass the bill, H.R. 699.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

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

The yeas and nays were ordered.

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

□ 1700

COLTSVILLE NATIONAL HISTORICAL PARK DONATION SITE AMENDMENT

Mr. MCCLINTOCK. Mr. Speaker, I move to suspend the rules and pass the

bill (H.R. 863) to facilitate the addition of park administration at the Coltsville National Historical Park, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 863

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. AMENDMENT TO COLTSVILLE NATIONAL HISTORICAL PARK DONATION SITE.

Section 3032(b)(2)(B) of Public Law 113-291 (16 U.S.C. 410qqq) is amended by striking "East Armory" and inserting "Colt Armory Complex".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. MCCLINTOCK) and the gentlewoman from California (Mrs. TORRES) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. MCCLINTOCK. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include any extraneous material on the bill under consideration.

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

There was no objection.

Mr. MCCLINTOCK. I yield myself such time as I may consume.

Mr. Speaker, H.R. 863 was introduced by Representative JOHN LARSON of Connecticut. Originally, the National Park Service was required to acquire 10,000 square feet of space in East Armory of Coltsville. This measure would allow the National Park Service to acquire that space within any part of the Colt Armory Complex in Hartford, Connecticut.

Coltsville was the home of Samuel Colt's industrial enterprise, Colt's Manufacturing Company. In Hartford, Samuel Colt developed the use of the assembly line and highly mechanized techniques. Colt's Manufacturing Company not only transformed the firearms industry, but it was a major contributor to the industrial revolution by pioneering the use of interchangeable parts and precision manufacturing.

Colt's success brought him fame and wealth. He became one of the 10 wealthiest businessmen in the United States, a pillar of the Hartford community, and was given the honorary title of colonel by the Governor of Connecticut.

This small modification to current law would provide the Park Service flexibility in selecting a location for park administrative offices and visitor services at the Coltsville site. A nearly identical bill passed the House last Congress by voice vote.

I commend Representative LARSON for his work on this legislation. I urge passage of the bill.

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

Mrs. TORRES. Mr. Speaker, I yield such time as he may consume to the gentleman from Connecticut (Mr. LARSON), the bill's sponsor.

Mr. LARSON of Connecticut. Mr. Speaker, I thank Representative TORRES, Representative MCCLINTOCK, Chairman BISHOP, and Ranking Member GRIJALVA for all of their hard work on this.

As the chairman indicated, this bill did pass on a voice vote last year. Unfortunately, our colleagues in the Senate did not take it up last year. This year they have, and I am glad that it is before us again. This is truly a collaborative effort.

Especially from a small State like Connecticut, I want to thank the larger States. We just heard two Members from Oregon talking about Mount Hood. In most of the national parks in the West, you could fit the entire State of Connecticut.

I especially thank the committee for understanding the historic significance of Coltsville itself, and also the work not only of Samuel Colt, who gets most of the credit for a gun that was aptly named the gun that won the West, but of who it actually was brought to market by, Elizabeth Colt.

Samuel Colt died in 1862 at the beginning of the Civil War. Of course, that gun and those weapons that they produced also played a critical role in the North's victory.

Elizabeth Colt, however, continued the company. While she could not vote, she was part of what back then would have been a top 10 manufacturing company in the entire Nation. They ended up being the first American manufacturer to establish a plant abroad because their production scheme was that great.

She also established the concept of firewalls, which was important to a then-budding insurance industry in the State of Connecticut.

She also came up with the concept of housing workers. A large number of immigrants who poured into the country, who were skilled workers from all around the globe, but mostly from Europe, who came to Hartford at that time, were able to settle in housing.

The Park Service has been magnificent in setting up and reviewing this. I thank James Woolsey, who is the park's superintendent, but also the people in the area: Larry Dooley of Colt Gateway; the Church of the Good Shepherd; the Sheldon Charter Oak neighborhood groups; and, of course, the current mayor, Mayor Bronin; and Governor Malloy. Three other mayors have come before Congress and before the committee to testify on this bill, its importance, its significance, and its heritage. We are extraordinarily proud of this.

I would be remiss if I didn't point out the extra effort that Chairman BISHOP

put into this, especially his understanding in grappling with a very small State like Connecticut and what one would consider, by National Park Service standards, a very small piece of history with an enormous impact.

Henry Ford came there to take a look at the assembly line techniques that were developed there. Pratt and Whitney were both interns there, which led to, in my hometown of East Hartford, the most incredible aerospace engines, the arsenal for democracy in the State of Connecticut, a company that went on to produce 70 percent of all the engines utilized in the Second World War.

All this from Samuel Colt and, of course, Elizabeth Colt, who took over and became such an incredible philanthropist.

Hartford, at that time—because of all the manufacturing, including typewriters, bicycles, and even the automobile—got its start there. It also led this incredible sage from Missouri to locate there, write, and publish books, named Mark Twain.

So there is quite a story that comes, and it just demonstrates the value of manufacturing. We all know here and we talk frequently about value added, a four-to-one enterprise today.

Beyond that, everything else—the ideas that it spun, the innovation that it spun, and the creativity—is something that is very much worth celebrating and remembering. I thank the committee in general for all of their hard work. I am thrilled with this.

I know, having worked with Speaker RYAN on a number of important issues, that he would be happy to know that AmeriCorps is also involved in the area as well.

I thank the committee for sticking with this. It took over 14 years to get this passed. Now, with the passage of this legislation, it will officially open this spring.

I hope the committee will come out, and we will plan a great celebration and welcome you there as well.

Mr. MCCLINTOCK. Mr. Speaker, I have no additional speakers, certainly none that could match the detailed knowledge and eloquence of the gentleman from Connecticut (Mr. LARSON).

I reserve the balance of my time.

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

Congress established the Coltsville National Historical Park at the end of 2014. The law that established the park also authorized the National Park Service to utilize a 10,000-square-foot building, known as the East Armory for the purpose of park administration.

However, during the planning phase for establishing this new park, local stakeholders and the Park Service have determined that the Colt Armory Complex is better suited for this purpose. This bill simply makes that change and authorizes use of the Colt Armory Complex.

I support this simple fix to the enabling legislation that responds to the on-the-ground dynamics of this particular park. I want to thank the majority and my colleagues on the Natural Resources Committee for expediting review of this legislation.

Mr. Speaker, I thank the gentleman from Connecticut (Mr. LARSON) for his hard work on moving this bill forward. I urge my colleagues to vote in favor of H.R. 863.

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

Mr. MCCLINTOCK. Mr. Speaker, I urge adoption of the measure and look forward to taking Representative LARSON up on his kind invitation for the great opening.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. MCCLINTOCK) that the House suspend the rules and pass the bill, H.R. 863.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

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

The yeas and nays were ordered.

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

OPEN BOOK ON EQUAL ACCESS TO JUSTICE ACT

Mr. GOODLATTE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1033) to amend titles 5 and 28, United States Code, to require the maintenance of databases on, awards of fees and other expenses to prevailing parties in certain administrative proceedings and court cases to which the United States is a party, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1033

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Open Book on Equal Access to Justice Act”.

SEC. 2. MODIFICATION OF EQUAL ACCESS TO JUSTICE PROVISIONS.

(a) AGENCY PROCEEDINGS.—Section 504 of title 5, United States Code, is amended—

(1) in subsection (c)(1), by striking “, United States Code”;

(2) by redesignating subsection (f) as subsection (h);

(3) by striking subsection (e); and

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

“(e) The Chairman of the Administrative Conference of the United States shall create and maintain online a searchable database containing the following information with respect to each award of fees and other expenses under this section:

“(1) The case name and number of the adversary adjudication, if available.

“(2) The name of the agency involved in the adversary adjudication.

“(3) A description of the claims in the adversary adjudication.

“(4) The name of each party to whom the award was made, as such party is identified in the order or other agency document making the award.

“(5) The amount of the award.

“(6) The basis for the finding that the position of the agency concerned was not substantially justified.

“(f) The online searchable database described in subsection (e) may not reveal any information the disclosure of which is prohibited by law or court order.

“(g) The head of each agency shall provide to the Chairman of the Administrative Conference of the United States, no later than 60 days following the Chairman’s request, all information requested by the Chairman to comply with the requirements of subsections (e) and (f).”.

(b) COURT CASES.—Section 2412(d) of title 28, United States Code, is amended by adding at the end the following:

“(5) The Chairman of the Administrative Conference shall create and maintain online a searchable database containing the following information with respect to each award of fees and other expenses under this section:

“(A) The case name and number.

“(B) The name of the agency involved in the case.

“(C) The name of each party to whom the award was made, as such party is identified in the order or other court document making the award.

“(D) A description of the claims in the case.

“(E) The amount of the award.

“(F) The basis for the finding that the position of the agency concerned was not substantially justified.

“(6) The online searchable database described in paragraph (5) may not reveal any information the disclosure of which is prohibited by law or court order.

“(7) The head of each agency (including the Attorney General of the United States) shall provide to the Chairman of the Administrative Conference of the United States, no later than 60 days following the Chairman’s request, all information requested by the Chairman to comply with the requirements of paragraphs (5) and (6).”.

(c) CLERICAL AMENDMENTS.—Section 2412 of title 28, United States Code, is amended—

(1) in subsection (d)(3), by striking “United States Code,”; and

(2) in subsection (e)—

(A) by striking “of section 2412 of title 28, United States Code,” and inserting “of this section”; and

(B) by striking “of such title” and inserting “of this title”.

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by subsections (a) and (b) shall first apply with respect to awards of fees and other expenses that are made on or after the date of the enactment of this Act.

(2) ONLINE DATABASES.—The online databases required by section 504(e) of title 5, United States Code, and section 2412(d)(5) of title 28, United States Code, shall be established as soon as practicable after the date of the enactment of this Act, but in no case later than one year after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. GOODLATTE) and the gen-

tleman from Maryland (Mr. RASKIN) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 1033, currently under consideration.

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

There was no objection.

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

I begin by thanking Representative DOUG COLLINS of Georgia and the Constitution and Civil Justice Subcommittee Ranking Member STEVE COHEN of Tennessee for introducing this important government transparency legislation.

Every year, pursuant to the Equal Access to Justice Act, the Federal Government, through settlement or court order, pays millions of dollars in legal fees and costs to parties to lawsuits and administrative adjudications that involve the Federal Government.

However, despite the large amount of taxpayer dollars paid out each year, the Federal Government no longer comprehensively keeps track of the amount of fees and other expenses awarded pursuant to the Equal Access to Justice Act, nor does the government compile and report on why these fees and expenses were paid and to whom these costs were awarded.

This is because, in 1995, Congress repealed the Department of Justice’s reporting requirements and defunded the Administrative Conference of the United States, the agency charged with reporting this basic information.

The Administrative Conference was established in 2010, but the requirements to report on fee and cost payments have not been reenacted. Accordingly, there has been no official governmentwide accounting of this information since fiscal year 1994, over 20 years ago.

This lack of transparency is troubling, given that the Equal Access to Justice Act is considered by many to be the most important Federal fee-shifting statute. Fundamentally, the act recognizes that there is an enormous disparity of resources between the Federal Government and individuals and small businesses who seek to challenge Federal actions.

□ 1715

Congress enacted the Equal Access to Justice Act to provide individuals, small businesses, and small nonprofit groups with financial incentives to challenge the Federal Government or defend themselves from lawsuits

brought by the Federal Government. As the Supreme Court has noted, the act was adopted with the specific purpose of eliminating for the average person the financial disincentive to challenge unreasonable governmental actions.

But how can we know if the act is working well toward this end if we have no data on awards? Without the data this bill requires the Administrative Conference to compile and report, we have nothing more than anecdotal evidence as to whether the act is providing some measure of relief to the financial disincentive to seeking judicial and administrative redress against the Federal Government.

The legislation we are considering today will end this lack of transparency and restore the reporting requirements that were repealed in 1995. I want to, once again, thank Representatives COLLINS and COHEN for introducing this bill, and I urge my colleagues to support its passage.

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

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

I rise in support of H.R. 1033, the Open Book on Equal Access to Justice Act.

Mr. Speaker, I want to begin by echoing the praise that the chairman offered to Mr. COLLINS and Mr. COHEN for their leadership on this important legislation which I support for several reasons.

To begin with, it strengthens the Equal Access to Justice Act, a crucial law that has helped senior citizens, veterans, the disabled, and not-for-profit groups vindicate their rights against unreasonable or arbitrary governmental action.

Now, as the chairman stated, under the so-called American rule, parties to adjudicative matters typically pay their own litigation costs, subject to certain statutory exceptions; and one of these exceptions is the Equal Access to Justice Act, which allows a party to be reimbursed for litigation costs when he or she is victorious against the Federal Government under specified conditions.

But if the U.S. can show that its position was substantially justified, or that special circumstances would make an award unjust, then the prevailing party is not entitled to be reimbursed for his or her litigation costs.

In addition, only certain parties are eligible to be reimbursed for their litigation costs under the act, based on their net worth or tax exempt status, among other factors that are built in to the statute.

Whether these restrictions still make sense is an open question, as Congress simply does not have the adequate information to assess the continuing effectiveness of the act. This is because there has been no comprehensive Fed-

eral report on the total amount of fees awarded under the act since 1995, and, as a result, all we have is conjecture and extrapolation.

Fortunately, H.R. 1033 addresses this problem by requiring annual reports on the amount of fees paid under the act to prevailing litigants against the government. As a result of this legislation, Congress will know now, on an annual basis, the agencies required to reimburse parties for their litigation costs; the claims that first gave rise to the litigation; and the amount of awards made under the act, as well as the basis for them.

With this information, Congress will be in a much better position to assess the ongoing implementation of the act and the performance of the agencies as litigants.

Another reason why I support this legislation is that it respects the privacy interests of the parties who are reimbursed for their litigation costs pursuant to the act. Unfortunately, prior versions of this legislation were unnecessarily intrusive.

Organizations, like the National Organization of Social Security Claimants' Representatives and the Paralyzed Veterans of America, expressed their serious concerns that prior versions of the bill might "infringe the privacy of vulnerable people who have applied for Social Security and veterans' benefits." These are serious concerns, especially given the fact that the bill requires the information collected to be made available to the public and transparent through posting on the internet.

As currently drafted, however, H.R. 1033 strikes the proper balance between encouraging transparency and respecting the legitimate privacy interests of parties that have been raised as an issue in the past. The bill specifically provides that the annual reports required to be made publicly available may not reveal any information the disclosure of which is prohibited by law or court order.

Finally, I support H.R. 1033 because it recognizes the important role that the Administrative Conference of the United States has historically played in helping Congress identify inefficiencies among the Federal agencies and ways to save taxpayer dollars through the proper economies. I am particularly pleased that the current version of this legislation reflects various thoughtful suggestions shared by the Administrative Conference with our staffs.

Given the excellent work and scholarly analysis that have been the hallmarks of the Administrative Conference of the United States, I expect its report and its attendant findings will be an invaluable aid to Congress.

As the Judiciary Committee is the authorizing committee for the Conference, I encourage our friends on the

Appropriations Committee to ensure that the Conference has adequate funding to implement this very important legislation.

Like the Administrative Conference, H.R. 1033 requires only a modest investment that will result in a very valuable return for all Americans. Accordingly, I urge my colleagues to support this measure, and I reserve the balance of my time.

Mr. GOODLATTE. Mr. Speaker, I yield such time as he may consume to the gentleman from Georgia (Mr. COLLINS), the chief sponsor of the bill, and a member of the Judiciary Committee.

Mr. COLLINS of Georgia. Mr. Speaker, I thank the chairman for yielding and for his tireless work over the last couple of Congresses in bringing this to the floor.

Mr. Speaker, I rise today in support of H.R. 1033, the Open Book on Equal Access to Justice Act. I introduced this legislation with a bipartisan group of cosponsors to provide additional transparency and oversight of taxpayer dollars awarded through the Equal Access to Justice Act.

I want to thank all of the original cosponsors of this legislation for their support, but, in particular, I would like to thank my friend from Tennessee, STEVE COHEN, a member of the Judiciary Committee. These are the kind of areas where we find agreement, and transparency is one of those. I want to thank him for his support and also the gentleman from Maryland as well, for his support of this.

Additionally, there is one former Member I would like to thank, Mr. Speaker, Congresswoman Cynthia Lummis, for her leadership on an earlier version of this legislation. She is looking forward to bringing this to fruition.

Current and past bipartisan support for this legislation demonstrates a consensus that we need to address this issue, and that Americans deserve to know how taxpayer funds are being spent. Almost identical legislation passed both the Judiciary Committee and the full House on a voice vote in the 114th Congress.

This bill reinstates the needed transparency and accountability measures to ensure the Equal Access to Justice Act is helping individuals, retirees, veterans, and small businesses as originally intended.

Congress originally passed the Equal Access to Justice Act in 1980, to remove the barrier to justice for those with limited access to resources it takes to sue the Federal Government and recover attorneys' fees and costs that go along with those suits. The law was written to provide citizens with the opportunity to challenge or defend against unreasonable government actions where they otherwise might be deterred by large legal expenses.

To be eligible for payment under the EAJA, an individual's net worth must

be less than \$2 million, or a business or an organization must have a net worth of less than \$7 million, although the cap does not apply to certain tax-exempt organizations.

The Equal Access to Justice Act was intended to address the David and Goliath scenario, where wronged citizens have to go to court and face the Federal Government's vast financial and legal resources. It is past time that we ensure this law is working for the citizens in need and for taxpayers alike.

Payments of the attorneys' fees come from the budget of the agency whose actions give rise to the underlying claim. While the original Equal Access to Justice Act legislation included a requirement to track payments and report to Congress annually, Congress and the agencies halted tracking and reporting of these payments made through the Equal Access to Justice Act in 1995.

Since then, there has been no comprehensive Federal report, and we are sorely in need of the oversight responsibilities which H.R. 1033 takes the steps to address.

A GAO report indicated that, without any direction to track payments, most agencies simply don't do it, and Congress and taxpayers are unable to exercise oversight over these funds. In fact, we have only anecdotal evidence about how much we are spending on attorneys' fees, the agencies paying out these fees, and what types of claims are being recovered. This is simple, commonsense transparency that we are bringing forward today.

H.R. 1033 requires the Administrative Conference to develop and implement an online searchable database to facilitate public and congressional oversight over the Equal Access to Justice Act payments in both agency adjudications and court proceedings. Agencies would be required to provide information requested by the ACUS for the development of the database, but, importantly, the ACUS would be required to withhold information from the database if disclosure is prohibited by law or court order, the privacy that was just recently mentioned.

The Open Book on Equal Access to Justice Act ensures that agencies are operating under the watchful public eye and that taxpayer dollars are being spent properly.

Our Federal Government is too big, in my opinion, and I believe it needs to be downsized; but until we make that happen, transparency should be the minimum requirement. That is why H.R. 1033 is important. It is common sense, plain and simple. When the Federal Government is spending money, Congress needs to exercise oversight to ensure it is being done the way the law requires.

For most people who are facing a lawsuit against the Federal Government, it is a once-in-a-lifetime chal-

lenge and a daunting suit to undertake, even if they are completely in the right. It is only fair that when the court rules in favor of an American in litigation against a Federal agency, the American should be permitted to recoup their legal costs from that Federal agency.

This act gave Americans the power to take on our vast and sprawling bureaucracy by removing barriers to justice for those with limited access to resources. However, since the original reporting requirements were halted by Congress, information on these payments under law is severely lacking. This tracking will ensure the integrity and the purpose in which the Congress had set forth.

It is past time we shine light on this issue. We owe transparency to the taxpayers who are financing the law, and we owe it to the citizens, the small businesses, the veterans, and the Social Security claimants, who rely on the law.

H.R. 1033 represents a bipartisan agreement that transparency over payments that were made under the Equal Access to Justice Act needs to be restored. The Open Book on Equal Access to Justice Act will help ensure that taxpayer dollars are being spent as intended under this law. This will bring the transparency and accountability back to a program where it is sorely needed; and that is just as simple and plain as it can get. So I would urge my colleagues to support this legislation.

Mr. RASKIN. Mr. Speaker, the gentleman from Georgia has made a very powerful argument for a bipartisan push for transparency and accountability.

I yield such time as he may consume to the distinguished gentleman from Tennessee (Mr. COHEN).

Mr. COHEN. Mr. Speaker, I appreciate the time, and I appreciate the kind words that Chairman GOODLATTE and my friend, Mr. COLLINS, have tossed my way.

We do get along up here, amazingly enough. People think that we all just fight all the time and we have nothing in common. There are some big issues that do divide us, and that is why you have competitive elections with two parties and two different debates. But most folks up here get along, and are friends, and we do have legislation that we can work on, and this is one of those places where Mr. COLLINS and Mr. GOODLATTE and other members of the Judiciary Committee worked with me and others to bring this bill to the floor.

The Equal Access to Justice Act will allow Americans to recover attorneys' fees and costs when they win a lawsuit against the Federal Government. This will enable ordinary citizens, veterans, seniors, small business owners, advocates for clean air and clean water, et cetera, to fight unfair or illegal gov-

ernment actions without fear of having to pay court costs and without fear of having attorneys' fees that they otherwise might not be able to afford.

The law has been a success. However, in 1995, an important reporting requirement was removed from the law, and it made it harder for the public to see how much money the government had awarded. Our bill, H.R. 1033, the Open Book on Equal Access to Justice Act, restores the law's tracking and reporting requirements of payments awarded so the American people can have access to this important information. It will do this by requiring the group called ACUS, an acronym, which we have too many of up here, but this one is the Administrative Conference of the United States, a highly respected nonpartisan agency which was greatly championed by Justice Scalia, to post in an online database the fees and costs awarded in these cases. The database would also include the number and nature of the claims involved. The availability of this information will help keep the public informed and help Congress to conduct better oversight.

I thank my Judiciary Committee colleague, DOUG COLLINS from Georgia, for his partnership on the bill. I would like to thank Representatives SCHRADER and COLLIN PETERSON for their support for this bill on our side of the aisle, as well as JASON CHAFFETZ, LIZ CHENEY, PAUL GOSAR, and RAUL LABRADOR on the Republican side, as well as Chairman GOODLATTE.

And I would like to recall the work of our former colleague, Congresswoman Cynthia Lummis, who had this bill in the past, and we worked together to try to make it a bipartisan effort and pass it. She worked doggedly on the legislation for years, and I know that she will be pleased that we are building upon her efforts. And while she is no longer here, she is truly in a better place, Wyoming, I think it is, a nice place.

I urge the House to pass the Open Book on Equal Access to Justice Act. And I was pleased the Cats won.

Mr. GOODLATTE. Mr. Speaker, I do not believe I have any speakers remaining.

I reserve the balance of my time.

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

Mr. Speaker, in closing, I want to recognize my colleagues on both sides of the aisle.

As Mr. COHEN has pointed out, this legislation has been a model of bipartisan collaboration, and the work product shows the investment of both sides in it. So I want to salute everybody for their diligence in helping to craft this important legislation. The gentlemen from Georgia (Mr. COLLINS) and the gentleman from Tennessee (Mr. COHEN), as well as our former colleague, the gentlewoman from Wyoming, Ms. Lummis, have cooperatively

worked to effectuate a very effective, commonsense bill that will improve the accountability and the transparency of the Federal Government. This is a commendable accomplishment.

Accordingly, I would ask all of our colleagues to join us in supporting this legislation.

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

Mr. GOODLATTE. Mr. Speaker, I urge my colleagues to support the legislation.

I yield back the balance of my time. The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and pass the bill, H.R. 1033.

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

A motion to reconsider was laid on the table.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 5 o'clock and 31 minutes p.m.), the House stood in recess.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HOLDING) at 6 o'clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 699, by the yeas and nays; and

H.R. 863, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. The second electronic vote will be conducted as a 5-minute vote.

MOUNT HOOD COOPER SPUR LAND EXCHANGE CLARIFICATION ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 699) to amend the Omnibus Public Land Management Act of 2009 to modify provisions relating to certain land exchanges in the Mt. Hood Wilderness in the State of Oregon, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by

the gentleman from California (Mr. MCCLINTOCK) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 415, nays 1, not voting 14, as follows:

[Roll No. 100]

YEAS—415

Abraham	Crowley	Holding
Adams	Cuellar	Hollingsworth
Aderholt	Culberson	Hoyer
Aguilar	Cummings	Hudson
Allen	Curbelo (FL)	Huffman
Amodei	Davidson	Huizenga
Arrington	Davis (CA)	Hultgren
Babin	Davis, Danny	Hurd
Bacon	Davis, Rodney	Issa
Banks (IN)	DeFazio	Jackson Lee
Barletta	DeGette	Jayapal
Barr	Delaney	Jeffries
Barragán	DeLauro	Jenkins (KS)
Bass	DeBene	Jenkins (WV)
Beatty	Demings	Johnson (GA)
Beyer	Denham	Johnson (LA)
Bergman	Dent	Johnson (OH)
Biggs	DeSantis	Johnson, E. B.
Bilirakis	DeSaunier	Johnson, Sam
Bishop (GA)	DesJarlais	Jones
Bishop (MI)	Deutch	Jordan
Bishop (UT)	Diaz-Balart	Joyce (OH)
Black	Dingell	Kaptur
Blackburn	Doggett	Katko
Blum	Donovan	Keating
Blumenauer	Doyle, Michael	Kelly (IL)
Blunt Rochester	F.	Kelly (MS)
Bonamici	Duffy	Kelly (PA)
Bost	Duncan (SC)	Kennedy
Boyle, Brendan	Duncan (TN)	Khanna
F.	Dunn	Kihuen
Brady (PA)	Emmer	Kildee
Brady (TX)	Engel	Kilmer
Brat	Eshoo	Kind
Bridenstine	Espallat	King (IA)
Brooks (AL)	Esty	King (NY)
Brooks (IN)	Evans	Kinzinger
Brown (MD)	Farenthold	Knight
Brownley (CA)	Faso	Krishnamoorthi
Buchanan	Ferguson	Kuster (NH)
Buck	Fitzpatrick	Kustoff (TN)
Bucshon	Fleischmann	Labrador
Budd	Flores	LaHood
Burgess	Fortenberry	LaMalfa
Bustos	Foster	Lamborn
Byrne	Fox	Lance
Calvert	Frankel (FL)	Langevin
Capuano	Franks (AZ)	Larsen (WA)
Carbajal	Frelinghuysen	Larson (CT)
Cárdenas	Fudge	Latta
Carson (IN)	Gabbard	Lawrence
Carter (GA)	Gaetz	Lawson (FL)
Carter (TX)	Gallagher	Lee
Cartwright	Galleo	Levin
Castor (FL)	Garamendi	Lewis (GA)
Castro (TX)	Garrett	Lewis (MN)
Chabot	Gibbs	Lieu, Ted
Chaffetz	Gohmert	Lipinski
Cheney	Gonzalez (TX)	LoBiondo
Chu, Judy	Goodlatte	Loeb
Cicilline	Gosar	Long
Clark (MA)	Gottheimer	Loudermilk
Clarke (NY)	Gowdy	Love
Clay	Granger	Lowenthal
Cleaver	Graves (GA)	Lowey
Clyburn	Graves (LA)	Lucas
Coffman	Graves (MO)	Luetkemeyer
Cohen	Green, Al	Lujan Grisham,
Cole	Green, Gene	M.
Collins (GA)	Griffith	Luján, Ben Ray
Collins (NY)	Grothman	Lynch
Comer	Guthrie	MacArthur
Comstock	Hanabusa	Maloney,
Conaway	Harper	Carolyn B.
Connolly	Harris	Maloney, Sean
Conyers	Hartzler	Marchant
Cook	Hastings	Marino
Cooper	Heck	Marshall
Correa	Hensarling	Massie
Costa	Herrera Beutler	Mast
Costello (PA)	Hice, Jody B.	Matsui
Courtney	Higgins (LA)	McCarthy
Cramer	Higgins (NY)	McCauley
Crist	Hill	McClintock
	Himes	McCollum

McEachin	Renacci	Speier
McGovern	Rice (NY)	Stefanik
McHenry	Rice (SC)	Stewart
McKinley	Richmond	Stivers
McMorris	Roby	Suozi
Rodgers	Roe (TN)	Swalwell (CA)
McNerney	Rogers (AL)	Takano
McSally	Rogers (KY)	Taylor
Meadows	Rokita	Tenney
Meehan	Rooney, Francis	Thompson (CA)
Meeks	Rooney, Thomas	Thompson (MS)
Messer	J.	Thompson (PA)
Mitchell	Ros-Lehtinen	Thornberry
Moolenaar	Rosen	Tiberi
Mooney (WV)	Roskam	Tipton
Moore	Ross	Titus
Moulton	Rothfus	Tonko
Mullin	Rouzer	Torres
Murphy (FL)	Roybal-Allard	Trott
Murphy (PA)	Royce (CA)	Tsongas
Nadler	Ruiz	Turner
Napolitano	Ruppersberger	Upton
Neal	Russell	Valadao
Newhouse	Rutherford	Vargas
Noem	Ryan (OH)	Veasey
Nolan	Sánchez	Vela
Norcross	Sanford	Velázquez
Nunes	Sarbanes	Visclosky
O'Halleran	Scalise	Wagner
O'Rourke	Schakowsky	Walberg
Olson	Schiff	Walden
Palazzo	Schneider	Walker
Pallone	Schrader	Walorski
Palmer	Schweikert	Walters, Mimi
Panetta	Scott (VA)	Walz
Pascarella	Scott, Austin	Wasserman
Paulsen	Scott, David	Schultz
Payne	Sensenbrenner	Waters, Maxine
Pearce	Serrano	Watson Coleman
Pelosi	Sessions	Weber (TX)
Perlmutter	Sewell (AL)	Webster (FL)
Perry	Shea-Porter	Welch
Peters	Sherman	Wenstrup
Peterson	Shimkus	Westerman
Pingree	Shuster	Williams
Pittenger	Simpson	Wilson (SC)
Pocan	Sinema	Wittman
Poe (TX)	Sires	Womack
Poliquin	Slaughter	Woodall
Polis	Smith (MO)	Yarmuth
Posey	Smith (NE)	Yoder
Price (NC)	Smith (NJ)	Yoho
Quigley	Smith (TX)	Young (AK)
Raskin	Smith (WA)	Young (IA)
Ratcliffe	Smucker	Zeldin
Reichert	Soto	

NAYS—1

Amash

NOT VOTING—14

Barton	Gutiérrez	Rohrabacher
Butterfield	Hunter	Rush
Crawford	Lofgren	Wilson (FL)
Ellison	Meng	Zinke
Grijalva	Reed	

□ 1852

Mr. HIGGINS of New York changed his vote from "nay" to "yea."

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. REED. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "Yea" on rollcall No. 100.

NOTICE OF INTENTION TO OFFER RESOLUTION RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. PASCRELL. Mr. Speaker, pursuant to clause 2(a)(1) of rule IX, I rise to

give notice of my intent to raise a question of the privileges of the House.

The form of the resolution is as follows:

Expressing the sense of the House of Representatives that the President shall immediately disclose his tax return information to Congress and the American people.

Whereas, in the United States' system of checks and balances, Congress has a responsibility to hold the executive branch of government to the highest standard of transparency to ensure the public interest is placed first;

Whereas, according to the Tax History Project, every President since Gerald Ford has disclosed their tax return information to the public;

Whereas, tax returns provide an important baseline disclosure because they contain highly instructive information including whether the candidate paid taxes, what they own, what they have borrowed and from whom, whether they have made any charitable donations, and whether they have taken advantage of tax loopholes;

Whereas, disclosure of the President's tax returns could help those investigating Russian influence in the 2016 election understand the President's financial ties to the Russian Federation and Russian citizens, including debts owed and whether he shares any partnership interests, equity interests, joint ventures or licensing agreements with Russia or Russians;

Whereas, The New York Times has reported that President Trump's close senior advisers, including Carter Page, Paul Manafort, Roger Stone, and General Michael Flynn, have been under investigation by the Federal Bureau of Investigation for their ties to the Russian Federation;

Whereas, Russian Deputy Foreign Minister Sergei Ryabkov told *Interfax*, a Russian media outlet, on November 10, 2016 that "there were contacts" with Donald Trump's 2016 campaign, and it has been reported that members of President Trump's inner circle were in contact with senior Russian officials throughout the 2016 campaign;

Whereas, according to his 2016 candidate filing with the Federal Election Commission, the President has 564 financial positions in companies located in the United States and around the world;

Whereas, against the advice of ethics attorneys and the Office of Government Ethics, the President has refused to divest his ownership stake in his businesses;

Whereas, the director of the nonpartisan Office of Government Ethics said that the President's plan to transfer his business holdings to a trust managed by family members is "meaningless" and "does not meet the standards that . . . every president in the past four decades has met";

Whereas, the Emoluments Clause was included in the U.S. Constitution for the express purpose of preventing federal officials from accepting any "present, Emolument, Office, or Title . . . from any King, Prince, or foreign state";

Whereas, according to The Washington Post, the Trump International Hotel in Washington, D.C., has hired a "director of diplomatic sales" to generate high-priced business among foreign leaders and diplomatic delegations;

Whereas, according to The New York Times, the President used a legally dubious tax maneuver in 1995 that could have allowed him to avoid paying federal taxes for 18 years;

Whereas, the most signed petition on the White House website calls for the release of the President's tax return information to verify compliance with the Emoluments Clause, with 1,074,000 signatures as of date of this resolution;

Whereas, the chairmen of the Ways and Means Committee, Joint Committee on Taxation, and Senate Finance Committee have the authority to request the President's tax returns under, Section 6103 of the tax code;

Whereas, the Joint Committee on Taxation reviewed the tax returns of President Richard Nixon in 1974 and made the information public;

Whereas, the Ways and Means Committee used IRC 6103 authority in 2014 to make public the confidential tax information of 51 taxpayers;

Whereas, the American people have the right to know whether or not their President is operating under conflicts of interest related to international affairs, tax reform, government contracts, or otherwise;

Now, therefore, be it resolved, that the House of Representatives shall, one, immediately request the tax return information of Donald J. Trump for tax years 2006 through 2015 for review in closed executive session by the Committee on Ways and Means, as provided under section 6103 of the Internal Revenue Code, and vote to report the information therein to the full House of Representatives; two, support transparency in government and the longstanding tradition of Presidents and Presidential candidates disclosing their tax returns.

The SPEAKER pro tempore (Mr. SIMPSON). The Chair will now recognize the gentleman from New Jersey to offer the resolution just noticed. Does the gentleman offer the resolution?

Mr. PASCRELL. Yes, Mr. Speaker, I offer my resolution.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

RESOLUTION

Expressing the sense of the House of Representatives that the President shall immediately disclose his tax return information to Congress and the American people.

Whereas, in the United States' system of checks and balances, Congress has a responsibility to hold the Executive Branch of government to the highest standard of transparency to ensure the public interest is placed first;

Whereas, according to the Tax History Project, every President since Gerald Ford has disclosed their tax return information to the public;

Whereas, tax returns provide an important baseline disclosure because they contain highly instructive information including whether the candidate paid taxes, what they own, what they have borrowed and from whom, whether they have made any charitable donations, and whether they have taken advantage of tax loopholes;

Whereas, disclosure of the President's tax returns could help those investigating Russian influence in the 2016 election understand the President's financial ties to the Russian Federation and Russian citizens, including debts owed and whether he shares any partnership interests, equity interests, joint ventures or licensing agreements with Russia or Russians;

Whereas, the New York Times has reported that President Trump's close senior advisers, including Carter Page, Paul Manafort, Roger Stone, and General Michael Flynn, have been under investigation by the Federal Bureau of Investigation for their ties to the Russian Federation;

Whereas, Russian Deputy Foreign Minister Sergei Ryabkov told *Interfax*, a Russian media outlet, on November 10, 2016 that "there were contacts" with Donald Trump's 2016 campaign, and it has been reported that members of President Trump's inner circle were in contact with senior Russian officials throughout the 2016 campaign;

Whereas, according to his 2016 candidate filing with the Federal Election Commission, the President has 564 financial positions in companies located in the United States and around the world;

Whereas, against the advice of ethics attorneys and the Office of Government Ethics, the President has refused to divest his ownership stake in his businesses;

Whereas, the director of the nonpartisan Office of Government Ethics said that the President's plan to transfer his business holdings to a trust managed by family members is "meaningless" and "does not meet the standards . . . that every president in the past four decades has met";

Whereas, the Emoluments Clause was included in the U.S. Constitution for the express purpose of preventing federal officials from accepting any "present, Emolument, Office, or Title . . . from any King, Prince, or foreign state";

Whereas, according to the Washington Post, the Trump International Hotel in Washington, D.C. has hired a "director of diplomatic sales" to generate high-priced business among foreign leaders and diplomatic delegations;

Whereas, according to the New York Times, the President used a legally dubious tax maneuver in 1995 that could have allowed him to avoid paying federal taxes for 18 years;

Whereas, the most signed petition on the White House website calls for the release of the President's tax return information to verify compliance with the Emoluments Clause, with 1 million, 74 thousand signatures as of date of this resolution;

Whereas, the Chairmen of the Ways and Means Committee, Joint Committee on Taxation, and Senate Finance Committee have

the authority to request the President's tax returns under Section 6103 of the tax code;

Whereas, the Joint Committee on Taxation reviewed the tax returns of President Richard Nixon in 1974 and made the information public;

Whereas, the Ways and Means Committee used IRC 6103 authority in 2014 to make public the confidential tax information of 51 taxpayers;

Whereas, the American people have the right to know whether or not their President is operating under conflicts of interest related to international affairs, tax reform, government contracts, or otherwise: Now, therefore, be it:

Resolved, That the House of Representatives shall—

1. Immediately request the tax return information of Donald J. Trump for tax years 2006 through 2015 for review in closed executive session by the Committee on Ways and Means, as provided under Section 6103 of the Internal Revenue Code, and vote to report the information therein to the full House of Representatives

2. Support transparency in government and the longstanding tradition of Presidents and Presidential candidates disclosing their tax returns.

The SPEAKER pro tempore. Does the gentleman from New Jersey wish to present argument on the parliamentary question whether the resolution presents a question of the privileges of the House?

Mr. PASCRELL. Yes, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from New Jersey.

Mr. PASCRELL. Mr. Speaker, under rule IX, clause 1, questions of the privileges of the House are “those affecting the rights of the House collectively, its safety, dignity, and the integrity of its proceedings.”

There is nothing more of a threat to the integrity of this House than ignoring our duty to provide a check and balance to the executive branch. To restore the dignity of the House, we must use our authority to request President Trump's tax returns and give the American people the transparency they deserve.

The American people demand, Mr. Speaker, to know the full scope of the President's financial background. Article I, Section 9 of the Constitution includes a clause prohibiting foreign emoluments to the President.

The Office of Government Ethics—I can't stress this enough—has warned us about the President's decision not to divest or set up a blind trust. And there is a need to fully understand the President's ties to Russia.

The resolution I am offering can provide the transparency to help ease the concerns of Americans across the Nation. The Internal Revenue Code includes language laying out a path for the Ways and Means Committee to obtain the tax returns and review them in a respectful manner, and there is the precedent of that provision being used.

Mr. Speaker, that decision to put this into the code in 1924 was a result

of the very famous scandal of 1923, the Teapot Dome, from Teapot Rock, Wyoming, under President Harding. He died, unfortunately, and never saw the end of this scandal.

People committed murder in this scandal. People sold off American reserves in this scandal. So, they put it into the IRS Code for a very, very specific reason, so the people have a right to know.

A growing number of Members and Senators from both parties have been saying we should have the President's tax returns. The House must demonstrate—and this is my deep feeling here, not as a Democrat, but as an American citizen, Mr. Speaker—we must demonstrate that its Members are listening to our constituents' concerns. The House must demonstrate that it cares about protecting the integrity of our government, of our Constitution, of our system of checks and balances.

Let's shine a bright light on the President's conflicts together, together, as we, as a Congress, and the broader American public can judge whether his decisions are being made for himself, his business interests, or for the greater good of the American people.

Mr. Speaker, I thank you for your indulgences, and I yield back the balance of my time.

The SPEAKER pro tempore. The Chair is prepared to rule.

The gentleman from New Jersey seeks to offer a resolution as a question of the privileges of the House under rule IX.

In evaluating the resolution under rule IX, the Chair must determine whether the resolution affects “the rights of the House collectively, its safety, its dignity, and the integrity of its proceedings.”

As demonstrated by section 706 of the House Rules and Manual, a resolution providing an order of business, such as by directing a committee to meet and conduct certain business, does not qualify as a question of the privileges of the House.

The resolution offered by the gentleman from New Jersey directs the Committee on Ways and Means to meet and consider an item of business under the procedures set forth in 26 U.S.C. 6103. Accordingly, the resolution does not qualify as a question of the privileges of the House.

Mr. PASCRELL. Mr. Speaker, I appeal the ruling of the Chair.

The SPEAKER pro tempore. The question is, Shall the decision of the Chair stand as the judgment of the House?

MOTION TO TABLE

Mr. MCCARTHY. Mr. Speaker, I have a motion at the desk.

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

The Clerk read as follows:

Mr. McCarthy moves that the appeal be laid on the table.

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

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

RECORDED VOTE

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

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on the motion to table will be followed by a 5-minute vote on suspending the rules and passing H.R. 863.

The vote was taken by electronic device, and there were—ayes 229, noes 185, answered “present” 2, not voting 14, as follows:

[Roll No. 101]

AYES—229

Abraham	Fitzpatrick	MacArthur
Aderholt	Fleischmann	Marchant
Allen	Flores	Marino
Amash	Fortenberry	Marshall
Amodei	Fox	Massie
Arrington	Franks (AZ)	Mast
Babin	Frelinghuysen	McCarthy
Bacon	Gaetz	McCaul
Banks (IN)	Gallagher	McClintock
Barletta	Garrett	McHenry
Barr	Gibbs	McKinley
Bergman	Gohmert	McMorris
Biggs	Goodlatte	Rodgers
Billirakis	Gosar	McSally
Bishop (MI)	Gowdy	Meadows
Bishop (UT)	Granger	Meehan
Black	Graves (GA)	Mitchell
Blackburn	Graves (LA)	Moolenaar
Blum	Graves (MO)	Mooney (WV)
Bost	Griffith	Mullin
Brady (TX)	Grothman	Murphy (PA)
Brat	Guthrie	Newhouse
Bridenstine	Harper	Noem
Brooks (AL)	Harris	Nunes
Brooks (IN)	Hartzler	Olson
Buchanan	Hensarling	Palazzo
Buck	Herrera Beutler	Palmer
Bucshon	Hice, Jody B.	Paulsen
Budd	Higgins (LA)	Pearce
Burgess	Hill	Perry
Byrne	Holding	Pittenger
Calvert	Hollingsworth	Poe (TX)
Carter (GA)	Hudson	Poliquin
Carter (TX)	Huizenga	Posey
Chabot	Hultgren	Ratcliffe
Chaffetz	Hurd	Reed
Cheney	Issa	Reichert
Coffman	Jenkins (KS)	Renacci
Cole	Jenkins (WV)	Rice (SC)
Collins (GA)	Johnson (LA)	Roby
Collins (NY)	Johnson (OH)	Roe (TN)
Comer	Johnson, Sam	Rogers (AL)
Comstock	Jordan	Rogers (KY)
Conaway	Joyce (OH)	Rokita
Cook	Katko	Rooney, Francis
Costello (PA)	Kelly (MS)	Rooney, Thomas
Cramer	Kelly (PA)	J.
Culberson	King (IA)	Ros-Lehtinen
Curbelo (FL)	King (NY)	Roskam
Davidson	Kinzing	Ross
Davis, Rodney	Knight	Rothfus
Denham	Kustoff (TN)	Rouzer
Dent	Labrador	Royce (CA)
DeSantis	LaHood	Russell
DesJarlais	LaMalfa	Rutherford
Diaz-Balart	Lamborn	Scalise
Donovan	Lance	Schweikert
Duffy	Latta	Scott, Austin
Duncan (SC)	Lewis (MN)	Sensenbrenner
Duncan (TN)	LoBiondo	Sessions
Dunn	Long	Shimkus
Emmer	Loudermilk	Shuster
Farenthold	Love	Simpson
Faso	Lucas	Smith (MO)
Ferguson	Luetkemeyer	Smith (NE)

Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)

Smith (NY)
Smith (TX)
Smith (WA)
Smucker
Soto
Speier
Stefanik
Stewart
Stivers
Suoizzi
Swalwell (CA)
Takano
Taylor
Tenney
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi

Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walden
Walker
Walorski

Walters, Mimi
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Yarmuth
Yoder
Young (IA)
Zeldin

Moolenaar
Mooney (WV)
Poe (TX)
Posey
Ratcliffe
Rice (SC)
Russell
Scott, Austin
Walberg
Weber (TX)
Webster (FL)
Woodall
Yoho
Young (AK)

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

□ 1934

Messrs. TURNER and CLEAVER changed their vote from "nay" to "yea."

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MOMENT OF SILENCE IN REMEMBRANCE OF KANSAS SHOOTING VICTIMS

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

Mr. YODER. Mr. Speaker, I rise tonight, heartbroken, with my friends and colleagues, both Democrats and Republicans, to honor the life and memory of Srinivas Kuchibhotla, who was shot and killed last week in my district, as well as in support for Alok Madasani, who was injured, and Ian Grillot, whose heroism prevented this senseless tragedy from being much worse.

I ask that my colleagues in the Chamber please join me for a moment of silence.

The SPEAKER pro tempore. Guests in the gallery and Members will please rise for a moment of silence.

Mr. YODER. Mr. Speaker, the man who perpetrated the attack in my district last week was filled with hate. He does not represent anything we believe in as Kansans and as Americans. Last night, our community sent the strong message that love will overcome hate.

Thousands of concerned citizens in my district came together to support one another and our growing and vibrant Indian community in this time of great tragedy. We showed the world that our diverse political and religious views are what make our community and our country great.

Mr. Speaker, in addition to this moment of silence, let us renew our commitment to treating each other with respect and embracing civility in our public discourse.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 998, SEARCHING FOR AND CUTTING REGULATIONS THAT ARE UNNECESSARILY BURDENSOME ACT, AND PROVIDING FOR CONSIDERATION OF H.J. RES. 83, DISAPPROVING THE RULE SUBMITTED BY THE DEPARTMENT OF LABOR RELATING TO "CLARIFICATION OF EMPLOYER'S CONTINUING OBLIGATION TO MAKE AND MAINTAIN AN ACCURATE RECORD OF EACH RECORDABLE INJURY AND ILLNESS"

Mr. WOODALL, from the Committee on Rules, submitted a privileged report

(Rept. No. 115-20) on the resolution (H. Res. 150) providing for consideration of the bill (H.R. 998) to provide for the establishment of a process for the review of rules and sets of rules, and for other purposes, and providing for consideration of the joint resolution (H.J. Res. 83) disapproving the rule submitted by the Department of Labor relating to "Clarification of Employer's Continuing Obligation to Make and Maintain an Accurate Record of Each Recordable Injury and Illness", which was referred to the House Calendar and ordered to be printed.

RECOGNIZING THE LIVE LIKE BELLA SUPERHERO 5K RUN/WALK AND THE RUN, WALK AND STROLL 2K FOR CEREBRAL PALSY IN SOUTH FLORIDA

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

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to thank the members of my south Florida community who came out last Saturday to the Live Like Bella Superhero 5K Run/Walk at Zoo Miami.

Live Like Bella works every day to fight pediatric cancer through medical research while offering much-needed support for families and caregivers.

I would also like to recognize the Run, Walk and Stroll 2K for Cerebral Palsy that took place in the Village of Palmetto Bay, located in my congressional district, also on Saturday. This walk brought together patients, families, friends, and volunteers to shed light on how cerebral palsy can impact those afflicted and to provide much-needed assistance for therapy programs and special needs equipment.

Live Like Bella and the Cerebral Palsy Walk are just two of the latest examples of south Floridians banding together to help others.

MUSLIM AND REFUGEE BAN EXECUTIVE ORDER

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

Mr. PAYNE. Mr. Speaker, I ask my Republican colleagues to think about the message that President Trump's Muslim ban sends to our young people. What the President is telling them is that our doors are closed, that the tired, the poor, the persecuted, and the oppressed are no longer welcome.

I reject that message, and I am glad to say that I have heard from many young people who reject that message.

I want to read from a letter sent by a middle school student from West Orange, New Jersey, in my district. Her name is Calixta.

Calixta wrote: "Immigrants are basically what America is made of. . . Im-

migrants work very hard in the country, they get things done. These people fight for their lives."

I am glad that Calixta recognizes President Trump's ban as a threat to American values, but I am concerned that other young people will see it and think it is okay to reject others based on how they look, how they worship, or where they come from.

Mr. Speaker, the President's ban is illogical, it is dangerous, and it sends a terrible message to the young people of this Nation.

RECOGNIZING RARE DISEASE DAY

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

Mr. PAULSEN. Mr. Speaker, I rise today to recognize Rare Disease Day to bring widespread awareness to more than 7,000 rare diseases affecting 30 million Americans. These individual diseases may be rare, but their impact isn't.

On this particular occasion, I want to remember Chloe Barnes from Minnesota, who passed away at the age of 2 from metachromatic leukodystrophy, or MLD. Her family founded Chloe's Fight, a foundation that is dedicated to supporting research for rare diseases.

There is no better person to honor and remember Chloe than her older sister, Eva, who wrote an essay in Chloe's memory. Eva writes:

"My sister died when she was 2 and this is what happened. My parents were missing a part in their body. I was fine. But my sister Chloe didn't make it. I don't like talking about it. Because it makes me very sad. I only tell a few people that she died. She was very funny. I loved her so much. Her name was Chloe. She was very brave. My mom and dad are doing a foundation called Chloe's Fight. Because every kid should have a chance to fight."

Mr. Speaker, we should not only remember those suffering from rare diseases, but we should continue to support initiatives to find new cures and treatments on their behalf.

SUPPORTING THE AFFORDABLE CARE ACT

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

Mr. KRISHNAMOORTHY. Mr. Speaker, my guest for the President's speech tomorrow is my constituent, Debbie Trueblood. Debbie reached out to my office to support the Affordable Care Act because she knows firsthand the difference the law can make in people's lives.

Debbie suffers from a rare, potentially life-threatening genetic condition. The only treatments for the condition are a handful of specialized

drugs that can cost more than \$100,000 per year.

Before the Affordable Care Act, Debbie could have been denied coverage because of her preexisting condition, and she would have faced medical bills greatly exceeding her salary. Because of the Affordable Care Act, Debbie is able to afford the treatment she needs to work, support her family, volunteer in her community, and be of service.

Repealing the Affordable Care Act without effectively replacing it would rob millions of people like Debbie not only of their access to health care but also of their ability to contribute to our great Nation.

□ 1945

MOURNING THE LOSS OF AMERICAN LIVES

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

Ms. JACKSON LEE. Mr. Speaker, I first start out by mourning the loss of two Indo-Americans in Kansas, friends of all of us. As I left India last week, you can imagine the horror of hearing of this incident by a Trump sympathizer. We must stop the spread of hate. I want to say to them, this community, and the people of India that we in America will stand by them, and we will stand against hate.

I, too, want to add my mourning for a second time for the loss of the Navy SEAL who died in Yemen on January 28. I came to the floor some weeks ago to acknowledge my shock and concern about the precipitousness of this effort by the Trump administration in the first days of his administration.

I join in asking for a full investigation, the whys, the wheres, the necessity of doing this operation within days of the beginning of the White House term. We don't take operations with our precious military souls lightly. It is important to be thoughtful and deliberative. Certainly it is important to be ready. It is also important not to signal what you are doing. I understand that.

But I can't understand what happened and the tragic loss of this great Navy SEAL leader. We need answers, and we need them quick from the White House. Give them answers now. Investigate now.

THE 2020 PLAN

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

Mr. CRIST. Mr. Speaker, I rise today to recognize an innovative effort in my hometown of St. Petersburg, Florida. Known as the 2020 Plan, its goal is simple: to reduce poverty by 30 percent in

south St. Petersburg by 2020. The plan connects all aspects of society to promote investment, create jobs, and support families, and it is working.

In 2015 alone, the poverty rate in the community dropped by 8.5 percent, compared to 1.6 percent nationally. This effort is truly inspiring. I salute the leadership of Gypsy Gallardo; the Pinellas County Urban League and its president Watson Haynes, my brother; the city of St. Petersburg; and over 100 grassroots community organizations that are working together to reduce poverty in this historically underserved community. Thank you and God bless you.

HONORING THE LIFE OF FORMER MINORITY LEADER OF THE HOUSE OF REPRESENTATIVES, ROBERT HENRY "BOB" MICHEL

Mr. LAHOOD. Mr. Speaker, I send to the desk a resolution and ask unanimous consent for its immediate consideration in the House; and, further, that it be read in full.

The Clerk read the resolution, as follows:

H. RES. 151

Whereas the death of the late Minority Leader of the House of Representatives, Robert H. "Bob" Michel, on February 17, 2017, has created not only a personal loss to his family, his many colleagues, and friends, but also a great loss to the Nation;

Whereas Bob Michel led a remarkable life, personally blessed with four children, eight grandchildren, and two great grandchildren;

Whereas Bob Michel was born and raised in Peoria, Illinois;

Whereas as a young man, Bob Michel joined the United States Army at the height of World War II, landing on the beaches of Normandy and fighting across Europe through the Battle of the Bulge, earning two Bronze Stars, four Battle stars, and the Purple Heart for his wounds;

Whereas Bob Michel returned home from Europe, graduated from Bradley University, and embarked on a career in public service that would span 44 years;

Whereas Bob Michel was then elected to Congress, going on to serve honorably for 38 years representing Peoria and much of Central Illinois with great distinction, and was chosen by his colleagues to serve them as House Minority Whip, and for 14 years as the elected Republican Minority Leader of the House of Representatives;

Whereas Bob Michel's formidable legislative skills were invaluable in enacting key initiatives of President Reagan and President George H.W. Bush on behalf of the people;

Whereas Bob Michel will be long remembered by all for his strong dedication to responsible public service and his love of the people of the United States;

Whereas Bob Michel conducted himself as a leader with a commitment to civil discourse, personal dignity, political consensus, and adherence to fundamental human values;

Whereas Bob Michel's public service culminated in the award of the Nation's highest civilian honor, the Presidential Medal of Freedom; and

Whereas in the House of Representatives and in his life, Bob Michel's uncommon de-

cency and generosity of spirit were evident to all who knew and worked with him: Now, therefore, be it

Resolved, That the House of Representatives—

(1) honors the life, achievements, and distinguished public service of Bob Michel; and

(2) expresses its condolences to his family on his passing.

The resolution was agreed to.

A motion to reconsider was laid on the table.

HONORING THE LIFE OF THE HONORABLE BOB MICHEL

The SPEAKER pro tempore (Mr. BACON). Under the Speaker's announced policy of January 3, 2017, the gentleman from Illinois (Mr. LAHOOD) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Mr. LAHOOD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials in the RECORD on the subject of my Special Order.

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

There was no objection.

Mr. LAHOOD. Mr. Speaker, I rise tonight to honor the life, career, and public service of Robert H. Michel, known as Bob Michel, former Congressman of the 18th District of Illinois and the longest serving Republican leader of the House of Representatives, who passed away earlier this month on Friday, February 17. He was 93 years old. This Thursday, March 2, he would have turned 94. He served in Congress in this institution from 1956 to 1994.

To staff, friends, and colleagues, Bob Michel was more than a Congressman and House leader. He was a mentor and larger-than-life person. Mr. Speaker, it is a privilege to stand before you and our colleagues tonight to recognize the remarkable life of our departed leader and friend. Over the past week I have had the opportunity to hear testimony from friends, family, former colleagues, and the public as they reflect on the reputation of Mr. Michel.

Among the many stories that have been told, it has been mentioned time and time again the foundation upon which Bob Michel built his remarkable career and reputation. Throughout Mr. Michel's 50 years in politics, he never wavered from his values of civility, uncommon decency, and humility. Those values were instilled in him at the earliest age, rooted in his faith and family upbringing, and followed him throughout his life.

Bob Michel was born to German and French immigrants in Peoria, Illinois, on March 2, 1923, to Anna and Charles Michel. Hard work and respect were required among the Michel children. After dinner each night, it was mandatory for the Michel household to read

the Bible rather than go outside and play. The young Bob Michel was a product of Peoria Public Schools.

Bob Michel didn't come from a privileged background or a family that had money. He held numerous jobs, which played a formidable role in his upbringing, teaching him the rewards of hard work and accountability. His early jobs varied from mowing yards, delivering on two newspaper routes, working in a factory, a tailor shop, and a grocery store.

Michel graduated from Peoria High School and attended one semester at Bradley University before enlisting at age 19 as an infantryman in the U.S. Army to fight in World War II. Michel landed in Normandy on the fourth day of the D-day invasion of Europe and fought his way across France and Belgium to the Battle of the Bulge. He was wounded in action and was discharged after earning two Bronze Stars, a Purple Heart, and four Battle Stars. When we talk about the Greatest Generation, Bob Michel was a shining example of the Greatest Generation.

Bob Michel would return to Peoria, Illinois, after the war to complete his business administration degree at Bradley University. He joined the cappella choir there, where he would meet the love of his life, Corinne Woodruff. They were married for 55 years.

It was immediately after graduation that Michel's path into politics started after then-president of Bradley University David Owen approached Bob to inform him about a candidate by the name of Harold Velde running for Everett Dirksen's congressional seat. After interviewing, Velde hired Michel as a staffer. Years later, Michel would go on to replace Velde in the House after he retired, winning a contested four-way primary and defeating his Democratic opponent. Thus began the service of Bob Michel in the U.S. House, which would lead him to rise to the House leadership and serve a stint as minority whip and eventually minority leader for 14 years.

Throughout his rise in leadership, Bob Michel remained grounded to his district, never forgetting where he came from. Michel was masterful at building personal relationships and represented the gold standard for public service. That reputation derived from his commonsense approach and midwestern upbringing.

This past Saturday, we laid Bob to rest in his hometown of Peoria, Illinois. Bob was remembered at that time and honored as an American hero, a tremendous public servant, a devoted father, husband, and friend. Mr. Speaker, the life of this incredible statesman will never be forgotten, and the legacy he has left behind should serve as a reminder for how we as public servants can continue our work moving forward.

Again, I am proud to stand with my colleagues tonight as a successor to

Congressman Michel's seat and to honor our beloved friend, colleague, leader, and mentor.

Mr. Speaker, I yield to the gentleman from Illinois (Mr. SHIMKUS), the dean of our Republican delegation.

Mr. SHIMKUS. Mr. Speaker, I thank my colleague and friend, Congressman LAHOOD, for having this tribute tonight.

Bob Michel was a giant here in Washington, and he left this world in a manner in which he probably would liked to have—without fanfare, without parades, just going home.

As was said, Bob Michel actually served in this House for 38 years. He loved the House of Representatives. He cherished this Chamber and he cherished this institution. He served as minority leader for 14 years in, as he lovingly called it, the people's House, in this institution he dearly loved.

Few are left in this Chamber who actually served with him. It is my hope that Minority Whip HOYER gets to the floor, who served with him. I think STENY also tries to represent that era of time when there were people who disagreed without being disagreeable or who could work across the aisle. I look forward to hearing STENY's remarks.

Bob was known for his aw-shucks demeanor and his baritone singing voice. I remember once at a Lincoln Day dinner, when he was leaving and I was running, and the people always wanted him to finish the Lincoln Day dinner singing "God Bless America." Always. It was mandatory. But his aw-shucks demeanor and his baritone voice should not distract from his keen legislative ability, where he steered the Reagan Revolution through this Chamber as the minority leader. As those of us who have served post-Bob Michel know, that is a difficult thing to do.

Many times you would see Bob Michel wearing his CIB on his lapel pin. For those of us who served in the military, the CIB is one of the most treasured awards because it means he was an infantryman who served in combat. My colleague, Congressman LAHOOD, relayed his service from Normandy to the Battle of the Bulge, meritorious service awards, and wounded in combat.

You can see Bob's presence here in the Chamber. The Speaker's Office is named the Bob Michel Room. Or go to Peoria—which I was fortunate to go to to attend the funeral—and you will drive across the Bob Michel Bridge. The funeral service was on the campus of Bradley University, and the student union is named after Bob Michel.

Bob Michel loved baseball. As an avid player myself, we shared fond memories. I pitched, he pitched. I think he won more games than I did. One flaw in Bob Michel's character was being a Cubs fan. As a Cardinals fan, I was able to say that. But when all the cere-

monies were going on with the Cubs winning the World Series, I finally found that a reason to be happy about the Cubs' success is that Bob was alive to experience it. In fact, stories over the weekend said he stayed up to see the final play and the final out. There is a great picture of him on his porch flying the W.

□ 2000

Bob was laid to rest in Peoria on Saturday. I remember one of the statements made at the funeral, "If Pekin is good enough for Senator Dirksen, then Peoria is good enough for me," and there he was laid to rest.

My thoughts go out to his sons, Scott and Bruce, and daughters, Robin and Laurie, and also Vicki, who, after Corinne's death, became a loyal companion.

I appreciate this time to reflect. I will end with: You get to meet some great people in this Chamber, and one of those that I will always cherish is my opportunity to get to know and become friends with Leader Bob Michel.

Mr. LAHOOD. Mr. Speaker, I thank Congressman SHIMKUS for those beautiful words for Leader Michel.

Mr. Speaker, I yield to the gentlewoman from Illinois (Mrs. BUSTOS), who shares Peoria, Illinois, with me, Bob Michel's hometown, and she was also at the funeral on Saturday.

Mrs. BUSTOS. Mr. Speaker, I join with my Illinois colleagues, Mr. SHIMKUS, Mr. LAHOOD, and Mr. HULTGREN, who will speak in just a moment, to recognize the life and the legacy of a great man who dedicated his life to service.

For decades, the hardworking men and women of Peoria were proud to have Bob Michel fighting for them in the United States House of Representatives. And even though we were from opposite parties, I learned a lot from Bob Michel, who had been a friend of my family for decades.

Like a lot of men and women from his era, Bob Michel believed in America to his core. He believed in the midwestern values that have made our heartland a great place to live, work, and raise a family. Hard work, service, community, and working together to achieve a common good, these are the values that Bob Michel lived by.

Bob Michel could have gone into business and become a wealthy man. He could have left Peoria for a big city. He could have done anything he set his sights on. But what Bob Michel did was he decided to give back to the community that had given him so much, and he gave a life of service.

It was in 1956 that Bob Michel ran and won his seat representing Peoria and several communities across central Illinois. Even though he went to Washington, Bob Michel's heart was always in Peoria. He never lost sight of his profound responsibility to the people

that he served. For nearly 40 years, he rose through the ranks of Republican leadership to become the longest serving minority leader in our Nation's history.

Even though I might not have agreed with him on every single vote that he cast, Bob Michel proved that you can disagree without being disagreeable. Over the last several days, I have heard from Members from both sides of the aisle about their memories of Leader Michel, and there are several things that we can all agree on.

First, if Bob Michel gave you his word, you could always count on it.

Second, if you had a good idea, whether you were a Democrat or a Republican, if it helped the families that he represented, you could count on his support.

And finally, if he didn't agree with you on something, well, you could probably count on a fight, but not a fight like we think of it today, certainly not the kind of divisive, personal, and negative partisan battles that have become far too common in Washington.

Bob Michel didn't believe in something like that. He believed in healthy debate, grounded in mutual respect for both sides of the aisle; because, when it gets down to it, all of us are here with the intent of bettering the families that we serve, bettering the communities that we represent, and, of course, bettering our Nation. That is what Bob Michel stood for, and it is why we as a nation come together tonight to mourn his loss.

Mr. Speaker, I am proud to stand along with Mr. HULTGREN, Mr. LAHOOD, and Mr. SHIMKUS, my colleagues in Illinois, in offering the heartfelt condolences of the entire U.S. House of Representatives to Leader Michel's children, Scott, Bruce, Laurie, and Robin, as well as their families. The city of Peoria will always honor and remember the life of service that Bob Michel gave.

Mr. LAHOOD. Mr. Speaker, I yield to the gentleman from Illinois (Mr. HULTGREN).

Mr. HULTGREN. Mr. Speaker, I thank Congressman LAHOOD and Congresswoman BUSTOS. It is so good to be here with my friends and colleagues to join in mourning the loss and celebrating the rich life of Illinois' own Bob Michel, who passed away this month at the age of 93.

Bob absolutely embodied a uniquely American combination of decency, civility, a commitment to public service, and a deep patriotism throughout his long life. Observers across the spectrum agree Bob Michel defined public service and bipartisanship during his long tenure in Congress as minority whip and as minority leader.

Bob seemed to be uniquely called to the legislature and the legislative process. A workhorse instead of a show

horse, Leader Michel steadily pushed forward conservative priorities in the House under both Democratic and Republican Presidents.

Building relationships across the aisle and promoting civility and debate helped move legislation through the House Chamber. To him, treating others with respect and care was essential to making deals and moving forward solutions to American problems.

And he cared little if he obtained credit for his efforts. As commented in the *National Review*, Bob "made little noise, but made things work."

Bob was also a patriot. This son of Illinois was a war hero who landed at Utah Beach at Normandy. During the war, he was wounded and awarded two Bronze Stars and the Purple Heart, among other recognitions. He now joins fellow Americans of that Greatest Generation whose humble and steady love for country carried us through difficult seasons.

I wish his family peace and hope during their time of mourning. He will be deeply missed.

Mr. LAHOOD. Mr. Speaker, I thank Congressman HULTGREN for those wonderful words for Leader Michel.

Mr. Speaker, I yield to the gentleman from Maryland (Mr. HOYER), the minority whip.

Mr. HOYER. Mr. Speaker, I thank the gentleman from Peoria. Well, maybe not exactly Peoria, but Bradley University.

Mr. Speaker, I rise to honor one of the most decent, patriotic Americans with whom I have ever served in any legislative body. I had the great honor of being Bob Michel's friend, the great honor of being his colleague, and the great honor of believing that what Bob Michel represented in this Congress was the best of us, the most decent of us, the most considerate of us, and deeply committed to his country and respectful of those with whom he served, perhaps differing with them, but, nevertheless, deeply respectful of his colleagues. He and Tip O'Neill were good friends. They could argue their side and their policies vigorously but be the best of friends after we adjourned that day.

I thank my colleague from Illinois for leading this tribute, and I rise to join in remembering this great man, a great American leader, Bob Michel.

Mr. Speaker, Bob's entire life was given to service to his country. From his time in the Army as an infantryman on the front lines of the fight for democracy in the Second World War to his long career in government, Leader Michel sought to make America and the world safer and to protect the American Dream for all of our people.

Mr. Speaker, I did not want to lose the majority in 1994, but when we lost, I lamented the fact that Bob Michel did not become the Speaker of the House of Representatives. In my opinion, if he

had, America would be a more civil place today and this body would be a more collegial body than it is.

I want to congratulate the gentleman who represents Bob Michel's district now, succeeding in that office, his father, who is a very dear and close friend of mine. All three of them represented the best of that which America hopes would serve it well.

Bob Michel and I didn't always agree on policy, Mr. Speaker, but as colleagues, we worked together to reach consensus and achieve results. I remember in 1989 when Tony Coelho and I were working to pass the House's version of what would become the landmark Americans with Disabilities Act. It was Bob Michel who saw how important this legislation would be and asked my friend, Steve Bartlett from Texas to work with me, from the Republican side of the aisle, to achieve a bipartisan version that could become law. That is how Bob Michel operated.

This House would be a better House if we followed the example of Bob Michel. He saw a problem and looked for a way we could come together around a compromised solution, not focused first on confrontation. His decency and friendliness were as evident as his seriousness as a legislator.

As Republican whip and leader, he set an example of how to lead an effective opposition based not on obstruction, but on identifying ways to work together to achieve common goals. To that extent, and in so many other ways, as I have said, Bob Michel represented the best of us.

Now, Bob, Mr. Speaker, could be tough. He could be really tough. He knew how to defend his party's interests and advance its goals in the minority. But Bob believed strongly that we who are sent here by our constituents have, first and foremost, a responsibility to make policy, not to play politics. And that is how Bob Michel served—by always, always, always putting country first. Mr. Speaker, I hope his example will be an inspiration to all who serve today.

I join in extending my condolences to Bob's children—Scott, Bruce, Robin, and Laurie—and the entire Michel family. I join the people of Illinois' 18th District in mourning the man who was their champion for so many years. Illinois, this House, and our country lost a great light, but one, I hope, that will continue to shine through its reflection in those whom Bob Michel inspired. I was one of those. We will miss him. There aren't enough Bob Michels.

Mr. LAHOOD. Mr. Speaker, I want to thank Leader Hoyer for those warm words and inspiring words and heartfelt words for Leader Michel. It means so much for his family, for all of us in Peoria, and for all of his colleagues.

I want to thank everybody here tonight from the Illinois delegation that spoke so fondly about Mr. Michel.

When we think about the traits that he exemplified—integrity, sincerity, humility, genuineness, and civility—that everybody talked about here tonight, I think it is also important to remember where he came from in Illinois.

The congressional district that he represented, the 18th Congressional District, was the same district that Congressman Abraham Lincoln represented from 1847 to 1849. It is also the same congressional district that Everett Dirksen represented and that Bob Michel represented for 38 years, and you think about the values that they all exemplified, those strong midwestern values they never forgot.

The other thing that is unique about all three is they were all buried within 1 hour of each other. Oak Ridge Cemetery, President Lincoln; Pekin Cemetery, Everett Dirksen; and this last weekend, Leader Michel in Peoria, Illinois. Bob Michel could have been buried in Arlington Cemetery in a beautiful grave, but he chose to be buried next to the love of his life in Peoria, Illinois. That says a lot about the person that he was. I think it is unique that, within an hour's drive, you can go see all three of their graves, but I think it reflects the midwestern values that he had and those traits.

□ 2015

The other thing that I just want to mention here in closing is that he served his 14 years as the Republican leader, the longest of anyone in this institution as a leader of the minority party. But he also had a number of people that he mentored and tutored: from Jack Kemp, to Trent Lott, to Dick Cheney, to Newt Gingrich; people that served under him, and he mentored in their positions, and that should not be lost.

Bob Michel was a conservative Republican, but the way that he went about the work that he did, his style of civility and treating friend and foe alike, and being able to work across party lines when he needed to made this institution a better place. We need more people like Bob Michel in public service. He is a shining example of what public service should be. I couldn't be prouder to serve in the same congressional district that he represented for 38 years.

Lastly, Mr. Speaker, he made us proud to be from Peoria, Illinois. He made this institution a better place. He made this country a better place by his service of over 50 years.

Tonight we say: Mr. Leader, rest in peace.

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

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today to honor former Congressman, respected mentor, and good friend Bob Michel.

Bob was a war hero earning two Bronze Stars, the Purple Heart, and four battle stars.

He was also one of the most respected members of Congress of all time. His 38 years of service in the U.S. House of Representatives and the incredible footprint he left on Central Illinois and this country will never be forgotten.

Bob's ability to reach across the aisle to make a divided government work for the people he represented was second to none, a trait we should all strive to emulate each day. Bob taught me that bipartisanship matters and working together to get things done is even more important in the polarized environment we have today. That's where Bob Michel excelled and that's the legacy I'm going to remember.

Finally, Bob taught me to be myself, to always do what I think is right for my constituents, and to not be afraid to go home and explain why I voted the way I did. I was honored to attend Bob's funeral this past Saturday, along with many others who knew and loved him. My thoughts and prayers are with his family. He will truly be missed.

CBC/SOCIAL JUSTICE MOVEMENTS

The SPEAKER pro tempore (Mr. RUTHERFORD). Under the Speaker's announced policy of January 3, 2017, the gentlewoman from the Virgin Islands (Ms. PLASKETT) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Ms. PLASKETT. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include any extraneous material in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from the Virgin Islands?

There was no objection.

Ms. PLASKETT. Mr. Speaker, the CBC chair, Mr. CEDRIC RICHMOND, and myself have a great honor that I rise today as one of the anchors of the CBC, the Congressional Black Caucus' Special Order hour.

For the next 60 minutes I have a chance to speak directly to the American people on issues of great importance to the Congressional Black Caucus, Congress, the constituents we represent, and all Americans.

During this hour, as Black History Month ends in the next day, we believe it is important for this Congress and for the people of America to hear about the great importance of grassroots movements, which have been the fortifying effect of the civil rights movements and other movements here in this country, and have made this country very great.

At this time I would yield to the gentleman from Louisiana (Mr. RICHMOND), the chair of the Congressional Black Caucus, who will speak on this subject matter here on the floor.

Mr. RICHMOND. Mr. Speaker, I thank my colleague, STACEY PLASKETT from the Virgin Islands, for taking this assignment and making sure that the Congressional Black Caucus continues

its conversation with America, and to inform people on issues that are important to us, and also reflecting on how important African-American history is, not just to us, but to this country.

It is African-American history that made this country great in the first place. How our civil rights groups and people of the same kind, not necessarily the same color, came together to make this a more perfect union.

So today what I wanted to do was actually talk about some of the civil rights organizations that changed this country, made it better, made it possible for me to be here, and compare and talk about some of the movements that we see today that are making some of the same differences for the next generation. It is just a shame that in 2017 we are still fighting the same fights we fought 50 years ago for voting rights, for equality, and all of those things.

So when I say I want to talk about some of those organizations, I want to talk about organizations like SCLC, the Southern Christian Leadership Conference; or CORE, the Congress of Racial Equality; or SNCC, the Student Non-Violent Coordinating Committee. They all played an important role in launching grassroots movements that succeeded in ensuring more equality for African Americans.

Sit-ins, bus boycotts, marches, voter registration drives, and other protests—these grassroots movements spread across the South, including my home State of Louisiana.

Let's just talk about one specific incident. September 9, 1960, the Woolworth store lunch counter in New Orleans closed early.

What was the reason?

Seven members of the Congress of Racial Equality, five Black students and two White students, decided to hold a sit-in demonstration to protest Jim Crow. This was the first-ever sit-in in the city.

The seven students were like so many other students across the South at the time who were using nonviolent action to change the country. In fact, let me read their names because many of them I knew.

In fact, one, Jerome Smith, who was a Southern University student the year before, is actually still on the battlefield in Louisiana not only coaching Little League, but fighting for criminal justice reform and financial and economic equality.

You also had Rudy Lombard from Xavier University, a freedom fighter; Archie Allen from Dillard University; Bill Harrell from Tulane; William Harper, who was at LSU; Hugh Murray, who was also at Tulane; and Joyce Taylor, who intended to enroll at Southern University.

Fortunately, unlike others who held sit-ins, these seven Southern students didn't have milkshakes thrown on

them. They were not beaten or bloodied. The seven students sat down at 10:30. Six police officers were on hand to keep the peace and did not try to remove the students. The students sat there determined for 2 hours.

Because of the demonstration, Woolworth blinked first. They decided to close early that day and they closed at 12:30, after the students had sat there for 2 hours.

These seven students and so many other civil rights activists are the shoulders on which we all stand. Unfortunately, the fight for equality is not over. We see this most clearly when we look at our criminal justice system. To date, the organization Black Lives Matter has launched a grassroots movement that has succeeded in exposing police brutality and making it front-page news.

The movement began in 2012, after the death of Trayvon Martin, who was killed by a neighborhood watchman on February 26, 2012. I would be remiss if I did not mention that yesterday was the fifth anniversary of Trayvon Martin's death.

Black Lives Matter is focused on all of the ways Black people are disempowered by the State, including police brutality. In addition to exposing police brutality and making it front-page news, Black Lives Matter, like the organizations during the civil rights movement, has attracted a diverse coalition of supporters.

The reality is not lost on African Americans. As I mentioned before, two of the protesters who sat in at the Woolworth store in Louisiana were White. If you go back to Philadelphia, Mississippi, where they found the three bodies of the civil rights workers who were registering people to vote, you saw Goodman, Chaney and Schwerner—one African American and two White Americans—who stuck together fighting in justice.

Dr. King said so eloquently: "Injustice anywhere is a threat to justice everywhere."

So as we talk about our organizations like SNCC, CORE, and SCLC, and we talk about Black Lives Matter, it reminds me of the time when Dr. King was sitting in the Birmingham jail, and seven—eight White religious leaders in the South criticized Dr. King, asking: Why he couldn't wait. Why did he have to force the issue? And why, as an outsider, he was down in Birmingham?

Dr. King responded and initially said: "I don't usually answer criticism because I would be doing it all day, but because I believe you to be eight men of goodwill, I will take the time to answer."

I just want to read you an excerpt of his answer because I think it is so appropriate when we think of our groups that are coming up now.

He said: "I think I should give the reason for my being in Birmingham,

since you have been influenced by the argument of 'outsiders coming in.' I have the honor of serving as president of the Southern Christian Leadership Conference, an organization operating in every Southern state, with headquarters in Atlanta, Georgia."

It then goes on to say: "So I am here, along with several members of my staff, because we were invited here. I am here because I have basic organizational ties here."

Then he goes on to say: "Beyond this, I am in Birmingham because injustice is here. Just as the eighth-century prophets left their little villages and carried their 'thus saith the Lord' far beyond the boundaries of their hometowns; and just as the Apostle Paul left his little village of Tarsus and carried the gospel of Jesus Christ to practically every hamlet and city of the Greco-Roman world, I too am compelled to carry the gospel of freedom beyond my particular hometown. Like Paul, I must constantly respond to the Macedonian call for aid."

So when you think of Black Lives Matter and other protests, the first comment is: We are outside agitators; why are they here?

They are here because injustice is here. So all marginalized groups must stand together in the fight against injustice. This was important during the civil rights movement and it is important now.

In that spirit, African Americans fully recognize the importance of not only joining movements in support of their rights, but also joining movements in support of the rights of others.

Standing Rock: Most recently, African Americans and others have stood with Native Americans at Standing Rock to protest the Dakota Access pipeline.

The Muslim ban: We have stood with the Muslim community to protest the Trump administration's controversial Muslim ban.

Then there was the Women's March, which was led by a diverse coalition of organizers and attracted millions of protesters across the Nation and the world to protest sexism and other gender issues. African Americans participated in the march, including several members of the Congressional Black Caucus.

Then we can talk about indivisible. African Americans and others have stood with their fellow constituents at recent townhalls to make sure that their Congressman or Congresswoman hears their voices on the Affordable Care Act and other issues. Some of these exercises in civic participation have been inspired by the guidebook "Indivisible," which, as the authors state, provides best practices on getting elected officials to listen.

Then there is Moral Mondays with Reverend William Barber. It began in

2013 after the Republicans took over the Governor's mansion and State legislature in the Tar Heel State for the first time in more than a century. On what was supposed to be the first and only Monday protest, Barber led a small group of clergy and activists to the State legislature to protest the State Republicans' efforts to block Medicaid expansion, cut unemployment benefits, and roll back voting rights. The next Monday, hundreds of protesters showed up, and hundreds soon became thousands. These protests became known as Moral Mondays, and they eventually spread across the South.

So let me just say that from SCLC to SNCC, to CORE, to "Indivisible," to Moral Mondays and Reverend Barber, to Black Lives Matter, people of like mind that fight for justice come together. And that, we learned from the civil rights movement, and that is our contribution to date to Black History Month and celebrating that civil protests and civil disobedience can change and make this a more perfect union.

Ms. PLASKETT. Mr. Speaker, I really was moved by the portion that Mr. RICHMOND talked about concerning outsiders coming to organizations and coming to protests, and saying possibly that they are outsiders.

No. We are all American, and we will join with other individuals in other areas that need our support and feel oppressed, and feel that justice has not been on our side. That has been the Black American experience. That is the American experience of civil protests and working for a more perfect union.

Mr. Speaker, I yield time to the gentleman from Texas (Mr. VEASEY), who also wants to speak about, as we close Black History Month, some of the accomplishments of Black Americans, of the Black movement here in the United States as we move to becoming a more perfect union, and how grassroots organizations have played a part in that role.

□ 2030

Mr. VEASEY. Mr. Speaker, I thank the gentlewoman from the Virgin Islands (Ms. PLASKETT) for leading this Special Order hour on the topic of Black History Month.

We have been doing this together and doing a really great job. I appreciate everything that the gentlewoman brings and the remarks she has made during this Black History Month time because it really is a time for us to reflect about the gains that have been made, about the progress that has been made. It is also a time to see where we can make some improvements, where we can make our Nation a more perfect Union, as we really look at things and not pretend that certain things don't exist, to really use history, use present day and see where we can come together, form some public policy to

really get the country moving forward and be inclusive for all people. I think that is so important.

For a long time now, one of the areas—it has been talked a lot about when it comes to civil rights—is grassroots and how those grassroots movements within the African-American community, particularly from a Black history perspective, really changed things here in our country.

For a long time, African Americans have long fought for the right for a fair chance of livable wages, improvement of on-the-job conditions, and the ability to provide basic necessities for our families, whether it was wages, fairness in working conditions. That was always one of the rights that we fought very hard for. Access to these basic rights that I just mentioned and privileges would not have been possible without groups of dedicated organizers working together to fight on behalf of larger progress.

The right to organize is not a new theory for change. Since reconstruction, organizing has helped level the playing field for all and continues to drive much of our Nation's progress.

The weekends that we enjoy, a lot of people—particularly when I was growing up in the Black community in Fort Worth, people looked forward to that end of the week. People looked forward to that getting-off time, that 40 hours a week. Those things were fought for. Those were gains that were made by sacrifice, by grassroots organizing. Much of that was done in the African-American community.

We know that even around the issue of progress and labor issues that much of it was tainted by race. Organized labor has been such a big part of the advancement of the African-American community. Early on, there were some issues with some trade organizations that were established by White workers, and African Americans had a hard time gaining their footing in those areas.

As a result of that, Black workers continued to push and organize. I think about one of Dr. King's quotes. It is one of my favorite quotes that he gave that is not mentioned that often. He was speaking to a group of laundry workers in 1962.

Dr. King said this to the laundry workers. He said: "As I have said many times, and believe with all my heart, the coalition that can have the greatest impact in the circle for human dignity here in America is that of the Negro and the forces of labor, because their fortunes are so closely intertwined."

More importantly, when Dr. King gave that speech, he wanted people to know that, not only are professional jobs, white-collar jobs, important, but he wanted the people that worked in that laundry room to know that their job was important, too. He pushed for

people, no matter whether they were garbage workers, sanitation workers, laundry workers, whatever they happened to be in life, to make sure that they had certain basic rights and privileges that other groups in this country enjoyed because he knew that that was going to be the vehicle that was going to provide economic mobility, upward mobility for the African-American community.

The very principle of economic opportunity for African Americans laid the groundwork for the civil rights movement that Dr. King was such a big part of. And we know that that played a big part in Dr. King and what happened during his death in 1968.

Ms. PLASKETT. Mr. Speaker, the gentleman from Texas (Mr. VEASEY) knows that people like he and I would never be here, never have been able to be educated without people who worked in laundry rooms, who were blue-collar workers, policemen, others. Those gains from Dr. King have afforded education and support and home ownership to the first group of Black Americans who moved into the middle class and are here in Congress now.

I yield to the gentleman from Texas (Mr. VEASEY).

Mr. VEASEY. Mr. Speaker, so many people that I have memories of, some are still here and some are gone, but they really laid the foundation for a Black middle class.

Maybe Granddaddy worked at the school and Grandmother worked at someone's house or maybe they were fortunate enough to have two good labor jobs where they made union wages, but it laid that groundwork for the foundation that we have today.

Dr. King was obviously a big part of that. Sadly, on April 4, 1968, he paid his life supporting the sanitation workers in Memphis, trying to push for them to have better wages.

When Dr. King died, it wasn't about trying to open up a restaurant to make sure that all people had access to that restaurant or some other place, to make sure that people could ride on the bus; it was to make sure that people had equal opportunity in this country, again, equal opportunity for upward mobility, equal opportunity to be able to take care of their families. I just really appreciate everything that he did.

We need to continue to mobilize and organize grassroots efforts around the income inequality in this country. The income inequality that we have in this country is very, very real.

You see productivity rising in our country. You see companies recording record productivity, but wages are stagnant. There used to be a time in this country that wages would go up when productivity of companies went up, and we are not seeing that anymore. I think that is really, really sad. We need to organize around that be-

cause all people need the opportunity to be able to advance as the country advances and as industry advances. I think that that is a big part of that.

Again, I thank all our colleagues that have come here tonight to organize, to carry the torch. We need to continue to find different ways that we can use grassroots movements in this country, not just looking back and reflecting on previous grassroots and events, but how we can learn from that history and how we can mobilize people today to better America, to better wages for all communities, for the African-American community, of course, as we celebrate and come toward the end of Black History Month, but Latino communities, White communities, people in the Rust Belt, and African-American communities in places like Gary, Indiana, that really saw their fortunes hurt more than many other parts of the country. We need to get together and work on that.

So I want to thank the gentlewoman from the Virgin Islands (Ms. PLASKETT). I know we have some other colleagues who are going to speak here tonight, and I thank them for being a part of this day.

Ms. PLASKETT. Mr. Speaker, I yield to the gentleman from Pennsylvania (Mr. EVANS) to speak on the issue of grassroots organizations.

I thank the gentleman for his leadership, all the work that he has done for the people of Philadelphia in his tenure. We welcome him here to the CBC hour and the information that he is going to share with us, as well as all Americans, on this topic.

Mr. EVANS. Mr. Speaker, in 1976, the United States Government officially recognized Black History Month.

Every February since, we take the time to reflect on the contributions African Americans have made to this great Nation. We stand on the shoulders of those who have paved the way not only for African Americans, but for all Americans: individuals such as Shirley Chisholm, who once was a Member of this body and the first African-American woman elected to the United States Congress; Congressman Parren Mitchell; Justice Thurgood Marshall; and my personal hero, Reverend Leon H. Sullivan, a civil rights leader and a social activist who understood jobs were the key to economic development and empowerment of African Americans.

Reverend Sullivan had a very simple statement: "Don't buy where you don't work." That is what Reverend Sullivan said: "Don't buy where you don't work."

Reverend Sullivan, who was on the board of General Motors, started something called OIC, that we all know about, in 1964. I was 10 years old when Reverend Sullivan started OIC Industrial Center.

Reverend Sullivan led a movement, a movement that 400 ministers led

against a baking company in the city of Philadelphia called Tastykake. That is where he said: "Don't buy where you don't work." That is a message that is still very relevant to where we are today. It is clear that we need to change the dynamics of this economic structure.

Despite the strides that some have made in our country, we still have a long way to go to make our country a more perfect Union. Tonight, we want to ensure that those who have joined, specifically at the grassroots, in the quest for justice and equality understand that we are still fighting. Communities across our Nation are struggling, and we have to continue to fight against policies and actions that will negatively impact them, including the repeal and inadequate replacement of the Affordable Care Act.

Constituents in my district rely on the Affordable Care Act heavily, and dismantling this law will be devastating and result in the loss of jobs. Those in my district want us to understand the hardships they are going through; thus, we must all ensure that we listen to the concerns of our communities.

I personally made it a point to visit hospitals, attend rallies, visit colleges, and reach out to the community. I serve because it is my job. I was elected to represent the people. We stand united with those at the grassroots movement who are fighting for justice for all.

Colleagues, let's continue to join with those who are pushing in the right direction, not just on Black History Month, but every month and every day and every moment. This is a rather unique opportunity in history, and we all can play a role in the change in the effort.

I am proud to be a member of the Congressional Black Caucus and to be standing with my colleagues here today, pushing the message and the conscience of this country that we are still not finished. From those whom I just mentioned and the shoulders that we stand on, we still have a lot of work.

I thank both of my colleagues for leading this effort and demonstrating it. I thank the chairman of the Congressional Black Caucus for his leadership.

Ms. PLASKETT. Mr. Speaker, I yield to the gentlewoman from Ohio (Mrs. BEATTY), who is also a member of the Congressional Black Caucus, who formerly led this Special Order hour and has been really a great mentor and support for us here in this time. She will also speak about some of the grassroots work that has been going on in the present time as well as in the past during this Special Order hour.

Mrs. BEATTY. Mr. Speaker, some would conclude that Black History Month comes to a close because we are

at the end of February, but the Congressional Black Caucus wants the Nation to know that we are prepared to share our agenda all year long.

The Congressional Black Caucus comes to the House floor tonight to commemorate those brave men and women who came before us to fight for justice, equality, civil rights, and voting rights for all. These are men and women who shaped our Nation in the hope it would one day become a more perfect Union for all Americans, no matter their creed or color.

□ 2045

I want to thank our Congressional Black Caucus chairman, Congressman CEDRIC RICHMOND, and our Special Order Hour coanchors, Congresswoman Stacy Plaskett and Congressman MARC VEASEY, my classmate, for hosting tonight's important discussion.

Mr. Speaker, you see, I grew up reading about soldiers of justice like Frederick Douglass, Harriet Tubman, Sojourner Truth, Nat Turner, Crispus Attucks, and so many more.

Then, Mr. Speaker, I lived through the legacy of legends and civil rights leaders like Rosa Parks, Dr. Martin Luther King, Jr., and Coretta Scott King, Malcolm X and Betty Shabazz, Congresswoman Shirley Chisholm, Maya Angelou, James Baldwin, and Fannie Lou Hamer, all heroes and heroes that allowed me to stand on their shoulders, to stand with them to continue to fight for justice and equality.

Today, we stand up during Black History Month, as 49 members of the Congressional Black Caucus, 49 strong, making our place in American history as African Americans, members like the iconic Assistant Leader JAMES CLYBURN, who you will hear from tonight; Congressman JOHN LEWIS; Chairman CEDRIC RICHMOND; Congresswoman MAXINE WATERS, who serves as the ranking member on the prestigious Financial Services Committee; Congresswoman MARCIA FUDGE, the 21st national president of Delta Sigma Theta Sorority; Senator KAMALA HARRIS, the second Black woman to serve in the United States Senate; Congresswoman ROBIN KELLY, chairwoman of our healthcare brain trust; and so many more who serve in Congress, and who served as mayors of cities, mayors like Congressman EMANUEL CLEAVER, Congresswoman BRENDA LAWRENCE, and so many more.

You see, Mr. Speaker, we are a part of that history. We are fighting. And so I tell you, I end with one of my favorite quotes by Martin Luther King, Jr.: "The ultimate measure of a man is not where he stands in moments of comfort and convenience, but where he stands at times of challenge and controversy."

Well, Mr. Speaker, it is clear that we are in a challenging time with the new Trump administration, and so I say to

you, we are fighting, we are uniting in a movement to fight for our democracy.

Ms. PLASKETT. Mr. Speaker, I yield to the gentleman from South Carolina (Mr. CLYBURN), the assistant leader of the Democratic Caucus, for him to speak on the matter that is before the House at this time, that being, grassroots movements in Black history and its importance and relevance for us here today.

Mr. CLYBURN. Mr. Speaker, I thank the gentlewoman for yielding to me and for the work she does with this Special Order. And I thank my friend from Texas (Mr. VEASEY), for allowing me to participate.

Mr. Speaker, thanks to the scholarship of Dr. Carter G. Woodson, and the perseverance of the Association for the Study of African American Life and History, we continue to lift up the contributions of and achievements of Black Americans.

The celebration of Black History Month has its roots in Black History Week, established back in 1926; and because of the urgings of Carter G. Woodson, the week was selected to be the second week of February in order to embrace the birthdays of Frederick Douglass and Abraham Lincoln.

Now, later, in fact, in 1969, students at Kent State University, after having experienced some turmoil on their campus back in 1968, as it took place on campuses in other places across the country—Jackson State in Mississippi, South Carolina State in South Carolina—students at Kent State decided, as a part of their redress, to expand the week to a month. So they, in 1970, celebrated what they called Black History Month.

Now, 6 years later, President Gerald Ford signed legislation creating Black History Month. When he signed that legislation, he said it was to honor the too-often neglected accomplishments of Black Americans.

The Association for the Study of African American Life and History is entrusted with the celebration every year, and it falls upon them to select a theme for each year. This year they have selected the theme which I think is very timely, "The Crisis in Black Education." Having started my professional career as a public school teacher, I totally embrace this particular topic for this year.

Throughout our history, especially post-Civil War history, there has always been a focus on Black education. As we all know, slaves were not allowed to be educated, and, as a result, when the Civil War came to a close, there was this big push to get the former slaves educated.

One of the leaders of that push was one of my heroes, Robert Smalls. Robert Smalls, though he was not allowed to be educated himself because he was born into slavery, used his God-given

intellect to study the currents of the Charleston Harbor and to study the whistles that were used on the ship that he was working on as a slave. He decided that he could, at some point, find his way to freedom.

Because he learned those currents so well, and because he became very proficient at studying the sounds of the whistles on the ships, one night, when the opportunity presented itself, he absconded The Planter that he was working on, navigated the waters out of the Charleston Harbor, picked up his wife and friends, and sailed them into freedom. And when he delivered that ship to the Union soldiers, he was rewarded with his freedom and a cash award.

Robert Smalls, after the war, went back to Beaufort and, in 1867, founded a school to educate the newly freed slaves. He also participated as a delegate to the 1868 South Carolina Constitutional Convention, and in that Convention, he authored and got passed a resolution that created the first free public schools for all in America.

He turned his wealth—or his financial reward into great wealth. And also, he became a very, I would say, successful politician. He served 10 years in the South Carolina Legislature and a total of 10 years here in this House of Representatives.

While he was participating in politics, Robert Smalls authored a piece of legislation that created what is now South Carolina State University. Therein lies a part of my presentation I would like to concentrate on tonight.

When South Carolina State University was created—I want to first get people to understand, there are more than 100 Historically Black Colleges and Universities in the country. Now, there is a difference between—we commonly call them HBCUs. There is a difference between an HBCU and what we call an MSI, a Minority Serving Institution. All HBCUs are MSIs, but not all MSIs are HBCUs, simply because the definition means that you must have been in existence before 1964.

We have had a lot of Minority Serving Institutions that have been created since 1964; to name just a few, Malcolm X College, Medgar Evers College. These are all Minority Serving Institutions. There are a lot of Hispanic Serving Institutions, but they are not necessarily HBCUs.

The reason I point this out, because here in this Congress, in this body, currently, 19 members of the Congressional Black Caucus are graduates of HBCUs. Now, the reason I point this out is because I think it is necessary for us to understand the role that these colleges and universities play in our society.

I often spend a lot of time with friends, many of whom are graduates of HBCUs, and I knew Astronaut Ronald McNair very well. I have a good friend,

a cardiologist, recently retired, David Dowdy. I also have a friend, a California businesswoman who I interact with quite a bit, Janice Howroyd. All three of these people graduated from North Carolina A&T State University.

I have talked a lot with another former Member, Carrie Meek, a former Member of Congress; her son, Kendrick Meek; former Congresswoman Corrine Brown; and the chairman of the board of Microsoft, John Thompson. All four of these individuals are graduates of Florida A&M University, an HBCU. These are people who have made significant and are making significant contributions in our thrust toward a more perfect union.

I came before this body several times the week before last highlighting some of the HBCUs that are in my congressional district. Of the more than 100 in the country, 8 of them are in South Carolina. Seven are in my congressional district. I talked about six of them when I came before this body before. Tonight I want to close out my discussion of these HBCUs by talking about two of them, Claflin University and South Carolina State University, both located adjacent to each other in Orangeburg, South Carolina.

□ 2100

Now, Claflin University was founded in 1869, by Methodist missionaries to provide education for newly freed slaves in order to prepare them for full citizenship. The university was named for William Claflin, then-Governor of Massachusetts, and his father, Lee Claflin, both prominent abolitionists and Methodists. They provided a large portion of the funds needed to purchase the land for the campus. Claflin is the oldest Historically Black College in South Carolina. In its beginning, it had a law school which was headed by former South Carolina Supreme Court Justice Jonathan Jasper Wright, the first African American to serve on South Carolina's highest court.

In 1948, under the leadership of its first alumnus to serve as president, Dr. John Seabrook, Claflin was accredited by the Southern Association of Colleges and Schools. It has always featured a strong music program, and the Claflin University collegiate choir performed at the 1965 World's Fair in New York. Claflin graduate and Kingstree, South Carolina native, Dr. Henry Tisdale has served as the university's president since 1994. Under his leadership, Claflin has thrived and grown to new heights. He has built Claflin to an enrollment of almost 2,000 students and consistently seen it ranked in the top 10 nationally for HBCUs. In 1999, through funds from the HBCU Historic Preservation program by this body, the historic Ministers' Hall was restored.

The auditorium at Ministers' Hall was named for former Chief Justice Ernest A. Finney, one of Claflin's most

notable graduates. Finney graduated from South Carolina State's law school and would go on to serve on the South Carolina Supreme Court from 1985 through 2000, including 6 years as Chief Justice. Early in his career, Ernest Finney represented the Friendship 9, a group of Rock Hill students who were jailed in 1961 for a sit-in in McCrory's lunch counter. In 2015, Finney represented the surviving eight members of this group to see their convictions overturned—54 years after they were originally prosecuted.

Claflin is still affiliated with the United Methodist Church and offers multiple master's degrees, as well as a highly regarded honors program. For 148 years, Claflin has been a beacon of hope and a place of refuge for those who desired a quality education regardless of race and/or gender.

Mr. Speaker, the final HBCU in this series is my alma mater, South Carolina State University. South Carolina State University has its roots in the Morrill Acts, the first of which was passed by Congress in 1862. The Morrill Act of 1862 created land grant colleges, a system of agriculture, science, and engineering and military science schools. One of the schools established under this law was Clemson University. But after Reconstruction ended, Southern States refused to admit African Americans to these institutions; consequently, Congress passed a second Morrill Act in 1890, which stipulated that Blacks must be included in the land grant system. Southern States had the choice to either admit Blacks to the 1862 institutions or create new land grant institutions which would be open to Blacks.

In South Carolina, by the 1890s, White supremacists had gained total control over State government. Though the State was still majority African American, through illegal and violent intimidation, extreme voter suppression, and outright fraud, Benjamin Tillman was elected Governor in 1890. The Constitutional Convention of 1895 subsequently codified White supremacy and the disenfranchisement of African Americans into the State's system of governance. When the United States Supreme Court sanctioned segregation the following year in *Plessy v. Ferguson*, segregation was firmly the law of the land.

This was the context for the founding, in 1896, of the Colored Normal, Industrial, Agricultural and Mechanical College of South Carolina, as South Carolina State was originally named. The State of South Carolina continued to resist but relented when land was acquired from Claflin University, and the campus of what is now known as South Carolina State University was born. It continues to be the only publicly supported HBCU in South Carolina.

Now, I know, Mr. Speaker, that I have consumed a lot of time, and I

don't want to take all of the time from my colleagues, so let me just close by saying this: South Carolina State's first president was a man named Thomas E. Miller who served as a Member of this body. Thomas Miller guided the school for several years. Notable graduates of this institution are folks like Dr. Benjamin Mays, the noted president of Morehouse College.

South Carolina State has a reputation as producing more African-American general officers than any other school in this country. I entered South Carolina State in 1957, and, of course, I was there during the turbulent sixties. It was my great honor to help organize the first sit-in in South Carolina. You talk about grassroots. That took place on March 15, 1960. Now, I was jailed as a result of that sit-in, but it just so happens that sometimes good things can come out of jail. While I was there, a young lady came to bring food. I was so grateful for that hamburger she gave me, I married her 18 months later, and if all goes well, come June 24, she and I will celebrate our 56th wedding anniversary.

Now, when all of these cases took place growing out of these demonstrations and sit-ins, one stands out which I will close with. I mentioned Kent State in 1968, Jackson State, and South Carolina State. A lot of people have heard of Kent State. Few people know about the deaths of three students and the injuries of 27 others in an incident called the Orangeburg massacre that took place in 1968, all over the integration of a bowling alley.

Mr. Speaker, I am going to close my comments by thanking the gentlewoman from the Virgin Islands for giving me this opportunity and the gentleman from Texas and thank them very much for highlighting Black History Month.

Mr. Speaker, it is impossible for me to really share the real impact that schools like Claflin, South Carolina State, and the over 100 other HBCUs have had on our great country. But, as I conclude our observance of Black History Month, I salute all of them and thank them for the indelible mark that they have made on the fabric of our Nation.

Ms. PLASKETT. I thank you so much, Mr. JAMES CLYBURN. There can never be enough time for you to tell these stories and to educate and highlight to all of us the experiences that you have had personally, as well as the importance of Black History Month, and particularly Historically Black Colleges and Universities to the fabric of the United States. Thank you so much, sir.

Mr. Speaker, as we have been discussing, often grassroots organizations are actually born out of necessity, not only because the system has not worked for them oftentimes, but sometimes because the system has been cre-

ated, has been reorganized, or is actively fighting against them. Virgin Islanders understand the importance and the value of grassroots organizations. It is our nature and our lifeblood. We are a small people on a small island who have a history that was born out of oppression. So the very need for grassroots organizations and people who are resilient and willing to resist and fight in a passionate manner has been our very nature.

Our first experience with grassroots organizations was in 1733, on the island of St. John in the Virgin Islands, which is probably the first slave uprising in the Western Hemisphere where a group of 150 slaves decided that they had had enough, and those Akwamu slaves of Ghana decided that they were going to throw off the shackles and rebel and organize themselves. They were so effective at it, Mr. Speaker, that they were able to hold the island of St. John for 6 months against the Danish Government. The Danes had to organize in such a manner that they brought the French and the Swiss Government to provide assistance to them. The slaves of St. John were quelled after that rebellion, but it took a grassroots group of organized individuals to be able to do that.

Again, on July 3 of 1848, many people don't know that the Virgin Islands became the second place in the Western Hemisphere to receive emancipation after Haiti. We did that on July 3, 1848, through the work of General Buddhoe. But what people do not know is that John Buddhoe had an enormous organizational group that plotted and planned for months before the actual staging of that uprising, which was so effective and so organized that when they went to storm the fort against an armed militia, the militia didn't realize that all of the gun powder had been taken out of the cannons and had been replaced with molasses. The slaves were so organized and so quiet and kept to themselves so much that they didn't even realize that it had been done.

The Governor of Denmark who was assigned to the Virgin Islands had to sign the emancipation on that date because he knew that this group of people were so organized that that rebellion could take the entire island out. So we received our emancipation earlier than the African Americans received theirs through that organization of grassroots.

Again, in October of 1878, the slaves had been moved not from slavery to slavery but to an organized serfdom where there were labor contracts that had to be signed. People were oppressed and living in what many here would understand as the sharecropping system but was really a serf system. Four women organized the labor rebellion at that time which we in the Virgin Islands call the Fireburn. They were

willing to burn the islands down for just wages for themselves and laborers throughout the islands. They forced the signed contracts to have much better wage laws in them, much better terms in them for individuals. Those women were imprisoned and sent to Denmark—many of them burned at the stake for that rebellion. But it was grassroots organizations that were able to do that.

More recently, in the 1950s, there was the creation of the Virgin Islands Labor Union, the organizing of cane workers and field workers. I am proud to say that my own uncle, Raymond Plaskett, was one of the organizers of that. They were able to force the sugar plantation owners, the sugar industry, to sit down and create unionized, collective bargaining labels. But we would be remiss as a people if we kept those organizational skills to ourselves, and we brought that to the United States as well.

Many people know about Denmark Vesey who organized slave rebellions in South Carolina. He did that as a free man, coming from the Virgin Islands and understanding that oppression anywhere of anyone was an oppression of himself, and gladly laid down his life and gave up his freedom to help organize the people of Charleston, South Carolina, that my great colleague, JAMES CLYBURN, represents to bring freedom to those individuals.

Hubert Harrison from the island of St. Croix was a civil rights activist. He was the mind of Pan-Africanism, along with Edward Blyden of St. Thomas, who gave form and shape to Marcus Garvey and his organizing of his Back-to-Africa movement.

□ 2115

More recently, Roy Innis, another relative of mine, was one of the leaders of CORE, the Congress of Racial Equality. Stokely Carmichael and Malcolm X are people of the Caribbean who have come to the United States and recognized that grassroots organizations must be formed to push for equal rights.

The accomplishments of the civil rights movement have given us much. It created the momentum of the Civil Rights Act, Brown v. Board of Education, the Voting Rights Act of 1965, ended housing discrimination, the desegregation of schools. We saw Democratic political gains and the March on Washington.

But we have organized groups still growing today, because equality has not come to its full fruition in America. There is still income equality, achievement gaps, poverty, unemployment, and an increase in the use of for-profit prisons that have incarcerated Black men disproportionately. Because of that, we have seen other movements now today: Black Lives Matter, founded in 2012 after the death of Trayvon

Martin; Moral Mondays, which began in April 2013 by the Reverend William Barber II of Greenleaf Christian Church in Goldsboro, North Carolina, after the Governor's mansion and the State legislature was taken over related to voting rights.

These are injustices that are continuing today, which African Americans and others are standing up for, whether it be Standing Rock or the Muslim ban. We had the March on Washington and the grassroots group Indivisible, which has grown with African Americans and others who stood with their constituents at recent townhalls to make sure that their Congressmen and -women hear their voices on all issues of importance.

Mr. Speaker, we understand that the people of the United States need to understand the importance of grassroots organizations as we end Black History Month. This has been an outstanding time for Congress, as well as the people of America, to hear about the grassroots organizations and how they may close.

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

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, the foundation of our democracy is built upon the strength of grassroots movements and our ability to organize. It is the will of the people—and not the will of a select few—that shapes our values as a nation. While leaders and institutions play an important role in our society, ultimately it is the people themselves who create the momentum to bring about the change that they would like to see throughout our society.

The Civil Rights Movement is a definitive example of the importance of grassroots movement. The Civil Rights Movement reshaped our society into one that affords equal rights and protection under the law for all Americans. But it was also a movement that began at the local level. From protests in Virginia over Brown vs. Board of Education to civil acts of disobedience in Montgomery, Alabama, the success and momentum of the movement was driven by grassroots movements all across the United States. Without it, it is difficult to say what kind of country the United States would be today.

The importance of grassroots movements remains clear as day, particularly in the 21st Century. The election of President Trump sparked countless protests across the country, while uniting millions of people globally as individuals came together in opposition to his hateful rhetoric targeting minorities, women, and other vulnerable segments of the population. It is this momentum that has manifested into the Women's March on Washington, which brought millions of people in cities around the world to march in support of human rights, racial equality, immigration reform, and other progressive ideals. It was a dramatic statement of opposition against the perceived wrongs and violations in our society, and it will help shape the nature of discourse for many years to come.

These social movements are crucial to our democracy. Grassroots movements serve as a

counterpoint to injustice and help provide a medium through which we as a people can communicate our ideals. As we honor Black History Month, we must look to the struggles of our ancestors in order to inform our decisions of today, or else we are doomed to repeat the same mistakes that already tarnish our history.

WEEK IN REVIEW

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 30 minutes.

Mr. GOHMERT. Mr. Speaker, we are back in session. We were out of session last week. It was great to get all over east Texas. It is just good to be an east Texan and from around east Texas. I had occasion to talk to a whole bunch of folks from part of my district, even tonight.

As I think about the headlines, I think about this group called Indivisible demanding townhalls, and I keep coming back to last Monday at Jack Ryan's restaurant in downtown Tyler. Tyler Young Professionals had asked me to speak there. I knew the gentleman that had white hair and looked distinguished was probably not one of the Tyler Young Professionals but probably one of the Indivisible people, the Democrats that—yes, some of them say they are nonpartisan, but so much for that. But I knew when I called on him to ask the first question, he probably wasn't one of the Tyler Young Professionals.

I offered to him, I said: Look, I give you my word. You come, bring somebody with you. Let's sit down at a conference table and I will hear you out. I will give you a chance.

No, he said. That is not what I want. I demand a townhall.

So I keep coming back to that answer because that seems to make very, very clear this whole Indivisible movement. It is not about being heard. That can be best done, as the Founders realized when they put together the Constitution—a complete democracy is where you have mob rule, that a majority is always going to prevail; but they figured out that, far better than having a big mob rule so you don't end up with lynchings and crowds convincing themselves to do something dramatic that they would never, ever do individually—it would be too much of a violation of their conscience. But there is something about a group dynamic that people can get whipped up into a frenzy as a group that doesn't happen when you sit down one-on-one with them.

So this has never been about townhalls. It has never been about being heard. It has been about headlines, trying to intimidate some of us from keeping the promises that we made to our constituents before we got elected.

I think God has a way of preparing us for what lies ahead. Had I not been a

felony judge for a decade and been threatened by all kinds of felons, then I might have been at least somewhat intimidated. But it all seems rather interesting, this frenzy. Really good, decent people get in a group and get worked up into a frenzy.

One of them did ask an interesting question there in east Texas on the east Texas Indivisible Facebook page: Well, what would be wrong with sitting down with him on an individual basis or something like that? That individual understood that, if all we want is to be heard, why wouldn't we just want to sit down and talk.

What that individual didn't understand is Indivisible is not about being heard. It is exactly about what is in the Indivisible playbook, the Guide. The idea is to disrupt those who won with a majority of the vote in congressional seats and Senate seats, disrupt those who won with a majority and prevent them from keeping their promises.

It reminded me somewhat of what happened back when George H.W. Bush was President. He had run saying, "Read my lips: no new taxes." I wasn't in politics back when he was running and saying that, but I sure got involved in late 1991, I guess December, and in 1992. I guess that was back in the 1988 election.

It cost him the 1992 election because he kept saying, "Read my lips: no new taxes." Then he had to deal with the majority of Democrats in the House and Senate. They kept luring, trying to suck him in: Come on, if we are going to reach an agreement, you are going to have to give up on that pledge just a little bit, just a little bit. We are not going to reach it. You are going to have to give up just a little bit. You are going to have to allow just a little bit of a tax.

After enough cajoling, they finally convinced George H.W. Bush that they were not going to allow the bill to go through unless he had at least a little bit of a tax increase. As soon as they lured him into that—kind of sounds like something that happened in the Garden of Eden. But as soon as they lured him into it and he agreed to a very small increase in taxes, then immediately the cries became: You are a liar. You broke your promise of no new taxes.

He got lured into it. He thought they were acting in good faith, when all they were trying to do was get him to break his promise so they could call him a liar. They lured him into it. They trapped him into it. He should have told them, "Read my lips: no new taxes." But being a benevolent man, he thought they were acting in good faith, as he was, and he found out differently. It cost him the 1992 election.

So we have people demanding: Oh, yes, just give us the townhall. That is all we want. Just give us the townhall.

They know and most of us, thank goodness, on my side of the aisle know, if we give the bullying mobs, what they are demanding when they are saying: We are going to harass you—as one man did—we are going to harass you at church, everywhere you go, until you finally give in, fine. No matter how big the mobs get, no matter how mean and frenzied they get, no matter how big of bullies they become, I know what I promised my constituents and I know what we have got to deliver.

I am starting to hear from people on my side of the aisle: Well, maybe we shouldn't repeal. Maybe we shouldn't do what we did in 2015.

Everything we did in 2015 was consistent with the rules that are in play right now. We ought to be able to do the same thing again. We should. We did it in 2015. We ought to be able to do it now—we just should—House Members and Senate Members. We had a majority both places then. We have got a majority now. We need to do it again.

We don't have to have this huge government program as a replacement. That is the beauty of a free market. But in order to have a free market, you have got to have honesty and integrity in the system. That means nobody on my side of the aisle, nobody in the Senate on the Republican side of the aisle, and nobody in the White House should be intimidated no matter how frenzied the insurance lobby may become about what we can't do.

Those same people embraced ObamaCare, which was about to destroy them. Some of them said: Well, you have got to understand we had to have a seat at the table. I tried to explain, you don't want a seat at the table when you are on the menu. But no, they dove in. Big Pharma and those folks dove right in.

Now, I could understand AARP jumping in and endorsing ObamaCare even though it cut Medicare by \$716 billion, even though it stabbed seniors in the back by dramatic cuts to Medicare. I could understand AARP endorsing ObamaCare. They were going to be able to sell more insurance than they had ever sold before.

I had seen 1 year before—I think it was 2007 or 2008—they had over \$4 million in profit, which is pretty good for a nonprofit, selling insurance or endorsing the policies that were sold. So, of course, then you get to the deal in ObamaCare that all these other policies are going to have an extra 2 percent tax on them, but not the kind of policies you sell.

I can understand AARP getting behind ObamaCare, even though it did so much damage to the health care of seniors because they were going to make a lot of money. No telling how much money they have made since ObamaCare passed.

I couldn't understand health insurance companies. I couldn't understand

Big Pharma. I guess I could, because they were going to make tens of billions of dollars more in the short run than they had made in the past. That is why President Obama got them to offer to give billions of it back. You don't get billions given back unless you are going to make a lot more billions than you put back. I am sure they did, but that was short term. If ObamaCare continued into the future, it wouldn't be—probably within the next decade that you would see them heading toward their demise.

□ 2130

But the big executives would be fine. They would have gotten their golden parachute and taken off with all the money that appeared to be rolling in at that point, even though the day of reckoning was going to come for them down the road.

But we shouldn't be listening to people who sold out knowing they will make money short term, but it probably will destroy them long term. People who were guided by the mentality that embraced that bill should not be dictating what is in the replacement plan. And I say plan, because when you are going to use free market to have a better healthcare environment, you have got to have free market; and you can't have free market unless everybody knows how much things cost.

I was seeing again tonight from constituents, people think they ought to know how much a medical visit costs. Whether it is Blue Cross, Aetna, Humana, Anthem, whether it is an HMO, whatever, they ought to know how much that costs, whoever is paying for it. Whether it is the government—whether it is the Federal Government, State government, whether it is an insurance company, people have a right to know what a medical visit, procedure, whatever it is—they have a right to know how much it costs.

Only when we have truth in treatment are we going to be able to fix so many of the wrongs in health care. Then we can move toward a free market, where insurance will have a high deductible. This is the ultimate goal, I think, where you have a high deductible, but you will have every dime of that deductible in a health savings account either put in there by your employer or by you. In a proper program, it ought to be every dime of it put in there pretax, no tax on that money that you put in there. I still believe that every dime that is put in there should then be marked for health care only. If the person owning that health savings account passes away before it is spent for health care, it ought to keep that healthcare designation and roll over into the heirs' health savings account. And if there are not heirs or it's not in the will, it could go to a charity's health savings account, as I feel sure you would have every worth-

while charity set up a health savings account that could be used to have people donate from their own health savings accounts to help the poor, help those who are chronically ill.

As a Christian, I believe God knew it blesses us, it helps us as individuals when we are charitable toward others. That does not mean when the government, with the threat of the IRS, some SWAT team behind them, or some threat to come take your home, all of your assets, says you will give so that we can give to who the government thinks should receive the charity—that is not charity. That is not charity at all. That is a much too powerful government.

What we find is that the United States has been the most charitable country in the history of the world. We have got a lot of benevolent Americans. Of course, that doesn't include George Soros. He makes his money. It seems like one of the ways he makes money is if he can topple an economy, bring it down; and through all of the suffering that is brought about, he makes money.

When we heard tape recordings made in the past year by people who were saying, "Oh, yeah, we funded the violence at those Trump rallies," or "We funded violence here, there or yon," or "We funded efforts to help bring down this activity or that activity," then it sure seems like that is worthy of investigation, because what you have when you have people giving money to create violence at events, some people would call that basically a racketeer influenced and corrupt organization, RICO. It ought to be worthy of investigation. If people are giving money when they should know that money is going to be contributed to create chaos, get somebody hurt, then it sure seems like that is the kind of criminal conduct people have gone to prison for.

I hope our new Justice Department will continue its trend toward getting out of litigation that they never should have been in in the first place and getting in where there is corruption. We know under the Attorney General Eric Holder that as long as the people who were carrying billy clubs and threatening voters outside of polling places were Democrats, then certainly they did not need to be investigated, nothing needed to be done to them because they are Democrats. Apparently under that old Department of Justice that was just about them, just us, then as long as it is one of us, we don't need to prosecute them. But, whoa, if it is a Republican, yeah, we need to go after them.

But the great irony is there could be no greater dissolution of the right to vote when then loading the deck with people who have no right to vote, who vote and completely dissolve law-abiding people's right to vote, you just canceled out their right to vote with illegality. So it seems strange to some of

us that you would have a Justice Department that would say: No, no, no, don't you dare purge those records of the dead people. You have got to leave those dead people in. Some of those dead people may want to vote. It is important to let dead people vote if they feel like voting.

To have a Department of Justice that doesn't want counties to clean up their voter registration so that there can't be fraud, people that are dead, people that are living in other States or other voting districts don't come and also vote there. It just was incredible lawlessness to have a Department of Justice fighting against cleaning up voter registration rolls so that only people alive and living in that district could vote.

Why would anybody do that? Why would anybody fight against cleaning up voter registration?

The only reason I can think of conceivably would be they must still want people who are dead or don't live there to vote illegally. What else could there be?

I mean, there are some people willing to have the Department of Justice: We are even okay if you supervise to make sure we don't throw out somebody who is alive. But this Justice Department under President Obama's administration, they didn't want voter registration rolls cleaned up.

The lawlessness, thankfully, has come to an end. I know that there are people who have been stirring up fear in American hearts about Jeff Sessions, but Jeff Sessions is a good man. He is a good person. He will enforce the law fairly across the board, and I am grateful that we finally have a Justice Department that will be about justice.

In the meantime, I saw this story today from Peter Hasson from *The Daily Caller*:

"Leaked audio from an anti-Trump protest group meeting reveals activists with anti-Trump group Indivisible plotting how to best manufacture a hostile environment at a town hall with Republican Sen. BILL CASSIDY in Breaux Bridge, Louisiana. . . .

"The audio, obtained by local radio station KPEL, reveals a coordinated effort to create the public impression that Cassidy's support for Trump is unpopular with his constituents. The activists, who describe themselves as liberals in the audio, can be heard strategizing how to best turn a local town hall into a political victory.

"The activists split up into an 'inside team'—tasked with occupying 'as many seats as we can' and an 'outside team,' whose job was to 'give the media the coverage they want' before joining the others inside. Activists were instructed to dress like conservatives and leave at home 'any signifier that you're a liberal' in order to blend in with constituents.

"The leftist activists strategized how best to 'dominate' the question-and-an-

swer section of the town hall and keep anyone 'sympathetic' to Cassidy from asking a question.

"The audio also reveals the activists laughing about 'the poor people of Breaux Bridge'—local constituents—who might get stuck behind them. Local news coverage of the town hall said that 'many attendees were turned away' from the town hall due to 'capacity restrictions.'

"Game plan number one is to fill as many seats as we can, right? If it's all of us in there and the poor people of Breaux Bridge are sitting behind us, well then tough luck for them,' said one organizer, identified by KPEL as James Proctor. His 'poor people' comment drew laughs from the other activists.

"If we can arrange it so he doesn't hear one sympathetic question—great. That only magnifies our impact,' Proctor said.

"KPEL identified Proctor as the leader of Indivisible Acadiana, a local branch of the national Indivisible organization, which has organized hostile Republican town halls all around the country.

"The Indivisible Guide does say that when you start to lose the meeting, that's when you boo and hiss,' one unidentified activist can be heard saying. 'Right, I was going to say that,' another activist replied. Local news outlet *The Advertiser* reported that members of the crowd 'frequently interrupted, expressing disagreement with some of Cassidy's positions and shouting out their own questions.'

"The outside team will join the inside team in the hall after media coverage'. . . 'So what we'll do is we'll try to dominate enough, because—remember, the camera people especially are looking for some 'b-roll' and some quotes.'

"They've got three or four things to cover that day, this is just one of them'. . . 'So we make sure we give them the coverage they want, and then everyone breaks and goes inside.'"

That reminds me of an article that was written in Gregg County, the largest newspaper. Obviously they know what Indivisible is, and they were demanding a townhall belittling me. It just shows how partisan, how malicious. They showed their malice toward me repeatedly. Fortunately, for the people of east Texas, they don't count for a whole lot. Their opinion is so biased; it is what it is. They know that these people are doing just what is talked about here, what is talked about in the Indivisible handbook, and that is what they want. They want me out of office, and there is such a problem with envy, with emotions that I have just never had like that. They can't stand it.

So, anyway, here is one, Todd Starnes from FOX News, today's article:

"A group of enraged protesters exploded in anger after a chaplain prayed in the name of Jesus at a town hall meeting in Louisiana hosted by U.S. Sen. Bill Cassidy.

"The verbally-abusive crowd"—and it is talking about this same townhall that this tape came from, where they were plotting and planning to disrupt and to keep the people from Breaux Bridge from actually being able to participate in their own townhall.

□ 2145

Anyway:

"Louisiana State chaplain Michael Sprague and the unidentified Vietnam War veteran should be commended for maintaining their composure in the face of verbal barbarism.

"The February 22, town hall meeting in Metairie, was quickly overrun by the angry mob—much like other town hall meetings hosted by Republican lawmakers across the country.

"The mainstream media would have us believe the unruly demonstrations are part of an organic, grassroots effort.

"But I sincerely doubt many in the mob were actually residents of Louisiana—because I know the good people of Louisiana and nobody behaves like that in the Bayou State.

"Folks are raised right in Cajun Country. There's no way anybody would embarrass their mommas by acting the fool in public.

"I'd be willing to bet a cup of Community Coffee that the Jesus-hating rabble-rousers were shipped in from some God-forsaken place like Berkeley or Brooklyn."

Now, I don't agree on Brooklyn.

Anyway:

"Chaplain Sprague had barely invoked the name of the Almighty when the heckling began.

"Pray on your own time. This is our time,' someone shouted. 'Amen. Let's get on with it.'

"Others chanted, 'Separation of church and state' and so on and so forth. Someone filmed the prayer and words do not do justice to the amount of hate directed at the chaplain.

"I've never been shouted down throughout a time of prayer like that,' Chaplain Sprague told me. 'I've never been in a situation like that. It's sad there wasn't honor and respect for God.'

"But they became absolutely unhinged when he concluded his prayer in the name of Jesus.

"Wow, they booed the name of Jesus,' Cassidy said in remarks reported by the *Times-Picayune*.

"I thought several of the agitators were going to spontaneously combust.

"The chaplain said the overwhelming majority of people in the room were causing a disruption—but he harbors no ill will toward the mob.

"I'm not mad at people. My heart is bigger than that,' he said. 'My heart's

prayer is that everybody be treated with dignity and respect.’

“The chaplain was especially disappointed by how the mob insulted the Vietnam War veteran.

“‘There was a lot of shouting. Some turned their backs. Many didn’t stand or put their hand on their heart,’ he said.

“Infuriating, but not surprising.

“As I wrote in ‘The Deplorables’ Guide to Making America Great Again’ liberals have a strong aversion to President Trump, Jesus and Old Glory.

“But I still have hope in America.”

And I share that.

There is a lot to be grateful for, but one is not this article from CBN News in Jerusalem, Israel:

“A Palestinian Arab terrorist convicted of murdering two Israeli university students is one of the leaders of the feminist protest movement against U.S. President Donald Trump.

“Rasmeah Yousef Odeh, a member of the Popular Front for the Liberation of Palestine, is helping to organize a ‘Day without a Woman’ on March 8, Arutz Sheva quotes reports in The New York Post and The Guardian.”

In 1969, Odeh was sentenced to life in prison for planting explosives that kill people and is now out leading organized resistance to the President of the United States and to law and order. It is tragic.

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

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker’s table and, under the rule, referred as follows:

S. 442. An act to authorize the programs of the National Aeronautics and Space Administration, and for other purposes; to the Committee on Science, Space, and Technology.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o’clock and 49 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, February 28, 2017, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker’s table and referred as follows:

628. A letter from the Acting Under Secretary of Defense for Personnel and Readiness, Department of Defense, transmitting the Annual Report of the Reserve Forces Policy Board for Fiscal Year 2016, pursuant to 10 U.S.C. 113(c)(2); Public Law 87-651, Sec. 202 (as amended by Public Law 112-239, Sec.

1076(f)(1)); (126 Stat. 1951); to the Committee on Armed Services.

629. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of General Herbert J. Carlisle, United States Air Force, and his advancement to the grade of general on the retired list, pursuant to 10 U.S.C. 1370(c)(1); Public Law 96-513, Sec. 112 (as amended by Public Law 104-106, Sec. 502(b)); (110 Stat. 293); to the Committee on Armed Services.

630. A letter from the Acting Secretary, Department of Health and Human Services, transmitting notification that a public health emergency of national significance exists in the Commonwealth of Puerto Rico relating to pregnant women and children born to pregnant women with Zika, pursuant to 42 U.S.C. 247d(a); Public Law 107-188, Sec. 144(a); (116 Stat. 630); to the Committee on Energy and Commerce.

631. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 16-116, pursuant to Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

632. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 16-115, pursuant to Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

633. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 15-140, pursuant to Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

634. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 16-108, pursuant to Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

635. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-678, “Omnibus Alcoholic Beverage Regulation Amendment Act of 2016”, pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

636. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-655, “Elderly Tenant and Tenant with a Disability Protection Amendment Act of 2016”, pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

637. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-677, “Fair Criminal Record Screening for Housing Act of 2016”, pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

638. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-656, “Council Financial Disclosure Amendment Act of 2016”, pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

639. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-657, “Condominium Owner Bill of Rights and Responsibilities Amendment Act of 2016”, pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

640. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-665, “Regulation of Landscape Architecture and Professional Design Firms

Amendment Act of 2016”, pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

641. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-685, “Land Disposition Transparency and Clarification Amendment Act of 2016”, pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

642. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-676, “Death Certificate Gender Identity Recognition Amendment Act of 2016”, pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

643. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-659, “Downtown Business Improvement District Amendment Act of 2016”, pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

644. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-687, “Advisory Neighborhood Commissions Omnibus Amendment Act of 2016”, pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

645. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-673, “Fair Credit in Employment Amendment Act of 2016”, pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

646. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-674, “Urban Farming and Food Security Amendment Act of 2016”, pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

647. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-686, “First-time Homebuyer Tax Benefit Amendment Act of 2016”, pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

648. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-666, “Washington Metrorail Safety Commission Establishment Act of 2016”, pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

649. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-668, “Uniform Electronic Legal Material Act of 2016”, pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

650. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-684, “Wage Theft Prevention Clarification and Overtime Fairness Amendment Act of 2016”, pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

651. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-683, “Snow Removal Agreement Authorization Amendment Act of 2016”, pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

652. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-670, “Nationals Park and Ballpark

District Designated Entertainment Area Signage Regulations Amendment Act of 2016", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

653. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-682, "Universal Paid Leave Amendment Act of 2016", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

654. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-679, "Office of Out of School Time Grants and Youth Outcomes Establishment Act of 2016", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

655. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-680, "Bryant Street Tax Increment Financing Act of 2016", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

656. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-671, "Rail Safety and Security Amendment Act of 2016", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

657. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-675, "Fisheries and Wildlife Omnibus Amendment Act of 2016", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

658. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-667, "Stun Gun Regulation Amendment Act of 2016", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

659. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-672, "Collaborative Reproduction Amendment Act of 2016", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

660. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-658, "Vehicle-for-Hire Accessibility Amendment Act of 2016", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

661. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-664, "Specialty Drug Copayment Limitation Act of 2016", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

662. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-662, "Chancellor of the District of Columbia Public Schools Salary and Benefits Authorization Temporary Amendment Act of 2017", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

663. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-660, "Youth Services Coordination Task Force Temporary Amendment Act of 2017", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

664. A letter from the Chairman, Council of the District of Columbia, transmitting D.C.

Act 21-661, "Medical Respite Services Exemption Temporary Amendment Act of 2017", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

665. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-663, "Pharmaceutical Detailing Licensure Exemption Temporary Amendment Act of 2017", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

666. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-681, "District of Columbia State Athletics Consolidation Act of 2016", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

667. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-669, "State Board of Education Omnibus Amendment Act of 2016", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

668. A letter from the Secretary, Department of Transportation, transmitting the Department's Annual Report for 2015 on Disability-Related Air Travel complaints, pursuant to 49 U.S.C. Sec. 41705(c)(3); Public Law 103-272, Sec. 41705(c)(3) (as added by Public Law 106-181, Sec. 707(a)(3)); (114 Stat. 158); to the Committee on Transportation and Infrastructure.

669. A letter from the Acting Under Secretary of Defense for Policy, Department of Defense, transmitting a letter authorizing the Secretary of Defense, in coordination with the Secretary of State, to provide assistance to military and other security forces of or associated with the Government of Iraq for the purposes of countering the Islamic State in Iraq and the Levant (ISIL) and securing the territory of Iraq, pursuant to Department of Defense Appropriations Act, 2016 (division C of P.L. 114-223), and with P.L. 113-219, Sec. 1236; jointly to the Committees on Foreign Affairs and Armed Services.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CHAFFETZ: Committee on Oversight and Government Reform. H.R. 1009. A bill to amend title 44, United States Code, to require the Administrator of the Office of Information and Regulatory Affairs to review regulations, and for other purposes (Rept. 115-19, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. COLLINS of Georgia: Committee on Rules. House Resolution 150. Resolution providing for consideration of the bill (H.R. 998) to provide for the establishment of a process for the review of rules and sets of rules, and for other purposes, and providing for consideration of the joint resolution (H.J. Res. 83) disapproving the rule submitted by the Department of Labor relating to "Clarification of Employer's Continuing Obligation to Make and Maintain an Accurate Record of Each Recordable Injury and Illness" (Rept. 115-20). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on the Judiciary discharged from further consideration. H.R. 1009

referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. McHENRY (for himself and Ms. VELÁZQUEZ):

H.R. 1219. A bill to amend the Investment Company Act of 1940 to expand the investor limitation for qualifying venture capital funds under an exemption from the definition of an investment company; to the Committee on Financial Services.

By Mr. LYNCH (for himself, Mr. CULBERSON, Mr. MOULTON, Ms. TSONGAS, Mr. CAPUANO, Mr. CHABOT, Mr. NEAL, Mr. KEATING, Mr. MCGOVERN, Mr. KENNEDY, and Ms. CLARK of Massachusetts):

H.R. 1220. A bill to establish the Adams Memorial Commission to carry out the provisions of Public Law 107-62, and for other purposes; to the Committee on Natural Resources.

By Mr. FORTENBERRY (for himself and Mr. CROWLEY):

H.R. 1221. A bill to seek the establishment of and contributions to an International Fund for Israeli-Palestinian Peace; to the Committee on Foreign Affairs.

By Mr. BILIRAKIS (for himself and Mr. SCHIFF):

H.R. 1222. A bill to amend the Public Health Service Act to coordinate Federal congenital heart disease research efforts and to improve public education and awareness of congenital heart disease, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BILIRAKIS (for himself, Mr. BUTTERFIELD, and Mr. MCCAUL):

H.R. 1223. A bill to amend the Federal Food, Drug, and Cosmetic Act to authorize an extension of exclusivity periods for certain drugs that are approved for a new indication for a rare disease or condition, and for other purposes; to the Committee on Energy and Commerce.

By Mr. ABRAHAM (for himself, Mr. SMITH of Texas, Mr. LUCAS, Mrs. COMSTOCK, and Mr. KNIGHT):

H.R. 1224. A bill to amend the National Institute of Standards and Technology Act to implement a framework, assessment, and audits for improving United States cybersecurity; to the Committee on Science, Space, and Technology.

By Mr. CONNOLLY:

H.R. 1225. A bill to award a Congressional Gold Medal to Edwin Cole "Ed" Bearss, in recognition of his contributions to preservation of American Civil War history and continued efforts to bring our nation's history alive for new generations through his interpretive storytelling; to the Committee on Financial Services.

By Mr. CROWLEY (for himself and Mr. SMITH of New Jersey):

H.R. 1226. A bill to require reporting on acts of certain foreign countries on Holocaust era assets and related issues, and for other purposes; to the Committee on Foreign Affairs.

By Mr. GARRETT (for himself, Ms. GABBARD, and Mr. TAYLOR):

H.R. 1227. A bill to limit the application of Federal laws to the distribution and consumption of marihuana, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on

the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HARPER (for himself and Mr. BRADY of Pennsylvania):

H.R. 1228. A bill to provide for the appointment of members of the Board of Directors of the Office of Compliance to replace members whose terms expire during 2017, and for other purposes; to the Committee on House Administration.

By Ms. LEE (for herself and Mr. JONES):

H.R. 1229. A bill to repeal Public Law 107-40; to the Committee on Foreign Affairs.

By Ms. LEE (for herself and Mr. JONES):

H.R. 1230. A bill to repeal the Authorization for Use of Military Force Against Iraq Resolution of 2002; to the Committee on Foreign Affairs.

By Mr. MCCAUL (for himself, Mr. BUTTERFIELD, Mr. DUFFY, and Ms. CLARKE of New York):

H.R. 1231. A bill to amend the Federal Food, Drug, and Cosmetic Act to establish a program to increase the development of new drugs to treat pediatric cancers, and for other purposes; to the Committee on Energy and Commerce.

By Ms. MCCOLLUM:

H.R. 1232. A bill to amend title 44, United States Code, to require each Federal agency to maintain and preserve data assets of the agency, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. MCNERNEY (for himself and Mr. GARAMENDI):

H.R. 1233. A bill to direct the Administrator of the Federal Emergency Management Agency to establish an emergency flood activity pilot program to assist flood response efforts in response to a levee failure or potential levee failure, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. MEEHAN (for himself, Mr. HOLDING, and Mr. BUTTERFIELD):

H.R. 1234. A bill to amend the Internal Revenue Code of 1986 to make certain contract research eligible for the research credit; to the Committee on Ways and Means.

By Mr. NEAL (for himself, Mr. BARR, and Mr. KELLY of Pennsylvania):

H.R. 1235. A bill to require the Secretary of the Treasury to mint coins in recognition of the 60th Anniversary of the Naismith Memorial Basketball Hall of Fame; to the Committee on Financial Services.

By Mr. QUIGLEY (for himself, Ms. JAYAPAL, Ms. LOFGREN, Mr. CONYERS, Mr. CUMMINGS, Ms. SCHAKOWSKY, Ms. MOORE, Mr. SOTO, Mr. MCGOVERN, Ms. ROYBAL-ALLARD, Mr. CICILLINE, Mr. GUTIERREZ, Mr. VARGAS, and Mr. BLUMENAUER):

H.R. 1236. A bill to discontinue a Federal program that authorizes State and local law enforcement officers to investigate, apprehend, and detain aliens in accordance with a written agreement with the Director of U.S. Immigration and Customs Enforcement and to clarify that immigration enforcement is solely a function of the Federal Government; to the Committee on the Judiciary.

By Mr. LAHOOD:

H. Res. 151. A resolution honoring the life of former Minority Leader of the House of Representatives, Robert Henry "Bob" Michel; considered and agreed to.

By Mr. GIBBS (for himself, Mr. MCCLINTOCK, Mr. HUNTER, Mr. MAR-

SHALL, Mr. JODY B. HICE of Georgia, Mr. MESSER, Mr. BABIN, Mrs. WAGNER, Mr. BRADY of Texas, Mr. DENHAM, Mr. MARINO, Mr. FRANKS of Arizona, Mr. LEWIS of Minnesota, Mr. HENSARLING, Mr. THOMAS J. ROONEY of Florida, Mr. GAETZ, Mr. ROGERS of Alabama, Mr. KING of Iowa, Mr. DESJARLAIS, Mrs. NOEM, Mr. YOHO, Mr. GOSAR, Mr. CRAMER, Mr. HARPER, Mr. WESTERMAN, Mr. SMUCKER, Mr. GRAVES of Missouri, Mr. THOMPSON of Pennsylvania, Mr. CULBERSON, Mr. MITCHELL, Mr. RENACCI, Ms. JENKINS of Kansas, Mr. JONES, Mr. LATTI, Mr. YOUNG of Iowa, and Mr. GROTHMAN):

H. Res. 152. A resolution expressing the sense of the House of Representatives that clean water is a national priority, and that the June 29, 2015, Waters of the United States Rule should be withdrawn or vacated; to the Committee on Transportation and Infrastructure.

By Mr. AL GREEN of Texas (for himself and Mr. POE of Texas):

H. Res. 153. A resolution expressing concern over the detainment of Sandy Phan-Gillis, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KENNEDY (for himself, Ms. MATSUI, Mr. ENGEL, Mr. SCHRADER, Mr. SARBANES, Ms. CASTOR of Florida, and Mr. Cárdenas):

H. Res. 154. A resolution of inquiry requesting the President of the United States and directing the Secretary of Health and Human Services to transmit certain information to the House of Representatives relating to plans to repeal or replace the Patient Protection and Affordable Care Act and the health-related measures of the Health Care and Education Reconciliation Act of 2010; to the Committee on Energy and Commerce.

By Mr. LEWIS of Georgia:

H. Res. 155. A resolution expressing support for designation of the month of February 2017 as "National Teen Dating Violence Awareness and Prevention Month"; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. RYAN of Ohio introduced a bill (H.R. 1237) for the relief of Amer Numan Othman; which was referred to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. MCHENRY:

H.R. 1219.

Congress has the power to enact this legislation pursuant to the following:

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises,

to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. LYNCH:

H.R. 1220.

Congress has the power to enact this legislation pursuant to the following:

Article 1 section 8 Clause 3 of the United States Constitution.

By Mr. FORTENBERRY:

H.R. 1221.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority for this bill is pursuant to Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. BILIRAKIS:

H.R. 1222.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Article I, Section 8, Clause 1 of the Constitution of the United States.

By Mr. BILIRAKIS:

H.R. 1223.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1, which gives the Congress the authority to provide for the general welfare of the United States. Additionally, under Article I, Section 8, Clause 8 which gives Congress the power to promote the progress of science and useful arts by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries.

By Mr. ABRAHAM:

H.R. 1224.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18:

The Congress shall have power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department of Officer thereof.

Mr. CONNOLLY:

H.R. 1225.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. CROWLEY:

H.R. 1226.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 Clause 3

By Mr. GARRETT:

H.R. 1227.

Congress has the power to enact this legislation pursuant to the following:

'The Constitution of the United States', Article 1, Section 8, Clause 3; and

'The Constitution of the United States', Article 1, Section 8, Clause 18.

By Mr. HARPER:

H.R. 1228.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution, which grants Congress the authority to make laws governing the commerce among several states, including employment discrimination laws.

By Ms. LEE:

H.R. 1229.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and

interpreted by the Supreme Court of the United States.

By Ms. LEE:

H.R. 1230.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. MCCAUL:

H.R. 1231.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clauses 3 and 18 of the Constitution

By Ms. MCCOLLUM:

H.R. 1232.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution

By Mr. MCNERNEY:

H.R. 1233.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the United States Constitution.

By Mr. MEEHAN:

H.R. 1234.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Article I, Section 8.

By Mr. NEAL:

H.R. 1235.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8. "The Congress shall have the power . . . to coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures."

By Mr. QUIGLEY:

H.R. 1236.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the U.S. Constitution

By Mr. RYAN of Ohio:

H.R. 1237.

Congress has the power to enact this legislation pursuant to the following:

"The Congress enacts this bill pursuant to Clause 18 of Section 8 of Article I of the United States Constitution."

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 20: Mrs. BUSTOS, Ms. BROWNLEY of California, and Mr. BRADY of Pennsylvania.

H.R. 33: Mr. STIVERS.

H.R. 38: Mr. FLEISCHMANN.

H.R. 99: Ms. PINGREE.

H.R. 111: Mr. STIVERS.

H.R. 113: Ms. CLARK of Massachusetts, Ms. STEFANIK, Mr. CARBAJAL, Ms. SLAUGHTER, and Mr. HIGGINS of New York.

H.R. 160: Ms. SLAUGHTER and Mr. POLIS.

H.R. 184: Mr. FERGUSON.

H.R. 227: Mr. TONKO, Mr. RUPPERSBERGER, Mr. KIND, Mr. YOUNG of Iowa and Mr. SOTO.

H.R. 233: Mr. HIGGINS of New York, Mr. LOESACK, Mr. FITZPATRICK, Mr. ZELDIN, and Ms. PINGREE.

H.R. 257: Mr. LAMALFA, Mr. DONOVAN, and Mr. GOSAR.

H.R. 350: Mr. RUTHERFORD, Mr. GUTHRIE, Mr. WEBSTER of Florida, Mr. JENKINS of West Virginia, Mr. COLLINS of New York, Mr. COMER, and Mr. FARENTHOLD.

H.R. 367: Mrs. HARTZLER and Mr. CHABOT.

H.R. 371: Ms. FRANKEL of Florida, Mr. PAYNE, Mr. RUPPERSBERGER, Ms. CLARKE of New York, Mr. THOMPSON of California, Mr. MCEACHIN, Mr. LEWIS of Georgia, and Mr. VARGAS.

H.R. 379: Mr. HIGGINS of New York.

H.R. 390: Mr. GARRETT and Mr. COOK.

H.R. 391: Mr. GRAVES of Georgia.

H.R. 392: Ms. ADAMS, Mr. CICILLINE, Mr. PANNETTA, Mr. DESAULNIER, Mr. MITCHELL, Mr. CULBERSON, Mr. HIMES, Mr. VALADAO, Mr. THOMPSON of Mississippi, Mr. PETERS, Mr. FLEISCHMANN, Mr. WELCH, and Mr. KING of New York.

H.R. 412: Mrs. WATSON COLEMAN.

H.R. 417: Ms. NORTON.

H.R. 421: Mr. LAMALFA and Mr. FASO.

H.R. 448: Ms. NORTON, Ms. MATSUI, Mr. MCNERNEY, Mr. SCHIFF, and Mr. RUIZ.

H.R. 449: Mr. BILIRAKIS and Mr. THOMAS J. ROONEY of Florida.

H.R. 525: Mr. HIGGINS of Louisiana.

H.R. 544: Mr. COFFMAN.

H.R. 547: Mr. EVANS.

H.R. 548: Mr. RUIZ and Mr. SENSENBRENNER.

H.R. 553: Mr. ROE of Tennessee, Mr. HUDSON, Mr. WALKER, Mr. LAMBORN, and Mr. ALLEN.

H.R. 564: Mr. MICHAEL F. DOYLE of Pennsylvania.

H.R. 620: Mr. AGUILAR and Mr. ABRAHAM.

H.R. 625: Mrs. WATSON COLEMAN.

H.R. 632: Mr. TAKANO, Mr. RODNEY DAVIS of Illinois, Mr. RASKIN, and Mr. KILMER.

H.R. 635: Mr. YARMUTH.

H.R. 656: Mr. LUETKEMEYER, Mr. ALLEN, and Mrs. ROBY.

H.R. 662: Mr. POCAN.

H.R. 669: Ms. PINGREE.

H.R. 686: Ms. GABBARD.

H.R. 708: Mr. ROKITA and Mr. HARPER.

H.R. 721: Ms. PINGREE, Mr. COFFMAN, Mr. PEARCE, Ms. SLAUGHTER, Mr. GRAVES of Missouri, Mr. HARPER, Mr. MEEHAN, Mr. ROGERS of Alabama, Ms. DELBENE, Mr. JENKINS of West Virginia, Mr. ZELDIN, Ms. KELLY of Illinois, Mr. MCGOVERN, Mr. THOMPSON of Pennsylvania, Mr. CÁRDENAS, Mr. CARTWRIGHT, Mr. SENSENBRENNER, Mr. JONES, and Ms. KAPTUR.

H.R. 723: Mrs. LOVE and Mr. PERLMUTTER.

H.R. 747: Mr. VARGAS, Mr. DENT, Mrs. WAGNER, Ms. DEGETTE, Mr. SIRES, Mr. TIPTON, Ms. BONAMICI, Mr. DAVIDSON, Mr. COLLINS of New York, Mr. FASO, Mr. WENSTROP, Mr. PETERS, Mrs. WATSON COLEMAN, Mr. RODNEY DAVIS of Illinois, Mrs. BEATTY, Mr. MAST, Mr. JOYCE of Ohio, Mr. HIGGINS of New York, Mr. YARMUTH, Mrs. COMSTOCK, Mr. SCOTT of Virginia, Ms. BROWNLEY of California, Mr. LAMBORN, and Mr. MARINO.

H.R. 748: Ms. CLARK of Massachusetts and Mr. PALLONE.

H.R. 754: Mr. DONOVAN.

H.R. 755: Mr. SMITH of Missouri.

H.R. 757: Mrs. BEATTY, Mr. MCGOVERN, Ms. KAPTUR, and Ms. MCCOLLUM.

H.R. 760: Mr. LANGEVIN and Mr. THOMPSON of Pennsylvania.

H.R. 770: Ms. DELAURO and Mr. LUETKEMEYER.

H.R. 772: Mr. TURNER.

H.R. 781: Mr. SHIMKUS and Mr. MESSER.

H.R. 782: Mr. MOOLenaar.

H.R. 793: Mr. DELANEY.

H.R. 795: Mr. GARAMENDI and Mr. DONOVAN.

H.R. 800: Ms. SLAUGHTER.

H.R. 801: Mr. LUCAS and Mr. COOK.

H.R. 804: Ms. DELAURO, Mr. PALLONE, Mr. PETERS, Ms. SEWELL of Alabama, Mr. O'HALLERAN, Mr. LOESACK, and Mr. LANGEVIN.

H.R. 807: Mr. KILMER, Mr. YARMUTH, Ms. TITUS, and Ms. SCHAKOWSKY.

H.R. 810: Mr. DANNY K. DAVIS of Illinois, Ms. KELLY of Illinois, Mr. CARTWRIGHT, and Mr. COHEN.

H.R. 816: Mr. MEEHAN.

H.R. 820: Mr. POE of Texas, Mr. JOYCE of Ohio, Mr. SESSIONS, Mr. YARMUTH, Mr. DUFFY, Mr. YOUNG of Alaska, Mr. ZELDIN, Mr. HUNTER, Mr. MESSER, Ms. JENKINS of Kansas, Mr. MAST, and Mr. POCAN.

H.R. 822: Ms. BARRAGÁN.

H.R. 824: Mr. GOHMERT.

H.R. 831: Mr. O'HALLERAN.

H.R. 837: Mr. CICILLINE, Ms. FUDGE, Mr. HASTINGS, Mr. BEYER, and Mr. LOWENTHAL.

H.R. 846: Mr. CONNOLLY, Mr. PETERS, Ms. ROYBAL-ALLARD, Mr. BYRNE, Mr. COLE, Mr. SARBANES, Mr. SESSIONS, Mr. RUPPERSBERGER, Mrs. COMSTOCK, Mr. HECK, Mrs. WAGNER, Mr. JONES, Mr. DUNCAN of South Carolina, Ms. DELBENE, and Mr. TURNER.

H.R. 852: Mr. KILMER.

H.R. 873: Mr. GALLEG0 and Mr. HUIZENGA.

H.R. 907: Mrs. HARTZLER.

H.R. 909: Mr. TURNER and Mr. YOUNG of Iowa.

H.R. 925: Mr. GOODLATTE.

H.R. 947: Mr. KILMER.

H.R. 949: Mr. MCGOVERN, Ms. SLAUGHTER, Mr. LOWENTHAL, and Mr. CURBELO of Florida.

H.R. 966: Mr. DAVID SCOTT of Georgia.

H.R. 980: Mr. RASKIN.

H.R. 981: Mr. CÁRDENAS, Mr. FORTENBERRY, Mr. BLUMENAUER, and Ms. ROYBAL-ALLARD.

H.R. 1001: Mr. LIPINSKI, Mr. DAVID SCOTT of Georgia, Mr. COHEN, and Ms. PLASKETT.

H.R. 1002: Ms. TSONGAS.

H.R. 1005: Mr. STEWART.

H.R. 1017: Mr. JODY B. HICE of Georgia.

H.R. 1031: Mr. CRAMER, Mr. FLORES, and Mr. BRAT.

H.R. 1057: Ms. KUSTER of New Hampshire, Mr. GRAVES of Missouri, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. STEFANIK, Mr. HUIZENGA, and Mr. CHABOT.

H.R. 1069: Mr. RUSH.

H.R. 1078: Mr. THOMPSON of Pennsylvania.

H.R. 1090: Mr. CRAMER, Mr. MARINO, Ms. STEFANIK, Mr. BACON, and Mr. WALZ.

H.R. 1094: Mr. RASKIN and Mrs. LOWEY.

H.R. 1098: Mr. YOHO, Mr. PRICE of North Carolina, Mr. RYAN of Ohio, and Mr. CUMMINGS.

H.R. 1112: Mr. KILMER.

H.R. 1121: Mr. FRELINGHUYSEN, Mr. TROTT, Mr. FASO, and Ms. TENNEY.

H.R. 1126: Mr. YARMUTH.

H.R. 1148: Mr. PASCRELL, Mrs. WALORSKI, and Mr. SENSENBRENNER.

H.R. 1150: Mr. COMER and Mr. BIGGS.

H.R. 1153: Mr. MICHAEL F. DOYLE of Pennsylvania.

H.R. 1169: Mr. MCGOVERN and Mr. RUIZ.

H.R. 1170: Mr. BABIN, Mr. DESJARLAIS, and Mr. JODY B. HICE of Georgia.

H.R. 1188: Ms. SHEA-PORTER.

H.R. 1200: Mr. STIVERS.

H.R. 1205: Mr. CARTWRIGHT, Mr. RUIZ, Mr. KILMER, and Mr. COOK.

H.R. 1206: Ms. MOORE, Mr. TAKANO, Mr. ELLISON, Mr. RASKIN, Mr. YOHO, Mr. KILMER, Mr. CONYERS, Mrs. BEATTY, and Mr. POCAN.

H.R. 1215: Mr. GOODLATTE.

H.J. Res. 7: Mr. GAETZ.

H.J. Res. 59: Mr. ROE of Tennessee and Mr. LATTI.

H.J. Res. 75: Mr. COHEN and Mr. RASKIN.

H. Con. Res. 10: Mr. HUDSON and Ms. MOORE.

H. Con. Res. 13: Mr. KELLY of Mississippi, Mr. WITTMAN, Ms. SINEMA, Mr. KIND, Mr. ROSS, and Mr. WALKER.

H. Con. Res. 28: Ms. STEFANIK.

H. Res. 15: Mr. RUIZ, Mr. SUOZZI, Ms. STEFANIK, and Ms. ADAMS.

H. Res. 19: Ms. WILSON of Florida.

H. Res. 28: Ms. MAXINE WATERS of California, Mr. YARMUTH, Miss RICE of New York, Ms. STEFANIK, Mr. GIBBS, Mrs. NOEM, Mr. SUOZZI, and Mr. SCHNEIDER.

H. Res. 30: Mr. CICILLINE, Mr. YOUNG of Iowa, Mr. RASKIN, Mr. MAST, Mr. CHABOT, Mr. LYNCH, Mr. COFFMAN, Mr. SUOZZI, Mr. CAPUANO, Mr. ROSS, Mr. POSEY, and Mr. PAL-LONE.

H. Res. 90: Ms. WASSERMAN SCHULTZ and Mr. BRENDAN F. BOYLE of Pennsylvania.

H. Res. 92: Mrs. MURPHY of Florida, Mr. PERLMUTTER, Mr. LAMALFA, Mr. ABRAHAM, Mr. CRAMER, Mr. DEUTCH, Ms. GABBARD, Mrs. COMSTOCK, Mr. GIBBS, Mr. JOHNSON of Georgia, and Mr. GOWDY.

H. Res. 105: Mr. PETERS and Mr. LOEB-SACK.

H. Res. 111: Ms. MAXINE WATERS of California, Mr. ENGEL, Mr. THOMPSON of Mississippi, Mr. CLAY, Mr. NEAL, Mr. POLIS, Mr. HUFFMAN, Ms. BASS, Mr. RICHMOND, Mr. EVANS, Mr. BRADY of Pennsylvania, Mr.

MEEKS, Mr. CROWLEY, Mr. THOMPSON of California, Mr. YARMUTH, Mr. SEAN PATRICK MALONEY of New York, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. SOTO, Mr. HIMES, Ms. LOFGREN, Mr. KEATING, Mr. BROWN of Maryland, Mr. SUOZZI, Mr. RUPPERSBERGER, Mr. SCHIFF, Mr. SCOTT of Virginia, Mr. CRIST, Mr. WELCH, Mr. KILMER, Ms. DELAURO, Ms. DELBENE, Mr. CONNOLLY, Mr. GRIJALVA, Mr. KHANNA, Mr. LIPINSKI, Mr. HIGGINS of New York, Mr. SCHRADER, Mr. BEN RAY LUJÁN of New Mexico, Ms. MATSUI, Mr. RUSH, Ms. GABBARD, Mr. LOEB-SACK, Mr. MICHAEL F. DOYLE of Pennsylvania, Ms. ADAMS, Mr. LANGEVIN, Mr. MCNERNEY, Ms. SÁNCHEZ, Mr. HASTINGS, Mr. BUTTERFIELD, Ms. FRANKEL of Florida, Ms. JUDY CHU of California, Mr. SIRE, Mr. NORCROSS, Mr. PASCRELL, Mr. PAYNE, Ms. MICHELLE LUJAN GRISHAM of New Mexico, and Mr. SHERMAN,

H. Res. 124: Mr. MCKINLEY.

H. Res. 136: Mr. TED LIEU of California.

H. Res. 137: Mr. SUOZZI and Mr. PASCRELL.

H. Res. 140: Ms. SLAUGHTER.

H. Res. 142: Mr. BLUMENAUER, Mr. RYAN of Ohio, and Mr. LANGEVIN.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY Ms. FOXX

The provisions warranting a referral to the Committee on Education and the Workforce in H.J. Res. 83 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

EXTENSIONS OF REMARKS

RECOGNIZING GIANT FOOD, LLC AND UFCW LOCAL 400 ON THE GRAND REOPENING OF THE UNI- VERSITY MALL STORE

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2017

Mr. CONNOLLY. Mr. Speaker, I rise today to congratulate Giant Food, LLC, on the grand reopening of its University Mall store following an extensive renovation and expansion. For several years University Mall has been in the midst of a complete make-over to better reflect and serve this vibrant community including the students and staff of George Mason University. With the reopening of the Giant Food store, this \$35 million renovation project will be complete.

Giant Food is much more than a grocery store. For years Giant Food has been a true partner and has supported our community in a variety of ways. Giant Food has been an important donor to local food banks, providing the necessary funds and products to ensure that shelves are stocked with healthy options. Giant Food recently strengthened their ties with the community by partnering with the Washington Capitals, Mystics, Wizards and the Verizon Center to promote programs that support hunger relief and building healthier communities. Understanding that holidays can be a difficult time for our most vulnerable neighbors, Giant has donated 28,750 Thanksgiving turkeys since 2011, as well as thousands of Easter hams.

Giant Food's support of our community extends far beyond food and nutrition. Giant Food hosts an annual A+ School Rewards Program that has donated more than \$94 million since 1989 to participating schools. Last year, the program donated \$2 million to 1,466 public and private schools in the Maryland, Virginia, D.C., and Delaware area. This money allows for investment in schools' technology programs, scholarship opportunities, and other educational benefits including playgrounds and fieldtrips. These examples are just a small sampling of the projects and programs sponsored by Giant Food that directly help our residents.

None of this would be possible without the support of the Giant corporate leadership or the tireless dedication of the men and women of United Food and Commercial Workers Union Local 400. The UFCW Local 400 represents 35,000 members who work in the retail food, health care, department store, food processing and other industries in our area. Local 400 not only helps to protect the wages and benefits of its members, but also strives to improve the working conditions and futures of all Americans.

Mr. Speaker, I ask my colleagues to join me in congratulating Giant Food, LLC on the

grand re-opening of its University Mall store and in thanking its leadership and Local 400 members for their countless contributions to our local community.

RECOGNIZING JAYLA WILLIAMS

HON. DOUG COLLINS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2017

Mr. COLLINS of Georgia. Mr. Speaker, I rise today to recognize Jayla Williams, an exceptional young woman from my hometown of Gainesville, Georgia. Jayla has been named the Boys & Girls Club of Hall County's Youth of the Year for the third consecutive time.

Jayla's motto in life is "failure is feedback," and she has made it a point to never give up on her endeavors. Even at her young age, Jayla is heavily involved in Hall County, dedicating more than 200 hours to community service and other local organizations, such as National Honor Society, Beta Club, and National Spanish Honors Society. Jayla is also the President of the Boys and Girls Keystone Club, which promotes community service.

Jayla has excelled in the classroom, boasting an impressive 4.1 GPA. She is also on both the softball team and varsity cheerleading squad.

Winning Youth of the Year for Hall County qualifies Jayla for the Georgia Youth of the Year title. From there, she could be eligible for National Youth of the Year, where she could earn \$100,000 worth of scholarships and a chance to meet the President of the United States.

Mr. Speaker, I am honored to recognize Jayla Williams and her many accomplishments and contributions to Hall County. She has been a role model for children and young adults, and we are excited to see what is in store for her bright future.

HONORING THE ADVANCED MIXED WASTE TREATMENT PROJECT'S CLEANUP MILESTONES

HON. MICHAEL K. SIMPSON

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2017

Mr. SIMPSON. Mr. Speaker, I rise today to congratulate the Advanced Mixed Waste Treatment Project's (AMWTP) nearly 15-year effort to retrieve, treat, and remove legacy nuclear waste from the State of Idaho.

Since 2003, AMWTP has been the nation's premier transuranic radioactive waste processing facility. Operated by the U.S. Department of Energy, AMWTP was constructed during the Clinton Administration to meet the na-

tion's obligations to treat radioactive transuranic waste left over from the Manhattan Project.

During the 1970s and 1980s, truckloads and rail cars of waste were shipped to Idaho primarily from the Energy Department's Rocky Flats Plant near Denver, Colorado. These shipments brought 65,000 cubic meters of clothing, machine parts, and tools contaminated by plutonium and housed in wooden and fiberglass boxes and metal drums to the Idaho desert. Over the years, the condition of these boxes and drums deteriorated significantly, making cleanup a challenging task. As outlined in the 1995 Idaho Settlement Agreement, AMWTP's mission, unique facilities, and skilled workforce were charged with characterizing, treating, processing, and removing from Idaho the single largest concentration of transuranic radioactive waste in the United States.

For 14 years, the workforce at AMWTP has prepared and sent more than 5,800 shipments of transuranic waste to the Waste Isolation Pilot Plant (WIPP) in Carlsbad, New Mexico. This represents nearly half of all the waste disposed in that facility. At the same time, the workforce has accomplished this feat in a safe and compliant manner. The staff at AMWTP has also received and processed radioactive waste from 15 other Department of Energy sites, eliminating the need to build expensive, new processing plants.

Today, AMWTP and its workforce take another step in completing their mission, with 100 percent of the above-ground waste now retrieved and ready for characterization, treatment, and packaging, in anticipation of being removed from the State of Idaho for permanent, long-term disposal within WIPP. As a regional asset, AMWTP and its exclusive capabilities and experienced workforce remain a viable facility for future waste processing missions.

While challenges continue with cleaning up the remaining buried and liquid radioactive wastes in Idaho, the milestones met by the thousands of contract and federal workers in Idaho should not be forgotten. Their longstanding efforts have set the benchmark and proven to critics that promises can be met given enough time and support. Today, I can say with confidence and congratulations that the State of Idaho is better because of the AMWTP and its employees' commitment and service.

HONORING DIANE INNERST OF PENNSYLVANIA

HON. SCOTT PERRY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2017

Mr. PERRY. Mr. Speaker, today I honor my constituent, Diane Innerst, upon her upcoming

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

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

retirement after 23 years as a Middle School Math Teacher for Harrisburg Academy.

In addition to her teaching duties, Mrs. Innerst served as mentor of the Math Counts Team for each of her 23 year at Harrisburg Academy. She worked with the student council and oversaw a myriad of events such as dances, bake sales, elections and fundraisers. Prior to her time with Harrisburg Academy, Mrs. Innerst taught in the public education system. Mrs. Innerst's family has served our Nation with distinction as her husband is a former U.S. Marine and their two sons graduated from the U.S. Naval Academy.

Mrs. Innerst's dedication has touched the lives of many people and challenged all with whom she served to be the best. Her legacy of service is admirable.

On behalf of Pennsylvania's Fourth Congressional District, I commend and congratulate Diane Innerst upon her retirement after many years of service to Harrisburg Academy and our community.

HONORING THE 27TH ANNUAL MARTIN LUTHER KING, JR. YOUTH ORATORICAL CONTEST

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2017

Mr. CONNOLLY. Mr. Speaker, I rise to recognize the 32nd Annual King Day Celebration and the cornerstone of the event, the 27th Annual Martin Luther King Jr. Youth Oratorical Contest, hosted by the Prince William Alumnae Chapter of Delta Sigma Theta Sorority, Incorporated in partnership with the Cecil & Irene Hylton Foundation.

Annually, the Hylton Foundation and the members of the Prince William Alumnae Chapter of Delta Sigma Theta, Incorporated invite community members to gather on Martin Luther King Jr. Day to reflect upon the past year and receive a message of hope from the youth of today and leaders of tomorrow. Reverend Dr. Martin Luther King Jr. will forever be engrained in our history as the formative figure in the quest for justice through civil dialogue.

In his Letter from a Birmingham Jail, Dr. King highlighted the need for civility in order to establish equality. For his courage, vision, and perseverance, we celebrate Dr. King, not just for the man he was, but for his vision of the American Dream and what America can be. While his life was cut short by a senseless act of violence, his legacy is one of tolerance. Responding through peaceful and principled communication to condemn the injustice of social and racial inequality, Dr. King worked tirelessly to establish a more united society. As we gather days prior to the 58th inauguration, under this year's theme of "what the world needs now", participants in the Youth Oratorical Contest pay homage to the legacy of Dr. King through their delivery of extemporaneous remarks.

The ability to communicate with passion and clarity will serve them well as they assume future leadership opportunities and establish the personal relationships necessary for community engagement. I congratulate the following

contestants in the 27th Annual Martin Luther King, Jr. Youth Oratorical Contest:

Middle School Contestants

Chelsea Campbell—Porter Traditional School

Jennine Faruque—Stonewall Middle School

Abdullah Usufzai—Ronald Reagan Middle School

High School Contestants

Gladys Gonzalez—Osborn High School

Norman Jones—Stonewall Jackson High School

Hamayel Safi—Woodbridge High School

Mr. Speaker, I ask that my colleagues join me in commending the Prince William Alumnae Chapter of Delta Sigma Theta Sorority, Inc. for showcasing the power of purposeful and meaningful communication reminiscent of Dr. Martin Luther King Jr. and in congratulating the talented youth of the 2017 MLK Youth Oratorical Contest.

RECOGNIZING MS. CAMILLE BENTLEY-MCGOLDRICK OF THE UNICAPITOL WASHINGTON INTERNSHIP PROGRAM

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2017

Mr. HASTINGS. Mr. Speaker, the United States and Australia share a special union culturally, economically, and as security partners. The friendship our two countries share is strengthened by programs like the Uni-Capitol Washington Internship Program. For the past 18 years, the Uni-Capitol Program has paired students from Australia with offices on Capitol Hill. Since the program's inception, more than 180 students from 10 partner Australian universities have participated. The students in this program are the best and the brightest that Australia has to offer. They bring a unique perspective to the House and Senate offices that they serve, strengthening the special alliance between our two nations and fostering greater understanding and mutual respect between us.

This year, it has been my pleasure to host Ms. Camille Bentley-McGoldrick in my Washington office. Camille, a first year law student at the University of Melbourne, is a great example of the high-caliber students this program provides Congressional offices. She proved herself to be very intelligent, motivated, and hard working. Camille is also an absolute pleasure to work with. No matter the assignment, she is always eager to help and approaches every new task with a smile. Furthermore, Camille excelled in drafting correspondence to my constituents, researching a wide-range of legislative issues for staffers, and attending briefings on a multitude of topics, all while demonstrating a desire to learn about, and engage in, the important and unique policy issues facing our nation.

Mr. Speaker, I have no doubt that Camille will go on to do great things. She has a very bright and exciting future ahead of her. I wish her all the very best.

GERARDO MONTONE

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2017

Mr. PASCRELL. Mr. Speaker, I would like to call to your attention the outstanding achievements of Gerardo Montone, a hardworking and dedicated member of the Roma Club of Woodland Park, NJ, who will be honored at the Roma Club Dinner Dance on Sunday.

Gerardo was born and raised in a small town in Italy called Punta Licosa. He lived there with his parents, Valentino and Rosa Montone, brother Antonio and sister Antoinette, but at the age of eighteen Gerardo's family decided to make the big move to the United States. After months of living with his aunt and uncle in New York, Gerardo, with his mother Rosa and sister Antoinette, moved to my home town of Paterson, New Jersey, where he still lives today.

Gerardo has been an extremely hard worker his entire life. After just one day of living in the United States he got a job working at Lembo Textile Shop. Gerardo worked making rollers for textile printers. After living in the United States for some time, Gerardo picked up a second job. He worked the night shift at Master Screens in Clifton, NJ. Gerardo quickly saw himself thriving at Master Screens, and eventually became the manager of the entire location, making it his primary job for seven years.

Finally, after a year of being in the United States, Gerardo's brother Antonio and sister-in-law moved to Paterson, NJ and began working with Gerardo to build their own two-family home. Gerardo lived on one floor with his mother Rosa and sister Antoinette, while his brother Antonio and sister-in-law lived on the second floor with their two children. As you can tell, Gerardo is a self-made man who achieves everything he sets his mind to.

Aside from building houses and managing a textile shop, he loves fishing and eating seafood. Whenever he has downtime he gets his rod and heads to go fishing. Because of his passion for fishing he decided to open his own seafood market. He named it San Marco's Fish Market, and it was located on 21st Avenue in Paterson, NJ. He kept the business in the family and employed his brother Antonio, sister Antoinette, and sister-in-law. His market became incredibly successful, and he eventually began supplying seafood to many local restaurants. Gerardo succeeded in the seafood industry for 12 years, when he decided to begin achieving some of his other dreams.

After years of being out in the workforce, Gerardo decided to go back to school so that he could begin doing what he truly loved. In 2000, Gerardo opened up Montone Remodeling and Construction, Incorporation. Gerardo still runs and operates his company, and has had much success with his business. Besides from fishing and being at the company, Gerardo loves to spend time with his son Gerardo, Jr, and his wife of 14 years, Julia. Gerardo is an extremely hard working man, and I do not see him slowing down at any time in his future.

Mr. Speaker, I ask that you join our colleagues, family and friends, all those whose

lives he has touched, and me, in recognizing the work of Gerardo Montone and his hard work and dedication to the Roma Club of Woodland Park, NJ.

RECOGNIZING PRINCE WILLIAM COUNTY PUBLIC SCHOOL TEACHERS ON OBTAINING CERTIFICATIONS AND RENEWALS FROM THE 2016 NATIONAL BOARD FOR PROFESSIONAL TEACHING STANDARDS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2017

Mr. CONNOLLY. Mr. Speaker, I rise to recognize the Prince William County Public School Division and congratulate the following educators on obtaining certification or recertification by the National Board for Professional Teaching Standards. Founded in 1987, the National Board was established by teachers for teachers as the premier vehicle for defining and recognizing accomplished educators. Today, the independent nonprofit organization remains dedicated to supporting excellence in education and is governed by classroom teachers, school administrators, school board leaders, governors and state legislators, higher education officials, teacher union leaders, and business and community leaders.

A National Board Certification denotes the most respected professional certification available in the education field. Obtaining certification and completing the renewal process is a personal and public statement of one's commitment to the evolution of effective instruction methods. In order to obtain the distinction, teachers must display a mastering of the standards established by the National Board by successfully completing a rigorous multi-component assessment that demonstrates that he or she has acquired the knowledge, skills, and practices required of an accomplished educator. Certified educators support a vision of teaching based on the following five core propositions:

1. Teachers are committed to students and their learning;
2. Teachers know the subjects they teach and how to teach those subjects to students;
3. Teachers are responsible for managing and monitoring student learning;
4. Teachers think systematically about their practice and learn from experience; and
5. Teachers are members of learning communities.

I extend my personal congratulations and appreciation to the following 2016 National Board Certified Teachers for receiving their respective certifications and renewals:

Schenell Agee—Library Media Programs and Research
 Alise Brooks—Dale City Elementary School
 James Carroll—Freedom High School
 Melissa Dembele—Featherstone Elementary School
 Elise Dutton—Benton Middle School
 Rhonda Ellington—Mullen Elementary School
 Christy Katsourakis—Enterprise Elementary School

Lauren Mack—T. Clay Wood Elementary School

Karisa Marcy—Piney Branch Elementary School

Christine Petrus—Haymarket Elementary School

Jennifer Roberts—Patriot High School

Carey Shenal—Stonewall Jackson High School

Mr. Speaker, I ask that my colleagues join me in commending these teachers for their commitment to education, professional development, and the students of Prince William County Public Schools. The world-class education provided to our students is due to the tireless efforts of teachers who make excellence the standard and I thank them for their invaluable contributions.

IN CELEBRATION OF THE 20TH ANNIVERSARY OF THE WALL OF HONOR WITHIN THE FRESNO AFRICAN AMERICAN HISTORICAL AND CULTURAL MUSEUM

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2017

Mr. COSTA. Mr. Speaker, I rise today to recognize the State Center Community College District's Wall of Honor within the Fresno African American Historical and Cultural Museum in celebration of its 20 year anniversary. As we celebrate Black History Month, it is important to note this important part of the museum which has highlighted successes in the African American community throughout the San Joaquin Valley.

The African American Historical and Cultural Museum was the creation of Jack Kelley, the first African American police sergeant in Fresno. Passionate about black history, Jack wanted to create a place where people could go to recognize and enjoy black history throughout our Valley. Jack and former State Center Community College District chancellor, Dr. Bill F. Stewart, coined the idea of creating a Wall of Honor within the museum, where exceptional African American leaders affiliated with the State Center Community College District could be recognized. Since 1996, the Wall of Honor has served as a platform to highlight the success of notable African Americans in our community. Each year, a committee of local leaders accepts nominations for the Wall of Honor and selects the inductees. Those inducted into the Wall of Honor must have attended, worked or served the State Center Community College District.

The Wall of Honor acts as a representation of the triumphs African Americans in the State Center Community College District have achieved. It will serve as a place for the brilliance, accomplishments, and strength of our black community leaders will be honored. It is my great pleasure to honor the Wall of Honor for a successful 20 years. I also commemorate the services of all the staff of the museum and the State Center Community College District who have worked hard to educate our community and preserve our Valley's African American History. I send my best wishes for many years to come.

GINGER ONTIVEROS VICTOR VALLEY COLLEGE ALUMNI HALL OF FAME INDUCTEE

HON. PAUL COOK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2017

Mr. COOK. Mr. Speaker, I rise today to recognize the outstanding service and induction of Ginger Ontiveros to the Victor Valley College Alumni Hall of Fame. Ginger was the previous Executive Director of Victor Valley College Foundation and was instrumental in changing the landscape of higher education within Victor Valley. As an alumnus of VVC, Ginger is extremely compassionate and thoughtful towards the needs of students and excelled in her role as Executive Director of the VVC Foundation.

During her 15 years with the Victor Valley College Foundation, Ginger provided Victor Valley College with vast opportunities through securing gifts for VVC, easing enrollment challenges for students, and assisted in the development of the renowned Dr. Prem Reddy Health & Science Building at VVC. This is only a few of the many programs that Ginger implemented which fostered mentors from the Victor Valley community to give back to students attending Victor Valley College.

On behalf of the U.S. House of Representatives, I would like to thank Ginger Ontiveros for her tireless work and dedication to the students of the High Desert and faculty of Victor Valley College. Ginger Ontiveros' work has shaped education within Victor Valley and I am pleased to hear that she will be inducted in the Victor Valley College's Alumni Hall of Fame.

RECOGNIZING THE RECIPIENTS OF THE 2017 DALE CITY CIVIC ASSOCIATION COMMUNITY AWARDS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2017

Mr. CONNOLLY. Mr. Speaker, I rise to recognize the recipients of the 2017 Dale City Civic Association Community Awards.

The Dale City Civic Association represents the interests of the 70,000 residents of Dale City in a manner that benefits the entire community. Association members complete revitalization and beautification projects, advocate for land use projects, and volunteer in response to community needs.

Each year, the Association hosts a recognition banquet to honor individuals and organizations that have shown exemplary devotion to the betterment of the community through public service. It is my honor to include in the RECORD the names of the 2017 Dale City Civic Association Community Awards recipients:

Elementary School Teacher of the Year Award: Angela Hunt
 Middle School Teacher of the Year Award: Atif Qarni
 High School Teacher of the Year Award: Larry Baker

Dale City Volunteer Fire Department, Firefighter of the Year Award: Matthew Werner

Dale City Volunteer Fire Department, Emergency Medical Service Provider of the Year Award: Amanda Fleig

Dale City Volunteer Fire Department, Officer of the Year Award: Thomas Mazzo

Dale City Volunteer Fire Department, Cadet of the Year Award: Bradford Burgeson

Department of Fire and Rescue Firefighter of the Year Award: Technician II John Malley

Department of Fire and Rescue Emergency Medical Technician Provider of the Year Award: LT Brian Reader

Police Officers of the Year Award: Officer Bryan B. Gee and Officer Tyler J. Reza

Deputy Sheriff of the Year Award: Deputy Michael Shepherd

Kathie Feeney Nurse of the Year Award: Aisha Sesay, BSN, RN

Kathleen K. Seefeldt Community Service Award: Connie V. Andrews

Business Owner of the Year Award: Deborah C. Roundtree

David G. Brickley Youth Environmental Conservation Award: Alexander Elvir-Herrera

John D. Jenkins Youth Citizen of the Year Award: Joshua Jones

Catherine Spellane Citizen of the Year Award: Albert Brooks

Ernestine S. Jenkins Lifetime Volunteer Achievement Award: Norman "Norm" Catterton

Mr. Speaker, I ask that my colleagues join me in commending all of the volunteers and public servants and in congratulating the 2017 Dale City Civic Association Community Awards recipients. These remarkable individuals have dedicated themselves to the betterment of the Dale City community and the strengthening of this vibrant community. They have all made a lasting contribution to Dale City, and I hope their actions will spur others into serving our community to sustain this tremendous success.

HONORING ALCALDE AND ALCALDESSA TED AND PAT ELIOT

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2017

Mr. THOMPSON of California. Mr. Speaker, I rise today to honor Ted Eliot and his late wife Pat Eliot, who have been named Alcalde and Alcaldessa for the City of Sonoma, California.

The title Alcalde, or Alcaldessa is the Spanish word for Mayor. During the Spanish colonial period in California, the Alcalde was the primary civil authority. Today in the City of Sonoma, it is an honorary title and the contemporary Alcalde or Alcaldessa presides over ceremonial events for the city. Alcaldes and Alcaldessas are nominated by the community and are representative of individuals with a long record of volunteer work. By volunteering their time to protect the beautiful land for our community now and in the future, Ted and Pat Eliot have more than earned the titles of Alcalde and Alcaldessa.

Mr. Eliot has held an advisory role with Sonoma County's Agricultural Preservation

and Open Space District and was a leader in its formation and reauthorization. This district permanently protects the diverse agricultural, natural resource, and scenic open space lands for future generations. Mr. Eliot is known for his calm, even-handed counsel. He has served on the boards of Community Foundation Sonoma County, the Todd Trust and the Sonoma Valley Fund, organizations which prioritize and support community ethics and projects.

Mrs. Eliot recently passed away. By honoring her as Alcaldessa, Sonoma celebrates her life and work to protect the land in our community. She helped to negotiate the protection of 600 acres of land which included the Grandmother Tree, the largest and oldest redwood tree in our Sonoma Valley. This land has become part of Jack London State Park. Ted and Pat also donated a forever-wild conservation easement over their property which allowed for the completion of the East Slope Sonoma Mountain Trail.

Mr. Speaker, Ted and Pat Eliot's work was essential to protecting our beautiful land and they are excellent role models for community involvement and action. Therefore, it is fitting and proper that we honor them here today as Sonoma's Alcalde and Alcaldessa for 2017.

CHLOE J. CONEY

HON. KATHY CASTOR

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2017

Ms. CASTOR of Florida. Mr. Speaker, I rise today to honor the accomplishments of a true champion of progress, Chloe J. Coney. She is retiring this month after 10 years of serving as my district director in Tampa. Her invaluable contributions to the Tampa Bay community are an inspiration to us all. Today, I am grateful to recognize her selfless dedication, honor her valuable service to our community and thank her for her daily efforts to serve our neighbors in Tampa.

Known as a woman who wears many hats, Mrs. Coney is a leader who serves with a spirit of love and excellence. When federal courts ordered Hillsborough County to desegregate its school system, even at an early age, Mrs. Coney became a leader. In 1963, she along with a brave few helped to integrate the school district. In turn, Mrs. Coney attended and graduated from Hillsborough High School with honors in 1968. Her determination to lead and serve pushed her to achieve a bachelor's degree in Sociology/Corrections from Florida A & M University, a master's degree in Biblical Counseling from Florida Beacon Bible College, and an honorary doctorate from Blessed Hope Bible College in Tampa, Florida.

Mrs. Coney's passion to lead and serve has followed her throughout her professional and personal career. In 1972, Mrs. Coney began her career as the first Black female Probation and Parole Officer in Hillsborough County. She would then continue as a pathbreaker by becoming Intake Counselor/Mediator with the 13th Judicial Circuit Court of Hillsborough County and Marketing Representative for Florida Power in Clearwater, Fla. She left the pri-

vate sector in her calling to serve families, seniors and students as the Center Manager of the Lee Davis Neighborhood Service Center, leading the way for it to become a One Stop Social and Medical Center in Hillsborough County. She utilized her role as Center Manager to restore pride, ownership, and community in Tampa's Eastside neighborhoods. Mrs. Coney established the East Tampa Community School partnership and the Back to School Kick-off Fair. Mrs. Coney's passion inspired her to found the Corporation to Develop Communities of Tampa (CDC) in 1992 and become its first President/CEO, focusing on economic development. The CDC of Tampa's Nehemiah Project Community Building Brick by Brick has since expanded its strategic initiatives to provide job training, promote entrepreneurship and develop youth leadership programs, revitalizing commercial areas and build affordable housing.

In 2006, Mrs. Coney retired as the President of the CDC of Tampa to become a candidate for the local office. While she missed out on the opportunity to serve as Hillsborough County Commission, District 3, she found a new way to lead and serve the community as my District Director. In this capacity, she has addressed an array of constituent concerns, solicited citizen input, and performed community outreach activities, such as foreclosure prevention workshops during the economic downturn to help families stay in their homes and job fairs during the economic recovery to connect neighbors with local jobs. As District Director, Chloe Coney, will retire after serving the Tampa Bay community for more than 40 years, improving entire communities, leveraging economic impact and touching the lives of everyone she meets.

Mr. Speaker, on behalf of the citizens of the Tampa Bay community, I am proud to honor Mrs. Chloe J. Coney. We will miss her wisdom and experience, but most of all we will miss the encouragement she has been to us all. As Chloe would say "Teamwork Makes the Dream Work," and I am proud that she has been part of my team and, importantly, my friend, helping so many of our neighbors achieve their dreams.

RECOGNIZING THE NOMINEES FOR THE 2016-2017 TEACHER OF THE YEAR AWARD FOR PRINCE WILLIAM COUNTY SCHOOLS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2017

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize the nominees for 2016-2017 Teacher of the Year Award for Prince William County Public Schools. The Teacher of the Year Award recognizes excellence in teaching, to encourage creative and quality instruction, and to contribute in a substantive way to the improvement of education in Prince William County Public School System.

The Prince William County Public School System was established in 1869 and was originally managed by individual magisterial districts until the Prince William County School

Board was founded in 1923. Today, there are more than 90,000 students in 97 schools within the Prince William County School Division—59 elementary schools, 16 middle schools, 12 high schools, one Governor's school, three special education schools, two nontraditional schools, two traditional schools, one special education school, and one K–8 school—making it the second largest school division in the Commonwealth of Virginia. In Prince William County Schools, each grade level of course study is grounded in a purposefully designed plan that frameworks the knowledge and skills that will be developed during the school year.

The winner selected will be named the Prince William County Teacher of the Year. Teachers who meet the criteria for the award are those who instill in students a desire to learn and achieve, understand the individual needs of students, and demonstrate a thorough knowledge of subject matter and have the ability to share it effectively with students.

I would like to extend my personal congratulations to the following 2016–2017 Prince William County nominees for Teacher of the Year Award:

Charles Aracich—T. Clay Wood Elementary School
 Donna Atkins—Neabsco Elementary School
 Larry Baker—Gar-Field High School
 Jennifer Brown—Graham Park Middle School
 Meredith Brewbaker—Buckland Mills Elementary School
 Jonathan Bukva—Reagan Middle School
 Carlos Castro—Woodbridge High School
 Maria Centini—Hylton High School
 Scott Cloud—Reagan Middle School
 Cynthia Cole—Marshall Elementary School
 Anna Collins-Walker—T. Clay Wood Elementary School
 Karen Dominick—Loch Lomond Elementary School
 Carla Drew—Osborn Park High School
 Carolyn English—Ashland Elementary School
 Corey Finn—Patriot High School
 Jennifer Fisher—Alvey Elementary School
 Donna Garzione—Loch Lomond Elementary School
 Lisa Keen—Ashland Elementary School
 Rebecca Kronthal—King Elementary School
 Cesar Maisonet—Gainesville Middle School
 Tiffany McLeod—Enterprise Elementary School
 Elizabeth Paiz—T. Clay Wood Elementary School
 Linda Poole—Ashland Elementary School
 Kristen Putman—T. Clay Wood Elementary School
 Eileen Rakshys—Bennett Elementary School
 Holley Scheffel—Potomac High School
 Natallia Shamshyna—Forest Park High School
 Deborah Tekampe—Alvey Elementary School
 Nick Thompson—Osborn Park High School
 Cynthia Treichler—Hylton High School
 Sarah Willey—Henderson Elementary School
 Elizabeth Williams—Battleground High School

Mr. Speaker, I ask that my colleagues join me in commending the nominees for 2016–2017 Teacher of the Year Award in Prince

William County and in thanking them for their dedication to our children. Their continued service will ensure that Prince William County students receive world-class education in a more vibrant learning community.

DENNY AND CAROLL YULE RECEIVE PRESIDENT'S AWARD FROM THE VVC FOUNDATION

HON. PAUL COOK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2017

Mr. COOK. Mr. Speaker, I rise today to recognize the outstanding service of Denny and Carol Yule who will be presented the President's Award from the Victor Valley College Foundation on February 25, 2017.

Dennis and Carol were nominated for this award for their collaborative impact and contributions to Victor Valley College education and the Victor Valley Community. Dennis and Carol have sponsored numerous college scholarships that have enabled students, who otherwise could not afford a degree, to pursue higher education. Without such generous donations from the Yules to the college foundation, some VVC students would not have received their associate degrees. Besides their monetary donations, Carol has volunteered many hours of personal time to guest lecture at Victor Valley College. As described by Victor Valley College Foundation President, the Yules are "irreplaceable members of our community."

On behalf of the U.S. House of Representatives, I would like to thank Denny and Carol Yule for their tireless work and dedication to the students of the Victor Valley. I congratulate the Yules on receiving the President's Award from the Victor Valley College Foundation.

HONORING THE NAPA OPEN SPACE DISTRICT

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2017

Mr. THOMPSON of California. Mr. Speaker, I rise today to honor the Napa Open Space District which is celebrating its 10th Anniversary. This special District has played a vital role in conversation and recreation in our community for the past decade and will continue to protect open spaces for future generations.

Napa County residents voted to establish the Napa County Regional Park and Open Space District in November 2006 with the goal to preserve wildlife habitat and nature areas. The District does so by conserving open space and creating recreation opportunities including a system of public parks, trails, outdoor recreational facilities for Napa County residents.

The District has had incredible success during its first decade of operation. It has preserved over 5000 acres of open space and parks and maintains over 100 miles of

multiuse trails in our community. Community education programs are a major priority for the District, and it runs outdoor science and conservation education programs to reach people of all ages. The District has also facilitated and funded outdoor field trips for thousands of Napa County children, allowing them the opportunity to experience and learn about their local environment.

The parks and recreation opportunities provided by the Napa Open Space District have been tremendously successful and popular. The District's work enhances current Napa's quality of life and also ensures that future generations have the ability to experience the outdoors. Through its work, the District fosters a greater sense of community and pride within our Napa Valley.

Mr. Speaker, the Napa Open Space District conserves our natural resources and provides residents with magnificent open spaces and an enhanced quality of life. Therefore, it is fitting and proper that we honor Napa Open Space District here today.

RECOGNIZING THE NOMINEES FOR THE 2016–2017 PRINCIPAL OF THE YEAR AWARD FOR PRINCE WILLIAM COUNTY SCHOOLS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2017

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize the nominees for 2016–2017 Principal of the Year Award for Prince William County Public Schools.

The winner will be named the Prince William County Principal of the Year. Principals who meet the criteria for the award are those who manage effectively, demonstrate and encourage creativity and innovation, foster cooperation between the school and community by maintaining a continuous dialogue with students, parents, faculty, and staff, demonstrate leadership, and exemplify commitment.

The Prince William County Public School System was established in 1869 and was originally managed by individual magisterial districts until the Prince William County School Board was founded in 1923. Today, there are more than 90,000 students in 97 schools within the Prince William County School Division—59 elementary schools, 16 middle schools, 12 high schools, one Governor's school, three special education schools, two nontraditional schools, two traditional schools, one special education school, and one K–8 school—making it the second largest school division in the Commonwealth of Virginia. In Prince William County Schools, each grade level of course study is grounded in a purposefully designed plan that frameworks the knowledge and skills that will be developed during the school year.

I would like to extend my personal congratulations to the following 2016–2017 Prince William County nominees for Principal of the Year Award:

Connie Balkcom—Buckland Mills Elementary School
 Neil Beech—Osborn Park High School
 Mark Boyd—Vaughan Elementary School

Marlene Coleman—Dumfries Elementary School

Susan Danielson—Rosa Parks Elementary School

Jodi Pankowski—PACE East School

Nathaniel Provencio—Minnieville Elementary School

Barry Rosenberg—Swans Creek Elementary School

Mr. Speaker, I ask that my colleagues join me in commending the nominees for 2016–2017 Principal of the Year Award in Prince William County and in thanking them for their dedication to leadership in our school system. Their continued service will ensure our Prince William County students are provided with a world-class education in a more vibrant learning community.

TRIBUTE TO ROY JOHNSTON THE
WINNINGEST BOYS BASKETBALL
COACH IN MICHIGAN HIGH
SCHOOL HISTORY

HON. JOHN R. MOOLENAAR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2017

Mr. MOOLENAAR. Mr. Speaker, I rise today to pay tribute to Roy Johnston, the Head Coach of Beaverton High School and the winningest boys basketball coach in Michigan high school history with 729 wins and counting.

Born in his grandparents' farmhouse near the Lake Huron shores, Roy Johnston never forgot his Michigan roots as he moved up the ranks to the title he holds today. Roy was raised in the Crosswell-Lexington area of Michigan and received honorable mention All-State as a guard at his high school. After graduating from Eastern Michigan University with a degree in teaching, Roy's passion for guiding youth through education and athletics continued. He went on to become the basketball coach at Yale in 1966 before moving to Howell, where he spent two years honing his skills.

When starting his career in Beaverton, Roy became a 5th Grade teacher and spent four seasons as the Junior Varsity Coach. After stepping into the Varsity role, the Beaverton Beavers secured their first district title in two decades and went on to become regional champions. With his record of success and passion for students, Roy set a new example of success in the community.

Roy has been especially vital to Michigan's Fourth District, helping many see how comradery and teamwork play a vital role in rallying a community together for a common cause. Now, with a record league winning streak, the Beaverton Beavers are riding high on theft accomplishments. It's only fitting for Roy to hold this title after his induction into the Basketball Coaches Association Hall of Fame nearly two decades ago.

On behalf of the Fourth Congressional District of Michigan, I am honored today to recognize Roy Johnston for his achievement in becoming the winningest boys basketball coach in Michigan high school history and his lifetime commitment to the people of Beaverton.

SALUTING THE HEROIC ACTS OF
THE MEMBERS OF THE PALM
BAY POLICE DEPARTMENT,
PALM BAY, FL

HON. BILL POSEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2017

Mr. POSEY. Mr. Speaker, on March 7th the City of Palm Bay will recognize the courage and bravery of the City's law enforcement officers and civilians during their Annual Valor Awards Ceremony to be held at the Front Street Civic Center located in Melbourne, FL. Over two-hundred Law Enforcement Officials and Civilian Employees make up The City of Palm Bay's Police Department.

The 160 Sworn Officers, and all the men and women that make up the Palm Bay Police Department lay down their lives on a daily basis as peacekeepers, maintaining law and order for the protection and enhancement of our community. Their motto of Connect, Serve, and Impact speaks of officers connecting with the community as they serve with pride to provide a positive impact to its citizens. Their selfless actions are right and noble, and help keep our community safe.

The Palm Bay Police Department obtained its State of Florida Law Enforcement Accreditation status on October 31, 2007 from the Commission for Florida Law Enforcement Accreditation, Inc. and has successfully achieved reaccreditation over the last nine years.

I am honored to show my support for the law enforcement personnel of the Palm Bay Police Department and their heroic acts. I ask my colleagues to join me in recognizing their sacrifices and the sacrifices of their families. Among those to be recognized are the Medal of Valor Recipients: Officer of the Year Thomas Ribnick, Officer Reed Caswell, Officer David Morales, and Officer Millan Valdes. Civilian of the Year Recipient, Crystal Baker.

The Distinguished Service Award Recipients: Officers Jason McCoy, Samantha Missale, Neal Valenti, Robert Vickers, Cassandra Woronka.

Officers and Civilian Recipients of the Life Saving Award: Steve Shytte, Ryan Van Note (2x), Sean Dutil, Robert Vickers, Cassandra Woronka, Jon Anthony, Brian Miller.

Officers & Civilian Recipients of the Meritorious Service Award: Roy Lavanture, Thomas Ribnick, Cliff Graves, Sean Pindar, Millan Valdes, Parker Farmer, Nicholas Szczepanski, Rebecca Tillett, Ken Shedrick, Lewis Jones, Michael Pusatere, Ron Lugo, Shane Mertens, Christopher Snedeker, Tyler Fooks, Mark Trammel, Kimberley Waters, Edwin Lutz, Tim Lancaster, Dawn Strickland, Jessica Hinchman, Rebecca Wolfe, Phillip Clendenin, Natasha Hauber, Bridget Sander.

Community Service Award: Greg Leonard (2x), Kyle Schuck, Alcine Phan-Pennington (2x), Scott Eakins (2x), Shane Mertens, Christopher Snedeker (2x), Richard Marion, Joseph Hamilton, Tim Landers, Carlos Valentin, Aaron Yuergens, William Pennington, Bailey Sullivan, Ryan Austin, Bryan Cammart.

RECOGNIZING THE 2017 TYSONS
REGIONAL CHAMBER OF COM-
MERCE BOARD OF DIRECTORS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2017

Mr. CONNOLLY. Mr. Speaker, I rise to recognize the Tysons Regional Chamber of Commerce and to congratulate the incoming 2017 board members. Tysons has drastically transformed during the past 55 years from a sleepy, rural area to one of the most vibrant regions in the country. This change began when the Fairfax County Board of Supervisors approved plans for the Tysons Corner Shopping Center in 1962. When the mall opened in 1968, it was hailed as the largest enclosed mall in the world.

Since then, there has been a dramatic influx of technology companies, government contracting firms, and other corporations. Tysons has become the premier business district of the Washington Metropolitan Area and is one of the largest employment center in the United States. With the opening of Metro's Silver Line and ongoing redevelopment, the region is expected to continue adding not only businesses but also high-density residential housing.

The mission of the Tysons Regional Chamber of Commerce is to be the unified voice of the business community while ensuring that its ties and commitment to the community are strengthened. The Chamber actively promotes local non-profits and community organizations as well as youth educational programs, and it sponsors multiple events each year in support of these activities.

The growth of the Chamber has been the result of the diversity of its members and the leadership of its Board. I am pleased to include in the RECORD the names of the incoming 2017 Board Members:

2016 Chairman of the Board: Lori Lopez

2017 Chairman of the Board: Peg McDermott

General Counsel: William P. Daly, Jr.

VP of Finance: David MacGillivray

Treasurer: Shania Kapoor

VP of Membership: Josh Brady

VP of Marketing: Virginia Case

At-Large Members: Mark Rogoff, Kathy Jensen, Maureen Loftus, Gian Cocomello, Peter Wynne, Jeffrey Krashin, Jonathan LaCroix, Dalia Palchik, Matt Evans, Jerry Ferguson, Kathleen A. Kelly, Sopa Keo, Shirley Luu, Cory Scott, and Pat Whalen.

Mr. Speaker, I ask that my colleagues join me in congratulating the incoming board members and in commending the Tysons Regional Chamber of Commerce for its commitment to promoting the business community while encouraging social responsibility and civic engagement. I wish the Chamber the very best for its continued growth and success.

MIKE PODEGRACZ RECEIVES DISTINGUISHED SERVICE-COMMUNITY SERVICE AWARD FROM THE VVC FOUNDATION

HON. PAUL COOK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2017

Mr. COOK. Mr. Speaker, I rise today to recognize the outstanding service of Mike Podegracz who will be presented the Distinguished Service-Community Service Award from the Victor Valley College Foundation on February 25, 2017.

Mike Podegracz was nominated for this award for his countless hours of service and civic engagement within the community of Hesperia and throughout Victor Valley. Mike has devoted 15 years to the economic and urban development of Hesperia. As city manager, Mike developed numerous necessary developments including the community's finest park and recreation center, city council facility, and police station. In addition to Mike's work as former city manager, he continues to contribute to various charities and non-profit groups such as: Hesperia's Relay for Life, Community Cleanup Day, and the Water Conservation Booth at the Hesperia Days Celebration.

On behalf of the U.S. House of Representatives, I would like to thank Mike Podegracz for his tireless work and dedication to the High Desert Community. I congratulate Mike Podegracz on receiving the Distinguished Service-Community Service Award from the Victor Valley College Foundation.

ALTON MAURICE WHITE

HON. KATHY CASTOR

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2017

Ms. CASTOR of Florida. Mr. Speaker, I rise today to honor the legacy of one of Tampa Bay's true trailblazer, Alton Maurice White, during Black History Month. He has dedicated himself to improving the lives of others through public service and education. Today, I am grateful to recognize his selfless dedication and honor his valuable service to our community.

Mr. White chose early on into his impressive career to dedicate himself to service his community. Receiving an athletic scholarship to attend Florida A&M University, Mr. White was active both on and off the field. As a brother of the Omega Psi Phi Fraternity, Inc. and a student-leader in the early 1960s, Mr. White embarked on civil rights demonstrations against segregation.

After receiving a Bachelor in Education, Mr. White became a teacher and coach at Mercer University in Georgia then in the Hillsborough County Public School system. In 1967, he began his career in government service with the Federal Model Cities Program. Through bipartisan networking with political leaders in Washington, D.C., Mr. White brought millions of Model Cities dollars to Tampa to help end

poverty and improve the lives of the city's residents.

A pioneer of firsts, in 1968 Mr. White became the first African American appointed to the Florida Educational Television and Radio Advisory Board, which he later chaired. Only a year later in 1969, Mr. White expanded his expertise to include the first African American appointed to the Florida State Medical Advisory Board.

In 1974, Mr. White was the first African American to run for Mayor of the City of Tampa. That same year, Mr. White overcame considerable oppositions to help build the Ybor City campus of Hillsborough Community College, serving as a trustee for Hillsborough Community College and eventually chairing the board.

Mr. White has served the Tampa Bay community in countless ways, including as the Executive Director and Insurance Executive of the Tampa Housing Authority. Under Mr. White's leadership, the Tampa Bay community has received millions of dollars to aid public work and created hundreds of jobs.

Mr. White is a beloved friend and a role model to many. Mr. White continues to give back through counseling hundreds of young aspiring business and community leaders. Mr. Speaker, on behalf of the Tampa Bay community, I am proud to recognize Alton Maurice White for his lifelong exemplary service in improving the lives of others.

RECOGNIZING THE 2017 GREENSPRING PRESIDENT'S VOLUNTEER SERVICE AWARD RECIPIENTS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2017

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize the Greenspring Retirement Community of Springfield, Virginia as they host their annual President's Volunteer Service Awards reception. I have had the pleasure of visiting Greenspring on many occasions and am continually impressed by the community spirit displayed there.

The 2017 President's Volunteer Service Awards will honor more than 200 volunteers from the Greenspring community as well as the greater Springfield area with the Bronze, Silver and Gold Awards for Volunteer Service. In addition, three members of the Greenspring community are being honored with the Lifetime Service Award, having compiled more than 4,000 hours of community service during their time at Greenspring. In 2016, more than 750 volunteers contributed in excess of 140,000 hours to Greenspring as well as the surrounding community. That averages to nearly 200 hours per volunteer—an amazing display of dedication and commitment to our neighbors and district.

Greenspring residents volunteer their time in a variety of ways including teaching English to staff who are not native speakers as part of an award-winning ESL program, mentoring local elementary school students and preparing thousands of weekend food bags for distribu-

tion by organizations such as Food for Others to ensure that local children and families do not go hungry.

Volunteers from the surrounding community also provide a large number of different services to Greenspring residents, such as visiting with residents, playing cards or board games and escorting residents to and from activities.

The selfless participation of these individuals in volunteer activities enriches the lives of those around them and is truly worthy of our highest praise. I ask my colleagues to join me in congratulating all of the 2017 award recipients and in thanking them for their exemplary service to our community.

TRIBUTE TO JON LYNCH THE OUTGOING MIDLAND CITY MANAGER AND INCOMING PRESIDENT OF THREE RIVERS CORPORATION

HON. JOHN R. MOOLENAAR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2017

Mr. MOOLENAAR. Mr. Speaker, I rise today to pay tribute to Jon Lynch, the Midland City Manager, for his sixteen-plus years of service to the city of Midland as he takes on a new role as President of the Three Rivers Corporation.

Beginning his work with the city in 2000, it was not long before Mr. Lynch rose up the ranks becoming the city's chief executive six years later. His work in Midland is most notable with the creation of the Citizen's Academy, which established a medium for residents to learn more about their government. Mr. Lynch also was at the helm during a tumultuous state level tax appeal process where Midland was able to continue city services facing a cut in their general fund. Mr. Lynch's ability to preserve Midland's service abilities with challenging budgets and nominal millage increases year after year is a true demonstration of his capability and talent.

Mr. Lynch's administrative knowledge and strong skill set, as well as his long and successful history, proves his ability. His work in the community, creating and facilitating an open dialogue will only continue with the Three Rivers Corporation.

On behalf of the Fourth Congressional District of Michigan, I am honored today to recognize Jon Lynch for his illustrious career and involvement in the Midland community that has positively influenced the careers and lives of countless individuals.

RECOGNIZING THE 50TH ANNIVERSARY OF LAKE ANNE ELEMENTARY SCHOOL

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2017

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize Lake Anne Elementary School on the occasion of its 50th anniversary. The first public school in the Reston neighborhood of

Fairfax County, Lake Anne Elementary stands as a symbol of this region's commitment to excellent public education.

As a former member and Chairman of the Fairfax County Board of Supervisors, I know firsthand that the quality of life in our communities is tied directly to the priority with which we afford education. Throughout its fifty-year history, Lake Anne has represented a diverse community. As of today, its student body represents 70 countries and speaks 38 different languages. I have consistently said that the diversity of our community is one of our greatest strengths and I am glad to see Lake Anne continuing this tradition.

In addition to enriching our community through diversity, Lake Anne also enriches its student body through a number of extra-curricular programs, including Spanish Immersion, ESOL, Special Ed, Advanced Academics, HeadStart services, Young Scholars, Artist in Residence, Eco School, Grace Art, Mentor Works and Partners in Print programs. By exposing their students to these types of programs earlier in their academic careers, Lake Anne Elementary helps lay the groundwork not only for future academic success, but greater economic opportunities as well.

Of course, none of this would be possible without the tireless dedication of the faculty, staff and volunteers of Lake Anne Elementary. I have always said that public service is among the most noble of callings and this sentiment certainly is true of the men and women who dedicate their lives to educating our future generations.

Mr. Speaker, much has changed in the world over the last fifty years, but the mission of Lake Anne Elementary School and our Fairfax County Public School system as a whole has not, and indeed it is more important than ever. As the world changes around us, we need to ensure that today's students are equipped with the knowledge and tools they will need in this increasingly globalized and technical world. I congratulate Lake Anne Elementary School on the occasion of its 50th Anniversary and thank the faculty, staff, volunteers and parents for their immeasurable contributions to our greatest resource, our children. I wish you continued success in all of your future endeavors.

HONORING RON MCDANIEL

HON. BRAD SHERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2017

Mr. SHERMAN. Mr. Speaker, I rise today to pay tribute to Ron McDaniel, CEO of California Credit Union and a leader in the credit union system who is retiring next month.

Ron's credit union career includes 23 years in senior management at Point Mugu Federal Credit Union (now Premier America CU) in Ventura, 19 of those as president and CEO. Since 2004, he has served as CEO of California Credit Union.

Ron has been a leader amongst his peers. He has served on the Credit Union National Association (CUNA) Board of Directors and its Governmental Affairs Committee. He has also

served on the California Credit Union League Board of Directors, where he served as board chairman and chairman of the Government Relations Committee. In these roles he helped shape the policy agenda for credit unions in Sacramento and Washington, D.C. and was called upon to testify on behalf of credit unions before the California Senate and Assembly.

In the days before credit unions were allowed to provide checking accounts, Ron participated in the National Credit Union Administration's (NCUA) pilot share draft program, which created the first checking accounts for credit union members. In 1979, Congress authorized credit unions to experiment with share drafts for a three-month period. Shortly after the successful pilot program began, the American Bankers Association sued NCUA arguing that it was illegal for credit unions to provide something that was so similar to a checking account. In 1978, a district court ruled that under the Federal Credit Union Act, the NCUA could authorize credit unions to offer share drafts. This new program became an instant success among credit union members.

From 1980 through 1982, Ron was part of the California Credit Union League's ATM Task Force. At the time, most credit unions did not have an ATM. Ron was part of the steering committee that developed the idea of creating a nationwide ATM network for credit unions, which ultimately led to the formation of the CO-OP Financial Services system and later into shared branching. Ron was actively involved in developing the corporate structure for CO-OP and helped shepherd the idea through its first turbulent (and unprofitable) years.

During the mid-1990s, the banking industry coordinated an attack on the community charter model of service for credit unions. At the time, Ron was CEO of Point Mugu Federal Credit Union. When the Navy dramatically reduced its operations at Point Mugu, the credit union's existence was threatened. Through Ron's leadership, Point Mugu decided to expand and become more of a community charter credit union to serve the needs of consumers throughout Ventura County. When the NCUA approved this expansion, the banking industry sued the NCUA. This lawsuit, along with a similar lawsuit filed by banks against the NCUA and AT&T Family Federal Credit Union, culminated in a Supreme Court decision that would have drastically limited consumer access to credit unions.

Ron worked tirelessly with the California League, CUNA, and the NCUA to develop a legislative solution. He was active in public and private advocacy on behalf of credit unions that relied on the existence of a robust community charter model. Ultimately, the efforts of Ron and others resulted in the enactment of the Credit Union Membership Access Act of 1998. It is not an exaggeration to say that this single piece of legislation saved the community charter model and has provided access to credit union services for millions of consumers and allowed hundreds of credit unions to thrive throughout the country.

For his accomplishments and contributions to the credit union system, Ron received the League's Distinguished Service Award in 1999. For his advocacy efforts throughout the years, he received the League's Advocacy Lifetime Award in 2016.

In his community, Ron served for several years on the board of Cal Lutheran University's Alumni Association including one term as president. He also served on the University's Board of Regents, where his responsibilities included assignments on the Administration and Finance Committee; the Investment Committee that oversees the University's endowment; and on the Audit Committee. He was chairman of the Credit Unions for Kids Advisory Board for Children's Hospital Los Angeles.

Ron is an excellent ambassador for the credit union movement. I have enjoyed my many conversations with Ron over the years about how credit unions can better serve individuals and small businesses. I am pleased to join my friends and constituents in the credit union system in congratulating Ron McDaniel on his years of service and dedication to America's credit unions.

PERSONAL EXPLANATION

HON. BOBBY L. RUSH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2017

Mr. RUSH. Mr. Speaker, on February 27 through March 2, 2017, circumstances beyond my control necessitated my absence from the House and I, therefore, am requesting a leave of absence.

IN RECOGNITION OF JUAN ORTIZ' PUBLIC SERVICE

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2017

Mr. BURGESS. Mr. Speaker, I rise today to honor Juan Ortiz, who is leaving the City of Fort Worth after 18 years of service to assume a new position with the City of Austin. After graduating from the University of North Texas with a degree in Emergency Administration and Disaster Planning, he began his career as a Fort Worth Emergency Management Officer. After four years, he was hired as Emergency Management Coordinator with the City of Corpus Christi. Ortiz returned to Fort Worth in 2003 as Emergency Management Coordinator where he coordinates and supervises emergency management and homeland security operations during natural or man-made emergencies and disasters. One of his primary duties is overseeing a joint city and county Emergency Operations Center (EOC). He coordinated EOC operations in response to multiple natural disasters and large scale public events including Hurricanes Katrina and Rita in 2005, 2011's record setting winter storm and Super Bowl XLV. In addition to EOC operations, Mr. Ortiz coordinated all of the City of Fort Worth's operations in response to Hurricanes Gustav and Ike in 2008.

In his position, Mr. Ortiz has demonstrated a level of professionalism and expertise in emergency management that he has graciously shared with colleagues across the

State of Texas and nationally. In 2001, he was recognized by the University of North Texas as a distinguished alumni for his contributions to the emergency management profession. Mr. Ortiz also faithfully served his country for 28 years in the U.S. Coast Guard Reserves, retiring in 2015 as a Chief Petty Officer.

Mr. Ortiz has served on several committees and advisory groups including the National Academy of Science Earth and Life Studies Disaster Roundtable, National Research Council's Committee on Disaster Research in the Social Sciences, Center for Biosecurity of UPMC Nuclear Resilience Expert Advisory Group, the North Central Texas Council of Government Regional Emergency Preparedness Advisory Committee, the Dallas/Fort Worth/Arlington Urban Area Security Initiative, Texas Coastal Advisory Team, and as Co-Chair of the Dallas-Fort Worth Collaborative Adaptive Sensing of the Atmosphere Radar Test Bed. He served as Chair of the Tarrant County Local Emergency Planning Committee for the last 6 years. He currently serves as a member of the State of Texas Emergency Management Performance Grant Steering Committee and as chair of the State of Texas Evacuation Transportation Network Working Group.

I would like to express my appreciation to Juan Ortiz for his many years of exemplary public service and extend best wishes as he begins a new chapter in his profession.

**TRIBUTE TO ALL-TIME SCORING
LEADER FOR MICHIGAN STATE
UNIVERSITY WOMEN'S BASKET-
BALL TORI JANKOSKA**

HON. JOHN R. MOOLENAAR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2017

Mr. MOOLENAAR. Mr. Speaker, today, I, along with Representative BISHOP pay tribute to Tori Jankoska, the all-time scoring leader for Michigan State University Women's Basketball.

Tori was born and raised in Freeland, where she grew up with a passion for competition. As a young girl, Tori was unable to compete with her peers. She grew up with asthma and other illnesses that kept her from playing with the other kids. Through her own perseverance, she was able to play with her siblings and her passion for sports started to grow. As a student at Freeland High School, Tori raised the bar for her own team and her competitors. It wasn't long before her talent was noticed by the coaches at MSU.

When starting her basketball career at MSU, Tori knew that was where she wanted to be. She also knew that she had a chance to do something great. Regarded by her coaches as having the highest basketball IQ on the court, Tori has proven her acumen time and again. Now, as the all-time point leader for MSU, she has written her own legacy into the record book as one of the best college women's basketball players of all time.

Tori has overcome obstacles and excelled at the highest level of competition. On behalf of the Fourth & Eighth Congressional Districts

of Michigan, we are honored today to recognize Tori Jankoska for her lifetime of work on and off the court and wish her all the best in her future endeavors.

**MICHELLE ESTRADA RECEIVES
DISTINGUISHED SERVICE-EDU-
CATION AWARD FROM THE VVC
FOUNDATION**

HON. PAUL COOK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2017

Mr. COOK. Mr. Speaker, I rise today to recognize the outstanding service of Michelle Estrada who will be presented the Distinguished Service-Education Award from the Victor Valley College Foundation on February 25, 2017.

Michelle Estrada was nominated for this award because of her dedication to her students and staff at Hesperia High School. Ms. Estrada provides a one of a kind Early College Academy that allows students to receive college credit while attending Hesperia High School. The Early College Academy provides students with technical skills that enable them to become specialists before they graduate. Ms. Estrada is passionate about helping students who lack the support to succeed and is a pillar at Hesperia High School for students to strive towards success.

On behalf of the U.S. House of Representatives, I would like to thank Michelle Estrada for her tireless work and dedication to the students of Victor Valley. I congratulate Michelle Estrada on receiving the Distinguished Service-Education Award from the Victor Valley College Foundation.

**IN RECOGNITION OF THE 26TH
CONGRESSIONAL DISTRICT'S
LAW ENFORCEMENT OFFICERS**

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2017

Mr. BURGESS. Mr. Speaker, I rise today to honor our heroes in blue who serve and protect the North Texas community. The exemplary members of our law enforcement put their lives on the line daily to ensure the safety of our citizens and deserve all of the respect and honor that our nation has to offer.

With 135 law enforcement officers lost in 2016 alone, the sacrifices made by these selfless men and women to ensure our safety are more apparent now than ever before. These tragic losses were felt even closer to home when five officers were lost in Dallas just six months ago.

I want to express my sincerest gratitude to Police Chiefs Reim, Tackett, Bruce, Wilson, Hargis, Carolla, Kerbow, Perdue, Kowalski, Amyx, Coulon, Watson, Sadler, Johnson, Reynolds, Pauley, Payne, Harrison, Henley, Brooks, Edland, Genova, Howell, Blount, Walthall, Patrick, Fitzgerald, Fowler and Kancel; to Denton County Constable

Hammons, Truitt, Raburn, Burch and Boydston; and Tarrant County Sheriff Bill Waybourn and Denton County Sheriff Tracy Murphee.

The leadership exhibited by these law enforcement officers and their service to the 26th District of Texas is invaluable and it is my privilege to recognize such an outstanding group.

REV. PATRICIA BRUGER

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2017

Mr. PASCRELL. Mr. Speaker, I would like to call to your attention the outstanding achievements of Rev. Patricia Brugger, her contributions to CUMAC and all those in need.

Patricia has a Master of Divinity degree with over 25 years of experience in social and civic ministries. She is an ordained Elder of The United Methodist Church, a certified Mentor for the Board of Ordained Ministry, a certified counselor for the Clergy Partnership on Domestic Violence, and a member of the Bishop's Task Force on Urban Minorities.

Prior to attending seminary and coming to CUMAC, Patricia worked for the Girl Scouts of America and was a public school teacher. She is a committed social servant dedicated to the eradication of hunger and poverty through direct source and broad advocacy efforts. She was a founding member of, and remains active in the Emergency Food Coalition of Passaic County (newly operating as a CUMAC program), the NJ statewide Anti-Hunger Coalition, and the Paterson Alliance. Pat has been a leading voice for her community, advocating for hunger to be addressed in the state budget, as well as rallying support for SNAP benefits and Breakfast after the Bell, to feed hungry students so that they can have a proper education.

Patricia has been the Executive Director of CUMAC for over 26 years. She has led the organization through a tremendous period of growth from operating out of an abandoned church to purchasing its own 28,000 square foot facility and from a small food pantry to a multiservice agency serving over 40,000 people in need every year, providing food assistance, disaster relief, job training, supportive housing, and hope to a community facing pervasive poverty.

Patricia's forward-thinking and leadership abilities has encouraged and inspired staff and volunteers to partake in CUMAC's mission of taking care of others. She has raised awareness about pervasive poverty through this organization, and strives to fulfill the needs of people who do not have the adequate resources to function in their daily lives. She has worked closely with other feeding programs throughout Passaic County and northern New Jersey to bring about change in the community, and to assist in eradicating poverty.

Through a lifetime of service and leadership, she has aided, encouraged and inspired many. Her vision and strength have had a profound impact on the movement to fight hunger, poverty and injustice in Passaic County and beyond.

Mr. Speaker, I ask that you join our colleagues, family and friends, all those whose lives she has touched, and me, in recognizing the work of Rev. Patricia Bruger and her strong desire to help those in need across the world.

IN RECOGNITION OF COLONEL
JAMES J. KEEFE

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2017

Mr. NEAL. Mr. Speaker, I would like to take this opportunity to congratulate Colonel James J. Keefe on his promotion to the rank of Brigadier General and his assignment as Assistant Adjutant General for Air at the Massachusetts Air National Guard at the Joint Force Headquarters at Hansom Air Force Base. He has dedicated his life to the defense of our country and I would like to take the time to express my gratitude to him.

Jim Keefe has been a constituent of mine throughout my tenure in Congress as a resident of Northampton and Southampton, Massachusetts. He graduated from Norwich University in Vermont and was commissioned into the United States Air Force in 1987. During his time in the active Air Force, Colonel Keefe proved to be an effective F-16 Fighting Falcon pilot and instructor at bases in Florida, Georgia, and Washington, DC. In May of 1999, Colonel Keefe returned home and joined the Massachusetts Air National Guard at Barnes Air National Guard Base in Westfield, Massachusetts. In the course of his service, Colonel Keefe has flown in over 3400 flying hours, as well as 330 hours of combat in missions Operation Southern Watch, Operation Northern Watch, Operation Iraqi Freedom, and Operation Noble Eagle. In addition to his pilot duties, Colonel Keefe has served as Flight Commander, Squadron Commander, and Vice Commander at the 104th Fighter Wing. Since 2013, he has faithfully served as Wing Commander of the 104th, where he is charged with directing over a thousand military and civilian personnel in support of the wing's mission to defend against any air threat to the homeland.

Throughout his career, Colonel Keefe has been recognized many times for outstanding service to this nation. These awards include the Meritorious Service Medal, the Air Force Commendation Medal, Air Force Combat Medal, Air Force Outstanding Unit Award, Global War on Terrorism Service Medal, Air Force Expeditionary Service Ribbon, and the Military Outstanding Volunteer Service Medal to just name a few. Needless to say, Colonel Keefe has been an asset to the Air Force and the Air National Guard for decades.

Mr. Speaker, as Colonel Keefe moves onto the next step in his career and continues to serve the Commonwealth of Massachusetts and his country, I want to thank him for his service. Barnes Air National Guard Base has been the example all Air National Guard bases look to in terms of excellence. That is partly in part to the exemplary leadership that Colonel Keefe has brought to Barnes. I wish him all the best in his future endeavors.

THERESA A. MANUEL

HON. KATHY CASTOR

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2017

Ms. CASTOR of Florida. Mr. Speaker, I rise today to honor the life of an extraordinary Tampa resident and Olympian, Theresa A. Manuel. While Ms. Manuel competed internationally in track and field, her undying commitment to students at home as a teacher and coach may have had an even greater impact on the hearts of my neighbors across the Tampa Bay area.

Despite growing up during segregation, Theresa Manuel persevered through adversity to become the first African-American woman from Florida to compete in the Olympic Games. Ms. Manuel was born in 1926 in Port Tampa City, Florida. As a young woman, she was a star basketball player at Middleton High School in Tampa. Ms. Manuel had such a love for basketball that she would often convince neighbors to set up lamps at night so she and her teammates could practice on the outdoor court near Middleton High. She attended the Tuskegee Institute, now Tuskegee University in Alabama, where she was affectionately nicknamed Trick Shot for her skill in basketball and in addition won multiple championships for the Tuskegee Track and Field team.

In the summer before her senior year, Ms. Manuel made history by competing as a member of the U.S. Track and Field team at the 1948 Olympic Games in London. She competed in the Olympics at a time when sports were not widely considered open to women, let alone black women. She represented her country with dignity and grace, and upon returning home she and her team proudly celebrated their success with President Harry Truman at the White House.

After graduating from Tuskegee, Ms. Manuel moved back to Tampa to care for her ailing mother and began her 38-year career as a decorated teacher and coach. She was a legendary coach in Tampa. She led her teams to multiple state championships and was named the best coach in Hillsborough County in 1975, and subsequently the best in the state of Florida in 1976.

Ms. Manuel continued to garner countless honors and awards throughout her distinguished lifetime. Some of those honors include being inducted into the Tuskegee Institute Hall of Fame and City of Tampa Hall of Fame and being named one of the "100 Distinguished Women of Hillsborough County."

Ms. Manuel's importance to the African American community in Florida and indeed all Floridians transcends even her many accomplishments in sport. Most importantly, she will always be remembered as a great leader and giant matriarchal figure to the thousands of students whose lives she touched. She was a champion in all facets of life. On November 21st, 2016, Ms. Manuel passed away at the age of 90 in Tampa, Florida.

Mr. Speaker, on behalf of the citizens of the Tampa Bay community, I am proud to honor Ms. Theresa A. Manuel for her lifelong service and inspirational life.

TRIBUTE TO JESSE BUNNEY

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Jesse Bunney for being named a 2017 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines Area that are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious honor based on a combined criteria of community involvement and success in their chosen career field. The 2017 class of Forty Under 40 honorees will join an impressive roster of 680 past business leaders and growing.

Jesse Bunney is a Senior Associate at CBRE/Hubbell Commercial. One of his main goals is to be the leading commercial real estate agent in Des Moines. Jesse dedicates his time and abilities to a number of different central Iowa organizations including: the Cystic Fibrosis Foundation's Iowa Corporate Board, Best Buddies Iowa, Meals from the Heartland, and Young Life Des Moines. Above all, his highest priorities include being a husband, father, and raising his children to be aware of the needs of others.

Mr. Speaker, it is a profound honor to represent leaders like Jesse in the United States Congress and it is with great pride that I recognize him today for utilizing his talents to better both his community and the great state of Iowa. I ask that my colleagues in the United States House of Representatives join me in congratulating Jesse on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2017 Forty Under 40 class a long and successful career.

IN SUPPORT OF THE 2020 PLAN

HON. CHARLIE CRIST

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2017

Mr. CRIST. Mr. Speaker, I rise today to recognize an innovative effort in my hometown of St. Petersburg, Florida that's empowering the community and changing lives. Looking for new solutions to the chronic problem of poverty in the African American community, and spearheaded by local activist Gypsy Gallardo, a partnership between the Pinellas County Urban League, the City of St. Petersburg, and over 100 grassroots community organizations, known as the 2020 Plan, is already showing results.

The goal is simple and direct—reduce poverty by 30 percent in the South St. Petersburg community by 2020. The Plan, focused on providing a hand-up, not just a hand-out, is holistic. It connects all aspects of society; government, the business community, the non-

profit sector, and concerned citizens, focusing on investment in economically distressed areas to generate jobs and revenue, career training and education to reduce barriers to employment, and providing the necessary social services to strengthen the family unit. Since its inception two years ago, the Plan and its partners have raised \$2.2 million through a combination of grants, private investment, and donations.

If the most recent Census data is indicative, The Plan is having a real impact. In 2015, the poverty rate in this community dropped by 8.5 percent. That's compared to a 1.7 percent decline in Florida and a 1.6 percent decline nationally over the same period.

Mr. Speaker, I strongly support this effort, and couldn't be more proud of my hometown. The 2020 Plan underscores the power of community coming together to care for each other. It is inspiring, and holds promise as a model for communities across the country. I salute their leadership, and look forward to our working together in the years ahead to reach our goal.

TRIBUTE TO RYAN CRANE

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Ryan Crane for being named a 2017 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines Area that are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious honor based on a combined criteria of community involvement and success in their chosen career field. The 2017 class of Forty Under 40 honorees will join an impressive roster of 680 past business leaders and growing.

Ryan works with the Community Foundation of Greater Des Moines, where he helped to raise a record-setting \$62 million. Outside of work, Ryan is very active within the community. He volunteers his time at the Des Moines Social Club and the West Des Moines Public Art Advisory Council, works to expand the local chapter of the New Leaders Council, and administers the First Friday Breakfast Club scholarship program. In his free time, you can find him running or cycling on one of the many local trails.

Mr. Speaker, it is a profound honor to represent leaders like Ryan in the United States Congress and it is with great pride that I recognize him today for utilizing his talents to better both his community and the great state of Iowa. I ask that my colleagues in the United States House of Representatives join me in congratulating Ryan on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2017 Forty Under 40 class a long and successful career.

ELWIN MATHEW SELECTED TO REPRESENT TEXAS AT CONGRESS OF FUTURE SCIENCE AND TECHNOLOGY LEADERS

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2017

Mr. OLSON. Mr. Speaker, I rise today to congratulate Elwin Mathew of Missouri City, TX, for being chosen to represent Texas as a Delegate at the Congress of Future Science and Technology Leaders by the National Academy of Future Physicians and Medical Scientists.

Elwin is a junior at Elkins High School. He was nominated for this position thanks to his excellent academic record and desire to enter the Science, Technology, Engineering and Math (STEM) field. Through this program he will be able to meet some of the most important leaders in the STEM industry, including Nobel Prize winners and top scientific university deans. The Congress of Future Science and Technology Leaders is hosted to help motivate the top students in the country to pursue their desired careers in the STEM fields.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Elwin Mathew for being selected as a Delegate at the Congress of Future Science and Technology Leaders. We are extremely proud and expect great things from him in the future.

TRIBUTE TO JENNA KNOX

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Jenna Knox for being named a 2017 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines Area that are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious honor based on a combined criteria of community involvement and success in their chosen career field. The 2017 class of Forty Under 40 honorees will join an impressive roster of 680 past business leaders and growing.

Jenna is the Director of Strategic Partnerships and Development at Planned Parenthood of the Heartland, and has been recognized, both locally and nationally, as an accomplished sales and development professional. She is involved in a number of organizations, including the Association of Fundraising Professionals, Lead Like a Lady, National Philanthropy Day, River Bend Historic Home Tour and the Urban Dreams 2017 campaign.

Mr. Speaker, it is a profound honor to represent leaders like Jenna in the United States

Congress and it is with great pride that I recognize her today for utilizing her talents to better both her community and the great state of Iowa. I ask that my colleagues in the United States House of Representatives join me in congratulating Jenna on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2017 Forty Under 40 class a long and successful career.

SOUTH CAROLINA ARMY NATIONAL GUARD DEPLOYMENT CEREMONY

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2017

Mr. WILSON of South Carolina. Mr. Speaker, yesterday, I was grateful to attend the deployment ceremony for the 742nd Support Maintenance Company of the South Carolina Army National Guard.

These remarkable men and women departed Eagle Aviation in West Columbia, South Carolina, for training in Texas before heading to Eastern Europe for their yearlong deployment to support our European allies of Poland and Romania. They will participate in Operation Atlantic Resolve, a critical part of our response to Russia's hostile actions in Ukraine and Georgia to promote peace through strength.

As Chairman of the House Armed Services Subcommittee on Readiness, but, more importantly, as the father of four sons who have all served overseas, I was deeply grateful for the opportunity to thank the servicemembers and their families for their service and sacrifice.

Under the leadership of President Donald Trump, Secretary of Defense Jim Mattis, and South Carolina's Adjutant General, Major General Bob Livingston, I am confident the 742nd Support Maintenance Company will have the resources and leadership to be successful and accomplish their mission of solidarity with our NATO allies.

In conclusion, God bless our troops and we will never forget September 11th in the global War on Terrorism. Godspeed to the 742nd Support Maintenance Company. You will be in our thoughts and prayers.

REECE KEMP SELECTED TO REPRESENT TEXAS AT CONGRESS OF FUTURE SCIENCE AND TECHNOLOGY LEADERS

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2017

Mr. OLSON. Mr. Speaker, I rise today to congratulate Reece Kemp of Katy, TX, for being chosen to represent Texas as a Delegate at the Congress of Future Science and Technology Leaders by the National Academy of Future Physicians and Medical Scientists.

Reece is a senior at Cinco Ranch High School. He was nominated for this position

thanks to his excellent academic record and desire to enter the Science, Technology, Engineering and Math (STEM) field. Through this program, he will be able to meet some of the most important leaders in the STEM industry, including Nobel Prize winners and top scientific university deans. The Congress of Future Science and Technology Leaders is hosted to help motivate the top students in the country to pursue their desired careers in the STEM fields.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Reece Kemp for being selected as a Delegate at the Congress of Future Science and Technology Leaders. We are extremely proud and expect great things from him in the future.

TRIBUTE TO ALEX BRODERICK

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Alex Broderick for being named a 2017 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines Area that are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious honor based on a combined criteria of community involvement and success in their chosen career field. The 2017 class of Forty Under 40 honorees will join an impressive roster of 680 past business leaders and growing.

Alex Broderick is a Senior Property Manager at Hubbell Realty Company. Outside of work Alex has a real passion for volunteerism and sports. He serves as chair of the City of Waukee Planning and Zoning Commission, and has a goal to expand company-wide volunteerism at Hubbell Realty Company. He is also a board member of Courage League Sports, and hopes to see a recreational athletic facility in downtown Des Moines someday. Above all, he maintains his focus on the "Three F's" of Family, Faith and Friends, as his grandfather Phil taught him.

Mr. Speaker, it is a profound honor to represent leaders like Alex in the United States Congress and it is with great pride that I recognize him today for utilizing his talents to better both his community and the great state of Iowa. I ask that my colleagues in the United States House of Representatives join me in congratulating Alex on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2017 Forty Under 40 class a long and successful career.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4,

1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, February 28, 2017 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MARCH 1

Time to be announced

Committee on the Judiciary

Business meeting to consider the nominations of Charles R. Breyer, of California, and Danny C. Reeves, of Kentucky, each to be a Member of the United States Sentencing Commission, S. 419, to require adequate reporting on the Public Safety Officers' Benefits program, and committee rules of procedure for the 115th Congress.

TBA

10 a.m.

Committee on Commerce, Science, and Transportation

To hold hearings to examine improving access to infrastructure for communities across the country.

SD-106

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine the effects of border insecurity and immigration enforcement on American communities.

SD-342

Committee on Veterans' Affairs

To hold a joint hearing with the House Committee on Veterans' Affairs to examine the legislative presentation of The American Legion.

SD-G50

10:15 a.m.

Committee on Armed Services

Subcommittee on Emerging Threats and Capabilities

To receive a closed briefing on global counterterrorism.

SVC-217

10:30 a.m.

Committee on the Budget

Business meeting to consider committee rules of procedure for the 115th Congress.

SD-608

Committee on Environment and Public Works

To hold hearings to examine flood control infrastructure, focusing on safety questions raised by current events.

SD-406

Committee on Finance

Business meeting to consider the nomination of Seema Verma, of Indiana, to be Administrator of the Centers for Medicare and Medicaid Services, Department of Health and Human Services.

SD-215

2 p.m.

Committee on Veterans' Affairs

To hold a joint hearing with the House Committee on Veterans' Affairs to examine the legislative presentation of the Veterans of Foreign Wars of the United States.

SD-G50

MARCH 2

9:30 a.m.

Committee on Armed Services

To hold hearings to examine cyber strategy and policy.

SH-216

Committee on Commerce, Science, and Transportation

Subcommittee on Communications, Technology, Innovation, and the Internet
To hold hearings to examine the value of spectrum to the U.S. economy.

SD-G50

10:30 a.m.

Committee on Foreign Relations

To hold hearings to examine Venezuela, focusing on options for U.S. policy.

SD-419

2 p.m.

Select Committee on Intelligence

To hold closed hearings to examine certain intelligence matters.

SH-219

MARCH 8

10 a.m.

Committee on Commerce, Science, and Transportation

To hold an oversight hearing to examine the Federal Communications Commission.

SH-216

2:30 p.m.

Committee on Armed Services

Subcommittee on Strategic Forces

To hold hearings to examine the global nuclear weapons environment.

SR-222

Committee on Indian Affairs

To hold an oversight hearing to examine Indian affairs priorities for the Trump Administration.

SD-628

MARCH 9

10 a.m.

Committee on Veterans' Affairs

To hold a joint hearing with the House Committee on Veterans' Affairs to examine the legislative presentation of multiple veterans service organizations.

SD-G50

MARCH 22

10 a.m.

Committee on Veterans' Affairs

To hold a joint hearing with the House Committee on Veterans' Affairs to examine the legislative presentation of multiple veterans service organizations.

SD-G50

SENATE—Tuesday, February 28, 2017

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

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

Let us pray.

Wonderful God, Your promises are sure. Provide us with the will to be productive citizens of Your Kingdom. Fill our lawmakers with Your Spirit so that their ordered lives will provide evidence of Your power. Lord, give them a sure confidence in Your love and a faith to tackle the challenges of our time. May they grow daily in Your grace and in the knowledge of Your will for their lives. Help them to be humble, gentle, patient, and generous as they seek to do Your will on Earth, even as it is done in Heaven. Provide them with the wisdom to claim their true identity as Your children, who have Your image engraved upon their hearts.

We pray in Your strong Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

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

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. SASSE). The majority leader is recognized.

OBAMACARE AND THE PRESIDENT'S ADDRESS TO CONGRESS

Mr. MCCONNELL. Mr. President, the past 8 years have not been easy for America's middle class. Americans labored under an economy that failed to deliver. They have fought against red-tape that threatened their jobs and small businesses. When they looked at Washington, they saw an administration that repeatedly put its leftwing ideology ahead of middle-class interests.

Kentuckians understand this better than most. They watched as the last administration launched a war on vulnerable families in coal country. They watched as the last administration launched a direct attack on the middle class in the form of ObamaCare.

Kentuckians were promised that health insurance premiums would go

down, but they soared by as much as 47 percent just this year. Kentuckians were promised that health choices would increase, but they plummeted down to just one exchange provider in nearly half of our counties. Kentuckians were also promised they could keep their health plans, but many continued to find themselves forced into insurance so expensive, insurance that so few of their doctors will accept, it is basically useless.

ObamaCare has pushed Kentucky's insurance market to the brink of collapse, and now Democrats want to throw a victory party. I am not sure how else to interpret their choice to respond to the President's address tonight.

The absolute ObamaCare disaster that Governor Beshear presided over continues to harm Kentucky today, even after he has left office. Kentuckians have since repudiated that legacy in election after election. They replaced him with an anti-ObamaCare Governor and legislature. They voted for a President who listened to them and promised to repeal and replace ObamaCare. They sent Republicans back to the Senate and House who listened to them and promised to repeal and replace this partisan law as well.

Former Kentucky Governor Beshear was correct to note that "the American people by their votes don't agree with [Democrats]." So maybe he will agree it is time to finally listen to Kentuckians and families around the country and move on from this disastrous law.

What I am talking about here is, he is doing the response tonight. The former Governor of Kentucky is the poster child for ObamaCare and doing the response to the President tonight. We are going to move forward. I hope that is the message Governor Beshear can find within himself to deliver tonight, but I will not hold my breath. I am sure it is a message President Trump will deliver, however.

In November, the American people elected a new President who offered a new direction. He will now have an opportunity to talk about how we can make that change. We already know what needs to be done. We need to leave ObamaCare in the past and replace it with commonsense reform so we can bring relief to the middle class.

We need to make regulations smarter so we can get the economy moving. We need to make taxes simpler so we can create more jobs. I look forward to hearing what the President has to say on all of these matters.

I also hope he will provide more thoughts on how we can help our vet-

erans and strengthen our military. Getting even one of these items achieved would be a win for our country. Getting all of them done would be a significant undertaking.

Congress may hold the key to getting many things done, but the executive branch has important authority as well. The President and his Cabinet Secretaries have already taken critical action to move us forward on many of these issues. It is another reason the rest of his Cabinet needs to be confirmed as soon as possible. The Senate is working hard to get that done.

The Senate is also working hard to confirm another of his nominees, an outstanding jurist named Neil Gorsuch. He is going to make an exceptional Supreme Court Justice. It is a sentiment you hear expressed right across the political spectrum. The President made a brilliant choice with Judge Gorsuch.

We are all looking forward to what the President has to say tonight. It is a big moment for him. More importantly, it is a big moment for our country. Americans are ready to move forward. They are ready to get our economy moving. They are ready to leave the failures of the status quo behind, such as ObamaCare, and move toward a more hopeful future. After 8 long years, believe me, it is something we can all use.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, morning business is closed.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

PRESIDENT'S ADDRESS TO
CONGRESS

Mr. SCHUMER. Mr. President, this evening, the President will give his first address to a joint session of the House and Senate. We look forward to hearing from him. Tonight's speech from the President will be far less important than past Presidential addresses for one very simple reason, this President has shown throughout his campaign for the Presidency and now his first month in office that there is a yawning gap between what he says and what his administration actually does for working Americans.

He talks like a populist but governs like a pro-corporate, pro-elite, hard-right ideologue. He promised to be a champion for working people in his inauguration, and then 1 hour later signed an Executive order making it harder for working people to afford a mortgage. He told raucous crowds that he would tear down the power structure in Washington and drain the swamp, but he has spent his first month in office appointing bankers and billionaires and titans of Wall Street to fill his administration. He ran a campaign against the elites, promising to stand up to Wall Street, but as soon as he was in office, he started to try to roll back Wall Street reform and consumer protections designed to prevent another economic crisis and protect the interests of hard-working Americans.

In his inauguration, he said that Washington and the special interests have enriched themselves while "the people did not share in its wealth." Then, one of the first bills he signed made it easier for large oil, gas, and mining companies to hide payments—potentially bribes—they make to foreign governments.

That is the swamp. He is not cleaning it; he is making it worse. Despite all his talk, he seems to be full steam ahead on a program to help big business, the special interests, and Wall Street. Meanwhile, a massive infrastructure proposal, a centerpiece of his pitch to working America, is nowhere to be found. A program to stop jobs from moving overseas—not just tweeting about a few hundred jobs at Carrier plants staying in the United States—is nowhere to be found.

President Trump ran as a populist and still talks like one, but his first month has been a boon for corporations, the wealthy, and the elite in America and has provided absolutely no relief to folks who are struggling to make ends meet—no relief to the middle class and those struggling to get there. In fact, many of his proposals shift the burden off the backs of the special interests and keep it on the backs of working families. He likely isn't finished yet.

Tonight, the President might discuss his tax plan. He said that every deci-

sion on taxes would be made to "benefit American workers and American families." It is another grandiose promise. But every indication we have gotten about the administration's plan is that it would give tax breaks to the wealthy and shift the burden onto the middle class and working class.

So no matter what the President says tonight, we will have to look at the details of his proposal and see who it really helps, and every American should, as well.

Tonight, if past is prologue, the President will use populist rhetoric in his speech, but he won't back it up with real actions. He will use populist rhetoric in his speech to hide what he is actually doing, which is helping the special interests and making it harder to stay in the middle class. He talks like he favors working people, but his actions ultimately desert them.

He will present himself as a President for the forgotten man, but he will forget him the moment it comes to governing. So while I hope the President offers a message of inclusivity and talks about some issues where Democrats and Republicans can perhaps find common ground, his speech tonight will mean nothing the very instant after it is delivered unless he backs up his words with real actions.

His speech tonight will be nothing if his Cabinet of billionaires and bankers, his main advisers who seem to favor the wealthy, and an agenda far away from what America wants, continue to govern from the hard right, which is very far from the American mainstream and even the Republican mainstream. His speech tonight will mean nothing if he continues to do as he has done these first few months since being elected—breaking promises to working people and putting an even greater burden on their backs while making it easier to be wealthy and well-connected in America.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. FLAKE). Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The bill clerk read the nomination of RYAN ZINKE, of Montana, to be Secretary of the Interior.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, I rise today to speak about the nomination of Congressman RYAN ZINKE to be Secretary of the Interior.

The Secretary of the Interior is one of the most important jobs in the Federal Government and even more so for people in the West. I know the Presiding Officer would agree with that.

The Department of the Interior has an incredibly broad portfolio. It is responsible for managing our Nation's public lands, our national parks, our national wildlife refuges, and overseeing mineral and energy development on our public lands and in our Federal waters offshore, making sure that the taxpayers of the United States get a fair deal for the resources that the public—the public—actually owns. The responsibilities of the Department of the Interior also include ensuring that tribal trust responsibilities are met, as well as attending to our insular affairs. The Secretary of the Interior also manages a large part of water resources in Western States—again, which I know the Presiding Officer knows so well because there are so many issues related to drinking water and hydroelectric facilities that affect millions of our citizens.

So it is a far-reaching and diverse portfolio, and it requires the Secretary to take into account not only the demands of the extraction industry—the oil, gas, coal, and hard rock mining companies—the Secretary, above all, must protect the public's interests.

I think the public could probably best understand this by knowing what happened in the Gulf of Mexico and the implosion that happened with the Deepwater Horizon well. Here, the Department of the Interior and minerals management resource agencies, in my opinion, should have been doing a better job of protecting the public and protecting that vital resource.

The conclusion of hearings after this fact found that there were many recommendations to clean up and streamline the minerals management agency so that it was not catering to the interests of the oil and gas industry, but making sure that it adheres to what is the public interest. Now all that has been made famous in a movie, which many of the public I think should go to see. Taking shortcuts when it comes to extraction of mineral resources is not a good idea, and having an Interior Secretary who makes sure we manage these resources well is critical to our Nation.

Also, the outdoor recreation industry, in and of itself, in my opinion—and I am sure in the opinion of many others here who understand it—has become a juggernaut. I will talk about that in a little bit. It is an economy in and of itself. It is worth preserving. It is worth fighting for. It is a source of

tax revenue, income, jobs, and, most importantly, a quality of life that so many Americans hold dear. I have been so touched by the letters I have gotten from veterans, who have said to me on their returning back from Iraq and Afghanistan that having the wonders of the outdoors as a place for peace and sanctuary has been so critical to them. They have argued in support of important programs like the Land and Water Conservation Fund, and others, to make sure that our public lands are there for them to enjoy and for their children to enjoy in the future.

So, in short, the Secretary must balance the short-term demands of developing resources on these public lands against the need to protect the environment and sensitive areas and preserve that natural heritage, as I said, for future generations. It is very important that we have a Secretary who understands what our Nation's leading stewardship responsibilities are, understands what those special places are, like the Grand Canyon, and other places such as Mount Rainier, and makes sure they are protected.

I had hoped to be able to support Congressman ZINKE's nomination based on his assurances that he would manage the Department of the Interior as a Teddy Roosevelt Republican. However, I cannot ignore the Trump administration's plans for our public lands and resources, and I cannot ignore Congressman ZINKE's commitment during our committee hearings to work to implement President-Elect Trump's energy independence policy, as well as a variety of positions on returning Federal land, taking public lands off the protection that they deserve today. These are very important public policy issues, and I note that President Trump has said to many people: "My Cabinet is free to say whatever they want." So the fact that these important policies are going to be implemented that may erode what has been decades of policy for us in managing our public resources is quite concerning to me.

What exactly is the Trump administration's plan? Clearly, the Trump administration intends to pursue an aggressive agenda when it comes to mining and drilling on our public lands and waters. The President and his senior advisers have made clear their intention to undo what are reasonable protections put in place in environmentally sensitive areas. The administration will renew its efforts to reverse protections of important onshore and offshore areas. Based on energy plans posted on the White House website immediately after the President's inauguration, the President seems to be committed to simply opening up as much Federal land as possible to coal mining and energy development.

The administration has said it will use money from drilling and mining on

all our public lands and waters to pay for a multibillion-dollar infrastructure package. My constituents want to know where they draw the line. Where does that stop?

The administration has already suspended rules ensuring polluters on our public lands don't have to pay their fair share. The President has signed into law a measure gutting the Obama administration rule that would have prevented coal companies from dumping toxic chemicals into our Nation's rivers and streams. So it is clear to me that the new administration will do everything it can to reverse the responsible management of our public land and instead pursue an aggressive energy development policy without regard to the environmental and public health consequences.

The bedrock principle, I believe, is that polluters should pay and they should clean up their messes on public lands. We may all have a different opinion here about how much public land should be developed, but I think everybody should be in agreement that polluters should pay, and they should leave our public land in a pristine nature.

It is equally clear that the new administration will be encouraged in this effort by the majorities in the House and the Senate by some of the legislation we have already seen, such as enabling coal companies to dump their mining waste into streams and impacting State drinking water, enabling oil companies to waste the public's natural resource without paying royalties on the gas they waste—that is costing taxpayers money—and reports that the President intends to issue an Executive order to overturn the current moratorium prohibiting new coal leases on Federal land. That is an issue about getting a fair deal for the taxpayer. The taxpayer is impacted by this coal extraction. Coal companies, instead of doing the job it takes to extract coal without an impact on the public, are taking Federal resources and making lots of money without responsibility to the taxpayer.

The previous Secretary, Secretary Jewell, basically said, for the first time in many years, that they would look at what the industry was paying as far as coal royalties. That process is underway, and we think it should be carried out. We think the taxpayer deserves a fair deal.

Unfortunately, I am not convinced that Congressman ZINKE will be willing or able to moderate the Trump administration's extreme views on exploiting our public lands, and I am not sure he will be willing or able to stand up to the President to protect the public interest and ensure that our public lands are managed and protected for the benefit of all Americans—not just the oil, gas, and mining companies and their commercial interests.

The Secretary's principal job is to be a guardian, a steward of our public lands. To me, stewardship is so important. So many of my colleagues come to the floor and act like they are managing this resource for their lifetime and their generation. Stewardship is about managing these resources for future generations as well. If our past ancestors had been so callous with these Federal resources, where would we be today? It is so important that we not look at these Federal lands so narrowly as a source of natural resources that someone has in their particular State or interest but also to make sure that stewardship protects these resources for future generations as well. With that in mind, I have seen several laws and regulations under attack that are fundamental to keeping that mission of stewardship at the Department of the Interior, including the Clean Water Act, the Federal Land Policy and Management Act, the Clean Air Act, the Surface Mining Control and Reclamation Act, and the Antiquities Act.

While Congressman ZINKE said he would oppose the transfer of Federal lands to the States, which I appreciate, at the same time, he has indicated he is willing to consider transferring away management of certain Federal lands to the States.

What does that mean? For example, you could have a monument or a designation of Federal land—it could be even Mount Rainier or some beautiful place in the Pacific Northwest—consequently transferred back to the State and that particular State—it wouldn't happen in Washington but might happen in some other State—decides to start managing that land and extracting resources. You might think that couldn't possibly happen. I have news for you. That is the debate du jour. This is exactly—exactly—the debate today.

Last Congress, Congressman ZINKE cosponsored and voted for a bill to transfer to the States management of red snapper fisheries in Federal waters. He supports transferring Federal management responsibilities to the States, and it clearly undercuts the commitment to Federal resources.

We also know he has previously supported efforts to restrict use of the Antiquities Act to designate national monuments. In fact, he appears open to efforts to weaken or repeal certain recently designated national monuments. He has indicated one of his first priorities, upon confirmation, will be to visit Utah to consider a Republican proposal to rescind the recently designated Bears Ears National Monument. This is despite the strong support of many across the Nation and in Utah, as well as tribal support from the Bears Ears Inter-Tribal Coalition, representing the five affected tribes in the region.

As somebody who enjoys the outdoors, I can state how important it is

to be able to go and recreate. I have not been to Bears Ears, but I have heard incredible stories from climbers and those interested in seeing this unique terrain that it is a very special place.

As we enter this debate, the issue of the Bears Ears National Monument and whether they are going to roll back Federal land protection will be at the center of this discussion. Created by President Obama, Bears Ears encompasses 1.3 million acres of beautiful desert hills, mesas, sandstone canyons, spiritually significant lands to local tribes, and some of the best crack climbing in the world. The climbing community loves to recreate there.

The conservation community and tribes have fought for many years for this designation. If and when he is confirmed, Congressman ZINKE will be under intense pressure from some quarters to try to undo this designation. In fact, heated debate on this subject boiled over just a week ago as the Outdoor Retailer show decided to leave Salt Lake City, after two decades and contributing at least \$40 million to the economy in various shows that they had each year there, because of Utah's stated desire and the congressional delegation's interest in basically claiming Federal lands and selling them off for extraction from the oil and gas industry.

I was so proud of retailers, such as REI in my State or others such as Patagonia, Black Diamond, Outdoor Research and others, basically put their money where their mouth is. They decided that if a State was going to attack the very economy that was so important to them in jobs and recreation, that they were going to do something about moving their impacted industry somewhere else.

I would like to read what the Salt Lake Tribune editorial board had to say about this issue.

"In the same week Utah announced that it had topped \$8.17 billion in annual economic benefit from tourism, the \$40 million Outdoor Retailer show announced it was leaving.

"Surely we can take a half-percent hit, right?

"No. The exit of Outdoor Retailer is so much more than just losing the State's largest convention. There will be hospitality jobs lost, and hotel rooms from Sandy to Ogden vacant for those two weeks a year. We're now building a 900-room downtown convention hotel—with public bonding authority—largely on spec. There is now no convention currently on Salt Lake City's docket that demands it.

"The reason Outdoor Retailer is leaving—their rejection of Utah's political leaders' values as shown in the stubborn and pointless fight against a Bears Ears National Monument—should make this moment a turning point.

"In the 1960s, Utah found itself at a confluence. One flow was fed by a collection of downtown Chamber of Commerce types who hatched a longshot bid to obtain the 1972 Winter Olympics. They knew they wouldn't win, but they saw it as a chance to sell Utah's "Greatest Snow on Earth." It was the first time Utah took its outdoor tourism message to the world, and it was well received.

"The other flow came from a fundamental change in the American people, who were waking up to the natural world and the treasures in their own presence. In Utah, there was recognition that we held those treasures. A national park was created in Canyonlands, and national monuments in Arches, Capitol Reef were elevated to national parks. Utahns of all creed and color united in their pride of our shared national icons."

I am sure the Presiding Officer also agrees with the concept, being from the home of the Grand Canyon. Continuing to read from the editorial:

"Where once we were a peculiar backwater, we became known the world over. Were it not for pioneering efforts, there would be no ski industry. No Olympics. No Sundance Film Festival. No Flat Tire Festival. No steady stream of tour buses climbing to Bryce Canyon. No \$8.17 billion per year.

"Losing Outdoor Retailer over Bears Ears represents a reversal of a half century of progress in inviting the world to appreciate Utah."

"The seeds of that failure were shown in the rejection . . . of the unprecedented unity of five Indian nations coming together to protect their ancestral homeland. Instead of recognizing the significance, our leaders emboldened the local pioneer descendants who were claiming their 150 years of ranching took precedent over centuries of Indian presence in Bears Ears. The tribes had no choice but to go to the president.

"That blindness that can be sourced to Utah's one-party political system that has given us leaders who are out of touch with their constituents. Dismantling the Bears Ears was a slam dunk in the Utah Legislature last week, but it's an issue on which every poll has shown Utahns divided, a division encouraged by the false narrative that the monument was a trade-off between fat energy jobs and low-paying tourist jobs.

"The Bears Ears monument may be with us forever, and there is no bucket of gold waiting if it does go away. The presidential proclamation bent far toward the same boundaries and shared management Representative BISHOP pursued with his Public Lands Initiative. In that context, Utah political leaders' vehemence looks to much of the nation like white rejection of the legitimacy of a black president listening to Native Americans."

"The damage may not be over. What does Utah's sports equipment industry have to look forward to? What are Ogden-based companies supposed to do when their congressman refuses to acknowledge that fossil fuel consumption reduces the snowpack upon which their products glide?

"Are we receding to the backwaters where our superiority is apparent only to ourselves? Are we bent on separating Americans from their national identity instead of inviting them to share it?

"This isn't about \$40 million. It's about who we are and where we are headed. To get there, we need leaders with a better appreciation of the magnificent gifts God has given everyone, not just Utahns."

Mr. President, I ask unanimous consent that the editorial be printed in the RECORD.

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

[From the Salt-Lake Tribune, Feb. 20, 2017]

EDITORIAL: THE WORLD IS NOT SO WELCOME

NOW, AS OUTDOOR RETAILER EXIT SHOWS

In the same week Utah announced that it had topped \$8.17 billion in annual economic benefit from tourism, the \$40 million Outdoor Retailer show announced it was leaving. Surely we can take a half-percent hit, right?

No. The exit of Outdoor Retailer is so much more than just losing the state's largest convention. There will be hospitality jobs lost, and hotel rooms from Sandy to Ogden vacant for those two weeks a year. We're now building a 900-room downtown convention hotel—with public bonding authority—largely on spec. There is now no convention currently on Salt Lake City's docket that demands it.

The reason Outdoor Retailer is leaving—their rejection of Utah's political leaders' values as shown in the stubborn and pointless fight against a Bears Ears National Monument—should make this moment a turning point.

In the 1960s, Utah found itself at a confluence. One flow was fed by a collection of downtown Chamber of Commerce types who hatched a longshot bid to obtain the 1972 Winter Olympics. They knew they wouldn't win, but they saw it as a chance to sell Utah's "Greatest Snow on Earth." It was the first time Utah took its outdoor tourism message to the world, and it was well received.

The other flow came from a fundamental change in the American people, who were waking up to the natural world and the treasures in their own presence. In Utah, there was recognition that we held those treasures. A national park was created in Canyonlands, and national monuments in Arches and Capitol Reef were elevated to national parks. Utahns of all creed and color united in their pride over our shared national icons.

Where once we were a peculiar backwater, we became known the world over. Were it not for those pioneering efforts, there would be no ski industry. No Olympics. No Sundance Film Festival. No Fat Tire Festival. No steady stream of tour buses climbing to Bryce Canyon. No \$8.17 billion per year.

Losing Outdoor Retailer over Bears Ears represents a reversal of a half century of progress in inviting the world to appreciate Utah. We could be Hawaii, and instead our leaders want us to be Oklahoma. Gov. Gary Herbert, who has made economic development his reason for living, couldn't get a very lucrative 20-year visitor to keep coming.

The seeds of that failure were sown in the rejection—first by Rep. Rob Bishop and later by the governor and the Legislature—of the unprecedented unity of five Indian nations coming together to protect their ancestral homeland. Instead of recognizing the significance, our leaders emboldened the local pioneer descendants, who were claiming their 150 years of ranching took precedent over centuries of Indian presence in the Bears Ears. The tribes had no choice but to go to the president.

That blindness can be sourced to Utah's one-party political system that has given us leaders who are out of touch with their constituents. Dismantling the Bears Ears was a slam dunk in the Utah Legislature last week, but it's an issue on which every poll has shown Utahns divided, a division encouraged by the false narrative that the monument was a trade-off between fat energy jobs and low-paying tourist jobs.

The Bears Ears monument may be with us forever, and there is no bucket of gold waiting if it does go away. The presidential proclamation bent far toward the same boundaries and shared management Bishop pursued with his Public Lands Initiative. In that context, Utah political leaders' vehemence looks to much of the nation like white rejection of the legitimacy of a black president listening to Native Americans.

The damage may not be over. What does Utah's sports-equipment industry have to look forward to? What are Ogden-based companies supposed to do when their congressman—Bishop—refuses to acknowledge that fossil-fuel consumption reduces the snowpack upon which their products glide?

Are we receding to the backwaters where our superiority is apparent only to ourselves? Are we bent on separating Americans from their national identity instead of inviting them to share it?

This isn't about \$40 million. It's about who we are and where we are headed. To get there, we need leaders with a better appreciation of the magnificent gifts God has given everyone, not just Utahns.

Ms. CANTWELL. Mr. President, I think that editorial puts this debate squarely in front of my colleagues. We have a nominee who has been all over the map as it relates to public lands, and, certainly, he has been on record that he will implement the President's strategy. I know he plans to visit this area, and I am so concerned that it will be the first of many areas in which people run over the larger public and national interests in order to preserve special places just for immediate extraction when, in reality, the jobs from the outdoor economy are just as important and, if you add up numbers, may be more important economically in both the near term and the long term.

I should also note that those of us in Washington would gladly welcome the outdoor retailers with open arms. I am sure they will consider many different places, but we understand that pro-

tecting our most treasured places not only preserves them for this generation but for future generations, and it helps drive an economy.

In Utah, outdoor recreation is responsible for \$12 billion in consumer spending—more than twice the value of oil and gas produced in that State. If we are talking about top dog economics, the outdoor industry wins. In Washington State, the outdoor economy supports 227,000 direct-paying jobs and wages of \$7.1 billion. Nationwide, it is 6.1 million jobs and \$646 billion in revenues from outdoor recreation, so this is a very valued part of the U.S. economy. It is also a very valued part of the American spirit.

Not only do the Bears Ears National Monument and others like it benefit county, State, and Federal coffers, but they also offer access to our shared heritage. As I said, it is that spiritual connection to nature that is so valuable to all of us, but I hold so dear that our veterans cherish it so much too. They deserve the relief of being able to go to our greatest and beautiful places and have some solace.

A second major responsibility of the Secretary is to manage the mineral resources that are on public lands and waters. One of the fundamental principles of the public resource management is that the American people should receive a fair market value for the energy and minerals that are extracted from our public lands. These resources are owned by every American.

I think, sometimes, people get confused that these are the rights of these industries, that they own them. We have allowed that extraction and the leasing of that extraction, but we need to make sure that the taxpayers' interests and the costs of impact are well represented and that extraction is done in an efficient manner—that it protects the resources for the future, that it cleans up its mess, and that polluters pay.

An important principle is that our public lands be managed so that their use will not permanently harm the land or the environment and that, in allowing companies to mine on public land, they must minimize the harm they do, clean up the messes they make, and repair and pay for the damage. "Polluter pays" should be a basic principle.

The Secretary of the Interior must be committed to preserving and enforcing those important principles and to making sure that the taxpayers get a fair deal. The previous Secretary, as I said—Secretary Jewell—took important steps to advance those principles. On her watch, the Department issued its new stream protection rule, its methane venting and flaring rule, its mineral valuation rule, and the comprehensive examination of its coal leasing program.

Most of these initiatives involve updating existing policies that have been in place for 20 or 30 years. That is just another way of saying that whether the taxpayer is getting a fair deal by allowing these companies to mine these Federal resources has not really been evaluated for 20 or 30 years, so I am sure my colleagues could understand that that kind of updating should take place. During these three intervening decades, technology has improved and science has advanced, and we need to make sure technology recognizes that, when pollution happens, it needs to be cleaned up.

Attacks on Secretary Jewell's public health and taxpayer initiatives are already underway, and I am concerned that Congressman ZINKE will not stand up to make sure that the policies of "polluter pays" are followed and that the good work that has already been established is continued. At his confirmation hearing, Congressman ZINKE stated that the war on coal is real and that he supports lifting the coal leasing moratorium. This is completely contrary to the rational view of energy market dynamics, and it is at odds with the energy policies our constituents expect.

While Federal coal leasing is an issue of national concern, it is also critically important in my State. They want to make sure that taxpayers get a fair deal for the leasing of that land. As people have discussed here on the floor, the advent of natural gas and its cheap value has done more to drive down the use of coal than any of this discussion about whether taxpayers are getting a fair deal.

Finally, the Secretary of the Interior must be committed to upholding our trust and treaty obligations for our country's 567 federally recognized tribes. That Secretary must be committed to recognizing tribal sovereignty and self-determination, protecting tribal lands and waters and mineral resources, and supporting adequate resources for tribal education, social services, and infrastructure.

Congressman ZINKE has been a strong advocate of the Crow Tribes' coal resource in his home State; and while I respect his responsibility to his district, he will be required as Secretary of the Interior to have a much different position in representing all tribes across the United States.

I know that some of my colleagues think that one can be expedient on any of these issues whether it is on the Antiquities Act or on coal leasing or on making sure that we live up to tribal sovereignty. In reality, it takes very little to sign an Executive order; it takes a lot to overrule the law of the land. Many of these issues will end up in court, and many of them will be battled for several years. I would suggest

to my colleagues that we find a common interest in preserving our stewardship, in preserving our natural resources, and in continuing to develop this kind of economy moving forward.

I am not convinced that Congressman ZINKE is going to show the leadership on these resources that is necessary, given his very different views on public lands as a Congressman—on all sides of the issue. We need someone who is going to stand up, just like those in Utah did, and say that the outdoor economy is worth it. The designation of public lands, as done by the President of the United States, should be preserved, and we should continue to fight for something that is providing so many jobs and such a great connection for so many Americans.

I yield the floor.

The PRESIDING OFFICER. The majority whip.

PRESIDENT'S ADDRESS TO CONGRESS

Mr. CORNYN. Mr. President, tonight, President Trump will address a joint session of Congress for the very first time. This, of course, will be his first opportunity as President to talk about his agenda and his vision for the Nation with the American people, who will be listening. I look forward to hearing what he has to say.

He will, undoubtedly, talk about the promises he made during the campaign and how he is working to deliver on them for the American people. I know the cornerstone of that vision for America is that of reviving our economy and boosting job growth.

Fortunately, he has already taken a few steps—through Executive action—in that direction, for which I am grateful. He has also nominated top-notch financial and economic advisers to look at our archaic Tax Code and to review our trade agreements so as to get our country back on track. He has begun to trim the fat of our bureaucracy, and he continues to push for measures that keep the government from interfering unnecessarily in the lives of American families.

Congress has also played an important role. Earlier this month, we passed the first of several resolutions of disapproval under the Congressional Review Act—one, to roll back the erosion of Second Amendment rights and another to repeal a job-killing rule that targeted our energy providers. There were others as well.

These rules have one characteristic in common, which is that all of these rules that we are rolling back through congressional resolutions of disapproval were put in place under the Obama administration. They frequently represent overreach in executive authority or in, certainly, what is prudent when it comes to regulation. There is such a thing as prudent regulation and overregulation, and I think what we saw is regulatory overreach under the Obama administration.

We finally have a President in the White House who will sign these bills into law that we pass here. I am glad the President is delivering on his promise to protect American jobs and to grow our economy, and he is willing to work with Congress to do just that.

Another area in which Congress and the administration are working together is in repealing and replacing ObamaCare. ObamaCare is, perhaps, President Obama's signature legacy. His healthcare law, by all accounts, is completely unsustainable and is, essentially, creating a real crisis for the people who happen to be on those exchanges.

Texas families cannot afford these high monthly premiums or the sky-high deductibles that so often go along with them. In fact, here is an interesting statistic. In Texas, if you have a gross income of \$24,000 a year, you could well end up spending 30 percent of your gross income on healthcare costs. That certainly doesn't sound affordable, which was the promise of ObamaCare.

I look forward to working with our colleagues to deliver on the promise we made to the American people to repeal ObamaCare and put in its place a healthcare law that actually works for people, not against them—one that provides them with more choices and fewer mandates; if they like their doctors, they can keep their doctors; if they like their plans, they can keep their plans; and, yes, they can even save money. All of this was promised under ObamaCare, but none of it has proven to be true.

We do know some of the basic principles of that replacement for ObamaCare—that of moving healthcare decisions, for example, away from Washington to where they belong—with patients, their families, and their doctors. Actually, I think this is sort of the healthcare counterpart of what we did with the Every Student Succeeds Act, which was the follow-on to No Child Left Behind in moving more of the decision-making out of Washington and back to the States—back to the people most intimately affected and the people most interested in the results.

We also believe in giving patients the right tools they can use, like health savings accounts, to make their healthcare more portable and more affordable; in breaking down barriers that restrict choice and prevent Americans from picking the insurance plans that are best for them and their families; and, finally, in empowering small businesses to provide employees with the same kind of affordable health coverage that meets their needs. Association health plans is, perhaps, one of the most commonly recognized means of doing that.

I am glad that we finally have a President in office who will work with

us and not against us when it comes to repealing and replacing ObamaCare and in giving the American people more choices at a price they can afford when it comes to their health care.

For our economy to grow, we have to have a stable and safe country, though, where our people can flourish. That brings me to President Trump's latest promise to restore national security as the number one priority in our budgeting process. He has already nominated and we have confirmed two incredibly strong leaders to key posts in his national security Cabinet. That would be Defense Secretary Mattis and Homeland Security Secretary Kelly. I am confident that these men will do a stand-up job. America is lucky to have them continuing to serve our Nation in these new positions, and I am grateful to them for their service. The safety of our communities and the safety of our country and world peace is our chief job.

As Ronald Reagan demonstrated, the best way to keep the world peaceful is for America to remain strong because when America retreats from the world stage, when America no longer leads or when we underfund our national security requirements, all it does is encourages the bullies and the tyrants and the thugs around the world to fill the gap. That is what we have seen time and time again, ranging from Vladimir Putin in Russia—the best message we can send to Vladimir Putin is not necessarily additional Russian sanctions, which I would vote in favor of, but to quit the reversing of our spending on national security priorities. That is something he understands—strength. That is something he will respect. He does not respect weakness. In fact, it is an enticement to him to dangerous activities, as we have seen not only in Crimea and Ukraine but also now in Syria and the Greater Middle East.

I have to say that the truth is, since the Budget Control Act of 2011 and the sequestration process that came along with that, we haven't made national security our No. 1 priority—the priority it should be. I hope, working together with our colleagues and the administration, we can fix that because there are a lot of things the Federal Government funds that are simply things that we would like to do but are not absolutely essential to our existence, our prosperity, and our welfare, such as national security.

I think President Trump has demonstrated that he understands what the priorities should be, and I know he will keep the goal of national security at the forefront. We ought to do everything we can, working together with this administration, to make that a success.

I look forward to hearing the President talk about some of his accomplishments in the 5 short weeks since he has been in office. You look at the

stock market, for example, at historic highs. I think there is a lot of anticipation, a growing confidence not only in our economy but that America is now back in a leadership role and that the whole world will end up benefiting—most importantly, the American people.

I am eager to learn about how Congress can continue to partner with our new President to make his administration a success, so that America can remain a success, and to make the rest of his campaign promises a reality.

ORDER FOR RECESS

Mr. President, I ask unanimous consent that the Senate recess from 12 noon until 2:15 p.m. today.

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

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12 noon, recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

EXECUTIVE CALENDER—Continued

The PRESIDING OFFICER. The Senator from Montana.

REMEMBERING INA BOON

Mrs. MCCASKILL. Mr. President, I want to begin my remarks today by paying tribute to a strong, wonderful civil rights leader, Ina Boon, who passed away a few days ago. She was 90 years old, and she really was the strength and heart of so much of the civil rights work that went on in the St. Louis area.

She began working for the NAACP during the 1950s, and she will be sorely missed. She was an extraordinary woman. I think it is important to put a tribute to her in the record of the Senate.

Because of the other thing I want to talk about today, I want to mention that Ms. Boon, after graduating from Sumner High School in St. Louis, attended Oakwood University in Alabama, which is one of the special historically Black colleges and universities in our country.

SECRETARY DEVOS

Mr. President, that brings me to what I want to talk to the Senate about today and what I want to try to emphasize. Betsy DeVos has been given one of the most important positions in education in this country. Call me old-fashioned, but I think it is pretty important that the Secretary of Education have a basic working knowledge of history. It is one thing to appear for your confirmation and have no idea what the Individuals with Disabilities Education Act is or not have a working understanding of the Federal laws as

they relate to education in this country, but it takes it to a whole new level that someone who is Secretary of Education would make the kind of statement that Secretary DeVos made in the last few days.

I want to read it aloud. This is the statement from the Secretary of Education following a listening session with historically Black college and university leaders. I want to pull out the quote that I think is important for us to dwell on today. The quote is as follows: "Historically black colleges and universities are real pioneers when it comes to school choice."

Now, let's be clear about what historically Black colleges and universities were. It wasn't about a choice. It was about racism. That is where these colleges came from. It wasn't that a young Black student looked at the State university and said: Well, I have to decide; do I want to go to the University of Alabama or do I want to go to a historically Black college and university? It may be that way today, but it was not when they began. They were established because do you know what the University of Alabama said to African-American students?

You can't come here. You are not welcome. You are not allowed to darken our doors. There was no choice.

This was the Jim Crow era of racism and segregation.

In 1862, President Lincoln signed the Morrill Act which provided land for the purposes of colleges in each State. In 17 of those States, mainly in the South, Black students were prohibited by law from attending these land grant colleges. The second Morrill Act of 1890 required States to establish a separate land grant college for Blacks if Blacks were excluded from existing land grant colleges. Many of our great HBCU's, like Alabama A&M, Florida A&M, and Lincoln University, in my home State of Missouri, became public land grant colleges after the second Morrill Act of 1890. These schools were not established because someone thought there should be school choice. These schools were established because racism left Blacks without any choice. When Blacks tried to attend schools like the University of Alabama and the University of Mississippi, they were blocked and there were riots. The fact that Secretary DeVos doesn't understand this basic fact is appalling.

Her statement was wrong. It was offensive, and it should be corrected. We need the Secretary of Education to have a basic fundamental understanding of history in the United States of America, especially as it relates to education. Is there anything that was more important in the history of our country than the struggle for equality in education? Is there anything that is more important than recognizing and understanding that for years in this country, young Black people

could be punished for learning how to read? They would be told: You are not welcome, even if the universities were public universities.

So shame on Secretary DeVos. Shame on her for not understanding history, for trying to shoehorn the racist history in our country into her talking points about school choice. That is wrong, and it should be corrected.

I hope it was an oversight. If it was, I hope she will admit her mistake and acknowledge that historically Black colleges and universities in the United States of America were not about choice. They were about racism. They were about trying to provide an opportunity. They were mostly a movement that was largely led by ministers and academicians from other parts of the country, trying to make sure that in a land that professes equality and justice for all, education is the most fundamental of opportunities that must be afforded to every single citizen.

So no, it wasn't about choice, Secretary DeVos. It was about something else. It is important that as the leader of education in this country, you acknowledge the history that is the underpinning of the importance of historically Black colleges and universities in our country.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. CARPER. Mr. President, I rise in opposition to the nomination of Representative ZINKE to become Secretary of the Interior.

As is always the case, I take this opposing position with some trepidation. Having served as the Governor of my State, I appreciate the importance of deference to a chief executive's decisions to build his or her team, but at the same time, I think we in the Senate have a constitutional obligation to provide our advice and to provide our consent because in the end not all nominees are best for the country we are pledged to protect.

Some of my western colleagues may wonder what stake a small State like Delaware on the east coast would have in the selection of a Secretary of the Interior. It turns out, there is plenty.

As the chief land steward of our great Nation, the Secretary of the Interior will be asked to manage our collective interests in the conservation, use, and appropriate management of the abundant land, wildlife, mineral and other resources found on our public lands. For that reason alone, we should expect a firm commitment from such a

leader that the American taxpayer will receive full value for private use and profit from the use of our Nation's resources, and we need assurances that the use of those resources will not abuse the quality of life for Americans while enhancing the profits of a very limited few.

That, I am very sad to say, does not appear to be Mr. ZINKE's track record. For example, as a Congressman, I am told he opposed the Federal coal leasing moratorium ordered by his predecessor, Secretary Jewell. Some would call this an appropriate reaction to an alleged War on Coal, but let's just take a moment to take a closer look.

As you know, I live in a small State, Delaware, that is, as it turns out, getting smaller almost every day. With each passing tide and every coastal storm, a part of us—our land—disappears forever. We are fighting a valiant and, some would say, futile war against an encroaching sea. This is not a result of variability in weather patterns or long-term trends in ocean dynamics, this is climate change at work.

We are not alone in feeling the effects of our Nation's dependence on and robust use of carbon-based fuels—like coal—over the past couple of centuries.

There are Native Alaskan communities that have to move in their entirety. Think of that. They have to move in their entirety because tides, storms, and waves—assisted by the absence of ice that used to protect them from fierce winter storm surges—are literally eating away at their communities. I am trying to imagine what it would be like as a family to get the news that you have to leave a place that has been your home for generations, the place from which your ancestors derived their sustenance, honored their forbears, and raised their legacies.

I also can't imagine being a person who represents those people and families, having to help them come to grips with the realities of a changing world that we—if we act quickly and assertively—can begin to stabilize.

It means a whole lot to us in Delaware that we take a very careful look at when and how we use the bounty of mineral resources under our public lands. At the very least, that should include—as Secretary Jewell's order envisioned—an assurance that we, as Americans, are paid a price for the coal and other public resources our lands provide that matches the value they represent.

It is the least among us who need our government's help, not those with the most.

We should also, as Secretary Jewell's policy recommended, be aware of and responsible about the climate change implications of the coal sales from public lands. If we humans, as Mr. ZINKE admits, are responsible for our changing climate and the fact that my State

is slowly eroding away, then we should embrace—not ignore—the common-sense wisdom of the former Secretary of the Interior. Given the chance to agree with this common sense in his response to questions from my colleagues on the Energy and Natural Resources Committee, Mr. ZINKE repeatedly demurred.

Continuing on this theme, Mr. ZINKE, in response to questions from Energy and Natural Resource Committee members, supported the Congressional Review Act resolution to eliminate the Obama administration's rule to curb wasteful releases of methane from Bureau of Land Management land-based operations—yet another example of willingness to sell the American people short in favor of a handful of energy companies.

Wasted gas is wasted public revenue. Let me say that again. Wasted gas is wasted public revenue. Wasted methane is adding yet more of a very potent greenhouse gas to our atmosphere.

Given the opportunity to reflect some concerns for Americans, our climate, Delaware's and Alaska's shorelines, and our global obligation to put a lid on climate contributions, this nominee demurs.

We have seen this pattern of helping the few at the expense of the most across the board with too many of this President's nominations. I believe this is ultimately un-American, unwise, unfair, and unacceptable.

I am also concerned with Mr. ZINKE's stance toward the use of the Antiquities Act by the President to designate lands as national monuments. Specifically, during his confirmation, we heard a willingness from Congressman ZINKE to take the legally uncertain step of revisiting the use of the Antiquities Act by the President to designate lands and historic sites across the Nation as national monuments.

Undermining the Antiquities Act is—I believe and a lot of people believe—bad for conservation, is bad for historical preservation, and is bad for economic development opportunities associated with national monuments and our national parks.

For those who don't know, the Antiquities Act has been used by Presidents dating back to the early 20th century—roughly 100 years—to preserve and protect our Nation's historic sites and preserve Federal lands for all of us—all of us—to enjoy.

During his time in office, President Obama utilized the Antiquities Act to safeguard and preserve Federal lands and cultural and historic sites. Ultimately, he designated over 550 million acres of land as national monuments, including what we call the Delaware national monument.

Delaware, as it turns out, has a special history with the Antiquities Act, which I will take just a moment to

talk about today. Before Delaware saw the establishment of national parks in our borders, we had a national monument for a couple of years.

In 2013, President Obama recognized Delaware's important contributions to the founding of the United States, including its role as the first State to ratify the U.S. Constitution, by creating the First State National Monument, with our urging and support.

Before that designation, Delaware was the only State in the Nation that had neither a national monument or a national park. We were the first State to ratify the Constitution but until a couple of years ago no national park. We were the only State that was in that situation. Simply put, Delaware was missing out on tourism and economic development that a national monument or park can bring.

The economic opportunities afforded to States with national monuments and national parks, as it turns out, are significant—quite significant. Each State with a park or monument sees economic benefits of at least \$1 million, I am told, if not much more, in tourism and economic development, and every year millions of Americans and countless others from across the world plan their vacations around America's national parks and monuments.

Believe it or not, if someone in some other country—whether it is Europe, Asia, Latin America, or Central America—if they are interested in coming to the United States, they go on the National Park Service website, and they look up all of the national parks and monuments across the country and decide which ones they might want to visit. The single most popular destination within the U.S. borders for tourists from other parts around the world, believe it or not, are our national parks. Isn't that extraordinary. The economic opportunities afforded to States with national monuments and national parks are significant—again, around \$1 million or more.

Delaware's national park celebrates Delaware's rich colonial history as the first State to ratify the U.S. Constitution. As it turns out, the Constitution was first ratified on December 7, 1787.

Many years before that—maybe 150 years before that—the first Finns and Swedes came to America, and they landed in what is now Wilmington, DE. They sailed across the ocean in the *Kalmar Nyckel* and the *Fogel Grip* from Sweden and Finland. It was before they even had a Finland, and the Swedes and Finns were one.

They sailed through the Delaware Bay and north to the Delaware River and came to an uncharted, unnamed river that headed off to the west, off of the Delaware River. They went about a mile. When they came, there were a lot of big rocks along the coastline, and they landed there at the rocks. They

declared that spot the colony of New Sweden, which later became Wilmington, DE. They built a fort called Fort Christina, and they built a church, the Old Swedes Church. It is the longest continuously operating church in America.

About 15 miles south of that spot on the Delaware River is actually the river they sailed up on and planted their flag, the Christina River. They named it after the 12-year-old child Queen of Sweden, but about 50 miles south of the Christina River, further down the Delaware River, is a town of New Castle. There is a big statue of William Penn in the town of New Castle, and it is because William Penn first landed in America—not in an area close to Philadelphia where they have Penn's Landing. He landed in New Castle, DE, and he brought with him the deeds to the land that later became Pennsylvania and Delaware.

Further down the coast toward where the Delaware Bay meets the Atlantic Ocean is a town called Lewes, DE. Lewes, DE, was settled by the Dutch, the first time unsuccessfully. The settlers lost their lives. The second time they came back in greater numbers and successfully settled Lewes, DE, and it endures to this day.

The Brits didn't much like the idea that the Dutch had a foothold in that part of Delmarva, in what is now Sussex County, DE, and one night many years ago—several hundred years ago—the British surrounded Lewes, DE, which was then inhabited by the Dutch, and they burned it to the ground. The next morning when the sun came up, there was one house standing in Lewes, DE, and it was Ryves Holt House. It is believed to be one of the oldest standing houses in all of North America.

If you drive up from Lewes headed north on Route 1 toward Dover Air Force Base, just before the Dover Air Force Base is a colonial plantation called the Dickinson Plantation, named after John Dickinson who was a penman, an early writer who spoke about and wrote some of the early writings that had been cited and encouraged the colonists in what is now America to rise up against the tyranny of the British Crown.

As you go a little further up Route 1 to Dover and go to downtown Dover, you come across an area where there used to be a tavern called the Golden Fleece Tavern, and that was the place where, on December 7, 1787, after three days and nights of debate and discussion, luckily, 25 early colonists decided to ratify the Constitution, which had come down the week before from Pennsylvania. We were the first State to ratify the Constitution.

A few years before that, a fellow named Caesar Rodney, who had been president of Delaware and later held any number of offices in the State even

before it was a State, actually rode his horse right past the area where the Golden Fleece Tavern was—where the Constitution was ratified—and rode his horse all the way up to Philadelphia, PA, in order to cast the tie-breaking vote in favor of the Declaration of Independence. That is a little bit of the history of Delaware.

The National Park Service decided 3 years ago that the early colonial settlement leading up to the ratification of the Constitution is what made Delaware unique, and our national park includes a number of those different components. Think of it almost as a necklace with different stones of value and interest around our State. That is what it is.

That is the national park today. It started off really as a national monument from the Antiquities Act. Given that kind of history, we need to make sure that future administrations and future Presidents have the ability to utilize the Antiquities Act to safeguard the country's history, protect the outdoors for all of us to experience and to enjoy.

I urge my colleagues in the Senate to send what I think is an important message that we want people in our government who are there to help people. I will be voting no on the Zinke nomination as a result, and I encourage my colleagues to consider doing the same.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. HOEVEN). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Ms. HIRONO. Mr. President, last November, I was in Maui celebrating the 100th anniversary of Haleakala National Park. The weather at the summit of the volcano was terrible. It was raining in sheets, with 40-mile-per-hour wind driving the rain sideways, but I was there with over 40 schoolchildren to plant Haleakala silverswords—a special, threatened plant that only grows in the harsh climate at the summit of Haleakala volcano. The silversword can live for almost 100 years before it flowers, spreads its seeds into the wind, and dies.

Silverswords have dotted the landscape of Haleakala's summit for millennia, but invasive species, human activity, and climate change have pushed the plant to near extinction. In the early 1900s, scientists estimated that as few as 50 plants remained on the volcano, but this changed after Haleakala became a national park in 1916. In the 100 years since, park rangers and visitors have made a concerted effort to protect the silverswords from feral goats and sheep and to make sure hikers don't go off the trail and trample their shallow root systems.

After the passage of the Endangered Species Act, the silversword became listed as a threatened species. Through the law, conservationists have provided resources to help restore the silversword population on Haleakala for the hundreds of thousands of people who visit the park every year. Groups of students, including those whom I joined on that cold November day, have planted over 1,000 silverswords to supplement the population of silverswords. They were there to commemorate the 100th anniversary of the Haleakala National Park.

I share this story because it demonstrates many of the reasons the Department of Interior is so important in the role it plays in preserving our public lands.

Business is booming at our national parks. In 2015, our national parks hosted 305 million visitors—a new record—and these visitors generated \$17 billion in economic activity in nearby communities.

Our national parks are suffering from an overwhelming deferred maintenance backlog of \$12 billion. Our national parks are also understaffed. Because of sequestration and a variety of other factors, 10 percent fewer people work in our national parks today than 5 years ago. This is at a time when visitors to our parks are ever growing. This means fewer rangers and support staff dedicated to maintaining parks like Haleakala and protecting species like the silversword. To add to this, the administration has put a 90-day hiring freeze in place that threatens nearly 2,000 permanent vacancies that are critical to helping our national parks function.

We need an Interior Secretary capable of standing up to the President to make preserving our public lands a priority. But during my meeting with Nominee ZINKE and his confirmation hearing before the Committee on Energy and Natural Resources, on which I sit—and his record as a Member of Congress—I did not receive the assurances and commitments I needed to support his confirmation as Interior Secretary. Although he expressed some support for the Land and Water Conservation Fund, or the LWCF—an important program that funds land purchases to add to protective areas like our national parks—he said the program could benefit from some “changes.” The only change I wish to see is to permanently reauthorize and fully fund the LWCF, which has suffered from chronic underfunding throughout its history, and I will continue to work with my colleagues, like Senator MARIA CANTWELL, who is ranking member of the Committee on Energy and Natural Resources in the Senate, to accomplish this goal.

We also need an Interior Secretary committed to preserving our public lands, not exploiting them for fossil

fuel production. Congressman ZINKE and the Trump administration are too wedded to the fossil fuel industry and fail this test as well.

Supporting alternative and renewable energy development is an issue people in Hawaii and, I would say, a lot of people in the rest of our country care about.

Earlier this year, I received a letter from Michael from Pahoa, who said that Representative ZINKE “has consistently voted for carbon heavy energy sources. His anti-environmental record shows a leaning that could well move exploration and extraction to areas formerly closed to exploitation. With interests in oil pipelines, he has a conflict of interest in moving away from fossil fuels and into alternative and renewable resources. We have destroyed enough of the country for the enrichment of the 1% with little to no benefit to the rest of our citizens. He is a destroyer, not a fixer. Not someone for the environment or the people.”

Congressman ZINKE also does not share a commitment to protecting endangered and threatened species like the silversword. While in the House, Congressman ZINKE voted to block funding for any listed endangered species on which the Fish and Wildlife Service failed to conduct a 5-year review. It didn't seem to matter to Congressman ZINKE that the reason these reviews did not take place was because Republicans in Congress failed to appropriate the necessary funding to conduct these reviews. Cutting funding in this way would devastate conservation and recovery efforts for as many as 850 species across the Nation, 137 of which are in Hawaii and 1 of which is the Haleakala silversword.

During the confirmation process, I asked Congressman ZINKE if as Secretary he would work with Congress to ensure that the Fish and Wildlife Service would receive sufficient funding to conduct these reviews and recover our Nation's endangered species. He responded by saying that he would “work closely with Congress to ensure recovery programs are appropriately funded.” I don't know what he means by “appropriate,” but I do have a feeling that my view of sufficient funding, which is the question I asked him, and his answer that he would support appropriate funding are probably very different. In fact, I wonder if, under Secretary ZINKE, there would have been the funding necessary to help Maui students plant their 1,000 silverswords on Haleakala's summit. This is wrong.

Congressman ZINKE also does not share a commitment to combating climate change or supporting research that will help in that effort.

Washington, DC—do you notice how warm it is? It is February. It is 60 degrees. Washington, DC, is on track to have experienced the warmest Feb-

ruary on record. We have a new administration stocked full of climate deniers. As Secretary of the Interior, Congressman ZINKE will be leading the U.S. Geological Survey, the USGS, an agency that lists climate change as one of its top mission areas.

During his confirmation process, I asked Congressman ZINKE if he would try to limit the USGS's work on climate change in any way. Unfortunately, Congressman ZINKE did not provide a definitive answer—only saying that he would need to learn about the USGS's role in climate change research. His answer did not reassure me that he will allow USGS and other agencies in his Department to continue to make climate change research a priority or to protect the right of these scientists to pursue their research without interference. This is particularly concerning in light of the Trump administration's ongoing efforts to silence our Federal workers, including those within the National Park Service, who are speaking out about the threat of climate change.

We need a Secretary of the Interior who will protect our public lands, make investments to conserve our endangered and threatened species, and who will continue to confront climate change. His record of past statements demonstrates that Congressman ZINKE is not the right person to lead the Department of Interior at this juncture, at this critical stage. I urge my colleagues to oppose his nomination.

I yield the floor.

Mr. DURBIN. Mr. President, I would like to take a moment to address the nomination of Congressman RYAN ZINKE to lead the Department of Interior.

As Secretary of Interior, Representative ZINKE will be the steward of our Nation's precious public lands, national parks, tribal lands, and historical and cultural resources. These lands not only play an important role in preserving habitat, landscapes, and history, they also create jobs and invigorate nearby communities.

During his confirmation hearing, I was excited to hear Congressman ZINKE refer to himself as a Teddy Roosevelt conservationist.

We all know the important role Teddy Roosevelt played in protecting our natural resources. During his Presidency, Roosevelt established 230 million acres of public lands. In 1901, he created the U.S. Forest Service and established 150 national forests. In 1906, he signed into law the Antiquities Act, legislation that allowed either the President or Congress to set aside “historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest” in order to stop their destruction. With this act, he designated 18 national monuments, including several iconic areas.

A modern version of Teddy Roosevelt would be a wonderful selection to head the Department of Interior. But, after closely examining Representative ZINKE's record, he doesn't appear to be a Teddy Roosevelt conservationist.

Last Congress, Representative ZINKE voted in favor of an amendment to the House Interior appropriations bill that would have rolled back the authority of the President to use the Antiquities Act in seven Western States. He also supported a bill that would have effectively eliminated public review of hardrock mining activities on Federal lands. And he supported the Keystone XL pipeline.

Conservationist groups seem to have similar concerns about Congressman ZINKE's record.

The League of Conservation Voters gave him a 3 percent rating for 2015 and a 5 percent rating for 2016—hardly what you would expect from a Teddy Roosevelt conservationist. This troubles me, as Representative ZINKE, if confirmed, would be responsible for managing new monuments of great importance—namely, the Pullman National Monument and the Bears Ears National Monument.

The Pullman National Monument was designated by President Obama in 2015 in a Chicago neighborhood that has played a significant role in our country's African-American and labor history.

It represents the culmination of a collaborative effort by businesses, residents, and other organizations seeking to restore and preserve this unique community.

The Pullman neighborhood was originally developed a century ago by rail car magnate George Pullman as a factory town that would help shape our country as we know it today.

It was the birthplace of the Nation's first Black labor union, the Brotherhood of Sleeping Car Porters, which is credited with helping to create the African-American middle class and making crucial civil rights advancements in this county.

Pullman workers also fought for fair labor conditions in the late 19th century. During the economic depression of the 1890s, the Pullman community was the catalyst for the first industry-wide strike in the United States, which eventually led to the creation of Labor Day as a national holiday.

The Pullman National Monument not only highlights stories from communities that are rarely represented in other national parks, but its location on Chicago's South Side—easily accessible to millions of people by public transportation—also makes it particularly unique. Following its designation, the Pullman neighborhood joined the National Mall and the Statue of Liberty as one of the few DOI-managed lands in an urban area.

But Pullman now needs an Interior Secretary who is committed to dedicating resources that will ensure the

monument is a driver of tourism and job creation in the community.

Public lands have certainly been a great economic driver in Utah, and the Bear Ears National Monument will no doubt build on this success.

The 1.35 million acre swath of land, declared a national monument by President Obama, covers forested mesas to redrock canyons and will protect the region's abundant cultural resources, which include well-preserved cliff dwellings, rock and art panels, artifacts, and Native American burials.

Bears Ears is special, as it is the first monument of its kind to be proposed and advocated for by a united coalition of five tribes, who sought its protection because of its important place in all of their respective cultures.

Congressman ZINKE is well aware of the monument and has said his first priority as Secretary would be to go to Utah and make a recommendation regarding the status of the Bears Ears National Monument.

While this monument designation has been met with opposition from Utah politicians, the attacks on the Bears Ears Monument do not reflect the views of all Utahans.

Recently, Utah's paper of record, the Salt Lake Tribune, called the political fervor a "blindness."

"That blindness can be sourced to Utah's one-party political system that has given us leaders who are out of touch with their constituents." It continues, "The Bears Ears monument may be with us forever, and there is no bucket of gold waiting if it does go away. The presidential proclamation bent far toward the same boundaries and shared management [Utah Rep. Rob] Bishop pursued with his Public Lands Initiative."

Sadly, attacks on monument designations are nothing new.

One of our greatest conservation Presidents, Teddy Roosevelt, faced a great deal of opposition to his designation of a national monument you may be familiar with, the Grand Canyon. Most Americans can't imagine an America without the iconic Grand Canyon, a true national treasure.

But, at the time of its 1908 designation, groups were opposed to protecting this area. For years after its designation, oil and gas miners fought against additional protections for the Grand Canyon. In the end, conservationists won out, and by 1919, the Grand Canyon was made into a national park to be protected for future generations.

Roosevelt said, "It is also vandalism wantonly to destroy or to permit the destruction of what is beautiful in nature, whether it be a cliff, a forest, or a species of mammal or bird. Here in the United States we turn our rivers and streams into sewers and dumping-grounds, we pollute the air, we destroy forests, and exterminate fishes, birds and mammals—not to speak of vulgar-

izing charming landscapes with hideous advertisements. But at last it looks as if our people were awakening."

Since Roosevelt's time, we have made a lot of progress in protecting our lands and waters, but still have a long way to go. That is why the next Interior Secretary needs to take a step forward in protecting more of our public lands, not backwards.

Therefore, I have no choice but to oppose Congressman ZINKE.

Ms. HIRONO. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. SCHATZ. I ask unanimous consent to speak as in morning business.

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

ANTI-SEMITISM

Mr. SCHATZ. Mr. President, 20 is the number of bomb threats that were called into Jewish institutions in our communities across the country yesterday—in just 1 day. In Alabama, Delaware, Michigan, Maryland, Virginia, and in my home State of Hawaii, in my Temple Emanu-El, where I grew up and was bar mitzvahed. No one wants to be the parent who picks up the phone and finds out that they need to pick up their child from school because people are threatening violence—and all because of their faith.

Since 2017 began, 100 bomb threats have been called into Jewish schools and Jewish community centers. It sounds like it is from another time, but this is what rising anti-Semitism looks like in our country. Granted, we knew weird stuff was happening: Pepe, David Dukes—this is not normal America. But now the threat of violence is real. It is coming through the phone lines of American schools every day, and it is loud and clear. This rising threat demands leadership. It demands that we regularly and quickly denounce anti-Semitism and do everything we can do to stop it from growing. But that is not what we have seen so far from this administration.

Now, the baseline expectation of an unequivocal, quick and regular disavowal of rising anti-Semitic or anti-Muslim rhetoric from the leader of the free world is no longer being met. Instead, we have to extract it from the administration. We have to ask for it when it doesn't come. We have to ask when it is coming. What is even sadder is that this administration has avoided any opportunity—even the easy ones, even the most obvious ones—to stand against anti-Semitism.

Just over a month ago, the world marked International Holocaust Re-

membrance Day. The White House put out a statement without a single mention of the 6 million Jews who were killed in the Holocaust. Here is the crazy thing: The first draft mentioned Jews. The State Department drafted the initial statement which mentioned Jews, like every Holocaust Remembrance Day statement before it did. Then it went to the White House where someone thought: Let's make edits. Let's remove mention of Jews from a statement about International Holocaust Remembrance Day. This was someone's decision. It was an intentional decision. Who would decide that, and why would that be done?

Why remove the mention of Jews? It is like mentioning slavery and not mentioning African Americans. It is like mentioning internment and not mentioning Japanese Americans. When you are talking about genocide, it is not irrelevant to talk about who did it and to whom. It is a requirement. But the White House didn't mention Jews, and it didn't apologize when people were rightfully confused. Only now that violence has been unleashed, that Jewish cemeteries are being desecrated, that people's children are being threatened on a daily basis are we seeing the minimum from the White House to recognize the rise of anti-Semitic sentiments and actions.

I am worried.

Local communities have taken it upon themselves to lead the way and stand up together. This is what leadership looks like. It looks like Muslim Americans showing up to cemeteries to help to restore Jewish headstones. It looks like local police raising money and people taking time to hold a vigil in solidarity with their Jewish neighbors. There have been far too many bystanders to the increasing anti-Semitism across the country. It is long past time to break the silence and to make it utterly clear that the United States is not a place for hate. It is un-American to hate Jews or Muslims or strangers in our midst. That is not who we are or what we stand for. That is not the United States of America.

This week, as Jewish communities are reviewing bomb threat guidance and looking at best practices for security, it is up to all of us to take action and to do everything we can to beat back rising anti-Semitism.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER. (Mr. STRANGE). Without objection, it is so ordered.

RUSSIA

Mr. DURBIN. Mr. President, it has now been almost 5 months since our intelligence community first detailed how Russia launched a cyber act of war on America and our last Presidential election—5 months. In those 5 months, how many times have my Republican colleagues come to the floor of the Senate to discuss this national security threat, this cyber attack by Russia? How many times has the party of Ronald Reagan—who so clearly understood the threat of the Soviet Union—spoken on the Senate floor about this Russian cyber attack on America? Zero. That is right—zero. They have found more than 35 occasions to talk about stripping health care from millions of Americans, and they made time to urgently rush votes dismantling environmental and anticorruption regulation, but to talk about how a former KGB official launched a cyber act of war against America aimed at eroding trust in our historic democracy and electing the candidate seen as more sympathetic to Russia—zero. Not once.

Why would Russian dictator Vladimir Putin favor President Trump in the last election? Well, I just returned from a week visiting our allies in Eastern Europe. I can tell you, they are puzzled by this, too, and they are worried. They are worried that Donald Trump, the new President, is already advancing and will further advance policies sympathetic to Vladimir Putin's dangerous agenda, specifically weakening the Western transatlantic democratic alliance.

Regardless of the partisan leanings of who was in government in the nations I just visited—populist, social democrat, conservative, liberal—the concerns in each of these nations of Poland, Lithuania, and Ukraine were the same. Is the United States' history of championing democracy and collective security in Europe ending? Are we backing away from those values and commitments just as Russia is more aggressively challenging them? Is the American President really using phrases like "enemy of the people" to describe the free press in America?

You see, the countries that I visited were once in the Eastern bloc, Warsaw Pact, or Soviet Union. They are familiar with that term, "enemy of the people." That was a term used by Soviet dictator Joseph Stalin that was so ominous that the Soviet Premier, Nikita Khrushchev, later demanded that the Communist Party stop using it because it eliminated the possibility of any kind of ideological fight.

Think of that. Here was Khrushchev saying: Stop using the Stalin term "enemy of the people"; it is too divisive. Now it is being used to describe the media, a description that has been offered by the new President of the United States. Are the Trump adminis-

tration's bizarre blinders to Vladimir Putin's aggression and true nature—and the silence of too many of his colleagues on this danger—a harbinger of some kind of Western retreat when it comes to Russian aggression?

It is hard to believe this is happening in 2017. President Trump has called NATO obsolete. That is a stark and completely wrong statement, so bad that it required the Vice President of the United States to travel to Munich, Germany, last week and reassure our allies who have been part of our alliance since World War II that NATO was not obsolete.

When has it happened in history that the President of the United States would make such a sweeping, erroneous, dangerous statement about the most important alliance in the world and then send his Vice President out on a repair job? The President has surrounded himself with people like Steve Bannon, who reportedly once called himself a Leninist and seems bizarrely sympathetic to Putin's dictatorial model and weakening the European alliance.

It turns out that the just-resigned National Security Advisor, LTG Michael Flynn, the one who was fired by the previous administration, the one who led chants unworthy of a great democracy about locking up Hillary Clinton, was, in fact, speaking to Russian officials before he or Donald Trump had taken office and, suspiciously, just after President Obama imposed sanctions on Russia for its attack on our election.

President Trump still refuses to release his tax returns to clarify what his son said in 2008 regarding Trump's businesses seeing "a lot of money pouring in from Russia." President Trump even said yesterday: "I haven't called Russia in 10 years." That is hard to verify. He spoke to Vladimir Putin on the telephone just a month ago, which was followed, incidentally, a day later by renewed fighting by the Russian-backed separatists in Ukraine.

President Trump visited Russia in 2013. He tweeted at the time: "I just got back from Russia—learned lots & lots."

Clearly, he did not learn enough about Vladimir Putin. As if that were not enough, this President still refuses to acknowledge Russia's attack or to criticize Vladimir Putin. You see, the President of the United States has trouble, a real habit of lashing out at everyone and anyone involved in a perceived slight, a dangerous and unbecoming behavior when granted the privilege to be President of this great Nation.

In fact, the vast number and range of those attacked or insulted via Twitter is so significant that I need considerably more time here on the floor of the Senate to list all of the targets of President Trump's attacks on Twitter.

So if you make any criticism or joke about President Trump, make any perceived slight, run a department store, lead a labor union, do just about anything, you may be a victim of one of his Twitter attacks, except, of course, if you happen to be a former Communist KGB official who now leads Russia, a nation that recently attacked our election.

How is it possible? How is it sensible? How is this not an abdication of the President's responsibilities? Russian President Putin launched a cyber attack and war on the United States and its democracy. November 8, 2016, is a day that will live in cyber infamy because of this Russian attack on the United States of America.

President Putin interfered in our election and tried to influence the selection of the American people in choosing their leader. The evidence is overwhelming. It has been available in increasing amounts for almost 5 months. The White House is silent, in denial.

Republican Senators are largely silent, and not one of them has come to the Senate floor to even address this issue. Meanwhile, Vladimir Putin continues his aggressive military cyber disinformation campaign throughout Europe.

Just last week, the Washington Post reported that the White House led an effort to discredit news stories that described contacts between the Trump campaign and Russian Government officials. The House Intelligence Committee chairman, Congressman NUNES of California, a Republican, went so far as to dismiss these claims of Russian interference in the campaign for the President of the United States and to condemn the leaks that have brought this information to the attention of the American people. Rather than doing their part to ensure an impartial, independent investigation of these chilling facts, the White House has tried to spin it out of existence. In fact, yesterday, it was reported that the White House Press Secretary asked CIA Director Michael Pompeo and the chairmen of the Senate and House Intelligence Committees to help discredit news articles about the Trump campaign aides' contacts with Russian officials.

John Brennan, who was head of the Central Intelligence Agency under President Obama, was asked in an interview last night if he could imagine being contacted by the White House and asked to spin a story one way or the other. He said it was unthinkable. It just wasn't done under previous administrations. Here we are, not even 6 weeks into this Presidency, and it is already happening.

Can anyone here—anyone—imagine what would happen if the situation had been reversed? I can just imagine the howls of "treason" and "impeachment." Not a single nominee would be

confirmed until there were answers and accountability if this had happened and there was an effort by the Russians to influence an election in favor of the Democrats.

What has happened to my friends on the other side of the aisle? When will they put the country that they are sworn to represent and to uphold above any partisan consideration? A Polish expert who I ran into during my journey summed all this up wisely when he said: If the United States does not respond to the Russian attack on its own election, Putin will feel he has a free hand to keep taking destabilizing actions in the West.

There was a time in Washington when national security issues were bipartisan. Politics used to stop at the water's edge. The security of the Nation meant putting aside partisan agendas to face a common threat. It is time to return to that tradition. We need an independent, transparent investigation of this Russian involvement in our Presidential election.

We know the voters list in my home State of Illinois was hacked. We know that some 17 different intelligence agencies have told us unequivocally that Russia did everything in its power to try to change the outcome of this last election. We are told that there could have been up to 1,000 Russian trolls sitting in headquarters in Moscow, trying to hack into the computers of people in the United States to influence the outcome of this election.

We know that, coincidentally, some 2 hours after a very controversial, negative story came out against Donald Trump, the Russians released information that they had hacked from the campaign of Hillary Clinton.

Two hours. A coincidence? Not likely. There is a lot of information that needs to be followed up on. No conclusions can be reached until there is a thorough, independent, credible investigation. I worry about using the Intelligence Committees for this purpose. These committees and their activities are important, critical, but they are largely invisible and their deliberations are interminable. We are waiting, hoping that they will come up with information to help us spare the United States from a future attack by Russia or any other country on the sovereignty of our Nation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

HOME HEALTH CARE PLANNING IMPROVEMENT ACT

Ms. COLLINS. Mr. President, I rise today to urge my colleagues to support the Home Health Care Planning Improvement Act, which I have introduced with my friend and colleague from Maryland, Senator CARDIN. Our legislation aims to help ensure that our seniors and disabled citizens have timely access to home health services available under the Medicare program.

Nurse practitioners, physician assistants, certified nurse midwives, and clinical nurse specialists are all playing increasingly important roles in the delivery of healthcare services, particularly in rural and medically underserved areas of our country where physicians may be in scarce supply.

In recognition of their growing role, Congress, in 1997, authorized Medicare to begin paying for physician services provided by those health professionals as long as those services are within their scope of practice under State law.

Despite their expanded role, these advanced practice registered nurses and physician assistants are currently unable to order home healthcare services for their Medicare patients. Under current law, only physicians are allowed to certify or initiate home healthcare for Medicare patients, even though they may not be as familiar with the patient's case as the nonphysician provider.

In fact, in many cases, the certifying physician may not even have a relationship with the patient and must rely upon the input of the nurse practitioner, physician assistant, clinical nurse specialist, or certified nurse midwife to order the medically necessary home healthcare. At best, this requirement adds more paperwork and a number of unnecessary steps to the process before home healthcare can be provided. At worst, it can lead to needless delays in getting Medicare patients the home care that they need simply because a doctor is not readily available to sign the requisite form. The inability of these advanced practice registered nurses and physician assistants to order home health care is particularly burdensome for our seniors in medically underserved areas, where these providers may be the only healthcare professionals who are readily available.

For example, needed home healthcare can be delayed for up to days at a time for Medicare patients in some rural towns in my State of Maine, where nurse practitioners are the only healthcare professionals and the supervising physicians are far away. A nurse practitioner told me about one of her cases in which her collaborating physician had just lost her father and, therefore, understandably, was not available. But here is what the consequence was. This nurse practitioner's patients experienced a 2-day delay in getting needed care while they waited to get the paperwork signed by another doctor.

Another nurse practitioner pointed out that it is ludicrous that she can order physical and occupational therapy in a subacute facility but cannot order home healthcare. How does that make sense?

One of her patients had to wait 11 days after being discharged before his physical and occupational therapy

could continue simply because the home health agency had difficulty finding a physician to certify the continuation of the very same therapy that the nurse practitioner had been able to authorize when the patient was in the facility.

Think about that. Here we have a patient who is in a rehab facility, for example, or a subacute facility or a nursing home—a skilled nursing home—and that patient is ready to go home, but the chances of successful treatment of that patient—of that patient regaining function—is going to be diminished if there is a gap between the physical and occupational therapy and the home healthcare nursing that the patient would receive at home if there is no physician available to do the paperwork.

So that simply does not make sense. I would wager that it leads to additional cost for our healthcare system because, if that essential home healthcare is not available in the patient's home, the tendency is going to be to keep the patient in the facility for a longer period of time to avoid the gap in treatment. Yet we know that it is much more cost effective to treat the patient in his or her home. We also know that for many patients, that is their preference as well. They would rather be in the comfort, security, and privacy of their own home.

The Home Health Care Planning Improvement Act would help ensure that our Medicare beneficiaries get the home health care they need and when they need it, by allowing physician assistants, nurse practitioners, clinical nurse specialists, and certified nurse midwives to order home health services.

It only makes sense. They can order it when the patient is in certain facilities, but then they lose the right to order it when the patient goes home? That just doesn't make sense. These are skilled professionals who know what the patients need, and we should not be burdening the system with unnecessary paperwork.

Our bipartisan legislation is supported by the National Association for Home Care & Hospice, the American Nurses Association, the American Academy of Physician Assistants, the American College of Nurse Midwives, the American Association of Nurse Practitioners, and the Visiting Nurse Associations of America.

A lot of times we deal with healthcare issues that are extraordinarily complex, and it is difficult for us to figure out what the answer is. This is not one of those cases. This is a commonsense reform that will improve and expedite services to Medicare beneficiaries, whether they are our disabled citizens or our seniors. It will help them get the home health care they need without undue delay.

I urge all of my colleagues to join us as cosponsors of this commonsense bill.

Seeing no one seeking recognition, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. JOHNSON). Without objection, it is so ordered.

FOREIGN AID

Mr. RUBIO. Mr. President, I know we are working through these nominations, and there is an important one before us now, but as we continue to debate it, I thought it would be a good time to talk about the overall function of the Federal Government and some of the important things it does.

Today I had occasion to meet with individuals on behalf of the ONE organization. It is a fantastic group I learned about for the first time in 2010. I was running for the U.S. Senate, and a group of activists in black shirts with a round white symbol on the shirt that said "ONE"—and I didn't know what it was. I thought it was maybe a protester or someone of that nature. They were very polite, and in the end they approached me and started talking about it. They are a group of supporters of global engagement on behalf of the United States, cofounded by Bono, the front man for the band U2, which I think is familiar to most people at this point. So they are here again today, and we had an opportunity to meet with them early this morning. Many of the Members around here perhaps have seen them visit around the Capitol.

That brought to mind something I want to talk about today, and that is the broader issue of U.S. foreign aid, the State Department, and engagement in the world. Let me back up and tell you what I think I hear—that most people hear around here as well from a lot of people. This has been going on for a long time. I don't blame people because people have real lives, businesses to run, and families to raise so they are not watching the Federal budget, line by line, on a regular basis.

There is a perception out there that the U.S. Government spends an extraordinary percentage of our overall budget on foreign aid. I saw a poll recently, a legitimate poll conducted, and it asked people: How much of the Federal budget do you think goes out of the country? And the average was 26 percent. That is what people thought. Of course the truth is, it is nothing even close to that.

I want to begin by saying that today foreign aid as a part of our overall budget is less than 1 percent of the total amount the U.S. Government spends—less than 1 percent. The second thing people bring up is: Well, but we have so many problems in America. We

do. We have real issues we need to confront. Why do we spend so much money on these other countries when we have so many problems here at home? That is a legitimate question. People should ask that. I think it is important for those of us who believe in global engagement and believe in the function of foreign aid to justify it, to never take it for granted, and to constantly examine it to make sure the money is being spent well and that it is worth spending at all. That is what I wanted to come to the floor to do today for a few minutes.

I know we are soon going to end a budget cycle. There will be debate, and every dollar in the budget should justify itself. I want to explain for a moment why I believe global engagement and foreign aid are so critical.

Here is the first reason. The world has always been interconnected, especially for America. We are not a small, obscure nation. We are the most influential, the most consequential nation on the planet. I can tell you that almost without exception, if there is a major crisis anywhere on this planet, it will eventually have a nexus to life in America in one way or another.

You think about one of the controversial issues that has been debated in Washington and being discussed politically is the Syrian refugees. I remember a couple of years ago that people would tell me: Well, it is very sad what is happening in Syria, but what does that have to do with us? Well, 2 or 3 years later, I think we all know the answer; that is, when refugees are created anywhere in the world, it is natural that a significant percentage of them want to come to the richest, freest, safest nation in the world, and that is the United States of America.

It also impacts our allies. We have seen it in Europe where a tremendous strain has been placed upon our allies in Europe. A significant amount of the budget in Germany, where I was recently just visiting, is being spent on dealing with the refugee crisis and the impact it is having on them. I would tell you that what happens in the world has a direct consequence to the United States.

Here is another fact for why it matters to America. This is a key fact that I was able to pull up today—or my staff was. Twelve of the fifteen top trading partners of the United States were once recipients of U.S. foreign assistance.

I think the best way to justify foreign assistance is to understand the history of it. Let's go back in time. Let's go to the end of the Second World War. Europe was in ruins. Japan was in ruins. The United States, had it behaved like most great powers in history, would have either abandoned those nations itself or the United States would have conquered them and made Japan a colony or made Germany

a dependent on the United States. Instead, through the Marshall Plan the United States rebuilt Western Europe and in particular Germany. Through additional assistance, the United States provided aid to rebuild post-war Japan. For the Japanese, between 1946 and 1952, the United States invested \$2.2 billion—or \$18 billion in today's dollars—in Japan's reconstruction efforts. That amounts to more than one-third of the \$65 billion in goods the United States exported to Japan just last year, in 1 year alone.

What is the result of this aid? Here is the result. Today we have a prosperous, unified Germany, which is a strong member of NATO and a strong ally of the United States. We have in Japan the world's third largest economy and one of the most important allies of this great country of ours in the Asia-Pacific region. This would not have been possible without U.S. assistance. Did it help the people of Japan and the people of Germany? Absolutely. Did it help the people of the United States? Without question.

Is the world a better place today because Germany is a free democratic nation involved in trade, involved in alliances with us, deploying troops around the world for NATO missions? Without a doubt. Is the world a better place because Japan is the third largest economy and a strong ally of the United States in the Asia-Pacific region? Without a doubt. That is an example of the fruit of U.S. engagement.

Some would say to me: Well, that was after the Second World War. That was a catastrophic event, but as a matter of course, what else has borne fruit? Isn't this just money we throw down a hole and never see results of? I would tell you that is not the case.

I would point to South Korea. It is hard to believe, but just a few decades ago South Korea was poorer than North Korea. South Korea had less money, less of an economy, less prosperity than North Korea. Today, South Korea is an industrialized, fully developed economy—one of the largest economies in the world. A nation that not long ago was a military dictatorship is now a vibrant, functioning democracy and a strong American ally.

Again, another example—do you want one in our own hemisphere? Look at the country of Colombia. Not long ago, Colombia was basically a failed state. That country had been overrun by drug gangs, the cartels—the Medellín Cartel, the Cali Cartel. The government was on the verge of collapse. Presidential candidates were being assassinated—an extraordinary source of instability in the Western Hemisphere. Colombia still has challenges, but in helping them move forward with Plan Colombia, today trade between the United States and Colombia is at \$14 billion, and as of last year, it actually was a surplus.

What is more, Colombia is now a force multiplier for our cousins. For example, if you visit Honduras, as I did during the summer, and you see the Honduran police and the Honduran special forces being trained to take on the criminal elements and cartels in that country, do you know who is there training them alongside of our people? The Colombians—the Colombian military units who have the same uniform, the same training, the same weaponry, and the same practices as the Green Berets of the United States, and they are a force multiplier. Today, Colombia is doing the things America once had to do because of the aid we provided them, and they are perhaps our strongest ally in the Western Hemisphere.

It goes on and on from a human perspective. You think about America and America's Feed the Future Initiative. It is an initiative that has trained thousands of farmers in Tanzania over the last decade. Now our country exports to them, and exports to Tanzania from the United States have increased by 500 percent.

An important point, by the way, is that there have been reductions in foreign aid over the last few decades. Today, we spend 50 percent less on foreign aid than we did as a percentage of our gross domestic product when President Reagan was in office, which was near the end of the Cold War. There is rationale for this, as well, for our economy and for our national security.

From an economic perspective, 95 percent of the consumers in the world—95 percent of the people on this planet who buy things—live outside of the United States. Seven of the ten fastest growing economies happen to be in the developing world. So if you are an American company that makes things—and I know we want to make things in America again—you have to sell them to someone. If you can only sell them to 5 percent of the world's population that happens to live in the United States of America, that is one thing, but imagine how much more you could sell, how much more money you could make, how much more value you would have for your shareholders, how many more employees and jobs you would create if you could sell to more of that 95 percent of the people around the world. You cannot sell to people and people cannot be consumers if they are starving. They cannot be consumers if they are dying of HIV/AIDS. They cannot be consumers if they are dying of malaria. They cannot be consumers if they live in an unstable country.

So there is an economic rationale for our investment around the world. We are helping people to emerge from poverty and to ultimately become members of a global consumer class that buys American goods and services. We are, in essence, planting the seeds for markets to develop that we can trade

with and that we can sell to. That is one of the reasons it is so important. That is one of the reasons that today one out of five American jobs is tied to international trade and that one in three manufacturing jobs in America is tied to exports. You cannot export unless there are people on the other end of the deal to buy it from you, and we want as many people in the world as possible to be able to afford to buy things from us. In many places around the world, it begins by ensuring that they are alive and then by ensuring that they have the education they need to develop an economy so that their people can become consumers and trade partners with us.

The list goes on and on in terms of the accomplishments it has had.

Our global anti-malaria program has saved over 6 million lives, primarily those of children under the age of 5. PEPFAR, which is the President's Emergency Plan for AIDS Relief, has saved more than 11 million people and has prevented 2 million babies from being born with HIV. The number of school-age children worldwide who are not going to primary school dropped to 57 million children in the year 2015. That is still too many, but the number was nearly twice that—100 million—just 7 years ago. There has been a 99-percent reduction in polio cases thanks to the efforts we have led in the vaccination program. The list goes on and on.

There is a national security component to this, and here it is: Imagine for a moment that you are a child born in Africa, that your parents had HIV, and that they survived because of American assistance. Imagine if you yourself were someone who survived HIV or malaria because of American assistance or that you got to go to school because of American help or that because of American assistance you didn't contract polio the way your relatives used to. Imagine if you were one of these young people around the world whose lives are better because of the help of the American taxpayer. This is never going to be 100 percent for sure, but I promise you it is going to be a lot harder to recruit someone to anti-Americanism and anti-American terrorism if the United States of America is the reason one is even alive today. That is the national security component, apart from allowing countries to become more stable and provide for their people and for themselves.

By the way, when we talk about the international affairs budget, it is not just foreign aid; it is everything—diplomatic relationships with the global community, security assistance with key allies—Israel. As an example, it provides them \$3 billion in military assistance as they are a key ally in a strategic part of the world.

We have talked about the health clinics in the schools and the humani-

tarian relief efforts. I remember going to the Philippines about 3 or 4 years ago. One of the first things people mentioned to me was that after that horrible storm that killed and hurt so many people, they woke up one morning and saw a U.S. aircraft carrier off the horizon, and they knew things were going to be better because America was on the case. Think about the power and what that means for our Nation and the impact it has on people around the world. This is part of it.

By the way, when we travel abroad—when you are an American and you are in another country and you lose your passport or your wallet gets stolen or you have any sort of an issue—you have to work abroad, as do many people whom I know, and we get the calls in our office from people who have kids who are studying abroad and have an issue and have to go to the consulate or the Embassy—this is the budget that pays for that stuff. This is the budget that pays for that.

If you are a company that decides "I want to do business in this new country. I want to fly to this country and find some customers and maybe come back to America and hire 20 more people so that we can build products to sell. I want to expand our reach," it is our U.S. Embassies and the agencies working within them that are helping to make those connections for American businesses. That is part of this budget.

When we talk about this, I think it is critical for us as leaders to explain to the American people just exactly what it is we are talking about. We always want to put America first. We always want to think about the American people first. That is our obligation. But I think this is part of that. If you really want to help the American people, you have to ensure that the world we live in is a more stable place.

I close by saying that this always gets back to the argument that some make: Why does it have to be us? We have been doing this for so long. We have been involved in this for so long, and we have spent so much money and so much blood and treasure around the world for the cause of freedom, democracy, humanitarianism, and the like. Why does it have to be America?

I think that gets to the fundamental question of, what kind of country do we want to be? The choice before us is that it has to be America because there is no alternative. That is the point I hope people remember and understand. There is no alternative for America in the world today. If America decides to withdraw from the world, if America decides to step back, if America declines and our influence around the world becomes less palpable, what will replace it?

There are only two things that can replace it—not the U.N. There are only two things that can step into whatever

America leaves if it steps back. No. 1 is totalitarianism. For the growing movement around the world led by China and Russia and North Korea and Iran, it is the totalitarian regimes. That is the first thing that can step in and fill the vacuum. The other is nothing. The other alternative to America is nothing. It is a vacuum, and that vacuum leads to instability, and that instability will lead to violence, and that violence will lead to war. That will ultimately come back and impact us whether we want it to or not. This is the choice before us.

Without a doubt, I am the sponsor of a law that we passed last year, foreign aid accountability. I want to make sure that every dollar of American taxpayer money that is invested abroad for these purposes is spent well and is not going to line the pockets of corrupt dictators. I 100 percent agree with that. Yet this idea that somehow we can just retreat from our engagement in the world is bad for national security, it is bad for our economy, and it isn't good for policymakers who want to put the American people first. By the way, it doesn't live up to the standards of who we are as a people.

I have said this many times before, and in this I am guided by my faith. I believe that to whom much is given, much is expected. That is what the ancient words and Scripture teach us. I think that principle is true for people, and I think that principle is true for nations. I believe in the depth of my heart that our Creator has honored America's willingness to step forward and help those around the world, and I believe He will continue to do so as long as we use our blessings not just for our good but for the good of mankind.

I hope that in the weeks to come, as we debate the proper role of government and the proper way to fund it, we understand what a critical component foreign aid and the international affairs budget is to our national security, our economic interests, and our very identity as a people and as a nation.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Ms. MURKOWSKI. Mr. President, we have the nomination of Representative RYAN Zinke to be the Secretary of the Interior as the business before the body today, and I wish to spend a few moments this afternoon speaking about him, his qualifications, and why I believe he will be a strong Secretary of the Interior.

Of all the Cabinet-level nominations that have an impact on my home State

of Alaska, the Secretary of the Interior is almost certainly the most important and the most consequential. Two-thirds of Alaska—nearly 224 million acres—is under Federal management. To put that into perspective, that is more land than is occupied by the entire State of Texas, and it is an area about 177 times larger than the State of Delaware. The vast majority of that land is controlled by agencies within the Department of the Interior, from the Bureau of Land Management, to the National Park Service, to the Fish and Wildlife Service. Again, significant parts of Alaska—more land than is occupied by the State of Texas—are held under Federal management. It is for this reason we in Alaska call the Interior Secretary our “landlord.” He might not necessarily like that fact, but that is what he is effectively.

While it might sound strange if you are from an Eastern State such as Massachusetts or New York, which have hardly any Federal lands within their borders, the decisions that are made by the Department of the Interior literally determine the livelihoods of thousands of Alaskans, as well as the stability and the success of our State. When the Department of the Interior chooses to work with us, Alaska is able to grow and prosper, even as our lands and our waters remain protected under the most stringent environmental standards in the world. When the Department chooses not to work with us, as was all too often the case in the last administration, the people of Alaska suffered. Our State's economy, our budget, and our future are all threatened at the same time. I start with that context to help the Senate understand why I take this confirmation process so seriously whenever a new Interior Secretary is nominated.

I consider whether the nominee is right for the job and whether he or she will do right by the people of Alaska, as well as other western states. I talk with the nominee and ask him or her questions about everything from ANCSA and ANILCA to wilderness and wildlife management. When I make a decision, I am making it as a Senator for Alaska and as the chairman of both the authorizing committee and the Appropriations subcommittee for the Department of Interior.

Today, after a great deal of review and careful consideration, I am very pleased to be here to speak in strong support of our new President's nominee for this position, Representative RYAN ZINKE. I believe Representative ZINKE is an excellent choice to be our next Secretary of the Interior. Maybe I am a little bit partial here, but the fact that he is a fellow westerner, hailing from the Treasure State of Montana—that helps with my decision. He is a lifelong sportsman. He loves to hunt and fish. That also resonates with me. I also understand he is a pretty good downhill

skier, and I like that too. He is a trained geologist. He has worked as an energy consultant. Even more notably, he has dedicated his life to the service of our Nation, including more than two decades as a Navy SEAL, a term in the Montana Senate, and most recently as the sole U.S. Congressman for his home State.

Representative ZINKE's life and career have prepared him well to serve as Secretary of the Interior. He was born in the West. He lives in the West. He understands it. He understands its people. He has substantive knowledge of the challenges facing the Department and truly a firsthand experience in trying to solve them. He has also shown that he understands the need for the Department to be a partner for Alaska and other western states, which contain the vast majority of our nation's Federal lands.

We had an opportunity in the Energy and Natural Resources Committee to hold a hearing to consider Representative ZINKE's nomination on January 17. It seems like an eternity ago now, but what I remember very clearly from that morning is the positive and very compelling vision he shared with us.

Representative ZINKE told us he grew up in a “small timber and railroad town next to Glacier National Park.” He explained that he believes the Secretary is responsible for being “the steward of majestic public lands, the champion of our great Indian nations, and the manager and voice of our diverse wildlife.” He did show us—and spoke to it in the committee hearing—that he understands the purpose and the value of Federal lands, invoking Teddy Roosevelt and pledging to follow the multiple-use doctrine.

As other colleagues have come to the floor today to speak about Representative ZINKE's nomination, several have spoken to the issue of the Antiquities Act, speaking more directly than to the issue of multiple-use as it relates to our public lands. Yet, in outlining the concept of multiple-use that Representative ZINKE believes and follows, it is probably best to look to his own words that he said when he was before us in the committee. On multiple-use, Representative ZINKE said the following:

In multiple-use, in the spirit of Roosevelt, it means you can use it for multiple purposes. I am particularly concerned about public access. I am a hunter, a fisherman. But multiple uses are also making sure that you're going to do, you know, and you go in with both eyes open, that means sustainability. That means that it doesn't have to be in conflict if you have recreation over mining.

You just have to make sure that you understand what the consequences of each of those uses are. It's our public land. What I have seen most recently is our access is being shut off, roads are being shut off, and we're all getting older. And when you don't have access to hunting areas, traditional fishing areas, it makes it an elite sport.

And I'm particularly concerned about the elitism of our traditional hunting, fishing, and snowmobiling. Making our public lands accessible in the spirit of multiple-use. Single use, if you look at the Muir model of some of our national parks and some of our areas, I agree. There are some areas that need to be set aside that are absolutely appropriate for man to be an observer.

There are special places in our country that deserve that recognition. But a lot of it is traditional uses of what we find in North Dakota and Montana where you can hunt and fish, you can drill an oil well. Make sure there is a reclamation project. Make sure there is a permit, make sure there's NEPA. If you are doing something that's more intrusive, make sure you monitor the water. Everyone enjoys clean water and we should. I don't think necessarily they are in conflict. I think you have to do it right.

I think it is important to put those comments of Representative ZINKE on the record because it is clear that, again, he recognizes the multiple uses of our public lands—recognizing there are certain places that are special but ensuring, again, that the doctrine of multiple-use is respected as initially intended.

Representative ZINKE also told us that he would have three main tasks if he is confirmed as Secretary of the Interior. The first, he said, is to “restore trust by working with rather than against local communities and states.” The second is to address the multibillion dollar maintenance backlog at the National Park Service so that we preserve the crown jewels of our public lands for future generations. And the third is to “ensure the professionals on the front line, our rangers and field managers, have the right tools, right resources, and flexibility to make the right decisions that give a voice to the people they serve.”

So those were the three priorities as outlined by Representative ZINKE, and I believe all three of those missions are necessary. I am hardly alone in supporting Representative ZINKE as the right choice to fulfill them. Within the committee, he drew bipartisan support when we reported his nomination to the full Senate on January 31. He has drawn widespread support from dozens and dozens of stakeholder groups all across the country: from the Alaska Federation of Natives, the Blackfeet Tribe, the Choctaw Nation, the National Congress of American Indians, Safari Club International, Ducks Unlimited, the Congressional Sportsmen's Foundation, the National Rifle Association, the Public Lands Council, and the American Exploration & Mining Association. These are just a few of the many stakeholders that have praised or endorsed Representative ZINKE to be our next Secretary of the Interior.

I am glad we are finally here today on the verge of confirming Representative ZINKE to this position. I would remind the Senate that despite many substantive differences, we confirmed President Obama's first nominee for In-

terior Secretary on inauguration day back in 2009—not so with Representative ZINKE. It has now been 6 weeks since we held his nomination hearing and almost a full month since we reported his nomination from our committee—again on a strong bipartisan basis. I am disappointed, of course, that it has taken this long to get to this point, particularly with regard to a nominee who I think, by all accounts, is not controversial or unqualified.

Now we need to confirm Representative ZINKE without any further delay, so that he can select his team and get to work addressing the range of issues that he will inherit. From the maintenance backlog of the National Park Service, to the need for greater balance in Federal land management, to life-and-death issues in remote Alaska communities, and from the Bureau of Indian Affairs to U.S.-affiliated islands, Representative ZINKE really has his work cut out for him, and he needs to be allowed to get started as soon as he can.

Again, I will repeat that I believe Representative ZINKE is a solid choice for this demanding and critical position. While we may not agree on every issue, I believe he will work with us in a thoughtful manner that is reflective of a true partnership. I believe he understands what the job requires, he has the experience necessary to succeed in it, and he will show that the Department of the Interior can still work with local stakeholders to achieve positive results.

I thank Representative ZINKE for his willingness to continue his service to our Nation and for his patience during this process. On behalf of Alaskans, I look forward to working with him after he is confirmed with bipartisan support, and I urge every Member of the Senate to support his nomination.

With that, I see the other Senator from the great State of Alaska is here with us today.

I yield the floor.

Mr. SULLIVAN. Mr. President, like my colleague from the great State of Alaska, I also rise in support of the confirmation of Congressman RYAN ZINKE to be our Nation's next Secretary of the Interior.

There has been a lot of discussion about Congressman ZINKE, and he comes to this job with great qualifications. He is a patriotic and ethical man, from a patriotic and ethical part of America: the American West. He is a Navy SEAL who has dedicated decades of his life to protecting our great Nation. He is a lifelong sportsman. He is a trained geologist. He is a strong advocate for energy independence. He has a keen interest in protecting our environment, while not stymying much needed economic growth.

There is probably no position more important to the future of our great State of Alaska than the Secretary of the Interior, and I think it is great

that we will have a new Secretary—in addition to the chairman of the Energy and Natural Resources Committee, my colleague Senator MURKOWSKI, from our great State. There are no more important positions than those positions. The Federal government owns more than 60 percent of Alaska, and we are a big State. I don't have to come here and talk about how big we are, but we are the biggest by far. Sorry, Texas.

In my State, as with many States in the West, our land is our lifeblood. It feeds us. It is what drives our economy and our culture. Congressman ZINKE understands this. He hails from Montana, which has a similar view of how important the land is. He understands that responsible energy development goes hand in hand with robust environmental protections, and he understands the very important point that we as Americans can do both. We can responsibly develop our resources and protect the environment. No country has a better record of doing that than the United States of America.

Congressman ZINKE has committed to working with Alaska as a partner in opportunity, rather than acting as a roadblock to success. Why is this so important? This would be an enormously welcome change from the past administration. I served as Alaska's attorney general, as commissioner of natural resources in my great State, and now as a U.S. Senator, and I witnessed, unfortunately, how the former Obama administration tried to stop, stymie, and slow roll literally every economic project in Alaska—every one.

Alaska and so many States across our country have tremendous resources to be developed right now. America is undergoing an energy renaissance. We are once again the world's energy superpower, yet our Federal Government was not helpful in that renaissance at all. It can be now, and we are looking toward a bright future when we have a Federal Government that is going to be a partner in opportunity, not an obstacle. I am hopeful that we are going to see a new renaissance of economic growth and job creation in Alaska and across the country, buoyed by Federal agencies like the Department of the Interior under Congressman ZINKE's leadership that want to help us seize opportunities, not undermine them.

Like my colleague Senator MURKOWSKI, I encourage all of my colleagues on both sides of the aisle to vote for Congressman ZINKE to be our next Secretary of the Interior. He is a man of integrity, a man of patriotism, a man of experience, who in my view, is going to make a great Secretary of the Interior.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

TRIBUTE TO BRIAN AND JOANNE LEBER

Mr. DURBIN. Mr. President, I would like to take a moment to recognize my constituents, Brian and Joanne Leber, of Leber Jeweler Inc. in Chicago, IL. A third-generation, family-owned business first established in 1921, Brian and his wife, Joanne, are dedicated to socially conscious and eco-friendly fine jewelry. Leber Jeweler Inc. has been instrumental in not only serving as a model for responsible and ethical sourcing in the jewelry industry, but Brian and Joanne also have a deep history of activism and philanthropy, advocating for important policies that support human rights.

In 1999, Brian and Joanne developed and launched Earthwise Jewelry. Leber Jeweler Inc. was the first company in the United States to use conflict-free Canadian diamonds, and the landmark collection also utilizes fairly traded gemstones and recycled precious metals, all sourced, mined, designed, and produced with concerns for both the environment and fair-labor standards.

Brian and Joanne also have been notable advocates for laws related to the responsible sourcing of precious stones and metals, including of rubies and jadeite from Burma and gold and tungsten from the Democratic Republic of Congo. In 2007, Brian testified before Congress in support of the Tom Lantos Block Burmese JADE Act, and in 2009, he advocated for the suspension of Zimbabwe from the Kimberley Process for its human rights abuses in the Marange diamond fields. Then, in 2010, Brian supported efforts to pass bipartisan legislation that would create a mechanism to enhance transparency in the sourcing of conflict minerals and help American consumers and investors make informed decisions.

I have had the privilege of traveling to the Democratic Republic of Congo twice, in 2005 and 2010. It is a nation of breathtaking natural beauty, but like too many others, it has suffered from the paradox of the resource curse. Despite being rich in natural resources that should seemingly promote growth

and development, the Democratic Republic of Congo has faced decades of weak governance, poverty, and incompressible violence. And fueling much of the violence, at least in part, has been the contest for control of these resources and their trading routes. Sadly, this violence had coined a dubious distinction for eastern Congo, known as the Rape Capital of the World.

I have seen firsthand the efforts of people like Dr. Jo Lusi and Dr. Denis Mukwege, who founded the HEAL Africa Hospital and the Panzi Hospital, respectively, restoring health and dignity to the survivors of sexual violence. When I chaired the first-ever hearing in the U.S. Senate about the uses of rape as a weapon of war in 2008, Dr. Mukwege stressed the importance of not just treating the consequences of sexual violence in the Congo, but addressing the root causes.

Most people probably don't realize that the products we use and wear every day, from automobiles to our cell phones and even our wedding rings, may use one of these minerals and that there is a very real possibility it was mined using forced labor from an area of great violence. In 2009, I joined with then-Senators Brownback and Feingold—a Republican and a Democrat—along with then-Congressman Jim McDermott, to pass bipartisan legislation that would help stem the flow of proceeds from illegally mined minerals to those perpetuating such violence. For the first time, companies registered in the United States were required to report in U.S. Securities and Exchange Commission, SEC, disclosures any usage in their products of a small list of key minerals from the Congo or neighboring countries. Companies also had to include information showing steps taken, if any, to ensure the minerals are legitimately mined and sourced and that, by responsibly sourcing these minerals, they are not contributing to the region's violence. It wasn't a ban, but a transparency measure aimed at giving consumers choice and fostering a cleaner supply chain.

It took time for the SEC to thoughtfully craft the rule for this simple and reasonable law, and disappointingly, as is increasingly too often the case with the rulemaking process, some tried to gut the law in court, but its core provisions have been repeatedly upheld.

A look since then at the filings submitted to the SEC indicates that some companies had already been leaders on this for years—Apple Inc., Intel Corporation, Motorola, Inc., KEMET Corporation, just to name a few. Leber Jeweler Inc. has been a trailblazer in its own right from the start as well.

It has been 7 years since passage, and we are seeing this law make a difference. According to the nongovernmental organization the Enough

Project, an expert on the issue, more than 70 percent of the world's smelters and refiners for tin, tungsten, tantalum, or gold have now passed third-party conflict-free audits. In addition, the International Peace Information Service found that, as of 2016, more than three-quarters of tin, tantalum, and tungsten miners in eastern Congo are working in mines where no armed group involvement has been reported.

There is new concern today that the President may sign an Executive order suspending this simple reporting requirement; and yet many companies have come out in support of its continuation, including Brian and Joanne of Leber Jeweler Inc.

I am grateful to Brian and Joanne, for their support and advocacy on this important cause. They and others like them in the industry have been stalwart advocates for the responsible sourcing of minerals, and I look forward to continuing to work with them on ways to stem the horrific violence in the Democratic Republic of Congo.

SELECT COMMITTEE ON INTELLIGENCE

RULES OF PROCEDURE

Mr. BURR. Mr. President, I ask unanimous consent that the Senate Select Committee on Intelligence's Rules of Procedure be printed in the RECORD.

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

RULES OF PROCEDURE OF THE SELECT COMMITTEE ON INTELLIGENCE

RULE 1. CONVENING OF MEETINGS

1.1. The regular meeting day of the Select Committee on Intelligence for the transaction of Committee business shall be every Tuesday of each month that the Senate is in session, unless otherwise directed by the Chairman.

1.2. The Chairman shall have authority, upon notice, to call such additional meetings of the Committee as the Chairman may deem necessary and may delegate such authority to any other member of the Committee.

1.3. A special meeting of the Committee may be called at any time upon the written request of five or more members of the Committee filed with the Clerk of the Committee.

1.4. In the case of any meeting of the Committee, other than a regularly scheduled meeting, the Clerk of the Committee shall notify every member of the Committee of the time and place of the meeting and shall give reasonable notice which, except in extraordinary circumstances, shall be at least 24 hours in advance of any meeting held in Washington, D.C. and at least 48 hours in the case of any meeting held outside Washington, D.C.

1.5. If five members of the Committee have made a request in writing to the Chairman to call a meeting of the Committee, and the Chairman fails to call such a meeting within seven calendar days thereafter, including the day on which the written notice is submitted, these members may call a meeting

by filing a written notice with the Clerk of the Committee who shall promptly notify each member of the Committee in writing of the date and time of the meeting.

RULE 2. MEETING PROCEDURES

2.1. Meetings of the Committee shall be open to the public except as provided in paragraph 5(b) of Rule XXVI of the Standing Rules of the Senate.

2.2. It shall be the duty of the Staff Director to keep or cause to be kept a record of all Committee proceedings.

2.3. The Chairman of the Committee, or if the Chairman is not present the Vice Chairman, shall preside over all meetings of the Committee. In the absence of the Chairman and the Vice Chairman at any meeting, the ranking majority member, or if no majority member is present, the ranking minority member present, shall preside.

2.4. Except as otherwise provided in these Rules, decisions of the Committee shall be by a majority vote of the members present and voting. A quorum for the transaction of Committee business, including the conduct of executive sessions, shall consist of no less than one third of the Committee members, except that for the purpose of hearing witnesses, taking sworn testimony, and receiving evidence under oath, a quorum may consist of one Senator.

2.5. A vote by any member of the Committee with respect to any measure or matter being considered by the Committee may be cast by proxy if the proxy authorization (1) is in writing; (2) designates the member of the Committee who is to exercise the proxy; and (3) is limited to a specific measure or matter and any amendments pertaining thereto. Proxies shall not be considered for the establishment of a quorum.

2.6. Whenever the Committee by roll call vote reports any measure or matter, the report of the Committee upon such measure or matter shall include a tabulation of the votes cast in favor of and the votes cast in opposition to such measure or matter by each member of the Committee.

RULE 3. SUBCOMMITTEES

Creation of subcommittees shall be by majority vote of the Committee. Subcommittees shall deal with such legislation and oversight of programs and policies as the Committee may direct. The subcommittees shall be governed by the Rules of the Committee and by such other rules they may adopt which are consistent with the Rules of the Committee. Each subcommittee created shall have a chairman and a vice chairman who are selected by the Chairman and Vice Chairman, respectively.

RULE 4. REPORTING OF MEASURES OR RECOMMENDATIONS

4.1. No measures or recommendations shall be reported, favorably or unfavorably, from the Committee unless a majority of the Committee is actually present and a majority concur.

4.2. In any case in which the Committee is unable to reach a unanimous decision, separate views or reports may be presented by any member or members of the Committee.

4.3. A member of the Committee who gives notice of intention to file supplemental, minority, or additional views at the time of final Committee approval of a measure or matter, shall be entitled to not less than three working days in which to file such views, in writing with the Clerk of the Committee. Such views shall then be included in the Committee report and printed in the same volume, as a part thereof, and their inclusion shall be noted on the cover of the report.

4.4. Routine, non-legislative actions required of the Committee may be taken in accordance with procedures that have been approved by the Committee pursuant to these Committee Rules.

RULE 5. NOMINATIONS

5.1. Unless otherwise ordered by the Committee, nominations referred to the Committee shall be held for at least 14 days before being voted on by the Committee.

5.2. Each member of the Committee shall be promptly furnished a copy of all nominations referred to the Committee.

5.3. Nominees who are invited to appear before the Committee shall be heard in public session, except as provided in Rule 2.1.

5.4. No confirmation hearing shall be held sooner than seven days after receipt of the background and financial disclosure statement unless the time limit is waived by a majority vote of the Committee.

5.5. The Committee vote on the confirmation shall not be sooner than 48 hours after the Committee has received transcripts of the confirmation hearing unless the time limit is waived by unanimous consent of the Committee.

5.6. No nomination shall be reported to the Senate unless the nominee has filed a response to the Committee's background questionnaire and financial disclosure statement with the Committee.

RULE 6. INVESTIGATIONS

No investigation shall be initiated by the Committee unless at least five members of the Committee have specifically requested the Chairman or the Vice Chairman to authorize such an investigation. Authorized investigations may be conducted by members of the Committee and/or designated Committee staff members.

RULE 7. SUBPOENAS

Subpoenas authorized by the Committee for the attendance of witnesses or the production of memoranda, documents, records, or any other material may be issued by the Chairman, the Vice Chairman, or any member of the Committee designated by the Chairman, and may be served by any person designated by the Chairman, Vice Chairman or member issuing the subpoenas. Each subpoena shall have attached thereto a copy of S. Res. 400 of the 94th Congress, and a copy of these rules.

RULE 8. PROCEDURES RELATED TO THE TAKING OF TESTIMONY

8.1. Notice.—Witnesses required to appear before the Committee shall be given reasonable notice and all witnesses shall be furnished a copy of these Rules.

8.2. Oath or Affirmation.—At the direction of the Chairman or Vice Chairman, testimony of witnesses may be given under oath or affirmation which may be administered by any member of the Committee.

8.3. Questioning.—Committee questioning of witnesses shall be conducted by members of the Committee and such Committee staff as are authorized by the Chairman, Vice Chairman, or the presiding member.

8.4. Counsel for the Witness.—(a) Generally. Any witness may be accompanied by counsel, subject to the requirement of paragraph (b).

(b) Counsel Clearances Required. In the event that a meeting of the Committee has been closed because the subject matter was classified in nature, counsel accompanying a witness before the Committee must possess the requisite security clearance and provide proof of such clearance to the Committee at least 24 hours prior to the meeting at which

the counsel intends to be present. A witness who is unable to obtain counsel may inform the Committee of such fact. If the witness informs the Committee of this fact at least 24 hours prior to his or her appearance before the Committee, the Committee shall then endeavor to obtain voluntary counsel for the witness. Failure to obtain such counsel will not excuse the witness from appearing and testifying.

(c) Conduct of Counsel for the Witness. Counsel for witnesses appearing before the Committee shall conduct themselves in an ethical and professional manner at all times in their dealings with the Committee. Failure to do so shall, upon a finding to that effect by a majority of the members present, subject such counsel to disciplinary action which may include warning, censure, removal, or a recommendation of contempt proceedings.

(d) Role of Counsel for Witness. There shall be no direct or cross-examination by counsel for the witness. However, counsel for the witness may submit any question in writing to the Committee and request the Committee to propound such question to the counsel's client or to any other witness. The counsel for the witness also may suggest the presentation of other evidence or the calling of other witnesses. The Committee may use or dispose of such questions or suggestions as it deems appropriate.

8.5. Statements by Witnesses.—Witnesses may make brief and relevant statements at the beginning and conclusion of their testimony. Such statements shall not exceed a reasonable period of time as determined by the Chairman, or other presiding members. Any witness required or desiring to make a prepared or written statement for the record of the proceedings shall file a paper and electronic copy with the Clerk of the Committee, and insofar as practicable and consistent with the notice given, shall do so at least 48 hours in advance of his or her appearance before the Committee, unless the Chairman and Vice Chairman determine there is good cause for noncompliance with the 48 hours requirement.

8.6. Objections and Rulings.—Any objection raised by a witness or counsel shall be ruled upon by the Chairman or other presiding member, and such ruling shall be the ruling of the Committee unless a majority of the Committee present overrules the ruling of the chair.

8.7. Inspection and Correction.—All witnesses testifying before the Committee shall be given a reasonable opportunity to inspect, in the office of the Committee, the transcript of their testimony to determine whether such testimony was correctly transcribed. The witness may be accompanied by counsel. Any corrections the witness desires to make in the transcript shall be submitted in writing to the Committee within five days from the date when the transcript was made available to the witness. Corrections shall be limited to grammar and minor editing, and may not be made to change the substance of the testimony. Any questions arising with respect to such corrections shall be decided by the Chairman. Upon request, the Committee may provide to a witness those parts of testimony given by that witness in executive session which are subsequently quoted or made part of a public record, at the expense of the witness.

8.8. Requests To Testify.—The Committee will consider requests to testify on any matter or measure pending before the Committee. A person who believes that testimony or other evidence presented at a public

hearing, or any comment made by a Committee member or a member of the Committee staff, may tend to affect adversely that person's reputation, may request in writing to appear personally before the Committee to testify or may file a sworn statement of facts relevant to the testimony, evidence, or comment, or may submit to the Chairman proposed questions in writing for the questioning of other witnesses. The Committee shall take such action as it deems appropriate.

8.9. Contempt Procedures.—No recommendation that a person be cited for contempt of Congress or that a subpoena be otherwise enforced shall be forwarded to the Senate unless and until the Committee has, upon notice to all its members, met and considered the recommendation, afforded the person an opportunity to address such contempt recommendation or subpoena enforcement proceeding either in writing or in person, and agreed by majority vote of the Committee to forward such recommendation to the Senate.

8.10. Release of Name of Witness.—Unless authorized by the Chairman, the name of any witness scheduled to be heard by the Committee shall not be released prior to, or after, appearing before the Committee. Upon authorization by the Chairman to release the name of a witness under this paragraph, the Vice Chairman shall be notified of such authorization as soon as practicable thereafter. No name of any witness shall be released if such release would disclose classified information, unless authorized under Section 8 of S. Res. 400 of the 94th Congress or Rule 9.7.

RULE 9. PROCEDURES FOR HANDLING CLASSIFIED OR COMMITTEE SENSITIVE MATERIAL

9.1. Committee staff offices shall operate under strict security procedures administered by the Committee Security Director under the direct supervision of the Staff Director and Minority Staff Director. At least one United States Capitol Police Officer shall be on duty at all times at the entrance of the Committee to control entry. Before entering the Committee office space all persons shall identify themselves and provide identification as requested.

9.2. Classified documents and material shall be stored in authorized security containers located within the Committee's Sensitive Compartmented Information Facility (SCIF). Copying, duplicating, or removing from the Committee offices of such documents and other materials is strictly prohibited except as is necessary for the conduct of Committee business, and as provided by these Rules. All classified documents or materials removed from the Committee offices for such authorized purposes must be returned to the Committee's SCIF for overnight storage.

9.3. "Committee sensitive" means information or material that pertains to the confidential business or proceedings of the Select Committee on Intelligence, within the meaning of paragraph 5 of Rule XXIX of the Standing Rules of the Senate, and is: (1) in the possession or under the control of the Committee; (2) discussed or presented in an executive session of the Committee; (3) the work product of a Committee member or staff member; (4) properly identified or marked by a Committee member or staff member who authored the document; or (5) designated as such by the Chairman and Vice Chairman (or by the Staff Director and Minority Staff Director acting on their behalf). Committee sensitive documents and materials that are classified shall be handled in the same manner as classified documents

and material in Rule 9.2. Unclassified committee sensitive documents and materials shall be stored in a manner to protect against unauthorized disclosure.

9.4. Each member of the Committee shall at all times have access to all papers and other material received from any source. The Staff Director shall be responsible for the maintenance, under appropriate security procedures, of a document control and accountability registry which will number and identify all classified papers and other classified materials in the possession of the Committee, and such registry shall be available to any member of the Committee.

9.5. Whenever the Select Committee on Intelligence makes classified material available to any other committee of the Senate or to any member of the Senate not a member of the Committee, such material shall be accompanied by a verbal or written notice to the recipients advising of their responsibility to protect such materials pursuant to section 8 of S. Res. 400 of the 94th Congress. The Security Director of the Committee shall ensure that such notice is provided and shall maintain a written record identifying the particular information transmitted and the committee or members of the Senate receiving such information.

9.6. Access to classified information supplied to the Committee shall be limited to those Committee staff members with appropriate security clearance and a need-to-know, as determined by the Committee, and, under the Committee's direction, the Staff Director and Minority Staff Director.

9.7. No member of the Committee or of the Committee staff shall disclose, in whole or in part or by way of summary, the contents of any classified or committee sensitive papers, materials, briefings, testimony, or other information received by, or in the possession of, the Committee to any other person, except as specified in this rule. Committee members and staff do not need prior approval to disclose classified or committee sensitive information to persons in the Executive branch, the members and staff of the House Permanent Select Committee on Intelligence, and the members and staff of the Senate, provided that the following conditions are met: (1) for classified information, the recipients of the information must possess appropriate security clearances (or have access to the information by virtue of their office); (2) for all information, the recipients of the information must have a need-to-know such information for an official governmental purpose; and (3) for all information, the Committee members and staff who provide the information must be engaged in the routine performance of Committee legislative or oversight duties. Otherwise, classified and committee sensitive information may only be disclosed to persons outside the Committee (to include any congressional committee, Member of Congress, congressional staff, or specified non-governmental persons who support intelligence activities) with the prior approval of the Chairman and Vice Chairman of the Committee, or the Staff Director and Minority Staff Director acting on their behalf, consistent with the requirements that classified information may only be disclosed to persons with appropriate security clearances and a need-to-know such information for an official governmental purpose. Public disclosure of classified information in the possession of the Committee may only be authorized in accordance with Section 8 of S. Res. 400 of the 94th Congress.

9.8. Failure to abide by Rule 9.7 shall constitute grounds for referral to the Select

Committee on Ethics pursuant to Section 8 of S. Res. 400 of the 94th Congress. Prior to a referral to the Select Committee on Ethics pursuant to Section 8 of S. Res. 400, the Chairman and Vice Chairman shall notify the Majority Leader and Minority Leader.

9.9. Before the Committee makes any decision regarding the disposition of any testimony, papers, or other materials presented to it, the Committee members shall have a reasonable opportunity to examine all pertinent testimony, papers, and other materials that have been obtained by the members of the Committee or the Committee staff.

9.10. Attendance of persons outside the Committee at closed meetings of the Committee shall be kept at a minimum and shall be limited to persons with appropriate security clearance and a need-to-know the information under consideration for the execution of their official duties. The Security Director of the Committee may require that notes taken at such meetings by any person in attendance shall be returned to the secure storage area in the Committee's offices at the conclusion of such meetings, and may be made available to the department, agency, office, committee, or entity concerned only in accordance with the security procedures of the Committee.

9.11 Attendance of agencies or entities that were not formally invited to a closed proceeding of the Committee shall not be admitted to the closed meeting except upon advance permission from the Chairman and Vice Chairman, or by the Staff Director and Minority Staff Director acting on their behalf.

RULE 10. STAFF

10.1. For purposes of these rules, Committee staff includes employees of the Committee, consultants to the Committee, or any other person engaged by contract or otherwise to perform services for or at the request of the Committee. To the maximum extent practicable, the Committee shall rely on its full-time employees to perform all staff functions. No individual may be retained as staff of the Committee or to perform services for the Committee unless that individual holds appropriate security clearances.

10.2. The appointment of Committee staff shall be approved by the Chairman and Vice Chairman, acting jointly, or, at the initiative of both or either be confirmed by a majority vote of the Committee. After approval or confirmation, the Chairman shall certify Committee staff appointments to the Financial Clerk of the Senate in writing. No Committee staff shall be given access to any classified information or regular access to the Committee offices until such Committee staff has received an appropriate security clearance as described in Section 6 of S. Res. 400 of the 94th Congress.

10.3. The Committee staff works for the Committee as a whole, under the supervision of the Chairman and Vice Chairman of the Committee. The duties of the Committee staff shall be performed, and Committee staff personnel affairs and day-to-day operations, including security and control of classified documents and material, shall be administered under the direct supervision and control of the Staff Director. All Committee staff shall work exclusively on intelligence oversight issues for the Committee. The Minority Staff Director and the Minority Counsel shall be kept fully informed regarding all matters and shall have access to all material in the files of the Committee.

10.4. The Committee staff shall assist the minority as fully as the majority in the expression of minority views, including assistance in the preparation and filing of additional, separate, and minority views, to the end that all points of view may be fully considered by the Committee and the Senate.

10.5. The members of the Committee staff shall not discuss either the substance or procedure of the work of the Committee with any person not a member of the Committee or the Committee staff for any purpose or in connection with any proceeding, judicial or otherwise, either during their tenure as a member of the Committee staff or at any time thereafter, except as directed by the Committee in accordance with Section 8 of S. Res. 400 of the 94th Congress and the provisions of these rules, or in the event of the termination of the Committee, in such a manner as may be determined by the Senate. The Chairman may authorize the Staff Director and the Staff Director's designee, and the Vice Chairman may authorize the Minority Staff Director and the Minority Staff Director's designee, to communicate with the media in a manner that does not divulge classified or committee sensitive information.

10.6. No member of the Committee staff shall be employed by the Committee unless and until such a member of the Committee staff agrees in writing, as a condition of employment, to abide by the conditions of the nondisclosure agreement promulgated by the Select Committee on Intelligence, pursuant to Section 6 of S. Res. 400 of the 94th Congress, and to abide by the Committee's code of conduct.

10.7. As a precondition for employment on the Committee, each member of the Committee staff must agree in writing to notify the Committee of any request for testimony, either during service as a member of the Committee staff or at any time thereafter with respect to information obtained by virtue of employment as a member of the Committee staff. Such information shall not be disclosed in response to such requests, except as directed by the Committee in accordance with Section 8 of S. Res. 400 of the 94th Congress and the provisions of these rules or, in the event of the termination of the Committee, in such manner as may be determined by the Senate.

10.8. The Committee shall immediately consider action to be taken in the case of any member of the Committee staff who fails to conform to any of these Rules. Such disciplinary action may include, but shall not be limited to, revocation of the Committee sponsorship of the staff person's security clearance and immediate dismissal from the Committee staff.

10.9. Within the Committee staff shall be an element with the capability to perform audits of programs and activities undertaken by departments and agencies with intelligence functions. The audit element shall conduct audits and oversight projects that have been specifically authorized by the Chairman and Vice Chairman of the Committee, acting jointly through the Staff Director and Minority Staff Director. Staff shall be assigned to such element jointly by the Chairman and Vice Chairman, and staff with the principal responsibility for the conduct of an audit shall be qualified by training or experience in accordance with accepted auditing standards.

10.10. The workplace of the Committee shall be free from illegal use, possession, sale, or distribution of controlled substances by its employees. Any violation of such pol-

icy by any member of the Committee staff shall be grounds for termination of employment. Further, any illegal use of controlled substances by a member of the Committee staff, within the workplace or otherwise, shall result in reconsideration of the security clearance of any such staff member and may constitute grounds for termination of employment with the Committee.

10.11. All personnel actions affecting the staff of the Committee shall be made free from any discrimination based on race, color, religion, sex, national origin, age, handicap, or disability.

RULE 11. PREPARATION FOR COMMITTEE MEETINGS

11.1. Under direction of the Chairman and the Vice Chairman designated Committee staff members shall brief members of the Committee at a time sufficiently prior to any Committee meeting to assist the Committee members in preparation for such meeting and to determine any matter which the Committee member might wish considered during the meeting. Such briefing shall, at the request of a member, include a list of all pertinent papers and other materials that have been obtained by the Committee that bear on matters to be considered at the meeting.

11.2. The Staff Director and/or Minority Staff Director may recommend to the Chairman and the Vice Chairman the testimony, papers, and other materials to be presented to the Committee at any meeting. The determination whether such testimony, papers, and other materials shall be presented in open or executive session shall be made pursuant to the Rules of the Senate and Rules of the Committee.

11.3. The Staff Director shall ensure that covert action programs of the U.S. Government receive appropriate consideration by the Committee no less frequently than once a quarter.

RULE 12. LEGISLATIVE CALENDAR

12.1. The Clerk of the Committee shall maintain a printed calendar for the information of each Committee member showing the measures introduced and referred to the Committee and the status of such measures; nominations referred to the Committee and their status; and such other matters as the Committee determines shall be included. The Calendar shall be revised from time to time to show pertinent changes. A copy of each such revision shall be furnished to each member of the Committee.

12.2. Measures referred to the Committee may be referred by the Chairman and/or Vice Chairman to the appropriate department or agency of the Government for reports thereon.

RULE 13. COMMITTEE TRAVEL

No member of the Committee or Committee Staff shall travel on Committee business unless specifically authorized by the Chairman and Vice Chairman. Requests for authorization of such travel shall state the purpose and extent of the trip. A full report shall be filed with the Committee when travel is completed.

RULE 14. SUSPENSION AND AMENDMENT OF THE RULES

a) These Rules may be modified, amended, or repealed by the Committee, provided that a notice in writing of the proposed change has been given to each member at least 48 hours prior to the meeting at which action thereon is to be taken.

b) These Rules shall continue and remain in effect from one Congress to the next Con-

gress unless they are changed as provided herein.

APPENDIX A

S. Res. 400, 94th Cong., 2d Sess. (1976)¹

Resolved, That it is the purpose of this resolution to establish a new select committee of the Senate, to be known as the Select Committee on Intelligence, to oversee and make continuing studies of the intelligence activities and programs of the United States Government, and to submit to the Senate appropriate proposals for legislation and report to the Senate concerning such intelligence activities and programs. In carrying out this purpose, the Select Committee on Intelligence shall make every effort to assure that the appropriate departments and agencies of the United States provide informed and timely intelligence necessary for the executive and legislative branches to make sound decisions affecting the security and vital interests of the Nation. It is further the purpose of this resolution to provide vigilant legislative oversight over the intelligence activities of the United States to assure that such activities are in conformity with the Constitution and laws of the United States.

SEC. 2. (a)(1) There is hereby established a select committee to be known as the Select Committee on Intelligence (hereinafter in this resolution referred to as the "select committee"). The select committee shall be composed of not to exceed fifteen Members appointed as follows:

(A) two members from the Committee on Appropriations;

(B) two members from the Committee on Armed Services;

(C) two members from the Committee on Foreign Relations;

(D) two members from the Committee on the Judiciary; and

(E) not to exceed seven members to be appointed from the Senate at large.

(2) Members appointed from each committee named in clauses (A) through (D) of paragraph (1) shall be evenly divided between the two major political parties and shall be appointed by the President pro tempore of the Senate upon the recommendations of the majority and minority leaders of the Senate. Of any members appointed under paragraph (1)(E), the majority leader shall appoint the majority members and the minority leader shall appoint the minority members, with the majority having a one vote margin.

(3)(A) The majority leader of the Senate and the minority leader of the Senate shall be ex officio members of the select committee but shall have no vote in the Committee and shall not be counted for purposes of determining a quorum.

(B) The Chairman and Ranking Member of the Committee on Armed Services (if not already a member of the select Committee) shall be ex officio members of the select Committee but shall have no vote in the Committee and shall not be counted for purposes of determining a quorum.

(b) At the beginning of each Congress, the Majority Leader of the Senate shall select a chairman of the select Committee and the Minority Leader shall select a vice chairman for the select Committee. The vice chairman shall act in the place and stead of the chairman in the absence of the chairman. Neither the chairman nor the vice chairman of the select committee shall at the same time serve as chairman or ranking minority member of any other committee referred to in paragraph 4(e)(1) of rule XXV of the Standing Rules of the Senate.

(c) The select Committee may be organized into subcommittees. Each subcommittee

shall have a chairman and a vice chairman who are selected by the Chairman and Vice Chairman of the select Committee, respectively.

SEC. 3. (a) There shall be referred to the select committee all proposed legislation, messages, petitions, memorials, and other matters relating to the following:

(1) The Office of the Director of National Intelligence and the Director of National Intelligence.

(2) The Central Intelligence Agency and the Director of the Central Intelligence Agency.

(3) Intelligence activities of all other departments and agencies of the Government, including, but not limited to, the intelligence activities of the Defense Intelligence Agency, the National Security Agency, and other agencies of the Department of Defense; the Department of State; the Department of Justice; and the Department of the Treasury.

(4) The organization or reorganization of any department or agency of the Government to the extent that the organization or reorganization relates to a function or activity involving intelligence activities.

(5) Authorizations for appropriations, both direct and indirect, for the following:

(A) The Office of the Director of National Intelligence and the Director of National Intelligence.

(B) The Central Intelligence Agency and the Director of the Central Intelligence Agency.

(C) The Defense Intelligence Agency.

(D) The National Security Agency.

(E) The intelligence activities of other agencies and subdivisions of the Department of Defense.

(F) The intelligence activities of the Department of State.

(G) The intelligence activities of the Federal Bureau of Investigation.

(H) Any department, agency, or subdivision which is the successor to any agency named in clause (A), (B), (C) or (D); and the activities of any department, agency, or subdivision which is the successor to any department, agency, bureau, or subdivision named in clause (E), (F), or (G) to the extent that the activities of such successor department, agency, or subdivision are activities described in clause (E), (F), or (G).

(b)(1) Any proposed legislation reported by the select Committee except any legislation involving matters specified in clause (1), (2), (5)(A), or (5)(B) of subsection (a), containing any matter otherwise within the jurisdiction of any standing committee shall, at the request of the chairman of such standing committee, be referred to such standing committee for its consideration of such matter and be reported to the Senate by such standing committee within 10 days after the day on which such proposed legislation, in its entirety and including annexes, is referred to such standing committee; and any proposed legislation reported by any committee, other than the select Committee, which contains any matter within the jurisdiction of the select Committee shall, at the request of the chairman of the select Committee, be referred to the select Committee for its consideration of such matter and be reported to the Senate by the select Committee within 10 days after the day on which such proposed legislation, in its entirety and including annexes, is referred to such committee.

(2) In any case in which a committee fails to report any proposed legislation referred to it within the time limit prescribed in this subsection, such Committee shall be auto-

matically discharged from further consideration of such proposed legislation on the 10th day following the day on which such proposed legislation is referred to such committee unless the Senate provides otherwise, or the Majority Leader or Minority Leader request, prior to that date, an additional 5 days on behalf of the Committee to which the proposed legislation was sequentially referred. At the end of that additional 5 day period, if the Committee fails to report the proposed legislation within that 5 day period, the Committee shall be automatically discharged from further consideration of such proposed legislation unless the Senate provides otherwise.

(3) In computing any 10 or 5 day period under this subsection there shall be excluded from such computation any days on which the Senate is not in session.

(4) The reporting and referral processes outlined in this subsection shall be conducted in strict accordance with the Standing Rules of the Senate. In accordance with such rules, committees to which legislation is referred are not permitted to make changes or alterations to the text of the referred bill and its annexes, but may propose changes or alterations to the same in the form of amendments.

(c) Nothing in this resolution shall be construed as prohibiting or otherwise restricting the authority of any other committee to study and review any intelligence activity to the extent that such activity directly affects a matter otherwise within the jurisdiction of such committee.

(d) Nothing in this resolution shall be construed as amending, limiting, or otherwise changing the authority of any standing committee of the Senate to obtain full and prompt access to the product of the intelligence activities of any department or agency of the Government relevant to a matter otherwise within the jurisdiction of such committee.

SEC. 4. (a) The select committee, for the purposes of accountability to the Senate, shall make regular and periodic, but not less than quarterly, reports to the Senate on the nature and extent of the intelligence activities of the various departments and agencies of the United States. Such committee shall promptly call to the attention of the Senate or to any other appropriate committee or committees of the Senate any matters requiring the attention of the Senate or such other committee or committees. In making such report, the select committee shall proceed in a manner consistent with section 8(c)(2) to protect national security.

(b) The select committee shall obtain an annual report from the Director of National Intelligence, the Director of the Central Intelligence Agency, the Secretary of Defense, the Secretary of State, and the Director of the Federal Bureau of Investigation. Such reports shall review the intelligence activities of the agency or department concerned and the intelligence activities of foreign countries directed at the United States or its interest. An unclassified version of each report may be made available to the public at the discretion of the select committee. Nothing herein shall be construed as requiring the public disclosure in such reports of the names of individuals engaged in intelligence activities for the United States or the divulging of intelligence methods employed or the sources of information on which such reports are based or the amount of funds authorized to be appropriated for intelligence activities.

(c) On or before March 15 of each year, the select committee shall submit to the Com-

mittee on the Budget of the Senate the views and estimates described in section 301(c) of the Congressional Budget Act of 1974 regarding matters within the jurisdiction of the select committee.

SEC. 5. (a) For the purposes of this resolution, the select committee is authorized in its discretion (1) to make investigations into any matter within its jurisdiction, (2) to make expenditures from the contingent fund of the Senate, (3) to employ personnel, (4) to hold hearings, (5) to sit and act at any time or place during the sessions, recesses, and adjourned periods of the Senate, (6) to require, by subpoena or otherwise, the attendance of witnesses and the production of correspondence, books, papers, and documents, (7) to take depositions and other testimony, (8) to procure the service of individual consultants or organizations thereof, in accordance with the provisions of section 202(i) of the Legislative Reorganization Act of 1946, and (9) with the prior consent of the government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel of any such department or agency.

(b) The chairman of the select committee or any member thereof may administer oaths to witnesses.

(c) Subpoenas authorized by the select committee may be issued over the signature of the chairman, the vice chairman or any member of the select committee designated by the chairman, and may be served by any person designated by the chairman or any member signing the subpoenas.

SEC. 6. No employee of the select committee or any person engaged by contract or otherwise to perform services for or at the request of such committee shall be given access to any classified information by such committee unless such employee or person has (1) agreed in writing and under oath to be bound by the rules of the Senate (including the jurisdiction of the Select Committee on Ethics) and of such committee as to the security of such information during and after the period of his employment or contractual agreement with such committee; and (2) received an appropriate security clearance as determined by such committee in consultation with the Director of National Intelligence. The type of security clearance to be required in the case of any such employee or person shall, within the determination of such committee in consultation with the Director of National Intelligence, be commensurate with the sensitivity of the classified information to which such employee or person will be given access by such committee.

SEC. 7. The select committee shall formulate and carry out such rules and procedures as it deems necessary to prevent the disclosure, without the consent of the person or persons concerned, of information in the possession of such committee which unduly infringes upon the privacy or which violates the constitutional rights of such person or persons. Nothing herein shall be construed to prevent such committee from publicly disclosing any such information in any case in which such committee determines the national interest in the disclosure of such information clearly outweighs any infringement on the privacy of any person or persons.

SEC. 8. (a) The select committee may, subject to the provisions of this section, disclose publicly any information in the possession of such committee after a determination by such committee that the public interest would be served by such disclosure. Whenever committee action is required to disclose

any information under this section, the committee shall meet to vote on the matter within five days after any member of the committee requests such a vote. No member of the select committee shall disclose any information, the disclosure of which requires a committee vote, prior to a vote by the committee on the question of the disclosure of such information or after such vote except in accordance with this section.

(b)(1) In any case in which the select committee votes to disclose publicly any information which has been classified under established security procedures, which has been submitted to it by the Executive branch, and which the Executive branch requests be kept secret, such committee shall—

(A) first, notify the Majority Leader and Minority Leader of the Senate of such vote; and

(B) second, consult with the Majority Leader and Minority Leader before notifying the President of such vote.

(2) The select committee may disclose publicly such information after the expiration of a five-day period following the day on which notice of such vote is transmitted to the Majority Leader and the Minority Leader and the President, unless, prior to the expiration of such five-day period, the President, personally in writing, notifies the committee that he objects to the disclosure of such information, provides his reasons therefore, and certifies that the threat to the national interest of the United States posed by such disclosure is of such gravity that it outweighs any public interest in the disclosure.

(3) If the President, personally, in writing, notifies the Majority Leader and Minority Leader of the Senate and the select Committee of his objections to the disclosure of such information as provided in paragraph (2), the Majority Leader and Minority Leader jointly or the select Committee, by majority vote, may refer the question of the disclosure of such information to the Senate for consideration.

(4) Whenever the select committee votes to refer the question of disclosure of any information to the Senate under paragraph (3), the Chairman shall not later than the first day on which the Senate is in session following the day on which the vote occurs, report the matter to the Senate for its consideration.

(5) One hour after the Senate convenes on the fourth day on which the Senate is in session following the day on which any such matter is reported to the Senate, or at such earlier time as the majority leader and the minority leader of the Senate jointly agree upon in accordance with paragraph 5 of rule XVII of the Standing Rules of the Senate, the Senate shall go into closed session and the matter shall be the pending business. In considering the matter in closed session the Senate may—

(A) approve the public disclosure of all or any portion of the information in question, in which case the committee shall publicly disclose the information ordered to be disclosed,

(B) disapprove the public disclosure of all or any portion of the information in question, in which case the committee shall not publicly disclose the information ordered not to be disclosed, or

(C) refer all or any portion of the matter back to the committee, in which case the committee shall make the final determination with respect to the public disclosure of the information in question.

Upon conclusion of the consideration of such matter in closed session, which may not ex-

tend beyond the close of the ninth day on which the Senate is in session following the day on which such matter was reported to the Senate, or the close of the fifth day following the day agreed upon jointly by the majority and minority leaders in accordance with paragraph 5 of rule XVII of the Standing Rules of the Senate (whichever the case may be), the Senate shall immediately vote on the disposition of such matter in open session, without debate, and without divulging the information with respect to which the vote is being taken. The Senate shall vote to dispose of such matter by one or more of the means specified in clauses (A), (B), and (C) of the second sentence of this paragraph. Any vote of the Senate to disclose any information pursuant to this paragraph shall be subject to the right of a Member of the Senate to move for reconsideration of the vote within the time and pursuant to the procedures specified in rule KM of the Standing Rules of the Senate, and the disclosure of such information shall be made consistent with that right.

(c)(1) No information in the possession of the select committee relating to the lawful intelligence activities of any department or agency of the United States which has been classified under established security procedures and which the select committee, pursuant to subsection (a) or (b) of this section, has determined should not be disclosed shall be made available to any person by a Member, officer, or employee of the Senate except in a closed session of the Senate or as provided in paragraph (2).

(2) The select committee may, under such regulations as the committee shall prescribe to protect the confidentiality of such information, make any information described in paragraph (1) available to any other committee or any other Member of the Senate. Whenever the select committee makes such information available, the committee shall keep a written record showing, in the case of any particular information, which committee or which Members of the Senate received such information. No Member of the Senate who, and no committee which, receives any information under this subsection, shall disclose such information except in a closed session of the Senate.

(d) It shall be the duty of the Select Committee on Ethics to investigate any unauthorized disclosure of intelligence information by a Member, officer or employee of the Senate in violation of subsection (c) and to report to the Senate concerning any allegation which it finds to be substantiated.

(e) Upon the request of any person who is subject to any such investigation, the Select Committee on Ethics shall release to such individual at the conclusion of its investigation a summary of its investigation together with its findings. If, at the conclusion of its investigation, the Select Committee on Ethics determines that there has been a significant breach of confidentiality or unauthorized disclosure by a Member, officer, or employee of the Senate, it shall report its findings to the Senate and recommend appropriate action such as censure, removal from committee membership, or expulsion from the Senate, in the case of a Member, or removal from office or employment or punishment for contempt, in the case of an officer or employee.

SEC. 9. The select committee is authorized to permit any personal representative of the President, designated by the President to serve as a liaison to such committee, to attend any closed meeting of such committee.

SEC. 10. Upon expiration of the Select Committee on Governmental Operations With

Respect to Intelligence Activities, established by Senate Resolution 21, Ninety-fourth Congress, all records, files, documents, and other materials in the possession, custody, or control of such committee, under appropriate conditions established by it, shall be transferred to the select committee.

SEC. 11. (a) It is the sense of the Senate that the head of each department and agency of the United States should keep the select committee fully and currently informed with respect to intelligence activities, including any significant anticipated activities, which are the responsibility of or engaged in by such department or agency: *Provided*, That this does not constitute a condition precedent to the implementation of any such anticipated intelligence activity.

(b) It is the sense of the Senate that the head of any department or agency of the United States involved in any intelligence activities should furnish any information or document in the possession, custody, or control of the department or agency, or person paid by such department or agency, whenever requested by the select committee with respect to any matter within such committee's jurisdiction.

(c) It is the sense of the Senate that each department and agency of the United States should report immediately upon discovery to the select committee any and all intelligence activities which constitute violations of the constitutional rights of any person, violations of law, or violations of Executive orders, Presidential directives, or departmental or agency rules or regulations; each department and agency should further report to such committee what actions have been taken or are expected to be taken by the departments or agencies with respect to such violations.

SEC. 12. Subject to the Standing Rules of the Senate, no funds shall be appropriated for any fiscal year beginning after September 30, 1976, with the exception of a continuing bill or resolution, or amendment thereto, or conference report thereon, to, or for use of, any department or agency of the United States to carry out any of the following activities, unless such funds shall have been previously authorized by a bill or joint resolution passed by the Senate during the same or preceding fiscal year to carry out such activity for such fiscal year:

(1) The activities of the Office of the Director of National Intelligence and the Director of National Intelligence.

(2) The activities of the Central Intelligence Agency and the Director of the Central Intelligence Agency.

(3) The activities of the Defense Intelligence Agency.

(4) The activities of the National Security Agency.

(5) The intelligence activities of other agencies and subdivisions of the Department of Defense.

(6) The intelligence activities of the Department of State.

(7) The intelligence activities of the Federal Bureau of Investigation.

SEC. 13. (a) The select committee shall make a study with respect to the following matters, taking into consideration with respect to each such matter, all relevant aspects of the effectiveness of planning, gathering, use, security, and dissemination of intelligence:

(1) the quality of the analytical capabilities of United States foreign intelligence agencies and means for integrating more closely analytical intelligence and policy formulation;

(2) the extent and nature of the authority of the departments and agencies of the Executive branch to engage in intelligence activities and the desirability of developing charters for each intelligence agency or department;

(3) the organization of intelligence activities in the Executive branch to maximize the effectiveness of the conduct, oversight, and accountability of intelligence activities; to reduce duplication or overlap; and to improve the morale of the personnel of the foreign intelligence agencies;

(4) the conduct of covert and clandestine activities and the procedures by which Congress is informed of such activities;

(5) the desirability of changing any law, Senate rule or procedure, or any Executive order, rule, or regulation to improve the protection of intelligence secrets and provide for disclosure of information for which there is no compelling reason for secrecy;

(6) the desirability of establishing a standing committee of the Senate on intelligence activities;

(7) the desirability of establishing a joint committee of the Senate and the House of Representatives on intelligence activities in lieu of having separate committees in each House of Congress, or of establishing procedures under which separate committees on intelligence activities of the two Houses of Congress would receive joint briefings from the intelligence agencies and coordinate their policies with respect to the safeguarding of sensitive intelligence information;

(8) the authorization of funds for the intelligence activities of the Government and whether disclosure of any of the amounts of such funds is in the public interest; and

(9) the development of a uniform set of definitions for terms to be used in policies or guidelines which may be adopted by the executive or legislative branches to govern, clarify, and strengthen the operation of intelligence activities.

(b) The select committee may, in its discretion, omit from the special study required by this section any matter it determines has been adequately studied by the Select Committee To Study Governmental Operations With Respect to Intelligence Activities, established by Senate Resolution 21, Ninety-fourth Congress.

(c) The select committee shall report the results of the study provided for by this section to the Senate, together with any recommendations for legislative or other actions it deems appropriate, no later than July 1, 1977, and from time to time thereafter as it deems appropriate.

SEC. 14. (a) As used in this resolution, the term "intelligence activities" includes (1) the collection, analysis, production, dissemination, or use of information which relates to any foreign country, or any government, political group, party, military force, movement, or other association in such foreign country, and which relates to the defense, foreign policy, national security, or related policies of the United States, and other activity which is in support of such activities; (2) activities taken to counter similar activities directed against the United States; (3) covert or clandestine activities affecting the relations of the United States with any foreign government, political group, party, military force, movement or other association; (4) the collection, analysis, production, dissemination, or use of information about activities of persons within the United States, its territories and possessions, or nationals of the United States abroad whose

political and related activities pose, or may be considered by any department, agency, bureau, office, division, instrumentality, or employee of the United States to pose, a threat to the internal security of the United States, and covert or clandestine activities directed against such persons. Such term does not include tactical foreign military intelligence serving no national policymaking function.

(b) As used in this resolution, the term "department or agency" includes any organization, committee, council, establishment, or office within the Federal Government.

(c) For purposes of this resolution, reference to any department, agency, bureau, or subdivision shall include a reference to any successor department, agency, bureau, or subdivision to the extent that such successor engages in intelligence activities now conducted by the department, agency, bureau, or subdivision referred to in this resolution.

SEC. 15. (a) In addition to other committee staff selected by the select Committee, the select Committee shall hire or appoint one employee for each member of the select Committee to serve as such Member's designated representative on the select Committee. The select Committee shall only hire or appoint an employee chosen by the respective Member of the select Committee for whom the employee will serve as the designated representative on the select Committee.

(b) The select Committee shall be afforded a supplement to its budget, to be determined by the Committee on Rules and Administration, to allow for the hire of each employee who fills the position of designated representative to the select Committee. The designated representative shall have office space and appropriate office equipment in the select Committee spaces. Designated personal representatives shall have the same access to Committee staff, information, records, and databases as select Committee staff, as determined by the Chairman and Vice Chairman.

(c) The designated employee shall meet all the requirements of relevant statutes, Senate rules, and committee security clearance requirements for employment by the select Committee.

(d) Of the funds made available to the select Committee for personnel—

(1) not more than 60 percent shall be under the control of the Chairman; and

(2) not less than 40 percent shall be under the control of the Vice Chairman.

SEC. 16. Nothing in this resolution shall be construed as constituting acquiescence by the Senate in any practice, or in the conduct of any activity, not otherwise authorized by law.

SEC. 17. (a)(1) Except as provided in subsections (b) and (c), the Select Committee shall have jurisdiction to review, hold hearings, and report the nominations of civilian individuals for positions in the intelligence community for which appointments are made by the President, by and with the advice and consent of the Senate.

"(2) Except as provided in subsections (b) and (c), other committees with jurisdiction over the department or agency of the Executive Branch which contain a position referred to in paragraph (1) may hold hearings and interviews with individuals nominated for such position, but only the Select Committee shall report such nomination.

"(3) In this subsection, the term 'intelligence community' means an element of the intelligence community specified in or des-

ignated under section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

"(b)(1) With respect to the confirmation of the Assistant Attorney General for National Security, or any successor position, the nomination of any individual by the President to serve in such position shall be referred to the Committee on the Judiciary and, if and when reported, to the Select Committee for not to exceed 20 calendar days, except that in cases when the 20-day period expires while the Senate is in recess, the Select Committee shall have 5 additional calendar days after the Senate reconvenes to report the nomination.

"(2) If, upon the expiration of the period described in paragraph (1), the Select Committee has not reported the nomination, such nomination shall be automatically discharged from the Select Committee and placed on the Executive Calendar.

"(c)(1) With respect to the confirmation of appointment to the position of Director of the National Security Agency, Inspector General of the National Security Agency, Director of the National Reconnaissance Office, or Inspector General of the National Reconnaissance Office, or any successor position to such a position, the nomination of any individual by the President to serve in such position, who at the time of the nomination is a member of the Armed Forces on active duty, shall be referred to the Committee on Armed Services and, if and when reported, to the Select Committee for not to exceed 30 calendar days, except that in cases when the 30-day period expires while the Senate is in recess, the Select Committee shall have 5 additional calendar days after the Senate reconvenes to report the nomination.

"(2) With respect to the confirmation of appointment to the position of Director of the National Security Agency, Inspector General of the National Security Agency, Director of the National Reconnaissance Office, or Inspector General of the National Reconnaissance Office, or any successor position to such a position, the nomination of any individual by the President to serve in such position, who at the time of the nomination is not a member of the Armed Forces on active duty, shall be referred to the Select Committee and, if and when reported, to the Committee on Armed Services for not to exceed 30 calendar days, except that in cases when the 30-day period expires while the Senate is in recess, the Committee on Armed Services shall have an additional 5 calendar days after the Senate reconvenes to report the nomination.

"(3) If, upon the expiration of the period of sequential referral described in paragraphs (1) and (2), the committee to which the nomination was sequentially referred has not reported the nomination, the nomination shall be automatically discharged from that committee and placed on the Executive Calendar."

APPENDIX B

INTELLIGENCE PROVISIONS IN S. RES. 445, 108TH CONG., 2D SESS. (2004) WHICH WERE NOT INCORPORATED IN S. RES. 400, 94TH CONG., 2D SESS. (1976)

TITLE III—COMMITTEE STATUS

* * * * *

SEC. 301(b) Intelligence.—The Select Committee on Intelligence shall be treated as a committee listed under paragraph 2 of rule XXV of the Standing Rules of the Senate for purposes of the Standing Rules of the Senate.

TITLE IV—INTELLIGENCE-RELATED SUBCOMMITTEES

SEC. 401. Subcommittee Related to Intelligence Oversight.

(a) Establishment.—There is established in the Select Committee on Intelligence a Subcommittee on Oversight which shall be in addition to any other subcommittee established by the select Committee.

(b) Responsibility.—The Subcommittee on Oversight shall be responsible for ongoing oversight of intelligence activities.

SEC. 402. Subcommittee Related to Intelligence Appropriations.

(a) Establishment.—There is established in the Committee on Appropriations a Subcommittee on Intelligence. The Committee on Appropriations shall reorganize into 13 subcommittees as soon as possible after the convening of the 109th Congress.

(b) Jurisdiction.—The Subcommittee on Intelligence of the Committee on Appropriations shall have jurisdiction over funding for intelligence matters, as determined by the Senate Committee on Appropriations.

APPENDIX C

RULE 26.5(b) OF THE STANDING RULES OF THE SENATE (REFERRED TO IN COMMITTEE RULE 2.1)

Each meeting of a committee, or any subcommittee thereof, including meetings to conduct hearings, shall be open to the public, except that a meeting or series of meetings by a committee or a subcommittee thereof on the same subject for a period of no more than fourteen calendar days may be closed to the public on a motion made and seconded to go into closed session to discuss only whether the matters enumerated in clauses (1) through (6) would require the meeting to be closed, followed immediately by a record vote in open session by a majority of the members of the committee or subcommittee when it is determined that the matters to be discussed or the testimony to be taken at such meeting or meetings—

(1) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

(2) will relate solely to matters of committee staff personnel or internal staff management or procedure;

(3) will tend to charge an individual with crime or misconduct, to disgrace or injure the professional standing of an individual, or otherwise to expose an individual to public contempt or obloquy, or will represent a clearly unwarranted invasion of the privacy of an individual;

(4) will disclose the identity of any informer or law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interests of effective law enforcement;

(5) will disclose information relating to the trade secrets of financial or commercial information pertaining specifically to a given person if—

(A) an Act of Congress requires the information to be kept confidential by Government officers and employees; or

(B) the information has been obtained by the Government on a confidential basis, other than through an application by such person for a specific Government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person; or

(6) may divulge matters required to be kept confidential under other provisions of law or Government regulations.

END NOTES

As amended by S. Res. 4, 95th Cong., 1st Sess. (1977), S. Res. 445, 108th Cong., 2d Sess. (2004), Pub. L. No. 109-177, §506, 120 Stat. 247 (2005), and S. Res. 50, 110th Cong., 1st Sess. (2007), S. Res. 470, 113th Cong., 2d Sess. (2014).

SELECT COMMITTEE ON ETHICS

RULES OF PROCEDURE

Mr. COONS. Mr. President, in accordance with rule XXVI, paragraph 2, of the Standing Rules of the Senate, I ask unanimous consent on behalf of Senator ISAKSON, chairman of the Select Committee on Ethics, and for myself as vice chairman of the committee, that the rules of procedure of the Select Committee on Ethics, which were adopted February 23, 1978, and revised November 1999, be printed in the RECORD for the 115th Congress.

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

RULES OF THE SELECT COMMITTEE ON ETHICS

PART I: ORGANIC AUTHORITY

SUBPART A—S. RES. 338 AS AMENDED

S. Res. 338, 88th Cong., 2d Sess. (1964)

Resolved, That (a) there is hereby established a permanent select committee of the Senate to be known as the Select Committee on Ethics (referred to hereinafter as the “Select Committee”) consisting of six Members of the Senate, of whom three shall be selected from members of the majority party and three shall be selected from members of the minority party. Members thereof shall be appointed by the Senate in accordance with the provisions of Paragraph 1 of Rule XXIV of the Standing Rules of the Senate at the beginning of each Congress. For purposes of paragraph 4 of Rule XXV of the Standing Rules of the Senate, service of a Senator as a member or chairman of the Select Committee shall not be taken into account.

(b) Vacancies in the membership of the Select Committee shall not affect the authority of the remaining members to execute the functions of the committee, and shall be filled in the same manner as original appointments thereto are made.

(c) (1) A majority of the members of the Select Committee shall constitute a quorum for the transaction of business involving complaints or allegations of, or information about, misconduct, including resulting preliminary inquiries, adjudicatory reviews, recommendations or reports, and matters relating to Senate Resolution 400, agreed to May 19, 1976.

(2) Three members shall constitute a quorum for the transaction of routine business of the Select Committee not covered by the first paragraph of this subparagraph, including requests for opinions and interpretations concerning the Code of Official Conduct or any other statute or regulation under the jurisdiction of the Select Committee, if one member of the quorum is a member of the majority Party and one member of the quorum is a member of the minority Party. During the transaction of routine business any member of the Select Committee constituting the quorum shall have the right to postpone further discussion of a pending matter until such time as a major-

ity of the members of the Select Committee are present.

(3) The Select Committee may fix a lesser number as a quorum for the purpose of taking sworn testimony.

(d) (1) A member of the Select Committee shall be ineligible to participate in—

(A) any preliminary inquiry or adjudicatory review relating to—

(i) the conduct of—

(I) such member;

(II) any officer or employee the member supervises; or

(III) any employee of any officer the member supervises; or

(ii) any complaint filed by the member; and

(B) the determinations and recommendations of the Select Committee with respect to any preliminary inquiry or adjudicatory review described in subparagraph (A).

For purposes of this paragraph, a member of the Select Committee and an officer of the Senate shall be deemed to supervise any officer or employee consistent with the provision of paragraph 12 of Rule XXXVII of the Standing Rules of the Senate.

(2) A member of the Select Committee may, at the discretion of the member, disqualify himself or herself from participating in any preliminary inquiry or adjudicatory review pending before the Select Committee and the determinations and recommendations of the Select Committee with respect to any such preliminary inquiry or adjudicatory review. Notice of such disqualification shall be given in writing to the President of the Senate.

(3) Whenever any member of the Select Committee is ineligible under paragraph (1) to participate in any preliminary inquiry or adjudicatory review or disqualifies himself or herself under paragraph (2) from participating in any preliminary inquiry or adjudicatory review, another Senator shall, subject to the provisions of subsection (d), be appointed to serve as a member of the Select Committee solely for purposes of such preliminary inquiry or adjudicatory review and the determinations and recommendations of the Select Committee with respect to such preliminary inquiry or adjudicatory review. Any Member of the Senate appointed for such purposes shall be of the same party as the Member who is ineligible or disqualifies himself or herself.

Sec. 2. (a) It shall be the duty of the Select Committee to—

(1) receive complaints and investigate allegations of improper conduct which may reflect upon the Senate, violations of law, violations of the Senate Code of Official Conduct and violations of rules and regulations of the Senate, relating to the conduct of individuals in the performance of their duties as Members of the Senate, or as officers or employees of the Senate, and to make appropriate findings of fact and conclusions with respect thereto;

(2) (A) recommend to the Senate by report or resolution by a majority vote of the full committee disciplinary action to be taken with respect to such violations which the Select Committee shall determine, after according to the individual concerned due notice and opportunity for a hearing, to have occurred;

(B) pursuant to subparagraph (A) recommend discipline, including—

(i) in the case of a Member, a recommendation to the Senate for expulsion, censure, payment of restitution, recommendation to a Member's party conference regarding the Member's seniority or positions of responsibility, or a combination of these; and

(ii) in the case of an officer or employee, dismissal, suspension, payment of restitution, or a combination of these;

(3) subject to the provisions of subsection (e), by a unanimous vote of 6 members, order that a Member, officer, or employee be reprimanded or pay restitution, or both, if the Select Committee determines, after according to the Member, officer, or employee due notice and opportunity for a hearing, that misconduct occurred warranting discipline less serious than discipline by the full Senate;

(4) in the circumstances described in subsection (d)(3), issue a public or private letter of admonition to a Member, officer, or employee, which shall not be subject to appeal to the Senate;

(5) recommend to the Senate, by report or resolution, such additional rules or regulations as the Select Committee shall determine to be necessary or desirable to insure proper standards of conduct by Members of the Senate, and by officers or employees of the Senate, in the performance of their duties and the discharge of their responsibilities;

(6) by a majority vote of the full committee, report violations of any law, including the provision of false information to the Select Committee, to the proper Federal and State authorities; and

(7) develop and implement programs and materials designed to educate Members, officers, and employees about the laws, rules, regulations, and standards of conduct applicable to such individuals in the performance of their duties.

(b) For the purposes of this resolution—

(1) the term “sworn complaint” means a written statement of facts, submitted under penalty of perjury, within the personal knowledge of the complainant alleging a violation of law, the Senate Code of Official Conduct, or any other rule or regulation of the Senate relating to the conduct of individuals in the performance of their duties as Members, officers, or employees of the Senate;

(2) the term “preliminary inquiry” means a proceeding undertaken by the Select Committee following the receipt of a complaint or allegation of, or information about, misconduct by a Member, officer, or employee of the Senate to determine whether there is substantial credible evidence which provides substantial cause for the Select Committee to conclude that a violation within the jurisdiction of the Select Committee has occurred; and

(3) the term “adjudicatory review” means a proceeding undertaken by the Select Committee after a finding, on the basis of a preliminary inquiry, that there is substantial credible evidence which provides substantial cause for the Select Committee to conclude that a violation within the jurisdiction of the Select Committee has occurred.

(c)(1) No—

(A) adjudicatory review of conduct of a Member or officer of the Senate may be conducted;

(B) report, resolution, or recommendation relating to such an adjudicatory review of conduct may be made; and

(C) letter of admonition pursuant to subsection (d)(3) may be issued, unless approved by the affirmative recorded vote of no fewer than 4 members of the Select Committee.

(2) No other resolution, report, recommendation, interpretative ruling, or advisory opinion may be made without an affirmative vote of a majority of the Members of the Select Committee voting.

(d) (1) When the Select Committee receives a sworn complaint or other allegation or information about a Member, officer, or employee of the Senate, it shall promptly conduct a preliminary inquiry into matters raised by that complaint, allegation, or information. The preliminary inquiry shall be of duration and scope necessary to determine whether there is substantial credible evidence which provides substantial cause for the Select Committee to conclude that a violation within the jurisdiction of the Select Committee has occurred. The Select Committee may delegate to the chairman and vice chairman the discretion to determine the appropriate duration, scope, and conduct of a preliminary inquiry.

(2) If, as a result of a preliminary inquiry under paragraph (1), the Select Committee determines by a recorded vote that there is not such substantial credible evidence, the Select Committee shall dismiss the matter. The Select Committee may delegate to the chairman and vice chairman the authority, on behalf of the Select Committee, to dismiss any matter that they determine, after a preliminary inquiry, lacks substantial merit. The Select Committee shall inform the individual who provided to the Select Committee the complaint, allegation, or information, and the individual who is the subject of the complaint, allegation, or information, of the dismissal, together with an explanation of the basis for the dismissal.

(3) If, as a result of a preliminary inquiry under paragraph (1), the Select Committee determines that a violation is inadvertent, technical, or otherwise of a de minimis nature, the Select Committee may dispose of the matter by issuing a public or private letter of admonition, which shall not be considered discipline. The Select Committee may issue a public letter of admonition upon a similar determination at the conclusion of an adjudicatory review.

(4) If, as a result of a preliminary inquiry under paragraph (1), the Select Committee determines that there is such substantial credible evidence and the matter cannot be appropriately disposed of under paragraph (3), the Select Committee shall promptly initiate an adjudicatory review. Upon the conclusion of such adjudicatory review, the Select Committee shall report to the Senate, as soon as practicable, the results of such adjudicatory review, together with its recommendations (if any) pursuant to subsection (a)(2).

(e) (1) Any individual who is the subject of a reprimand or order of restitution, or both, pursuant to subsection (a)(3) may, within 30 days of the Select Committee's report to the Senate of its action imposing a reprimand or order of restitution, or both, appeal to the Senate by providing written notice of the basis for the appeal to the Select Committee and the presiding officer of the Senate. The presiding officer of the Senate shall cause the notice of the appeal to be printed in the Congressional Record and the Senate Journal.

(2) A motion to proceed to consideration of an appeal pursuant to paragraph (1) shall be highly privileged and not debatable. If the motion to proceed to consideration of the appeal is agreed to, the appeal shall be decided on the basis of the Select Committee's report to the Senate. Debate on the appeal shall be limited to 10 hours, which shall be divided equally between, and controlled by, those favoring and those opposing the appeal.

(f) The Select Committee may, in its discretion, employ hearing examiners to hear testimony and make findings of fact and/or

recommendations to the Select Committee concerning the disposition of complaints.

(g) Notwithstanding any other provision of this section, no adjudicatory review shall be initiated of any alleged violation of any law, the Senate Code of Official Conduct, rule, or regulation which was not in effect at the time the alleged violation occurred. No provisions of the Senate Code of Official Conduct shall apply to or require disclosure of any act, relationship, or transaction which occurred prior to the effective date of the applicable provision of the Code. The Select Committee may initiate an adjudicatory review of any alleged violation of a rule or law which was in effect prior to the enactment of the Senate Code of Official Conduct if the alleged violation occurred while such rule or law was in effect and the violation was not a matter resolved on the merits by the predecessor Select Committee.

(h) The Select Committee shall adopt written rules setting forth procedures to be used in conducting preliminary inquiries and adjudicatory reviews.

(i) The Select Committee from time to time shall transmit to the Senate its recommendation as to any legislative measures which it may consider to be necessary for the effective discharge of its duties.

Sec. 3. (a) The Select Committee is authorized to (1) make such expenditures; (2) hold such hearings; (3) sit and act at such times and places during the sessions, recesses, and adjournment periods of the Senate; (4) require by subpoena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents; (5) administer such oaths; (6) take such testimony orally or by deposition; (7) employ and fix the compensation of a staff director, a counsel, an assistant counsel, one or more investigators, one or more hearing examiners, and such technical, clerical, and other assistants and consultants as it deems advisable; and (8) to procure the temporary services (not in excess of one year) or intermittent services of individual consultants, or organizations thereof, by contract as independent contractors or, in the case of individuals, by employment at daily rates of compensation not in excess of the per diem equivalent of the highest rate of compensation which may be paid to a regular employee of the Select Committee.

(b) (1) The Select Committee is authorized to retain and compensate counsel not employed by the Senate (or by any department or agency of the executive branch of the Government) whenever the Select Committee determines that the retention of outside counsel is necessary or appropriate for any action regarding any complaint or allegation, which, in the determination of the Select Committee is more appropriately conducted by counsel not employed by the Government of the United States as a regular employee.

(2) Any adjudicatory review as defined in section 2(b)(3) shall be conducted by outside counsel as authorized in paragraph (1), unless the Select Committee determines not to use outside counsel.

(c) With the prior consent of the department or agency concerned, the Select Committee may (1) utilize the services, information and facilities of any such department or agency of the Government, and (2) employ on a reimbursable basis or otherwise the services of such personnel of any such department or agency as it deems advisable. With the consent of any other committee of the Senate, or any subcommittee thereof, the Select Committee may utilize the facilities

and the services of the staff of such other committee or subcommittee whenever the chairman of the Select Committee determines that such action is necessary and appropriate.

(d) (1) Subpoenas may be authorized by—

(A) the Select Committee; or

(B) the chairman and vice chairman, acting jointly.

(2) Any such subpoena shall be issued and signed by the chairman and the vice chairman and may be served by any person designated by the chairman and vice chairman.

(3) The chairman or any member of the Select Committee may administer oaths to witnesses.

(e) (1) The Select Committee shall prescribe and publish such regulations as it feels are necessary to implement the Senate Code of Official Conduct.

(2) The Select Committee is authorized to issue interpretative rulings explaining and clarifying the application of any law, the Code of Official Conduct, or any rule or regulation of the Senate within its jurisdiction.

(3) The Select Committee shall render an advisory opinion, in writing within a reasonable time, in response to a written request by a Member or officer of the Senate or a candidate for nomination for election, or election to the Senate, concerning the application of any law, the Senate Code of Official Conduct, or any rule or regulation of the Senate within its jurisdiction to a specific factual situation pertinent to the conduct or proposed conduct of the person seeking the advisory opinion.

(4) The Select Committee may in its discretion render an advisory opinion in writing within a reasonable time in response to a written request by any employee of the Senate concerning the application of any law, the Senate Code of Official Conduct, or any rule or regulation of the Senate within its jurisdiction to a specific factual situation pertinent to the conduct or proposed conduct of the person seeking the advisory opinion.

(5) Notwithstanding any provision of the Senate Code of Official Conduct or any rule or regulation of the Senate, any person who relies upon any provision or finding of an advisory opinion in accordance with the provisions of paragraphs (3) and (4) and who acts in good faith in accordance with the provisions and findings of such advisory opinion shall not, as a result of any such act, be subject to any sanction by the Senate.

(6) Any advisory opinion rendered by the Select Committee under paragraphs (3) and (4) may be relied upon by (A) any person involved in the specific transaction or activity with respect to which such advisory opinion is rendered: Provided, however, that the request for such advisory opinion included a complete and accurate statement of the specific factual situation; and, (B) any person involved in any specific transaction or activity which is indistinguishable in all its material aspects from the transaction or activity with respect to which such advisory opinion is rendered.

(7) Any advisory opinion issued in response to a request under paragraph (3) or (4) shall be printed in the Congressional Record with appropriate deletions to assure the privacy of the individual concerned. The Select Committee shall, to the extent practicable, before rendering an advisory opinion, provide any interested party with an opportunity to transmit written comments to the Select Committee with respect to the request for such advisory opinion. The advisory opinions issued by the Select Committee shall be compiled, indexed, reproduced, and made available on a periodic basis.

(8) A brief description of a waiver granted under paragraph 2(c) [NOTE: Now Paragraph 1] of Rule XXXIV or paragraph 1 of Rule XXXV of the Standing Rules of the Senate shall be made available upon request in the Select Committee office with appropriate deletions to assure the privacy of the individual concerned.

Sec. 4. The expenses of the Select Committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the Select Committee.

Sec. 5. As used in this resolution, the term "officer or employee of the Senate" means—

(1) an elected officer of the Senate who is not a Member of the Senate;

(2) an employee of the Senate, any committee or subcommittee of the Senate, or any Member of the Senate;

(3) the Legislative Counsel of the Senate or any employee of his office;

(4) an Official Reporter of Debates of the Senate and any person employed by the Official Reporters of Debates of the Senate in connection with the performance of their official duties;

(5) a Member of the Capitol Police force whose compensation is disbursed by the Secretary of the Senate;

(6) an employee of the Vice President if such employee's compensation is disbursed by the Secretary of the Senate; and

(7) an employee of a joint committee of the Congress whose compensation is disbursed by the Secretary of the Senate.

SUBPART B—PUBLIC LAW 93-191—FRANKED MAIL, PROVISIONS RELATING TO THE SELECT COMMITTEE

Sec. 6. (a) The Select Committee on Standards and Conduct of the Senate [NOTE: Now the Select Committee on Ethics] shall provide guidance, assistance, advice and counsel, through advisory opinions or consultations, in connection with the mailing or contemplated mailing of franked mail under section 3210, 3211, 3212, 3218(2) or 3218, and in connection with the operation of section 3215, of title 39, United States Code, upon the request of any Member of the Senate or Member-elect, surviving spouse of any of the foregoing, or other Senate official, entitled to send mail as franked mail under any of those sections. The select committee shall prescribe regulations governing the proper use of the franking privilege under those sections by such persons.

(b) Any complaint filed by any person with the select committee that a violation of any section of title 39, United States Code, referred to in subsection (a) of this section is about to occur or has occurred within the immediately preceding period of 1 year, by any person referred to in such subsection (a), shall contain pertinent factual material and shall conform to regulations prescribed by the select committee. The select committee, if it determines there is reasonable justification for the complaint, shall conduct an investigation of the matter, including an investigation of reports and statements filed by that complainant with respect to the matter which is the subject of the complaint. The committee shall afford to the person who is the subject of the complaint due notice and, if it determines that there is substantial reason to believe that such violation has occurred or is about to occur, opportunity for all parties to participate in a hearing before the select committee. The select committee shall issue a written decision on each complaint under this subsection not later than thirty days after such a complaint has been filed or, if a hearing is held, not

later than thirty days after the conclusion of such hearing. Such decision shall be based on written findings of fact in the case by the select committee. If the select committee finds, in its written decision, that a violation has occurred or is about to occur, the committee may take such action and enforcement as it considers appropriate in accordance with applicable rules, precedents, and standing orders of the Senate, and such other standards as may be prescribed by such committee.

(c) Notwithstanding any other provision of law, no court or administrative body in the United States or in any territory thereof shall have jurisdiction to entertain any civil action of any character concerning or related to a violation of the franking laws or an abuse of the franking privilege by any person listed under subsection (a) of this section as entitled to send mail as franked mail, until a complaint has been filed with the select committee and the committee has rendered a decision under subsection (b) of this section.

(d) The select committee shall prescribe regulations for the holding of investigations and hearings, the conduct of proceedings, and the rendering of decisions under this subsection providing for equitable procedures and the protection of individual, public, and Government interests. The regulations shall, insofar as practicable, contain the substance of the administrative procedure provisions of sections 551-559 and 701-706, of title 5, United States Code. These regulations shall govern matters under this subsection subject to judicial review thereof.

(e) The select committee shall keep a complete record of all its actions, including a record of the votes on any question on which a record vote is demanded. All records, data, and files of the select committee shall be the property of the Senate and shall be kept in the offices of the select committee or such other places as the committee may direct.

SUBPART C—STANDING ORDERS OF THE SENATE REGARDING UNAUTHORIZED DISCLOSURE OF INTELLIGENCE INFORMATION, S. RES. 400, 94TH CONGRESS, PROVISIONS RELATING TO THE SELECT COMMITTEE

SEC. 8. * * *

(c) (1) No information in the possession of the select committee relating to the lawful intelligence activities of any department or agency of the United States which has been classified under established security procedures and which the select committee, pursuant to subsection (a) or (b) of this section, has determined should not be disclosed, shall be made available to any person by a Member, officer, or employee of the Senate except in a closed session of the Senate or as provided in paragraph (2).

(2) The select committee may, under such regulations as the committee shall prescribe to protect the confidentiality of such information, make any information described in paragraph (1) available to any other committee or any other Member of the Senate. Whenever the select committee makes such information available, the committee shall keep a written record showing, in the case of any particular information, which committee or which Members of the Senate received such information. No Member of the Senate who, and no committee which, receives any information under this subsection, shall disclose such information except in a closed session of the Senate.

(d) It shall be the duty of the Select Committee on Standards and Conduct to investigate any unauthorized disclosure of intelligence information by a Member, officer or

employee of the Senate in violation of subsection (c) and to report to the Senate concerning any allegation which it finds to be substantiated.

(e) Upon the request of any person who is subject to any such investigation, the Select Committee on Standards and Conduct shall release to such individual at the conclusion of its investigation a summary of its investigation together with its findings. If, at the conclusion of its investigation, the Select Committee on Standards and Conduct determines that there has been a significant breach of confidentiality or unauthorized disclosure by a Member, officer, or employee of the Senate, it shall report its findings to the Senate and recommend appropriate action such as censure, removal from committee membership, or expulsion from the Senate, in the case of a Member, or removal from office or employment or punishment for contempt, in the case of an officer or employee.

SUBPART D—RELATING TO RECEIPT AND DISPOSITION OF FOREIGN GIFTS AND DECORATIONS RECEIVED BY MEMBERS, OFFICERS AND EMPLOYEES OF THE SENATE OR THEIR SPOUSES OR DEPENDENTS, PROVISIONS RELATING TO THE SELECT COMMITTEE ON ETHICS

Section 7342 of title 5, United States Code, states as follows:

Sec. 7342. Receipt and disposition of foreign gifts and decorations.

“(a) For the purpose of this section—

“(1) ‘employee’ means—

“(A) an employee as defined by section 2105 of this title and an officer or employee of the United States Postal Service or of the Postal Rate Commission;

“(B) an expert or consultant who is under contract under section 3109 of this title with the United States or any agency, department, or establishment thereof, including, in the case of an organization performing services under such section, any individual involved in the performance of such services;

“(C) an individual employed by, or occupying an office or position in, the government of a territory or possession of the United States or the government of the District of Columbia;

“(D) a member of a uniformed service;

“(E) the President and the Vice President;

“(F) a Member of Congress as defined by section 2106 of this title (except the Vice President) and any Delegate to the Congress; and

“(G) the spouse of an individual described in subparagraphs (A) through (F) (unless such individual and his or her spouse are separated) or a dependent (within the meaning of section 152 of the Internal Revenue Code of 1986) of such an individual, other than a spouse or dependent who is an employee under subparagraphs (A) through (F);

“(2) ‘foreign government’ means—

“(A) any unit of foreign governmental authority, including any foreign national, State, local, and municipal government;

“(B) any international or multinational organization whose membership is composed of any unit of foreign government described in subparagraph (A); and

“(C) any agent or representative of any such unit or such organization, while acting as such;

“(3) ‘gift’ means a tangible or intangible present (other than a decoration) tendered by, or received from, a foreign government;

“(4) ‘decoration’ means an order, device, medal, badge, insignia, emblem, or award tendered by, or received from, a foreign government;

“(5) ‘minimal value’ means a retail value in the United States at the time of acceptance of \$100 or less, except that—

“(A) on January 1, 1981, and at 3 year intervals thereafter, ‘minimal value’ shall be redefined in regulations prescribed by the Administrator of General Services, in consultation with the Secretary of State, to reflect changes in the consumer price index for the immediately preceding 3-year period; and

“(B) regulations of an employing agency may define ‘minimal value’ for its employees to be less than the value established under this paragraph; and

“(6) ‘employing agency’ means—

“(A) the Committee on Standards of Official Conduct of the House of Representatives, for Members and employees of the House of Representatives, except that those responsibilities specified in subsections (c)(2)(A), (e)(1), and (g)(2)(B) shall be carried out by the Clerk of the House;

“(B) the Select Committee on Ethics of the Senate, for Senators and employees of the Senate, except that those responsibilities (other than responsibilities involving approval of the employing agency) specified in subsections (c)(2)(d), and (g)(2)(B) shall be carried out by the Secretary of the Senate;

“(C) the Administrative Office of the United States Courts, for judges and judicial branch employees; and

“(D) the department, agency, office, or other entity in which an employee is employed, for other legislative branch employees and for all executive branch employees.

“(b) An employee may not—

“(1) request or otherwise encourage the tender of a gift or decoration; or

“(2) accept a gift or decoration, other than in accordance with, the provisions of subsections (c) and (d).

“(c)(1) The Congress consents to—

“(A) the accepting and retaining by an employee of a gift of minimal value tendered and received as a souvenir or mark of courtesy; and

“(B) the accepting by an employee of a gift of more than minimal value when such gift is in the nature of an educational scholarship or medical treatment or when it appears that to refuse the gift would likely cause offense or embarrassment or otherwise adversely affect the foreign relations of the United States, except that

“(i) a tangible gift of more than minimal value is deemed to have been accepted on behalf of the United States and, upon acceptance, shall become the property of the United States; and

“(ii) an employee may accept gifts of travel or expenses for travel taking place entirely outside the United States (such as transportation, food, and lodging) of more than minimal value if such acceptance is appropriate, consistent with the interests of the United States, and permitted by the employing agency and any regulations which may be prescribed by the employing agency.

“(2) Within 60 days after accepting a tangible gift of more than minimal value (other than a gift described in paragraph (1)(B)(ii)), an employee shall—

“(A) deposit the gift for disposal with his or her employing agency; or

“(B) subject to the approval of the employing agency, deposit the gift with that agency for official use. Within 30 days after terminating the official use of a gift under subparagraph (B), the employing agency shall forward the gift to the Administrator of General Services in accordance with subsection (e)(1) or provide for its disposal in accordance with subsection (e)(2).

“(3) When an employee deposits a gift of more than minimal value for disposal or for official use pursuant to paragraph (2), or

within 30 days after accepting travel or travel expenses as provided in paragraph (1)(B)(ii) unless such travel or travel expenses are accepted in accordance with specific instructions of his or her employing agency, the employee shall file a statement with his or her employing agency or its delegate containing the information prescribed in subsection (f) for that gift.

“(d) The Congress consents to the accepting, retaining, and wearing by an employee of a decoration tendered in recognition of active field service in time of combat operations or awarded for other outstanding or unusually meritorious performance, subject to the approval of the employing agency of such employee. Without this approval, the decoration is deemed to have been accepted on behalf of the United States, shall become the property of the United States, and shall be deposited by the employee, within sixty days of acceptance, with the employing agency for official use, for forwarding to the Administrator of General Services for disposal in accordance with subsection (e)(1), or for disposal in accordance with subsection (e)(2).

“(e)(1) Except as provided in paragraph (2), gifts and decorations that have been deposited with an employing agency for disposal shall be (A) returned to the donor, or (B) forwarded to the Administrator of General Services for transfer, donation, or other disposal in accordance with the provisions of the Federal Property and Administrative Services Act of 1949. However, no gift or decoration that has been deposited for disposal may be sold without the approval of the Secretary of State, upon a determination that the sale will not adversely affect the foreign relations of the United States. Gifts and decorations may be sold by negotiated sale.

“(2) Gifts and decorations received by a Senator or an employee of the Senate that are deposited with the Secretary of the Senate for disposal, or are deposited for an official use which has terminated, shall be disposed of by the Commission on Arts and Antiquities of the United States Senate. Any such gift or decoration may be returned by the Commission to the donor or may be transferred or donated by the Commission, subject to such terms and conditions as it may prescribe, (A) to an agency or instrumentality of (i) the United States, (ii) a State, territory, or possession of the United States, or a political subdivision of the foregoing, or (iii) the District of Columbia, or (B) to an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 which is exempt from taxation under section 501(a) of such Code. Any such gift or decoration not disposed of as provided in the preceding sentence shall be forwarded to the Administrator of General Services for disposal in accordance with paragraph (1). If the Administrator does not dispose of such gift or decoration within one year, he shall, at the request of the Commission, return it to the Commission and the Commission may dispose of such gift or decoration in such manner as it considers proper, except that such gift or decoration may be sold only with the approval of the Secretary of State upon a determination that the sale will not adversely affect the foreign relations of the United States.

(f)(1) Not later than January 31 of each year, each employing agency or its delegate shall compile a listing of all statements filed during the preceding year by the employees of that agency pursuant to subsection (c)(3)

and shall transmit such listing to the Secretary of State who shall publish a comprehensive listing of all such statements in the Federal Register.

“(2) Such listings shall include for each tangible gift reported—

“(A) the name and position of the employee;

“(B) a brief description of the gift and the circumstances justifying acceptance;

“(C) the identity, if known, of the foreign government and the name and position of the individual who presented the gift;

“(D) the date of acceptance of the gift;

“(E) the estimated value in the United States of the gift at the time of acceptance; and

“(F) disposition or current location of the gift.

“(3) Such listings shall include for each gift of travel or travel expenses—

“(A) the name and position of the employee;

“(B) a brief description of the gift and the circumstances justifying acceptance; and

“(C) the identity, if known, of the foreign government and the name and position of the individual who presented the gift.

“(4) In transmitting such listings for the Central Intelligence Agency, the Director of Central Intelligence may delete the information described in subparagraphs (A) and (C) of paragraphs (2) and (3) if the Director certifies in writing to the Secretary of State that the publication of such information could adversely affect United States intelligence sources.

“(g)(1) Each employing agency shall prescribe such regulations as may be necessary to carry out the purpose of this section. For all employing agencies in the executive branch, such regulations shall be prescribed pursuant to guidance provided by the Secretary of State. These regulations shall be implemented by each employing agency for its employees.

“(2) Each employing agency shall—

“(A) report to the Attorney General cases in which there is reason to believe that an employee has violated this section;

“(B) establish a procedure for obtaining an appraisal, when necessary, of the value of gifts; and

“(C) take any other actions necessary to carry out the purpose of this section.

“(h) The Attorney General may bring a civil action in any district court of the United States against any employee who knowingly solicits or accepts a gift from a foreign government not consented to by this section or who fails to deposit or report such gift as required by this section. The court in which such action is brought may assess a penalty against such employee in any amount not to exceed the retail value of the gift improperly solicited or received plus \$5,000.

“(i) The President shall direct all Chiefs of a United States Diplomatic Mission to inform their host governments that it is a general policy of the United States Government to prohibit United States Government employees from receiving gifts or decorations of more than minimal value.

“(j) Nothing in this section shall be construed to derogate any regulation prescribed by any employing agency which provides for more stringent limitations on the receipt of gifts and decorations by its employees.

“(k) The provisions of this section do not apply to grants and other forms of assistance to which section 108A of the Mutual Educational and Cultural Exchange Act of 1961 applies.”

PART II: SUPPLEMENTARY PROCEDURAL RULES 145 Cong. Rec. S1832 (daily ed. Feb. 23, 1999)

RULE 1: GENERAL PROCEDURES

(a) OFFICERS: In the absence of the Chairman, the duties of the Chair shall be filled by the Vice Chairman or, in the Vice Chairman's absence, a Committee member designated by the Chairman.

(b) PROCEDURAL RULES: The basic procedural rules of the Committee are stated as a part of the Standing Orders of the Senate in Senate Resolution 338, 88th Congress, as amended, as well as other resolutions and laws. Supplementary Procedural Rules are stated herein and are hereinafter referred to as the Rules. The Rules shall be published in the Congressional Record not later than thirty days after adoption, and copies shall be made available by the Committee office upon request.

(c) MEETINGS:

(1) The regular meeting of the Committee shall be the first Thursday of each month while the Congress is in session.

(2) Special meetings may be held at the call of the Chairman or Vice Chairman if at least forty-eight hours notice is furnished to all members. If all members agree, a special meeting may be held on less than forty-eight hours notice.

(3)(A) If any member of the Committee desires that a special meeting of the Committee be called, the member may file in the office of the Committee a written request to the Chairman or Vice Chairman for that special meeting.

(B) Immediately upon the filing of the request the Clerk of the Committee shall notify the Chairman and Vice Chairman of the filing of the request. If, within three calendar days after the filing of the request, the Chairman or the Vice Chairman does not call the requested special meeting, to be held within seven calendar days after the filing of the request, any three of the members of the Committee may file their written notice in the office of the Committee that a special meeting of the Committee will be held at a specified date and hour; such special meeting may not occur until forty-eight hours after the notice is filed. The Clerk shall immediately notify all members of the Committee of the date and hour of the special meeting. The Committee shall meet at the specified date and hour.

(d) QUORUM:

(1) A majority of the members of the Select Committee shall constitute a quorum for the transaction of business involving complaints or allegations of, or information about, misconduct, including resulting preliminary inquiries, adjudicatory reviews, recommendations or reports, and matters relating to Senate Resolution 400, agreed to May 19, 1976.

(2) Three members shall constitute a quorum for the transaction of the routine business of the Select Committee not covered by the first subparagraph of this paragraph, including requests for opinions and interpretations concerning the Code of Official Conduct or any other statute or regulation under the jurisdiction of the Select Committee, if one member of the quorum is a Member of the Majority Party and one member of the quorum is a Member of the Minority Party. During the transaction of routine business any member of the Select Committee constituting the quorum shall have the right to postpone further discussion of a pending matter until such time as a majority of the members of the Select Committee are present.

(3) Except for an adjudicatory hearing under Rule 5 and any deposition taken out-

side the presence of a Member under Rule 6, one Member shall constitute a quorum for hearing testimony, provided that all Members have been given notice of the hearing and the Chairman has designated a Member of the Majority Party and the Vice Chairman has designated a Member of the Minority Party to be in attendance, either of whom in the absence of the other may constitute the quorum.

(e) ORDER OF BUSINESS: Questions as to the order of business and the procedure of the Committee shall in the first instance be decided by the Chairman and Vice Chairman, subject to reversal by a vote by a majority of the Committee.

(f) HEARINGS ANNOUNCEMENTS: The Committee shall make public announcement of the date, place and subject matter of any hearing to be conducted by it at least one week before the commencement of that hearing, and shall publish such announcement in the Congressional Record. If the Committee determines that there is good cause to commence a hearing at an earlier date, such notice will be given at the earliest possible time.

(g) OPEN AND CLOSED COMMITTEE MEETINGS: Meetings of the Committee shall be open to the public or closed to the public (executive session), as determined under the provisions of paragraphs 5(b) to (d) of Rule XXVI of the Standing Rules of the Senate. Executive session meetings of the Committee shall be closed except to the members and the staff of the Committee. On the motion of any member, and with the approval of a majority of the Committee members present, other individuals may be admitted to an executive session meeting for a specific period or purpose.

(h) RECORD OF TESTIMONY AND COMMITTEE ACTION: An accurate stenographic or transcribed electronic record shall be kept of all Committee proceedings, whether in executive or public session. Such record shall include Senators' votes on any question on which a recorded vote is held. The record of a witness's testimony, whether in public or executive session, shall be made available for inspection to the witness or his counsel under Committee supervision; a copy of any testimony given by that witness in public session, or that part of the testimony given by the witness in executive session and subsequently quoted or made part of the record in a public session shall be made available to any witness if he so requests. (See Rule 5 on Procedures for Conducting Hearings.)

(i) SECRECY OF EXECUTIVE TESTIMONY AND ACTION AND OF COMPLAINT PROCEEDINGS:

(1) All testimony and action taken in executive session shall be kept secret and shall not be released outside the Committee to any individual or group, whether governmental or private, without the approval of a majority of the Committee.

(2) All testimony and action relating to a complaint or allegation shall be kept secret and shall not be released by the Committee to any individual or group, whether governmental or private, except the respondent, without the approval of a majority of the Committee, until such time as a report to the Senate is required under Senate Resolution 338, 88th Congress, as amended, or unless otherwise permitted under these Rules. (See Rule 8 on Procedures for Handling Committee Sensitive and Classified Materials.)

(j) RELEASE OF REPORTS TO PUBLIC: No information pertaining to, or copies of any Committee report, study, or other document which purports to express the view,

findings, conclusions or recommendations of the Committee in connection with any of its activities or proceedings may be released to any individual or group whether governmental or private, without the authorization of the Committee. When ever the Chairman or Vice Chairman is authorized to make any determination, then the determination may be released at his or her discretion. Each member of the Committee shall be given a reasonable opportunity to have separate views included as part of any Committee report. (See Rule 8 on Procedures for Handling Committee Sensitive and Classified Materials.)

(k) INELIGIBILITY OR DISQUALIFICATION OF MEMBERS AND STAFF:

(1) A member of the Committee shall be ineligible to participate in any Committee proceeding that relates specifically to any of the following:

(A) a preliminary inquiry or adjudicatory review relating to (i) the conduct of (I) such member; (II) any officer or employee the member supervises; or (ii) any complaint filed by the member; and

(B) the determinations and recommendations of the Committee with respect to any preliminary inquiry or adjudicatory review described in subparagraph (A).

For purposes of this paragraph, a member of the committee and an officer of the Senate shall be deemed to supervise any officer or employee consistent with the provision of paragraph 12 of Rule XXXVII of the Standing Rules of the Senate.

(2) If any Committee proceeding appears to relate to a member of the Committee in a manner described in subparagraph (1) of this paragraph, the staff shall prepare a report to the Chairman and Vice Chairman. If either the Chairman or the Vice Chairman concludes from the report that it appears that the member may be ineligible, the member shall be notified in writing of the nature of the particular proceeding and the reason that it appears that the member may be ineligible to participate in it. If the member agrees that he or she is ineligible, the member shall so notify the Chairman or Vice Chairman. If the member believes that he or she is not ineligible, he or she may explain the reasons to the Chairman and Vice Chairman, and if they both agree that the member is not ineligible, the member shall continue to serve. But if either the Chairman or Vice Chairman continues to believe that the member is ineligible, while the member believes that he or she is not ineligible, the matter shall be promptly referred to the Committee. The member shall present his or her arguments to the Committee in executive session. Any contested questions concerning a member's eligibility shall be decided by a majority vote of the Committee, meeting in executive session, with the member in question not participating.

(3) A member of the Committee may, at the discretion of the member, disqualify himself or herself from participating in any preliminary inquiry or adjudicatory review pending before the Committee and the determinations and recommendations of the Committee with respect to any such preliminary inquiry or adjudicatory review.

(4) Whenever any member of the Committee is ineligible under paragraph (1) to participate in any preliminary inquiry or adjudicatory review, or disqualifies himself or herself under paragraph (3) from participating in any preliminary inquiry or adjudicatory review, another Senator shall be appointed by the Senate to serve as a member of the Committee solely for purposes of such

preliminary inquiry or adjudicatory review and the determinations and recommendations of the Committee with respect to such preliminary inquiry or adjudicatory review. Any member of the Senate appointed for such purposes shall be of the same party as the member who is ineligible or disqualifies himself or herself.

(5) The President of the Senate shall be given written notice of the ineligibility or disqualification of any member from any preliminary inquiry, adjudicatory review, or other proceeding requiring the appointment of another member in accordance with subparagraph (k)(4).

(6) A member of the Committee staff shall be ineligible to participate in any Committee proceeding that the staff director or outside counsel determines relates specifically to any of the following:

(A) the staff member's own conduct;

(B) the conduct of any employee that the staff member supervises;

(C) the conduct of any member, officer or employee for whom the staff member has worked for any substantial period; or

(D) a complaint, sworn or unsworn, that was filed by the staff member. At the direction or with the consent of the staff director or outside counsel, a staff member may also be disqualified from participating in a Committee proceeding in other circumstances not listed above.

(1) **RECORDED VOTES:** Any member may require a recorded vote on any matter.

(m) PROXIES; RECORDING VOTES OF ABSENT MEMBERS:

(1) Proxy voting shall not be allowed when the question before the Committee is the initiation or continuation of a preliminary inquiry or an adjudicatory review, or the issuance of a report or recommendation related thereto concerning a Member or officer of the Senate. In any such case an absent member's vote may be announced solely for the purpose of recording the member's position and such announced votes shall not be counted for or against the motion.

(2) On matters other than matters listed in paragraph (m)(1) above, the Committee may order that the record be held open for the vote of absentees or recorded proxy votes if the absent Committee member has been informed of the matter on which the vote occurs and has affirmatively requested of the Chairman or Vice Chairman in writing that he be so recorded.

(3) All proxies shall be in writing, and shall be delivered to the Chairman or Vice Chairman to be recorded.

(4) Proxies shall not be considered for the purpose of establishing a quorum.

(n) **APPROVAL OF BLIND TRUSTS AND FOREIGN TRAVEL REQUESTS BETWEEN SESSIONS AND DURING EXTENDED RECESSES:** During any period in which the Senate stands in adjournment between sessions of the Congress or stands in a recess scheduled to extend beyond fourteen days, the Chairman and Vice Chairman, or their designees, acting jointly, are authorized to approve or disapprove blind trusts under the provision of Rule XXXIV.

(o) **COMMITTEE USE OF SERVICES OR EMPLOYEES OF OTHER AGENCIES AND DEPARTMENTS:** With the prior consent of the department or agency involved, the Committee may (1) utilize the services, information, or facilities of any such department or agency of the Government, and (2) employ on a reimbursable basis or otherwise the services of such personnel of any such department or agency as it deems advisable. With the consent of any other committee of the

Senate, or any subcommittee, the Committee may utilize the facilities and the services of the staff of such other committee or subcommittee whenever the Chairman and Vice Chairman of the Committee, acting jointly, determine that such action is necessary and appropriate.

RULE 2: PROCEDURES FOR COMPLAINTS, ALLEGATIONS, OR INFORMATION

(a) **COMPLAINT, ALLEGATION, OR INFORMATION:** Any member or staff member of the Committee shall report to the Committee, and any other person may report to the Committee, a sworn complaint or other allegation or information, alleging that any Senator, or officer, or employee of the Senate has violated a law, the Senate Code of Official Conduct, or any rule or regulation of the Senate relating to the conduct of any individual in the performance of his or her duty as a Member, officer, or employee of the Senate, or has engaged in improper conduct which may reflect upon the Senate. Such complaints or allegations or information may be reported to the Chairman, the Vice Chairman, a Committee member, or a Committee staff member.

(b) **SOURCE OF COMPLAINT, ALLEGATION, OR INFORMATION:** Complaints, allegations, and information to be reported to the Committee may be obtained from a variety of sources, including but not limited to the following:

(1) sworn complaints, defined as a written statement of facts, submitted under penalty of perjury, within the personal knowledge of the complainant alleging a violation of law, the Senate Code of Official Conduct, or any other rule or regulation of the Senate relating to the conduct of individuals in the performance of their duties as members, officers, or employees of the Senate;

(2) anonymous or informal complaints;

(3) information developed during a study or inquiry by the Committee or other committees or subcommittees of the Senate, including information obtained in connection with legislative or general oversight hearings;

(4) information reported by the news media; or

(5) information obtained from any individual, agency or department of the executive branch of the Federal Government.

(c) **FORM AND CONTENT OF COMPLAINTS:** A complaint need not be sworn nor must it be in any particular form to receive Committee consideration, but the preferred complaint will:

(1) state, whenever possible, the name, address, and telephone number of the party filing the complaint;

(2) provide the name of each member, officer or employee of the Senate who is specifically alleged to have engaged in improper conduct or committed a violation;

(3) state the nature of the alleged improper conduct or violation;

(4) supply all documents in the possession of the party filing the complaint relevant to or in support of his or her allegations as an attachment to the complaint.

RULE 3: PROCEDURES FOR CONDUCTING A PRELIMINARY INQUIRY

(a) **DEFINITION OF PRELIMINARY INQUIRY:** A "preliminary inquiry" is a proceeding undertaken by the Committee following the receipt of a complaint or allegation of, or information about, misconduct by a Member, officer, or employee of the Senate to determine whether there is substantial credible evidence which provides substantial cause for the Committee to conclude that a violation within the jurisdiction of the Committee has occurred.

(b) **BASIS FOR PRELIMINARY INQUIRY:** The Committee shall promptly commence a preliminary inquiry whenever it has received a sworn complaint, or other allegation of, or information about, alleged misconduct or violations pursuant to Rule 2.

(c) **SCOPE OF PRELIMINARY INQUIRY:**

(1) The preliminary inquiry shall be of such duration and scope as is necessary to determine whether there is substantial credible evidence which provides substantial cause for the Committee to conclude that a violation within the jurisdiction of the Committee has occurred. The Chairman and Vice Chairman, acting jointly, on behalf of the Committee may supervise and determine the appropriate duration, scope, and conduct of a preliminary inquiry. Whether a preliminary inquiry is conducted jointly by the Chairman and Vice Chairman or by the Committee as a whole, the day to day supervision of a preliminary inquiry rests with the Chairman and Vice Chairman, acting jointly.

(2) A preliminary inquiry may include any inquiries, interviews, sworn statements, depositions, or subpoenas deemed appropriate to obtain information upon which to make any determination provided for by this Rule.

(d) **OPPORTUNITY FOR RESPONSE:** A preliminary inquiry may include an opportunity for any known respondent or his or her designated representative to present either a written or oral statement, or to respond orally to questions from the Committee. Such an oral statement or answers shall be transcribed and signed by the person providing the statement or answers.

(e) **STATUS REPORTS:** The Committee staff or outside counsel shall periodically report to the Committee in the form and according to the schedule prescribed by the Committee. The reports shall be confidential.

(f) **FINAL REPORT:** When the preliminary inquiry is completed, the staff or outside counsel shall make a confidential report, oral or written, to the Committee on findings and recommendations, as appropriate.

(g) **COMMITTEE ACTION:** As soon as practicable following submission of the report on the preliminary inquiry, the Committee shall determine by a recorded vote whether there is substantial credible evidence which provides substantial cause for the Committee to conclude that a violation within the jurisdiction of the Committee has occurred. The Committee may make any of the following determinations:

(1) The Committee may determine that there is not such substantial credible evidence and, in such case, the Committee shall dismiss the matter. The Committee, or Chairman and Vice Chairman acting jointly on behalf of the Committee, may dismiss any matter which, after a preliminary inquiry, is determined to lack substantial merit. The Committee shall inform the complainant of the dismissal.

(2) The Committee may determine that there is such substantial credible evidence, but that the alleged violation is inadvertent, technical, or otherwise of a de minimis nature. In such case, the Committee may dispose of the matter by issuing a public or private letter of admonition, which shall not be considered discipline and which shall not be subject to appeal to the Senate. The issuance of a letter of admonition must be approved by the affirmative recorded vote of no fewer than four members of the Committee voting.

(3) The Committee may determine that there is such substantial credible evidence and that the matter cannot be appropriately

disposed of under paragraph (2). In such case, the Committee shall promptly initiate an adjudicatory review in accordance with Rule 4. No adjudicatory review of conduct of a Member, officer, or employee of the Senate may be initiated except by the affirmative recorded vote of not less than four members of the Committee.

RULE 4: PROCEDURES FOR CONDUCTING AN ADJUDICATORY REVIEW

(a) **DEFINITION OF ADJUDICATORY REVIEW:** An "adjudicatory review" is a proceeding undertaken by the Committee after a finding, on the basis of a preliminary inquiry, that there is substantial cause for the Committee to conclude that a violation within the jurisdiction of the Committee has occurred.

(b) **SCOPE OF ADJUDICATORY REVIEW:** When the Committee decides to conduct an adjudicatory review, it shall be of such duration and scope as is necessary for the Committee to determine whether a violation within its jurisdiction has occurred. An adjudicatory review shall be conducted by outside counsel as authorized by section 3(b)(1) of Senate Resolution 338 unless the Committee determines not to use outside counsel. In the course of the adjudicatory review, designated outside counsel, or if the Committee determines not to use outside counsel, the Committee or its staff, may conduct any inquiries or interviews, take sworn statements, use compulsory process as described in Rule 6, or take any other actions that the Committee deems appropriate to secure the evidence necessary to make a determination.

(c) **NOTICE TO RESPONDENT:** The Committee shall give written notice to any known respondent who is the subject of an adjudicatory review. The notice shall be sent to the respondent no later than five working days after the Committee has voted to conduct an adjudicatory review. The notice shall include a statement of the nature of the possible violation, and description of the evidence indicating that a possible violation occurred. The Committee may offer the respondent an opportunity to present a statement, orally or in writing, or to respond to questions from members of the Committee, the Committee staff, or outside counsel.

(d) **RIGHT TO A HEARING:** The Committee shall accord a respondent an opportunity for a hearing before it recommends disciplinary action against that respondent to the Senate or before it imposes an order of restitution or reprimand (not requiring discipline by the full Senate).

(e) **PROGRESS REPORTS TO COMMITTEE:** The Committee staff or outside counsel shall periodically report to the Committee concerning the progress of the adjudicatory review. Such reports shall be delivered to the Committee in the form and according to the schedule prescribed by the Committee, and shall be confidential.

(f) **FINAL REPORT OF ADJUDICATORY REVIEW TO COMMITTEE:** Upon completion of an adjudicatory review, including any hearings held pursuant to Rule 5, the outside counsel or the staff shall submit a confidential written report to the Committee, which shall detail the factual findings of the adjudicatory review and which may recommend disciplinary action, if appropriate. Findings of fact of the adjudicatory review shall be detailed in this report whether or not disciplinary action is recommended.

(g) **COMMITTEE ACTION:**

(1) As soon as practicable following submission of the report of the staff or outside counsel on the adjudicatory review, the Com-

mittee shall prepare and submit a report to the Senate, including a recommendation or proposed resolution to the Senate concerning disciplinary action, if appropriate. A report shall be issued, stating in detail the Committee's findings of fact, whether or not disciplinary action is recommended. The report shall also explain fully the reasons underlying the Committee's recommendation concerning disciplinary action, if any. No adjudicatory review of conduct of a Member, officer or employee of the Senate may be conducted, or report or resolution or recommendation relating to such an adjudicatory review of conduct may be made, except by the affirmative recorded vote of not less than four members of the Committee.

(2) Pursuant to S. Res. 338, as amended, section 2(a), subsections (2), (3), and (4), after receipt of the report prescribed by paragraph (f) of this rule, the Committee may make any of the following recommendations for disciplinary action or issue an order for reprimand or restitution, as follows:

(i) In the case of a Member, a recommendation to the Senate for expulsion, censure, payment of restitution, recommendation to a Member's party conference regarding the Member's seniority or positions of responsibility, or a combination of these;

(ii) In the case of an officer or employee, a recommendation to the Senate of dismissal, suspension, payment of restitution, or a combination of these;

(iii) In the case where the Committee determines, after according to the Member, officer, or employee due notice and opportunity for a hearing, that misconduct occurred warranting discipline less serious than discipline by the full Senate, and subject to the provisions of paragraph (h) of this rule relating to appeal, by a unanimous vote of six members order that a Member, officer or employee be reprimanded or pay restitution or both;

(iv) In the case where the Committee determines that misconduct is inadvertent, technical, or otherwise of a de minimis nature, issue a public or private letter of admonition to a Member, officer or employee, which shall not be subject to appeal to the Senate.

(3) In the case where the Committee determines, upon consideration of all the evidence, that the facts do not warrant a finding that there is substantial credible evidence which provides substantial cause for the Committee to conclude that a violation within the jurisdiction of the Committee has occurred, the Committee may dismiss the matter.

(4) Promptly, after the conclusion of the adjudicatory review, the Committee's report and recommendation, if any, shall be forwarded to the Secretary of the Senate, and a copy shall be provided to the complainant and the respondent. The full report and recommendation, if any, shall be printed and made public, unless the Committee determines by the recorded vote of not less than four members of the Committee that it should remain confidential.

(h) **RIGHT OF APPEAL:**

(1) Any individual who is the subject of a reprimand or order of restitution, or both, pursuant to subsection (g)(2)(iii), may, within 30 days of the Committee's report to the Senate of its action imposing a reprimand or order of restitution, or both, appeal to the Senate by providing written notice of the appeal to the Committee and the presiding officer of the Senate. The presiding officer shall cause the notice of the appeal to be printed in the Congressional Record and the Senate Journal.

(2) S. Res. 338 provides that a motion to proceed to consideration of an appeal pursuant to paragraph (1) shall be highly privileged and not debatable. If the motion to proceed to consideration of the appeal is agreed to, the appeal shall be decided on the basis of the Committee's report to the Senate. Debate on the appeal shall be limited to 10 hours, which shall be divided equally between, and controlled by, those favoring and those opposing the appeal.

RULE 5: PROCEDURES FOR HEARINGS

(a) **RIGHT TO HEARING:** The Committee may hold a public or executive hearing in any preliminary inquiry, adjudicatory review, or other proceeding. The Committee shall accord a respondent an opportunity for a hearing before it recommends disciplinary action against that respondent to the Senate or before it imposes an order of restitution or reprimand. (See Rule 4(d).)

(b) **NON-PUBLIC HEARINGS:** The Committee may at any time during a hearing determine in accordance with paragraph 5(b) of Rule XXVI of the Standing Rules of the Senate whether to receive the testimony of specific witnesses in executive session. If a witness desires to express a preference for testifying in public or in executive session, he or she shall so notify the Committee at least five days before he or she is scheduled to testify.

(c) **ADJUDICATORY HEARINGS:** The Committee may, by the recorded vote of not less than four members of the Committee, designate any public or executive hearing as an adjudicatory hearing; and any hearing which is concerned with possible disciplinary action against a respondent or respondents designated by the Committee shall be an adjudicatory hearing. In any adjudicatory hearing, the procedures described in paragraph (j) shall apply.

(d) **SUBPOENA POWER:** The Committee may require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such correspondence, books, papers, documents or other articles as it deems advisable. (See Rule 6.)

(e) **NOTICE OF HEARINGS:** The Committee shall make public an announcement of the date, place, and subject matter of any hearing to be conducted by it, in accordance with Rule 1(f).

(f) **PRESIDING OFFICER:** The Chairman shall preside over the hearings, or in his absence the Vice Chairman. If the Vice Chairman is also absent, a Committee member designated by the Chairman shall preside. If an oath or affirmation is required, it shall be administered to a witness by the Presiding Officer, or in his absence, by any Committee member.

(g) WITNESSES:

(1) A subpoena or other request to testify shall be served on a witness sufficiently in advance of his or her scheduled appearance to allow the witness a reasonable period of time, as determined by the Committee, to prepare for the hearing and to employ counsel if desired.

(2) The Committee may, by recorded vote of not less than four members of the Committee, rule that no member of the Committee or staff or outside counsel shall make public the name of any witness subpoenaed by the Committee before the date of that witness's scheduled appearance, except as specifically authorized by the Chairman and Vice Chairman, acting jointly.

(3) Any witness desiring to read a prepared or written statement in executive or public hearings shall file a copy of such statement with the Committee at least two working

days in advance of the hearing at which the statement is to be presented. The Chairman and Vice Chairman shall determine whether such statements may be read or placed in the record of the hearing.

(4) Insofar as practicable, each witness shall be permitted to present a brief oral opening statement, if he or she desires to do so.

(h) **RIGHT TO TESTIFY:** Any person whose name is mentioned or who is specifically identified or otherwise referred to in testimony or in statements made by a Committee member, staff member or outside counsel, or any witness, and who reasonably believes that the statement tends to adversely affect his or her reputation may—

(1) Request to appear personally before the Committee to testify in his or her own behalf; or

(2) File a sworn statement of facts relevant to the testimony or other evidence or statement of which he or she complained. Such request and such statement shall be submitted to the Committee for its consideration and action.

(i) **CONDUCT OF WITNESSES AND OTHER ATTENDEES:** The Presiding Officer may punish any breaches of order and decorum by censure and exclusion from the hearings. The Committee, by majority vote, may recommend to the Senate that the offender be cited for contempt of Congress.

(j) ADJUDICATORY HEARING PROCEDURES:

(1) **NOTICE OF HEARINGS:** A copy of the public announcement of an adjudicatory hearing, required by paragraph (e), shall be furnished together with a copy of these Rules to all witnesses at the time that they are subpoenaed or otherwise summoned to testify.

(2) PREPARATION FOR ADJUDICATORY HEARINGS:

(A) At least five working days prior to the commencement of an adjudicatory hearing, the Committee shall provide the following information and documents to the respondent, if any:

(i) a list of proposed witnesses to be called at the hearing;

(ii) copies of all documents expected to be introduced as exhibits at the hearing; and

(iii) a brief statement as to the nature of the testimony expected to be given by each witness to be called at the hearing.

(B) At least two working days prior to the commencement of an adjudicatory hearing, the respondent, if any, shall provide the information and documents described in divisions (i), (ii) and (iii) of subparagraph (A) to the Committee.

(C) At the discretion of the Committee, the information and documents to be exchanged under this paragraph shall be subject to an appropriate agreement limiting access and disclosure.

(D) If a respondent refuses to provide the information and documents to the Committee (see (A) and (B) of this subparagraph), or if a respondent or other individual violates an agreement limiting access and disclosure, the Committee, by majority vote, may recommend to the Senate that the offender be cited for contempt of Congress.

(3) **SWEARING OF WITNESSES:** All witnesses who testify at adjudicatory hearings shall be sworn unless the Presiding Officer, for good cause, decides that a witness does not have to be sworn.

(4) **RIGHT TO COUNSEL:** Any witness at an adjudicatory hearing may be accompanied by counsel of his or her own choosing, who shall be permitted to advise the witness

of his or her legal rights during the testimony.

(5) RIGHT TO CROSS-EXAMINE AND CALL WITNESSES:

(A) In adjudicatory hearings, any respondent and any other person who obtains the permission of the Committee, may personally or through counsel cross-examine witnesses called by the Committee and may call witnesses in his or her own behalf.

(B) A respondent may apply to the Committee for the issuance of subpoenas for the appearance of witnesses or the production of documents on his or her behalf. An application shall be approved upon a concise showing by the respondent that the proposed testimony or evidence is relevant and appropriate, as determined by the Chairman and Vice Chairman.

(C) With respect to witnesses called by a respondent, or other individual given permission by the Committee, each such witness shall first be examined by the party who called the witness or by that party's counsel.

(D) At least one working day before a witness's scheduled appearance, a witness or a witness's counsel may submit to the Committee written questions proposed to be asked of that witness. If the Committee determines that it is necessary, such questions may be asked by any member of the Committee, or by any Committee staff member if directed by a Committee member. The witness or witness's counsel may also submit additional sworn testimony for the record with in twenty-four hours after the last day that the witness has testified. The insertion of such testimony in that day's record is subject to the approval of the Chairman and Vice Chairman acting jointly within five days after the testimony is received.

(6) ADMISSIBILITY OF EVIDENCE:

(A) The object of the hearing shall be to ascertain the truth. Any evidence that may be relevant and probative shall be admissible unless privileged under the Federal Rules of Evidence. Rules of evidence shall not be applied strictly, but the Presiding Officer shall exclude irrelevant or unduly repetitious testimony. Objections going only to the weight that should be given evidence will not justify its exclusion.

(B) The Presiding Officer shall rule upon any question of the admissibility of testimony or other evidence presented to the Committee. Such rulings shall be final unless reversed or modified by a recorded vote of not less than four members of the Committee before the recess of that day's hearings.

(C) Notwithstanding paragraphs (A) and (B), in any matter before the Committee involving allegations of sexual discrimination, including sexual harassment, or sexual misconduct, by a Member, officer, or employee within the jurisdiction of the Committee, the Committee shall be guided by the standards and procedures of Rule 412 of the Federal Rules of Evidence, except that the Committee may admit evidence subject to the provisions of this paragraph only upon a determination of not less than four members of the full Committee that the interests of justice require that such evidence be admitted.

(7) **SUPPLEMENTARY HEARING PROCEDURES:** The Committee may adopt any additional special hearing procedures that it deems necessary or appropriate to a particular adjudicatory hearing. Copies of such supplementary procedures shall be furnished to witnesses and respondents, and shall be made available upon request to any member of the public.

(k) TRANSCRIPTS:

(1) An accurate stenographic or recorded transcript shall be made of all public and executive hearings. Any member of the Committee, Committee staff member, outside counsel retained by the Committee, or witness may examine a copy of the transcript retained by the Committee of his or her own remarks and may suggest to the official reporter any typographical or transcription errors. If the reporter declines to make the requested corrections, the member, staff member, outside counsel or witness may request a ruling by the Chairman and Vice Chairman, acting jointly. Any member or witness shall return the transcript with suggested corrections to the Committee offices within five working days after receipt of the transcript, or as soon thereafter as is practicable. If the testimony was given in executive session, the member or witness may only inspect the transcript at a location determined by the Chairman and Vice Chairman, acting jointly. Any questions arising with respect to the processing and correction of transcripts shall be decided by the Chairman and Vice Chairman, acting jointly.

(2) Except for the record of a hearing which is closed to the public, each transcript shall be printed as soon as is practicable after receipt of the corrected version. The Chairman and Vice Chairman, acting jointly, may order the transcript of a hearing to be printed without the corrections of a member or witness if they determine that such member or witness has been afforded a reasonable time to correct such transcript and such transcript has not been returned within such time.

(3) The Committee shall furnish each witness, at no cost, one transcript copy of that witness's testimony given at a public hearing. If the testimony was given in executive session, then a transcript copy shall be provided upon request, subject to appropriate conditions and restrictions prescribed by the Chairman and Vice Chairman. If any individual violates such conditions and restrictions, the Committee may recommend by majority vote that he or she be cited for contempt of Congress.

RULE 6: SUBPOENAS AND DEPOSITIONS

(a) SUBPOENAS:

(1) **AUTHORIZATION FOR ISSUANCE:** Subpoenas for the attendance and testimony of witnesses at depositions or hearings, and subpoenas for the production of documents and tangible things at depositions, hearings, or other times and places designated therein, may be authorized for issuance by either (A) a majority vote of the Committee, or (B) the Chairman and Vice Chairman, acting jointly, at any time during a preliminary inquiry, adjudicatory review, or other proceeding.

(2) **SIGNATURE AND SERVICE:** All subpoenas shall be signed by the Chairman or the Vice Chairman and may be served by any person eighteen years of age or older, who is designated by the Chairman or Vice Chairman. Each subpoena shall be served with a copy of the Rules of the Committee and a brief statement of the purpose of the Committee's proceeding.

(3) **WITHDRAWAL OF SUBPOENA:** The Committee, by recorded vote of not less than four members of the Committee, may withdraw any subpoena authorized for issuance by it or authorized for issuance by the Chairman and Vice Chairman, acting jointly, may withdraw any subpoena authorized for issuance by them.

(b) DEPOSITIONS:

(1) **PERSONS AUTHORIZED TO TAKE DEPOSITIONS:** Depositions may be taken by

any member of the Committee designated by the Chairman and Vice Chairman, acting jointly, or by any other person designated by the Chairman and Vice Chairman, acting jointly, including outside counsel, Committee staff, other employees of the Senate, or government employees detailed to the Committee.

(2) **DEPOSITION NOTICES:** Notices for the taking of depositions shall be authorized by the Committee, or the Chairman and Vice Chairman, acting jointly, and issued by the Chairman, Vice Chairman, or a Committee staff member or outside counsel designated by the Chairman and Vice Chairman, acting jointly. Depositions may be taken at any time during a preliminary inquiry, adjudicatory review or other proceeding. Deposition notices shall specify a time and place for examination. Unless otherwise specified, the deposition shall be in private, and the testimony taken and documents produced shall be deemed for the purpose of these rules to have been received in a closed or executive session of the Committee. The Committee shall not initiate procedures leading to criminal or civil enforcement proceedings for a witness's failure to appear, or to testify, or to produce documents, unless the deposition notice was accompanied by a subpoena authorized for issuance by the Committee, or the Chairman and Vice Chairman, acting jointly.

(3) **COUNSEL AT DEPOSITIONS:** Witnesses may be accompanied at a deposition by counsel to advise them of their rights.

(4) **DEPOSITION PROCEDURE:** Witnesses at depositions shall be examined upon oath administered by an individual authorized by law to administer oaths, or administered by any member of the Committee if one is present. Questions may be propounded by any person or persons who are authorized to take depositions for the Committee. If a witness objects to a question and refuses to testify, or refuses to produce a document, any member of the Committee who is present may rule on the objection and, if the objection is overruled, direct the witness to answer the question or produce the document. If no member of the Committee is present, the individual who has been designated by the Chairman and Vice Chairman, acting jointly, to take the deposition may proceed with the deposition, or may, at that time or at a subsequent time, seek a ruling by telephone or otherwise on the objection from the Chairman or Vice Chairman of the Committee, who may refer the matter to the Committee or rule on the objection. If the Chairman or Vice Chairman, or the Committee upon referral, overrules the objection, the Chairman, Vice Chairman, or the Committee as the case may be, may direct the witness to answer the question or produce the document. The Committee shall not initiate procedures leading to civil or criminal enforcement unless the witness refuses to testify or produce documents after having been directed to do so.

(5) **FILING OF DEPOSITIONS:** Deposition testimony shall be transcribed or electronically recorded. If the deposition is transcribed, the individual administering the oath shall certify on the transcript that the witness was duly sworn in his or her presence and the transcriber shall certify that the transcript is a true record of the testimony. The transcript with these certifications shall be filed with the chief clerk of the Committee, and the witness shall be furnished with access to a copy at the Committee's offices for review. Upon inspecting the transcript, within a time limit set by the Chair-

man and Vice Chairman, acting jointly, a witness may request in writing changes in the transcript to correct errors in transcription. The witness may also bring to the attention of the Committee errors of fact in the witness's testimony by submitting a sworn statement about those facts with a request that it be attached to the transcript. The Chairman and Vice Chairman, acting jointly, may rule on the witness's request, and the changes or attachments allowed shall be certified by the Committee's chief clerk. If the witness fails to make any request under this paragraph within the time limit set, this fact shall be noted by the Committee's chief clerk. Any person authorized by the Committee may stipulate with the witness to changes in this procedure.

RULE 7: VIOLATIONS OF LAW; PERJURY; LEGISLATIVE RECOMMENDATIONS; EDUCATIONAL MANDATE; AND APPLICABLE RULES AND STANDARDS OF CONDUCT

(a) **VIOLATIONS OF LAW:** Whenever the Committee determines by the recorded vote of not less than four members of the full Committee that there is reason to believe that a violation of law, including the provision of false information to the Committee, may have occurred, it shall report such possible violation to the proper Federal and state authorities.

(b) **PERJURY:** Any person who knowingly and willfully swears falsely to a sworn complaint or any other sworn statement to the Committee does so under penalty of perjury. The Committee may refer any such case to the Attorney General for prosecution.

(c) **LEGISLATIVE RECOMMENDATIONS:** The Committee shall recommend to the Senate by report or resolution such additional rules, regulations, or other legislative measures as it determines to be necessary or desirable to ensure proper standards of conduct by Members, officers, or employees of the Senate. The Committee may conduct such inquiries as it deems necessary to prepare such a report or resolution, including the holding of hearings in public or executive session and the use of subpoenas to compel the attendance of witnesses or the production of materials. The Committee may make legislative recommendations as a result of its findings in a preliminary inquiry, adjudicatory review, or other proceeding.

(d) **Educational Mandate:** The Committee shall develop and implement programs and materials designed to educate Members, officers, and employees about the laws, rules, regulations, and standards of conduct applicable to such individuals in the performance of their duties.

(e) APPLICABLE RULES AND STANDARDS OF CONDUCT:

(1) Notwithstanding any other provision of this section, no adjudicatory review shall be initiated of any alleged violation of any law, the Senate Code of Official Conduct, rule, or regulation which was not in effect at the time the alleged violation occurred. No provisions of the Senate Code of Official Conduct shall apply to or require disclosure of any act, relationship, or transaction which occurred prior to the effective date of the applicable provision of the Code.

(2) The Committee may initiate an adjudicatory review of any alleged violation of a rule or law which was in effect prior to the enactment of the Senate Code of Official Conduct if the alleged violation occurred while such rule or law was in effect and the violation was not a matter resolved on the merits by the predecessor Committee.

RULE 8: PROCEDURES FOR HANDLING COMMITTEE SENSITIVE AND CLASSIFIED MATERIALS

(a) PROCEDURES FOR HANDLING COMMITTEE SENSITIVE MATERIALS:

(1) Committee Sensitive information or material is information or material in the possession of the Select Committee on Ethics which pertains to illegal or improper conduct by a present or former Member, officer, or employee of the Senate; to allegations or accusations of such conduct; to any resulting preliminary inquiry, adjudicatory review or other proceeding by the Select Committee on Ethics into such allegations or conduct; to the investigative techniques and procedures of the Select Committee on Ethics; or to other information or material designated by the staff director, or outside counsel designated by the Chairman and Vice Chairman.

(2) The Chairman and Vice Chairman of the Committee shall establish such procedures as may be necessary to prevent the unauthorized disclosure of Committee Sensitive information in the possession of the Committee or its staff. Procedures for protecting Committee Sensitive materials shall be in writing and shall be given to each Committee staff member.

(b) PROCEDURES FOR HANDLING CLASSIFIED MATERIALS:

(1) Classified information or material is information or material which is specifically designated as classified under the authority of Executive Order 11652 requiring protection of such information or material from unauthorized disclosure in order to prevent damage to the United States.

(2) The Chairman and Vice Chairman of the Committee shall establish such procedures as may be necessary to prevent the unauthorized disclosure of classified information in the possession of the Committee or its staff. Procedures for handling such information shall be in writing and a copy of the procedures shall be given to each staff member cleared for access to classified information.

(3) Each member of the Committee shall have access to classified material in the Committee's possession. Only Committee staff members with appropriate security clearances and a need-to-know, as approved by the Chairman and Vice Chairman, acting jointly, shall have access to classified information in the Committee's possession.

(c) PROCEDURES FOR HANDLING COMMITTEE SENSITIVE AND CLASSIFIED DOCUMENTS:

(1) Committee Sensitive documents and materials shall be stored in the Committee's offices, with appropriate safeguards for maintaining the security of such documents or materials. Classified documents and materials shall be further segregated in the Committee's offices in secure filing safes. Removal from the Committee offices of such documents or materials is prohibited except as necessary for use in, or preparation for, interviews or Committee meetings, including the taking of testimony, or as otherwise specifically approved by the staff director or by outside counsel designated by the Chairman and Vice Chairman.

(2) Each member of the Committee shall have access to all materials in the Committee's possession. The staffs of members shall not have access to Committee Sensitive or classified documents and materials without the specific approval in each instance of the Chairman, and Vice Chairman, acting jointly. Members may examine such materials in the Committee's offices. If necessary, requested materials may be hand delivered by a member of the Committee staff to the

member of the Committee, or to a staff person(s) specifically designated by the member, for the Member's or designated staffer's examination. A member of the Committee who has possession of Committee Sensitive documents or materials shall take appropriate safeguards for maintaining the security of such documents or materials in the possession of the Member or his or her designated staffer.

(3) Committee Sensitive documents that are provided to a Member of the Senate in connection with a complaint that has been filed against the Member shall be hand delivered to the Member or to the Member's Chief of Staff or Administrative Assistant. Committee Sensitive documents that are provided to a Member of the Senate who is the subject of a preliminary inquiry, adjudicatory review, or other proceeding, shall be hand delivered to the Member or to his or her specifically designated representative.

(4) Any Member of the Senate who is not a member of the Committee and who seeks access to any Committee Sensitive or classified documents or materials, other than documents or materials which are matters of public record, shall request access in writing. The Committee shall decide by majority vote whether to make documents or materials available. If access is granted, the Member shall not disclose the information except as authorized by the Committee.

(5) Whenever the Committee makes Committee Sensitive or classified documents or materials available to any Member of the Senate who is not a member of the Committee, or to a staff person of a Committee member in response to a specific request to the Chairman and Vice Chairman, a written record shall be made identifying the Member of the Senate requesting such documents or materials and describing what was made available and to whom.

(d) NON-DISCLOSURE POLICY AND AGREEMENT:

(1) Except as provided in the last sentence of this paragraph, no member of the Select Committee on Ethics, its staff or any person engaged by contract or otherwise to perform services for the Select Committee on Ethics shall release, divulge, publish, reveal by writing, word, conduct, or disclose in any way, in whole, or in part, or by way of summary, during tenure with the Select Committee on Ethics or anytime thereafter, any testimony given before the Select Committee on Ethics in executive session (including the name of any witness who appeared or was called to appear in executive session), any classified or Committee Sensitive information, document or material, received or generated by the Select Committee on Ethics or any classified or Committee Sensitive information which may come into the possession of such person during tenure with the Select Committee on Ethics or its staff. Such information, documents, or material may be released to an official of the executive branch properly cleared for access with a need-to-know, for any purpose or in connection with any proceeding, judicial or otherwise, as authorized by the Select Committee on Ethics, or in the event of termination of the Select Committee on Ethics, in such a manner as may be determined by its successor or by the Senate.

(2) No member of the Select Committee on Ethics staff or any person engaged by contract or otherwise to perform services for the Select Committee on Ethics, shall be granted access to classified or Committee Sensitive information or material in the possession

of the Select Committee on Ethics unless and until such person agrees in writing, as a condition of employment, to the non-disclosure policy. The agreement shall become effective when signed by the Chairman and Vice Chairman on behalf of the Committee.

RULE 9: BROADCASTING AND NEWS COVERAGE OF COMMITTEE PROCEEDINGS

(a) Whenever any hearing or meeting of the Committee is open to the public, the Committee shall permit that hearing or meeting to be covered in whole or in part, by television broadcast, radio broadcast, still photography, or by any other methods of coverage, unless the Committee decides by recorded vote of not less than four members of the Committee that such coverage is not appropriate at a particular hearing or meeting.

(b) Any witness served with a subpoena by the Committee may request not to be photographed at any hearing or to give evidence or testimony while the broadcasting, reproduction, or coverage of that hearing, by radio, television, still photography, or other methods is occurring. At the request of any such witness who does not wish to be subjected to radio, television, still photography, or other methods of coverage, and subject to the approval of the Committee, all lenses shall be covered and all microphones used for coverage turned off.

(c) If coverage is permitted, it shall be in accordance with the following requirements:

(1) Photographers and reporters using mechanical recording, filming, or broadcasting apparatus shall position their equipment so as not to interfere with the seating, vision, and hearing of the Committee members and staff, or with the orderly process of the meeting or hearing.

(2) If the television or radio coverage of the hearing or meeting is to be presented to the public as live coverage, the coverage shall be conducted and presented without commercial sponsorship.

(3) Personnel providing coverage by the television and radio media shall be currently accredited to the Radio and Television Correspondents' Galleries.

(4) Personnel providing coverage by still photography shall be currently accredited to the Press Photographers' Gallery Committee of Press Photographers.

(5) Personnel providing coverage by the television and radio media and by still photography shall conduct themselves and the coverage activities in an orderly and unobtrusive manner.

RULE 10: PROCEDURES FOR ADVISORY OPINIONS

(a) WHEN ADVISORY OPINIONS ARE RENDERED:

(1) The Committee shall render an advisory opinion, in writing within a reasonable time, in response to a written request by a Member or officer of the Senate or a candidate for nomination for election, or election to the Senate, concerning the application of any law, the Senate Code of Official Conduct, or any rule or regulation of the Senate within the Committee's jurisdiction, to a specific factual situation pertinent to the conduct or proposed conduct of the person seeking the advisory opinion.

(2) The Committee may issue an advisory opinion in writing within a reasonable time in response to a written request by any employee of the Senate concerning the application of any law, the Senate Code of Official Conduct, or any rule or regulation of the Senate within the Committee's jurisdiction, to a specific factual situation pertinent to the conduct or proposed conduct of the person seeking the advisory opinion.

(b) **FORM OF REQUEST:** A request for an advisory opinion shall be directed in writing to the Chairman of the Committee and shall include a complete and accurate statement of the specific factual situation with respect to which the request is made as well as the specific question or questions which the requestor wishes the Committee to address.

(c) **OPPORTUNITY FOR COMMENT:**

(1) The Committee will provide an opportunity for any interested party to comment on a request for an advisory opinion—

(A) which requires an interpretation on a significant question of first impression that will affect more than a few individuals; or

(B) when the Committee determines that comments from interested parties would be of assistance.

(2) Notice of any such request for an advisory opinion shall be published in the Congressional Record, with appropriate deletions to insure confidentiality, and interested parties will be asked to submit their comments in writing to the Committee within ten days.

(3) All relevant comments received on a timely basis will be considered.

(d) **ISSUANCE OF AN ADVISORY OPINION:**

(1) The Committee staff shall prepare a proposed advisory opinion in draft form which will first be reviewed and approved by the Chairman and Vice Chairman, acting jointly, and will be presented to the Committee for final action. If (A) the Chairman and Vice Chairman cannot agree, or (B) either the Chairman or Vice Chairman requests that it be taken directly to the Committee, then the proposed advisory opinion shall be referred to the Committee for its decision.

(2) An advisory opinion shall be issued only by the affirmative recorded vote of a majority of the members voting.

(3) Each advisory opinion issued by the Committee shall be promptly transmitted for publication in the Congressional Record after appropriate deletions are made to insure confidentiality. The Committee may at any time revise, withdraw, or elaborate on any advisory opinion.

(e) **RELIANCE ON ADVISORY OPINIONS:**

(1) Any advisory opinion issued by the Committee under Senate Resolution 338, 88th Congress, as amended, and the rules may be relied upon by—

(A) Any person involved in the specific transaction or activity with respect to which such advisory opinion is rendered if the request for such advisory opinion included a complete and accurate statement of the specific factual situation; and

(B) any person involved in any specific transaction or activity which is indistinguishable in all its material aspects from the transaction or activity with respect to which such advisory opinion is rendered.

(2) Any person who relies upon any provision or finding of an advisory opinion in accordance with the provisions of Senate Resolution 338, 88th Congress, as amended, and of the rules, and who acts in good faith in accordance with the provisions and findings of such advisory opinion shall not, as a result of any such act, be subject to any sanction by the Senate.

RULE 11: PROCEDURES FOR INTERPRETATIVE RULINGS

(a) **BASIS FOR INTERPRETATIVE RULINGS:** Senate Resolution 338, 88th Congress, as amended, authorizes the Committee to issue interpretative rulings explaining and clarifying the application of any law, the Code of Official Conduct, or any rule or regula-

tion of the Senate within its jurisdiction. The Committee also may issue such rulings clarifying or explaining any rule or regulation of the Select Committee on Ethics.

(b) **REQUEST FOR RULING:** A request for such a ruling must be directed in writing to the Chairman or Vice Chairman of the Committee.

(c) **ADOPTION OF RULING:**

(1) The Chairman and Vice Chairman, acting jointly, shall issue a written interpretative ruling in response to any such request, unless—

(A) they cannot agree,

(B) it requires an interpretation of a significant question of first impression, or

(C) either requests that it be taken to the Committee, in which event the request shall be directed to the Committee for a ruling.

(2) A ruling on any request taken to the Committee under subparagraph (1) shall be adopted by a majority of the members voting and the ruling shall then be issued by the Chairman and Vice Chairman.

(d) **PUBLICATION OF RULINGS:** The Committee will publish in the Congressional Record, after making appropriate deletions to ensure confidentiality, any interpretative rulings issued under this Rule which the Committee determines may be of assistance or guidance to other Members, officers or employees. The Committee may at any time revise, withdraw, or elaborate on interpretative rulings.

(e) **RELIANCE ON RULINGS:** Whenever an individual can demonstrate to the Committee's satisfaction that his or her conduct was in good faith reliance on an interpretative ruling issued in accordance with this Rule, the Committee will not recommend sanctions to the Senate as a result of such conduct.

(f) **RULINGS BY COMMITTEE STAFF:** The Committee staff is not authorized to make rulings or give advice, orally or in writing, which binds the Committee in any way.

RULE 12: PROCEDURES FOR COMPLAINTS INVOLVING IMPROPER USE OF THE MAILING FRANK

(a) **AUTHORITY TO RECEIVE COMPLAINTS:** The Committee is directed by section 6(b) of Public Law 93-191 to receive and dispose of complaints that a violation of the use of the mailing frank has occurred or is about to occur by a Member or officer of the Senate or by a surviving spouse of a Member. All such complaints will be processed in accordance with the provisions of these Rules, except as provided in paragraph (b).

(b) **DISPOSITION OF COMPLAINTS:**

(1) The Committee may dispose of any such complaint by requiring restitution of the cost of the mailing, pursuant to the franking statute, if it finds that the franking violation was the result of a mistake.

(2) Any complaint disposed of by restitution that is made after the Committee has formally commenced an adjudicatory review, must be summarized, together with the disposition, in a report to the Senate, as appropriate.

(3) If a complaint is disposed of by restitution, the complainant, if any, shall be notified of the disposition in writing.

(c) **ADVISORY OPINIONS AND INTERPRETATIVE RULINGS:** Requests for advisory opinions or interpretative rulings involving franking questions shall be processed in accordance with Rules 10 and 11.

RULE 13: PROCEDURES FOR WAIVERS

(a) **AUTHORITY FOR WAIVERS:** The Committee is authorized to grant a waiver under the following provisions of the Standing Rules of the Senate:

(1) Section 101(h) of the Ethics in Government Act of 1978, as amended (Rule XXXIV), relating to the filing of financial disclosure reports by individuals who are expected to perform or who have performed the duties of their offices or positions for less than one hundred and thirty days in a calendar year;

(2) Section 102(a)(2)(D) of the Ethics in Government Act, as amended (Rule XXXIV), relating to the reporting of gifts;

(3) Paragraph 1 of Rule XXXV relating to acceptance of gifts; or

(4) Paragraph 5 of Rule XLI relating to applicability of any of the provisions of the Code of Official Conduct to an employee of the Senate hired on a per diem basis.

(b) **REQUESTS FOR WAIVERS:** A request for a waiver under paragraph (a) must be directed to the Chairman or Vice Chairman in writing and must specify the nature of the waiver being sought and explain in detail the facts alleged to justify a waiver. In the case of a request submitted by an employee, the views of his or her supervisor (as determined under paragraph 12 of Rule XXXVII of the Standing Rules of the Senate) should be included with the waiver request.

(c) **RULING:** The Committee shall rule on a waiver request by recorded vote with a majority of those voting affirming the decision. With respect to an individual's request for a waiver in connection with the acceptance or reporting the value of gifts on the occasion of the individual's marriage, the Chairman and the Vice Chairman, acting jointly, may rule on the waiver.

(d) **AVAILABILITY OF WAIVER DETERMINATIONS:** A brief description of any waiver granted by the Committee, with appropriate deletions to ensure confidentiality, shall be made available for review upon request in the Committee office. Waivers granted by the Committee pursuant to the Ethics in Government Act of 1978, as amended, may only be granted pursuant to a publicly available request as required by the Act.

RULE 14: DEFINITION OF "OFFICER OR EMPLOYEE"

(a) As used in the applicable resolutions and in these rules and procedures, the term "officer or employee of the Senate" means:

(1) An elected officer of the Senate who is not a Member of the Senate;

(2) An employee of the Senate, any committee or subcommittee of the Senate, or any Member of the Senate;

(3) The Legislative Counsel of the Senate or any employee of his office;

(4) An Official Reporter of Debates of the Senate and any person employed by the Official Reporters of Debates of the Senate in connection with the performance of their official duties;

(5) A member of the Capitol Police force whose compensation is disbursed by the Secretary of the Senate;

(6) An employee of the Vice President, if such employee's compensation is disbursed by the Secretary of the Senate;

(7) An employee of a joint committee of the Congress whose compensation is disbursed by the Secretary of the Senate;

(8) An officer or employee of any department or agency of the Federal Government whose services are being utilized on a full-time and continuing basis by a Member, officer, employee, or committee of the Senate in accordance with Rule XLI(3) of the Standing Rules of the Senate; and

(9) Any other individual whose full-time services are utilized for more than ninety days in a calendar year by a Member, officer, employee, or committee of the Senate in the

conduct of official duties in accordance with Rule XLI(4) of the Standing Rules of the Senate.

RULE 15: COMMITTEE STAFF

(a) COMMITTEE POLICY:

(1) The staff is to be assembled and retained as a permanent, professional, nonpartisan staff.

(2) Each member of the staff shall be professional and demonstrably qualified for the position for which he or she is hired.

(3) The staff as a whole and each member of the staff shall perform all official duties in a nonpartisan manner.

(4) No member of the staff shall engage in any partisan political activity directly affecting any congressional or presidential election.

(5) No member of the staff or outside counsel may accept public speaking engagements or write for publication on any subject that is in any way related to his or her employment or duties with the Committee without specific advance permission from the Chairman and Vice Chairman.

(6) No member of the staff may make public, without Committee approval, any Committee Sensitive or classified information, documents, or other material obtained during the course of his or her employment with the Committee.

(b) APPOINTMENT OF STAFF:

(1) The appointment of all staff members shall be approved by the Chairman and Vice Chairman, acting jointly.

(2) The Committee may determine by majority vote that it is necessary to retain staff members, including a staff recommended by a special counsel, for the purpose of a particular preliminary inquiry, adjudicatory review, or other proceeding. Such staff shall be retained only for the duration of that particular undertaking.

(3) The Committee is authorized to retain and compensate counsel not employed by the Senate (or by any department or agency of the Executive Branch of the Government) whenever the Committee determines that the retention of outside counsel is necessary or appropriate for any action regarding any complaint or allegation, preliminary inquiry, adjudicatory review, or other proceeding, which in the determination of the Committee, is more appropriately conducted by counsel not employed by the Government of the United States as a regular employee. The Committee shall retain and compensate outside counsel to conduct any adjudicatory review undertaken after a preliminary inquiry, unless the Committee determines that the use of outside counsel is not appropriate in the particular case.

(c) DISMISSAL OF STAFF: A staff member may not be removed for partisan, political reasons, or merely as a consequence of the rotation of the Committee membership. The Chairman and Vice Chairman, acting jointly, shall approve the dismissal of any staff member.

(d) STAFF WORKS FOR COMMITTEE AS WHOLE: All staff employed by the Committee or housed in Committee offices shall work for the Committee as a whole, under the general direction of the Chairman and Vice Chairman, and the immediate direction of the staff director or outside counsel.

(e) NOTICE OF SUMMONS TO TESTIFY: Each member of the Committee staff or outside counsel shall immediately notify the Committee in the event that he or she is called upon by a properly constituted authority to testify or provide confidential information obtained as a result of and during his or her employment with the Committee.

RULE 16: CHANGES IN SUPPLEMENTARY PROCEDURAL RULES

(a) ADOPTION OF CHANGES IN SUPPLEMENTARY RULES: The Rules of the Committee, other than rules established by statute, or by the Standing Rules and Standing Orders of the Senate, may be modified, amended, or suspended at any time, pursuant to a recorded vote of not less than four members of the full Committee taken at a meeting called with due notice when prior written notice of the proposed change has been provided each member of the Committee.

(b) PUBLICATION: Any amendments adopted to the Rules of this Committee shall be published in the Congressional Record in accordance with Rule XXVI(2) of the Standing Rules of the Senate.

SELECT COMMITTEE ON ETHICS

PART III—SUBJECT MATTER JURISDICTION

Following are sources of the subject matter jurisdiction of the Select Committee:

(a) The Senate Code of Official Conduct approved by the Senate in Title I of S. Res. 110, 95th Congress, April 1, 1977, as amended, and stated in Rules 34 through 43 of the Standing Rules of the Senate;

(b) Senate Resolution 338, 88th Congress, as amended, which states, among others, the duties to receive complaints and investigate allegations of improper conduct which may reflect on the Senate, violations of law, violations of the Senate Code of Official Conduct and violations of rules and regulations of the Senate; recommend disciplinary action; and recommend additional Senate Rules or regulations to insure proper standards of conduct;

(c) Residual portions of Standing Rules 41, 42, 43 and 44 of the Senate as they existed on the day prior to the amendments made by Title I of S. Res. 110;

(d) Public Law 93-191 relating to the use of the mail franking privilege by Senators, officers of the Senate; and surviving spouses of Senators;

(e) Senate Resolution 400, 94th Congress, Section 8, relating to unauthorized disclosure of classified intelligence information in the possession of the Select Committee on Intelligence;

(f) Public Law 95-105, Section 515, relating to the receipt and disposition of foreign gifts and decorations received by Senate members, officers and employees and their spouses or dependents;

(g) Preamble to Senate Resolution 266, 90th Congress, 2d Session, March 22, 1968; and

(h) The Code of Ethics for Government Service, H. Con. Res. 175, 85th Congress, 2d Session, July 11, 1958 (72 Stat. B12). Except that S. Res. 338, as amended by Section 202 of S. Res. 110 (April 2, 1977), and as amended by Section 3 of S. Res. 222 (1999), provides:

(g) Notwithstanding any other provision of this section, no adjudicatory review shall be initiated of any alleged violation of any law, the Senate Code of Official Conduct, rule, or regulation which was not in effect at the time the alleged violation occurred. No provisions of the Senate Code of Official Conduct shall apply to or require disclosure of any act, relationship, or transaction which occurred prior to the effective date of the applicable provision of the Code. The Select Committee may initiate an adjudicatory review of any alleged violation of a rule or law which was in effect prior to the enactment of the Senate Code of Official Conduct if the alleged violation occurred while such rule or law was in effect and the violation was not a matter resolved on the merits by the predecessor Select Committee.

APPENDIX A—OPEN AND CLOSED MEETINGS

Paragraphs 5(b) to (d) of Rule XXVI of the Standing Rules of the Senate reads as follows:

(b) Each meeting of a standing, select, or special committee of the Senate, or any subcommittee thereof, including meetings to conduct hearings, shall be open to the public, except that a meeting or series of meetings by a committee or a subcommittee thereof on the same subject for a period of no more than fourteen calendar days may be closed to the public on a motion made and seconded to go into closed session to discuss only whether the matters enumerated in classes (1) through (6) would require the meeting to be closed followed immediately by a record vote in open session by a majority of the members of the committee or subcommittee when it is determined that the matters to be discussed or the testimony to be taken at such meeting or meetings—

(1) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

(2) will relate solely to matters of committee staff personnel or internal staff management or procedure;

(3) will tend to charge an individual with crime or misconduct, to disgrace or injure the professional standing of an individual, or otherwise to expose an individual to public contempt or obloquy, or will represent a clearly unwarranted invasion of the privacy of an individual;

(4) will disclose the identity of any informer or law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interests of effective law enforcement;

(5) will disclose information relating to the trade secrets or financial or commercial information pertaining specifically to a given person if—

(A) an Act of Congress requires the information to be kept confidential by Government officers and employees; or

(B) the information has been obtained by the Government on a confidential basis, other than through an application by such person for a specific Government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person; or

(6) may divulge matters required to be kept confidential under other provisions of law or Government regulations.

(c) Whenever any hearing conducted by any such committee or subcommittee is open to the public, that hearing may be broadcast by radio or television, or both, under such rules as the committee or subcommittee may adopt.

(d) Whenever disorder arises during a committee meeting that is open to the public, or any demonstration of approval or disapproval is indulged in by any person in attendance at any such meeting, it shall be the duty of the Chair to enforce order on his own initiative and without any point of order being made by a Senator. When the Chair finds it necessary to maintain order, he shall have the power to clear the room, and the committee may act in closed session for so long as there is doubt of the assurance of order.

APPENDIX B—"SUPERVISORS" DEFINED

Paragraph 12 of Rule XXXVII of the Standing Rules of the Senate reads as follows:

For purposes of this rule—

(a) a Senator or the Vice President is the supervisor of his administrative, clerical, or other assistants;

(b) a Senator who is the chairman of a committee is the supervisor of the professional, clerical, or other assistants to the committee except that minority staff members shall be under the supervision of the ranking minority Senator on the committee;

(c) a Senator who is a chairman of a subcommittee which has its own staff and financial authorization is the supervisor of the professional, clerical, or other assistants to the subcommittee except that minority staff members shall be under the supervision of the ranking minority Senator on the subcommittee;

(d) the President pro tempore is the supervisor of the Secretary of the Senate, Sergeant at Arms and Doorkeeper, the Chaplain, the Legislative Counsel, and the employees of the Office of the Legislative Counsel;

(e) the Secretary of the Senate is the supervisor of the employees of his office;

(f) the Sergeant at Arms and Doorkeeper is the supervisor of the employees of his office;

(g) the Majority and Minority Leaders and the Majority and Minority Whips are the supervisors of the research, clerical, and other assistants assigned to their respective offices;

(h) the Majority Leader is the supervisor of the Secretary for the Majority and the Secretary for the Majority is the supervisor of the employees of his office; and

(i) the Minority Leader is the supervisor of the Secretary for the Minority and the Secretary for the Minority is the supervisor of the employees of his office.

SELECT COMMITTEE ON ETHICS ANNUAL REPORT FOR 2016

Mr. COONS. Mr. President, I ask unanimous consent on behalf of Senator ISAKSON, chairman of the Select Committee on Ethics, and for myself as vice chairman of the committee, that the annual report of the Select Committee on Ethics for calendar year 2016 be printed in the RECORD. The committee issued this report on January 27, 2017, as required by the Honest Leadership and Open Government Act of 2007.

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

Annual Report of the Select Committee on Ethics, 115th Congress, First Session

The Honest Leadership and Open Government Act of 2007 (the "Act") calls for the Select Committee on Ethics of the United States Senate to issue an annual report not later than January 31st of each year providing information in certain categories describing its activities for the preceding year. Reported below is the information describing the Committee's activities in 2016 in the categories set forth in the Act:

(1) The number of alleged violations of Senate rules received from any source, including the number raised by a Senator or staff of the Committee: 63. (In addition, 2 alleged violations from the previous year were carried into 2016.)

(2) The number of alleged violations that were dismissed—

(A) For lack of subject matter jurisdiction or in which, even if the allegations in the complaint are true, no violation of Senate rules would exist: 43.

(B) Because they failed to provide sufficient facts as to any material violation of

the Senate rules beyond mere allegation or assertion: 14.

(3) The number of alleged violations for which the Committee staff conducted a preliminary inquiry: 5. (This figure includes 2 matters from the previous calendar year carried into 2016.)

(4) The number of alleged violations for which the Committee staff conducted a preliminary inquiry that resulted in an adjudicatory review: 0.

(5) The number of alleged violations for which the Committee staff conducted a preliminary inquiry and the Committee dismissed the matter for lack of substantial merit or because it was inadvertent, technical or otherwise of a de minimis nature: 3.

(6) The number of alleged violations for which the Committee staff conducted a preliminary inquiry and the Committee issued private or public letters of admonition: 0.

(7) The number of matters resulting in a disciplinary sanction: 0.

(8) Any other information deemed by the Committee to be appropriate to describe its activities in the previous year:

In 2016, the Committee staff conducted one new Member and staff ethics training session; 29 Member and committee office campaign briefings (includes one remedial training session); 21 employee code of conduct training sessions (includes one remedial training session); 8 public financial disclosure clinics, seminars, and webinars; 18 ethics seminars and customized briefings for Member DC offices, state offices, and Senate committees; seven private sector ethics briefings; and seven international briefings.

In 2016, the Committee staff handled approximately 9,736 telephone inquiries and 1,580 inquiries by email for ethics advice and guidance.

In 2016, the Committee wrote approximately 825 ethics advisory letters and responses including, but not limited to, 691 travel and gifts matters (Senate Rule 35) and 93 conflict of interest matters (Senate Rule 37).

In 2016, the Committee received 3,198 public financial disclosure and periodic disclosure of financial transactions reports.

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

RULES OF PROCEDURE

Mr. JOHNSON. Mr. President, Senate Standing Rule XXVI requires each committee to adopt rules to govern the procedure of the committee and to publish those rules in the CONGRESSIONAL RECORD not later than March 1 of the first year of each Congress. On February 27, 2017, a majority of the members of the Committee on Homeland Security and Governmental Affairs' Permanent Subcommittee on Investigations adopted subcommittee rules of procedure.

Consistent with Standing Rule XXVI, today I ask unanimous consent to have printed in the RECORD a copy of the rules of procedure of the Permanent Subcommittee on Investigations.

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

RULES OF PROCEDURE FOR THE SENATE PERMANENT SUBCOMMITTEE ON IN- VESTIGATIONS OF THE COMMITTEE ON HOMELAND SECURITY AND GOVERN- MENTAL AFFAIRS AS ADOPTED

1. No public hearing connected with an investigation may be held without the approval of either the Chairman and the Ranking Minority Member or a Majority of the Members of the Subcommittee. In all cases, notification to all Subcommittee Members of the intent to hold hearings must be given at least 7 days in advance to the date of the hearing. The Ranking Minority Member should be kept fully apprised of preliminary inquiries, investigations, and hearings. Preliminary inquiries may be initiated by the Subcommittee Majority staff upon the approval of the Chairman and notice of such approval to the Ranking Minority Member, Minority Staff Director, or the Minority Chief Counsel. Preliminary inquiries may be undertaken by the Minority staff upon the approval of the Ranking Minority Member and notice of such approval to the Chairman, Staff Director, or Chief Counsel. Investigations may be undertaken upon the approval of the Chairman and the Ranking Minority Member with notice of such approval to all Members of the Subcommittee.

No public hearing shall be held if the Minority Members of the Subcommittee unanimously object, unless the Committee on Homeland Security and Governmental Affairs (the "Committee") approves of such public hearing by a majority vote.

Senate Rules will govern all closed sessions convened by the Subcommittee (Rule XXVI, Sec. 5(b), Standing Rules of the Senate).

2. Subpoenas for witnesses, as well as documents and records, may be authorized and issued by the Chairman, or any other Member of the Subcommittee designated by him or her, with notice to the Ranking Minority Member. A written notice of intent to issue a subpoena shall be provided to the Chairman and Ranking Minority Member of the Committee, or staff officers designated by them, by the Chairman or a staff officer designated by him or her, immediately upon such authorization, and no subpoena shall be issued for at least 48 hours, excluding Saturdays and Sundays, from delivery to the appropriate offices, unless the Chairman and Ranking Minority Member of the Committee waive the 48 hour waiting period or unless the Chairman certifies in writing to the Chairman and Ranking Minority Member of the Committee that, in his or her opinion, it is necessary to issue a subpoena immediately.

3. The Chairman shall have the authority to call meetings of the Subcommittee. This authority may be delegated by the Chairman to any other Member of the Subcommittee when necessary.

4. If at least three Members of the Subcommittee desire the Chairman to call a special meeting, they may file, in the office of the Subcommittee, a written request therefor, addressed to the Chairman. Immediately thereafter, the clerk of the Subcommittee shall notify the Chairman of such request. If, within 3 calendar days after the filing of such request, the Chairman fails to call the requested special meeting, which is to be held within 7 calendar days after the filing of such request, a majority of the Subcommittee Members may file in the office of the Subcommittee their written notice that a special Subcommittee meeting will be held, specifying the date and hour thereof, and the Subcommittee shall meet on that

date and hour. Immediately upon the filing of such notice, the Subcommittee clerk shall notify all Subcommittee Members that such special meeting will be held and inform them of its date and hour. If the Chairman is not present at any regular, additional or special meeting, the Ranking Majority Member present shall preside.

5. For public or executive sessions, one Member of the Subcommittee shall constitute a quorum for the administering of oaths and the taking of testimony in any given case or subject matter.

One-third of the Members of the Subcommittee shall constitute a quorum for the transaction of Subcommittee business other than the administering of oaths and the taking of testimony, provided that at least one member of the minority is present.

6. All witnesses at public or executive hearings who testify to matters of fact shall be sworn.

7. If, during public or executive sessions, a witness, his or her counsel, or any spectator conducts himself or herself in such a manner as to prevent, impede, disrupt, obstruct, or interfere with the orderly administration of such hearing, the Chairman or presiding Member of the Subcommittee present during such hearing may request the Sergeant at Arms of the Senate, his or her representative, or any law enforcement official to eject said person from the hearing room.

8. Counsel retained by any witness and accompanying such witness shall be permitted to be present during the testimony of such witness at any public or executive hearing and to advise such witness while he or she is testifying of his or her legal rights; *provided, however*, that in the case of any witness who is an officer or employee of the government, or of a corporation or association, the Chairman may rule that representation by counsel from the government, corporation, or association, or by counsel representing another witness, creates a conflict of interest, and that the witness may only be represented during interrogation by Subcommittee staff or during testimony before the Subcommittee by personal counsel not from the government, corporation, or association, or by personal counsel not representing another witness. This rule shall not be construed to excuse a witness from testifying in the event his or her counsel is ejected for conducting himself or herself in such a manner so as to prevent, impede, disrupt, obstruct, or interfere with the orderly administration of the hearings; nor shall this rule be construed as authorizing counsel to coach the witness or answer for the witness. The failure of any witness to secure counsel shall not excuse such witness from complying with a subpoena or deposition notice.

9. Depositions.

9.1 Notice. Notices for the taking of depositions in an investigation authorized by the Subcommittee shall be authorized and issued by the Chairman. The Chairman of the Committee and the Ranking Minority Member of the Subcommittee shall be kept fully apprised of the authorization for the taking of depositions. Such notices shall specify a time and place of examination, and the name of the Subcommittee Member or Members or staff officer or officers who will take the deposition. The deposition shall be in private. The Subcommittee shall not initiate procedures leading to criminal or civil enforcement proceedings for a witness's failure to appear unless the deposition notice was accompanied by a Subcommittee subpoena.

9.2 Counsel. Witnesses may be accompanied at a deposition by counsel to advise them of

their legal rights, subject to the provisions of Rule 8.

9.3 Procedure. Witnesses shall be examined upon oath administered by an individual authorized by local law to administer oaths. Questions shall be propounded orally by Subcommittee Members or staff. Objections by the witness as to the form of questions shall be noted for the record. If a witness objects to a question and refuses to testify on the basis of relevance or privilege, the Subcommittee Members or staff may proceed with the deposition, or may, at that time or at a subsequent time, seek a ruling by telephone or otherwise on the objection from the Chairman or such Subcommittee Member as designated by him or her. If the Chairman or designated Member overrules the objection, he or she may refer the matter to the Subcommittee or he or she may order and direct the witness to answer the question, but the Subcommittee shall not initiate procedures leading to civil or criminal enforcement unless the witness refuses to testify after he or she has been ordered and directed to answer by the Chairman or designated Member.

9.4 Filing. The Subcommittee staff shall see that the testimony is transcribed or electronically recorded. If it is transcribed, the witness shall be furnished with a copy for review pursuant to the provisions of Rule 12. The individual administering the oath shall certify on the transcript that the witness was duly sworn in his or her presence, the transcriber shall certify that the transcript is a true record of the testimony, and the transcript shall then be filed with the Subcommittee clerk. Subcommittee staff may stipulate with the witness to changes in this procedure; deviations from this procedure which do not substantially impair the reliability of the record shall not relieve the witness from his or her obligation to testify truthfully.

10. Any witness desiring to read a prepared or written statement in executive or public hearings shall file a copy of such statement with the Chairman, Staff Director, or Chief Counsel 48 hours in advance of the hearings at which the statement is to be presented unless the Chairman and the Ranking Minority Member waive this requirement. The Subcommittee shall determine whether such statement may be read or placed in the record of the hearing.

11. A witness may request, on grounds of distraction, harassment, personal safety, or physical discomfort, that during testimony, television, motion picture, and other cameras and lights, shall not be directed at him or her. Such requests shall be ruled on by the Subcommittee Members present at the hearing.

12. An accurate stenographic record shall be kept of the testimony of all witnesses in executive and public hearings. The record of his or her own testimony, whether in public or executive session, shall be made available for inspection by witness or his or her counsel under Subcommittee supervision; a copy of any testimony given in public session or that part of the testimony given by the witness in executive session and subsequently quoted or made part of the record in a public session shall be made available to any witness at his or her expense if he or she so requests.

13. Interrogation of witnesses at Subcommittee hearings shall be conducted on behalf of the Subcommittee by Subcommittee Members and authorized Subcommittee staff personnel only.

14. Any person who is the subject of an investigation in public hearings may submit to

the Chairman questions in writing for the cross-examination of other witnesses called by the Subcommittee. With the consent of a majority of the Members of the Subcommittee present and voting, these questions, or paraphrased versions of them, shall be put to the witness by the Chairman, by a Member of the Subcommittee, or by counsel of the Subcommittee.

15. Any person whose name is mentioned or who is specifically identified, and who believes that testimony or other evidence presented at a public hearing, or comment made by a Subcommittee Member or counsel, tends to defame him or her or otherwise adversely affect his or her reputation, may (a) request to appear personally before the Subcommittee to testify in his or her own behalf, or, in the alternative, (b) file a sworn statement of facts relevant to the testimony or other evidence or comment complained of. Such request and such statement shall be submitted to the Subcommittee for its consideration and action.

If a person requests to appear personally before the Subcommittee pursuant to alternative (a) referred to herein, said request shall be considered untimely if it is not received by the Chairman, Staff Director, or Chief Counsel in writing on or before thirty (30) days subsequent to the day on which said person's name was mentioned or he or she was otherwise specifically identified during a public hearing held before the Subcommittee, unless the Chairman and the Ranking Minority Member waive this requirement.

If a person requests to file his or her sworn statement pursuant to alternative (b) referred to herein, the Subcommittee may condition the filing of said sworn statement upon said person agreeing to appear personally before the Subcommittee and to testify concerning the matters contained in his or her sworn statement, as well as any other matters related to the subject of the investigation before the Subcommittee.

16. All testimony taken in executive session shall be kept secret and will not be released for public information without the approval of a majority of the Members of the Subcommittee.

17. No Subcommittee report shall be released to the public unless approved by a majority of the Subcommittee and after no less than 10 days' notice and opportunity for comment by the Members of the Subcommittee unless the need for such notice and opportunity to comment has been waived in writing by a majority of the Minority Members of the Subcommittee.

18. The Ranking Minority Member may select for appointment to the Subcommittee staff a Chief Counsel for the Minority and such other professional staff and clerical assistants as he or she deems advisable. The total compensation allocated to such Minority staff shall be not less than one-third the total amount allocated for all Subcommittee staff salaries during any given year. The Minority staff shall work under the direction and supervision of the Ranking Minority Member. The Minority Staff Director and the Minority Chief Counsel shall be kept fully informed as to preliminary inquiries, investigations, and hearings, and shall have access to all material in the files of the Subcommittee.

19. When it is determined by the Chairman and Ranking Minority Member, or by a majority of the Subcommittee, that there is reasonable cause to believe that a violation of law may have occurred, the Chairman and Ranking Minority Member by letter, or the

Subcommittee by resolution, are authorized to report such violation to the proper State, local and/or Federal authorities. Such letter or report may recite the basis for the determination of reasonable cause. This rule is not authority for release of documents or testimony.

SUBCOMMITTEE ON FEDERAL SPENDING OVERSIGHT AND EMERGENCY MANAGEMENT

RULES OF PROCEDURE

Mr. JOHNSON. Mr. President, Senate Standing Rule XXVI requires each committee to adopt rules to govern the procedure of the committee and to publish those rules in the CONGRESSIONAL RECORD not later than March 1 of the first year of each Congress. On February 14, 2017, a majority of the members of the Committee on Homeland Security and Governmental Affairs' Subcommittee on Federal Spending Oversight and Emergency Management adopted subcommittee rules of procedure.

Consistent with Standing Rule XXVI, today I ask unanimous consent to have printed in the RECORD a copy of the rules of procedure of the Subcommittee on Federal Spending Oversight and Emergency Management.

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

Rules of Procedure for the Senate

SUBCOMMITTEE ON FEDERAL SPENDING OVERSIGHT AND EMERGENCY MANAGEMENT OF THE COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

1. Subcommittee rules. The Subcommittee shall be governed, where applicable, by the rules of the full Committee on Homeland Security and Governmental Affairs and the Standing Rules of the Senate.

2. Quorums.

A. Transaction of routine business. One-third of the membership of the Subcommittee shall constitute a quorum for the transaction of routine business, provided that one Member of the Minority is present. For the purpose of this paragraph, the term "routine business" includes the convening of a meeting and the consideration of any business of the Subcommittee other than reporting to the full Committee on Homeland Security and Governmental Affairs any measures, matters, or recommendations.

B. Taking testimony. One Member of the Subcommittee shall constitute a quorum for taking sworn or unsworn testimony.

C. Proxies prohibited in establishment of quorum. Proxies shall not be considered for the establishment of a quorum.

3. Subcommittee subpoenas. The Chairman of the Subcommittee, with the approval of the Ranking Minority Member of the Subcommittee, is authorized to subpoena the attendance of witnesses or the production of memoranda, documents, records, or any other materials at a hearing, provided that the Chairman may subpoena attendance or production without the approval of the Ranking Minority Member where the Chairman or a staff officer designated by him/her has not received notification from the Ranking Minority Member or a staff officer des-

ignated by him/her of disapproval of the subpoena within 48 hours, excluding Saturdays and Sundays and legal holidays in which the Senate is not in session, of being notified of the subpoena. If a subpoena is disapproved by the Ranking Minority Member as provided herein, the subpoena may be authorized by vote of the Members of the Subcommittee.

Immediately upon authorization of the issuance of a subpoena under these rules, a written notice of intent to issue the subpoena shall be provided to the Chairman and Ranking Minority Member of the full Committee on Homeland Security and Governmental Affairs, or staff officers designated by them, by the Subcommittee Chairman or a staff officer designated by him/her, and no subpoena shall be issued for at least 48 hours, excluding Saturdays and Sundays, from delivery to the appropriate offices, unless the Chairman and Ranking Minority Member of the full Committee on Homeland Security and Governmental Affairs waive the 48-hour waiting period or unless the Subcommittee Chairman certifies in writing to the Chairman and Ranking Minority Member of the full Committee that, in his or her opinion, it is necessary to issue a subpoena immediately.

When the Subcommittee or its Chairman authorizes subpoenas, subpoenas may be issued upon the signature of the Chairman or any other Member of the Subcommittee designated by the Chairman.

SUBCOMMITTEE ON REGULATORY AFFAIRS AND FEDERAL MANAGEMENT

RULES OF PROCEDURE

Mr. JOHNSON. Mr. President, Senate Standing Rule XXVI requires each committee to adopt rules to govern the procedure of the committee and to publish those rules in the CONGRESSIONAL RECORD not later than March 1 of the first year of each Congress. On February 27, 2017, a majority of the members of the Committee on Homeland Security and Governmental Affairs' Subcommittee on Regulatory Affairs and Federal Management adopted subcommittee rules of procedure.

Consistent with Standing Rule XXVI, today I ask unanimous consent to have printed in the RECORD a copy of the rules of procedure of the Subcommittee on Regulatory Affairs and Federal Management.

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

Rules of Procedure of the Committee on Homeland Security and Governmental Affairs

SUBCOMMITTEE ON REGULATORY AFFAIRS AND FEDERAL MANAGEMENT

(1) SUBCOMMITTEE RULES. The Subcommittee shall be governed, where applicable, by the rules of the Committee on Homeland Security and Governmental Affairs and the Standing Rules of the Senate.

(2) QUORUMS. For public or executive sessions, one Member of the Subcommittee shall constitute a quorum for the administering of oaths and the taking of testimony in any given case or subject matter. One-third of the Members of the Subcommittee

shall constitute a quorum for the transaction of business other than the administering of oaths and the taking of testimony, provided that one Member of the minority is present. Proxies shall not be considered for the establishment of a quorum.

(3) TAKING TESTIMONY. All witnesses at public or executive hearings who testify to matters of fact shall be sworn.

(4) SUBCOMMITTEE SUBPOENAS. Subpoenas for witnesses, as well as documents and records, may be authorized and issued by the Chairman, or any other Member of the Subcommittee designated by him or her, with the approval of the Ranking Minority Member of the Subcommittee, provided that the Chairman may subpoena attendance or production without the approval of the Ranking Minority Member where the Chairman or a staff officer designated by him/her has not received notification from the Ranking Minority Member or a staff officer designated by him/her of disapproval of the subpoena within 24 hours excluding Saturdays and Sundays, of being notified of the subpoena. If the subpoena is disapproved by the Ranking Minority Member as provided herein, the subpoena may be authorized by a vote of the Members of the Subcommittee.

A written notice of intent to issue a subpoena shall be provided to the Chairman and Ranking Minority Member of the full Committee on Homeland Security and Governmental Affairs, or staff officers designated by them, by the Subcommittee Chairman, or a staff officer designated by him or her, immediately upon such authorization, and no subpoena shall be issued for at least 48 hours, excluding Saturdays and Sundays, from delivery to appropriate offices, unless the Chairman and Ranking Minority Member waive the 48 hour waiting period or unless the Subcommittee Chairman certifies in writing to the Chairman and Ranking Minority Member that, in his or her opinion, it is necessary to issue the subpoena immediately.

BAHRAIN

Mr. WYDEN. Mr. President. 6 years ago this month, more than 100,000 Bahrainis of all ages and backgrounds joined together to protest their government. Although these men and women took to the streets peacefully, they were met with violence as the regime unleashed its state security forces. Using threats and intimidation, tear gas, live ammunition, and even torture, the regime brutally repressed the peaceful demonstrations. Following widespread international condemnation, the regime agreed to create an independent body to look into the crackdown and propose reforms—the Bahrain Independent Commission of Inquiry or BICI—and when the BICI came back with 26 recommendations, the KING promised to urgently implement them all.

Six years later, the regime has not upheld that commitment. When our own State Department last reported on each BICI recommendation, it could only identify a handful that had been fully implemented—a far cry from the regime's claim of full implementation. The chairman of the BICI admitted last year that most recommendations have

not been fully implemented. NGOs following these issues have been even more critical, noting with alarm that the regime has actually reversed BICI recommendations. Earlier this year, for example, the regime restored the power to arrest and detain Bahrainis to Bahrain's National Security Agency—a power that had been stripped following the BICI report's recommendation in 2011.

That decision follows a year in which the regime has moved aggressively to close the space for peaceful opposition. Since last February, the regime disbanded the largest opposition party, al-Wifaq, doubled the prison sentence of the party's leader, Sheikh Ali Salman, and detained numerous human rights advocates like Nabeel Rajab simply for speaking out. Advocates told my staff recently that the regime's escalating violence over the past year reached levels unseen since the 2011 protests.

The United States should not hesitate to raise its voice when foreign governments clamp down on speech and expression. This is even truer when the government in question is a U.S. ally, as the Bahrain regime is. I was disappointed that more administration officials did not appear to share this view with respect to Bahrain. Indeed the State Department chose to lift self-imposed holds on weapons sales to Bahrain in 2015, a decision that I and many in the advocacy community saw as rewarding bad behavior and incentivizing more of it. In fact, I introduced bipartisan legislation last Congress that would have reinstated the ban on certain weapons sales until the administration could certify that the regime had implemented all 26 BICI recommendations. Congress adjourned last December without passing our bill, but I intend to resume my efforts this Congress.

As I sometimes remind my colleagues here, my goal here is neither to insult nor to undermine a U.S. ally. My hope is that someday I will be able to stop reading these statements into the record every February because the Bahraini regime has stopped repressing its citizens and has instead entered into a real and inclusive dialogue with them. Unfortunately, this regime has shown itself so unwilling to pursue dialogue and reconciliation that I must continue my calls for accountability. For that reason, I speak out today, on the sixth anniversary of the peaceful uprising, to call again for reform in Bahrain and an end to further oppression.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States was communicated to the Senate by Ms. Ridgway, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting nominations and withdrawals which were referred to the Committee on Foreign Relations.

(The message received today is printed at the end of the Senate proceedings.)

PRESIDENTIAL MESSAGE

ADDRESS BY THE PRESIDENT DELIVERED TO A JOINT SESSION OF CONGRESS ON FEBRUARY 28, 2017—PM 2

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States which was ordered to lie on the table:

To the Congress of the United States:

Mr. Speaker, Mr. Vice President, Members of Congress, the First Lady of the United States, and Citizens of America:

Tonight, as we mark the conclusion of our celebration of Black History Month, we are reminded of our Nation's path toward civil rights and the work that still remains. Recent threats targeting Jewish Community Centers and vandalism of Jewish cemeteries, as well as last week's shooting in Kansas City, remind us that while we may be a Nation divided on policies, we are a country that stands united in condemning hate and evil in all its forms.

Each American generation passes the torch of truth, liberty and justice—in an unbroken chain all the way down to the present.

That torch is now in our hands. And we will use it to light up the world. I am here tonight to deliver a message of unity and strength, and it is a message deeply delivered from my heart.

A new chapter of American Greatness is now beginning.

A new national pride is sweeping across our Nation.

And a new surge of optimism is placing impossible dreams firmly within our grasp.

What we are witnessing today is the Renewal of the American Spirit.

Our allies will find that America is once again ready to lead.

All the nations of the world—friend or foe—will find that America is strong, America is proud, and America is free.

In 9 years, the United States will celebrate the 250th anniversary of our founding—250 years since the day we declared our Independence.

It will be one of the great milestones in the history of the world.

But what will America look like as we reach our 250th year? What kind of country will we leave for our children?

I will not allow the mistakes of recent decades past to define the course of our future.

For too long, we've watched our middle class shrink as we've exported our jobs and wealth to foreign countries.

We've financed and built one global project after another, but ignored the fates of our children in the inner cities of Chicago, Baltimore, Detroit—and so many other places throughout our land.

We've defended the borders of other nations, while leaving our own borders wide open, for anyone to cross—and for drugs to pour in at a now unprecedented rate.

And we've spent trillions of dollars overseas, while our infrastructure at home has so badly crumbled.

Then, in 2016, the earth shifted beneath our feet. The rebellion started as a quiet protest, spoken by families of all colors and creeds—families who just wanted a fair shot for their children, and a fair hearing for their concerns.

But then the quiet voices became a loud chorus—as thousands of citizens now spoke out together, from cities small and large, all across our country.

Finally, the chorus became an earthquake—and the people turned out by the tens of millions, and they were all united by one very simple, but crucial demand, that America must put its own citizens first . . . because only then, can we truly MAKE AMERICA GREAT AGAIN.

Dying industries will come roaring back to life. Heroic veterans will get the care they so desperately need.

Our military will be given the resources its brave warriors so richly deserve.

Crumbling infrastructure will be replaced with new roads, bridges, tunnels, airports and railways gleaming across our beautiful land.

Our terrible drug epidemic will slow down and ultimately, stop.

And our neglected inner cities will see a rebirth of hope, safety, and opportunity.

Above all else, we will keep our promises to the American people.

It's been a little over a month since my inauguration, and I want to take this moment to update the Nation on the progress I've made in keeping those promises.

Since my election, Ford, Fiat-Chrysler, General Motors, Sprint, Softbank, Lockheed, Intel, Walmart, and many others, have announced that they will invest billions of dollars in the United States and will create tens of thousands of new American jobs.

The stock market has gained almost three trillion dollars in value since the election on November 8th, a record. We've saved taxpayers hundreds of millions of dollars by bringing down the price of the fantastic new F-35 jet fighter, and will be saving billions more dollars on contracts all across

our Government. We have placed a hiring freeze on non-military and non-essential Federal workers.

We have begun to drain the swamp of government corruption by imposing a 5 year ban on lobbying by executive branch officials—and a lifetime ban on becoming lobbyists for a foreign government.

We have undertaken a historic effort to eliminate job-crushing regulations, creating a deregulation task force inside of every Government agency; imposing a new rule which mandates that for every 1 new regulation, 2 old regulations must be eliminated; and stopping a regulation that threatens the future and livelihoods of our great coal miners.

We have cleared the way for the construction of the Keystone and Dakota Access Pipelines—thereby creating tens of thousands of jobs—and I've issued a new directive that new American pipelines be made with American steel.

We have withdrawn the United States from the job-killing Trans-Pacific Partnership.

With the help of Prime Minister Justin Trudeau, we have formed a Council with our neighbors in Canada to help ensure that women entrepreneurs have access to the networks, markets and capital they need to start a business and live out their financial dreams.

To protect our citizens, I have directed the Department of Justice to form a Task Force on Reducing Violent Crime.

I have further ordered the Departments of Homeland Security and Justice, along with the Department of State and the Director of National Intelligence, to coordinate an aggressive strategy to dismantle the criminal cartels that have spread across our Nation.

We will stop the drugs from pouring into our country and poisoning our youth—and we will expand treatment for those who have become so badly addicted.

At the same time, my Administration has answered the pleas of the American people for immigration enforcement and border security. By finally enforcing our immigration laws, we will raise wages, help the unemployed, save billions of dollars, and make our communities safer for everyone. We want all Americans to succeed—but that can't happen in an environment of lawless chaos. We must restore integrity and the rule of law to our borders.

For that reason, we will soon begin the construction of a great wall along our southern border.

As we speak, we are removing gang members, drug dealers and criminals that threaten our communities and prey on our citizens. Bad ones are going out as I speak tonight and as I have promised.

To any in Congress who do not believe we should enforce our laws, I would ask you this question: what would you say to the American family that loses their jobs, their income, or a loved one, because America refused to uphold its laws and defend its borders?

Our obligation is to serve, protect, and defend the citizens of the United States. We are also taking strong measures to protect our Nation from Radical Islamic Terrorism.

According to data provided by the Department of Justice, the vast majority of individuals convicted for terrorism-related offenses since 9/11 came here from outside of our country. We have seen the attacks at home—from Boston to San Bernardino to the Pentagon and yes, even the World Trade Center.

We have seen the attacks in France, in Belgium, in Germany and all over the world.

It is not compassionate, but reckless, to allow uncontrolled entry from places where proper vetting cannot occur. Those given the high honor of admission to the United States should support this country and love its people and its values.

We cannot allow a beachhead of terrorism to form inside America—we cannot allow our Nation to become a sanctuary for extremists.

That is why my Administration has been working on improved vetting procedures, and we will shortly take new steps to keep our Nation safe—and to keep out those who would do us harm.

As promised, I directed the Department of Defense to develop a plan to demolish and destroy ISIS—a network of lawless savages that have slaughtered Muslims and Christians, and men, women, and children of all faiths and beliefs. We will work with our allies, including our friends and allies in the Muslim world, to extinguish this vile enemy from our planet.

I have also imposed new sanctions on entities and individuals who support Iran's ballistic missile program, and reaffirmed our unbreakable alliance with the State of Israel.

Finally, I have kept my promise to appoint a Justice to the United States Supreme Court—from my list of 20 judges—who will defend our Constitution. I am honored to have Maureen Scalia with us in the gallery tonight. Her late, great husband, Antonin Scalia, will forever be a symbol of American justice. To fill his seat, we have chosen Judge Neil Gorsuch, a man of incredible skill, and deep devotion to the law. He was confirmed unanimously to the Court of Appeals, and I am asking the Senate to swiftly approve his nomination.

Tonight, as I outline the next steps we must take as a country, we must honestly acknowledge the circumstances we inherited.

Ninety-four million Americans are out of the labor force. Over 43 million

people are now living in poverty, and over 43 million Americans are on food stamps.

More than 1 in 5 people in their prime working years are not working.

We have the worst financial recovery in 65 years.

In the last 8 years, the past Administration has put on more new debt than nearly all other Presidents combined.

We've lost more than one-fourth of our manufacturing jobs since NAFTA was approved, and we've lost 60,000 factories since China joined the World Trade Organization in 2001.

Our trade deficit in goods with the world last year was nearly \$800 billion dollars.

And overseas, we have inherited a series of tragic foreign policy disasters.

Solving these, and so many other pressing problems, will require us to work past the differences of party. It will require us to tap into the American spirit that has overcome every challenge throughout our long and storied history.

But to accomplish our goals at home and abroad, we must restart the engine of the American economy—making it easier for companies to do business in the United States, and much harder for companies to leave.

Right now, American companies are taxed at one of the highest rates anywhere in the world.

My economic team is developing historic tax reform that will reduce the tax rate on our companies so they can compete and thrive anywhere and with anyone. At the same time, we will provide massive tax relief for the middle class.

We must create a level playing field for American companies and workers.

Currently, when we ship products out of America, many other countries make us pay very high tariffs and taxes—but when foreign companies ship their products into America, we charge them almost nothing.

I just met with officials and workers from a great American company, Harley-Davidson. In fact, they proudly displayed five of their magnificent motorcycles, made in the USA, on the front lawn of the White House.

At our meeting, I asked them, how are you doing, how is business? They said that it's good. I asked them further how they are doing with other countries, mainly international sales. They told me—without even complaining because they have been mistreated for so long that they have become used to it—that it is very hard to do business with other countries because they tax our goods at such a high rate. They said that in one case another country taxed their motorcycles at 100 percent.

They weren't even asking for change. But I am.

I believe strongly in free trade but it also has to be FAIR TRADE.

The first Republican President, Abraham Lincoln, warned that the “abandonment of the protective policy by the American Government [will] produce want and ruin among our people.”

Lincoln was right—and it is time we heeded his words. I am not going to let America and its great companies and workers, be taken advantage of anymore.

I am going to bring back millions of jobs. Protecting our workers also means reforming our system of legal immigration. The current, outdated system depresses wages for our poorest workers, and puts great pressure on taxpayers.

Nations around the world, like Canada, Australia and many others—have a merit-based immigration system. It is a basic principle that those seeking to enter a country ought to be able to support themselves financially. Yet, in America, we do not enforce this rule, straining the very public resources that our poorest citizens rely upon. According to the National Academy of Sciences, our current immigration system costs America’s taxpayers many billions of dollars a year.

Switching away from this current system of lower-skilled immigration, and instead adopting a merit-based system, will have many benefits: it will save countless dollars, raise workers’ wages, and help struggling families—including immigrant families—enter the middle class.

Another Republican President, Dwight D. Eisenhower, initiated the last truly great national infrastructure program—the building of the interstate highway system. The time has come for a new program of national rebuilding.

America has spent approximately six trillion dollars in the Middle East, all this while our infrastructure at home is crumbling. With this six trillion dollars we could have rebuilt our country—twice. And maybe even three times if we had people who had the ability to negotiate.

To launch our national rebuilding, I will be asking the Congress to approve legislation that produces a \$1 trillion investment in the infrastructure of the United States—financed through both public and private capital—creating millions of new jobs.

This effort will be guided by two core principles: Buy American, and Hire American.

Tonight, I am also calling on this Congress to repeal and replace Obamacare with reforms that expand choice, increase access, lower costs, and at the same time, provide better Healthcare.

Mandating every American to buy government-approved health insurance was never the right solution for America. The way to make health insurance available to everyone is to lower the

cost of health insurance, and that is what we will do.

Obamacare premiums nationwide have increased by double and triple digits. As an example, Arizona went up 116 percent last year alone. Governor Matt Bevin of Kentucky just said Obamacare is failing in his State—it is unsustainable and collapsing.

One third of counties have only one insurer on the exchanges—leaving many Americans with no choice at all.

Remember when you were told that you could keep your doctor, and keep your plan?

We now know that all of those promises have been broken.

Obamacare is collapsing—and we must act decisively to protect all Americans. Action is not a choice—it is a necessity.

So I am calling on all Democrats and Republicans in the Congress to work with us to save Americans from this imploding Obamacare disaster.

Here are the principles that should guide the Congress as we move to create a better healthcare system for all Americans:

First, we should ensure that Americans with pre-existing conditions have access to coverage, and that we have a stable transition for Americans currently enrolled in the healthcare exchanges.

Secondly, we should help Americans purchase their own coverage, through the use of tax credits and expanded Health Savings Accounts—but it must be the plan they want, not the plan forced on them by the Government.

Thirdly, we should give our great State Governors the resources and flexibility they need with Medicaid to make sure no one is left out.

Fourthly, we should implement legal reforms that protect patients and doctors from unnecessary costs that drive up the price of insurance—and work to bring down the artificially high price of drugs and bring them down immediately.

Finally, the time has come to give Americans the freedom to purchase health insurance across State lines—creating a truly competitive national marketplace that will bring cost way down and provide far better care.

Everything that is broken in our country can be fixed. Every problem can be solved. And every hurting family can find healing, and hope.

Our citizens deserve this, and so much more—so why not join forces to finally get it done? On this and so many other things, Democrats and Republicans should get together and unite for the good of our country, and for the good of the American people.

My administration wants to work with members in both parties to make childcare accessible and affordable, to help ensure new parents have paid family leave, to invest in women’s health, and to promote clean air and clear

water, and to rebuild our military and our infrastructure.

True love for our people requires us to find common ground, to advance the common good, and to cooperate on behalf of every American child who deserves a brighter future.

An incredible young woman is with us this evening who should serve as an inspiration to us all.

Today is Rare Disease day, and joining us in the gallery is a Rare Disease Survivor, Megan Crowley. Megan was diagnosed with Pompe Disease, a rare and serious illness, when she was 15 months old. She was not expected to live past 5.

On receiving this news, Megan’s dad, John, fought with everything he had to save the life of his precious child. He founded a company to look for a cure, and helped develop the drug that saved Megan’s life. Today she is 20 years old—and a sophomore at Notre Dame.

Megan’s story is about the unbounded power of a father’s love for a daughter.

But our slow and burdensome approval process at the Food and Drug Administration keeps too many advances, like the one that saved Megan’s life, from reaching those in need.

If we slash the restraints, not just at the FDA but across our Government, then we will be blessed with far more miracles like Megan.

In fact, our children will grow up in a Nation of miracles. But to achieve this future, we must enrich the mind—and the souls—of every American child.

Education is the civil rights issue of our time.

I am calling upon Members of both parties to pass an education bill that funds school choice for disadvantaged youth, including millions of African-American and Latino children. These families should be free to choose the public, private, charter, magnet, religious or home school that is right for them.

Joining us tonight in the gallery is a remarkable woman, Denisha Merriweather. As a young girl, Denisha struggled in school and failed third grade twice. But then she was able to enroll in a private center for learning, with the help of a tax credit scholarship program. Today, she is the first in her family to graduate, not just from high school, but from college. Later this year she will get her masters degree in social work.

We want all children to be able to break the cycle of poverty just like Denisha.

But to break the cycle of poverty, we must also break the cycle of violence.

The murder rate in 2015 experienced its largest single-year increase in nearly half a century.

In Chicago, more than 4,000 people were shot last year alone—and the murder rate so far this year has been even higher.

This is not acceptable in our society. Every American child should be able to grow up in a safe community, to attend a great school, and to have access to a high-paying job.

But to create this future, we must work with—not against—the men and women of law enforcement.

We must build bridges of cooperation and trust—not drive the wedge of disunity and division.

Police and sheriffs are members of our community. They are friends and neighbors, they are mothers and fathers, sons and daughters—and they leave behind loved ones every day who worry whether or not they'll come home safe and sound.

We must support the incredible men and women of law enforcement.

And we must support the victims of crime.

I have ordered the Department of Homeland Security to create an office to serve American Victims. The office is called VOICE—Victims Of Immigration Crime Engagement. We are providing a voice to those who have been ignored by our media, and silenced by special interests.

Joining us in the audience tonight are four very brave Americans whose government failed them.

Their names are Jamiel Shaw, Susan Oliver, Jenna Oliver, and Jessica Davis.

Jamiel's 17-year-old son was viciously murdered by an illegal immigrant gang member, who had just been released from prison. Jamiel Shaw Jr. was an incredible young man, with unlimited potential who was getting ready to go to college where he would have excelled as a great quarterback. But he never got the chance. His father, who is in the audience tonight, has become a good friend of mine.

Also with us are Susan Oliver and Jessica Davis. Their husbands—Deputy Sheriff Danny Oliver and Detective Michael Davis—were slain in the line of duty in California. They were pillars of their community. These brave men were viciously gunned down by an illegal immigrant with a criminal record and two prior deportations.

Sitting with Susan is her daughter, Jenna. Jenna: I want you to know that your father was a hero, and that tonight you have the love of an entire country supporting you and praying for you.

To Jamiel, Jenna, Susan and Jessica: I want you to know—we will never stop fighting for justice. Your loved ones will never be forgotten, we will always honor their memory.

Finally, to keep America Safe we must provide the men and women of the United States military with the tools they need to prevent war and—if they must—to fight and to win.

I am sending the Congress a budget that rebuilds the military, eliminates the Defense sequester, and calls for one of the largest increases in national defense spending in American history.

My budget will also increase funding for our veterans.

Our veterans have delivered for this Nation—and now we must deliver for them.

The challenges we face as a Nation are great. But our people are even greater.

And none are greater or braver than those who fight for America in uniform.

We are blessed to be joined tonight by Carryn Owens, the widow of a U.S. Navy Special Operator, Senior Chief William "Ryan" Owens. Ryan died as he lived: a warrior, and a hero—battling against terrorism and securing our Nation.

I just spoke to General Mattis, who reconfirmed that, and I quote, "Ryan was a part of a highly successful raid that generated large amounts of vital intelligence that will lead to many more victories in the future against our enemies." Ryan's legacy is etched into eternity. For as the Bible teaches us, there is no greater act of love than to lay down one's life for one's friends. Ryan laid down his life for his friends, for his country, and for our freedom—we will never forget him.

To those allies who wonder what kind of friend America will be, look no further than the heroes who wear our uniform.

Our foreign policy calls for a direct, robust and meaningful engagement with the world. It is American leadership based on vital security interests that we share with our allies across the globe.

We strongly support NATO, an alliance forged through the bonds of two World Wars that dethroned fascism, and a Cold War that defeated communism.

But our partners must meet their financial obligations.

And now, based on our very strong and frank discussions, they are beginning to do just that.

We expect our partners, whether in NATO, in the Middle East, or the Pacific—to take a direct and meaningful role in both strategic and military operations, and pay their fair share of the cost.

We will respect historic institutions, but we will also respect the sovereign rights of nations.

Free nations are the best vehicle for expressing the will of the people—and America respects the right of all nations to chart their own path. My job is not to represent the world. My job is to represent the United States of America. But we know that America is better off, when there is less conflict—not more.

We must learn from the mistakes of the past—we have seen the war and destruction that have raged across our world.

The only long-term solution for these humanitarian disasters is to create the

conditions where displaced persons can safely return home and begin the long process of rebuilding.

America is willing to find new friends, and to forge new partnerships, where shared interests align. We want harmony and stability, not war and conflict.

We want peace, wherever peace can be found. America is friends today with former enemies. Some of our closest allies, decades ago, fought on the opposite side of these World Wars. This history should give us all faith in the possibilities for a better world.

Hopefully, the 250th year for America will see a world that is more peaceful, more just and more free.

On our 100th anniversary, in 1876, citizens from across our Nation came to Philadelphia to celebrate America's centennial. At that celebration, the country's builders and artists and inventors showed off their creations.

Alexander Graham Bell displayed his telephone for the first time.

Remington unveiled the first typewriter. An early attempt was made at electric light.

Thomas Edison showed an automatic telegraph and an electric pen.

Imagine the wonders our country could know in America's 250th year.

Think of the marvels we can achieve if we simply set free the dreams of our people.

Cures to illnesses that have always plagued us are not too much to hope.

American footprints on distant worlds are not too big a dream.

Millions lifted from welfare to work is not too much to expect.

And streets where mothers are safe from fear—schools where children learn in peace—and jobs where Americans prosper and grow—are not too much to ask.

When we have all of this, we will have made America greater than ever before. For all Americans.

This is our vision. This is our mission.

But we can only get there together.

We are one people, with one destiny. We all bleed the same blood.

We all salute the same flag.

And we are all made by the same God.

And when we fulfill this vision; when we celebrate our 250 years of glorious freedom, we will look back on tonight as when this new chapter of American Greatness began.

The time for small thinking is over. The time for trivial fights is behind us.

We just need the courage to share the dreams that fill our hearts.

The bravery to express the hopes that stir our souls.

And the confidence to turn those hopes and dreams to action.

From now on, America will be empowered by our aspirations, not burdened by our fears—inspired by the future, not bound by the failures of the

past—and guided by our vision, not blinded by our doubts.

I am asking all citizens to embrace this Renewal of the American Spirit. I am asking all members of Congress to join me in dreaming big, and bold and daring things for our country.

And I am asking everyone watching tonight to seize this moment and—

Believe in yourselves.

Believe in your future.

And believe, once more, in America.

Thank you, God bless you, and God Bless these United States.

DONALD TRUMP.

THE WHITE HOUSE, February 28, 2017.

MESSAGES FROM THE HOUSE

At 11:05 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 88. An act to modify the boundary of the Shiloh National Military Park located in Tennessee and Mississippi, to establish Parker's Crossroads Battlefield as an affiliated area of the National Park System, and for other purposes.

H.R. 228. An act to amend the Indian Employment, Training and Related Services Demonstration Act of 1992 to facilitate the ability of Indian tribes to integrate the employment, training, and related services from diverse Federal sources, and for other purposes.

H.R. 699. An act to amend the Omnibus Public Land Management Act of 2009 to modify provisions relating to certain land exchanges in the Mt. Hood Wilderness in the State of Oregon.

H.R. 863. An act to facilitate the addition of park administration at the Coltsville National Historical Park, and for other purposes.

H.R. 1033. An act to amend titles 5 and 28, United States Code, to require the maintenance of databases on, awards of fees and other expenses to prevailing parties in certain administrative proceedings and court cases to which the United States is a party, and for other purposes.

The message also announced that pursuant to 20 U.S.C. 2103(b), and the order of the House of January 3, 2017, the Speaker appoints the following individual to the Board of Trustees of the American Folklife Center in the Library of Congress on the part of the House of Representatives for a term of 6 years: Ms. Amy Kitchener of Fresno, California.

ENROLLED BILL SIGNED

At 2:16 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker had signed the following enrolled bill:

H.R. 609. An act to designate the Department of Veterans Affairs health care center in Center Township, Butler County, Pennsylvania, as the "Abie Abraham VA Clinic".

The enrolled bill was subsequently signed by the President pro tempore (Mr. HATCH).

MEASURES REFERRED

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

H.R. 88. An act to modify the boundary of the Shiloh National Military Park located in Tennessee and Mississippi, to establish Parker's Crossroads Battlefield as an affiliated area of the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 699. An act to amend the Omnibus Public Land Management Act of 2009 to modify provisions relating to certain land exchanges in the Mt. Hood Wilderness in the State of Oregon; to the Committee on Energy and Natural Resources.

H.R. 863. An act to facilitate the addition of park administration at the Coltsville National Historical Park, and for other purposes; to the Committee on Energy and Natural Resources.

MEASURES DISCHARGED

The following bill was discharged from the Committee on the Judiciary and referred as indicated:

S. 90. A bill to survey the gradient boundary along the Red River in the States of Oklahoma and Texas, and for other purposes; to the Committee on Energy and Natural Resources.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-844. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Thiamethoxam; Pesticide Tolerance" (FRL No. 9957-00) received during adjournment of the Senate in the Office of the President of the Senate on February 22, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-845. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Agricultural Bioterrorism Protection Act of 2002; Biennial Review and Republication of the Select Agent and Toxin List; Amendments to the Select Agent and Toxin Regulations; Delay of Effective Date" ((RIN0579-AE08) (Docket No. APHIS-2014-0095)) received during adjournment of the Senate in the Office of the President of the Senate on February 22, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-846. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "VNT1 Protein in Potato; Exemption from the Requirement of a Tolerance" (FRL No. 9957-97) received in the Office of the President of the Senate on February 27, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-847. A communication from the Deputy Assistant Secretary of Defense, performing the duties of the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report enti-

tled "Strategic and Critical Materials 2017 Report on Stockpile Requirements"; to the Committee on Armed Services.

EC-848. A communication from the Deputy Assistant Secretary of Defense, performing the duties of the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report entitled "Strategic and Critical Materials Operation Report to Congress: Operations Under the Strategic and Critical Materials Stock Piling Act During Fiscal Year 2016"; to the Committee on Armed Services.

EC-849. A communication from the Deputy Assistant Secretary of Defense, performing the duties of the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report relative to the fiscal year 2016 report on Department of Defense purchases from foreign entities; to the Committee on Armed Services.

EC-850. A communication from the Principal Civilian Deputy Assistant Secretary of the Navy (Research, Development, and Acquisition), performing the duties of the Assistant Secretary of the Navy (Research, Development and Acquisition), transmitting, pursuant to law, a report relative to all repairs and maintenance performed on any covered Navy vessel in any shipyard outside the United States or Guam during the preceding fiscal year; to the Committee on Armed Services.

EC-851. A communication from the Deputy Assistant Secretary of Defense for Military Personnel Policy, performing the duties of the Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, the Annual Report of the Reserve Forces Policy Board for 2016; to the Committee on Armed Services.

EC-852. A communication from the Secretary of Defense, transmitting a report on the approved retirement of General Herbert J. Carlisle, United States Air Force, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

EC-853. A communication from the Acting Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Ukraine that was originally declared in Executive Order 13660 of March 6, 2014; to the Committee on Banking, Housing, and Urban Affairs.

EC-854. A communication from the Acting Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Venezuela that was originally declared in Executive Order 13692 of March 8, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC-855. A communication from the Acting Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to persons undermining democratic processes or institutions in Zimbabwe that was declared in Executive Order 13288 of March 6, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC-856. A communication from the Assistant to the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled "Rules of Practice for Hearings" (RIN7100-AE55) received during adjournment of the Senate in the Office of the President of the Senate on February 22, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-857. A communication from the Chair of the Board of Governors, Federal Reserve

System, transmitting, pursuant to law, the Board's semiannual Monetary Policy Report to Congress; to the Committee on Banking, Housing, and Urban Affairs.

EC-858. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to Procedure 2—Quality Assurance Requirements for Particulate Matter Continuous Emission Monitoring Systems at Stationary Sources" (FRL No. 9959-43-OAR) received during adjournment of the Senate in the Office of the President of the Senate on February 22, 2017; to the Committee on Environment and Public Works.

EC-859. A communication from the Acting Administrator of the Environmental Protection Agency, transmitting, pursuant to law, a report entitled "Fiscal Year 2015 Superfund Five-Year Review Report to Congress"; to the Committee on Environment and Public Works.

EC-860. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Advancing Care Coordination Through Episode Payment Models (EPMs); Cardiac Rehabilitation Incentive Payment Model; and Changes to the Comprehensive Care for Joint Replacement Model; Delay of Effective Date" ((RIN0938-AS90) (CMS-5519-F2)) received during adjournment of the Senate in the Office of the President of the Senate on February 22, 2017; to the Committee on Finance.

EC-861. A communication from the Regulations Coordinator, Division of Global Migration and Quarantine, Centers for Disease Control and Prevention, transmitting, pursuant to law, the report of a rule entitled "Control of Communicable Diseases; Delay of Effective Date" (RIN0920-AA63) received during adjournment of the Senate in the Office of the President of the Senate on February 22, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-862. A communication from the Regulations Coordinator, Substance Abuse and Mental Health Services Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Confidentiality of Substance Use Disorder; Delay of Effective Date" (RIN0930-AA21) received during adjournment of the Senate in the Office of the President of the Senate on February 22, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-863. A communication from the Regulations Coordinator, Division of Select Agents and Toxins, Centers for Disease Control and Prevention, transmitting, pursuant to law, the report of a rule entitled "Possession, Use, and Transfer of Select Agents and Toxins; Biennial Review and Enhanced Biosafety Requirements; Delay of Effective Date" (RIN0920-AA59) received during adjournment of the Senate in the Office of the President of the Senate on February 22, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-864. A communication from the Regulations Coordinator, Health Resources and Services Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "National Vaccine Injury Compensation Program: Revisions to the Vaccine Injury Table; Delay of Effective Date" (RIN0906-AB01) received during adjournment of the Senate in the Office of the President of the Senate on

February 22, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-865. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-597, "Notice in Case of Emergency Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-866. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-610, "William Jackson Way Designation Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-867. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-611, "Closing of a Public Alley in Square 126, S.O. 14-17521, Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-868. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-612, "Washington Metropolitan Area Transit Authority Compact Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-869. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-613, "Extension of Time to Dispose of the Strand Theater Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-870. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-614, "Janice Wade McCree Way Designation Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-871. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-615, "Closing of a Public Alley in Square 453, S.O. 14-17847, Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-872. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-616, "Council Independent Authority Clarification Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-873. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-617, "Skyland Town Center Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-874. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-618, "Medical Marijuana Dispensary Temporary Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-875. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-619, "Campaign Finance Reform and Transparency Temporary Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-876. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report

on D.C. Act 21-643, "Certified Business Enterprise Bonding Liability Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-877. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-644, "Healthy Public Buildings Assessment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-878. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-660, "Youth Services Coordination Task Force Temporary Amendment Act of 2017"; to the Committee on Homeland Security and Governmental Affairs.

EC-879. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-661, "Medical Respite Services Exemption Temporary Amendment Act of 2017"; to the Committee on Homeland Security and Governmental Affairs.

EC-880. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-662, "Chancellor of the District of Columbia Public Schools Salary and Benefits Authorization Temporary Amendment Act of 2017"; to the Committee on Homeland Security and Governmental Affairs.

EC-881. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-663, "Pharmaceutical Detailing Licensure Exemption Temporary Amendment Act of 2017"; to the Committee on Homeland Security and Governmental Affairs.

EC-882. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-667, "Stun Gun Regulation Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-883. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-675, "Fisheries and Wildlife Omnibus Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-884. A communication from the Deputy Chief Information Security Officer, Department of Homeland Security, transmitting, pursuant to law, the Department's 2015 Federal Information Security Management Act (FISMA) and Agency Privacy Management Report; to the Committee on Homeland Security and Governmental Affairs.

EC-885. A communication from the Secretary of the Commission, Bureau of Competition, Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled "Revised Jurisdictional Thresholds for Section 7A of the Clayton Act" received in the Office of the President of the Senate on February 15, 2017; to the Committee on the Judiciary.

EC-886. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), FM Table of Allotments, FM Broadcast Stations (Roma and San Isidro, Texas)" ((MB Docket No. 05-142) (DA 17-124)) received in the Office of the President of the Senate on February 17, 2017; to the Committee on Commerce, Science, and Transportation.

EC-887. A communication from the Acting Administrator, Transportation Security Administration, Department of Homeland Security, transmitting, pursuant to law, a report relative to the Administration's decision to enter into a contract with a private security screening company to provide screening services at Joe Foss Field Sioux Falls Regional Airport (FSD); to the Committee on Commerce, Science, and Transportation.

EC-888. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Revisions to Public Inspection File Requirements—Broadcaster Correspondence File and Cable Principal Headend Location" ((MB Docket No. 16-161) (FCC 17-3)) received during adjournment of the Senate in the Office of the President of the Senate on February 22, 2017; to the Committee on Commerce, Science, and Transportation.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. HELLER (for himself, Mr. HEITKAMP, Mr. DONNELLY, and Mr. TOOMEY):

S. 462. A bill to require the Securities and Exchange Commission to refund or credit certain excess payments made to the Commission; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CORNYN (for himself and Mr. CARPER):

S. 463. A bill to amend title XVIII of the Social Security Act to establish a national Oncology Medical Home Demonstration Project under the Medicare program for the purpose of changing the Medicare payment for cancer care in order to enhance the quality of care and to improve cost efficiency, and for other purposes; to the Committee on Finance.

By Mr. MARKEY (for himself, Mr. PORTMAN, Mr. BENNET, and Mr. CORNYN):

S. 464. A bill to amend title XVIII of the Social Security Act to provide for a permanent Independence at Home medical practice program under the Medicare program; to the Committee on Finance.

By Mr. ROUNDS:

S. 465. A bill to provide for an independent outside audit of the Indian Health Service; to the Committee on Indian Affairs.

By Mr. FLAKE (for himself and Mr. MCCAIN):

S. 466. A bill to clarify the description of certain Federal land under the Northern Arizona Land Exchange and Verde River Basin Partnership Act of 2005 to include additional land in the Kaibab National Forest; to the Committee on Energy and Natural Resources.

By Mr. FLAKE:

S. 467. A bill to provide for the disposal of certain Bureau of Land Management land in Mohave County, Arizona, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. FLAKE (for himself, Mr. MCCAIN, Mr. HELLER, and Mr. HATCH):

S. 468. A bill to establish a procedure for resolving claims to certain rights-of-way; to the Committee on Energy and Natural Resources.

By Mr. SANDERS (for himself, Mr. BOOKER, Mr. CASEY, Mr. HEINRICH, Mr. KING, Mr. WHITEHOUSE, Ms. KLOBUCHAR, Mrs. GILLIBRAND, Mr. BROWN, Mr. REED, Mr. FRANKEN, Ms. BALDWIN, Ms. HASSAN, Mr. UDALL, Ms. STABENOW, Mrs. SHAHEEN, Ms. CANTWELL, Mr. VAN HOLLEN, Mr. BLUMENTHAL, and Mr. MANCHIN):

S. 469. A bill to amend the Federal Food, Drug, and Cosmetic Act to allow for the importation of affordable and safe drugs by wholesale distributors, pharmacies, and individuals; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CASEY (for himself, Mr. WYDEN, Mr. BROWN, Ms. STABENOW, Mrs. MURRAY, Mr. CARDIN, and Mr. MENENDEZ):

S. 470. A bill to amend the Internal Revenue Code of 1986 to enhance the Child and Dependent Care Tax Credit and make the credit fully refundable; to the Committee on Finance.

By Mr. TESTER:

S. 471. A bill to preserve State authority to regulate air carriers providing air ambulance service; to the Committee on Commerce, Science, and Transportation.

By Mr. MORAN:

S. 472. A bill to lift the trade embargo on Cuba, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. TESTER (for himself, Mr. FRANKEN, Mr. VAN HOLLEN, Ms. HASSAN, and Ms. KLOBUCHAR):

S. 473. A bill to amend title 38, United States Code, to make qualification requirements for entitlement to Post-9/11 Education Assistance more equitable, to improve support of veterans receiving such educational assistance, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. GRAHAM (for himself, Mr. BLUNT, Mr. COTTON, Mr. SCOTT, Mr. CRUZ, Mr. BURR, Mr. THUNE, Mr. RUBIO, and Mr. BOOZMAN):

S. 474. A bill to condition assistance to the West Bank and Gaza on steps by the Palestinian Authority to end violence and terrorism against Israeli citizens; to the Committee on Foreign Relations.

By Mr. UDALL (for himself and Mr. HEINRICH):

S. 475. A bill to increase research, education, and treatment for cerebral cavernous malformations; to the Committee on Health, Education, Labor, and Pensions.

By Mr. RUBIO:

S. 476. A bill to exempt health insurance of residents of United States territories from the annual fee on health insurance providers; to the Committee on Finance.

By Mr. DURBIN (for himself and Mr. CASEY):

S. 477. A bill to amend the Public Health Service Act to coordinate Federal congenital heart disease research and surveillance efforts and to improve public education and awareness of congenital heart disease, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ALEXANDER (for himself, Mr. CASSIDY, Mr. COTTON, Mr. CORNYN, Mr. MCCAIN, Mr. MCCONNELL, Mr. PERDUE, Mr. ROBERTS, Mr. WICKER, and Mr. ENZI):

S.J. Res. 25. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Education relating to accountability and State plans under the Elementary and Secondary Edu-

cation Act of 1965; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. MCCAIN (for himself and Mr. BOOKER):

S. Res. 71. A resolution expressing the sense of the Senate that John Arthur "Jack" Johnson should receive a posthumous pardon for the racially motivated conviction in 1913 that diminished the athletic, cultural, and historic significance of Jack Johnson and unduly tarnished his reputation; to the Committee on the Judiciary.

By Mr. PETERS (for himself and Ms. STABENOW):

S. Res. 72. A resolution celebrating the history of the Detroit River with the 16-year commemoration of the International Underground Railroad Memorial Monument, comprised of the Gateway to Freedom Monument in Detroit, Michigan, and the Tower of Freedom Monument in Windsor, Ontario, Canada; to the Committee on Energy and Natural Resources.

By Mr. BROWN (for himself, Mr. BARASSO, Mr. WHITEHOUSE, Ms. WARREN, Mr. MARKEY, Mr. COONS, Mr. WICKER, Mr. VAN HOLLEN, Ms. STABENOW, Mrs. FEINSTEIN, Ms. KLOBUCHAR, Mr. HATCH, and Mr. BOOKER):

S. Res. 73. A resolution designating February 28, 2017, as "Rare Disease Day"; considered and agreed to.

ADDITIONAL COSPONSORS

S. 14

At the request of Mr. HELLER, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 14, a bill to provide that Members of Congress may not receive pay after October 1 of any fiscal year in which Congress has not approved a concurrent resolution on the budget and passed the regular appropriations bills.

S. 27

At the request of Mr. CARDIN, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 27, a bill to establish an independent commission to examine and report on the facts regarding the extent of Russian official and unofficial cyber operations and other attempts to interfere in the 2016 United States national election, and for other purposes.

S. 92

At the request of Mr. MCCAIN, the names of the Senator from Wisconsin (Ms. BALDWIN), the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 92, a bill to amend the Federal Food, Drug, and Cosmetic Act to allow for the personal importation of safe and affordable drugs from approved pharmacies in Canada.

S. 96

At the request of Ms. KLOBUCHAR, the name of the Senator from Minnesota

(Mr. FRANKEN) was added as a cosponsor of S. 96, a bill to amend the Communications Act of 1934 to ensure the integrity of voice communications and to prevent unjust or unreasonable discrimination among areas of the United States in the delivery of such communications.

S. 145

At the request of Mr. HELLER, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 145, a bill to require the Secretary of the Interior and the Secretary of Agriculture to more efficiently develop domestic sources of the minerals and mineral materials of strategic and critical importance to the economic and national security and manufacturing competitiveness of the United States, and for other purposes.

S. 236

At the request of Mr. WYDEN, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 236, a bill to amend the Internal Revenue Code of 1986 to reform taxation of alcoholic beverages.

S. 242

At the request of Mr. CASSIDY, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 242, a bill to amend title 38, United States Code, to permit veterans to grant access to their records in the databases of the Veterans Benefits Administration to certain designated congressional employees, and for other purposes.

S. 253

At the request of Mr. CARDIN, the names of the Senator from Missouri (Mr. BLUNT) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. 253, a bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps.

S. 266

At the request of Mr. HATCH, the names of the Senator from North Carolina (Mr. TILLIS), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Arizona (Mr. MCCAIN), the Senator from Virginia (Mr. KAINE) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 266, a bill to award the Congressional Gold Medal to Anwar Sadat in recognition of his heroic achievements and courageous contributions to peace in the Middle East.

S. 298

At the request of Mr. TESTER, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 298, a bill to require Senate candidates to file designations, statements, and reports in electronic form.

S. 300

At the request of Mr. TESTER, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a co-

sponsor of S. 300, a bill to amend the Internal Revenue Code of 1986 to require that return information from tax-exempt organizations be made available in a searchable format and to provide the disclosure of the identity of contributors to certain tax-exempt organizations.

S. 307

At the request of Mrs. ERNST, the name of the Senator from Indiana (Mr. DONNELLY) was added as a cosponsor of S. 307, a bill to enhance the database of emergency response capabilities of the Department of Defense.

S. 329

At the request of Mr. BOOKER, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 329, a bill to place restrictions on the use of solitary confinement for juveniles in Federal custody.

S. 340

At the request of Mr. CRAPO, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of S. 340, a bill to clarify Congressional intent regarding the regulation of the use of pesticides in or near navigable waters, and for other purposes.

S. 341

At the request of Mr. GRAHAM, the names of the Senator from Florida (Mr. NELSON) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. 341, a bill to provide for congressional oversight of actions to waive, suspend, reduce, provide relief from, or otherwise limit the application of sanctions with respect to the Russian Federation, and for other purposes.

S. 379

At the request of Mr. WHITEHOUSE, the names of the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Colorado (Mr. BENNET) were added as cosponsors of S. 379, a bill to amend title II of the Social Security Act to eliminate the five month waiting period for disability insurance benefits under such title for individuals with amyotrophic lateral sclerosis.

S. 407

At the request of Mr. CRAPO, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 407, a bill to amend the Internal Revenue Code of 1986 to permanently extend the railroad track maintenance credit.

S. 422

At the request of Mrs. GILLIBRAND, the names of the Senator from California (Mrs. FEINSTEIN) and the Senator from Louisiana (Mr. KENNEDY) were added as cosponsors of S. 422, a bill to amend title 38, United States Code, to clarify presumptions relating to the exposure of certain veterans who served in the vicinity of the Republic of Vietnam, and for other purposes.

S. 438

At the request of Mr. BLUNT, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 438, a bill to encourage effective, voluntary investments to recruit, employ, and retain men and women who have served in the United States military with annual Federal awards to employers recognizing such efforts, and for other purposes.

S. 445

At the request of Ms. COLLINS, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 445, a bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 446

At the request of Mr. CORNYN, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. 446, a bill to allow reciprocity for the carrying of certain concealed firearms.

S. 455

At the request of Mr. TESTER, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 455, a bill to amend title XVIII of the Social Security Act to count resident time spent in a critical access hospital as resident time spent in a nonprovider setting for purposes of making Medicare direct and indirect graduate medical education payments.

S. 459

At the request of Mr. RUBIO, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 459, a bill to designate the area between the intersections of Wisconsin Avenue, Northwest and Davis Street, Northwest and Wisconsin Avenue, Northwest and Edmunds Street, Northwest in Washington, District of Columbia, as "Boris Nemtsov Plaza", and for other purposes.

S. RES. 70

At the request of Ms. HIRONO, the names of the Senator from Illinois (Ms. DUCKWORTH) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. Res. 70, a resolution recognizing the 75th anniversary of Executive Order 9066 and expressing the sense of the Senate that policies that discriminate against any individual based on the actual or perceived race, ethnicity, national origin, or religion of that individual would be a repetition of the mistakes of Executive Order 9066 and contrary to the values of the United States.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CORNYN (for himself and Mr. CARPER):

S. 463. A bill to amend title XVIII of the Social Security Act to establish a

national Oncology Medical Home Demonstration Project under the Medicare program for the purpose of changing the Medicare payment for cancer care in order to enhance the quality of care and to improve cost efficiency, and for other purposes; to the Committee on Finance.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 463

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Cancer Care Payment Reform Act of 2017”.

SEC. 2. ESTABLISHING AN ONCOLOGY MEDICAL HOME DEMONSTRATION PROJECT UNDER THE MEDICARE PROGRAM TO IMPROVE QUALITY OF CARE AND COST EFFICIENCY.

Title XVIII of the Social Security Act is amended by inserting after section 1866E (42 U.S.C. 1395cc-5) the following new section:

“SEC. 1866F. ONCOLOGY MEDICAL HOME DEMONSTRATION PROJECT.

“(a) ESTABLISHMENT OF DEMONSTRATION PROJECT.—Not later than 12 months after the date of the enactment of this section, the Secretary shall establish an Oncology Medical Home Demonstration Project (in this section referred to as the ‘demonstration project’) to make payments in the amounts specified in subsection (f) to each participating oncology practice (as defined in subsection (b)).

“(b) DEFINITION OF PARTICIPATING ONCOLOGY PRACTICE.—For purposes of this section, the term ‘participating oncology practice’ means an oncology practice that—

“(1) submits to the Secretary an application to participate in the demonstration project in accordance with subsection (c);

“(2) is selected by the Secretary, in accordance with subsection (d), to participate in the demonstration project; and

“(3) is owned by a physician, or is owned by or affiliated with a hospital, that submitted a claim for payment in the prior year for an item or service for which payment may be made under part B.

“(c) APPLICATION TO PARTICIPATE.—An application by an oncology practice to participate in the demonstration project shall include an attestation to the Secretary that the practice—

“(1) furnishes physicians’ services for which payment may be made under part B;

“(2) coordinates oncology services furnished to an individual by the practice with services that are related to such oncology services and that are furnished to such individual by practitioners (including oncology nurses) inside or outside the practice in order to ensure that each such individual receives coordinated care;

“(3) meaningfully uses electronic health records;

“(4) will, not later than one year after the date on which the practice commences its participation in the demonstration project, be accredited as an Oncology Medical Home by the Commission on Cancer, the National Committee for Quality Assurance, or such other entity as the Secretary determines appropriate;

“(5) will repay all amounts paid by the Secretary to the practice under subsection

(f)(1)(A) in the case that the practice does not, on a date that is not later than 60 days after the date on which the practice’s agreement period for the demonstration project begins, as determined by the Secretary, submit an application to an entity described in paragraph (4) for accreditation as an Oncology Medical Home in accordance with such paragraph;

“(6) will, for each year in which the demonstration project is conducted, report to the Secretary, in such form and manner as is specified by the Secretary, on—

“(A) the performance of the practice with respect to measures described in subsection (e) as determined by the Secretary, subject to subsection (e)(1)(B); and

“(B) the experience of care of individuals who are furnished oncology services by the practice for which payment may be made under part B, as measured by a patient experience of care survey based on the Consumer Assessment of Healthcare Providers and Systems survey or by such similar survey as the Secretary determines appropriate;

“(7) agrees not to receive the payments described in subclauses (I) and (II) of subsection (f)(1)(B)(iii) in the case that the practice does not report to the Secretary in accordance with paragraph (6) with respect to performance of the practice during the 12-month period beginning on the date on which the practice’s agreement period for the demonstration project begins, as determined by the Secretary;

“(8) will, for each year of the demonstration project, meet the performance standards developed under subsection (e)(4)(B) with respect to each of the measures on which the practice has agreed to report under paragraph (6)(A) and the patient experience of care on which the practice has agreed to report under paragraph (6)(B); and

“(9) has the capacity to utilize shared decision-making tools that facilitate the incorporation of the patient needs, preferences, and circumstances of an individual into the medical plan of the individual and that maintain provider flexibility to tailor care of the individual based on the full range of test and treatment options available to the individual.

“(d) SELECTION OF PARTICIPATING PRACTICES.—

“(1) IN GENERAL.—The Secretary shall, not later than 15 months after the date of the enactment of this section, select oncology practices that submit an application to the Secretary in accordance with subsection (c) to participate in the demonstration project.

“(2) MAXIMUM NUMBER OF PRACTICES.—In selecting an oncology practice to participate in the demonstration project under this section, the Secretary shall ensure that the participation of such practice in the demonstration project does not, on the date on which the practice commences its participation in the demonstration project—

“(A) increase the total number of practices participating in the demonstration project to a number that is greater than 200 practices (or such number as the Secretary determines appropriate); or

“(B) increase the total number of oncologists who participate in the demonstration project to a number that is greater than 1,500 oncologists (or such number as the Secretary determines appropriate).

“(3) DIVERSITY OF PRACTICES.—

“(A) IN GENERAL.—Subject to subparagraph (B), in selecting oncology practices to participate in the demonstration project under this section, the Secretary shall, to the extent practicable, include in such selection—

“(i) small-, medium-, and large-sized practices; and

“(ii) practices located in different geographic areas.

“(B) INCLUSION OF SMALL ONCOLOGY PRACTICES.—In selecting oncology practices to participate in the demonstration project under this section, the Secretary shall, to the extent practicable, ensure that at least 20 percent of the participating practices are small oncology practices (as determined by the Secretary).

“(4) NO PENALTY FOR CERTAIN OPT-OUTS BY PRACTICES.—In the case that the Secretary selects an oncology practice to participate in the demonstration project under this section that has agreed to participate in a model established under section 1115A for oncology services, such practice may not be assessed a penalty for electing not to participate in such model if the practice makes such election—

“(A) prior to the receipt by the practice of any payment for such model that would not otherwise be paid in the absence of such model; and

“(B) in order to participate in the demonstration project under this section.

“(e) MEASURES.—

“(1) DEVELOPMENT.—

“(A) IN GENERAL.—The Secretary shall use measures described in paragraph (2), and may use measures developed under paragraph (3), to assess the performance of each participating oncology practice, as compared to other participating oncology practices as described in paragraph (4)(A)(i).

“(B) DETERMINATION OF MEASURES REPORTED.—In determining measures to be reported under subsection (c)(6)(A), the Secretary, in consultation with stakeholders, shall ensure that reporting under such subsection is not overly burdensome and that those measures required to be reported are aligned with applicable requirements from other payors.

“(2) MEASURES DESCRIBED.—The measures described in this paragraph, with respect to individuals who are attributed to a participating oncology practice, as determined by the Secretary, are the following:

“(A) PATIENT CARE MEASURES.—

“(i) The percentage of such individuals who receive documented clinical or pathologic staging prior to initiation of a first course of cancer treatment.

“(ii) The percentage of such individuals who undergo advanced imaging and have been diagnosed with stage I or II breast cancer.

“(iii) The percentage of such individuals who undergo advanced imaging and have been diagnosed with stage I or II prostate cancer.

“(iv) The percentage of such individuals who, prior to receiving cancer treatment, had their performance status assessed by the practice.

“(v) The percentage of such individuals who—

“(I) undergo treatment with a chemotherapy regimen provided by the practice;

“(II) have at least a 20-percent risk of developing febrile neutropenia due to a combination of regimen risk and patient risk factors; and

“(III) have received from the practice either GCSF or white cell growth factor.

“(vi) With respect to such individuals who receive an oncology drug therapy from the practice, the percentage of such individuals who underwent a diagnostic test to identify specific biomarkers, genetic mutations, or

characteristics prior to receiving an oncology drug therapy, where such a diagnostic test exists for a given cancer type.

“(vii) With respect to such individuals who receive chemotherapy treatment from the practice, the percentage of such individuals so treated who receive a treatment plan prior to the administration of such chemotherapy.

“(viii) With respect to chemotherapy treatments administered to such individuals by the practice, the percentage of such treatments that adhere to guidelines published by the National Comprehensive Cancer Network or such other entity as the Secretary determines appropriate.

“(ix) With respect to antiemetic drugs dispensed by the practice to individuals as part of moderately or highly emetogenic chemotherapy regimens for such individuals, the extent to which such drugs are administered in accordance with evidence-based guidelines or pathways that are compliant with guidelines published by the National Comprehensive Cancer Network or such other entity as the Secretary determines appropriate.

“(B) RESOURCE UTILIZATION MEASURES.—

“(i) With respect to emergency room visits in a year by such individuals who are receiving active chemotherapy treatment administered by the practice as of the date of such visits, the percentage of such visits that are associated with qualified cancer diagnoses of the individuals.

“(ii) With respect to hospital admissions in a year by such individuals who are receiving active chemotherapy treatment administered by the practice as of the date of such visits, the percentage of such admissions that are associated with qualified cancer diagnoses of the individuals.

“(C) SURVIVORSHIP MEASURES.—

“(i) Survival rates for such individuals who have been diagnosed with stage I through IV breast cancer.

“(ii) Survival rates for such individuals who have been diagnosed with stage I through IV colorectal cancer.

“(iii) Survival rates for such individuals who have been diagnosed with stage I through IV lung cancer.

“(iv) With respect to such individuals who receive chemotherapy treatment from the practice, the percentage of such individuals so treated who receive a survivorship plan not later than 45 days after the completion of the administration of such chemotherapy.

“(v) With respect to such individuals who receive chemotherapy treatment from the practice, the percentage of such individuals who receive psychological screening.

“(D) END-OF-LIFE CARE MEASURES.—

“(i) The number of times that such an individual receives chemotherapy treatment from the practice within an amount of time specified by the Secretary, in consultation with stakeholders, prior to the death of the individual.

“(ii) With respect to such individuals who have a stage IV disease and have received treatment for such disease from the practice, the percentage of such individuals so treated who have had a documented end-of-life care conversation with a physician in the practice or another health care provider who is a member of the cancer care team of the practice.

“(iii) With respect to such an individual who is referred to hospice care by a physician in the practice or a health care provider who is a member of the cancer care team of the practice, regardless of the setting in which such care is furnished, the average number of days that the individual receives

hospice care prior to the death of the individual.

“(iv) With respect to such individuals who die while receiving care from the practice, the percentage of such deceased individuals whose death occurred in an acute care setting.

“(3) MODIFICATION OR ADDITION OF MEASURES.—

“(A) IN GENERAL.—The Secretary may, in consultation with appropriate stakeholders in a manner determined by the Secretary, modify, replace, remove, or add to the measures described in paragraph (2).

“(B) APPROPRIATE STAKEHOLDERS DESCRIBED.—For purposes of subparagraph (A), the term ‘appropriate stakeholders’ includes oncology societies, oncologists who furnish oncology services to one or more individuals for which payment may be made under part B, allied health professionals, health insurance issuers that have implemented alternative payment models for oncologists, patients and organizations that represent patients, and biopharmaceutical and other medical technology manufacturers.

“(4) ASSESSMENT.—

“(A) IN GENERAL.—The Secretary shall, for each year in which the demonstration project is conducted, assess—

“(i) the performance of each participating oncology practice for such year with respect to the measures on which the practice has agreed to report to the Secretary under subsection (c)(6)(A), as compared to the performance of other participating oncology practices with respect to such measures; and

“(ii) the extent to which each participating oncology practice has, during such year, used breakthrough or other best-in-class therapies.

“(B) PERFORMANCE STANDARDS.—The Secretary shall, in consultation with the appropriate stakeholders described in paragraph (3)(B) in a manner determined by the Secretary, develop performance standards with respect to—

“(i) each of the measures described in paragraph (2), including those measures as modified or added under paragraph (3); and

“(ii) the patient experience of care on which participating oncology practices agree to report to the Secretary under subsection (c)(6)(B).

“(F) PAYMENTS FOR PARTICIPATING ONCOLOGY PRACTICES AND ONCOLOGISTS.—

“(1) CARE COORDINATION MANAGEMENT FEE DURING FIRST TWO YEARS OF DEMONSTRATION PROJECT.—

“(A) IN GENERAL.—The Secretary shall, in addition to any other payments made by the Secretary under this title to a participating oncology practice, pay a care coordination management fee to each such practice at each of the times specified in subparagraph (B).

“(B) TIMING OF PAYMENTS.—The care coordination management fee described in subparagraph (A) shall be paid to a participating oncology practice at the end of each of the following periods:

“(i) The period that ends 6 months after the date on which the practice’s agreement period for the demonstration project begins, as determined by the Secretary.

“(ii) The period that ends 12 months after the date on which the practice’s agreement period for the demonstration project begins, as determined by the Secretary.

“(iii) Subject to subsection (c)(7)—

“(I) the period that ends 18 months after the date on which the practice’s agreement period for the demonstration project begins, as determined by the Secretary; and

“(II) the period that ends 24 months after the date on which the practice’s agreement period for the demonstration project begins, as determined by the Secretary.

“(C) AMOUNT OF PAYMENT.—The Secretary shall, in consultation with oncologists who furnish oncology services for which payment may be made under part B in a manner determined by the Secretary, determine the amount of the care coordination management fee described in subparagraph (A).

“(2) PERFORMANCE INCENTIVE PAYMENTS.—

“(A) IN GENERAL.—Subject to subparagraphs (C) and (E), the Secretary shall, in addition to any other payments made by the Secretary under this title to a participating oncology practice, pay a performance incentive payment to each such practice for each year of the demonstration project described in subparagraph (B).

“(B) TIMING OF PAYMENTS.—The performance incentive payment described in subparagraph (A) shall be paid to a participating oncology practice as soon as practicable following the end of the third, fourth, and fifth years of the demonstration project.

“(C) SOURCE OF PAYMENTS.—Performance incentive payments made to participating oncology practices under subparagraph (A) for each of the years of the demonstration project described in subparagraph (B) shall be paid from the aggregate pool available for making payments for each such year determined under subparagraph (D), as available for each such year.

“(D) AGGREGATE POOL AVAILABLE FOR MAKING PAYMENTS.—With respect to each of the years of the demonstration project described in subparagraph (B), the aggregate pool available for making performance incentive payments for each such year shall be determined by—

“(i) estimating the amount by which the aggregate expenditures that would have been expended for the year under parts A and B for items and services furnished to individuals attributed to participating oncology practices if the demonstration project had not been implemented exceeds such aggregate expenditures for such individuals for such year of the demonstration project;

“(ii) calculating the amount that is half of the amount estimated under clause (i); and

“(iii) subtracting from the amount calculated under clause (ii) the total amount of payments made under paragraph (1) that have not, in a prior application of this clause, previously been so subtracted from a calculation made under clause (ii).

“(E) AMOUNT OF PAYMENTS TO INDIVIDUAL PRACTICES THAT MEET PERFORMANCE STANDARDS AND ACHIEVE SAVINGS.—

“(i) PAYMENTS ONLY TO PRACTICES THAT MEET PERFORMANCE STANDARDS.—The Secretary may not make performance incentive payments to a participating oncology practice under subparagraph (A) with respect to a year of the demonstration project described in subparagraph (B) unless the practice meets or exceeds the performance standards developed under subsection (e)(4)(B) for the year with respect to—

“(I) the measures on which the practice has agreed to report to the Secretary under subsection (c)(6)(A); and

“(II) the patient experience of care on which the practice has agreed to report to the Secretary under subsection (c)(6)(B).

“(ii) CONSIDERATION OF PERFORMANCE ASSESSMENT.—The Secretary shall, in consultation with the appropriate stakeholders described in subsection (e)(3)(B) in a manner determined by the Secretary, determine the amount of a performance incentive payment

to a participating oncology practice under subparagraph (A) for a year of the demonstration project described in subparagraph (B). In making a determination under the preceding sentence, the Secretary shall take into account the performance assessment of the practice under subsection (e)(4)(A) with respect to the year and the aggregate pool available for making payments for such year determined under subparagraph (D), as available for such year.

“(3) **ISSUANCE OF GUIDANCE.**—Not later than the date that is 12 months after the date of the enactment of this section, the Secretary shall issue guidance detailing the methodology that the Secretary will use to implement subparagraphs (D) and (E) of paragraph (2).

“(g) **SECRETARY REPORTS TO PARTICIPATING ONCOLOGY PRACTICES.**—The Secretary shall inform each participating oncology practice, on a periodic (such as quarterly) basis, of—

“(1) the performance of the practice with respect to the measures on which the practice has agreed to report to the Secretary under subsection (c)(6)(A); and

“(2) the estimated amount by which the expenditures that would have been expended under parts A and B for items and services furnished to individuals attributed to the practice if the demonstration project had not been implemented exceeds the actual expenditures for such individuals.

“(h) **APPLICATIONS FROM ENTITIES TO PROVIDE ACCREDITATIONS.**—Not later than the date that is 18 months after the date of the enactment of this section, the Secretary shall establish a process for the acceptance and consideration of applications from entities for purposes of determining which entities may provide accreditation to practices under subsection (c)(4) in addition to the entities described in such subsection.

“(i) **REVISIONS TO DEMONSTRATION PROJECT.**—The Secretary may make appropriate revisions to the demonstration project under this section in order for participating oncology practices under such demonstration project to meet the definition of an eligible alternative payment entity for purposes of section 1833(z).

“(j) **WAIVER AUTHORITY.**—The Secretary may waive such provisions of this title and title XI as the Secretary determines necessary in order to implement the demonstration project under this section.

“(k) **ADMINISTRATION.**—Chapter 35 of title 44, United States Code, shall not apply to this section.”.

By Mr. DURBIN (for himself and Mr. CASEY):

S. 477. A bill to amend the Public Health Service Act to coordinate Federal congenital heart disease research and surveillance efforts and to improve public education and awareness of congenital heart disease, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows.

S. 477

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Congenital Heart Futures Reauthorization Act of 2017”.

SEC. 2. NATIONAL CONGENITAL HEART DISEASE COHORT STUDY, SURVEILLANCE, AND AWARENESS CAMPAIGN.

Section 399V-2 of the Public Health Service Act (42 U.S.C. 280g-13) is amended—

(1) by amending the section heading to read as follows: “NATIONAL CONGENITAL HEART DISEASE COHORT STUDY, SURVEILLANCE SYSTEM, AND AWARENESS CAMPAIGN”;

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

“(a) **IN GENERAL.**—

“(1) **ACTIVITIES.**—The Secretary shall—

“(A) enhance and expand research and surveillance infrastructure to study and track the epidemiology of congenital heart disease (in this section referred to as ‘CHD’) across the lifespan; and

“(B) plan and implement a public outreach and education campaign regarding CHD across the lifespan.

“(2) **GRANTS.**—The Secretary may award grants to eligible entities to carry out the activities described in subsections (b), (c), and (d).”;

(3) in subsection (b)—

(A) in the heading, by striking “PURPOSE” and inserting “NATIONAL CONGENITAL HEART DISEASE SURVEILLANCE SYSTEM”; and

(B) by striking “The purpose of the Congenital Heart Disease Surveillance System shall be to facilitate” and inserting the following:

“(1) **IN GENERAL.**—The Secretary shall establish a Congenital Heart Disease Surveillance System for the purpose of facilitating”;

(4) in subsection (c)—

(A) in paragraph (2), by redesignating subparagraphs (A) through (E) as clauses (i) through (v), respectively, and adjusting the margins accordingly;

(B) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively, and adjusting the margins accordingly; and

(C) by redesignating such subsection (c) as paragraph (2) of subsection (b) and adjusting the margin accordingly;

(5) by striking subsections (d) and (e) and inserting the following:

“(c) **NATIONAL CONGENITAL HEART DISEASE COHORT STUDY.**—

“(1) **IN GENERAL.**—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall plan, develop, implement, and submit annual reports to the Congress on research and surveillance activities of the Centers for Disease Control and Prevention, including a cohort study to improve understanding of the epidemiology of CHD across the lifespan, from birth to adulthood, with particular interest in the following:

“(A) Health care utilization and natural history of individuals affected by CHD.

“(B) Demographic factors associated with CHD, such as age, race, ethnicity, gender, and family history of individuals who are diagnosed with the disease.

“(C) Outcome measures, such that analysis of the outcome measures will allow derivation of evidence-based best practices and guidelines for CHD patients.

“(2) **PERMISSIBLE CONSIDERATIONS.**—The study under this subsection may—

“(A) gather data on the health outcomes of a diverse population of those affected by CHD;

“(B) consider health disparities among those affected by CHD which may include the consideration of prenatal exposures; and

“(C) incorporate behavioral, emotional, and educational outcomes of those affected by CHD.

“(3) **PUBLIC ACCESS.**—Subject to appropriate protections of personal information, including protections required under paragraph (4), data generated from the study under this subsection and through the Congenital Heart Disease Surveillance System under subsection (b) shall be made available for purposes of CHD research and to the public.

“(4) **PATIENT PRIVACY.**—The Secretary shall ensure that the study under this subsection and the Congenital Heart Disease Surveillance System under subsection (b) are carried out in a manner that complies with the requirements applicable to a covered entity under the regulations promulgated pursuant to section 264(c) of the Health Insurance Portability and Accountability Act of 1996.

“(d) **CONGENITAL HEART DISEASE AWARENESS CAMPAIGN.**—

“(1) **IN GENERAL.**—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall establish and implement an awareness, outreach, and education campaign regarding CHD across the lifespan. The information expressed through such campaign may—

“(A) emphasize the prevalence of CHD;

“(B) identify CHD as a condition that affects those diagnosed throughout their lives; and

“(C) promote the need for pediatric, adolescent, and adult individuals with CHD to seek and maintain lifelong, specialized care.

“(2) **PERMISSIBLE ACTIVITIES.**—The campaign under this subsection may—

“(A) utilize collaborations or partnerships with other agencies, health care professionals, and patient advocacy organizations that specialize in the needs of individuals with CHD; and

“(B) include the use of print, film, or electronic materials distributed via television, radio, Internet, or other commercial marketing venues.”;

(6) by redesignating subsection (f) as subsection (e); and

(7) by adding at the end the following:

“(f) **AUTHORIZATION OF APPROPRIATIONS.**—To carry out this section, there are authorized to be appropriated such sums as may be necessary for each of fiscal years 2017 through 2021.”.

SEC. 3. CONGENITAL HEART DISEASE RESEARCH.

Section 425 of the Public Health Service Act (42 U.S.C. 285b-8) is amended by adding the end the following:

“(d) **REPORT FROM NIH.**—Not later than 1 year after the date of enactment of the Congenital Heart Futures Reauthorization Act of 2017, the Director of NIH, acting through the Director of the Institute, shall provide a report to Congress—

“(1) outlining the ongoing research efforts of the National Institutes of Health regarding congenital heart disease; and

“(2) identifying—

“(A) future plans for research regarding congenital heart disease; and

“(B) the areas of greatest need for such research.”.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 71—EX-
PRESSING THE SENSE OF THE
SENATE THAT JOHN ARTHUR
“JACK” JOHNSON SHOULD RE-
CEIVE A POSTHUMOUS PARDON
FOR THE RACIALLY MOTIVATED
CONVICTION IN 1913 THAT DIMIN-
ISHED THE ATHLETIC, CUL-
TURAL, AND HISTORIC SIGNIFI-
CANCE OF JACK JOHNSON AND
UNDULY TARNISHED HIS REP-
UTATION

Mr. MCCAIN (for himself and Mr. BOOKER) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 71

Whereas John Arthur “Jack” Johnson was a flamboyant, defiant, and controversial figure in the history of the United States who challenged racial biases;

Whereas Jack Johnson was born in Galveston, Texas, in 1878 to parents who were former slaves;

Whereas Jack Johnson became a professional boxer and traveled throughout the United States, fighting White and African-American heavyweights;

Whereas, after being denied (on purely racial grounds) the opportunity to fight 2 White champions, in 1908, Jack Johnson was granted an opportunity by an Australian promoter to fight the reigning White titleholder, Tommy Burns;

Whereas Jack Johnson defeated Tommy Burns to become the first African-American world heavyweight boxing champion;

Whereas the victory by Jack Johnson over Tommy Burns prompted a search for a White boxer who could beat Jack Johnson, a recruitment effort that was dubbed the search for the “great white hope”;

Whereas, in 1910, a White former champion named Jim Jeffries left retirement to fight Jack Johnson in Reno, Nevada;

Whereas Jim Jeffries lost to Jack Johnson in what was deemed the “Battle of the Century”;

Whereas the defeat of Jim Jeffries by Jack Johnson led to rioting, aggression against African-Americans, and the racially motivated murder of African-Americans throughout the United States;

Whereas the relationships of Jack Johnson with White women compounded the resentment felt toward him by many Whites;

Whereas, between 1901 and 1910, 754 African-Americans were lynched, some for simply for being “too familiar” with White women;

Whereas, in 1910, Congress passed the Act of June 25, 1910 (commonly known as the “White Slave Traffic Act” or the “Mann Act”) (18 U.S.C. 2421 et seq.), which outlawed the transportation of women in interstate or foreign commerce “for the purpose of prostitution or debauchery, or for any other immoral purpose”;

Whereas, in October 1912, Jack Johnson became involved with a White woman whose mother disapproved of their relationship and sought action from the Department of Justice, claiming that Jack Johnson had abducted her daughter;

Whereas Jack Johnson was arrested by Federal marshals on October 18, 1912, for transporting the woman across State lines

for an “immoral purpose” in violation of the Mann Act;

Whereas the charges against Jack Johnson under the Mann Act were dropped when the woman refused to cooperate with Federal authorities and then married Jack Johnson;

Whereas Federal authorities persisted and summoned a White woman named Belle Schreiber, who testified that Jack Johnson had transported her across State lines for the purpose of “prostitution and debauchery”;

Whereas, in 1913, Jack Johnson was convicted of violating the Mann Act and sentenced to 1 year and 1 day in Federal prison;

Whereas Jack Johnson fled the United States to Canada and various European and South American countries;

Whereas Jack Johnson lost the heavyweight championship title to Jess Willard in Cuba in 1915;

Whereas Jack Johnson returned to the United States in July 1920, surrendered to authorities, and served nearly a year in the Federal penitentiary at Leavenworth, Kansas;

Whereas Jack Johnson subsequently fought in boxing matches, but never regained the heavyweight championship title;

Whereas Jack Johnson served the United States during World War II by encouraging citizens to buy war bonds and participating in exhibition boxing matches to promote the war bond cause;

Whereas Jack Johnson died in an automobile accident in 1946;

Whereas, in 1954, Jack Johnson was inducted into the Boxing Hall of Fame; and

Whereas, on July 29, 2009, the 111th Congress agreed to Senate Concurrent Resolution 29, which expressed the sense of the 111th Congress that Jack Johnson should receive a posthumous pardon for his racially motivated 1913 conviction: Now, therefore, be it

Resolved, That it remains the sense of the Senate that Jack Johnson should receive a posthumous pardon—

(1) to expunge a racially motivated abuse of the prosecutorial authority of the Federal Government from the annals of criminal justice in the United States; and

(2) in recognition of the athletic and cultural contributions of Jack Johnson to society.

SENATE RESOLUTION 72—CELE-
BRATING THE HISTORY OF THE
DETROIT RIVER WITH THE 16-
YEAR COMMEMORATION OF THE
INTERNATIONAL UNDERGROUND
RAILROAD MEMORIAL MONU-
MENT, COMPRISED OF THE
GATEWAY TO FREEDOM MONU-
MENT IN DETROIT, MICHIGAN,
AND THE TOWER OF FREEDOM
MONUMENT IN WINDSOR, ON-
TARIO, CANADA

Mr. PETERS (for himself and Ms. STABENOW) submitted the following resolution; which was referred to the Committee on Energy and Natural Resources:

S. RES. 72

Whereas millions of Africans and their descendants were enslaved in the United States and the American colonies from 1619 through 1865;

Whereas Africans forced into slavery were torn from their families and loved ones and stripped of their names and heritage;

Whereas the faith and strength of character demonstrated by former slaves and the descendants of former slaves are an example for all people of the United States, regardless of background, religion, or race;

Whereas tens of thousands of people of African descent bravely and silently escaped their chains to follow the perilous Underground Railroad northward towards freedom in Canada;

Whereas the Detroit River played a central role for these passengers of the Underground Railroad on their way to freedom;

Whereas in October 2001, the City of Detroit, Michigan, joined with Windsor and Essex Counties in Ontario, Canada, to memorialize the courage of these freedom seekers with an international memorial to the Underground Railroad, comprised of the Tower of Freedom Monument in Windsor, Ontario, and the Gateway to Freedom Monument in Detroit, Michigan;

Whereas the deep roots that slaves, refugees, and immigrants who reached Canada from the United States created in Canadian society are a tribute to the determination of the descendants of those slaves, refugees, and immigrants to safeguard the history of the struggles and endurance of their forebears;

Whereas the observance of the 16-year commemoration of the International Underground Railroad Memorial Monument will be celebrated during the month of October 2017;

Whereas the International Underground Railroad Memorial Monument represents a cooperative international partnership dedicated to education and research with the goal of promoting cross-border understanding, economic development, and cultural heritage tourism;

Whereas over the course of history, the United States has become a symbol of democracy and freedom around the world; and

Whereas the legacy of African-Americans and their fight for freedom is interwoven with the fabric of democracy and freedom in the United States: Now, therefore, be it

Resolved, That the Senate—

(1) celebrates the history of the Detroit River with a 16-year commemoration of the International Underground Railroad Memorial Monument, comprised of the Gateway to Freedom Monument in Detroit, Michigan, and the Tower of Freedom Monument in Windsor, Ontario, Canada; and

(2) supports the official recognition, by national and international entities, of the Detroit River as an area of historic importance to the history of the Underground Railroad and the fight for freedom in North America.

SENATE RESOLUTION 73—DESIG-
NATING FEBRUARY 28, 2017, AS
“RARE DISEASE DAY”

Mr. BROWN (for himself, Mr. BARASSO, Mr. WHITEHOUSE, Ms. WARREN, Mr. MARKEY, Mr. COONS, Mr. WICKER, Mr. VAN HOLLEN, Ms. STABENOW, Mrs. FEINSTEIN, Ms. KLOBUCHAR, Mr. HATCH, and Mr. BOOKER) submitted the following resolution; which was considered and agreed to:

S. RES. 73

Whereas a rare disease or disorder is one that affects a small number of patients and, in the United States, typically fewer than 200,000 individuals annually are affected by a rare disease or disorder;

Whereas, as of February 2017, nearly 7,000 rare diseases affect approximately 30,000,000

people in the United States and their families;

Whereas children with rare genetic diseases account for approximately ½ of the population affected by rare diseases in the United States;

Whereas many rare diseases are serious and life-threatening and lack effective treatments;

Whereas, as a result of Federal laws like the Orphan Drug Act (Public Law 97-414; 96 Stat. 2049), there have been important advances made in research on, and treatment for, rare diseases;

Whereas the Food and Drug Administration has made great strides in gathering patient perspectives to inform the drug review process as part of the Patient-Focused Drug Development program, an initiative that originated under the Food and Drug Administration Safety and Innovation Act (Public Law 112-144; 126 Stat. 993);

Whereas, although nearly 600 drugs and biological products for the treatment of rare diseases have been approved by the Food and Drug Administration, millions of people in the United States have a rare disease for which there is no approved treatment;

Whereas lack of access to effective treatments and difficulty in obtaining reimbursement for life-altering, and even life-saving, treatments remain significant challenges for people with rare diseases and their families;

Whereas rare diseases and conditions include Von Hippel-Lindau syndrome, fibrous dysplasia, sickle cell anemia, spinal muscular atrophy, Duchenne muscular dystrophy, dermatomyositis, cystic fibrosis, Friedreich's ataxia, many childhood cancers, amyotrophic lateral sclerosis, epidermolysis bullosa, frontotemporal dementia, and metachromatic leukodystrophy;

Whereas people with rare diseases experience challenges that include—

- (1) difficulty in obtaining accurate diagnoses;
- (2) limited treatment options; and
- (3) difficulty finding physicians or treatment centers with expertise in the rare diseases;

Whereas the rare disease community gained important new tools during the 114th Congress with the passage of the 21st Century Cures Act (Public Law 114-255), which—

- (1) streamlines the review by the Commissioner of Food and Drugs of genetically targeted therapies;
- (2) incentivizes the development of rare pediatric disease therapies;
- (3) strengthens pediatric medical research; and
- (4) adds billions of dollars of funding for the National Institutes of Health;

Whereas both the Food and Drug Administration and the National Institutes of Health have established special offices to advocate for rare disease research and treatments;

Whereas the National Organization for Rare Disorders (referred to in this preamble as "NORD"), a nonprofit organization established in 1983 to provide services to, and advocate on behalf of, patients with rare diseases, remains a critical public voice for people with rare diseases;

Whereas 2017 marks the 34th anniversary of the enactment of the Orphan Drug Act (Public Law 97-414; 96 Stat. 2049) and the establishment of NORD;

Whereas NORD sponsors Rare Disease Day in the United States and partners with many other major rare disease organizations to increase public awareness of rare diseases;

Whereas Rare Disease Day is observed each year on the last day of February;

Whereas Rare Disease Day is a global event, first observed in the United States on February 28, 2009, and was observed in more than 85 countries in 2016; and

Whereas Rare Disease Day is expected to be observed globally for years to come, providing hope and information for rare disease patients around the world: Now, therefore, be it

Resolved, That the Senate—

(1) designates February 28, 2017, as "Rare Disease Day";

(2) recognizes the importance of improving awareness and encouraging accurate and early diagnosis of rare diseases and disorders; and

(3) supports a national and global commitment to improving access to and developing new treatments, diagnostics, and cures for rare diseases and disorders.

AUTHORITY FOR COMMITTEES TO MEET

Ms. COLLINS. Mr. President, I have five requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to Rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Tuesday, February 28, 2017, at 10 a.m. to hold a hearing entitled "Iraq after Mosul."

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on February 28, 2017, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Improving Outcomes for Youth in the Juvenile Justice System."

COMMITTEE ON VETERANS' AFFAIRS

The Committee on Veterans' Affairs is authorized to meet during the session of the Senate on Tuesday, February 28, 2017, at 2 p.m., in room SD-G50 of the Dirksen Senate Office Building.

SELECT COMMITTEE ON INTELLIGENCE

The Senate Select Committee on Intelligence is authorized to meet during the session of the 115th Congress of the U.S. Senate on Tuesday, February 28, 2017, from 2 p.m. to 3:30 p.m., in room SD-106 of the Senate Dirksen Office Building to hold an open hearing.

SELECT COMMITTEE ON INTELLIGENCE

The Senate Select Committee on Intelligence is authorized to meet during the session of the 115th Congress of the U.S. Senate on Tuesday, February 28, 2017, from 3:30 p.m. to 5:30 p.m. in room SH-219 of the Senate Hart Office Building to hold a closed hearing.

DISCHARGE AND REFERRAL—S. 90

Mr. McCONNELL. Mr. President, I ask unanimous consent that S. 90, the

Red River Gradient Boundary Survey Act, be discharged from the Committee on the Judiciary and referred to the Committee on Energy and Natural Resources.

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

AUTHORIZING EXPENDITURES BY COMMITTEES OF THE SENATE

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 8, S. Res. 62.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 62) authorizing expenditures by committees of the Senate for the periods March 1, 2017 through September 30, 2017, October 1, 2017 through September 30, 2018, and October 1, 2018 through February 28, 2019.

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

Mr. McCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to and the motion to reconsider be considered made and laid upon the table.

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

The resolution (S. Res. 62) was agreed to.

(The resolution is printed in the RECORD of February 16, 2017, under "Submitted Resolutions".)

EXPRESSING PROFOUND CONCERN ABOUT THE ONGOING POLITICAL, ECONOMIC, SOCIAL AND HUMANITARIAN CRISIS IN VENEZUELA

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Foreign Relations Committee be discharged from further consideration of and the Senate now proceed to the consideration of S. Res. 35.

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

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 35) expressing profound concern about the ongoing political, economic, social and humanitarian crisis in Venezuela, urging the release of political prisoners, and calling for respect of constitutional and democratic processes, including free and fair elections.

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

Mr. McCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table.

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

The resolution (S. Res. 35) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of February 1, 2017, under "Submitted Resolutions.")

RARE DISEASE DAY

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 73, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 73) designating February 28, 2017, as "Rare Disease Day."

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

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

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

The resolution (S. Res. 73) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

ORDER OF PROCEDURE

Mr. McCONNELL. Mr. President, I ask unanimous consent that following leader remarks on Wednesday, March 1, there be 20 minutes of debate, equally divided, prior to the confirmation vote on Executive Calendar No. 8, RYAN ZINKE to be Secretary of the Interior, followed by up to 10 minutes of debate, equally divided, prior to the cloture vote on Executive Calendar No. 5, the nomination of Ben Carson to be Secretary of Housing and Urban Development, and if cloture is invoked, time be counted as if invoked at 1 a.m. that day.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

ORDER FOR RECESS AND ORDERS FOR WEDNESDAY, MARCH 1, 2017

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate recess until 8:25 p.m. tonight and, upon reconvening, proceed as a body to the Hall of the House of Representatives for the joint session of Congress provided under the provisions of H. Con. Res. 23; that upon dissolution of the joint session, the Senate adjourn until 10 a.m., Wednesday, March 1; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be

approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; finally, that following leader remarks, the Senate proceed to executive session to resume consideration of the Zinke nomination as under the previous order.

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

RECESS

The PRESIDING OFFICER. The Senate stands in recess until 8:25 p.m.

Thereupon, the Senate, at 5:30 p.m., recessed until 8:25 p.m. and reassembled when called to order by the Presiding Officer (Mr. ROUNDS).

JOINT SESSION OF THE TWO HOUSES—ADDRESS BY THE PRESIDENT OF THE UNITED STATES

The PRESIDING OFFICER. Under the previous order, the Senate will proceed as a body to the Hall of the House of Representatives.

Thereupon, the Senate, preceded by the Deputy Sergeant at Arms, James Morhard; the Secretary of the Senate, Julie E. Adams; and the Vice President of the United States, MICHAEL R. PENCE, proceeded to the Hall of the House of Representatives to hear the address by the President of the United States, Donald J. Trump.

(The address delivered by the President of the United States to the joint session of the two Houses of Congress is printed in the proceedings of the House of Representatives in today's RECORD.)

ADJOURNMENT UNTIL WEDNESDAY, MARCH 1, 2017, AT 10 A.M.

At the conclusion of the joint session of the two Houses, and in accordance with the order previously entered, at 10:16 p.m., the Senate adjourned until Wednesday, March 1, 2017, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF STATE

TODD PHILIP HASKELL, OF FLORIDA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF THE CONGO.

TULINABO SALAMA MUSHINGI, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF SENEGAL, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF GUINEA-BISSAU.

WITHDRAWALS

Executive Message transmitted by the President to the Senate on Feb-

ruary 28, 2017 withdrawing from further Senate consideration the following nominations:

REBECCA EMILY RAPP, OF WISCONSIN, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13, 2019, VICE SHARON L. BROWNE, RESIGNED, WHICH WAS SENT TO THE SENATE ON JANUARY 4, 2017.

GLENN FINE, OF MARYLAND, TO BE INSPECTOR GENERAL, DEPARTMENT OF DEFENSE, VICE JON T. RYMER, RESIGNED, WHICH WAS SENT TO THE SENATE ON JANUARY 4, 2017.

DAVID J. ARROYO, OF NEW YORK, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR PUBLIC BROADCASTING FOR A TERM EXPIRING JANUARY 31, 2022, (REAPPOINTMENT), WHICH WAS SENT TO THE SENATE ON JANUARY 4, 2017.

BRENT FRANKLIN NELSEN, OF SOUTH CAROLINA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR PUBLIC BROADCASTING FOR A TERM EXPIRING JANUARY 31, 2022, (REAPPOINTMENT), WHICH WAS SENT TO THE SENATE ON JANUARY 4, 2017.

JESSICA ROSENWORCEL, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE FEDERAL COMMUNICATIONS COMMISSION FOR A TERM OF FIVE YEARS FROM JULY 1, 2015, (REAPPOINTMENT), WHICH WAS SENT TO THE SENATE ON JANUARY 4, 2017.

MICHAEL P. LEARY, OF PENNSYLVANIA, TO BE INSPECTOR GENERAL, SOCIAL SECURITY ADMINISTRATION, VICE PATRICK P. O'CARROLL, JR., RESIGNED, WHICH WAS SENT TO THE SENATE ON JANUARY 4, 2017.

TULINABO SALAMA MUSHINGI, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF SENEGAL, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF GUINEA-BISSAU, WHICH WAS SENT TO THE SENATE ON JANUARY 4, 2017.

CAROLYN N. LERNER, OF MARYLAND, TO BE SPECIAL COUNSEL, OFFICE OF SPECIAL COUNSEL, FOR THE TERM OF FIVE YEARS, (REAPPOINTMENT), WHICH WAS SENT TO THE SENATE ON JANUARY 4, 2017.

ELIZABETH A. FIELD, OF THE DISTRICT OF COLUMBIA, TO BE INSPECTOR GENERAL, OFFICE OF PERSONNEL MANAGEMENT, VICE PATRICK E. MCFARLAND, RESIGNED, WHICH WAS SENT TO THE SENATE ON JANUARY 4, 2017.

ROBERT P. STORCH, OF THE DISTRICT OF COLUMBIA, TO BE INSPECTOR GENERAL OF THE NATIONAL SECURITY AGENCY, (NEW POSITION), WHICH WAS SENT TO THE SENATE ON JANUARY 4, 2017.

MARY ELLEN BARBERA, OF MARYLAND, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE STATE JUSTICE INSTITUTE FOR A TERM EXPIRING SEPTEMBER 17, 2018, VICE JONATHAN LIPPMAN, TERM EXPIRED, WHICH WAS SENT TO THE SENATE ON JANUARY 5, 2017.

DAVID V. BREWER, OF OREGON, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE STATE JUSTICE INSTITUTE FOR A TERM EXPIRING SEPTEMBER 17, 2019, (REAPPOINTMENT), WHICH WAS SENT TO THE SENATE ON JANUARY 5, 2017.

WILFREDO MARTINEZ, OF FLORIDA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE STATE JUSTICE INSTITUTE FOR A TERM EXPIRING SEPTEMBER 17, 2019, (REAPPOINTMENT), WHICH WAS SENT TO THE SENATE ON JANUARY 5, 2017.

CHASE ROGERS, OF CONNECTICUT, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE STATE JUSTICE INSTITUTE FOR A TERM EXPIRING SEPTEMBER 17, 2018, (REAPPOINTMENT), WHICH WAS SENT TO THE SENATE ON JANUARY 5, 2017.

CLAUDIA SLACK, OF NEW YORK, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE EXPORT-IMPORT BANK OF THE UNITED STATES FOR A TERM EXPIRING JANUARY 20, 2019, VICE PATRICIA M. LOUI, TERM EXPIRED, WHICH WAS SENT TO THE SENATE ON JANUARY 5, 2017.

GAYLE A. NACHTIGAL, OF OREGON, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE STATE JUSTICE INSTITUTE FOR A TERM EXPIRING SEPTEMBER 17, 2018, (REAPPOINTMENT), WHICH WAS SENT TO THE SENATE ON JANUARY 17, 2017.

CHRISTOPHER JAMES BRUMMER, OF THE DISTRICT OF COLUMBIA, TO BE A COMMISSIONER OF THE COMMODITY FUTURES TRADING COMMISSION FOR A TERM EXPIRING JUNE 19, 2021, VICE MARK P. WETJEN, TERM EXPIRED, WHICH WAS SENT TO THE SENATE ON JANUARY 17, 2017.

BRIAN D. QUINTENZ, OF THE DISTRICT OF COLUMBIA, TO BE A COMMISSIONER OF THE COMMODITY FUTURES TRADING COMMISSION FOR A TERM EXPIRING APRIL 13, 2020, VICE SCOTT O'MALLIA, RESIGNED, WHICH WAS SENT TO THE SENATE ON JANUARY 17, 2017.

JASON E. KEARNS, OF COLORADO, TO BE A MEMBER OF THE UNITED STATES INTERNATIONAL TRADE COMMISSION FOR THE TERM EXPIRING DECEMBER 16, 2024, VICE DEAN A. PINKERT, TERM EXPIRED, WHICH WAS SENT TO THE SENATE ON JANUARY 17, 2017.

TODD PHILIP HASKELL, OF FLORIDA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF THE CONGO, WHICH WAS SENT TO THE SENATE ON JANUARY 17, 2017.

CHARLES R. BREYER, OF CALIFORNIA, TO BE A MEMBER OF THE UNITED STATES SENTENCING COMMISSION FOR A TERM EXPIRING OCTOBER 31, 2021, (REAPPOINTMENT), WHICH WAS SENT TO THE SENATE ON JANUARY 17, 2017.

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DANNY C. REEVES, OF KENTUCKY, TO BE A MEMBER OF THE UNITED STATES SENTENCING COMMISSION FOR A TERM EXPIRING OCTOBER 31, 2019, VICE RICARDO H. HINO-

JOSA, TERM EXPIRED, WHICH WAS SENT TO THE SENATE ON JANUARY 17, 2017.

ANDREW F. PUZDER, OF TENNESSEE, TO BE SECRETARY OF LABOR, WHICH WAS SENT TO THE SENATE ON JANUARY 20, 2017.

HOUSE OF REPRESENTATIVES—Tuesday, February 28, 2017

The House met at 10 a.m. and was called to order by the Speaker pro tempore (MR. JODY B. HICE of Georgia).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
February 28, 2017.

I hereby appoint the Honorable JODY B. HICE to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2017, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

FIX OUR BROKEN IMMIGRATION SYSTEM

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

Ms. BARRAGÁN. Mr. Speaker, I rise today to introduce my guest for tonight's joint session of Congress. Roque Pech is a constituent of mine from California's 44th District. He lives in Wilmington. He came to this country at the age of 3 years old. His parents were from Mexico, coming here for a better life for their kids. His parents were hardworking, getting odd jobs, blue-collar workers, really trying to make it.

Now, Roque is a beneficiary of DACA. He is a DREAMer; somebody who was looking forward to going to college, was able to go to undergrad and even go to graduate school, where he studied education. He is one of the many faces of DREAMers whom our country has benefited from DACA. As a teacher, he helps other students who are struggling in math. He is a sixth grade teacher who looks into the eyes of kids who dream big, who want to make it, and he instills in them some hope.

Tonight, Roque will be up in this gallery for the first time, looking down on a President who has been demeaning immigrants, who hasn't seen the value of what immigrants provide to this country.

Now, this is very personal for me. My parents are also immigrants from Mexico. They came here because they wanted a better life for their kids. And I beat the odds. I got a piece of the American Dream, and now I fight for those to make sure that others have the same opportunity.

Roque has been spared from the deportations. He is an example of immigrants that continue to contribute to our country. He also sits on the Wilmington Neighborhood Council, where he provides input and is active in the community. Because of DACA, hundreds of kids are benefiting from him being a teacher.

I believe we continue to need comprehensive immigration reform to fix our broken immigration system. It is the best answer. Until then, I am going to continue to fight to protect hardworking families and immigrants who continue to provide value, DREAMers like Roque, who only know the United States as their home. He is American in every way.

A STRONGER STANCE ON RUSSIA

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

Ms. ROS-LEHTINEN. Mr. Speaker, Vladimir Putin's regime has long sought to undermine U.S. interests and shape a world more compliant with its corruption. I have argued for a stronger stance against Russia for years. I opposed the Obama administration's failed reset of relations.

I helped lead the push for greater sanctions on Russia's human rights violators, helping secure passage of the Sergei Magnitsky Act.

I have called for sanctions against those who poisoned my friend, Vladimir Kara-Murza, and against all those involved in the murder of opposition leader Boris Nemtsov, the 2-year anniversary of which occurred just yesterday.

I also support the efforts to codify sanctions against Russia and to limit the lifting of executive waivers. But we should be limiting the ability to waive sanctions not just on Russia, but also on Iran, on the Palestinian Authority, and on so many others because, in

order for sanctions to be effective, they must be fully implemented and fully enforced.

LET'S HELP OUR GREAT NATION STAY GREAT

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

Mr. CORREA. Mr. Speaker, tonight at the President's address, I will be joined by a young man, Eliel Aguillon, a new American, in the great tradition of this great country.

Eliel grew up surrounded by poverty, yet he found his path to the American Dream through hard work and education. Eliel is my neighbor. He attended the same public high school that my daughter attends. He is the first person in his family to attend college, and his goal is to earn a Ph.D. in engineering and to address our Nation's affordable housing crisis. Today, Eliel encourages young students to pursue careers in science and math.

Eliel is a DACA student. Let me repeat. Eliel is a DACA student. He and his family left Mexico when he was 7 years old to pursue the American Dream through hard work and dedication.

We must ensure that Eliel and hundreds of other hardworking DACA students stay in America, the only home they have known, so that they can also contribute to the greatness of our great country. DACA students are our new Americans.

Let us help our great Nation stay great. Let us do the right thing. Let's give our DACA students and other hardworking taxpayers in our Nation a pathway to citizenship.

VICTIMS OF TRAFFICKING DO NOT BELONG IN SHACKLES

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

Mr. POE of Texas. Mr. Speaker, in her formative years, Lena wore turtle-necks and baggy clothes to school every day.

Why did she do so?

To hide the bruises that covered her entire body.

Soon, Lena's abusive foster mother lost custody of her. And when her foster mother lost custody, Lena just ran away. She was 13.

After bolting from the front lawn at the Houston middle school, she ran into a friendly-looking stranger, and

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

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

that is when she discovered a false sense of comfort in the hands of a dastardly human trafficker. He offered to look after her, protect her, and love her; that was if she made him a little money. And he offered her the one thing she was missing in her 13 years, someone who said they loved her.

Mr. Speaker, love doesn't come with black eyes and bruises, however. The trafficker even promised Lena drugs so she could focus on something else while she was having sex with the buyers of children.

For the next 3 months, Lena would have many different traffickers and many different buyers. She would spend a few months or weeks with them, moving from motel to motel, then she would get scared and try to go back to foster care, and then just disappear again.

Finally, she was arrested after police responded to an internet post advertising sex with children. They arrested her trafficker in the hotel next door. With her help, the police ultimately charged two individuals with forcing a child into prostitution, or human trafficking, as we call it.

Upon her arrest, it was revealed that not only did she have three sexually transmitted diseases, she was also pregnant.

The problem then, Mr. Speaker, is that Lena had nowhere to go. Authorities found themselves with an abused, traumatized, demoralized trafficking victim, a child, on their hands. Remember, Lena was a victim of crime. She was not a criminal. Children cannot be willing prostitutes under the law.

But there were no resources to put her anywhere, no resources to get her help and the support that she needed. The very limited number of nearby trafficking shelters were all full and there was no place to send her, so she was locked up in the county jail.

Victims of trafficking, Mr. Speaker, do not belong in shackles and orange jumpsuits. They belong in safe, nurturing environments. They deserve to have access to resources and help to get their stolen lives back for them.

How can a victim begin to recover, while a child, languishing in jail?

The justice system failed Lena and many others just like her, but it doesn't have to be this way. Lena deserves justice.

Sitting here in Washington, D.C., there is a victims' fund totaling over \$12 billion. Money in this fund comes from fines and fees imposed on convicted felons, people like deviants who trafficked Lena. Unfortunately, year after year, only a small amount of this money is actually taken out of the fund to help victims. Most of it stays in the fund and is used by appropriators to offset the costs of their pet projects that have nothing to do with victims of crime.

This is not acceptable, Mr. Speaker. The money, remember, is not taxpayer money. It is money that comes from criminals when they are convicted in Federal court, and we should give this money to victims of crime.

Money in the fund should be spent only on what victims like Lena desperately need so that they can get their lives back together and recover from the trafficking abuse they suffered.

Lena and other trafficking victims deserve justice. They deserve the money that is in the fund, and bureaucrats need to quit using that money as an offset for other projects. The victim fund is partially the answer.

Mr. Speaker, this should be spent on victims of crime because no trafficking victim belongs in the shackles of a county jail.

And that is just the way it is.

SENSELESS ACTS OF GUN VIOLENCE

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Mrs. TORRES) for 5 minutes.

Mrs. TORRES. Mr. Speaker, I rise today to honor the memory of Jonah Min Hwang, another victim of a senseless act of gun violence. Jonah was only 8 years old when he was killed last week in a drive-by shooting in my home city of Pomona.

Jonah, his parents, and his brother were enjoying dinner hosted by friends of his parents, two schoolteachers, when a bullet ripped through the house and hit Jonah. Crimes like this are heartbreaking.

A talented soccer player, an avid reader who loved superheroes, Jonah was an adopted child from a Taiwanese orphanage just 3 years ago. It eats at your soul to think that such a young child with his whole life ahead of him could be taken so ruthlessly. Perhaps most frustrating is that Jonah's killer is still at large.

When I first heard of Jonah's death, it brought me back to a similar tragedy when I served as mayor of my home city of Pomona. In 2006, little Ethan Esparza was shot and killed while he was playing in his front yard during his birthday party. He would have turned 4 years old.

Ethan's murder shocked our community and was a stark reminder of the violence that plagues our city. Sadly, over 10 years later, we are still fighting those same battles.

The murders of Jonah and Ethan were completely senseless, but they are not rare. In fact, Pomona was recently ranked California's eighth most dangerous city, which doesn't surprise those of us who have seen gangs take ahold of our city.

Our local police department puts their lives on the line every single day to try to keep us safe, and our local of-

ficials have made significant investments in law enforcement. During my time as mayor, we implemented gang injunctions to try to get hold of the problem.

□ 1015

But as the number of guns on the streets continues to rise and ruthless gang members get their hands on these deadly weapons, it often feels like a losing battle. We are alone fighting these battles.

As a matter of fact, today marks the 23rd anniversary of the Brady Handgun Violence Prevention Act, better known as the Brady bill, which has blocked more than 3 million people who had no business owning a gun from buying a gun from a federally licensed dealer.

As the new President makes his first address to Congress today, it is especially infuriating that, despite the countless gun-related tragedies occurring across our country, this Congress and this new administration have not taken one single step to reduce gun violence. I have come to this floor before demanding action, and I stand here before you yet again today, Mr. Speaker, to demand action on behalf of Jonah, of Ethan, and of the millions of innocent lives lost.

There are steps that we can take immediately to expand the Brady bill to save lives and make our communities safer:

First, we should close the loophole that allows guns to be sold online or at gun shows without background checks.

Second, we should make sure that there are resources available to research gun violence—research. We can't find effective solutions if we can't research and understand the problem.

Lastly, we should enhance the National Instant Criminal Background Check System, NICS, and make sure that States are inputting records in a way that allows Federal agencies to run complete background checks on individuals. Background checks are only as effective as the quality of the records in the background check system.

There is no excuse for making it easy for dangerous people to get their hands on a deadly weapon. It is my deepest hope that this Congress will take action on gun control so that none of us has to attend another vigil in Pomona—or anywhere else in America—to honor the memory of another child taken from us much too soon. We owe it to the victims and to their loved ones to act.

AFRICAN AMERICAN HISTORY MONTH

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

Mr. YOH. Mr. Speaker, I rise today not only to celebrate African American

History Month, but to celebrate two stories lost to mainstream history. The first story is the original Underground Railroad, and the other story is of Josiah T. Walls.

Students across the country have heard stories about the Underground Railroad during the Antebellum Period; however, there was a Road to Freedom that existed before the United States was even established, and that road went south to the free territory of Spanish Florida. In fact, the National Park Service held its sixth annual Underground Railroad Conference in St. Augustine in 2012 to highlight this very story which started with eight recorded families seeking freedom in 1608 in Florida.

During this period, thousands of men, women, and children fled from the colonies of North Carolina, South Carolina, and Georgia. These individuals headed to Florida to gain their freedom thanks to the Edict of 1693, which was issued by the then-Spanish Government that stated that any man, woman, or child who found their way to Spanish Florida would be granted freedom.

The people at the heart of this story are the Gullah Geechee who trace their lineage to West Africa. Once free in Florida, the Gullah Geechee people thrived, establishing communities, forts, and deep roots throughout Florida's Third Congressional District, roots that still can be felt today.

The second story is of Josiah T. Walls. He was a man who was born into slavery in 1842 in Virginia. He worked as a slave. The Civil War broke out, and he was conscripted by the Confederate Army to serve as a cook in the Civil War. He got freed by the Union soldiers, served with the Union soldiers, and after the war, he moved to Florida to fight in the Seminole American wars. During that time period, the war ended, and he moved to Gainesville, Florida, where he became the first African-American mayor of our city where I come from.

During that time, he became a very successful businessperson. He was elected to the Florida Assembly, and then later he was elected to the U.S. Congress, serving in this very body here today. His elections got challenged, and he lost his role as a Representative in the House. He ran again the next year, won again, and served a full term. Then the third term he ran, he won again. His election got challenged by a Confederate soldier, and he lost his seat.

He went on to become a prominent businessman in north central Florida, owned a farm, and was very successful until the freeze of 1906, which put him out of business. He moved to Tallahassee and became a newspaper owner and printed a local newspaper.

He rose to prominence, but at his death, he was but a footnote in the his-

tories not just of our State, but of our country. Here is a man that was born into slavery, rose to prominence, and was forgotten by history.

I tell these stories because these stories, like many stories in our early history, must never be forgotten and must be remembered by our history lest we repeat it. It must also be taught to our children so that they are inspired and they see themselves in the history books like these other folks.

RECESS

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

Accordingly (at 10 o'clock and 21 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

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

PRAYER

Chaplain Harvey Klee, American Legion National Chaplain, Bluffton, Texas, offered the following prayer:

Almighty God, we thank You when heroic leadership has been undertaken in this House during times of crises, for their labor well into the night, for efforts to seek compromise where compromise is warranted, and for creative solutions proposed and acted upon in the best interests of the American people.

May unity prevail even when parties are in conflict. When progress is impeded and negotiations break down, grant them fresh ideas for discussion and ultimate resolution.

May all Members of this House remain faithful to the oath of office they have taken as Representatives of "We the people . . ." and may political ideologies be tempered by intellectual honesty.

Lord, bless this land we love so much and save us from our own self-inflicted wounds.

This we pray in the name of all that is holy.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from New York (Mr. ENGEL) come for-

ward and lead the House in the Pledge of Allegiance.

Mr. ENGEL led the Pledge of Allegiance as follows:

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

WELCOMING CHAPLAIN HARVEY KLEE

The SPEAKER. Without objection, the gentleman from Texas (Mr. CONAWAY) is recognized for 1 minute.

There was no objection.

Mr. CONAWAY. Mr. Speaker, I rise today to recognize a constituent of mine who is here with us today. Chaplain Harvey H. Klee, a resident of Llano, Texas, joins us today as the national chaplain of the American Legion.

We just heard Chaplain Klee give a beautiful invocation, calling for us all to be unified in our actions, with the best interest of the American people at heart. Chaplain Klee has dedicated himself to living by those words, serving our Nation and its people in many ways.

Chaplain Klee served in the Navy during the Korean war and later worked as a missionary helping drug addicts and designing training programs for inmates at a prison in California.

Later, he founded the Texas Chaplains Association, and has been appointed Texas Department Chaplain nine times, which is more times than any other chaplain in the history of the department.

Chaplain Klee, thank you for joining us today and reminding us of the great power of our Lord, Jesus Christ.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. ROGERS of Kentucky). The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

WELCOMING DR. MONA HANNA-ATTISHA TO THE JOINT SESSION OF CONGRESS

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

Mr. KILDEE. Mr. Speaker, I am proud today to have Dr. Mona Hanna-Attisha, the daughter of Iraqi-American scientists, the physician who helped expose the Flint water crisis, as my guest at the joint session and the address by the President tonight.

Simply put, Dr. Mona, as her patients call her, is a hero. Her persistence exposed a terrible manmade crisis that poisoned my hometown, and she has been an incredible partner in the fight for resources to help fix the problems in Flint. Her personal story of

coming to America from Iraq reminds us of the many important contributions that immigrants make.

In Donald Trump's world, though, Dr. Mona may not have been there for Flint kids. She is an Iraqi immigrant. In Donald Trump's world, she would actually have been turned away. She would not have been the hero to thousands of Flint families.

She is the epitome of what makes America great and what it means to be an American citizen. She stood up for what was right. She exposed the facts in Flint, Michigan. In the face of bullying, she spoke truth to power, and she persisted. She is a hero. She is what makes this country great. She is what is good about the United States of America—an immigrant to this country who stood for the people of my hometown.

She is a message, and her presence here today is intended to send a message to the President of the United States and to the rest of the country that that is what makes America great. She adds to the fabric of this country, and I am grateful to have her here today.

REVOKE PASSPORTS OF THOSE WHO JOIN FOREIGN TERRORIST ORGANIZATIONS

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

Mr. POE of Texas. Mr. Speaker, over 260 Americans have traveled to Iraq and Syria to fight for known foreign terrorist organizations. When they return back to America, they are not coming back to open up coffee shops. They are coming back to do mischief against us.

The most important job of government is to protect the citizens. That is why my colleague, BILL KEATING, and I have introduced the Foreign Terrorist Organization Passport Revocation Act. It directs the Secretary of State to revoke passports of those Americans who have joined foreign terrorist organizations. They are still citizens, but they cannot travel back to the United States or to any other country. The only way they come back to the United States is under arrest by law enforcement in handcuffs.

This is a bipartisan bill that will stop these Benedict Arnolds from coming back at all. If someone takes arms up with our enemies, that person deserves to be treated like an enemy.

And that is just the way it is.

WELCOMING BRUCE BAILLIE TO THE JOINT SESSION OF CONGRESS

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

Mr. KILMER. Mr. Speaker, when you come in to Bremerton, Washington, on

the ferry, you see one of my favorite sights. It is Building 460 of the Puget Sound Naval Shipyard, and it says on the side of the building: "Puget Sound Naval Shipyard Building on a Proud Tradition." Puget Sound Naval Shipyard is far and away the largest employer in the region I represent, and these are men and women who take great pride in their work and have done so for over 125 years.

They are also critical to the success of our Navy's national security mission, but too often in this town, they don't get the respect they deserve. That is why my guest this evening is Bruce Baillie with the Bremerton Building and Metal Trades Council. Bruce is a local leader for our shipyard workers, and I want to make sure that this new administration understands how important this workforce is to our country.

These are not just talented professionals. They have been amazing partners in putting together an action agenda for shipyard workers that we introduced last week: exempting our shipyard workers from the hiring freeze which is critical to our Nation's security, making sure that retired servicemembers—our veterans—are able to secure jobs in our Defense Department, and halting policies that lower the compensation of defense workers—changes in per diem and overtime policies that affect their take-home pay.

It is important that we have the backs of these vital workers, and that is why I have invited Bruce Baillie as my guest this evening.

RARE DISEASE WEEK ON CAPITOL HILL

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, this week marks Rare Disease Week on the Hill. Many Members of this House will meet with patients, caregivers, physicians, family members, and advocates from across the country about how their lives are impacted by disease.

The National Institutes of Health considers a disease rare if it affects fewer than 200,000 people across the United States. Many times the disease is accompanied by uncommon or mismatched symptoms that make diagnosing the illness difficult, and many times such illnesses are without a cure.

Mr. Speaker, before I came to Congress, I was a healthcare professional, and I have seen firsthand how devastating a disease or injury can be to an individual and to families.

I welcome the rare disease community to Washington this week, and I look forward to meeting with Representatives from the Fifth District of

Pennsylvania, including Tom Weiser, James and Jean Rickard from Bellefonte, Pennsylvania.

Education can help shape healthcare policy, Mr. Speaker, to better meet the needs of the rare disease community, and I am pleased to be a part of that conversation.

DONALD TRUMP AND VLADIMIR PUTIN

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

Ms. KELLY of Illinois. Mr. Speaker, last week I hosted a dozen of constituent events in my district. At every turn, families asked the same question: When will Congress investigate the President's involvement with Russia?

I have received many calls and e-mails about Russia for weeks. The American people are deeply and rightly concerned with this administration's involvement with the Putin regime. We know the President's hand-picked national security adviser was forced to resign over his communications with Russia. We know that if Moscow did indeed influence our free elections, we have a duty to stand up against those threats and not sweep them under the rug.

We do not support Putin's human rights record, his treatment of journalists, or his invasions of Georgia and Ukraine, where my grandmother was born.

So why is the people's House protecting Vladimir Putin? Why are we not standing up to President Trump and investigating his dealings with the Putin regime? What are we afraid of?

To my colleagues on the House Oversight and Government Reform Committee, what are you afraid we will find out if we investigate?

Mr. Speaker, when are we going to get answers for the American people?

Lastly, I welcome Chicago WVON's Matt McGill and Planned Parenthood's Donna Miller to tonight's joint session.

E PLURIBUS UNUM

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

Ms. JACKSON LEE. Mr. Speaker, what a wonderful country that we live in. It is wonderful because we have come—maybe some because of the Statue of Liberty's wonderful words or others who have come in different ways, we are different, but we are one.

Tonight in his message, wouldn't it be well to focus on our unity and not our divisiveness?

Since the election, there have been 1,000 hate crimes. And, of course, in the last 72 hours to last week, two Indo Americans—Indians—engineers, one dead, one shot. And the perpetrator indicated in his words: I shot two Middle Easterners.

What kind of hate is being generated?

It has been generated, and it needs to cease. We need to have a speech tonight that will speak to the unity, speak against anti-Semitism and the attacks that are going on the Jewish community. We need to recognize the distinctions and the differences. We need to stop the siege against Hispanics, mass deportation, African-American discrimination and others, women and many others.

This needs to be a time of unity, respect, and dignity. I will be waiting to hear and to see what kind of America are we going to be guided by and what kind of America will we live in?

I hope for the best.

ACCESS TO QUALITY HEALTH CARE

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

Mr. GENE GREEN of Texas. Mr. Speaker, health care is important to every family in America. The Affordable Care Act increased access to health care for about 20 million Americans.

Is the Affordable Care Act perfect?

No bill that has ever been debated on this floor and passed is perfect.

Let's make our goal not to have anyone who received access to health care to lose it. We need to make it better and to guarantee access to quality health care for all Americans. America can do better.

PRESIDENT TRUMP NEEDS TO WORK WITH ALL PEOPLE

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

Mr. ENGEL. Mr. Speaker, I have long prided myself on working across the aisle to get things done for my constituents and all the American people. That is what the American people want: a government that grapples with tough issues in a constructive way.

Unfortunately, since January 20, the new administration has shown no interest in working with the Congress on both sides to tackle problems, including Russia's unlawful interference in last year's election. That is why I decided not to stand on the aisle in the House Chamber to shake the President's hand during the joint session of Congress, as I have done in the past through Democratic and Republican administrations alike. This will be the first time during my 29 years in this House I have made this decision.

I have deep respect for the Presidency, and I will attend the joint session, but that respect between the branches must be mutual. The President has attacked the free press by

calling it the enemy of the people. He has rejected America's traditional role welcoming refugees who have helped to make our country great. He has cozied up to Vladimir Putin, the strongman who attacks our democracy. He has moved to gut the Affordable Care Act. He has looked the other way when threats against the Jewish community have increased in the recent year.

This isn't part of our normal political discourse. This goes beyond ideological and political differences. The President needs to work with all people. Therefore, I will listen to what he has to say today, but I will not greet him and shake his hand.

□ 1215

PROVIDING FOR CONSIDERATION OF H.R. 998, SEARCHING FOR AND CUTTING REGULATIONS THAT ARE UNNECESSARILY BURDENSOME ACT, AND PROVIDING FOR CONSIDERATION OF H.J. RES. 83, DISAPPROVING THE RULE SUBMITTED BY THE DEPARTMENT OF LABOR RELATING TO "CLARIFICATION OF EMPLOYER'S CONTINUING OBLIGATION TO MAKE AND MAINTAIN AN ACCURATE RECORD OF EACH RECORDABLE INJURY AND ILLNESS"

Mr. COLLINS of Georgia. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 150 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 150

Resolved, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 998) to provide for the establishment of a process for the review of rules and sets of rules, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Oversight and Government Reform. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. All points of order against provisions in the bill are waived. No amendment to the bill shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Com-

mittee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. Upon adoption of this resolution it shall be in order to consider in the House the joint resolution (H.J. Res. 83) disapproving the rule submitted by the Department of Labor relating to "Clarification of Employer's Continuing Obligation to Make and Maintain an Accurate Record of Each Recordable Injury and Illness". All points of order against consideration of the joint resolution are waived. The joint resolution shall be considered as read. All points of order against provisions in the joint resolution are waived. The previous question shall be considered as ordered on the joint resolution and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Education and the Workforce; and (2) one motion to recommit.

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

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

GENERAL LEAVE

Mr. COLLINS of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on House Resolution 150, currently under consideration.

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

There was no objection.

Mr. COLLINS of Georgia. Mr. Speaker, I am pleased to bring forward this rule on behalf of the Rules Committee. The rule provides for consideration of H.R. 998, the SCRUB Act, and H.J. Res. 83, a resolution disapproving a Department of Labor rule relating to employee recordkeeping.

The rule provides for 1 hour of debate for each piece of legislation, equally divided between the chairman and ranking member of the Committee on Oversight and Government Reform and the chairman and ranking member of the Education and the Workforce Committee. The rule also provides for a motion to recommit for both pieces of underlying legislation. Additionally, the rule makes in order 12 amendments—11 from our friends across the aisle—to the SCRUB Act.

Yesterday, the Rules Committee had the opportunity to hear from Chairman CHAFFETZ and Congressman CARTWRIGHT on behalf of the Oversight and Government Reform Committee, and

Congressmen BYRNE and COURTNEY on behalf of the Education and the Workforce Committee.

Both pieces of legislation before us today take steps to remove unnecessary burdens that the government has levied on hardworking Americans from coast to coast. The regulatory burden in this country is staggering. In fact, the Code of Federal Regulations spans more than 178,000 pages and contains more than 1 million regulatory restrictions.

Let's let that sink in for just a moment, Mr. Speaker. Let's think about that for a second. 178,000 pages and over 1 million regulatory restrictions. An average of nearly 12,000 new restrictions are added each year.

Let me be clear. Some regulations are necessary. They are completely what we need to have. I don't believe that all regulation is bad. So before we go down that path, let me just say that this is a fact, and we can continue this.

I believe we need clean air, clean water, smart standards for how we handle nuclear energy, and worker protections, just to name a few. I also believe that we have allowed the regulatory scheme to run amok. Congress has ceded power to agencies, which have implemented more and more regulations, oftentimes with less and less benefit to Americans.

Far too many regulations offer our citizens minimal benefits at confounding cost. Taxpayers and businesses alike are withering under regulations that are outdated, irrelevant, and nonsensical.

Do we really need a regulation to mandate what kind of latch a baker uses on a flour bin? Do we really want to tell people that their dishwashers are forbidden to use enough water to actually clean their dishes, forcing them to wash their dishes twice rather than it actually conserving water?

Unfortunately, these stories aren't works of fiction. They are real regulations put in place by Federal agencies. We have to take steps to restore common sense to the regulatory process and clean up the regulation roster.

It is time we identify and abolish those regulations that are pointless, those that prevent people from doing their jobs, and those that are inefficient and ineffective. The SCRUB Act, Mr. Speaker, takes steps to do just that and contributes to our efforts to rein in overregulation.

The SCRUB Act, introduced by my friend from Missouri, Congressman JASON SMITH, establishes a bipartisan Retrospective Regulatory Review Commission to identify unnecessary rules that are hindering economic growth. The commission will then identify which rules need to be repealed immediately and which ones can be addressed by more flexible procedures outlined in the legislation.

The commission will report these findings to Congress, and Congress can

then vote on these recommendations and take steps either to begin immediately repealing regulations or implementing a CutGo process.

Importantly, the commission created by the SCRUB Act will also ensure that redundant regulations from different agencies will be reviewed. Currently, agencies implement their directives absent a systemwide view, meaning that overlapping and even conflicting regulations are enacted far too often.

From conversations with my constituents in northeast Georgia, I have witnessed how overregulation is stifling growth in our communities. The remedy for this economic anemia is to get unnecessary regulations off the books and, instead, focus on enforcing regulations that are actually achieving benefits for our neighbors.

The second piece of legislation that this rule provides for also returns us to reasonable policies that reinstate the spirit of the law. H.J. Res. 83, introduced by my fellow Rules Committee member, Congressman BYRNE from Alabama, utilizes the Congressional Review Act to overturn a rule from the Occupational Safety and Health Administration, or OSHA.

Worker protections are critically important, yet they lose their purpose when they fail to protect workers and jobs effectively. Too often, OSHA forgets that mission, and the rule we are talking about today is the latest example of misguided regulatory zeal.

In the waning days of the previous administration, OSHA put forth a final rule implementing punitive standards on employers, a move that contradicts the underlying statute. Under the law, employers are required to record and maintain logs of workplace injuries and illnesses that occur during a 5-year period; however, the employers can only be cited for recordkeeping violations within a 6-month time period.

Now, think about what was just said here. They have to keep it for 5 years, but they can only be cited for violations within a 6-month time period.

This arrangement is constructive. Logs should be kept up to date so that businesses can make informed decisions about health and safety in the workplace. This requirement encourages businesses to improve safety measures in a timely manner. However, the previous administration decided to rewrite the law through regulation in a way that penalizes and burdens small businesses without achieving meaningful benefit. OSHA finalized a rule that would extend the threat of penalty for recordkeeping violations up to 5 years.

Aside from ignoring existing law and court decisions that directly contradict this new regulation, OSHA has chosen to punish small businesses for paperwork violations rather than focusing resources on improving worker safety.

We can agree that keeping our workplaces safe is nonnegotiable, but OSHA

has repeatedly overstepped its mission in order to collect fines and apply oppressive rules at the expense of opportunities to cultivate healthier working conditions. It is time to bring this regulatory mischief to an end, which is why I am glad to see this resolution of disapproval to overturn the most recent OSHA overstep.

Mr. Speaker, both the SCRUB Act and the resolution of disapproval provided for by this rule take common-sense steps to unlock the regulatory shackles Federal agencies have put on our economy and taxpayers.

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

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

I thank the gentleman from Georgia, my friend, for yielding me the customary 30 minutes for debate.

Mr. Speaker, I rise to debate the rule for consideration. As my friend across the aisle has already noted, this rule bundles together two unrelated pieces of legislation. We are developing a pattern here of doing that in the Rules Committee.

The first of these is H.J. Res. 83, a Congressional Review Act resolution of disapproval that seeks to overturn a Department of Labor rule on workplace injuries, undermining workplace safety and health in the process.

The second measure is H.R. 998, the SCRUB Act, which establishes a new commission to review Federal regulations with the aim of needlessly politicizing and, thereby, undermining the regulatory framework that keeps our air clean and our water safe to drink.

I note that my friend on the other side of the aisle did not mention that this commission will cost \$30 million for work that last night's presenter at the Rules Committee said that Congress can do, the argument being that Congress doesn't have enough staff so we are going to send it over to nine people and pay \$30 million, starting, to have them do the work that we in Congress should be doing.

Beginning with the CRA resolution—the 14th such resolution considered by the House this month—the Republican leadership is continuing its onslaught against well-thought-out and measured regulations. I get it. Republicans control the House, the Senate, and the White House. They are desperately trying to ram through their priorities before anyone notices what they are doing.

It is interesting to me, Mr. Speaker, where the Republican majority has focused its attention throughout the past month. I can't help but notice that 40 days into Donald John Trump's administration, he has not put forth one single jobs measure. Democrats, on the other hand, continue to talk about the need for good, well-paying jobs. The United States Senate put out the Democrats' trillion-dollar jobs plan

that anybody can read on their website on where we stand when it comes to well-paying jobs.

Yet, as we advocate for our plan to rebuild our Nation's infrastructure and create over 15 million jobs in the process, Republicans pass measures to drug-test applicants for unemployment insurance and repeal rules that require Federal contractors to disclose violations of Federal labor and worker safety laws.

This resolution repeals a Department of Labor rule pertaining to the Occupational Safety and Health Administration. The rule in question requires employers to keep and maintain accurate records of every recordable injury and illness in federally mandated logs for a period of 5 years.

It is worth mentioning that this policy has been upheld in cases dating back to 1993. The rule, when implemented, added zero new compliance obligations, zero new reporting obligations, and cost a total of—you guessed it—zero dollars. Yet, once again, this is what we are spending our time on this week: repealing a thoughtful rule designed to protect workers.

I am particularly concerned by this resolution as it actually jeopardizes workplace safety by allowing employers to avoid penalties for the underreporting of injuries over many years. Longstanding workplace hazards will and can certainly be masked.

□ 1230

This makes it less likely that employers or employees will take corrective actions or that OSHA will find the hazards when they do an inspection, leaving workers in danger.

It is also worth noting that due to its very small budget, OSHA is only able to inspect a workplace, on average, once every 140 years. You heard me correctly, once every 140 years. That makes data even more important. Yet, by diminishing the reliability of a worksite's injury data, which some employers systematically underreport, this resolution also takes away OSHA's ability to protect workers from the most significant hazards.

Mr. Speaker, throughout the past week, concerned Americans attended town halls across the country, and for those who were actually able to meet with their Republican representative in Congress, the conversations focused on protecting health care, creating jobs, and protecting the environment. At these meetings, constituents did not ask for fewer workplace protections, they did not ask for Congress to act to make it easier for people with severe mental illness to purchase guns, they didn't ask for Congress to ease disclosure requirements for oil companies making payments to foreign governments, and yet these are the things the Republican majority has already chosen to focus on this month.

Watching the news, I did not hear one person say: if only Congress would repeal anticorruption rules, undermine my retirement security, and then allow endangered animals on national wildlife refuges to be killed using inhumane methods, if only Congress would do these things, my life would be better. Not one person, Mr. Speaker. Yet, in the past month, the House voted to do all of the things that I just mentioned. I submit to the American people watching at home right now that this is the face of today's Republican Party. Tell me who you think is really on your side.

Turning our attention to the SCRUB Act, this bill would establish a \$30 million commission with unlimited subpoena authority that is empowered to dismantle long-established, science-based public health and safety standards. The SCRUB Act would undermine the ability of agencies to react to immediate public health threats by adopting the regulatory CutGo process. The CutGo system is, in my opinion, completely detached from reality. This requirement will prohibit agencies from issuing any new rules, even in the case of emergencies or imminent harm to the public, until they repeal an existing rule to offset the cost. Along with bills that have already come to the House floor under this Republican Congress, as well as Donald Trump's executive actions mandating a regulatory freeze, this legislation demonstrates a continued attack on standards set in place to protect American families.

I guess it is not all that surprising that my Republican friends are pushing through legislation that prioritizes corporate profit over health and safety of the American people. Whether it is denying access to women's health care or rolling back environmental protections, Republicans are making it clear where their allegiances lie. For a party that prides itself on being anti-red tape, the SCRUB Act strangely duplicates existing requirements to conduct retrospective reviews of rules, rules on top of rules on top of rules. Our regulatory system should work for all American families and encourage companies to run safe, forward-thinking businesses. This legislation would move us in the opposite direction.

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

Mr. COLLINS of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I enjoy coming down here. I love being a part of debating and coming here to the floor. My friend from Florida and I do that quite regularly in the Committee on Rules, and it is a good thing. He has brought up a lot of bills over the last month. He listed out a list of horrors that was all discussed on this floor. I would encourage everyone to go back and look at the

other side, as Paul Harvey used to say, and the rest of the story. So for all the list of horrors, Mr. Speaker, we also need to balance on the votes that were cast on this floor and the debate had on this floor was not a one-sided affair. It was two, and the applicants were going.

The other thing that just struck me, Mr. Speaker, was this, especially dealing with the CRA, the records. It was interesting to see that this was a carefully thought-out proposal. It was not a carefully thought-out proposal. It was a reaction to a 2012 court case, the *Volks* case, in which the three D.C. Appellate Court judges, including Henderson, Brown, and Garland, said: OSHA, you can't do this, you can't go back and maintain the records and then only be able—what the law actually says is, punish within 6 months of this.

So this is not long and thought out. It was a way, as was established in the *Volks* case, actually the case said: "We do not believe Congress"—these were the judges speaking—"expressly established a statute of limitations only to implicitly encourage the Secretary to ignore it."

So this goes back to the heart, Mr. Speaker. If we are wanting to discuss the face of a Republican majority that is listening to the Constitution and the American people saying we need relief from some of these regulatory burdens in which good people—I will never not state that good people work in these agencies, but when you give good people a job, and you tell them to go do something and to sit in their cubicles or sit in their offices and say how can I come up with more regulatory, they are going to do it. Americans are the best workers in the world. They are going to use their talents.

The problem is when you put them in a position in which many times their talents do not equal what is happening in the real world. Mr. Speaker, you have seen that in your State. I have seen that in my State. In fact, we have seen it in Florida, as well, and other States. It is simply bringing us back to commonsense reasoning in this in saying why, when you cannot by law punish this, why are you keeping it?

The court actually also made an interesting statement as well in this, and in one of the footnotes it said: "That OSHA did not cite *Volks* for a failure to retain injury records when that is the only conduct for which the statute of limitations would not have clearly expired suggests that OSHA had, at some point, correctly understood that an unmade record cannot be said to have not been retained and that an employer's obligations with respect to making and keeping records are distinct."

The idea that you are somehow going to harm recordkeeping here—which is a separate violation, by the way, which has nothing to do with the keeping of

the records 5 years, let's at least get this process straight here. If you do not, as an employer, record workplace injuries and record these incidents, you are in an issue there. You are violating the law there. So let's look at this. OSHA has a great place. It should be the teaching arm. It should be the encouraging arm for every employer to look to for best practices and standards on how to do what I believe every employer here inherently gets up every morning wanting to do. They do not want to have a workforce that is hurt, maimed, or put at risk in their jobs every day.

Instead, OSHA has morphed, over time, and this body is partially to blame. It has morphed into something that, frankly, has left its Occupational Safety and Health Administration. It has become punitive. It has become a way of not being helpful, but yet actually hurtful in the marketplace.

So as we look at this, as we talk about this—and I appreciate my friend from Florida, and he makes a good case for his side—I am going to simply make the case for our side that when you look at regulatory burdens that shouldn't be there, when you are looking at it, as we just talked about, where every regulatory burden does not come down to clean air and clean water. Every regulatory burden we talk about does not come down to clean water, clean air, or working on airplanes or anything else. There are some that just simply are in the way in business. Like I mentioned earlier in my talk concerning how the linchpin on a baker's can actually should work. Really, Mr. Speaker?

So in this issue, let's continue to move how we are, let's continue to put forward commonsense regulations. We can disagree, and that is why that vote total on that board will show up in just a little while. But at the end of the day, who is on your side? It is the Republican majority who says: let's get to work safely, helpful, let's make sure everybody has the opportunity to continue to do what they intended to do, but do so in a sense that makes sense and doesn't continue to be punitive.

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

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

I appreciate the passion of my friend from Georgia. I would suggest to him that I am amused that he would get in the weeds in a rather substantial legal opinion. A portion of it he correctly cited, but he omitted the continuing part of the judge's remarks that said that, indeed, you could go back and put forth a resolution.

I find it particularly amusing that my friends on the other side, after not granting that judge a hearing so that he could become a Supreme Court Justice, now want to say what a great judge he is and what a great amount of

work he does. Shame on everyone who did not give him an appropriate hearing. But I understand what it is to steal a Justice of the Supreme Court, and that is what my friends on the Republican side did. This judge's opinion continued on to say that you could establish regulations.

Mr. Speaker, up until now, every President since Gerald Ford has disclosed his tax return information. These returns have provided a basic level of transparency that has helped to ensure the public's interest is placed first. The American people deserve the same level of disclosure from Donald John Trump. If they continue to refuse to provide it, it is incumbent upon us, as the people's elected representatives, to hold the executive branch accountable.

Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to bring Representative ANNA ESHOO's bill which would require Presidents and major party nominees for the Presidency to release their tax returns.

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

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

There was no objection.

Mr. HASTINGS. Mr. Speaker, I yield such time as she may consume to the distinguished gentlewoman from California (Ms. ESHOO), my good friend and classmate, to discuss our proposal.

Ms. ESHOO. Mr. Speaker, I thank the gentleman from Florida (Mr. HASTINGS), my friend, classmate, and wonderful colleague, for yielding time to me.

I rise today in opposition to the rule and the underlying bills. I urge my colleagues to defeat the previous question so that this bipartisan bill that I have written, the Presidential Tax Transparency Act, can be made in order for immediate floor debate and a vote.

The Presidential Tax Transparency Act would require the President and all future Presidents and Presidential nominees of the major parties, Democrats and Republicans, to publicly disclose their tax returns. It came as a surprise to many Americans, during the 2016 campaign, that this disclosure was not required by law. Instead, we have had a tradition of voluntary disclosure among every President of both parties since the post-Watergate era. Until now, our Presidents have recognized that those who seek or hold the most powerful office in the world should be held to the highest standard of transparency.

Donald Trump is the first President to refuse to release his tax returns since Gerald Ford, a man of the House. I remember when his remains were

brought to the Capitol where he rested in the rotunda but came by the doors of the House. He was a man of the House and a man of integrity.

□ 1245

He along with a host of others, Democrats and Republicans, voluntarily released their tax returns. But Mr. Trump's 2016 candidate filing with the Federal Election Commission shows that he has 564 financial positions in companies located both in the United States and around the world, including relationships with state-affiliated businesses in several countries.

Why is this important to note? The President had an opportunity to resolve these potential conflicts of interest by divesting and placing his business assets into a true blind trust, as other Presidents have done, Republicans and Democrats. Instead, he chose to turn over control of his business to his sons in an arrangement that the Director of the nonpartisan Office of Government Ethics called "wholly inadequate" and "meaningless from a conflict of interest perspective." Since he is taken office, these ethics concerns have been borne out in the form of his and his campaign's connections to Russia, deeply, deeply troubling to all of us and to the American people, legitimately so; his family's potential new business dealings in the Dominican Republic and Uruguay; and the hiring of a "director of diplomatic sales" at his Washington, D.C., hotel to attract high-priced business among foreign diplomats. This is deeply unsettling, to say the least.

Simply put, the President's business empire makes him more susceptible to conflicts of interest than any other President in the history of our country. Three of the President's nominees have already withdrawn their names from consideration due to potential financial conflicts of interest. Only a full release of the President's tax returns will provide the public with clear information as to his potential conflicts of interest and his potential entanglements with foreign governments and foreign businesses.

Last night, here on the floor, the House voted along party lines, unfortunately, to block an effort to obtain the President's tax returns under the House's existing authority. Today, we have another chance to honor the will of the American people and write this important disclosure tradition into law—into law.

According to a recent Washington Post/ABC News poll, 74 percent of Americans believe the President should release his tax returns—74 percent. The top petition on the White House website has over 1 million signatures to it, calling on the President to release his tax returns.

I think the voice of the people, the American people, is clear. As their representatives, they deserve to have us

take action on this because we all want a conflict of interest-free President.

I urge my colleagues to reject the previous question so we can hold an immediate vote on the Presidential Tax Transparency Act.

Mr. COLLINS of Georgia. Mr. Speaker, I yield myself such time as I may consume.

As my friend from Florida just said, I think we can sum it up very easily right here on this discussion. And, no, I did not choose not to continue the other quotes in the ruling which were, again, pretty amazing. I will just say this. The reason is because I was saving it for now.

They said: Well, you can go ahead and do a new regulation you can make them keep for 5 years. But as an Old Scripture taught me years ago: all things may be lawful, but not all things are profitable. You can do some things, but, in the end, are they really getting at the end result of what OSHA is supposed to do? Are you protecting employers and employees? Are you making the workplace safer? And right here, we are just not seeing that.

I think what is also interesting as we look at this is let's just have common sense in this. You still cannot punish up to 6 months. The court actually even said also, as well, as much the same on page 13 of their opinion.

I think what we have to look at here is, in looking at this, let's talk about the issues of common sense; let's talk about regulatory burden that works instead of regulatory burden that does not.

I reserve the balance of my time.

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

This evening, Donald John Trump will address a joint session of Congress. I expect we will hear some version of the same message we have heard throughout the first month of his chaotic administration—talk of jobs and American workers and protecting our country—but that is all it has been up to now, just talk. Instead of actually doing any of those things, Republicans are sowing chaos trying to turn their absurd campaign speeches into something that resembles policy; and, frankly, that just will not fly.

Donald John Trump's campaign rhetoric doesn't fit the actual challenges of governing, and I believe my friends on the other side of the aisle are starting to come to this realization. If they haven't, may I urge upon them that the rubber is going to hit the road with the debt ceiling and with tax reform and with repeal and replace of the Affordable Care Act. I ask the American public to watch the divisions on the other side when the rubber hits the road.

Mr. Speaker, with every action they take, reality and facts keep stopping them in their tracks. The un-American Muslim ban was put in check by the judicial branch. Their attempts to repeal

ObamaCare have been checked by their own constituents at their own town-halls. The majority needs to wake up and realize that these are not sound policies, but reckless chaos.

It is past time for the majority to get serious about the serious business of governing. And yet, with these measures here today, all we continue to see are antiworker, antienvironment, and, in the final analysis, anti-American proposals. The American people want solutions, not a governing party that just checks the box of unrealistic, chaotic, and harmful campaign promises.

Mr. Speaker, I urge a "no" vote on the rule and the underlying measure.

I yield back the balance of my time.

Mr. COLLINS of Georgia. Mr. Speaker, I yield myself such time as I may consume.

As we come to the close of this time of rule debate, I think we have laid this out. I think, again, it is very clear, Mr. Speaker, what we determine and what we go forward with in the process.

As we move forward, it is interesting to me—and I would be, too, if I were in the minority and didn't really have a plan except the one that has been tearing up the health insurance market, that has been hurting others. And now as we look to actually make movement on a replacement and repeal of that, I would say that I would watch for divisions. I would watch for cracks and the fissures. I would do whatever I could.

But the truth of the matter is that, over the next month, in this body, we are going to move forward with what we have said we are going to do. We are going to be working on those aspects. We are going to be bringing it to the floor, and the American people can make the judgment for themselves.

People will continue to discuss. It is healthy in our country to have that discussion. It is healthy that we move forward. It is also healthy we examine all of the facts.

This rule today, though, simply deals with common sense. Let's look at our regulatory burden. Let's look at issues that—again, it is one thing to look at a rule that is there for protection. Workplace safety is enhanced by making you record what is going on and making you be able to then correct what may be a problem in your business. But simply keeping records for 5 years when you can't be punished but for 6 months of those is simply putting a burden on business to keep records that are really at the end of the day not accomplishing your bottom line.

It goes back to what I said earlier, Mr. Speaker. I believe that OSHA is a valuable organization when doing what it is supposed to be doing: protecting workplace safety, doing things that actually matter, doing things that actually help. But many times in my businesses that I go to, they have put in rules over the years that say that we are now in a continuing violation.

In other words, if one time they come in and they say that an electrical outlet is not plugged in properly to an extension cord, you fix that. When they come back 2 or 3 months later and see something on the other side of the building that deals with electrical, then they will say, well, it is a continuing violation, not the violation previous, and they triple the fines.

OSHA now, and the good folks who work there, I believe, truly want to help. They truly have set out best practices. But they have grown to the point where we have allowed them to become not the help that they should be, but are basically and many times a hindrance and a menace to our businesses, from the farms to the factories, to the coal mines, all that. It has just gotten out of hand.

So my discussion, Mr. Speaker, is this. How do you get regulatory burden that actually makes sense?

We are not going to stand here and argue over a rule that makes sense. I will never sit here and say that we should not record workplace injuries and let businessowners then be fined if they are doing something wrong. We will never argue about that.

But when it comes to the point of excessive recordkeeping that, at the end of the day, does nothing except burden the business, how do you explain that as helping workplace safety? If my son is in the pool and can't get to the side and I do nothing, I can have great intentions; but unless I get in and bring him to the side, then I have actually done something.

A rule that has no end result to the bottom line of what you are doing is simply waving and saying, "Oh, I am doing something," instead of getting back to the purpose that OSHA should be about. When businesses and OSHA cannot work together collaboratively to seek and to set a process in which businesses are safer and employees are healthier, then OSHA is failing and they have become punitive in nature.

Why don't they come in and help businesses? Why don't they come in and start? And if there is a business that continues the process of being bad actors in the marketplace, then take them out, fine them, do what you need to do. But I, myself, believe that most businessowners—and I was one at one point—that we don't go in every day wanting to hurt employees. We don't want to do that. We want to have a safe workplace that presents a good product, that presents a good service, that presents the activity that continues our economic engine.

Let's quit defending rules that don't work. Let's quit wasting time defending rules and having our agencies in this city determine that all they want to do is generate rules because that is their job description. Let's see the things that actually work. If they want to be policy experts, then let them run

for office. But if you are going to at least look at it, do it by the law.

Mr. Speaker, these rules before us today provide two very important bills that take steps to get our economic engine going again. They do, as we have talked about, look at unnecessary rules. They look at things that need to be examined.

But we also can't simply pretend existing nonsensical regulations don't exist, because they are being enforced at the expense of innovators and job creators across the country, and they are being enforced without using any common sense.

A case in point, did you know that trains have to have an F painted on the front of them so that people can tell which end is the front? I don't know about you, but I believe Americans can tell the front from the back of a train.

We have got to identify existing business regulations like this that are outdated and simply don't make sense anymore and start taking steps to repeal them. The bills before us today are a step in the right direction.

Mr. Speaker, I urge my colleagues to support this rule and the underlying bill.

Ms. JACKSON LEE. Mr. Speaker, I rise in strong opposition to the rule for H.R. 998, the "Searching for and Cutting Regulations that are Unnecessarily Burdensome Act of 2017," or "SCRUB Act," and the underlying bill.

I oppose the rule and the underlying bill because it hampers the ability of federal agencies to act in times of imminent need to protect citizens.

The SCRUB Act seeks to establish a Retropective Regulatory Review Commission to identify and recommend to Congress existing Federal regulations that can be repealed to reduce unnecessary regulatory costs to the U.S. economy.

As such, this bill purports to reduce bureaucracy by establishing a new "regulatory review" commission charged with identifying duplicative, redundant, or so-called "obsolete" regulations to repeal.

Specifically, H.R. 1155 would establish a commission with unlimited subpoena power consisting of unelected, appointed members to review existing agency rules and make recommendations to Congress for an up or down vote on rules to be eliminated.

The scope of this review would be virtually unlimited leaving no rule or regulation safe, and Congress would be prohibited from debating the individual repeal recommendations but would instead be forced to consider the commission's rule recommendations in a single package.

Under the legislation as currently drafted, agencies would be required to follow a "cut-go" process—prohibiting a new rule from being issued until an existing rule of equal or greater "cost" according to the commission is repealed—thereby undermining the ability of agencies to quickly respond to imminent threats to public health and safety.

Mr. Speaker, the SCRUB Act—and the creation of this \$30 million regulatory commission—is problematic because it would operate

with little meaningful oversight, transparency, or public accountability to ensure that its recommendations do not subvert the public interest and safety.

For instance, the SCRUB Act would prohibit any regulatory agency from issuing any new rule or informal statement, including non-legislative and procedural rules, even in the case of an emergency or imminent harm to public health, until the agency first offsets the costs of the new rule or guidance by eliminating an existing rule identified by the Commission.

This regulatory "cut-go" process would force agencies to prioritize between existing protections and responding to new threats to our health and safety.

Such a sweeping requirement would endanger the lives of Americans by creating unnecessary delays in the Federal rulemaking process and creating additional burdens and implementation problems that will only divert critical agency resources and diminish agencies' ability to protect and inform the public in times of imminent danger and need.

For instance, if an agency needed to respond to an imminent hazard to the public or environment, it would have to either rescind an existing rule that is identified by the Commission's arbitrary and cost-centric process or choose not to act.

That is why I offered an amendment that would have exempted from the SCRUB Act any rule relating to the prevention of cyberattacks intended to interfere with elections for public office.

Regrettably, the Rules Committee did not make this salutary amendment in order, which is another reason I cannot support the legislation.

The Jackson Lee Amendment would protect American citizens by ensuring that our federal agencies are not unnecessarily burdened with regulatory mandates that would jeopardize the ability of federal agencies to ensure the integrity of our electoral processes, prevent cyber terrorism, and enhance the security and integrity of cybernetworks and systems.

Now is not the time to undermine or impede the ability of DHS, DOJ, and other federal agencies to combat growing threats and active acts of cyber terrorism.

For these reasons, I strongly oppose the rule for H.R. 998, and urge all Members to join me in voting against this irresponsible and unwise legislation.

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

AN AMENDMENT TO H. RES. 150 OFFERED BY
MR. HASTINGS

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

SEC. 3. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 305) to amend the Ethics in Government Act of 1978 to require the disclosure of certain tax returns by Presidents and certain candidates for the office of the President, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided among and controlled by the respective chairs and rank-

ing minority members of the Committees on Ways and Means and Oversight and Government Reform. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 4. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 305.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

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

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

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

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

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

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

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

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

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

The yeas and nays were ordered.

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

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 28, 2017.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on February 28, 2017, at 9:20 a.m.:

Appointment:
Senate National Security Working Group for the One Hundred Fifteenth Congress.

With best wishes, I am
Sincerely,

KAREN L. HAAS.

APPOINTMENT OF INDIVIDUAL TO BOARD OF VISITORS TO THE UNITED STATES AIR FORCE ACADEMY

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to 10 U.S.C. 9355(a), and the order of the House of January 3, 2017, of the following individual on the part of the House to the Board of Visitors to the United States Air Force Academy:

Lieutenant Colonel Bruce Swezey,
U.S. Air Force, Retired, Franklin, Wisconsin

RECESS

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

Accordingly (at 1 p.m.), the House stood in recess.

□ 1346

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. ROGERS of Kentucky) at 1 o'clock and 46 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Ordering the previous question on House Resolution 150; and

Adoption of House Resolution 150, if ordered.

The first electronic vote will be conducted as a 15-minute vote. The second electronic vote will be conducted as a 5-minute vote.

PROVIDING FOR CONSIDERATION OF H.R. 998, SEARCHING FOR AND CUTTING REGULATIONS THAT ARE UNNECESSARILY BURDENSOME ACT, AND PROVIDING FOR CONSIDERATION OF H.J. RES. 83, DISAPPROVING THE RULE SUBMITTED BY THE DEPARTMENT OF LABOR RELATING TO "CLARIFICATION OF EMPLOYER'S CONTINUING OBLIGATION TO MAKE AND MAINTAIN AN ACCURATE RECORD OF EACH RECORDABLE INJURY AND ILLNESS"

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 150) providing for consideration of the bill (H.R. 998) to provide for the establishment of a process for the review of rules and sets of rules, and for other purposes, and providing for consideration of the joint resolution (H.J. Res. 83) disapproving the rule submitted by the Department of Labor relating to "Clarification of Employer's Continuing Obligation to Make and Maintain an Accurate Record of Each Recordable Injury and Illness", on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

The vote was taken by electronic device, and there were—yeas 224, nays 191, not voting 15, as follows:

[Roll No. 103]

YEAS—224

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

NAYS—191

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

The SPEAKER pro tempore (Mr. COLINS of Georgia). Is there objection to the request of the gentleman from Utah?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 150 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 998.

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

□ 1421

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 998) to provide for the establishment of a process for the review of rules and sets of rules, and for other purposes, with Mr. PALMER in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Utah (Mr. CHAFFETZ) and the gentleman from Maryland (Mr. CUMMINGS) each will control 30 minutes.

The Chair recognizes the gentleman from Utah.

Mr. CHAFFETZ. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, H.R. 998, the Searching for and Cutting Regulations that are Unnecessarily Burdensome Act, also known as the SCRUB Act, was introduced by our colleague JASON SMITH. I happen to be a cosponsor of this bill, as well as the gentleman from Virginia (Mr. GOODLATTE), the chairman of the Committee on the Judiciary, and the gentleman from Texas (Mr. SESSIONS), the chairman of the Committee on Rules. We rise in support of this bill, the SCRUB Act.

Regulatory accumulation is a significant problem for the Federal Government. Year after year, Federal agencies add regulation after regulation, piling on to an already very complex and crowded regulatory system. The Code of Federal Regulations, also known as the CFR, has some 178,000 pages. These are the regulations that you are supposed to understand if you are in a business—small business, big business, medium-sized business. It contains more than 1 million regulatory restrictions. Every year the Federal Government adds, on average, nearly 12,000 new regulations on top of those.

The regulatory accumulation has considerable impact upon our economy. According to the Competitive Enterprise Institute, regulatory compliance hurts economic growth by pulling nearly \$1.8 trillion out of the economy. Regulations are particularly hard on small businesses that don't have the legal resources and the wherewithal to

understand all of the complexities. Many small- and medium-sized businesses will be doing things that they don't necessarily even know or understand could be problematic.

There is room for regulation, don't get me wrong. I am not suggesting there should be no regulation, but we are trying to clean up some of this regulation and weed out the good from the bad. The SCRUB Act will enable the government to do so, and that is why I appreciate our colleague JASON SMITH for championing and bringing this bill to the floor again.

The SCRUB Act establishes a bipartisan—and I can't say that enough, a bipartisan—Retrospective Regulatory Review Commission to conduct a comprehensive review of Federal regulation. The commission's goal is to reduce regulatory costs to the economy by at least 15 percent.

The act charges the commission with identifying outdated, obsolete, and unnecessary regulations in need of repeal or amendment. The commission gives priority to those regulations that are 15 years old and older. I think that is an appropriate direction that they should go.

The commission will consist of regulatory experts chosen on a bipartisan basis and confirmed by the United States Senate. They will take a governmentwide look at the regulatory system, allowing for impartial and wide-ranging review of outdated and unnecessary regulations.

This is not a new or a partisan concept. In fact, in 1978, President Jimmy Carter issued an executive order requiring agencies to "periodically review their existing regulations to determine whether they are achieving the policy goals." In addition, every President since has required some level of retrospective regulatory self-review by those agencies themselves. In fact, it was President Obama who issued three executive orders on regulatory review. He required agencies to develop retrospective review plans and to set priorities for implementing that review.

The commission is tasked with identifying regulations that ought to be repealed or amended. The commission will use commonsense criteria to determine whether regulations are overlaps, duplicates, or just flat-out conflicts with existing regulations. After expedited congressional approval, agencies are required to repeal some regulations based on the commission's recommendations. So you have people who are selected, they are Senate confirmed, then they bring forward a package that is allowed to be viewed by Congress.

Some have said, well, you know, this is excusing Congress from its duties. Quite to the contrary. The committees, Members, everybody should be paying attention to this, but to have a bipar-

tisan group go out and look and make a recommendation, then it is up to Congress whether or not to accept it. We need to go through the House, the Senate, and be signed on by the President in a bipartisan way because there will be Members from both sides of the aisle who will be able to appoint members.

Other regulations would be subject to innovative, regulatory CutGo procedures. The CutGo process gives agencies flexibility on how to prioritize regulatory elimination. It allows agencies to choose which regulations to repeal or amend and at what time. However, new regulations may not be promulgated until equally costly regulations are repealed.

The SCRUB Act gives agencies the direction and momentum needed to implement the regulatory reform our economy needs. We all know that regulations can improve health and safety; but sometimes, with the best intention, these outdated and excessive regulations hurt our economy and put other people in jeopardy. The accumulation over decades is something that should just simply be reviewed. I think it is pretty hard to argue that a review process is unwarranted or unneeded, given the amazing and impactful status that it puts upon those things that are damaging our economy.

I again want to thank JASON SMITH for his leadership on this issue. I also want to thank Chairman BOB GOODLATTE and the Judiciary staff for their dedicated work on this, as well as Chairman PETE SESSIONS for his good work on this. A lot of good people have worked on this. I do support it.

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

HOUSE OF REPRESENTATIVES, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,

Washington, DC, February 16, 2017.

Hon. BOB GOODLATTE,
Chairman, Committee on the Judiciary,
Washington, DC.

DEAR MR. CHAIRMAN: On February 14, 2017, the Committee on Oversight and Government Reform ordered reported without amendment H.R. 998, the "Searching for and Cutting Regulations that are Unnecessarily Burdensome Act of 2017" (SCRUB Act) by a vote of 22 to 17. The bill was referred primarily to the Committee on Oversight and Government Reform, with an additional referral to the Committee on the Judiciary.

I ask that you allow the Committee on the Judiciary to be discharged from further consideration of the bill so that it may be scheduled by the Majority Leader. This discharge in no way affects your jurisdiction over the subject matter of the bill, and it will not serve as precedent for future referrals. In addition, should a conference on the bill be necessary, I would support your request to have the Committee on the Judiciary represented on the conference committee. Finally, I would be pleased to include this letter and any response in the bill report filed by the Committee on Oversight and Government Reform, as well as in the Congressional Record during floor consideration, to memorialize our understanding.

Thank you for your consideration of my request.

Sincerely,

JASON CHAFFETZ,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, February 21, 2017.

Hon. JASON CHAFFETZ,
Chairman, Committee on Oversight and Government Reform, Washington, DC.

DEAR CHAIRMAN CHAFFETZ: I write with respect to H.R. 998, the "Searching for and Cutting Regulations that are Unnecessarily Burdensome Act." As a result of your having consulted with us on provisions within H.R. 998 that fall within the Rule X jurisdiction of the Committee on the Judiciary, I forego any further consideration of this bill so that it may proceed expeditiously to the House floor for consideration.

The Judiciary Committee takes this action with our mutual understanding that by foregoing consideration of H.R. 998 at this time, we do not waive any jurisdiction over subject matter contained in this or similar legislation and that our committee will be appropriately consulted and involved as this bill or similar legislation moves forward so that we may address any remaining issues in our jurisdiction. Our committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation and asks that you support any such request.

I would appreciate a response to this letter confirming this understanding with respect to H.R. 998 and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration of H.R. 998.

Sincerely,

BOB GOODLATTE,
Chairman.

Mr. CUMMINGS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in strong opposition to this legislation. The SCRUB Act would establish a \$30 million commission of unelected—and I emphasize that, unelected—bureaucrats to duplicate work that agencies are already supposed to be doing. The bill would focus on the costs of regulations while disregarding their benefits and protecting the most vulnerable populations in our country, like the children in Flint, Michigan.

□ 1430

If there is any doubt about this, one need look no further than the so-called CutGo provision in this bill. That provision would require that, when an agency makes a new rule, it must offset the cost of that new rule for the repeal of an existing rule. This applies even if the new rule is in response to an imminent health or safety threat.

Agency compliance with this CutGo provision would also be subject to judicial review, which prolongs the process even more. This would inevitably result in lengthy delays, as both industry and nonprofit groups routinely file challenges to agency decisions.

President Obama has already issued two executive orders to eliminate un-

necessary regulations. On January 18, 2011, he issued Executive Order 13563, requiring each agency to implement plans for reviewing existing rules. That executive order requires each agency to: "periodically review its existing significant regulations to determine whether any such regulations should be modified, streamlined, expanded, or repealed."

In addition, President Obama issued Executive Order No. 13610 on May 10, 2012, requiring agencies to report twice a year to the Office of Information and Regulatory Affairs on the status of their review efforts. In November 2014, a report prepared for the Administrative Conference of the United States highlighted the impact of these mandated reviews, concluding: "Implementing President Obama's executive orders on retrospective review of regulations, agencies identified tens of billions of dollars of cost savings and tens of millions of hours of reduced paperwork and reporting requirements through modifications of existing regulations."

Congress has the authority and certainly the responsibility to conduct oversight to review existing agency rules and to recommend or mandate reforms, yet this bill would create a new commission, a new commission that would cost taxpayers \$30 million to do what agencies and Congress are already supposed to be doing.

In addition, the commission's report to Congress on the rules it recommends repealing would be subject to an up-or-down vote by the Congress. Congress would not be allowed to vote on each regulation individually, and this would usurp the authority of Congress.

One of the most troubling aspects of this bill is that it would entrust this unelected commission with extraordinary and virtually unlimited authority to subpoena witnesses or documents. Section 101(c) of the bill states: "The commission may issue subpoenas requiring the attendance and testimony of witnesses and the production of any evidence relating to the duties of the commission. The attendance of witnesses and the production of evidence may be required from any place within the United States at any designated place of hearing within the United States."

Most agency inspectors general do not have such broad authority to compel witness testimony. Yet this unelected commission would have this authority. This means that it could compel an individual to testify on any subject. For example, a schoolteacher could be compelled to testify about education rules or a senior citizen could be compelled to testify about Medicare or Social Security rules. This extraordinary subpoena power is especially troubling because the commission's jurisdiction is limitless.

There is no restriction on what regulations the commission can review.

Three prominent law professors with the Center for Progressive Reform sent a letter opposing an identical bill in the last Congress. The letter said this proposal would: "create a convoluted, complex, and potentially very expensive new bureaucracy to review existing agency rules and make recommendations for the repeal or weakening of those rules with little meaningful oversight, transparency, or public accountability to ensure that these recommendations do not subvert the public interest."

In addition, Citizens for Sensible Safeguards, a coalition of more than 150 consumer, labor, and good-government groups, also oppose the bill.

This bill could have dangerous consequences for the health and safety of the American public; therefore, I strongly urge every Member to oppose it.

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

Mr. CHAFFETZ. Mr. Chairman, I yield the balance of my time to the gentleman from Florida (Mr. Ross).

Mr. ROSS. Mr. Chairman, I thank the chairman for allowing me this opportunity.

Mr. Chairman, I yield 2 minutes to the gentlewoman from Washington (Mrs. McMORRIS RODGERS).

Mrs. MCMORRIS RODGERS. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, America is home to some of the most creative, innovative, inspirational people imaginable. When empowered, Americans design and build in ways that change the world, and change it for the better.

But far too often, our innovators are bogged down by red tape, thanks to a government that thinks it knows better how to think, how to believe, how to run their businesses, and how to live their lives. It is not only making life more difficult. It costs us nearly \$2 trillion a year. That is about \$15,000 a family. So we are rolling back these regulations and offering much-needed relief to families and businesses across the country.

Thanks to my good friend, Representative JASON SMITH's leadership, the SCRUB Act provides another powerful tool that gives control back to the American people through their Representatives. This bill creates a long, overdue process to identify ineffective, outdated, and duplicative regulations for repeal, with priority being given to the older, major, more expensive rules.

We made a promise to the American people. Their voice matters in our government. We are going to do whatever we can to restore that voice and put it at the center of every decision we make.

I am proud of Representative SMITH's work to rein in government. I am proud to support this bill, and I urge my colleagues to do the same.

Mr. CUMMINGS. Mr. Chairman, I yield 3½ minutes to the gentlewoman from New Jersey (Mrs. WATSON COLEMAN), a very distinguished member of our committee.

Mrs. WATSON COLEMAN. Mr. Chairman, I thank the ranking member.

Mr. Chairman, there are many troubling aspects of this bill, but most pressing is that this legislation, without clear policy rationale, caters to demands of my Republican colleagues to slash existing regulations and muddy the process of passing new ones.

Congress already has a responsibility of reviewing existing rules and mandating reform. Why delegate that to those not elected to do so?

This unsettling bill spends millions of taxpayer dollars to create a hand-picked commission to do the job of Congress without accountability. No, thank you.

This unelected and unaccountable commission, appointed by the President and Congress, would submit regulatory changes without the opportunity to amend the measure, taking regulatory review out of the hands of the agency experts. This is counterproductive and an insult to the democratic process.

To add insult to injury, this bill makes the regulatory process transactional.

By forcing agencies to repeal regulations in order to adopt a new one, we risk public health and safety.

Why have they prioritized costs over benefit? Why are American lives on the chopping block?

I urge my colleagues to vote no against this bill.

Mr. ROSS. Mr. Chairman, I yield such time as he may consume to the gentleman from Missouri (Mr. SMITH).

Mr. SMITH of Missouri. Mr. Chairman, on January 20, America witnessed the end of the most regulation-happy Presidency in American history. Under the Obama administration, the pages of the Code of Federal Regulations reached the highest level in the history of our country.

The Obama administration issued 3,037 finalized regulations, which means almost two new regulations were added each and every day on American farmers, families, and small-business owners. Regulations from the last administration alone cost taxpayers \$873 billion. That is a burden of over \$12 million an hour added by the Obama White House on the American taxpayer. Back home in Missouri alone, the cost of complying with regulations just added by the Obama administration totaled \$19 billion, which is equal to over \$9,000 in costs per person. Regulations written by unelected bureaucrats in Washington are suffocating the very farmers and small-business owners who we need to hire and expand in order to get full workforce participation.

Today, we are considering a solution to this problem with the Searching for and Cutting Regulations that are Unnecessarily Burdensome Act, otherwise known as the SCRUB Act. The SCRUB Act's objective is to reduce the overall cost of regulations by at least 15 percent.

With the passage of the SCRUB Act today, we are simply putting the tools in place to support what President Trump has already started. During his first full week in office, President Trump authored an executive order for the purpose of reducing regulation and controlling regulatory costs. The order is simple. For every new proposed regulation, two existing ones must be taken off the books. This order will help prioritize regulations truly in the best interest of the American people and remove ones that are outdated, burdensome, and costly.

And just last week, the President began a regulatory review task force to review existing regulations. The SCRUB Act mirrors and supports the President's actions, ensuring that our regulatory burdens never again reach the heights that they are today.

The SCRUB Act makes sure that farmers, small-business owners, and families impacted by Washington regulators have a seat at the table in prioritizing which ones the Trump White House should remove. We must help the President put an end to the Washington-knows-best mentality that has polluted our Nation's Capital and plagued the American people for the past 8 years.

Many of you voted in favor of this legislation last Congress. However, with this new administration, the American people are calling for us to change the way things are done in Washington. So it is my hope that you will join me once again in helping put an end to the Washington regulatory machine.

I also call on my colleagues on the other side of the Capitol, who seem lately more bent on obstruction, to re-evaluate why their districts and States sent them to Washington. I am hopeful they will consider supporting the legislation, policies, laws, and nominations that will help alleviate the burden of an oversized Federal Government. With the SCRUB Act, we have a real opportunity to shrink the size of government and get Washington off the backs of the American people.

I want to thank Chairman CHAFFETZ and Chairman GOODLATTE for bringing this bill up today, and I urge my colleagues to vote "yes" on the SCRUB Act.

Mr. CUMMINGS. Mr. Chairman, I yield 3½ minutes to the gentlewoman from California (Ms. SPEIER).

Ms. SPEIER. Mr. Chairman, I thank the ranking member of the Oversight and Government Reform Committee, a great leader in our Congress, and someone who I admire greatly.

The only thing clever about this bill is the title. Everything else about this bill is truly diabolical. The SCRUB Act isn't going to clean anything up. Its toxic suds will just make people sicker, our environment dirtier, and our products more dangerous.

Creating an unelected commission to oversee the entire regulatory policy of the United States is undemocratic and unimaginably damaging. Essentially, five people appointed by the President would be able to sacrifice the health and safety of the American public to the altar of big business.

□ 1445

Say good-bye to protections from big banks, big polluters, and big pharmaceutical companies; and hello to financial ruin, environmental destruction, and unsafe food and drugs.

These Presidential pawns would also have unlimited subpoena power. Now, think about this: they are going to have more subpoena power than the inspectors general in this country.

Also, the SCRUB Act's senseless and dangerous regulatory cut-go process would force agencies to choose between maintaining existing protections and responding to new threats to our health and safety. For example, in order to clean up the air, an agency might have to allow a corporation to pollute our drinking water.

Talk about death panels—this, my friends, is a death panel. The only thing the SCRUB Act washes away is commonsense governance. This is a diabolical bill; and this, my friends, is what being drunk with power delivers.

Mr. ROSS. Madam Chair, I yield 2 minutes to the gentleman from Texas (Mr. FARENTHOLD).

Mr. FARENTHOLD. Madam Chair, you know what? We have got over 1 million pages of regulations. We have got so many laws nobody could possibly know them. I would venture to say there are very few people today who can't go a day without violating some law or some regulation. It has gotten too complex.

Nobody wants a dirty environment. Nobody wants dirty water, but we need a reasonable amount of regulation that we can understand, that we can follow, and that will protect America and create jobs.

The SCRUB Act creates a commission that comes back to Congress with recommendations of what to get rid of. You know what? I would like to do it all here in Congress, too, but we sure face a lot of obstruction in getting things done here. It doesn't move fast here.

Let's get a commission to do the basic work. Let's bring it back to Congress, and let us decide and let us get rid of regulations. Let's make the agencies pick and choose which regulations that they think are important, and they will do it.

This is commonsense legislation to get the regulatory state under control, and I urge my colleagues to support it.

Mr. CUMMINGS. Madam Chair, I yield myself the balance of my time.

The SCRUB Act poses real and significant dangers to the health and welfare of the American public. By focusing predominantly on the cost of the rules, the SCRUB Act's CutGo provision will repeal rules with little regard for how they benefit and protect the American people.

The commission's virtually unlimited authority to subpoena witnesses or documents, combined with its uncircumscribed ability to review and recommend repeal of any current rules, is an extraordinary grant of power that could have tragic repercussions for the health and safety of the American people.

The SCRUB Act is a waste of \$30 million of hard-earned taxpayer money for work that is already being done by Federal agencies.

I strongly urge every Member to oppose this act.

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

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

You know, some time ago, when I first got involved in this political processing, I made it known that I felt that the silent killer of American business was the regulatory regime that we have in place, where over 50 years this Congress has ceded its authority to unelectable, unaccountable bureaucrats. Today we have 175,000 pages in the Code of Federal Register that is evidence of that. It is time that we, as a Congress, on behalf of our constituency, on behalf of the future well-being of this country, take back that authority with oversight and accountability through this SCRUB Act.

It has been said that there is approximately, on average, \$20,000 a year per employee of a manufacturer that is attributable just to compliance with regulation. We need to make sure that we have our manufacturers, our businesses, doing that which they do best within a reasonable regulatory scheme, and that is what this act offers: a reasonable regulatory scheme that allows Congress who has the authority—actually has the only authority—to hold accountable these unelectable bureaucrats. The SCRUB Act will allow us to do that.

It will allow due process through a discovery process. More importantly, the review board, the commission, the five bipartisan members who are appointed by the President must be confirmed by the Senate. This, in and of itself, is a sense of due process, a sense of accountability, and, more importantly, a strong sense of purpose that the American people would want to see this Congress be able to go in and take back the authority that they have del-

egated—at sometimes recklessly—to these bureaucratic organizations.

We talk about the \$30 million. I know the \$30 million is always big in any equation that you have, but when you allow the \$30 million to be spent over 5 years and you allow that to have the removal of certain regulations, you will pay for this \$30 million 10 times over in no time at all.

So it is with a sense of advocacy on behalf of not only congressional authority, but also a sense of advocacy on behalf of American business and the future economic growth of this country, that I ask my colleagues to wholeheartedly support the SCRUB Act.

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

Mr. JOHNSON of Georgia. Madam Chair, I rise in opposition to H.R. 998, the SCRUB Act.

This ill-advised bill would require agencies to undertake a regulatory cut-go process to repeal rules identified by the Commission, with little to no consideration of the benefits, prior to issuing any new rule.

The SCRUB Act's regulatory cut-go procedures are unsafe, dangerous, and would tie the hands of agencies responding to public health crises requiring timely regulatory responses. In fact, this bill lacks any mechanism for consideration of public health and safety, thus leaving no option for agencies to issue emergency rules to protect the public and environment from imminent harm.

The bill's proponents may claim that the title I of the H.R. 1155 would allow the Commission to consider whether the costs of the bill are not justified by the benefit to society. But as witnesses testified during the Judiciary Committee's consideration of a previous version of this bill, the catch-all language of subsection (h)(2)(I) would allow the Commission to completely disregard any benefit of regulation.

In both Republican and Democratic administrations, the benefits of our system of regulatory protections have made our country safer, stronger, healthier, and cleaner. While consideration of the costs of regulations is important, there is overwhelming consensus that the benefits of regulation vastly exceed the costs.

The Government Accountability Office has observed that these benefits "include, among other things, ensuring that workplaces, air travel, foods, and drugs are safe; that the nation's air, water and land are not polluted; and that the appropriate amount of taxes is collected."

This evidence overwhelmingly refutes the assertion that regulatory costs are burdensome, eliminate jobs, or harm our economic competitiveness. We should be empowering our agencies, not hindering them, to take the steps needed to protect our environment, consumer products, public health, and safety.

I ask my colleagues to oppose this bill.

The Acting CHAIR (Ms. Foxx). All time for general debate has expired.

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

The text of the bill is as follows:

H.R. 998

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Searching for and Cutting Regulations that are Unnecessarily Burdensome Act" or as the "SCRUB Act".

SEC. 2. TABLE OF CONTENTS.

Sec. 1. Short title.

Sec. 2. Table of contents.

TITLE I—RETROSPECTIVE REGULATORY REVIEW COMMISSION

Sec. 101. In general.

TITLE II—REGULATORY CUT-GO

Sec. 201. Cut-go procedures.

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TITLE III—RETROSPECTIVE REVIEW OF NEW RULES

Sec. 301. Plan for future review.

TITLE IV—JUDICIAL REVIEW

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TITLE V—MISCELLANEOUS PROVISIONS

Sec. 501. Definitions.

Sec. 502. Effective date.

TITLE I—RETROSPECTIVE REGULATORY REVIEW COMMISSION

SEC. 101. IN GENERAL.

(a) ESTABLISHMENT.—There is established a commission, to be known as the "Retrospective Regulatory Review Commission", that shall review rules and sets of rules in accordance with specified criteria to determine if a rule or set of rules should be repealed to eliminate or reduce the costs of regulation to the economy. The Commission shall terminate on the date that is 5 years and 180 days after the date of enactment of this Act or 5 years after the date by which all Commission members' terms have commenced, whichever is later.

(b) MEMBERSHIP.—

(1) NUMBER.—The Commission shall be composed of 9 members who shall be appointed by the President and confirmed by the Senate. Each member shall be appointed not later than 180 days after the date of enactment of this Act.

(2) TERM.—The term of each member shall commence upon the member's confirmation by the Senate and shall extend to the date that is 5 years and 180 days after the date of enactment of this Act or that is 5 years after the date by which all members have been confirmed by the Senate, whichever is later.

(3) APPOINTMENT.—The members of the Commission shall be appointed as follows:

(A) CHAIR.—The President shall appoint as the Chair of the Commission an individual with expertise and experience in rulemaking, such as past Administrators of the Office of Information and Regulatory Affairs, past chairmen of the Administrative Conference of the United States, and other individuals with similar expertise and experience in rulemaking affairs and the administration of regulatory reviews.

(B) CANDIDATE LIST OF MEMBERS.—The Speaker of the House of Representatives, the Minority Leader of the House of Representatives, the Majority Leader of the Senate, and the Minority Leader of the Senate shall each present to the President a list of candidates to be members of the Commission. Such candidates shall be individuals learned in rulemaking affairs and, preferably, administration of regulatory reviews. The President shall appoint 2 members of the Commission

from each list provided under this subparagraph, subject to the provisions of subparagraph (C).

(C) RESUBMISSION OF CANDIDATE.—The President may request from the presenter of the list under subparagraph (B) a new list of one or more candidates if the President—

(i) determines that any candidate on the list presented pursuant to subparagraph (B) does not meet the qualifications specified in such subparagraph to be a member of the Commission; and

(ii) certifies that determination to the congressional officials specified in subparagraph (B).

(C) POWERS AND AUTHORITIES OF THE COMMISSION.—

(1) MEETINGS.—The Commission may meet when, where, and as often as the Commission determines appropriate, except that the Commission shall hold public meetings not less than twice each year. All meetings of the Commission shall be open to the public.

(2) HEARINGS.—In addition to meetings held under paragraph (1), the Commission may hold hearings to consider issues of fact or law relevant to the Commission's work. Any hearing held by the Commission shall be open to the public.

(3) ACCESS TO INFORMATION.—The Commission may secure directly from any agency information and documents necessary to enable the Commission to carry out this Act. Upon request of the Chair of the Commission, the head of that agency shall furnish that information or document to the Commission as soon as possible, but not later than two weeks after the date on which the request was made.

(4) SUBPOENAS.—

(A) IN GENERAL.—The Commission may issue subpoenas requiring the attendance and testimony of witnesses and the production of any evidence relating to the duties of the Commission. The attendance of witnesses and the production of evidence may be required from any place within the United States at any designated place of hearing within the United States.

(B) FAILURE TO OBEY A SUBPOENA.—If a person refuses to obey a subpoena issued under subparagraph (A), the Commission may apply to a United States district court for an order requiring that person to appear before the Commission to give testimony, produce evidence, or both, relating to the matter under investigation. The application may be made within the judicial district where the hearing is conducted or where that person is found, resides, or transacts business. Any failure to obey the order of the court may be punished by the court as civil contempt.

(C) SERVICE OF SUBPOENAS.—The subpoenas of the Commission shall be served in the manner provided for subpoenas issued by a United States district court under the Federal Rules of Civil Procedure for the United States district courts.

(D) SERVICE OF PROCESS.—All process of any court to which application is made under subparagraph (B) may be served in the judicial district in which the person required to be served resides or may be found.

(d) PAY AND TRAVEL EXPENSES.—

(1) PAY.—

(A) MEMBERS.—Each member, other than the Chair of the Commission, shall be paid at a rate equal to the daily equivalent of the minimum annual rate of basic pay payable for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the actual performance of duties vested in the Commission.

(B) CHAIR.—The Chair shall be paid for each day referred to in subparagraph (A) at a rate equal to the daily equivalent of the minimum annual rate of basic pay payable for level III of the Executive Schedule under section 5314 of title 5, United States Code.

(2) TRAVEL EXPENSES.—Members shall receive travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5, United States Code.

(e) DIRECTOR OF STAFF.—

(1) IN GENERAL.—The Commission shall appoint a Director.

(2) PAY.—The Director shall be paid at the rate of basic pay payable for level V of the Executive Schedule under section 5316 of title 5, United States Code.

(f) STAFF.—

(1) IN GENERAL.—Subject to paragraph (2), the Director, with the approval of the Commission, may appoint, fix the pay of, and terminate additional personnel.

(2) LIMITATIONS ON APPOINTMENT.—The Director may make such appointments without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and any personnel so appointed may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates, except that an individual so appointed may not receive pay in excess of the annual rate of basic pay payable for GS-15 of the General Schedule.

(3) AGENCY ASSISTANCE.—Following consultation with and upon request of the Chair of the Commission, the head of any agency may detail any of the personnel of that agency to the Commission to assist the Commission in carrying out the duties of the Commission under this Act.

(4) GAO AND OIRA ASSISTANCE.—The Comptroller General of the United States and the Administrator of the Office of Information and Regulatory Affairs shall provide assistance, including the detailing of employees, to the Commission in accordance with an agreement entered into with the Commission.

(5) ASSISTANCE FROM OTHER PARTIES.—Congress, the States, municipalities, federally recognized Indian tribes, and local governments may provide assistance, including the detailing of employees, to the Commission in accordance with an agreement entered into with the Commission.

(g) OTHER AUTHORITY.—

(1) EXPERTS AND CONSULTANTS.—The Commission may procure by contract, to the extent funds are available, the temporary or intermittent services of experts or consultants pursuant to section 3109 of title 5, United States Code.

(2) PROPERTY.—The Commission may lease space and acquire personal property to the extent funds are available.

(h) DUTIES OF THE COMMISSION.—

(1) IN GENERAL.—The Commission shall conduct a review of the Code of Federal Regulations to identify rules and sets of rules that collectively implement a regulatory program that should be repealed to lower the cost of regulation to the economy. The Commission shall give priority in the review to rules or sets of rules that are major rules or include major rules, have been in effect more than 15 years, impose paperwork burdens or unfunded mandates that could be reduced substantially without significantly diminishing regulatory effectiveness, impose disproportionately high costs on entities that qualify as small entities within the meaning

of section 601(6) of title 5, United States Code, or could be strengthened in their effectiveness while reducing regulatory costs. The Commission shall have as a goal of the Commission to achieve a reduction of at least 15 percent in the cumulative costs of Federal regulation with a minimal reduction in the overall effectiveness of such regulation.

(2) NATURE OF REVIEW.—To identify which rules and sets of rules should be repealed to lower the cost of regulation to the economy, the Commission shall apply the following criteria:

(A) Whether the original purpose of the rule or set of rules was achieved, and the rule or set of rules could be repealed without significant recurrence of adverse effects or conduct that the rule or set of rules was intended to prevent or reduce.

(B) Whether the implementation, compliance, administration, enforcement, imposition of unfunded mandates, or other costs of the rule or set of rules to the economy are not justified by the benefits to society within the United States produced by the expenditure of those costs.

(C) Whether the rule or set of rules has been rendered unnecessary or obsolete, taking into consideration the length of time since the rule was made and the degree to which technology, economic conditions, market practices, or other relevant factors have changed in the subject area affected by the rule or set of rules.

(D) Whether the rule or set of rules is ineffective at achieving the purposes of the rule or set of rules.

(E) Whether the rule or set of rules overlaps, duplicates, or conflicts with other Federal rules, and to the extent feasible, with State and local governmental rules.

(F) Whether the rule or set of rules has excessive compliance costs, imposes unfunded mandates, or is otherwise excessively burdensome, as compared to alternatives that—

(i) specify performance objectives rather than conduct or manners of compliance;

(ii) establish economic incentives to encourage desired behavior;

(iii) provide information upon which choices can be made by the public;

(iv) incorporate other innovative alternatives rather than agency actions that specify conduct or manners of compliance; or

(v) could in other ways substantially lower costs without significantly undermining effectiveness.

(G) Whether the rule or set of rules inhibits innovation in or growth of the United States economy, such as by impeding the introduction or use of safer or equally safe technology that is newer or more efficient than technology required by or permissible under the rule or set of rules.

(H) Whether or not the rule or set of rules harms competition within the United States economy or the international economic competitiveness of enterprises or entities based in the United States.

(I) Whether or not the rule or set of rules limits or prevents an agency from applying new or emerging technologies to improve efficiency and effectiveness of government.

(J) Whether the rule or set of rules harms wage growth, including wage growth for minimum wage and part-time workers.

(K) Such other criteria as the Commission devises to identify rules and sets of rules that can be repealed to eliminate or reduce unnecessarily burdensome costs to the United States economy.

(3) METHODOLOGY FOR REVIEW.—The Commission shall establish a methodology for

conducting the review (including an overall review and discrete reviews of portions of the Code of Federal Regulations), identifying rules and sets of rules, and classifying rules under this subsection and publish the terms of the methodology in the Federal Register and on the website of the Commission. The Commission may propose and seek public comment on the methodology before the methodology is established.

(4) CLASSIFICATION OF RULES AND SETS OF RULES.—

(A) IN GENERAL.—After completion of any review of rules or sets of rules under paragraph (2), the Commission shall classify each rule or set of rules identified in the review to qualify for recommended repeal as either a rule or set of rules—

(i) on which immediate action to repeal is recommended; or

(ii) that should be eligible for repeal under regulatory cut-go procedures under title II.

(B) DECISIONS BY MAJORITY.—Each decision by the Commission to identify a rule or set of rules for classification under this paragraph, and each decision whether to classify the rule or set of rules under clause (i) or (ii) of subparagraph (A), shall be made by a simple majority vote of the Commission. No such vote shall take place until after all members of the Commission have been confirmed by the Senate.

(5) INITIATION OF REVIEW BY OTHER PERSONS.—

(A) IN GENERAL.—The Commission may also conduct a review under paragraph (2) of, and, if appropriate, classify under paragraph (4), any rule or set of rules that is submitted for review to the Commission by—

(i) the President;

(ii) a Member of Congress;

(iii) any officer or employee of a Federal, State, local or tribal government, or regional governmental body; or

(iv) any member of the public.

(B) FORM OF SUBMISSION.—A submission to the Commission under this paragraph shall—

(i) identify the specific rule or set of rules submitted for review;

(ii) provide a statement of evidence to demonstrate that the rule or set of rules qualifies to be identified for repeal under the criteria listed in paragraph (2); and

(iii) such other information as the submitter believes may be helpful to the Commission's review, including a statement of the submitter's interest in the matter.

(C) PUBLIC AVAILABILITY.—The Commission shall make each submission received under this paragraph available on the website of the Commission as soon as possible, but not later than 1 week after the date on which the submission was received.

(i) NOTICES AND REPORTS OF THE COMMISSION.—

(1) NOTICES OF AND REPORTS ON ACTIVITIES.—The Commission shall publish, in the Federal Register and on the website of the Commission—

(A) notices in advance of all public meetings, hearings, and classifications under subsection (h) informing the public of the basis, purpose, and procedures for the meeting, hearing, or classification; and

(B) reports after the conclusion of any public meeting, hearing, or classification under subsection (h) summarizing in detail the basis, purpose, and substance of the meeting, hearing, or classification.

(2) ANNUAL REPORTS TO CONGRESS.—Each year, beginning on the date that is one year after the date on which all Commission members have been confirmed by the Senate, the Commission shall submit a report simul-

taneously to each House of Congress detailing the activities of the Commission for the previous year, and listing all rules and sets of rules classified under subsection (h) during that year. For each rule or set of rules so listed, the Commission shall—

(A) identify the agency that made the rule or set of rules;

(B) identify the annual cost of the rule or set of rules to the United States economy and the basis upon which the Commission identified that cost;

(C) identify whether the rule or set of rules was classified under clause (i) or clause (ii) of subsection (h)(4)(A);

(D) identify the criteria under subsection (h)(2) that caused the classification of the rule or set of rules and the basis upon which the Commission determined that those criteria were met;

(E) for each rule or set of rules listed under the criteria set forth in subparagraph (B), (D), (F), (G), (H), or (I) of subsection (h)(2), or other criteria established by the Commission under subparagraph (I) of such subsection under which the Commission evaluated alternatives to the rule or set of rules that could lead to lower regulatory costs, identify alternatives to the rule or set of rules that the Commission recommends the agency consider as replacements for the rule or set of rules and the basis on which the Commission rests the recommendations, and, in identifying such alternatives, emphasize alternatives that will achieve regulatory effectiveness at the lowest cost and with the lowest adverse impacts on jobs;

(F) for each rule or set of rules listed under the criteria set forth in subsection (h)(2)(E), the other Federal, State, or local governmental rules that the Commission found the rule or set of rules to overlap, duplicate, or conflict with, and the basis for the findings of the Commission; and

(G) in the case of each set of rules so listed, analyze whether Congress should also consider repeal of the statutory authority implemented by the set of rules.

(3) FINAL REPORT.—Not later than the date on which the Commission members' appointments expire, the Commission shall submit a final report simultaneously to each House of Congress summarizing all activities and recommendations of the Commission, including a list of all rules or sets of rules the Commission classified under clause (i) of subsection (h)(4)(A) for immediate action to repeal, a separate list of all rules or sets of rules the Commission classified under clause (ii) of subsection (h)(4)(A) for repeal, and with regard to each rule or set of rules listed on either list, the information described in subparagraphs (A) through (F) of subsection (h)(2). This report may be included in the final annual report of the Commission under paragraph (2) and may include the Commission's recommendation whether the Commission should be reauthorized by Congress.

(j) REPEAL OF REGULATIONS; CONGRESSIONAL CONSIDERATION OF COMMISSION REPORTS.—

(1) IN GENERAL.—Subject to paragraph (2)—

(A) the head of each agency with authority to repeal a rule or set of rules classified by the Commission under subsection (h)(4)(A)(i) for immediate action to repeal and newly listed as such in an annual or final report of the Commission under paragraph (2) or (3) of subsection (i) shall repeal the rule or set of rules as recommended by the Commission within 60 days after the enactment of a joint resolution under paragraph (2) for approval of the recommendations of the Commission in the report; and

(B) the head of each agency with authority to repeal a rule or set of rules classified by the Commission under subsection (h)(4)(A)(ii) for repeal and newly listed as such in an annual or final report of the Commission under paragraph (2) or (3) of subsection (i) shall repeal the rule or set of rules as recommended by the Commission pursuant to section 201, following the enactment of a joint resolution under paragraph (2) for approval of the recommendations of the Commission in the report.

(2) CONGRESSIONAL APPROVAL.—

(A) IN GENERAL.—No head of an agency described in paragraph (1) shall be required by this Act to carry out a repeal listed by the Commission in a report transmitted to Congress under paragraph (2) or (3) of subsection (i) until a joint resolution is enacted, in accordance with the provisions of subparagraph (B), approving such recommendations of the Commission for repeal.

(B) TERMS OF THE RESOLUTION.—For purposes of paragraph (A), the term "joint resolution" means only a joint resolution which is introduced after the date on which the Commission transmits to the Congress under paragraph (2) or (3) of subsection (i) the report containing the recommendations to which the resolution pertains, and—

(i) which does not have a preamble;

(ii) the matter after the resolving clause of which is only as follows: "That Congress approves the recommendations for repeal of the Retrospective Regulatory Review Commission as submitted by the Commission on _____", the blank space being filled in with the appropriate date; and

(iii) the title of which is as follows: "Approving recommendations for repeal of the Retrospective Regulatory Review Commission."

(3) REISSUANCE OF RULES.—

(A) NO SUBSTANTIALLY SIMILAR RULE TO BE REISSUED.—A rule that is repealed under paragraph (1) or section 201 may not be reissued in substantially the same form, and a new rule that is substantially the same as such a rule may not be issued, unless the reissued or new rule is specifically authorized by a law enacted after the date of the joint resolution approving the Commission's recommendation to repeal the original rule.

(B) AGENCY TO ENSURE AVOIDANCE OF SIMILAR DEFECTS.—An agency, in making any new rule to implement statutory authority previously implemented by a rule repealed under paragraph (1) or section 201, shall ensure that the new rule does not result in the same adverse effects of the repealed rule that caused the Commission to recommend to Congress the latter's repeal and will not result in new adverse effects of the kind described in the criteria specified in or under subsection (h).

(k) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated such sums as may be necessary to the Commission to carry out this Act, not to exceed \$30,000,000.

(2) AVAILABILITY.—Any sums appropriated under the authorization contained in this section shall remain available, without fiscal year limitation, until the earlier of the date that such sums are expended or the date of the termination of the Commission.

(l) WEBSITE.—

(1) IN GENERAL.—The Commission shall establish a public website that—

(A) uses current information technology to make records available on the website;

(B) provides information in a standard data format; and

(C) receives and publishes public comments.

(2) **PUBLISHING OF INFORMATION.**—Any information required to be made available on the website established pursuant to this Act shall be published in a timely manner and shall be accessible by the public on the website at no cost.

(3) **RECORD OF PUBLIC MEETINGS AND HEARINGS.**—All records of public meetings and hearings shall be published on the website as soon as possible, but not later than 1 week after the date on which such public meeting or hearing occurred.

(4) **PUBLIC COMMENTS.**—The Commission shall publish on the website all public comments and submissions.

(5) **NOTICES.**—The Commission shall publish on the website notices of all public meetings and hearings at least one week before the date on which such public meeting or hearing occurs.

(m) **APPLICABILITY OF THE FEDERAL ADVISORY COMMITTEE ACT.**—

(1) **IN GENERAL.**—Except as otherwise provided in this Act, the Commission shall be subject to the provisions of the Federal Advisory Committee Act (5 U.S.C. App.).

(2) **ADVISORY COMMITTEE MANAGEMENT OFFICER.**—The Commission shall not be subject to the control of any Advisory Committee Management Officer designated under section 8(b)(1) of the Federal Advisory Committee Act (5 U.S.C. App.).

(3) **SUBCOMMITTEE.**—Any subcommittee of the Commission shall be treated as the Commission for purposes of the Federal Advisory Committee Act (5 U.S.C. App.).

(4) **CHARTER.**—The enactment of the SCRUB Act shall be considered to meet the requirements of the Commission under section 9(c) of the Federal Advisory Committee Act (5 U.S.C. App.).

(n) **DEFINITION.**—In this section, the term “unfunded mandate” has the meaning given the term “Federal mandate” in section 421(6) of the Congressional Budget Act of 1974 (2 U.S.C. 658(6)).

TITLE II—REGULATORY CUT-GO

SEC. 201. CUT-GO PROCEDURES.

(a) **IN GENERAL.**—Except as provided in section 101(j)(2)(A) or section 202, an agency, when the agency makes a new rule, shall repeal rules or sets of rules of that agency classified by the Commission under section 101(h)(4)(A)(ii), such that the annual costs of the new rule to the United States economy is offset by such repeals, in an amount equal to or greater than the cost of the new rule, based on the regulatory cost reductions of repeal identified by the Commission.

(b) **ALTERNATIVE PROCEDURE.**—An agency may, alternatively, repeal rules or sets of rules of that agency classified by the Commission under section 101(h)(4)(A)(ii) prior to the time specified in subsection (a). If the agency so repeals such a rule or set of rules and thereby reduces the annual, inflation-adjusted cost of the rule or set of rules to the United States economy, the agency may thereafter apply the reduction in regulatory costs, based on the regulatory cost reductions of repeal identified by the Commission, to meet, in whole or in part, the regulatory cost reduction required under subsection (a) of this section to be made at the time the agency promulgates a new rule.

(c) **ACHIEVEMENT OF FULL NET COST REDUCTIONS.**—

(1) **IN GENERAL.**—Subject to the provisions of paragraph (2), an agency may offset the costs of a new rule or set of rules by repealing a rule or set of rules listed by the Commission under section 101(h)(4)(A)(ii) that implement the same statutory authority as the new rule or set of rules.

(2) **LIMITATION.**—When using the authority provided in paragraph (1), the agency must achieve a net reduction in costs imposed by the agency's body of rules (including the new rule or set of rules) that is equal to or greater than the cost of the new rule or set of rules to be promulgated, including, whenever necessary, by repealing additional rules of the agency listed by the Commission under section 101(h)(4)(A)(ii).

SEC. 202. APPLICABILITY.

An agency shall no longer be subject to the requirements of sections 201 and 203 beginning on the date that there is no rule or set of rules of the agency classified by the Commission under section 101(h)(4)(A)(ii) that has not been repealed such that all regulatory cost reductions identified by the Commission to be achievable through repeal have been achieved.

SEC. 203. OIRA CERTIFICATION OF COST CALCULATIONS.

The Administrator of the Office of Information and Regulatory Affairs of the Office of Management and Budget shall review and certify the accuracy of agency determinations of the costs of new rules under section 201. The certification shall be included in the administrative record of the relevant rule-making by the agency promulgating the rule, and the Administrator shall transmit a copy of the certification to Congress when it transmits the certification to the agency.

TITLE III—RETROSPECTIVE REVIEW OF NEW RULES

SEC. 301. PLAN FOR FUTURE REVIEW.

When an agency makes a rule, the agency shall include in the final issuance of such rule a plan for the review of such rule by not later than 10 years after the date such rule is made. Such a review, in the case of a major rule, shall be substantially similar to the review by the Commission under section 101(h). In the case of a rule other than a major rule, the agency's plan for review shall include other procedures and standards to enable the agency to determine whether to repeal or amend the rule to eliminate unnecessary regulatory costs to the economy. Whenever feasible, the agency shall include a proposed plan for review of a proposed rule in its notice of proposed rulemaking and shall receive public comment on the plan.

TITLE IV—JUDICIAL REVIEW

SEC. 401. JUDICIAL REVIEW.

(a) **IMMEDIATE REPEALS.**—Agency compliance with section 101(j) of this Act shall be subject to judicial review under chapter 7 of title 5, United States Code.

(b) **CUT-GO PROCEDURES.**—Agency compliance with title II of this Act shall be subject to judicial review under chapter 7 of title 5, United States Code.

(c) **PLANS FOR FUTURE REVIEW.**—Agency compliance with section 301 shall be subject to judicial review under chapter 7 of title 5, United States Code.

TITLE V—MISCELLANEOUS PROVISIONS

SEC. 501. DEFINITIONS.

In this Act:

(1) **AGENCY.**—The term “agency” has the meaning given such term in section 551 of title 5, United States Code.

(2) **COMMISSION.**—The term “Commission” means the Retrospective Regulatory Review Commission established under section 101.

(3) **MAJOR RULE.**—The term “major rule” means any rule that the Administrator of the Office of Information and Regulatory Affairs determines is likely to impose—

(A) an annual cost on the economy of \$100,000,000 or more, adjusted annually for inflation;

(B) a major increase in costs or prices for consumers, individual industries, Federal, State, local, or tribal government agencies, or geographic regions;

(C) significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic and export markets; or

(D) significant impacts on multiple sectors of the economy.

(4) **RULE.**—The term “rule” has the meaning given that term in section 551 of title 5, United States Code.

(5) **SET OF RULES.**—The term “set of rules” means a set of rules that collectively implements a regulatory authority of an agency.

SEC. 502. EFFECTIVE DATE.

This Act and the amendments made by this Act shall take effect beginning on the date of the enactment of this Act.

The Acting CHAIR. No amendment to the bill shall be in order except those printed in House Report 115–20. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. CUMMINGS

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in House Report 115–20.

Mr. CUMMINGS. Madam Chair, as the designee of the gentleman from Virginia (Mr. BEYER), I offer amendment No. 1.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 5, line 16, insert after “reviews,” the following: “During the two-year period prior to the inclusion of an individual on a list of candidates under this subparagraph, the individual may not have been a registered lobbyist under the Lobbying Disclosure Act of 1995 (2 U.S.C. 1601 et seq.).”

Page 6, after line 6, insert the following new paragraph:

(4) **FINANCIAL DISCLOSURE REPORTS OF MEMBERS.**—Each member of the Commission shall file the financial disclosure reports required under title I of the Ethics in Government Act of 1978 (5 U.S.C. App.) in accordance with the requirements of such title.

The Acting CHAIR. Pursuant to House Resolution 150, the gentleman from Maryland (Mr. CUMMINGS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Maryland.

Mr. CUMMINGS. Madam Chair, I am very pleased to yield such time as he may consume to the gentleman from Virginia (Mr. BEYER), the maker of the amendment.

Mr. BEYER. Madam Chair, my amendment today is meant to address only one of several troubling provisions in the bill.

As my colleagues have pointed out, the SCRUB Act is a radical approach to deregulation and would prioritize cost savings through repeal of rules without considering their public benefit. The underlying bill would also prohibit agencies from making any new rules—even in the case of an imminent threat to public health or safety—unless the cost is offset by repealing an existing rule.

We have heard often on this floor my Republican friends rail against regulations promulgated by faceless bureaucrats. Well, this bill seeks to accomplish all of this through the work of an unelected commission—faceless—with virtually unlimited subpoena authority and jurisdiction over every existing regulation.

This body would work in the shadows to roll back environmental and workplace protections, putting dollars and cents over public health. The legislation grants so much in the way of authority, but comes with so little in the way of oversight, transparency, or public accountability.

President Trump and my friends on the other side of the aisle like to talk a lot about draining the swamp. Madam Chair, what the Republicans are proposing today makes a swamp look like the Hanging Gardens of Babylon, all at the cost of \$30 million to the American taxpayer.

My amendment today would bring a modicum of transparency and ethical oversight to the shadow bureaucracy by requiring commission members to follow the same financial disclosure rules as Members of Congress, congressional staff, or any Federal official.

My amendment would also ensure that commission members don't come in through the "revolving door" by inserting a requirement that the individual must not have been a registered lobbyist at any point during the previous 2 years. Congress not only has the authority, but the duty to review existing regulations and, when necessary, to mandate reforms.

But I understand why Republicans want to delegate this work. Because who wants to be the one to recommend rolling back rules governing clean air, clean water, food safety, workplace protections, domestic violence, victim protections, and many other rules that are in place to keep Americans healthy and safe?

Madam Chair, I urge my colleagues to support this amendment simply to give transparency, openness, and clarity to the people who will be making the decisions under the SCRUB Act.

Mr. ROSS. Madam Chair, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. ROSS. Madam Chair, although I am not in opposition to the amendment, I do wish to speak in support and

further explain my support, because I believe that the gentleman from Virginia offers some very good merit to his amendment.

The amendment clarifies that the commissioners are covered by the Ethics in Government Act, which is in line with current law. Commissioners should be free from financial conflict as much as any other Federal employee should. The Beyer amendment prohibits the appointment of a commissioner to the retrospective regulatory review commission who has been a registered lobbyist in the previous 2 years.

Ensuring commissioners are not lobbyists with financial interests in the commission's work is in line with the commission's goal of identifying wasteful or unfair regulations. The 2-year ban allows genuine experts with some past lobbying experience to contribute their knowledge to the commission. This provision is very similar to the President's 2-year ban on former lobbyists working in the administration.

For those reasons, I do support the amendment.

Madam Chair, I reserve the balance of my time.

Mr. CUMMINGS. Madam Chair, I have no further comments. I yield back the balance of my time.

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

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

The amendment was agreed to.

□ 1500

AMENDMENT NO. 2 OFFERED BY MR. DESAULNIER

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 115-20.

Mr. DESAULNIER. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 14, after line 22, insert the following new subparagraph (and redesignate the following subparagraph accordingly):

(K) Whether, and the extent to which, the repeal of the rule or set of rules would impact public health.

The Acting CHAIR. Pursuant to House Resolution 150, the gentleman from California (Mr. DESAULNIER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. DESAULNIER. Madam Chair, I rise today in support of this amendment to H.R. 998. As drafted, the SCRUB Act requires Federal agencies to repeal existing regulations to offset the cost of new regulations. The bill also authorizes up to \$30 million for a new commission to review the Code of Federal Regulations and recommend regulatory repeals.

This commonsense amendment ensures the impacts of public health, including the costs and benefits associated with those impacts, are considered under processes established by the SCRUB Act. This, I believe, is a reasonable improvement to the bill. It ensures that Federal agencies appropriately consider the true costs and benefits of Federal rules with an eye towards saving hard-earned taxpayer money.

As a member of the California State Senate, I worked with a Republican administration to help enact this legislation as the first-ever health act of its type in the country in a State. It was based on the sensible premise that understanding the impacts of government actions on public health not only saves lives, but saves money.

This effort helped provide California State agencies with the direction they needed to effectively collaborate on the complex environmental, financial, and sustainability factors that contribute to poor health and inequities. Over the 6 years of its existence, this policy has resulted in increased collaboration across large State agencies, saving taxpayer money while promoting improved public health throughout the Nation's largest State.

Today, U.S. taxpayers face a growing burden of largely preventable chronic illnesses. Heart disease, stroke, obesity, and diabetes are but a few of the myriad health issues that millions of Americans face every day that also drive many of their financial and professional decisions.

In many of our most disadvantaged communities, fewer resources are available to benefit health outcomes that are clearly seen in the levels of chronic illness in these communities and shorter life expectancies. It doesn't take a genius to connect the dots of government policies on public health in our economy.

If the goal of this legislation is eliminating existing regulations to pay for new regulations, doesn't it make business sense to understand the impacts of these decisions on our Nation's public health? For example, eliminating the Department of Labor's silica rule might save an employer the expense of purchasing mitigation equipment, but does that employer truly save money if his health insurance premiums go up due to associated respiratory illness?

When the majority pushed to eliminate the Department of the Interior's stream protection rule, thereby allowing mountaintop mining companies to dump potentially toxic mining debris in nearby streams, there was little consideration to the costs associated with mitigating the inevitable drinking water contamination and healthcare costs of those who will be sickened after drinking contaminated water.

This amendment ensures that Federal agencies, at the very least, consider the health impacts and costs associated with eliminating a regulation. This amendment will help to go a long way in preventing unnecessary healthcare costs, which I hope we can agree is a positive improvement to the bill.

If my colleagues across the aisle insist on eliminating Federal regulations, I hope that they agree that at least we can make sure that this independent commission will at least consider the benefits of public health as they do their analysis. I urge my colleagues to vote "yes" on this commonsense amendment.

Mr. Speaker, I rise today in support of my amendment to H.R. 998, the SCRUB Act.

As currently drafted, the SCRUB Act requires federal agencies to repeal existing regulations to offset the cost of new regulations. The bill also authorizes up to \$30 million for a new commission to review the Code of Federal Regulations and recommend regulatory repeals.

This commonsense amendment ensures that impacts to public health, including the costs associated with those impacts, are considered under processes established by the SCRUB Act. This is a reasonable improvement to the bill ensures that federal agencies appropriately consider the true costs and benefits of federal rules with an eye towards saving hard-earned taxpayer money.

As a member of the California State Senate, I helped to enact legislation focused on promoting public health throughout the state while saving taxpayer dollars. Based on the sensible premise that understanding the impacts of government actions on public health not only saves lives, but saves money.

This effort helped provide California state agencies with the direction they needed to effectively collaborate on the complex environmental, financial, and sustainability factors that contribute to poor health and inequities. Over six years of existence, this policy has resulted in increased collaboration across state agencies, saving taxpayers money while promoting improved public health throughout the state.

Today, U.S. taxpayers face a growing burden of largely preventable chronic illnesses. Heart disease, stroke, obesity, and diabetes are but a few of the myriad health issues that millions of Americans face every day that also drive many of their financial and professional decisions.

In many of our most disadvantaged communities, fewer resources are available to benefit health outcomes that are clearly seen in the levels of chronic illness and shorter life expectancies. It doesn't take a genius to connect the dots of government policies on public health and our economy.

If the goal of this legislation is to eliminate existing regulations to pay for new regulations, doesn't it make business sense to understand the impacts of those decisions on public health?

For example, eliminating the Department of Labor's Silica Rule might save an employer the expense of purchasing mitigation equipment, but does that employer truly save

money if his health insurance premiums go up due to associated respiratory illness?

When the Majority pushed to eliminate the Interior Department's Stream Protection rule, thereby allowing mountaintop mining companies to dump potentially toxic mining debris in nearby streams, there was little consideration to the costs associated with mitigating the inevitable drinking water contamination and health care costs of those who will be sickened after drinking contaminated water.

This amendment ensures that federal agencies, at the very least, consider the health impacts and costs associated with eliminating a regulation. This effort will go a long way in preventing unnecessary health care costs, which I hope we can agree is a positive improvement to the bill.

If my colleagues across the aisle insist on eliminating federal regulations, it only makes sense to ensure that removing such rules does not harm the public.

I urge my colleagues to vote "YES" on this commonsense amendment.

I reserve the balance of my time.

Mr. ROSS. Madam Chair, I claim the time in opposition, although I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman from Florida is recognized for 5 minutes.

There was no objection.

Mr. ROSS. Madam Chair, this commission that we have here in the SCRUB Act is established to clear out old and unnecessary regulations. It currently requires the commission to consider whether the rule could be repealed without significant adverse effects, whether the rule is unnecessary, whether the costs are justified by the benefits, and certain other criteria.

I think that the consideration of public health certainly fits within whether the rule would have significant adverse effects, whether it is necessary, and whether the benefits justify the cost. Health, safety, and welfare of the American people is foremost to what we do, and I laud my colleague from California for filing this amendment.

This amendment clarifies that the commission should consider the impact on public health of repealing any regulation. I think that, again, my colleague from California gave fine examples of that particular balance.

We agree that we want regulations that are necessary to protect public health. I am excited to see one of my Democratic colleagues working with us to improve regulatory reform legislation. I look forward to future opportunities to continue this work.

I yield back the balance of my time.

Mr. DESAULNIER. Madam Chair, I look forward to, in the future, working on true bipartisan regulation. I think it is one of those areas, at least in my experience in local and State government, that we should be working in a bipartisan manner. Unfortunately, this bill I do not believe accomplishes that.

So regulatory oversight is probably the most important thing we could do,

and I hope that we can do it in a bipartisan way in the future. I would encourage my colleagues to support this commonsense amendment.

I yield back the balance of my time.

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

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

Mr. DESAULNIER. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 3 OFFERED BY MS. MCSALLY

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in House Report 115-20.

Ms. MCSALLY. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 14, after line 22, insert the following new subparagraph (and redesignate the subsequent subparagraph accordingly):

(K) Whether the rule or set of rules is in full compliance with the requirements of section 801(a)(1)(A) of title 5, United States Code.

The Acting CHAIR. Pursuant to House Resolution 150, the gentlewoman from Arizona (Ms. MCSALLY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Arizona.

Ms. MCSALLY. Madam Chair, I yield myself such time as I may consume.

I rise today in support of the underlying legislation, H.R. 998, the SCRUB Act, and urge adoption of my amendment.

The Retrospective Regulatory Review Commission created in the SCRUB Act is an important tool to help Congress reclaim its constitutional role of serving as a check to the executive branch and will help bring back jobs and opportunity to hard-working Americans.

In 2016 alone, the Obama administration added 97,110 pages to the Federal Register. That is over 75 times more than the Bible, without any of the good news. These rules and regulations accumulate with no relief and touch every aspect of life all the way down to recordkeeping for contact lenses, vending machine food labeling, and walk-in freezer testing.

Of the over 3,500 final regulations issued in 2016, 34 will cost over \$100 million, and 105 are deemed to have significant impacts on small business. We need to reduce this regulatory burden on American households and small businesses, which costs the economy over \$2 trillion per year.

The Congressional Review Act gives Congress 60 legislative days to introduce and pass into law a disapproval resolution overturning a rule or a regulation. Once agency actions are overturned using this process, agencies are unable to reissue, substantially in the same form, a regulation or guidance in the future.

A little known provision in the Congressional Review Act requires Federal agencies to submit to Congress and the Government Accountability Office a report on the rule or regulation. The 60-day clock for congressional action begins either when the rule is published or when Congress receives this report, whichever comes later.

Independent studies have shown many rules since 1996 have been implemented without this report, often due to Federal agencies' push to hastily implement new rules. This means that there are still many rules and regulations that may still be eligible for Congressional Review Act disapproval resolutions process.

My amendment to the SCRUB Act requires the Retrospective Regulatory Review Commission to consider for removal rules and regulations for which Congress did not receive the report as required by the Congressional Review Act. According to GAO, approximately 29 percent of final rules failed to submit required reports in 2013. This prudent step will help give Congress the opportunity to, where appropriate, make use of the Congressional Review Act disapproval process to expedite the rollback of flawed rules and regulations that are choking our economy.

I reserve the balance of my time.

Mr. CUMMINGS. Madam Chair, I claim the time in opposition.

The Acting CHAIR. The gentleman from Maryland is recognized for 5 minutes.

Mr. CUMMINGS. Madam Chair, again I claim the time in opposition, but I will not oppose this amendment even though it does nothing to change the substance of the SCRUB Act or reduce the danger that it poses to the health and safety of the American public.

This amendment would add another criterion to identify which rules the commission would recommend for repeal, specifically, whether an agency has complied with the requirements of title 5 U.S.C., section 801(a)(1)(A).

That section requires agencies, prior to promulgating a rule, to submit to each House of Congress and the Comptroller General a report containing a copy of the rule; a concise general statement relating to the rule, including whether it is a major rule; and the proposed effective date of the rule.

So this amendment would require this unelected commission to report to Congress on what information Congress has or has not received. This just underscores the point that Congress

should do its own job rather than passing this bill to set up a commission to do our job for us.

Like the other criteria in the bill, Representative MCSALLY's amendment does nothing to address the SCRUB Act's focus on the costs of the rules. The amendment fails to make sense of the CutGo provision, which would result in the repeal of rules with little regard for how these rules have benefited and protected the American public.

The amendment fails to address the fact that agencies are already doing a retrospective review of regulations.

This amendment fails to reduce the \$30 million price tag that the American public would be responsible for paying to create the unelected commission under this bill.

The amendment fails to reduce the commission's virtually unlimited authority to subpoena witnesses or documents.

This amendment is nothing more than a window dressing, and it is nice. It does not address any of the SCRUB Act's failings and dangers that it poses to the health and safety of all Americans.

I yield back the balance of my time.

Ms. MCSALLY. Madam Chair, may I ask how much time I have remaining.

The Acting CHAIR. The gentlewoman from Arizona has 2½ minutes remaining.

Ms. MCSALLY. Madam Chair, again, my amendment is simple under the SCRUB Act. Right now, these agencies are not complying with the law. They have not submitted necessary reports to Congress and the GAO. So this amendment is simply asking, among other things that are being reviewed in this act, that we take a look at which reports have not been submitted, therefore, which are not in compliance with the Congressional Review Act so that we can decide whether any of those would be appropriate for disapproval resolutions or, quite frankly, whether the rule is even one that should be enforced because it hasn't complied with the law.

This is a good amendment. I appreciate our colleagues supporting it.

I yield 1 minute to the gentleman from Texas (Mr. ARRINGTON).

Mr. ARRINGTON. Madam Chair, the cumulative cost of regulations in our country is now at the tune of \$2 trillion, and it costs us \$60 billion just to enforce those regulations every year. With all due respect, that is not window dressing. When you take a look at those numbers, it is clear to see that the bureaucratic state of our Federal Government is threatening our job creators and killing our economy.

Today, we have an opportunity to reverse course on the stifling regulations flowing from Washington by passing H.R. 998, the SCRUB Act, as amended here by my colleague, Congresswoman MARTHA MCSALLY.

The SCRUB Act will establish a commission to review existing Federal regulations and identify for Congress which of those place unnecessary costs on our economy. The amendment offered by the gentlewoman from Arizona (Ms. MCSALLY) will take the SCRUB Act a step further by requiring this commission to consider for removal all regulations dating back to 1996 that did not comply with the law that states that there must be an accompanying report to Congress. According to the GAO, that is almost 30 percent of final rules.

All of this is done in a manner consistent with my colleague's standalone bill, the Require CRA Compliance Act, that I was also proud to join her in sponsoring.

The Acting CHAIR. The time of the gentleman has expired.

Ms. MCSALLY. Madam Chair, I yield an additional 30 seconds to the gentleman from Texas.

□ 1515

Mr. ARRINGTON. Madam Chair, in closing, we owe this to the American people. We owe this to my children and your grandchildren. We owe this to our local job creators to break the chains of these burdensome regulations and, once again, unleash the spirit of American innovation and enterprise that made this country the envy of the world by passing the SCRUB Act and the McSally amendment.

Ms. MCSALLY. Madam Chair, I want to thank Mr. ARRINGTON for his support. I want to thank Chairman CHAFFETZ and Mr. SMITH for their hard work on this important legislation. I want to urge the passage of my amendment and encourage my colleagues to support the underlying legislation.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Arizona (Ms. MCSALLY).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MS. PLASKETT

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in House Report 115-20.

Ms. PLASKETT. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 24, strike lines 12 through 22 and insert the following:

(k) PROHIBITION ON FUNDING.—No funds are authorized to carry out the requirements of this Act, and no funds authorized or appropriated by any other Federal law may be made available to carry out the requirements of this Act.

The Acting CHAIR. Pursuant to House Resolution 150, the gentlewoman from the Virgin Islands (Ms. PLASKETT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from the Virgin Islands.

Ms. PLASKETT. Madam Chair, I yield myself such time as I may consume.

My amendment is simple. It rescinds the authority to spend up to \$30 million on a commission to do what Congress and the agencies already do.

If you want duplication, look no further than this bill. It seeks to reduce the size of bureaucracy by establishing a new commission to serve a function already performed without the contribution of an additional \$30 million in taxpayer funding.

Now, \$30 million may not be too much to the true benefactors of this bill on K Street, but to seniors, veterans, students, and workers all across this country, it can go a long way. For example, Social Security's meager 0.3 percent cost-of-living adjustment for 2017 amounts to \$4 more in benefits per month for the average beneficiary. That means that \$30 million would be enough to double that cost-of-living adjustment for 7.5 million seniors.

We all know that the cost of additional sequestration cuts on education, health, and the environmental protection loom at the end of this fiscal year.

The double talk and schizophrenia of my esteemed colleagues on the Oversight and Government Reform Committee who pushed this bill through the committee has me truly concerned for the mental state of this Congress. They want to defund Planned Parenthood, but want to fund a nine-member task force at a cost of \$30 million.

They drag their feet and hem and haw to assist Flint, Michigan, in funding to promote clean water and save the lives of a community, but we can sure fund a task force to duplicate already-carried-out activities by the Federal Government so we can say we did it to the tune of \$30 million.

The chair of the Oversight and Government Reform Committee wouldn't allow the people of the Virgin Islands, for 100 years as part of the United States, to receive \$100,000 already earmarked for our interior. But, we have money for this bill. And let's not discuss all the block-granting discussions going on around here in this Congress.

Today, the House majority is now asking to authorize \$30 million on a bill that would handcuff enforcement agencies in their ability to respond to even more pressing new public health and safety problems.

Let me be clear. Reducing the burden of unnecessary red tape on small businesses is a goal that we all share. I recognize that some regulation is burdensome, and there should be a review of the code to determine what can be consolidated or repealed to reduce compliance costs.

One of the things that we seem to agree on is that retrospective review is helpful in the regulatory process. But,

retrospective review is already going on with money that has already been authorized. All of the agencies have been required to do this under standing executive orders issued by President Obama.

As has been discussed before, the results have been successful in reducing regulations. Agencies have yielded billions of dollars in cost savings and reduced reporting requirements through the modification of existing regulations.

People in my district get it that there is a cost to protecting the environment, but they know that keeping our workers safe and our waters clean is worth it. There can be and is red tape that is unnecessary, and there is ongoing work and focus to eliminate and reduce that.

Could there be ways to improve upon existing review regulations? There very well may be, and I am willing to work with anyone on a good idea.

Even if \$30 million were to come from elsewhere in the budget instead of additional spending, it would be that much less that agencies would have to conduct the already ongoing retrospective review process now going on.

Furthermore, we in Congress also have existing responsibility to actively conduct oversight of government operations and make legislative changes as we see fit.

There is simply no reason to spend \$30 million on this messaging effort to ignore the successful work that is already going on by qualified people, and to hobble the ability of regulators to safeguard public health and safety in the process.

This Congress has money to throw at solutions in search of a problem, but requires cost offsets to provide aid for victims of Flint or toward Zika funding.

Please approve my amendment to save this money.

Mr. Chair, I yield the balance of my time to the gentleman from Connecticut (Mr. COURTNEY).

Mr. COURTNEY. Mr. Chair, I rise in strong support of Ms. PLASKETT's amendment and just want to drill down on one point, which is, in the name of job creation, we have this bill before us, and we are going to spend \$30 million which will, I suppose, create some jobs here in Washington with some folks who sit on the commission and the staff who are going to have to populate it.

But just a couple of days ago, President Trump had the manufacturing CEOs of this country at the White House, and what they said was jobs exist, but skills don't; that there is a skills gap in this country, and that we need to have job training out there to connect people to these jobs.

Well, we have the Workforce Investment Act that was signed into law by President Obama in 2014, which created

a framework for apprenticeship programs, advance manufacturing programs, all the things that these CEOs were talking about, and we are underfunding those programs—just to take one, the Adult Formula Grants—by just about \$30 million.

You want to create jobs? Don't spend \$30 million on this ridiculous commission when, again, we have so many other resources here in Washington to review regulations. Let's put that money directly into the programs that will create the skill sets so that people can actually get a job to support themselves and their families. And don't take it from us, take it from the CEOs who were with President Trump just a few days ago about the fact that at a time when we have jobs in existence, the fact that we are underfunding job training programs is just totally criminal.

Let's use this \$30 million in a more productive way that will actually connect people to the jobs that are out there in the economy.

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

Mr. ROSS. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR (Mr. LONG). The gentleman from Florida is recognized for 5 minutes.

Mr. ROSS. Mr. Chairman, the commission is permitted, under this bill, to spend \$30 million over 5 years for administrative purposes. By removing the funding in this amendment, the commission will not be able to hire staff, rent office space, establish the public website as required in the bill, or hold the public meetings, which are also required in the bill. This amendment essentially guts the bill.

The commission established under this bill has a momentous job ahead of it. The Code of Federal Regulations totals more than 178,000 pages. This is approximately 36,000 pages of regulations for review every year of the 5 years the commission has to conduct its work.

But it is not just simply reading the pages. There is work behind understanding whether the regulations are effective. There is outreach and public hearings to understand how the regulations are or aren't effective.

I believe the savings from eliminating unnecessary costs and the improved efficiency from weeding out unneeded regulations will far outweigh the resources applied to this effort.

The Competitive Enterprise Institute estimates that regulations impose a cost on the economy of \$1.8 trillion. Who bears that cost but the consumers? This amendment would gut the bill. \$30 million over 5 years is more than reasonable, considering the economic impact that these regulations have had on the American business and the American economy. I urge my colleagues to oppose this amendment and support the bill.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from the Virgin Islands (Ms. PLASKETT).

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

Mr. ROSS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from the Virgin Islands will be postponed.

AMENDMENT NO. 5 OFFERED BY MR. MCNERNEY

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in House Report 115-20.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 31, line 17, insert after "Code" the following: ", except that the term does not include any rule relating to the physical and cyber security of the bulk-power system (as defined in section 215(a) of the Federal Power Act (16 U.S.C. 824o(a)), including any emergency action to protect and restore reliability of the bulk-power system".

The Acting CHAIR. Pursuant to House Resolution 150, the gentleman from California (Mr. MCNERNEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. MCNERNEY. Mr. Chairman, my amendment is straightforward. It exempts from the bill any agency rule relating to the physical and cybersecurity of the bulk power system, including any emergency action to protect and restore reliability. The bulk power system is comprised of facilities and control systems necessary for operating an interconnected electrical transmission network to maintain reliability.

Our Nation's electrical system touches each and every part of our lives, hospitals, schools, transportation, homes, businesses, and our national security. Our electrical system is the central element of our Nation's critical infrastructure because all other components of our infrastructure depend on it.

The electrical system is composed of 640,000 miles of high-voltage transmission lines and more than 6 million miles of distribution lines. This network is undergoing a transformation. There are an ever-increasing number of devices that are connected to the grid; technological advancements are allowing for efficiencies and cheaper production of power, whether it is renewable energy or natural gas; and consumers have more choices and more control. With increased digitization, automation and interaction also have enhanced grid flexibility and security.

While these developments present tremendous opportunities, such as new jobs and reducing carbon emissions, they also pose additional physical and cyber threats to the transmission and distribution systems. Stakeholders across the system are facing numerous new threats and challenges in detecting problems, responding to intrusions, and keeping rates affordable while maintaining reliability. The long-term health of the electricity sector is now, more than ever, a shared responsibility between communities, consumers, industry, and government.

Despite these challenges, the bulk power system is an example of industry stakeholders and the Federal Government working well together, when needed, and working independently, when needed and succeeding.

Transmission and distribution providers have taken it upon themselves to establish industry-led standards, best practices, and supply chain management when it comes to grid security. They have worked well with NERC and FERC in developing Critical Infrastructure Protection standards for the bulk power system.

These Critical Infrastructure Protection standards cover critical cyber asset identification, security management, personnel and training, electronic security, physical security, systems security, incident reporting and response planning, and recovery plans. There are 72 inactive CIP standards, and 11 that are now subject to enforcement. These standards aren't always perfect, but they do represent compromise and collaboration.

A well-protected and reliable grid makes economic sense. Power outages and disturbances can cost more than \$180 billion annually, and data suggests that electrical system outages attributable to weather-related events are increasing, costing the U.S. economy an estimated \$20 billion to \$55 billion annually. Electric companies are projected to spend more than \$7 billion of their own money on cybersecurity alone by the year 2020, and are expected to invest nearly \$53 billion to enhance the grid.

□ 1530

These are significant investments, but essential investments as well. A more resilient, secure electric sector is something we all benefit from. It will continue to require investments at all levels, including from the Federal Government.

We should enhance funding for our national laboratories that have partnered together via the Grid Modernization Lab Consortium. We should provide high levels of funding for the Office of Electricity and its mission to ensure the energy delivery system is more secure, resilient, and reliable. We must promote R&D that helps bring new, innovative technologies to the grid.

We will always struggle to keep ahead of those bad actors who are seeking to attack us, but we can establish metrics, procedures, and technological capabilities that allow us to respond and adapt.

I agree with many of my colleagues that we should work to identify and remove regulations that are no longer relevant. The Critical Infrastructure Protection standards have worked. My amendment ensures that Federal agencies will have the flexibility needed to respond to challenges without sacrificing any other necessary protections.

I urge my colleagues to adopt this amendment.

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

Mr. ROSS. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. ROSS. Mr. Chairman, this bill requires the commission to identify regulations that should be repealed. These are all regulations under the bill. While I appreciate my colleague from California's efforts in his amendment, I just cannot support it.

The commission focuses on rules and regulations that are out of date, no longer useful, and otherwise unnecessary or obsolete. No regulations should be exempt from this bill.

Ensuring the physical and cybersecurity of the bulk power system is absolutely important and critical. We should know whether or not the existing regulations are effective and are useful.

This amendment would prevent the commission from reviewing these important regulations and ensuring that they are current and effective.

I would urge my colleagues to oppose the amendment.

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

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

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

The amendment was rejected.

AMENDMENT NO. 6 OFFERED BY MR. KRISHNAMOORTHY

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in House Report 115-20.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 31, after line 24, add the following new title (and update the table of contents accordingly):

TITLE VI—EXEMPTIONS

SEC. 601. EXEMPTION RELATING TO NATIONAL AIRSPACE SYSTEM.

The provisions of this Act do not apply to any rule or set of rules relating to the safety of the national airspace system.

The Acting CHAIR. Pursuant to House Resolution 150, the gentleman from Illinois (Mr. KRISHNAMOORTHY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. KRISHNAMOORTHY. Mr. Chairman, my amendment today is a probusiness, pro-innovation amendment. This would exempt any regulations that affect the safety of our National Airspace System.

It is important to note that commercial drone operations are only possible because of FAA rules. Last August, the FAA's small UAS rule—unmanned aerial systems rule—opened the door for small businesses to use unmanned systems easily and without cumbersome paperwork.

The current inaction on the "flights over people" rule could limit UAS operations, such as news reporting, disaster relief, and public safety from becoming a reality. As a result, many businesses and the country could lose out on the full societal and economic benefits of UAS.

Once UAS are fully integrated into the national airspace, the full benefits of these tools will help businesses to expand and our economy to grow—with a projected 100,000 jobs and over \$82 billion in economic impact over the next decade. That is why this particular amendment is supported by the UAV Coalition as well as the Automated Vehicles Symposium.

But we need action from regulatory authorities to fully integrate UAS into our airspace. Without my amendment, the SCRUB Act has the potential to stifle a growing industry and prevent the modernization of air traffic. I want to reiterate: UAS operators need guidance and regulations from the FAA so they can operate safely and without unnecessary paperwork.

I urge the House to support my amendment.

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

Mr. ROSS. Mr. Chairman, I rise in opposition.

The Acting CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. ROSS. Mr. Chairman, as I mentioned earlier, the bill requires the commission to identify regulations—all regulations—which should be repealed. The commission focuses on rules and regulations that are out of date, no longer useful, and otherwise unnecessary or obsolete. Again, no regulations should be exempt from this bill.

Ensuring the safety of the National Airspace System is critically important. We should know whether or not the existing regulations are effective and useful. This amendment would prevent the commission from reviewing these very important regulations and

ensuring that they are not only current but also effective.

I, therefore, urge my colleagues to oppose this amendment.

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

Mr. KRISHNAMOORTHY. Mr. Chairman, investments into this particular industry are predicated on whether or not regulations are predictable. As a former small-business man, I can tell you that investments will not happen if there is an unelected commission that exists that might change the very rules and regulations upon which current investments have been made.

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

Mr. ROSS. Mr. Chairman, while I appreciate the argument about an unelected commission, I must say that these regulations are already being promulgated by unelected, unaccountable bureaucrats.

Again, if we are going to have to have a review—an oversight—of our regulatory scheme, we should not exempt any regulations. I, therefore, would submit that this amendment would do just that. It would create a slippery slope of exceptions. Therefore, I, again, would urge my colleagues to oppose the amendment.

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

Mr. KRISHNAMOORTHY. Mr. Chairman, as a small-business man, I can tell you that small businesses rely on the predictability of regulatory rules and the regulatory regime. This commission is creating unpredictability in the system. Therefore, it is going to stifle investment, it is going to prevent innovation, and it is going to further throw a monkey wrench into our National Airspace System.

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

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

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

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

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. KRISHNAMOORTHY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Illinois will be postponed.

AMENDMENT NO. 7 OFFERED BY MR. KRISHNAMOORTHY

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in House Report 115-20.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 31, after line 24, add the following new title (and update the table of contents accordingly):

TITLE VI—EXEMPTIONS

SEC. 601. EXEMPTION RELATING TO AIRPORT NOISE RESTRICTIONS.

The provisions of this Act do not apply to any rule or set of rules relating to airport noise restrictions.

The Acting CHAIR. Pursuant to House Resolution 150, the gentleman from Illinois (Mr. KRISHNAMOORTHY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. KRISHNAMOORTHY. Mr. Chairman, my second amendment to the SCRUB Act would protect the countless citizens, including many of my own constituents, who depend on airport noise restrictions to sleep through the night or learn uninterrupted in school.

Thousands of my constituents near O'Hare International Airport benefit from these restrictions, as do the millions of people that live near major airports across the country. As the father of a 10-month-old baby girl, I can speak from experience to the value of an uninterrupted night of sleep.

Many FAA noise rules are the product of careful discussions between airports and local authorities. While noise restrictions have a slight economic impact on air carriers, the economic benefit to surrounding communities more than outweighs this.

The unelected commission created by this bill should not have the ability to overturn restrictions that have been carefully considered by local governments, the FAA, and airport officials.

Without FAA noise restrictions, people and businesses would suffer, Mr. Chairman. This would decrease property values in my district, make it harder for people to start a business, and have a negative effect on people's health.

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

Mr. ROSS. Mr. Chairman, I rise in opposition.

The Acting CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. ROSS. Mr. Chairman, everyone agrees that airport noise is very annoying.

Effective regulations that protect our communities from unwarranted noise are very important. However, regulations that impose excessive and costly restrictions that are ineffective at achieving their goals do not help anyone.

Why not take a look at these regulations and just consider whether they are working?

If they are, then the regulation stays in place and we continue to protect our

communities from unwarranted noise. If those regulations are not working, then we repeal them and put in regulations that achieve the goals and reduce costs.

There is no reason why we should create special carve-outs from the commission's consideration.

For those reasons, Mr. Chairman, I urge my colleagues to oppose this amendment.

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

Mr. KRISHNAMOORTHY. Mr. Chairman, these particular rules and regulations were crafted carefully at the local level, and I believe very strongly that this commission, which is a Federal commission, should not somehow upset the balance that has been achieved through local voices having a say in these particular regulations.

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

Mr. ROSS. Mr. Chairman, I will tell you that regulations are regulations. They need to be reviewed at every level. What the SCRUB Act offers is that opportunity. What this amendment does is limit that ability.

For those reasons, I, again, urge my colleagues to oppose this amendment.

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

Mr. KRISHNAMOORTHY. Mr. Chairman, the SCRUB Act should not have the ability to review regulations and rules that were developed by local people with local concerns in mind.

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

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

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. KRISHNAMOORTHY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Illinois will be postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 115-20 on which further proceedings were postponed, in the following order:

Amendment No. 2 by Mr. DESAULNIER of California.

Amendment No. 4 by Ms. PLASKETT of the Virgin Islands.

Amendment No. 6 by Mr. KRISHNAMOORTHY of Illinois.

Amendment No. 7 by Mr. KRISHNAMOORTHY of Illinois.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 2 OFFERED BY MR.

DE SAULNIER

The Acting CHAIR. The unfinished business is the demand for a recorded

vote on the amendment offered by the gentleman from California (Mr. DESAULNIER) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 348, noes 75, not voting 7, as follows:

[Roll No. 105]

AYES—348

Adams	Davidson	Huizenga
Agullar	Davis (CA)	Hultgren
Amash	Davis, Danny	Hunter
Bacon	DeFazio	Hurd
Barletta	DeGette	Issa
Barragan	Delaney	Jackson Lee
Bass	DeLauro	Jayapal
Beatty	DeBene	Jeffries
Bera	Demings	Jenkins (KS)
Bergman	Denham	Jenkins (WV)
Beyer	Dent	Johnson (GA)
Bilirakis	DeSantis	Johnson (LA)
Bishop (GA)	DeSaulnier	Johnson (OH)
Bishop (MI)	Deutch	Johnson, E. B.
Bishop (UT)	Diaz-Balart	Jones
Black	Dingell	Joyce (OH)
Blackburn	Doggett	Kaptur
Blum	Donovan	Katko
Blumenauer	Doyle, Michael	Keating
Blunt Rochester	F.	Kelly (IL)
Bonamici	Duffy	Kennedy
Bost	Dunn	Khanna
Boyle, Brendan	Ellison	Kihuen
F.	Emmer	Kildee
Brady (PA)	Engel	Kilmer
Brooks (IN)	Eshoo	Kind
Brown (MD)	Espallat	King (NY)
Brownley (CA)	Esty	Kinzinger
Buchanan	Evans	Knight
Bustos	Farenthold	Krishnamoorthi
Butterfield	Faso	Kuster (NH)
Calvert	Fitzpatrick	Lance
Capuano	Flores	Langevin
Carbajal	Fortenberry	Larsen (WA)
Cardenas	Foster	Larson (CT)
Carson (IN)	Fox	Latta
Cartwright	Frankel (FL)	Lawrence
Castor (FL)	Franks (AZ)	Lawson (FL)
Castro (TX)	Frelinghuysen	Lee
Chabot	Fudge	Levin
Chaffetz	Gabbard	Lewis (GA)
Cheney	Gallagher	Lewis (MN)
Chu, Judy	Galleo	Lieu, Ted
Cicilline	Garamendi	Lipinski
Clark (MA)	Gonzalez (TX)	LoBiondo
Clarke (NY)	Goodlatte	Loeb
Clay	Gottheimer	Lofgren
Cleaver	Gowdy	Long
Clyburn	Granger	Loudermilk
Coffman	Graves (LA)	Love
Cohen	Graves (MO)	Lowenthal
Cole	Green, Al	Lowe
Collins (GA)	Green, Gene	Luetkemeyer
Collins (NY)	Griffith	Lujan Grisham,
Comer	Grijalva	M.
Comstock	Guthrie	Lujan, Ben Ray
Conaway	Gutierrez	Lynch
Connolly	Hanabusa	MacArthur
Conyers	Harper	Maloney,
Cooper	Hartzler	Carolyn B.
Correa	Hastings	Maloney, Sean
Costa	Heck	Marchant
Costello (PA)	Hensarling	Marshall
Courtney	Herrera Beutler	Mast
Cramer	Higgins (LA)	Matsui
Crist	Higgins (NY)	McCauley
Crowley	Hill	McCollum
Cuellar	Himes	McEachin
Culberson	Holding	McGovern
Cummings	Hoyer	McHenry
Curbelo (FL)	Huffman	McKinley

McMorris	Roby	Stewart
Rodgers	Roe (TN)	Stivers
McNerney	Rogers (AL)	Suozzi
McSally	Rogers (KY)	Swalwell (CA)
Meadows	Rohrabacher	Takano
Meehan	Rokita	Taylor
Meeks	Rooney, Francis	Tenney
Meng	Ros-Lehtinen	Thompson (CA)
Mitchell	Rosen	Thompson (MS)
Moolenaar	Roskam	Thompson (PA)
Moulton	Ross	Thornberry
Mullin	Rothfus	Tiberi
Murphy (FL)	Rouzer	Tipton
Murphy (PA)	Roybal-Allard	Titus
Nadler	Royce (CA)	Tonko
Napolitano	Ruiz	Torres
Neal	Ruppersberger	Trott
Newhouse	Rush	Upton
Nolan	Rutherford	Valadao
Norcross	Ryan (OH)	Vargas
O'Halloran	Sanchez	Veasey
O'Rourke	Sanford	Vela
Olson	Sarbanes	Velázquez
Pallone	Schakowsky	Visclosky
Palmer	Schiff	Walberg
Panetta	Schneider	Walden
Pascrell	Schrader	Walorski
Paulsen	Schweikert	Walters, Mimi
Payne	Scott (VA)	Walz
Pelosi	Scott, David	Wasserman
Perlmutter	Serrano	Schultz
Peters	Sewell (AL)	Waters, Maxine
Peterson	Shea-Porter	Watson Coleman
Pingree	Sherman	Welch
Pocan	Shimkus	Wenstrup
Poliquin	Shuster	Westerman
Polis	Simpson	Wilson (FL)
Price (NC)	Sinema	Wilson (SC)
Quigley	Sires	Womack
Raskin	Slaughter	Woodall
Ratcliffe	Smith (NJ)	Yarmuth
Reed	Smith (TX)	Yoder
Reichert	Smith (WA)	Yoho
Renacci	Smucker	Young (AK)
Rice (NY)	Soto	Young (IA)
Rice (SC)	Speier	Zeldin
Richmond	Stefanik	

NOES—75

Abraham	Ferguson	McCarthy
Aderholt	Fleischmann	McClintock
Allen	Gaetz	Messer
Amodei	Garrett	Mooney (WV)
Arrington	Gibbs	Noem
Babin	Gohmert	Nunes
Banks (IN)	Gosar	Palazzo
Barr	Graves (GA)	Pearce
Barton	Grothman	Perry
Biggs	Harris	Pittenger
Brady (TX)	Hice, Jody B.	Poe (TX)
Brat	Hollingsworth	Posey
Bridenstine	Johnson, Sam	Russell
Brooks (AL)	Jordan	Scalise
Buck	Kelly (MS)	Scott, Austin
Bucshon	Kelly (PA)	Sensenbrenner
Budd	King (IA)	Sessions
Burgess	Kustoff (TN)	Smith (MO)
Byrne	Labrador	Smith (NE)
Carter (GA)	LaHood	Turner
Carter (TX)	LaMalfa	Walker
Cook	Lamborn	Weber (TX)
DesJarlais	Lucas	Webster (FL)
Duncan (SC)	Marino	Williams
Duncan (TN)	Massie	Wittman

NOT VOTING—7

Crawford	Moore	Wagner
Davis, Rodney	Rooney, Thomas	Zinke
Hudson	J.	

□ 1611

Messrs. BRAT, WILLIAMS, KELLY of Mississippi, GAETZ, PITTENGER, WALKER, GROTHMAN, KING of Iowa, BRIDENSTINE, SMITH of Missouri, MASSIE, CARTER of Georgia, and WITTMAN changed their vote from "aye" to "no."

Ms. DEGETTE, Messrs. RICE of South Carolina, ISSA, Ms. JENKINS of Kansas, Messrs. LOBIONDO, HOLDING, ROUZER, NORCROSS, WOMACK,

RASKIN, COLLINS of Georgia, Mrs. WALORSKI, Messrs. GENE GREEN of Texas, WOODALL, Ms. GRANGER, Messrs. COLE, SEAN PATRICK MALONEY of New York, GUTHRIE, UPTON, McCAUL, TIPTON, ROSKAM, DESANTIS, SHIMKUS, Ms. HANABUSA, Messrs. COHEN, RUTHERFORD, Mrs. MIMI WALTERS of California, and Mr. SMUCKER changed their vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 4 OFFERED BY MS. PLASKETT

The Acting CHAIR (Mr. COLLINS of Georgia). The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from the Virgin Islands (Ms. PLASKETT) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 181, noes 243, not voting 6, as follows:

[Roll No. 106]

AYES—181

Adams	Delaney	Kildee
Aguilar	DeLauro	Kilmer
Barragán	DelBene	Kind
Bass	Demings	Krishnamoorthi
Beatty	DeSaulnier	Kuster (NH)
Bera	Deutch	Langevin
Beyer	Dingell	Larsen (WA)
Bishop (GA)	Doggett	Larson (CT)
Blumenauer	Doyle, Michael	Lawrence
Blunt Rochester	F.	Lawson (FL)
Bonamici	Ellison	Lee
Boyle, Brendan	Engel	Levin
F.	Eshoo	Lewis (GA)
Brady (PA)	Españillat	Lieu, Ted
Brown (MD)	Esty	Lipinski
Brownley (CA)	Evans	Loeb sack
Bustos	Foster	Lofgren
Butterfield	Frankel (FL)	Lowenthal
Capuano	Fudge	Lowe y
Carbajal	Gabbard	Lujan Grisham,
Cárdenas	Gallego	M.
Carson (IN)	Garamendi	Luján, Ben Ray
Cartwright	Gonzalez (TX)	Lynch
Castor (FL)	Green, Al	Maloney,
Castro (TX)	Green, Gene	Carolyn B.
Chu, Judy	Grijalva	Maloney, Sean
Ciçilline	Gutiérrez	Matsui
Clark (MA)	Hanabusa	McCollum
Clarke (NY)	Hastings	McEachin
Clay	Heck	McGovern
Cleaver	Higgins (NY)	McNerney
Clyburn	Himes	Meeks
Cohen	Hoyer	Meng
Connolly	Huffman	Moulton
Conyers	Jackson Lee	Nadler
Cooper	Jayapal	Napolitano
Correa	Jeffries	Neal
Courtney	Johnson (GA)	Nolan
Crist	Johnson, E. B.	Norcross
Crowley	Kaptur	O'Rourke
Cummings	Keating	Pallone
Davis (CA)	Kelly (IL)	Panetta
Davis, Danny	Kennedy	Pascarell
DeFazio	Khanna	Payne
DeGette	Kihuen	Pelosi

Perlmutter	Schiff
Pingree	Schneider
Pocan	Scott (VA)
Polis	Scott, David
Price (NC)	Serrano
Quigley	Sewell (AL)
Raskin	Shea-Porter
Rice (NY)	Sherman
Richmond	Sires
Roybal-Allard	Slaughter
Ruiz	Smith (WA)
Ruppersberger	Soto
Rush	Speier
Ryan (OH)	Swalwell (CA)
Sánchez	Takano
Sarbanes	Thompson (CA)
Schakowsky	Thompson (MS)

NOES—243

Abraham	Gallagher	Mitchell
Aderholt	Garrett	Moolenaar
Allen	Gibbs	Mooney (WV)
Amash	Gohmert	Mullin
Amodei	Goodlatte	Murphy (FL)
Arrington	Gosar	Murphy (PA)
Babin	Gottheimer	Newhouse
Bacon	Gowdy	Noem
Banks (IN)	Granger	Nunes
Barletta	Graves (GA)	O'Halleran
Barr	Graves (LA)	Olson
Barton	Graves (MO)	Palazzo
Bergman	Griffith	Palmer
Biggs	Grothman	Paulsen
Bilirakis	Guthrie	Pearce
Bishop (MI)	Harper	Perry
Bishop (UT)	Harris	Peters
Black	Hartzler	Peterson
Blackburn	Hensarling	Pittenger
Blum	Herrera Beutler	Poe (TX)
Bost	Hice, Jody B.	Poliquin
Brady (TX)	Higgins (LA)	Posey
Brat	Hill	Ratcliffe
Bridenstine	Holding	Reed
Brooks (AL)	Hollingsworth	Reichert
Brooks (IN)	Huizenga	Renacci
Buchanan	Hultgren	Rice (SC)
Buck	Hunter	Roby
Bucshon	Hurd	Roe (TN)
Budd	Issa	Rogers (AL)
Burgess	Jenkins (KS)	Rogers (KY)
Byrne	Jenkins (WV)	Rohrabacher
Calvert	Johnson (LA)	Rokita
Carter (GA)	Johnson (OH)	Rooney, Francis
Carter (TX)	Johnson, Sam	Ros-Lehtinen
Chabot	Jones	Rosen
Chaffetz	Jordan	Roskam
Cheney	Joyce (OH)	Ross
Coffman	Katko	Rothfus
Cole	Kelly (MS)	Rouzer
Collins (GA)	Kelly (PA)	Royce (CA)
Collins (NY)	King (IA)	Russell
Comer	King (NY)	Rutherford
Comstock	Kinzing	Sanford
Conaway	Knight	Scalise
Cook	Kustoff (TN)	Schrader
Costa	Labrador	Schweikert
Costello (PA)	LaHood	Scott, Austin
Cramer	LaMalfa	Sensenbrenner
Crawford	Lamborn	Sessions
Cuellar	Lance	Shimkus
Culberson	Latta	Shuster
Curbelo (FL)	Lewis (MN)	Simpson
Davidson	LoBiondo	Sinema
Denham	Long	Smith (MO)
Dent	Loudermilk	Smith (NE)
DeSantis	Love	Smith (NJ)
DeJarlais	Lucas	Smith (TX)
Diaz-Balart	Luetkemeyer	Smucker
Donovan	MacArthur	Stefanik
Duffy	Marchant	Stewart
Duncan (SC)	Marino	Stivers
Duncan (TN)	Marshall	Suozi
Dunn	Massie	Taylor
Emmer	Mast	Tenney
Farenthold	McCarthy	Thompson (PA)
Faso	McCauley	Thornberry
Ferguson	McClintock	Tiberi
Fitzpatrick	McHenry	Tipton
Fleischmann	McKinley	Trott
Flores	McMorris	Turner
Fortenberry	Rodgers	Upton
Foxx	McSally	Valadao
Franks (AZ)	Meadows	Walberg
Frelinghuysen	Meehan	Walden
Gaetz	Messer	Walker

Walorski	Williams	Yoho
Walters, Mimi	Wilson (SC)	Young (AK)
Weber (TX)	Wittman	Young (IA)
Webster (FL)	Womack	Zeldin
Wenstrup	Woodall	
Westerman	Yoder	

NOT VOTING—6

Davis, Rodney	Rooney, Thomas	Zinke
Hudson	J.	
Moore	Wagner	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1614

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 6 OFFERED BY MR. KRISHNAMOORTHY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Illinois (Mr. KRISHNAMOORTHY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 189, noes 234, not voting 7, as follows:

[Roll No. 107]

AYES—189

Adams	Davis (CA)	Johnson, E. B.
Aguilar	Davis, Danny	Kaptur
Barragán	DeFazio	Keating
Bass	DeGette	Kelly (IL)
Beatty	Delaney	Kennedy
Bera	DeLauro	Khanna
Beyer	DelBene	Kihuen
Bishop (GA)	Demings	Kildee
Blumenauer	DeSaulnier	Kilmer
Blunt Rochester	Deutch	Kind
Bonamici	Dingell	Krishnamoorthi
Boyle, Brendan	Doggett	Kuster (NH)
F.	Doyle, Michael	Langevin
Brady (PA)	F.	Larsen (WA)
Brown (MD)	Ellison	Larson (CT)
Brownley (CA)	Engel	Lawrence
Bustos	Eshoo	Lawson (FL)
Butterfield	Españillat	Lee
Capuano	Esty	Levin
Carbajal	Evans	Lewis (GA)
Cárdenas	Foster	Lieu, Ted
Carson (IN)	Frankel (FL)	Lipinski
Cartwright	Fudge	LoBiondo
Castor (FL)	Gabbard	Loeb sack
Castro (TX)	Gallego	Lofgren
Chu, Judy	Garamendi	Lowenthal
Ciçilline	Gonzalez (TX)	Lowe y
Clark (MA)	Gottheimer	Lujan Grisham,
Clarke (NY)	Green, Al	M.
Clay	Green, Gene	Luján, Ben Ray
Cleaver	Grijalva	Lynch
Clyburn	Gutiérrez	Maloney,
Cohen	Hanabusa	Carolyn B.
Connolly	Hastings	Matsui
Conyers	Heck	McCollum
Cooper	Higgins (NY)	McEachin
Correa	Himes	McGovern
Courtney	Hoyer	McNerney
Crist	Huffman	Meeks
Crowley	Jayapal	Meng
Cuellar	Jeffries	Moulton
Cummings	Johnson (GA)	Murphy (FL)

Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond

NOES—234

Abraham
Aderholt
Allen
Amash
Amodel
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Davidson
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores

Rosen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Soto

Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

Tiberi
Tipton
Trott
Turner
Upton
Valadao
Walberg
Walden
Walker

Davis, Rodney
Hudson
Maloney, Sean

Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman

NOT VOTING—7

Moore
Rooney, Thomas J.
Wagner
Zinke

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. (during the vote).
There is 1 minute remaining.

□ 1618

So the amendment was rejected.
The result of the vote was announced
as above recorded.

AMENDMENT NO. 7 OFFERED BY MR.

KRISHNAMOORTHY

The Acting CHAIR. The unfinished
business is the demand for a recorded
vote on the amendment offered by the
gentleman from Illinois (Mr.
KRISHNAMOORTHY) on which further pro-
ceedings were postponed and on which
the noes prevailed by voice vote.

The Clerk will redesignate the
amendment.

The Clerk redesignated the amend-
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-
minute vote.

The vote was taken by electronic de-
vice, and there were—ayes 192, noes 230,
not voting 8, as follows:

[Roll No. 108]

AYES—192

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

Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Españillat
Esty
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes

Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loeback
Lofgren
Lowenthal
Lowe
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney,
Carolyn B.
Maloney, Sean

Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis

Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rohrabacher
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter

NOES—230

Abraham
Aderholt
Allen
Amash
Amodel
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Davidson
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Farenthold
Faso

Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Harper
Harris
Hartzer
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzing
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer

Smith (NJ)
Smith (WA)
Soto
Speier
Suozi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rokita
Rooney, Francis
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (TX)

Smucker	Turner	Westerman
Stefanik	Upton	Williams
Stewart	Valadao	Wilson (SC)
Stivers	Walberg	Wittman
Taylor	Walden	Womack
Tenney	Walker	Woodall
Thompson (PA)	Walorski	Yoder
Thornberry	Walters, Mimi	Yoho
Tiberi	Weber (TX)	Young (AK)
Tipton	Webster (FL)	Young (IA)
Trott	Wenstrup	Zeldin

NOT VOTING—8

Chu, Judy	Moore	Zinke
Davis, Rodney	Rooney, Thomas	
Hensarling	J.	
Hudson	Wagner	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1622

So the amendment was rejected.

The result of the vote was announced as above recorded.

MR. SESSIONS. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. JOYCE) having assumed the chair, Mr. COLLINS of Georgia, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 998) to provide for the establishment of a process for the review of rules and sets of rules, and for other purposes, had come to no resolution thereon.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1004, REGULATORY INTEGRITY ACT OF 2017, AND PROVIDING FOR CONSIDERATION OF H.R. 1009, OIRA INSIGHT, REFORM, AND ACCOUNTABILITY ACT

MR. SESSIONS, from the Committee on Rules, submitted a privileged report (Rept. No. 115-21) on the resolution (H. Res. 156) providing for consideration of the bill (H.R. 1004) to amend chapter 3 of title 5, United States Code, to require the publication of information relating to pending agency regulatory actions, and for other purposes, and providing for consideration of the bill (H.R. 1009) to amend title 44, United States Code, to require the Administrator of the Office of Information and Regulatory Affairs to review regulations, and for other purposes, which was referred to the House Calendar and ordered to be printed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. COLLINS of Georgia). After consultation among the Speaker and the majority and minority leaders, and with their consent, the Chair announces that, when the two Houses meet tonight in joint session to hear an address by the

President of the United States, only the doors immediately opposite the Speaker and those immediately to his left and right will be open.

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

The practice of purporting to reserve seats prior to the joint session by placement of placards or personal items will not be allowed. Chamber Security may remove these items from the seats. Members may reserve their seats only by physical presence following the security sweep of the Chamber.

All Members are reminded to refrain from engaging in still photography or audio or video recording in the Chamber. Taking unofficial photographs detracts from the dignity of the proceedings and presents security and privacy challenges for the House.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 8:35 p.m. for the purpose of receiving in joint session the President of the United States.

Accordingly (at 4 o'clock and 27 minutes p.m.), the House stood in recess.

□ 2035

JOINT SESSION OF CONGRESS PURSUANT TO HOUSE CONCURRENT RESOLUTION 23 TO RECEIVE A MESSAGE FROM THE PRESIDENT

The recess having expired, the House was called to order by the Speaker at 8 o'clock and 35 minutes p.m.

The Assistant to the Sergeant at Arms, Ms. Kathleen Joyce, announced the Vice President and Members of the U.S. Senate, who entered the Hall of the House of Representatives, the Vice President taking the chair at the right of the Speaker, and the Members of the Senate the seats reserved for them.

The SPEAKER. The joint session will come to order.

The Chair appoints as members of the committee on the part of the House to escort the President of the United States into the Chamber:

The gentleman from California (Mr. MCCARTHY);

The gentleman from Louisiana (Mr. SCALISE);

The gentlewoman from Washington (Mrs. McMORRIS RODGERS);

The gentleman from Ohio (Mr. STIVERS);

The gentleman from Indiana (Mr. MESSER);

The gentleman from Georgia (Mr. COLLINS);

The gentleman from Missouri (Mr. SMITH);

The gentlewoman from California (Ms. PELOSI);

The gentleman from Maryland (Mr. HOYER);

The gentleman from South Carolina (Mr. CLYBURN);

The gentleman from New York (Mr. CROWLEY);

The gentlewoman from California (Ms. SANCHEZ);

The gentleman from New Mexico (Mr. BEN RAY LUJÁN); and

The gentleman from California (Mr. SWALWELL).

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

The Senator from Kentucky (Mr. MCCONNELL);

The Senator from Texas (Mr. CORNYN);

The Senator from Utah (Mr. HATCH);

The Senator from South Dakota (Mr. THUNE);

The Senator from Wyoming (Mr. BARRASSO);

The Senator from Missouri (Mr. BLUNT);

The Senator from Colorado (Mr. GARDNER);

The Senator from New York (Mr. SCHUMER);

The Senator from Illinois (Mr. DURBIN);

The Senator from Washington (Mrs. MURRAY);

The Senator from Vermont (Mr. LEAHY);

The Senator from Michigan (Ms. STABENOW);

The Senator from Minnesota (Ms. KLOBUCHAR); and

The Senator from West Virginia (Mr. MANCHIN).

The Assistant to the Sergeant at Arms announced the Dean of the Diplomatic Corps, His Excellency Hersey Kyota, the Ambassador of the Republic of Palau.

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

The Assistant to the Sergeant at Arms announced the Chief Justice of the United States and the Associate Justices of the Supreme Court.

The Chief Justice of the United States and the Associate Justices of the Supreme Court entered the Hall of the House of Representatives and took the seats reserved for them in front of the Speaker's rostrum.

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

The members of the Cabinet of the President of the United States entered

the Hall of the House of Representatives and took the seats reserved for them in front of the Speaker's rostrum.

At 9 o'clock and 4 minutes p.m., the Sergeant at Arms, the Honorable Paul D. Irving, announced the President of the United States.

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

(Applause, the Members rising.)

The SPEAKER. Members of the Congress, I have the high privilege and the distinct honor of presenting to you the President of the United States.

(Applause, the Members rising.)

The PRESIDENT. Mr. Speaker, Mr. Vice President, Members of Congress, the First Lady of the United States, and citizens of America:

Tonight, as we mark the conclusion of our celebration of Black History Month, we are reminded of our Nation's path towards civil rights and the work that still remains to be done.

Recent threats targeting Jewish community centers and vandalism of Jewish cemeteries, as well as last week's shooting in Kansas City, remind us that, while we may be a nation divided on policies, we are a country that stands united in condemning hate and evil in all of its very ugly forms.

Each American generation passes the torch of truth, liberty, and justice—in an unbroken chain all the way down to the present. That torch is now in our hands, and we will use it to light up the world. I am here tonight to deliver a message of unity and strength, and it is a message deeply delivered from my heart.

A new chapter of American greatness is now beginning. A new national pride is sweeping across our Nation. And a new surge of optimism is placing impossible dreams firmly within our grasp. What we are witnessing today is the renewal of the American spirit.

Our allies will find that America is once again ready to lead.

All the nations of the world, friend or foe, will find that America is strong, America is proud, and America is free.

In 9 years, the United States will celebrate the 250th anniversary of our founding, 250 years since the day we declared our independence. It will be one of the great milestones in the history of the world.

But what will America look like as we reach our 250th year? What kind of country will we leave for our children?

I will not allow the mistakes of recent decades past to define the course of our future.

For too long we have watched our middle class shrink as we have exported our jobs and wealth to foreign countries. We have financed and built one global project after another but ignored the fates of our children in the inner cities of Chicago, Baltimore, De-

troit, and so many other places throughout our land. We have defended the borders of other nations while leaving our own borders wide open for anyone to cross and for drugs to pour in at a now unprecedented rate. And we have spent trillions and trillions of dollars overseas, while our infrastructure at home has so badly crumbled.

Then, in 2016, the Earth shifted beneath our feet. The rebellion started as a quiet protest, spoken by families of all colors and creeds, families who just wanted a fair shot for their children and a fair hearing for their concerns. But then the quiet voices became a loud chorus, as thousands of citizens now spoke out together from cities small and large all across our country. Finally, the chorus became an earthquake and the people turned out by the tens of millions, and they were all united by one very simple but crucial demand: that America must put its own citizens first, because only then can we truly make America great again.

Dying industries will come roaring back to life. Heroic veterans will get the care they so desperately need. Our military will be given the resources its brave warriors so richly deserve. Crumbling infrastructure will be replaced with new roads, bridges, tunnels, airports, and railways gleaming across our very, very beautiful land.

Our terrible drug epidemic will slow down and ultimately stop, and our neglected inner cities will see a rebirth of hope, safety, and opportunity. Above all else, we will keep our promises to the American people.

It has been a little over a month since my inauguration, and I want to take this moment to update the Nation on the progress I have made in keeping those promises.

Since my election, Ford, Fiat Chrysler, General Motors, Sprint, Softbank, Lockheed, Intel, Walmart, and many others have announced that they will invest billions and billions of dollars in the United States and will create tens of thousands of new American jobs.

The stock market has gained almost \$3 trillion in value since the election on November 8—a record. We have saved taxpayers hundreds of millions of dollars by bringing down the price of the fantastic, and it is a fantastic new F-35 jet fighter. And we will be saving billions more on contracts all across our government.

We have placed a hiring freeze on nonmilitary and nonessential Federal workers. We have begun to drain the swamp of government corruption by imposing a 5-year ban on lobbying by executive branch officials, and a lifetime ban on becoming lobbyists for a foreign government.

We have undertaken a historic effort to massively reduce job-crushing regulations, creating a deregulation task force inside of every government agen-

cy. And we are imposing a new rule which mandates that for every one new regulation, two old regulations must be eliminated. We are going to stop the regulations that threaten the future and livelihood of our great coal miners.

We have cleared the way for the construction of the Keystone and Dakota Access pipelines, thereby creating tens of thousands of jobs. And I have issued a new directive that new American pipelines be made with American steel.

We have withdrawn the United States from the job-killing Trans-Pacific Partnership.

With the help of Prime Minister Justin Trudeau, we have formed a council with our neighbors in Canada to help ensure that women entrepreneurs have access to the networks, markets, and capital they need to start a business and live out their financial dreams.

To protect our citizens, I have directed the Department of Justice to form a task force on reducing violent crime. I have further ordered the Departments of Homeland Security and Justice, along with the Department of State and the Director of National Intelligence, to coordinate an aggressive strategy to dismantle the criminal cartels that have spread all across our Nation. We will stop the drugs from pouring into our country and poisoning our youth, and we will expand treatment for those who have become so badly addicted.

At the same time, my administration has answered the pleas of the American people for immigration enforcement and border security. By finally enforcing our immigration laws, we will raise wages, help the unemployed, save billions and billions of dollars, and make our communities safer for everyone.

We want all Americans to succeed, but that can't happen in an environment of lawless chaos. We must restore integrity and the rule of law at our borders. For that reason, we will soon begin the construction of a great, great wall along our southern border. As we speak tonight, we are removing gang members, drug dealers, and criminals that threaten our communities and prey on our very innocent citizens. Bad ones are going out as I speak, and as I promised throughout the campaign.

To any in Congress who do not believe we should enforce our laws, I would ask you this one question: What would you say to the American family that loses their jobs, their income, or their loved one because America refused to uphold its laws and defend its borders? Our obligation is to serve, protect, and defend the citizens of the United States.

We are also taking strong measures to protect our Nation from radical Islamic terrorism. According to data provided by the Department of Justice, the vast majority of individuals convicted of terrorism and terrorism-related offenses since 9/11 came here from

outside of our country. We have seen the attacks at home—from Boston to San Bernardino to the Pentagon and, yes, even the World Trade Center. We have seen the attacks in France, in Belgium, in Germany, and all over the world. It is not compassionate, but reckless, to allow uncontrolled entry from places where proper vetting cannot occur.

Those given the high honor of admission to the United States should support this country and love its people and its values. We cannot allow a beachhead of terrorism to form inside America. We cannot allow our Nation to become a sanctuary for extremists. That is why my administration has been working on improved vetting procedures, and we will shortly take new steps to keep our Nation safe and to keep those out who will do us harm.

As promised, I directed the Department of Defense to develop a plan to demolish and destroy ISIS, a network of lawless savages that have slaughtered Muslims and Christians, and men and women and children of all faiths and all beliefs. We will work with our allies, including our friends and allies in the Muslim world, to extinguish this vile enemy from our planet. I have also imposed new sanctions on entities and individuals who support Iran's ballistic missile program, and reaffirmed our unbreakable alliance with the State of Israel.

Finally, I have kept my promise to appoint a Justice to the United States Supreme Court from my list of 20 judges who will defend our Constitution. I am greatly honored to have Maureen Scalia with us in the gallery tonight. Thank you, Maureen. Her late, great husband, Antonin Scalia, will forever be a symbol of American justice. To fill his seat, we have chosen Judge Neil Gorsuch, a man of incredible skill and deep devotion to the law. He was confirmed unanimously to the Court of Appeals, and I am asking the Senate to swiftly approve his nomination.

Tonight, as I outline the next steps we must take as a country, we must honestly acknowledge the circumstances we inherited. Ninety-four million Americans are out of the labor force. Over 43 million people are now living in poverty, and over 43 million Americans are on food stamps. More than one in five people in their prime working years are not working. We have the worst financial recovery in 65 years. In the last 8 years, the past administration has put on more new debt than nearly all of the other Presidents combined.

We have lost more than one-fourth of our manufacturing jobs since NAFTA was approved, and we have lost 60,000 factories since China joined the World Trade Organization in 2001. Our trade deficit in goods with the world last year was nearly \$800 billion. And over-

seas we have inherited a series of tragic foreign policy disasters. Solving these, and so many other pressing problems, will require us to work past the differences of party.

It will require us to tap into the American spirit that has overcome every challenge throughout our long and storied history. But to accomplish our goals at home and abroad, we must restart the engine of the American economy, making it easier for companies to do business in the United States, and much, much harder for companies to leave our country.

Right now, American companies are taxed at one of the highest rates anywhere in the world. My economic team is developing historic tax reform that will reduce the tax rate on our companies so they can compete and thrive anywhere and with anyone. It will be a big, big cut.

At the same time, we will provide massive tax relief for the middle class. We must create a level playing field for American companies and workers. Currently, when we ship products out of America; many other countries make us pay very high tariffs and taxes. But when foreign companies ship their products into America, we charge them nothing or almost nothing.

I just met with officials and workers from a great American company—Harley-Davidson. In fact, they proudly displayed five of their magnificent motorcycles, made in the USA, on the front lawn of the White House. They wanted me to ride one, and I said: No, thank you.

At our meeting, I asked them: How are you doing, how is business?

They said that it is good.

I asked them further: How are you doing with other countries, mainly international sales?

They told me—without even complaining because they have been so mistreated for so long that they have become used to it—that it is very hard to do business with other countries because they tax our goods at such a high rate. They said that in one case another country taxed their motorcycles at 100 percent. They weren't even asking for change, but I am. I believe strongly in free trade, but it also has to be fair trade. It has been a long time since we had fair trade.

The first Republican President, Abraham Lincoln, warned that "The abandonment of the protective policy by the American Government will produce want and ruin among our people." Lincoln was right, and it is time we heeded his advice and his words.

I am not going to let America and its great companies and workers be taken advantage of any longer. They have taken advantage of our country no longer.

I am going to bring back millions of jobs. Protecting our workers also means reforming our system of legal

immigration. The current, outdated system depresses wages for our poorest workers and puts great pressure on taxpayers. Nations around the world, like Canada, Australia, and many others, have a merit-based immigration system.

It is a basic principle that those seeking to enter a country ought to be able to support themselves financially. Yet, in America, we do not enforce this rule, straining the very public resources that our poorest citizens rely upon.

According to the National Academy of Sciences, our current immigration system costs American taxpayers many billions of dollars a year. Switching away from this current system of lower-skilled immigration and, instead, adopting a merit-based system, we will have so many more benefits. It will save countless dollars, raise workers' wages, and help struggling families, including immigrant families, enter the middle class. They will do it quickly, and they will be very, very happy indeed.

I believe that real and positive immigration reform is possible, as long as we focus on the following goals: to improve jobs and wages for Americans, to strengthen our Nation's security, and to restore respect for our laws. If we are guided by the well-being of American citizens, then I believe Republicans and Democrats can work together to achieve an outcome that has eluded our country for decades.

Another Republican President, Dwight D. Eisenhower, initiated the last truly great national infrastructure program—the building of the interstate highway system. The time has come for a new program of national rebuilding. America has spent approximately \$6 trillion in the Middle East, all the while our infrastructure at home is crumbling. With this \$6 trillion, we could have rebuilt our country twice, and maybe even three times, if we had people who had the ability to negotiate.

To launch our national rebuilding, I will be asking Congress to approve legislation that produces a \$1 trillion investment in the infrastructure of the United States, financed through both public and private capital, creating millions of new jobs. This effort will be guided by two core principles: buy American and hire American.

Tonight, I am also calling on this Congress to repeal and replace ObamaCare, with reforms that expand choice, increase access, lower costs, and, at the same time, deprive better health care. Mandating every American to buy government-approved health insurance was never the right solution for our country. The way to make health insurance available to everyone is to lower the cost of health insurance, and that is what we are going to do.

ObamaCare premiums nationwide have increased by double and triple digits. As an example, Arizona went up 116 percent last year alone.

Governor Matt Bevin of Kentucky just said ObamaCare is failing in his State, the State of Kentucky, and it is unsustainable and collapsing. One-third of the counties have only one insurer, and they are losing them fast. They are losing them so fast. They are leaving, and many Americans have no choice at all. There is no choice left.

Remember when you were told that you could keep your doctor and keep your plan? We now know that all of those promises have been totally broken. ObamaCare is collapsing, and we must act decisively to protect all Americans.

Action is not a choice, it is a necessity. So I am calling on all Democrats and Republicans in Congress to work with us to save Americans from this imploding ObamaCare disaster.

Here are the principles that should guide Congress as we move to create a better healthcare system for all Americans:

First, we should ensure that Americans with preexisting conditions have access to coverage and that we have a stable transition for Americans currently enrolled in the healthcare exchanges.

Second, we should help Americans purchase their own coverage through the use of tax credits and expanded health savings accounts—but it must be the plan they want, not the plan forced on them by our government.

Third, we should give our State Governors the resources and flexibility they need with Medicaid to make sure no one is left out.

Fourth, we should implement legal reforms that protect patients and doctors from unnecessary costs that drive up the price of insurance and work to bring down the artificially high price of drugs, and bring them down immediately.

And finally, the time has come to give Americans the freedom to purchase health insurance across State lines, which will create a truly competitive national marketplace that will bring cost way down and provide far better care. So important.

Everything that is broken in our country can be fixed, every problem can be solved, and every hurting family can find healing and hope.

Our citizens deserve this and so much more. So why not join forces and finally get the job done, and get it done right? On this and so many other things, Democrats and Republicans should get together and unite for the good of our country and for the good of the American people.

My administration wants to work with Members of both parties to make child care accessible and affordable, to help ensure new parents have paid fam-

ily leave, to invest in women's health, to promote clean air and clean water, and to rebuild our military and our infrastructure.

True love for our people requires us to find common ground, to advance the common good, and to cooperate on behalf of every American child who deserves a much brighter future.

An incredible young woman is with us this evening who should serve as an inspiration to us all. Today is Rare Disease Day, and joining us in the gallery is a rare disease survivor, Megan Crowley.

Megan was diagnosed with Pompe disease, a rare and serious illness, when she was 15 months old. She was not expected to live past 5. On receiving this news, Megan's dad, John, fought with everything he had to save the life of his precious child. He founded a company to look for a cure and helped develop the drug that saved Megan's life. Today she is 20 years old and a sophomore at Notre Dame. Megan's story is about the unbounded power of a father's love for a daughter.

But our slow and burdensome approval process at the Food and Drug Administration keeps too many advances like the one that saved Megan's life from reaching those in need. If we slash the restraints—not just at the FDA, but across our government—then we will be blessed with far more miracles just like Megan. In fact, our children will grow up in a nation of miracles.

But to achieve this future, we must enrich the mind and the soul of every American child. Education is the civil rights issue of our time. I am calling upon Members of both parties to pass an education bill that funds school choice for disadvantaged youth, including millions of African-American and Latino children. These families should be free to choose the public, private, charter, magnet, religious, or home school that is right for them.

Joining us tonight in the gallery is a remarkable woman, Denisha Merriweather. As a young girl, Denisha struggled in school and failed third grade twice, but then she was able to enroll in a private center for learning—a great learning center—with the help of a tax credit and a scholarship program. Today, she is the first in her family to graduate not just from high school, but from college. Later this year, she will get her master's degree in social work.

We want all children to be able to break the cycle of poverty just like Denisha.

But to break the cycle of poverty, we must also break the cycle of violence. The murder rate in 2015 experienced its largest single-year increase in nearly half a century. In Chicago, more than 4,000 people were shot last year alone, and the murder rate so far this year has been even higher. This is not acceptable in our society.

Every American child should be able to grow up in a safe community, to attend a great school, and to have access to a high-paying job. But to create this future, we must work with—not against—the men and women of law enforcement.

We must build bridges of cooperation and trust, not drive the wedge of disunity and—really it is what it is—division. It is pure, unadulterated division. We have to unify.

Police and sheriffs are members of our community. They are friends and neighbors; they are mothers and fathers, sons and daughters. And they leave behind loved ones every day who worry about whether or not they will come home safe and sound. We must support the incredible men and women of law enforcement.

And we must support the victims of crime. I have ordered the Department of Homeland Security to create an office to serve American victims. The office is called VOICE, Victims of Immigration Crime Engagement. We are providing a voice to those who have been ignored by our media and silenced by special interests.

Joining us in the audience tonight are four very brave Americans whose government failed them. Their names are Jamiel Shaw, Susan Oliver, Jenna Oliver, and Jessica Davis.

Jamiel's 17-year-old son was viciously murdered by an illegal immigrant gang member who had just been released from prison. Jamiel Shaw, Jr., was an incredible young man with unlimited potential who was getting ready to go to college where he would have excelled as a great college quarterback, but he never got the chance. His father, who is in the audience tonight, has become a very good friend of mine.

Jamiel, thank you.

Also with us are Susan Oliver and Jessica Davis. Their husbands, Deputy Sheriff Danny Oliver and Detective Michael Davis, were slain in the line of duty in California. They were pillars of their community. These brave men were viciously gunned down by an illegal immigrant with a criminal record and two prior deportations who should have never been in our country.

Sitting with Susan is her daughter, Jenna.

Jenna, I want you to know that your father was a hero, and that tonight you have the love of an entire country supporting you and praying for you.

To Jamiel, Jenna, Susan, and Jessica: I want you to know that we will never stop fighting for justice. Your loved ones will never ever be forgotten. We will always honor their memory.

Finally, to keep America safe, we must provide the men and women of the United States military with the tools they need to prevent war and—if they must—to fight and to win.

I am sending Congress a budget that rebuilds the military, eliminates the

defense sequester, and calls for one of the largest increases in national defense spending in American history.

My budget will also increase funding for our veterans. Our veterans have delivered for this Nation, and now we must deliver for them.

The challenges we face as a nation are great, but our people are even greater. And none are greater or braver than those who fight for America in uniform.

We are blessed to be joined tonight by Carryn Owens, the widow of a U.S. Navy Special Operator, Senior Chief William Ryan Owens. Ryan died as he lived, a warrior and a hero, battling against terrorism and securing our Nation.

I spoke to our great General Mattis just now, who reconfirmed that—and I quote:

“Ryan was a part of a highly successful raid that generated large amounts of vital intelligence that will lead to many more victories in the future against our enemies.”

Ryan’s legacy is etched into eternity.

And Ryan is looking down right now, you know that, and he is very happy, because I think he just broke a record.

For, as the Bible teaches us, there is no greater act of love than to lay down one’s life for one’s friends. Ryan laid down his life for his friends, for his country, and for our freedom, and we will never forget Ryan.

To those allies who wonder what kind of a friend America will be, look no further than the heroes who wear our uniform. Our foreign policy calls for a direct, robust, and meaningful engagement with the world. It is American leadership based on vital security interests that we share with our allies all across the globe.

We strongly support NATO, an alliance forged through the bonds of two World Wars that dethroned fascism, and a Cold War, and defeated communism. But our partners must meet their financial obligations. And now, based on our very strong and frank discussions, they are beginning to do just that. In fact, I can tell you the money is pouring in. Very nice.

We expect our partners, whether in NATO, the Middle East, or in the Pacific, to take a direct and meaningful role in both strategic and military operations, and pay their fair share of the cost. Have to do that.

We will respect historic institutions, but we will respect the sovereign rights of all nations, and they have to respect our rights as a nation, also. Free nations are the best vehicle for expressing the will of the people, and America respects the right of all nations to chart their own path.

My job is not to represent the world. My job is to represent the United States of America. But we know that America is better off when there is less conflict, not more. We must learn from

the mistakes of the past. We have seen the war and the destruction that have ravaged and raged throughout the world, all across the world.

The only long-term solution for these humanitarian disasters, in many cases, is to create the conditions where displaced persons can safely return home and begin the long, long process of rebuilding.

America is willing to find new friends, and to forge new partnerships, where shared interests align. We want harmony and stability, not war and conflict. We want peace wherever peace can be found.

America is friends today with former enemies. Some of our closest allies, decades ago, fought on the opposite side of these terrible, terrible wars. This history should give us all faith in the possibilities for a better world.

Hopefully, the 250th year for America will see a world that is more peaceful, more just, and more free. On our 100th anniversary, in 1876, citizens from across our Nation came to Philadelphia to celebrate America’s centennial. At that celebration, the country’s builders and artists and inventors showed off their wonderful creations.

Alexander Graham Bell displayed his telephone for the first time. Remington unveiled the first typewriter. An early attempt was made at electric light. Thomas Edison showed an automatic telegraph and an electric pen.

Imagine the wonders our country could know in America’s 250th year. Think of the marvels we can achieve if we simply set free the dreams of our people. Cures to the illnesses that have always plagued us are not too much to hope. American footprints on distant worlds are not too big a dream. Millions lifted from welfare to work is not too much to expect. And streets where mothers are safe from fear, schools where children learn in peace, and jobs where Americans prosper and grow, are not too much to ask.

When we have all of this, we will have made America greater than ever before for all Americans. This is our vision. This is our mission. But we can only get there together.

We are one people with one destiny. We all bleed the same blood. We all salute the same great American flag, and we all are made by the same God. When we fulfill this vision, when we celebrate our 250 years of glorious freedom, we will look back on tonight as when this new chapter of American greatness began.

The time for small thinking is over. The time for trivial fights is behind us. We just need the courage to share the dreams that fill our hearts, the bravery to express the hopes that stir our souls, and the confidence to turn those hopes and those dreams into action.

From now on, America will be empowered by our aspirations, not burdened by our fears; inspired by the fu-

ture, not bound by failures of the past; and guided by our vision, not blinded by our doubts.

I am asking all citizens to embrace this renewal of the American spirit. I am asking all Members of Congress to join me in dreaming big, and bold, and daring things for our country. And I am asking everyone watching tonight to seize this moment and believe in yourselves. Believe in your future, and believe, once more, in America.

Thank you. God bless you, and God bless these United States.

(Applause, the Members rising.)

At 10 o’clock and 15 minutes p.m., the President of the United States, accompanied by the committee of escort, retired from the Hall of the House of Representatives.

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

The members of the President’s Cabinet; the Chief Justice of the United States and the Associate Justices of the Supreme Court; the Dean of the Diplomatic Corps.

The SPEAKER. The Chair declares the joint session of the two Houses now dissolved.

Accordingly, at 10 o’clock and 16 minutes p.m., the joint session of the two Houses was dissolved.

The Members of the Senate retired to their Chamber.

MESSAGE OF THE PRESIDENT REFERRED TO THE COMMITTEE OF THE WHOLE HOUSE ON THE STATE OF THE UNION

Mr. MCCARTHY. Mr. Speaker, I move that the message of the President be referred to the Committee of the Whole House on the state of the Union and ordered printed.

The motion was agreed to.

ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 609. An act to designate the Department of Veterans Affairs health care center in Center Township, Butler County, Pennsylvania, as the “Abie Abraham VA Clinic”.

ADJOURNMENT

Mr. MCCARTHY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o’clock and 17 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, March 1, 2017, at 10 a.m., for morning-hour debate.

EXECUTIVE COMMUNICATIONS,
ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

670. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Robert R. Ruark, United States Marine Corps, and his advancement to the grade of lieutenant general on the retired list, pursuant to 10 U.S.C. 1370(c)(1); Public Law 96-513, Sec. 112 (as amended by Public Law 104-106, Sec. 502(b)); (110 Stat. 293); to the Committee on Armed Services.

671. A letter from the Acting Under Secretary of Defense for Intelligence, Department of Defense, transmitting a letter stating that the annual report on the current and future military strategy of Iran will be delivered to the Congress by the end of April, 2017; to the Committee on Armed Services.

672. A letter from the Regulations Coordinator, FDA, Department of Health and Human Services, transmitting the Department's direct final rule — Use of Ozone-Depleting Substances [Docket No.: FDA-2015-N-1355] (RIN: 0910-AH36) received February 27, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

673. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — VNT1 protein in potato; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2014-0457; FRL-9957-97] received February 22, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

674. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Revisions to Public Inspection File Requirements — Broadcaster Correspondence File and Cable Principal Headend Location [MB Docket No.: 16-161] received February 23, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

675. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Roma and San Isidro, Texas) [MB Docket No.: 05-142] (RM-11220) received February 21, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

676. A letter from the Deputy Chief Information Security Officer, Department of Homeland Security, transmitting the Department's Fiscal Year 2016 FISMA report and the Agency Privacy Management Report, pursuant to 44 U.S.C. 3553(c); Public Law 113-283, Sec. 2(a); (128 Stat. 3076); to the Committee on Oversight and Government Reform.

677. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, Office for International Affairs and Seafood Inspection, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fish and Fish Product Import Provisions of the Marine Mammal Protection Act [Docket No.: 0907301201-6406-03] (RIN: 0648-AY15) received February 27, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

678. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's final rule — Rules of Practice for Hearings [Docket No.: R-1543] (RIN: 7100 AE-55) received February 23, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

679. A letter from the Director of Civil Works, Army Corps of Engineers, Department of Defense, transmitting the Department's final rule — Issuance and Reissuance of Nationwide Permits [COE-2015-0017] (RIN: 0710-AA73) received February 21, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

680. A letter from the Office of Program Manager, Office of Regulation Policy and Management, Office of the Secretary (00REG), Office of Regulation Policy and Management (00REG), Department of Veterans Affairs, transmitting the Department's interim final rule — VA Veteran-Owned Small Business Verification Guidelines (RIN: 2900-AP93) received February 22, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Veterans' Affairs.

REPORTS OF COMMITTEES ON
PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SESSIONS. Committee on Rules. House Resolution 156. Resolution providing for consideration of the bill (H.R. 1004) to amend chapter 3 of title 5, United States Code, to require the publication of information relating to pending agency regulatory actions, and for other purposes, and providing for consideration of the bill (H.R. 1009) to amend title 44, United States Code, to require the Administrator of the Office of Information and Regulatory Affairs to review regulations, and for other purposes (Rept. 115-21). Referred to the House Calendar.

Mr. TIBERI. Joint Economic Committee. Report of the Joint Economic Committee on the 2017 Economic Report of the President (Rept. 115-22). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. YOUNG of Iowa (for himself, Mr. PAYNE, and Mr. DONOVAN):

H.R. 1238. A bill to amend the Homeland Security Act of 2002 to make the Assistant Secretary of Homeland Security for Health Affairs responsible for coordinating the efforts of the Department of Homeland Security related to food, agriculture, and veterinary defense against terrorism, and for other purposes; to the Committee on Homeland Security, and in addition to the Committees on Energy and Commerce, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PRICE of North Carolina (for himself, Mr. LANCE, Mr. CROWLEY, Mr. YOUNG of Alaska, Ms. JACKSON

LEE, Mr. MOULTON, Mr. COLE, and Ms. TITUS):

H.R. 1239. A bill to authorize the Secretary of Defense to make grants to support the study of world languages in elementary schools and secondary schools; to the Committee on Education and the Workforce, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GARAMENDI (for himself, Mr. DUNCAN of Tennessee, and Mr. HUNTER):

H.R. 1240. A bill to require a certain percentage of liquefied natural gas and crude oil exports be transported on vessels documented under the laws of the United States, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LAMALFA (for himself, Mr. GARAMENDI, Mr. JONES, Mr. GALLAGHER, Mr. DUFFY, Mr. PANETTA, and Ms. KAPTUR):

H.R. 1241. A bill to amend the Richard B. Russell National School Lunch Act to require a school food authority to make publicly available any waiver of the Buy American requirement, and for other purposes; to the Committee on Education and the Workforce.

By Mr. SCOTT of Virginia (for himself, Mr. TAYLOR, Mr. McEACHIN, Mr. WITTMAN, Mr. BEYER, Mrs. COMSTOCK, Mr. CONNOLLY, Mr. RICHMOND, Mr. BUTTERFIELD, Mr. CUMMINGS, Ms. NORTON, Mr. LEWIS of Georgia, Ms. KELLY of Illinois, Mr. GRIJALVA, Ms. MOORE, Mr. EVANS, Mr. DANNY K. DAVIS of Illinois, Mr. RASKIN, Mrs. DEMINGS, Mr. BLUMENAUER, Mr. AL GREEN of Texas, Mr. CICILLINE, Mr. HIGGINS of New York, Mrs. BEATTY, Mr. HASTINGS, Mr. HUFFMAN, Ms. LEE, Mr. ELLISON, Mr. SOTO, Mr. DELANEY, and Mrs. WATSON COLEMAN):

H.R. 1242. A bill to establish the 400 Years of African-American History Commission, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. JOHNSON of Georgia (for himself, Mr. MARINO, Ms. SPEIER, Mr. TED LIEU of California, Mr. CICILLINE, Mr. ROSKAM, Mr. POLIS, Ms. CLARKE of New York, Mr. CLAY, Mr. RASKIN, Mr. HIMES, Ms. DELAURO, Mr. CARTWRIGHT, Mr. GRIJALVA, Ms. LEE, Mr. COHEN, Mr. SCHIFF, Mr. POCAN, Mr. DEUTCH, Ms. WASSERMAN SCHULTZ, Mr. CÁRDENAS, Mr. ELLISON, Ms. SLAUGHTER, Mr. CONNOLLY, Ms. CLARK of Massachusetts, Ms. TSONGAS, Ms. BARRAGÁN, Mr. SEAN PATRICK MALONEY of New York, Mr. PETERS, Mr. CONYERS, Mr. COSTELLO of Pennsylvania, Ms. SCHAKOWSKY, Mr. RUSH, Mr. YARMUTH, Mr. HASTINGS, and Mr. NOLAN):

H.R. 1243. A bill to amend title 10, United States Code, to require the Secretary of Defense to use only human-based methods for training members of the Armed Forces in the treatment of severe combat injuries; to the Committee on Armed Services.

By Mr. KING of New York (for himself, Mr. SHERMAN, Mr. POSEY, Ms. NORTON, Ms. PINGREE, Mr. RYAN of Ohio,

Mr. LOEBSACK, Ms. BONAMICI, Mr. KILMER, and Mr. JONES):

H.R. 1244. A bill to clarify the National Credit Union Administration authority to improve credit union safety and soundness; to the Committee on Financial Services.

By Mr. CUMMINGS (for himself, Mr. DOGGETT, Ms. MOORE, Mr. BRADY of Pennsylvania, Mr. KHANNA, Mr. COHEN, Ms. DELAURO, Ms. JAYAPAL, Ms. LEE, Ms. KAPTUR, Ms. SCHAKOWSKY, Ms. NORTON, Ms. PINGREE, Mr. WELCH, Mr. BLUMENAUER, Mr. POCAN, Mr. LANGEVIN, and Mr. SHERMAN):

H.R. 1245. A bill to amend the Federal Food, Drug, and Cosmetic Act to allow for the importation of affordable and safe drugs by wholesale distributors, pharmacies, and individuals; to the Committee on Energy and Commerce.

By Mr. CURBELO of Florida (for himself and Ms. VELÁZQUEZ):

H.R. 1246. A bill to exempt health insurance of residents of United States territories from the annual fee on health insurance providers; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DONOVAN (for himself and Mr. CLAY):

H.R. 1247. A bill to extend the period of availability of the Multinational Species Conservation Funds Semipostal Stamp, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ESPAILLAT (for himself, Ms. LEE, Mr. LEWIS of Georgia, and Mr. RASKIN):

H.R. 1248. A bill to amend the National Security Act of 1947 to prohibit individuals who threaten to destroy the Government from participating in or attending meetings of the National Security Council, and for other purposes; to the Committee on Armed Services, and in addition to the Committees on Foreign Affairs, Intelligence (Permanent Select), and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FITZPATRICK (for himself and Mr. MCCAUL):

H.R. 1249. A bill to amend the Homeland Security Act of 2002 to require a multiyear acquisition strategy of the Department of Homeland Security, and for other purposes; to the Committee on Homeland Security.

By Mr. FLEISCHMANN:

H.R. 1250. A bill to require the Secretary of Homeland Security to use the testimonials of former violent extremists or their associates in order to counter terrorist recruitment, and for other purposes; to the Committee on Homeland Security.

By Mr. GARAMENDI (for himself, Mr. CARTWRIGHT, Mr. CICILLINE, Mr. COHEN, Mr. CONYERS, Mr. DEUTCH, Mr. ELLISON, Mr. GRIJALVA, Ms. NORTON, Ms. JACKSON LEE, Ms. JAYAPAL, Mr. LOEBSACK, Ms. LOFGREN, Mrs. CAROLYN B. MALONEY of New York, Ms. MCCOLLUM, Mr. MCNERNEY, Mrs.

NAPOLITANO, Ms. PINGREE, Mr. POCAN, Ms. SHEA-PORTER, Ms. SLAUGHTER, Mr. SWALWELL of California, Ms. WASSERMAN SCHULTZ, Mrs. WATSON COLEMAN, and Ms. HANABUSA):

H.R. 1251. A bill to provide for cost-of-living increases for certain Federal benefits programs based on increases in the Consumer Price Index for the elderly; to the Committee on Ways and Means, and in addition to the Committees on Veterans' Affairs, Oversight and Government Reform, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HIGGINS of Louisiana (for himself and Mr. MCCAUL):

H.R. 1252. A bill to amend the Homeland Security Act of 2002 to provide for certain acquisition authorities for the Under Secretary of Management of the Department of Homeland Security, and for other purposes; to the Committee on Homeland Security.

By Mr. KILMER (for himself, Ms. HERERA BEUTLER, Mr. MURPHY of Pennsylvania, and Ms. EDDIE BERNICE JOHNSON of Texas):

H.R. 1253. A bill to authorize the Secretary of Health and Human Services to make loans and loan guarantees for constructing or renovating, or planning construction or renovation of, qualified psychiatric and substance abuse treatment facilities, and for other purposes; to the Committee on Energy and Commerce.

By Mr. LOBIONDO:

H.R. 1254. A bill to direct the Secretary of Veterans Affairs to carry out a pilot program under which eligible veterans may elect to receive hospital care and medical services at non-Department of Veterans Affairs facilities, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BEN RAY LUJAN of New Mexico (for himself, Ms. MICHELLE LUJAN GRISHAM of New Mexico, and Mr. PEARCE):

H.R. 1255. A bill to increase research, education, and treatment for cerebral cavernous malformations; to the Committee on Energy and Commerce.

By Mr. MACARTHUR:

H.R. 1256. A bill to remove from the John H. Chafee Coastal Barrier Resources System certain properties in New Jersey; to the Committee on Natural Resources.

By Mr. MEEKS (for himself and Mr. HULTGREN):

H.R. 1257. A bill to amend the Securities Exchange Act of 1934 to require the Securities Exchange Commission to refund or credit excess payments made to the Commission; to the Committee on Financial Services.

By Mr. PERRY (for himself and Mr. MCCAUL):

H.R. 1258. A bill to make technical corrections to the Homeland Security Act of 2002; to the Committee on Homeland Security.

By Mr. ROE of Tennessee (for himself, Mr. BILIRAKIS, Mr. ARRINGTON, Mr. COFFMAN, Mr. WENSTRUP, Mrs. RADEWAGEN, Mr. BOST, Mr. BERGMAN, Mr. POLIQUIN, Mr. BANKS of Indiana, and Miss GONZÁLEZ-COLÓN of Puerto Rico):

H.R. 1259. A bill to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

tion to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SERRANO:

H.R. 1260. A bill to authorize the Secretary of Housing and Urban Development to provide assistance to eligible nonprofit organizations to provide specialized housing and supportive services for elderly persons who are the primary caregivers of children that are related to such persons; to the Committee on Financial Services.

By Mr. THORNBERRY:

H.R. 1261. A bill to clarify the definition of navigable waters, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. TIBERI (for himself and Mr. KIND):

H.R. 1262. A bill to amend the Internal Revenue Code of 1986 to clarify the tax treatment of certain life insurance contract transactions, and for other purposes; to the Committee on Ways and Means.

By Mr. WELCH:

H.R. 1263. A bill to exclude from the application of Executive Order 13796 certain Iraqi and Afghani special immigrants and refugees, to render certain Afghans eligible for Priority 2 processing under the refugee resettlement priority system, and for other purposes; to the Committee on the Judiciary.

By Mr. WILLIAMS:

H.R. 1264. A bill to provide an exemption from rules and regulations of the Bureau of Consumer Financial protection for community financial institutions, and for other purposes; to the Committee on Financial Services.

By Mr. KELLY of Mississippi:

H. Con. Res. 30. Concurrent resolution recognizing the 75th Anniversary of the establishment of the United States Navy Seabees and the Navy personnel who comprise the construction force for the Navy and the Marine Corps; to the Committee on Armed Services.

By Mr. KING of New York (for himself, Mr. MEEKS, Mr. COHEN, Mrs. NAPOLITANO, Ms. NORTON, Mr. GRIJALVA, Mr. BRADY of Pennsylvania, and Mrs. BEATTY):

H. Con. Res. 31. Concurrent resolution expressing the sense of Congress that John Arthur "Jack" Johnson should receive a posthumous pardon for the racially motivated conviction in 1913 that diminished the athletic, cultural, and historic significance of Jack Johnson and unduly tarnished his reputation; to the Committee on the Judiciary.

By Mr. CARSON of Indiana (for himself, Mr. MCCAUL, Ms. BORDALLO, Mr. CROWLEY, Mr. DEUTCH, Mr. LANCE, Mr. MACARTHUR, Mr. MARINO, Ms. MOORE, Ms. NORTON, and Mr. PETERS):

H. Res. 157. A resolution expressing support for the designation of the last day of February each year, as "Rare Disease Day"; to the Committee on Energy and Commerce.

By Mr. CONYERS (for himself, Mrs. LAWRENCE, Mrs. DINGELL, Mr. KILDEE, and Mr. LEVIN):

H. Res. 158. A resolution celebrating the history of the Detroit River with the 16-year commemoration of the International Underground Railroad Memorial Monument, comprised of the Gateway to Freedom Monument in Detroit, Michigan, and the Tower of Freedom Monument in Windsor, Ontario, Canada; to the Committee on Natural Resources, and

in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MEEKS (for himself, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. WALZ, and Ms. PLASKETT):

H. Res. 159. A resolution expressing the sense of the House of Representatives that infrastructure spending bills should include development programs that recruit and train individuals from communities with high unemployment rates; to the Committee on Transportation and Infrastructure.

MEMORIALS

Under clause 3 of rule XII,

5. The SPEAKER presented a memorial of the Senate of the State of California, relative to Senate Resolution No. 12, urging the President of the United States and the Congress to express their support for a woman's fundamental right to control her own reproductive decisions, as well as their support for access to comprehensive reproductive health care; which was referred to the Committee on Energy and Commerce.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. YOUNG of Iowa:

H.R. 1238.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. PRICE of North Carolina:

H.R. 1239.

Congress has the power to enact this legislation pursuant to the following:

As described in Article 1, Section 1, "all legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives."

Article I, Section 8, Clause 1 of the Constitution provides Congress with the authority to "provide for the common Defense and general Welfare" of Americans.

The intelligence and intelligence-related activities of the United States government, including those under Title 50 of the United States Code, are carried out to support the national security interests of the United States, to support and assist the armed forces of the United States, and to support the President in the execution of the foreign policy of the United States.

In the Department of Education Organization Act (P.L. 96-88), Congress declared that "the establishment of a Department of Education is in the public interest, will promote the general welfare of the United States, will help ensure that education issues receive proper treatment at the Federal level, and will enable the Federal Government to coordinate its education activities more effectively." The Department of Education's mission is to "promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access."

By Mr. GARAMENDI:

H.R. 1240.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. LAMALFA:

H.R. 1241.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution.

By Mr. SCOTT of Virginia:

H.R. 1242.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution

By Mr. JOHNSON of Georgia:

H.R. 1243.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 (Clauses 1, 14, and 18), which grants Congress the power to provide for the common Defense and general Welfare of the United States; to make rules for the Government and Regulation of the land and naval Forces; and to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers.

By Mr. KING of New York:

H.R. 1244.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. CUMMINGS:

H.R. 1245.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 . . . "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes"

By Mr. CURBELO of Florida:

H.R. 1246.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 Clause 3 of the United States Constitution

By Mr. DONOVAN:

H.R. 1247.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States

By Mr. ESPAILLAT:

H.R. 1248.

Congress has the power to enact this legislation pursuant to the following:

Article One of the United States Constitution, Section 8, Clause 18:

The Congress shall have Power—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof

or

Article One of the United States Constitution, Section 8, Clause 3:

The Congress shall have Power—To regulate Commerce with foreign Nations, and among the several States, and with the Indian tribes;

By Mr. FITZPATRICK:

H.R. 1249.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Pow-

ers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.

By Mr. FLEISCHMANN:

H.R. 1250.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18

By Mr. GARAMENDI:

H.R. 1251.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. HIGGINS of Louisiana:

H.R. 1252.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.

By Mr. KILMER:

H.R. 1253.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1.

By Mr. LOBIONDO:

H.R. 1254.

Congress has the power to enact this legislation pursuant to the following:

Section 8, Article 1 of the United States Constitution

By Mr. BEN RAY LUJÁN of New Mexico:

H.R. 1255.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section VIII

By Mr. MACARTHUR:

H.R. 1256.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. MEEKS:

H.R. 1257.

Congress has the power to enact this legislation pursuant to the following:

The necessary and proper clause of the Constitution (Article 1, Section 8, Clause 18)

By Mr. PERRY:

H.R. 1258.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.

By Mr. ROE of Tennessee:

H.R. 1259.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. SERRANO:

H.R. 1260.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States

By Mr. THORNBERRY:

H.R. 1261.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. TIBERI:

H.R. 1262.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I

By Mr. WELCH:

H.R. 1263.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18: The Congress shall have Power To . . . make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. WILLIAMS:

H.R. 1264.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 (“To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes”).

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 24: Mr. HARPER, Mr. COLE, and Mr. HUDSON.

H.R. 38: Mr. AUSTIN SCOTT of Georgia, Mr. MOOLENAAR, and Mr. REED.

H.R. 113: Mr. O’ROURKE.

H.R. 179: Mr. GUTHRIE, Mr. WELCH, and Mr. GIBBS.

H.R. 217: Mr. GROTHMAN.

H.R. 253: Mr. RUSH.

H.R. 289: Mrs. LOVE, Mr. MCCLINTOCK, Mr. NEWHOUSE, Mr. STEWART, Mr. VALADAO, and Mr. MACARTHUR.

H.R. 299: Ms. ROSEN, Mr. DUNN, Mr. WILLIAMS, Mr. WESTERMAN, Mrs. BUSTOS, Mr. CORREA, Mr. DONOVAN, Mr. HIGGINS of New York, Mrs. CAROLYN B. MALONEY of New York, Mr. AGUILAR, Mr. RUIZ, Mrs. NOEM, and Mr. DAVID SCOTT of Georgia.

H.R. 350: Mr. CHABOT and Mr. RICE of South Carolina.

H.R. 367: Mr. FLEISCHMANN.

H.R. 376: Mr. POCAN and Mr. NOLAN.

H.R. 380: Mr. GALLAGHER and Mr. ROSKAM.

H.R. 388: Ms. KUSTER of New Hampshire.

H.R. 429: Mr. BERGMAN.

H.R. 449: Mr. KING of New York.

H.R. 453: Mr. GROTHMAN.

H.R. 490: Mr. BIGGS.

H.R. 544: Mr. MOULTON and Mr. HILL.

H.R. 548: Ms. STEFANIK and Mr. WITTMAN.

H.R. 553: Mr. ROSKAM and Mr. WITTMAN.

H.R. 568: Mr. SARBANES and Ms. SHEA-PORTER.

H.R. 578: Mr. KATKO.

H.R. 592: Ms. DEGETTE, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. YARMUTH, and Mr. GRIFFITH.

H.R. 608: Mr. PERRY.

H.R. 611: Mr. FITZPATRICK and Mr. GRAVES of Georgia.

H.R. 613: Mr. THOMPSON of Pennsylvania, Mr. LONG, Mr. BABIN, Mr. WEBER of Texas, and Mr. MAST.

H.R. 619: Mr. HOLLINGSWORTH.

H.R. 632: Ms. DELAURO and Ms. VELÁZQUEZ.

H.R. 639: Mr. GIBBS.

H.R. 644: Mr. FERGUSON, Mr. GROTHMAN, Mrs. HARTZLER, and Mr. HIGGINS of Louisiana.

H.R. 657: Mr. PERLMUTTER.

H.R. 672: Mr. SCHNEIDER, Ms. ROYBAL-ALLARD, Mr. MAST, and Mr. JOYCE of Ohio.

H.R. 673: Mr. SESSIONS, Mr. BANKS of Indiana, Mr. DESANTIS, and Mr. CRAMER.

H.R. 676: Ms. SPEIER and Mr. EVANS.

H.R. 685: Mr. VISCLOSKEY.

H.R. 712: Mr. DELANEY.

H.R. 721: Mr. WITTMAN, Ms. TITUS, Mr. FARENTHOLD, Mr. LAMALFA, Mr. MOOLENAAR, Mr. LONG, Mr. COURTNEY, Mr. CONNOLLY, Mr. BARLETTA, Mr. GUTHRIE, Mr. DELANEY, Mr. HUDSON, Mr. HILL, Mr. RYAN of Ohio, Mr. GALLAGHER, and Ms. NORTON.

H.R. 747: Mr. NOLAN.

H.R. 750: Mr. DEFazio.

H.R. 755: Mr. LEWIS of Minnesota.

H.R. 761: Mrs. NOEM.

H.R. 785: Mr. WITTMAN, Mr. HUDSON, and Mr. TROTT.

H.R. 799: Mrs. LAWRENCE.

H.R. 804: Ms. JACKSON LEE and Mr. CLEAVER.

H.R. 813: Ms. ESTY, Mr. PANETTA, Mr. KRISHNAMOORTHY, and Mr. CARBAJAL.

H.R. 816: Mr. TED LIEU of California, Mr. KILMER, and Mr. O’ROURKE.

H.R. 822: Mr. PALLONE.

H.R. 828: Mr. KING of New York and Mr. RUSH.

H.R. 830: Mr. SMITH of Washington.

H.R. 849: Mr. FERGUSON.

H.R. 853: Mr. GROTHMAN.

H.R. 871: Mr. FASO and Mr. PAULSEN.

H.R. 879: Mr. CRIST.

H.R. 914: Mr. LEWIS of Georgia, Ms. WASSERMAN SCHULTZ, Mr. ESPAILLAT, and Ms. WILSON of Florida.

H.R. 964: Mr. KILMER.

H.R. 970: Ms. BARRAGÁN.

H.R. 978: Mr. DELANEY.

H.R. 1002: Ms. ESTY and Mrs. DINGELL.

H.R. 1006: Ms. BARRAGÁN.

H.R. 1013: Mr. POCAN.

H.R. 1016: Mr. CAPUANO.

H.R. 1022: Mr. LANGEVIN.

H.R. 1026: Mr. BERGMAN, Ms. SLAUGHTER, Ms. STEFANIK, Ms. MOORE, Mr. MOOLENAAR, and Mr. KIND.

H.R. 1031: Mr. FARENTHOLD and Mr. DUNCAN of South Carolina.

H. R. 1049: Mr. TED LIEU of California, Mr. RYAN of Ohio, Mr. KILMER, and Mr. KELLY of Mississippi.

H.R. 1057: Mr. LATTA, Mr. KINZINGER, Mr. KIND, and Mr. ROKITA.

H.R. 1060: Mr. ZELDIN, Mr. NOLAN, and Ms. KELLY of Illinois.

H.R. 1089: Ms. PINGREE.

H.R. 1090: Mr. LOEBSACK, Mr. RENACCI, Mr. GIBBS, Mr. FITZPATRICK, and Ms. PINGREE.

H.R. 1092: Mr. CICILLINE and Ms. KAPTUR.

H.R. 1098: Mr. GIBBS.

H.R. 1101: Ms. STEFANIK, Mr. MITCHELL, Mr. STIVERS, Mr. FASO, Mr. BISHOP of Michigan, Mr. ROE of Tennessee, Mr. HUIZENGA, Ms. JENKINS of Kansas, Mr. ROKITA, Mr. ALLEN, Mr. GUTHRIE, Mr. SESSIONS, Mrs. WALORSKI, and Mr. BOST.

H.R. 1103: Mr. THOMPSON of Pennsylvania, Ms. SHEA-PORTER, and Mr. LANGEVIN.

H.R. 1111: Mr. GARAMENDI.

H.R. 1114: Mr. JOHNSON of Georgia.

H.R. 1130: Mr. ALLEN.

H.R. 1132: Mr. SESSIONS.

H.R. 1133: Mr. RYAN of Ohio, Mr. SESSIONS, Mr. KILMER, and Mr. YOUNG of Iowa.

H.R. 1156: Mr. PITTENGER and Mr. SENSENBRENNER.

H.R. 1171: Mr. ZELDIN, Mr. YARMUTH, Mr. CRAMER, Mr. LOWENTHAL, Mr. ELLISON, and Mr. LEWIS of Georgia.

H.R. 1174: Mrs. COMSTOCK.

H.R. 1186: Mr. MCHENRY.

H.R. 1205: Mr. LOWENTHAL, Mr. CARSON of Indiana, and Mr. KENNEDY.

H.R. 1214: Mr. DENHAM and Mr. GRAVES of Louisiana.

H.R. 1235: Ms. TSONGAS, Mr. CAPUANO, Mr. LYNCH, Ms. CLARK of Massachusetts, Mr. MOULTON, Mr. MCGOVERN, Mr. LIPINSKI, Mr. CONYERS, Ms. KELLY of Illinois, Mr. DAVID SCOTT of Georgia, Mr. KILDEE, Mr. GUTHRIE, Mr. TONKO, Ms. SPEIER, Mr. SERRANO, Mr. CARTWRIGHT, Mr. COHEN, Mrs. CAROLYN B. MALONEY of New York, Ms. PINGREE, Mr. DEFazio, Mr. FARENTHOLD, Mr. GRIJALVA, Miss RICE of New York, Mr. LOEBSACK, Mr. MICHAEL F. DOYLE of Pennsylvania, Ms. MCCOLLUM, Mr. LAMBORN, Mrs. BUSTOS, Mr. ENGEL, Mr. BEYER, Ms. CLARKE of New York, Mr. COOPER, Mr. CONNOLLY, Mr. GALLEGO, Mr. AL GREEN of Texas, Ms. BONAMICI, Mr. LANGEVIN, Ms. FUDGE, Mr. ELLISON, Mr. SWALWELL of California, Ms. BROWNLEY of California, Mr. KEATING, Mr. HIGGINS of New York, Mr. SIRES, Mr. ROKITA, Mrs. DINGELL, Mr. KENNEDY, Mr. CARDENAS, Mr. BRADY of Pennsylvania, and Mr. BUTTERFIELD.

H.J. Res. 31: Mr. NORCROSS, Mr. TED LIEU of California, Mr. HECK, Ms. ROSEN, Mr. POLIS, Mr. KHANNA, Mr. LARSON of Connecticut, and Mr. YARMUTH.

H.J. Res. 48: Ms. BONAMICI and Mr. DANNY K. DAVIS of Illinois.

H.J. Res. 50: Mr. ARRINGTON.

H.J. Res. 51: Mr. KING of Iowa.

H.J. Res. 59: Mr. BABIN.

H.J. Res. 75: Ms. BARRAGÁN.

H.J. Res. 83: Ms. FOX, Mr. ROE of Tennessee, Mr. MCCLINTOCK, Mr. FERGUSON, Mr. ROKITA, Mr. GROTHMAN, Mr. FRANCIS ROONEY of Florida, Mrs. HARTZLER, and Mr. WALBERG.

H. Con. Res. 10: Mr. CLEAVER and Mr. SMITH of Missouri.

H. Con. Res. 15: Ms. KAPTUR, Ms. MOORE, Mr. PAYNE, Mr. COHEN, Ms. ROYBAL-ALLARD, Mr. RUSH, Ms. HANABUSA, Ms. MCCOLLUM, Mr. JOHNSON of Georgia, Mr. EVANS, Mr. RASKIN, and Ms. SHEA-PORTER.

H. Res. 31: Mr. YARMUTH, Miss RICE of New York, Ms. STEFANIK, Mr. CROWLEY, Mr. DENHAM, Mr. SUOZZI, Mr. RUIZ, Ms. GABBARD, Mr. COURTNEY, Ms. HANABUSA, Mrs. BEATTY, Ms. ROSEN, Ms. DEGETTE, Ms. ADAMS, Mr. GARAMENDI, Mr. SCHNEIDER, Mr. COOK, and Mr. SCHRADER.

H. Res. 46: Mr. ROSKAM.

H. Res. 58: Mr. VEASEY.

H. Res. 75: Mr. NOLAN and Mr. MCGOVERN.

H. Res. 90: Mrs. LAWRENCE.

H. Res. 102: Mr. GRIJALVA and Mr. HASTINGS.

H. Res. 108: Mr. AL GREEN of Texas, Ms. LOFGREN, Ms. JUDY CHU of California, and Mr. MCNERNEY.

H. Res. 111: Mr. LEVIN, Mr. CARBAJAL, Ms. TITUS, Mr. CARSON of Indiana, Mr. DELANEY, Ms. ESTY, Mr. MOULTON, Mr. KIND, Miss RICE of New York, Mr. GENE GREEN of Texas, Ms. PINGREE, Mrs. NAPOLITANO, Ms. BROWNLEY of California, Ms. BLUNT ROCHESTER, Mr. KRISHNAMOORTHY, and Mr. LARSON of Connecticut.

H. Res. 130: Ms. PINGREE, Ms. ESTY, and Mr. YARMUTH.

H. Res. 135: Mr. MOULTON, Mr. DAVID SCOTT of Georgia, Mr. COLE, Mr. CALVERT, and Mr. MOOLENAAR.

H. Res. 143: Mr. SABLAN.

H. Res. 144: Mr. SABLAN.

H. Res. 146: Mrs. CAROLYN B. MALONEY of New York.

H. Res. 152: Mr. PETERSON, Mr. ROKITA, Mr. EMMER, Mr. KATKO, Mr. LAMBORN, Mr. HUDSON, and Mr. ROUZER.

H. Res. 154: Ms. ESHOO, Ms. SCHAKOWSKY, Mr. TONKO, Mr. WELCH, Mr. KEATING, Mr. COHEN, Mr. POCAN, Mr. CAPUANO, and Mr. LOEBSACK.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The amendment to be offered by Representative MITCHELL, or a designee, to H.R. 1009 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

19. The SPEAKER presented a petition of the Council of State Governments, Eastern Regional Conference, New York, relative to Resolution No. HC2016-01 in support of continuing the Medicaid State/Federal Partnership; which was referred to the Committee on Energy and Commerce.

20. Also, a petition of the Board of Chosen Freeholders, Hudson County, New Jersey, relative to Resolution No. 26-01-2017, urging the Congress and President-Elect of the United States not to repeal the Patient Protection and Affordable Care Act; which was referred jointly to the Committees on Energy and Commerce, Education and the Workforce, Ways and Means, Appropriations, the Judiciary, Natural Resources, House Administration, and Rules.

EXTENSIONS OF REMARKS

PRIVATE FIRST CLASS BUFORD
JOHNSON

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 28, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and honor Private First Class Buford Johnson, a World War II Army veteran for his service to our country.

Buford Johnson served in the United States Army from June 1943 to September 1945. During this time, he served as a half-track driver, gunner driver and a convoy driver. On August 10, 1944, Buford was deployed to the United Kingdom where he and his company crossed the English Channel and landed in France. Buford and his company were on the beach for three days and three nights, marched by foot, traveled by train, and finally arrived at their trucks. After driving more than 40 miles to deliver their supplies, they then marched seven miles over the mountains of France to the front lines.

Buford served in France, Germany, Normandy, and Northern France in the 5th Division, 3rd Army under the command of General George Patton during the Battle of the Bulge. On November 10, 1944, Buford was injured by a piece of shrapnel which hit below his knee. After receiving battlefield care, he returned to fighting on the front lines. His military awards and decorations include the Bronze Star Medal, Purple Heart Medal, Army Good Conduct Medal, American Campaign Medal, European-African-Middle Eastern Campaign Medal (with 3 bronze service stars), World War II Victory Medal, Army of Occupation Medal with Germany Clasp, Combat Infantryman Badge, 1st Award, Marksman Badge—Expert, Sharpshooter with the Marksman Clasp, and the WWII Honorable Service Lapel Pin.

After Buford returned home, he worked in both Wyoming and Montana as a ranch hand performing jobs including fence mending, cattle herding and irrigation work for 40 years. Seventeen years ago, Buford moved to Denver where he now lives with his daughter, Darlene, and son-in-law, Vincent.

I extend my deepest appreciation to Private First Class Buford Johnson for his dedication, integrity and outstanding service to the United States of America.

TRIBUTE TO NATE BOULTON

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 28, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Nate Boulton for being named a 2017 Forty Under

40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines Area that are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious honor based on a combined criteria of community involvement and success in their chosen career field. The 2017 class of Forty Under 40 honorees will join an impressive roster of 680 past business leaders and growing.

Nate is a partner at Hedberg & Boulton, P.C., where he practices workers compensation, personal injury, and labor law. Nate is a former Vice President of the Iowa Association for Justice, and former President of the Iowa Workers' Compensation Advisory Committee. He also serves as a grader for the Iowa Bar Examination. Last year, Nate was elected to the Iowa State Senate, representing the east side of Des Moines and Pleasant Hill. When he is not passionately advocating for workers, Nate serves as an Adjunct Professor at Simpson College, and has completed 32 marathons in 17 states since 2011. He is married to his wife, Andrea.

Mr. Speaker, it is a profound honor to represent leaders like Nate in the United States Congress and it is with great pride that I recognize him today for utilizing his talents to better both his community and the great state of Iowa. I ask that my colleagues in the United States House of Representatives join me in congratulating Nate on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2017 Forty Under 40 class a long and successful career.

HONORING THE MEMORY OF ACTIVIST AND CONSTITUENT
DAVID BURWELL

HON. JAMIE RASKIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 28, 2017

Mr. RASKIN. Mr. Speaker, I rise today to honor David Burwell who passed away on February 1, 2017. David will be remembered as a passionate activist for conservation and environmental advocacy. In a decades-long career, he made many important contributions to environmental progress through his early work with the National Wildlife Federation, by co-founding the visionary Rails-to-Trails Conservancy (RTC), and in serving as director of the Energy and Climate Program at the Carnegie Endowment for International Peace.

Mr. Burwell is remembered by his RTC co-founder Peter Harkin as "a voracious learner

and a fearless instigator," for whom "no unexplored fact was too insignificant, and no challenge was too large." These qualities served him well in the 1980s, when all across the country, thousands of miles of railroad were falling out of use each year. Instead of simply watching this land be sold-off and re-developed, Mr. Burwell worked with Congress to preserve railroad corridors as hiking trails for current and future generations of outdoor enthusiasts and railroad history buffs.

He is survived by his wife Irini, his son and daughter-in-law, his two granddaughters, and his brother. May his life's work be an inspiration to all of us.

RECOGNIZING THE 25TH ANNIVERSARY OF THE KHOJALY MASSACRE

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 28, 2017

Mr. COHEN. Mr. Speaker, this week marks the 25th Anniversary of the massacre of hundreds of people in the town of Khojaly in what was the largest killing of ethnic Azerbaijani civilians in the course of the Armenia-Azerbaijan conflict. Khojaly, which is located in the Nagorno-Karabakh region of Azerbaijan, was once home to 7,000 people. That was before Armenian armed forces descended on the town in a final attempt to take over the city on February 26, 1992. Armenian armed forces massacred over 600 unarmed people, including 106 women and 83 children, and left less than 2,000 survivors. Hundreds more became disabled due to their horrific injuries. More than one hundred children lost a parent and 25 children lost both parents. At least 8 families were completely killed.

Even though a ceasefire went into effect over two decades ago, more than 20 percent of Azerbaijan's territory, including Nagorno-Karabakh and seven surrounding districts, remain occupied and more than 1 million Azerbaijanis remain refugees unable to return to their home villages. Ongoing violence along the line of contact surrounding occupied Azerbaijani territory reinforces the urgency of robust American participation in the Organization for Security and Co-operation in Europe's (OSCE) Minsk Group as it works toward a peaceful resolution of the Azerbaijan-Armenia conflict.

Azerbaijan is the only country that borders both Russia and Iran, and yet Azerbaijan has been a strong partner of the United States and its allies in security and energy matters. This cooperation has included: playing a leadership role in nonproliferation issues; providing troops to serve shoulder-to-shoulder with U.S. forces in Kosovo, Iraq, and Afghanistan; allowing transit of non-lethal equipment used by coalition forces through Azerbaijan to Afghanistan;

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

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

construction of the Southern Gas Corridor from the Caspian Sea to Italy, thereby providing Europe with an alternative to Russian energy sources; and supplying 40 percent of Israel's oil. Azerbaijan also has a thriving Jewish community and has outstanding relations with Israel.

I invite my colleagues to join me and our Azerbaijani friends in recognizing and remembering the horrible events that occurred during the Khojaly Massacre twenty-five years ago. As Azerbaijanis in all parts of the world commemorate the massacre and continue to grieve the loss of loved ones, let us commit ourselves to supporting non-violent efforts to resolve the Nagorno-Karabakh conflict and of reforms that promote peace and stability throughout the Southern Caucasus region.

TRIBUTE TO BRIANNE SANCHEZ

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 28, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Brianne Sanchez for being named a 2017 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines Area that are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious honor based on a combined criteria of community involvement and success in their chosen career field. The 2017 class of Forty Under 40 honorees will join an impressive roster of 680 past business leaders and growing.

Brianne is the Community Relations Manager at Principal Financial Group, and is very active in the young professional's community in Des Moines. She was honored as the 2015 YPC Amy Jennings YP Impact Award winner, and co-founded the Des Moines Chapter of the Young Nonprofit Professionals Network. Brianne enjoys spending time with her husband Joe and children Emmett and Eileen, especially going for family bike rides.

Mr. Speaker, it is a profound honor to represent leaders like Brianne in the United States Congress and it is with great pride that I recognize her today for utilizing her talents to better both her community and the great state of Iowa. I ask that my colleagues in the United States House of Representatives join me in congratulating Brianne on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2017 Forty Under 40 class a long and successful career.

OBSERVING MARFAN AWARENESS MONTH

HON. THOMAS R. SUOZZI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 28, 2017

Mr. SUOZZI. Mr. Speaker, I rise today in observance of February as National Marfan Awareness Month and to pay tribute to the hundreds of thousands of Americans who are living with Marfan syndrome and related connective tissue disorders.

Marfan syndrome is a rare genetic condition. About 1 in 5,000 Americans carries a mutation in a gene called fibrillin-1 which results in an overproduction of a protein called transforming growth factor beta or TGFB. The increased TGFB impacts connective tissue and since connective tissue is found throughout the body, Marfan syndrome features can manifest throughout the body. Patients often have disproportionately long limbs, a protruding or indented chest bone, curved spine, and loose joints. However, it is not the outward signs that concern Marfan syndrome patients, but the effects the condition has on the internal systems of the body. Most notably, in Marfan patients the large artery, known as the aorta, which carries blood away from the heart, is weakened and prone to enlargement and potentially fatal rupture.

An early and accurate diagnosis, regular monitoring, and, in some cases, therapies or medical interventions are necessary to prevent cardiac events. This is why I believe it is important to develop a program to support, assist, and encourage states to incorporate Marfan syndrome testing into their sports screening criteria for at-risk young athletes. Few states include Marfan syndrome testing in their sports screening for high school athletes which leads to Marfan syndrome-related thoracic aortic aneurysm and dissection claiming the lives of young athletes across the country each year.

I am proud to have come to know the nation's foremost organization working to support the Marfan community, the Marfan Foundation, through their strong advocacy work on Capitol Hill. The Foundation was founded in 1981 and has worked tirelessly to improve the lives of individuals affected by Marfan syndrome and related connective tissue disorders by advancing research, raising awareness, and providing support.

I urge my colleagues to stand with me and reflect on the work that needs to be done to ensure that patients with rare conditions can expect to see sustained and meaningful improvements in their health and healthcare over the next 30 years. I urge my colleagues to stand with me and recognize National Marfan Awareness Month.

RECOGNIZING LONDON ROBERSON

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 28, 2017

Mr. BURGESS. Mr. Speaker, I rise today to honor McKamy Middle School student London

Roberson for her dedication and commitment to helping those affected by heart disease. The 13 year old, who started fundraising in kindergarten, has raised an astounding \$55,000 for the American Heart Association through Jump Rope for Heart and Hoops for Heart.

London's passion for helping those affected by heart disease started at a young age. After losing a grandfather to a heart attack and witnessing several family members struggle with cardiovascular issues, London jumped into action and began fundraising for the American Heart Association. This month, London and the American Heart Association have organized a students versus teachers basketball game at her Flower Mound middle school that will not only raise funds for those in need, but will increase awareness of this devastating disease.

London's compassion for those suffering from heart disease and her commitment to organizing creative and fun ways to raise funds and increase awareness is inspirational and I am proud to represent her and McKamy Middle School in the United States House of Representatives.

TRIBUTE TO COURTNEY SHAW

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 28, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Courtney Shaw for being named a 2017 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines Area that are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious honor based on a combined criteria of community involvement and success in their chosen career field. The 2017 class of Forty Under 40 honorees will join an impressive roster of 680 past business leaders and growing.

Courtney is a Senior Public Relations Account Manager at Strategic America, where she develops, manages and oversees public relations and marketing campaigns for clients. She also serves as vice president of the Health Birth Day/Count the Kicks Campaign and Public Relations Chair of Central Iowa Public Relations Society of America. She also devotes her time at the Winterset Food Pantry, Pinky Swear campaign, and as a professional advisor at Drake University and Simpson College. Courtney and her husband Bret have three young sons, Beck, Barrett and Blaine.

Mr. Speaker, it is a profound honor to represent leaders like Courtney in the United States Congress and it is with great pride that I recognize her today for utilizing her talents to better both her community and the great state of Iowa. I ask that my colleagues in the United States House of Representatives join me in

congratulating Courtney on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2017 Forty Under 40 class a long and successful career.

CONGRATULATING ALEXION ON
ITS 25TH ANNIVERSARY

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 28, 2017

Ms. DELAURO. Mr. Speaker, twenty-five years ago, in New Haven's Science Park, in an incubator space dedicated to research and development in the biotech industry, Dr. Leonard Bell celebrated the opening of Alexion Pharmaceuticals. From that day forward, Alexion has strived to meet its mission, to develop and deliver life-transforming therapies for patients with devastating and rare diseases.

Alexion is one of New Haven and Connecticut's greatest biotech success stories. In less than a decade, the company grew far beyond the incubator space of Science Park, first moving to new facilities in Cheshire, opening a bio-manufacturing facility in Rhode Island and establishing operations in Europe. I am proud to say that just last year we celebrated the return of Alexion's global headquarters to New Haven where they continue their good work in a new state-of-the-art facility that is anchor to an entire downtown revitalization effort.

Alexion is special in many ways, but what makes them most unique is their commitment to patients who are all too often invisible to others. Alexion is dedicated to the development of drugs and therapies for some of the most rare diseases in the world, extending hope to patients and families who have nowhere else to turn.

Alexion first found success with the development of Soliris, the world's first approved terminal complement inhibitor. Today, Soliris is approved in nearly 50 countries for the treatment of patients with paroxysmal nocturnal hemoglobinuria (PNH) and in more than 40 countries for the treatment of patients with atypical hemolytic uremic syndrome (aHUS), two life-threatening, ultra-rare disorders caused by uncontrolled complement activation. In more recent years, Alexion's metabolic franchise has grown to include two highly innovative enzyme replacement therapies for patients with life-threatening and ultra-rare disorders: Strensiq is approved for patients with hypophosphatasia (HPP) and Kanuma is approved for patients with lysosomal acid lipase deficiency.

Patients with these life-threatening diseases have no effective treatment options, and they and their families suffer with little hope. Alexion's goal has and continues to be to deliver medical breakthroughs where none currently exist. They are driven because they know people's lives depend on their work.

Today, Alexion employs nearly 3,000 people around the world, serving patients in 50 countries. From that small incubator space in Science Park, Alexion has emerged as one of

the world's leading rare disease companies, advancing the most robust rare disease pipeline in the biotech industry. I was proud to stand with Dr. Bell as Alexion opened its doors and I am proud to stand today to extend my heartfelt congratulations to Alexion Pharmaceuticals as they celebrate this remarkable milestone. Happy 25th Anniversary and best wishes for continued success.

RECOGNIZING CAPTAIN JOHN
"GIDDY UP" BUNCH

HON. FRANCIS ROONEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 28, 2017

Mr. FRANCIS ROONEY of Florida. Mr. Speaker, I rise today to recognize Captain John "Giddy Up" Bunch, a Southwest Floridian and a Marine Corps veteran who served in Vietnam. As the owner of GiddyUp Fishing Charters in St. James City, Florida, Captain Bunch combined his love for fishing with his love for our country when he invited a group of servicemen fishing out of gratitude for their service. This inspired him to dedicate his time to giving back to our veterans, which he did by founding Operation Open Arms.

The organization's mission is to recruit people and businesses that are willing to donate their services and support to troops on leave, or those returning home, to give them a much-needed respite from their service. Since 2005, with over 300 volunteers supporting the program, Operation Open Arms has provided joy to over 3,000 servicemen and women and their families by providing services including vacations, weddings, fishing trips, counseling programs and funeral funds, totaling over \$13 million in benefits.

Captain Bunch was awarded the status of Honorary Life Member of American Legion Post 135 in Naples, Florida, and received the Outstanding Civilian Service Award at the Chief of Staff of the Army Salute last September, further exemplifying his dedication to making Operation Open Arms a success. His generosity and patriotism are an inspiration to us all.

TRIBUTE TO BETH SHELTON

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 28, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Beth Shelton for being named a 2017 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines Area that are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious honor based on a combined criteria of community involve-

ment and success in their chosen career field. The 2017 class of Forty Under 40 honorees will join an impressive roster of 680 past business leaders and growing.

Beth is the CEO of Girl Scouts of Greater Iowa, where she provides leadership and strategic direction for all staff and volunteers in portions of Iowa, Nebraska and South Dakota. Her extensive experience has helped ensure the Girl Scouts remains a strong organization, and her work in innovation and fundraising has earned her a reputation of hard work and respect. Outside of her work with the Girl Scouts, Beth is a Rotary member, is involved in various philanthropic endeavors, and coaches youth basketball and softball. She lives in Des Moines with her husband Mark, two daughters, Grace and Millie, and a black lab, Samson.

Mr. Speaker, it is a profound honor to represent leaders like Beth in the United States Congress and it is with great pride that I recognize her today for utilizing her talents to better both her community and the great state of Iowa. I ask that my colleagues in the United States House of Representatives join me in congratulating Beth on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2017 Forty Under 40 class a long and successful career.

PERSONAL EXPLANATION

HON. LUIS V. GUTIÉRREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 28, 2017

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent in the House chamber for roll call votes 100, 101 and 102 on Monday, February 27, 2017. Had I been present, I would have voted Yea roll call votes 100 and 102, and Nay on roll call vote 101.

HONORING THE GREATER NEW
HAVEN NAACP ON THEIR 100TH
ANNIVERSARY

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 28, 2017

Ms. DELAURO. Mr. Speaker, it gives me great pleasure to rise today to extend my heartfelt congratulations to the Greater New Haven NAACP as they mark their centennial anniversary, a remarkable milestone for this tremendous organization.

Over the course of its 100-year history, the Greater New Haven NAACP has been an invaluable resource for our community. Serving fourteen towns, they are constantly working to bring awareness to a variety of issues. From racial disparities in employment, housing, transportation, health, law enforcement and education, their fight for justice has been tireless.

They have strived to continually educate, impact and engage our community by sponsoring events like an annual health expo, celebrating the contributions of community members at their annual Freedom Fund dinner and

organizing voter registration and turn-out programs. Their efforts have gone a long way toward making sure that all of our community members enjoy equal opportunity.

Though inequality and injustice continue to challenge our society, it is organizations like the Greater New Haven NAACP who help us all to meet and overcome those challenges. It is through the commitment of their leadership and their members that they are ensuring a promising future for our families, our children, and our communities.

I would be remiss if I did not extend a special note of thanks and appreciation to the leadership of the Greater New Haven NAACP for their outstanding vision. It has been a privilege to work with them over my tenure in Congress.

As the voice of our African-American community, the Greater New Haven NAACP has improved countless lives. Today, as we mark their 100th Anniversary, we also renew our commitment to those ideals upon which the National Association for the Advancement of Colored People was founded, the causes of social justice and equality, the importance of community and public service, and the hope for a better tomorrow. I am honored to stand today to extend my heartfelt congratulations to the Greater New Haven NAACP on their centennial anniversary. As we say in Italian, Cent'Anni to another 100 years.

TRIBUTE TO KELLY SPARKS

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 28, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Kelly Sparks for being named a 2017 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines Area that are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious honor based on a combined criteria of community involvement and success in their chosen career field. The 2017 class of Forty Under 40 honorees will join an impressive roster of 680 past business leaders and growing.

After six years of experience in event planning, Kelly launched Socialize Event Planning and Management in 2010. She loves being behind the scenes and working to ensure that every detail falls into place. Kelly is also an active volunteer for the Des Moines Metro Opera and has served on the boards of multiple young professional and cultural organizations in Des Moines. She and her husband, Kurt, live in West Des Moines with their son, Winston, and daughter, Simone.

Mr. Speaker, it is a profound honor to represent leaders like Kelly in the United States Congress and it is with great pride that I recognize her today for utilizing her talents to better both her community and the great state of

Iowa. I ask that my colleagues in the United States House of Representatives join me in congratulating Kelly on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2017 Forty Under 40 class a long and successful career.

RECOGNIZING AMERICAN RED CROSS MONTH 2017

HON. JASON SMITH

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 28, 2017

Mr. SMITH of Missouri. Mr. Speaker, I rise today to recognize American Red Cross Month. In Missouri's Eighth Congressional District we have a long history of helping our neighbors in need. American Red Cross Month is a special time to recognize and thank our heroes, those Red Cross volunteers and donors who give of their time and resources to help community members.

These heroes help families find shelter after a home fire. They give blood to help trauma victims and cancer patients. They deliver comfort items to military members in the hospital. They use their lifesaving skills to save someone from a heart attack, drowning or choking. They enable children around the globe to be vaccinated against measles and rubella.

The American Red Cross depends on local heroes to deliver help and hope during a disaster. We applaud our heroes here in Missouri's Eighth Congressional District who give of themselves to assist their neighbors when they need a helping hand.

Across the country and around the world, the American Red Cross responds to disasters big and small. In fact, every eight minutes the organization responds to a community disaster by providing shelter, food, emotional support and other necessities to those affected. It collects nearly 40 percent of the nation's blood supply; provides 24-hour support to military members, veterans and their families; teaches millions lifesaving skills, such as lifeguarding and CPR; and through its Restoring Family Links program, connects family members separated by crisis, conflict or migration.

We dedicate the month of March to all those who support the American Red Cross mission to prevent and alleviate human suffering in the face of emergencies. Our community depends on the American Red Cross, which relies on donations of time, money and blood to fulfill its humanitarian mission.

As we celebrate March 2017 as American Red Cross Month, it is my pleasure to recognize the organization before the House of Representatives and thank them for their commitment to communities all across this great nation.

HONORING NATASSJA KUZNETSOVA OF BASKING RIDGE, NEW JERSEY

HON. LEONARD LANCE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 28, 2017

Mr. LANCE. Mr. Speaker, I rise today to congratulate and honor a student from my district who has achieved national recognition for exemplary volunteer service in her community.

Nastassja Kuznetsova, of Basking Ridge, has just been named one of the top honorees in New Jersey by the 2017 Prudential Spirit of Community Awards program, an annual honor conferred on the most impressive student volunteers in each state.

Ms. Kuznetsova is being recognized for organizing a 5k run that has raised more than \$12,000 for lung cancer research since 2014. Nastassja started the Legwork for Lungs 5k run to help support a family friend who had been diagnosed with lung cancer. In addition to her philanthropy initiative, Nastassja also started the Legwork for Lungs club at her high school, created an exhibit at the Liberty Science Center and launched a social media campaign to raise awareness of the disease.

It's vital that we encourage and support the kind of selfless contribution this young citizen has made. People of all ages need to think more about how we, as individual citizens, can work together at the local level to ensure the health and vitality of our towns and neighborhoods. Young volunteers like Nastassja are inspiring examples to all of us, and are among our brightest hopes for a better tomorrow.

The program that brought this young role model to our attention, The Prudential Spirit of Community Awards, was created by Prudential Financial in partnership with the National Association of Secondary School Principals in 1995 to impress upon all youth volunteers that their contributions are critically important and highly valued, and to inspire other young people to follow their example. Over the past 22 years, the program has become the nation's largest youth recognition effort based solely on community service, and has honored more than 115,000 young volunteers at the local, state and national level.

Ms. Kuznetsova should be extremely proud to have been singled out from the thousands of dedicated volunteers who participated in this year's program. I heartily applaud Ms. Kuznetsova for her initiative in joining the fight against cancer. She has demonstrated a level of commitment and accomplishment that is truly extraordinary in today's world, and deserves our sincere admiration and respect. Her actions show that young Americans can and do play important roles in our communities, and that America's community spirit continues to hold tremendous promise for the future.

TRIBUTE TO ALYSSA YOUNG

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 28, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Alyssa Young for being named a 2017 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines Area that are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious honor based on a combined criteria of community involvement and success in their chosen career field. The 2017 class of Forty Under 40 honorees will join an impressive roster of 680 past business leaders and growing.

Alyssa is the Assistant Director of Internal & Strategic Communications at Drake University, where she received her Masters in Communication Leadership. Outside of work she is involved in Lead Like a Lady, Volunteers of Greater Des Moines Habitat Young Professionals and the national Habitat Young Professionals Advisory Council. Alyssa was also recently recognized as a finalist for the 2016 YPC Amy Jennings YP Impact Award.

Mr. Speaker, it is a profound honor to represent leaders like Alyssa in the United States Congress and it is with great pride that I recognize her today for utilizing her talents to better both her community and the great state of Iowa. I ask that my colleagues in the United States House of Representatives join me in congratulating Alyssa on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2017 Forty Under 40 class a long and successful career.

IN RECOGNITION OF KAREN
BAYNES-DUNNING**HON. SANFORD D. BISHOP, JR.**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 28, 2017

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to recognize Karen Baynes-Dunning for her noteworthy work as a lawyer and former Juvenile Court judge in the state of Georgia. Ms. Baynes-Dunning will be honored at the 18th Annual Justice Robert Benham Awards for Community Service on Tuesday, February 28, 2017 in Atlanta, Georgia. Since 1998, the Benham Awards have been presented to Georgia lawyers and judges in recognition of their commitment to volunteerism and the positive contributions to their communities.

Karen Baynes-Dunning earned a bachelor's degree in Politics from Wake Forest University in 1989 and a juris doctorate degree from the University of California at Berkeley in 1992. She began her legal career as an associate at Alston & Bird in Atlanta. In 1996-1998, she

served in the Fulton County Juvenile Court as the first Executive Director of the new Court Appointed Special Advocates program and then as Director of Program Development. In 1998, she was appointed as an Associate Judge in the Fulton County Juvenile Court.

Following these legal roles, Ms. Baynes-Dunning became involved in the world of academia. She served in the Carl Vinson Institute of Government at the University of Georgia and was appointed as an Associate Professor at the University of Alabama College of Human Environmental Science. Drawing upon her experience with juveniles in the court system, she was appointed in 2013 to lead the State Juvenile Detention Alternatives Initiative, an Alabama statewide juvenile justice reform effort. In Georgia, Ms. Baynes-Dunning now serves as President of Baynes-Dunning Consulting and as one of two Federal Monitors overseeing reform efforts in the Georgia Department of Family and Children Services.

With a passion for improving the lives of children and young adults in the court system, Ms. Baynes-Dunning has been a strong advocate for juvenile justice reform. She served on the American Bar Association's Project for Judicial Excellence in Child Abuse and Neglect Proceedings and taught a juvenile justice course as a Visiting Clinical Professor at Emory University School of Law.

Ms. Baynes-Dunning lives in Albany, Georgia, where her husband, Art Dunning, serves as president of Albany State University. She is an active member of many professional and civic organizations through which she continuously devotes her time to bettering the community, both in Albany and throughout the state of Georgia.

Dr. Martin Luther King, Jr. once said, "Life's most persistent and urgent question is, 'What are you doing for others?'" Karen Baynes-Dunning undoubtedly lives by this philosophy. From her advocacy for young people in court to her efforts to reform juvenile justice, her work has made a tremendous impact on the lives of children and families.

Mr. Speaker, today I ask my colleagues to join me, my wife, Vivian, and the more than 730,000 residents of Georgia's Second Congressional District in congratulating Karen Baynes-Dunning on receiving a well-deserved Justice Robert Benham Award recognizing her commitment and contributions to the community.

IN HONOR OF LIEUTENANT
COLONEL SAMUEL SILER**HON. DONALD NORCROSS**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 28, 2017

Mr. NORCROSS. Mr. Speaker, I rise today to honor Lieutenant Colonel Samuel Siler for his service in the U.S. Air Force and Army, his leadership with the Gloucester Township Council and as a community leader in many other areas.

Sam Siler passed away a week ago at the age of 84. He will be remembered by not only his wife Joyce, his children, grandchildren and great grandchildren but also by many people

across this country. From Southern New Jersey to the Pentagon and beyond, Sam made a profound impression on the lives of many.

Lt. Col. Siler joined the armed forces and served with distinction in both the Korean and Vietnam Wars. He served with the United States Air Force for three years and with the United States Army for seventeen more.

Sam retired from the armed services in 1974 at the rank of Lieutenant Colonel and his honorable services with the armed forces earned him many medals, achievements and accolades that are a testament to the pride taken in him by his nation.

An active member of his community, Sam served on the Gloucester Township Council for over a decade including a year as President of Council.

Never forgetting his fellow veterans, Lt. Col. Siler never stopped volunteering for and leading efforts to support those less fortunate than himself. Additionally, the Blackwood Rotary Club benefited from years of his volunteering and fundraising efforts.

Mr. Speaker, Lieutenant Colonel Samuel Siler, was a great American whose dedication to serving our country and our community is an inspiration to us all. I join with his family, friends, and a grateful nation in honoring the selfless service of this extraordinary man.

TRIBUTE TO HANNA WOLLE

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 28, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Hanna Wolle for being named a 2017 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines Area that are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious honor based on a combined criteria of community involvement and success in their chosen career field. The 2017 class of Forty Under 40 honorees will join an impressive roster of 680 past business leaders and growing.

Hanna works in the Life Insurance Administration division of Principal Financial Group, but her true passion is music. A professional violinist, she plays with the Des Moines Symphony and has co-founded two musical groups, the classical string quartet, Quartet 515 and the DSM Dueling Fiddles group. She strives to break the traditional stereotypes of classical music, and through collaborations with musicians across genres, hopes to redefine how people interact and appreciate classical music.

Mr. Speaker, it is a profound honor to represent leaders like Hanna in the United States Congress and it is with great pride that I recognize her today for utilizing her talents to better both her community and the great state of Iowa. I ask that my colleagues in the United

States House of Representatives join me in congratulating Hanna on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2017 Forty Under 40 class a long and successful career.

HONORING GREATER MOUNT ZION
AME CHURCH

HON. DEBBIE WASSERMAN SCHULTZ
OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 28, 2017

Ms. WASSERMAN SCHULTZ. Mr. Speaker, it is my privilege to recognize the 108th Anniversary of Greater Mount Zion AME Church in Dania Beach, Florida.

First organized in 1909, Greater Mount Zion has a rich and inspirational history.

Not long after establishing its home in 1923, the church was demolished by a hurricane three short years later, leaving only a bible and the pulpit standing.

Church members worked faithfully and were determined to rebuild, even if only in spirit and worship, and under the stewardship of several pastoral leaders, the Greater Mount Zion family always pressed forward together.

Throughout the 1940s and 1950s Greater Mount Zion flourished as a spiritual beacon for Dania Beach residents and in the 1960s, a building fund was started with just five hundred dollars. This fund would increase over time and help the church continue to expand and grow until a permanent church home was built.

The resilience and determination of Greater Mount Zion is testament to the character and steadfast faith of leadership and parishioners alike.

They never allowed temporary setbacks to hold them down. With their unshakeable faith and hard work, members gained new strength with each year and in 1986, with the groundbreaking of a beautiful new church, they witnessed a dream become a reality.

Today, under the leadership of Reverend Paul R. Wiggins, Greater Mount Zion has elevated its congregation with an enthusiastic spirit to meet the needs of all its members, from the elders who persevered to keep the congregation alive, to the new generation who follow in the footsteps of their ancestors.

It is with great admiration that I commend the visionary leadership of Greater Mount Zion AME Church and offer my heartfelt appreciation to the members for keeping the hopes and dreams of its founders alive for a century.

Thank you for being a blessing and bright light for so many in Broward County and congratulations on one hundred and luminous years. May you celebrate and serve the needs and spirits of many for years to come.

IN RECOGNITION OF THE
HONORABLE LEROY JOHNSON

HON. SANFORD D. BISHOP, JR.
OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 28, 2017

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to recognize the work and service of a

prominent attorney, exemplary civil rights leader, and former Georgia State Senator, the Honorable Leroy Reginald Johnson. Senator Johnson will be honored at the 18th Annual Justice Robert Benham Awards for Community Service on Tuesday, February 28, 2017 in Atlanta, Georgia. Senator Johnson will be awarded the Lifetime Achievement Award, the highest recognition given by the State Bar of Georgia and the Chief Justice's Commission on Professionalism to a lawyer or judge who has demonstrated an extraordinarily long and distinguished commitment to volunteer participation in the community throughout his or her legal career.

Leroy Reginald Johnson was born on July 28, 1928 in Atlanta, Georgia. He graduated from Booker T. Washington High School in 1945. He went on to earn a bachelor's degree from Morehouse College in 1949 and a master's degree from Atlanta University (now Clark Atlanta University) in 1951. From 1950 to 1954, Senator Johnson taught social science in the Atlanta school system. He then enrolled in law school at North Carolina Central University, earning his law degree in 1957.

Following his graduation from law school, Fulton County hired him as a criminal investigator, the first African American to be hired by the solicitor general's office (now the district attorney's office). As the Civil Rights Movement ramped up, he became involved in demonstrations and protests. When black college students conducted mass sit-ins at Rich's Department Store lunch counters in October 1960, he was present as one of the several community leaders advising the students, who included Julian Bond.

In 1962, he was elected to the Georgia State Senate, making him the first African American to be elected to the Georgia General Assembly since the end of the Reconstruction Era. He was also the first African American elected to public office in the Southeast United States that year. In the beginning, Senator Johnson faced many obstacles due to segregation but rose above the adversity, becoming an influential lawmaker and attaining the position of chairman of the Judiciary Committee.

All the while, Senator Johnson has maintained a successful law practice. He was the driving force in getting the legendary Muhammad Ali's boxing license reinstated in 1970. Ali had been stripped of his boxing license in the prime of his career due to his opposition to the Vietnam War. After big cities across the country refused to host a match in which Ali would participate, Senator Johnson offered Atlanta as a location where the fight could take place. Senator Johnson fought behind the scenes to get state and local officials to agree so that ultimately, Muhammad Ali could fight inside the ring in a match that would lead the way for Ali to eventually reclaim the heavyweight crown.

Over the years, Senator Johnson received many awards and accolades for his legal, political, and social work. In 1996, his portrait was hung on the third floor of the State Capitol near the Senate chamber where he served for twelve years. In 2000, the Senate passed a resolution renaming a portion of Fulton Industrial Boulevard as Leroy Johnson-Fulton Industrial Boulevard. Senator Johnson has accomplished much in his life but none of this

would be possible without the love and support of his wife, Cleopatra, and son, Michael Vince.

On a personal note, I have had the great pleasure of knowing Senator Johnson since high school in 1964 when he spoke in Montgomery, Alabama at the Alabama State Association of Student Councils' meeting where I was presiding as State Student Council President. I was inspired by this successful lawyer and public official and was motivated to emulate his career path. I became a lawyer and twelve years after meeting him, I was elected to the Georgia General Assembly and later, to the U.S. Congress. I have truly been blessed by Senator Johnson's friendship, counsel and mentorship throughout the years.

Mr. Speaker, I ask my colleagues to join me and my wife, Vivian, and the people of the state of Georgia, in honoring former State Senator Leroy Johnson for his outstanding professional achievements and service. We congratulate Senator Johnson on receiving the Justice Robert Benham Lifetime Achievement Award.

TRIBUTE TO MAGGIE WHITE

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 28, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Maggie White for being named a 2017 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines Area that are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious honor based on a combined criteria of community involvement and success in their chosen career field. The 2017 class of Forty Under 40 honorees will join an impressive roster of 680 past business leaders and growing.

Maggie is a staff attorney at EMC Insurance and a 2013 graduate with honors from Drake University School of Law. During her time at Drake University she served as the Projects Editor for the Drake Law Review. Before joining EMC, she spent three years in private practice focusing on employment litigation, and since 2015 has been recognized as a Great Plains Rising Star by Super Lawyers. In her free time, Maggie enjoys running half marathons, trying new restaurants with her dinner club, and conquering the New York Times Sunday crossword.

Mr. Speaker, it is a profound honor to represent leaders like Maggie in the United States Congress and it is with great pride that I recognize her today for utilizing her talents to better both her community and the great state of Iowa. I ask that my colleagues in the United States House of Representatives join me in congratulating Maggie on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing

each member of the 2017 Forty Under 40 class a long and successful career.

HONORING REVEREND JENNIE LOU
DIVINE REID

HON. DEBBIE WASSERMAN SCHULTZ

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 28, 2017

Ms. WASSERMAN SCHULTZ. Mr. Speaker, it is my privilege to honor South Florida spiritual leader Reverend Jennie Lou Divine Reid.

Reverend Reid serves as spiritual leader of St. Faith's Episcopal Church in Cutler Bay, Florida and is retiring after seventeen years of service as an ordained minister.

Reverend Reid has provided religious guidance to church members and their families, enhancing their spiritual lives through music, art and liturgy. She has continuously uplifted vulnerable populations through her selfless work with the parish food pantry, her dedication to seniors in a nearby retirement community, and her work with Episcopal Charities.

Further demonstrating her commitment to social justice, Reverend Reid has ensured everyone may worship comfortably and created a Spanish congregation and a regular service for those affected by AIDS.

Reverend Reid's heart is larger than life. Her compassionate nature serves as an example for not only church members, but for all who are fortunate enough to be touched by her generous spirit.

Her wisdom and guidance will certainly be missed by parishioners whom she has counseled and cared for throughout the years. Under her leadership, St. Faith's has grown and thrived as a beacon of hope in the South Miami-Dade community.

I am proud to call Reverend Jennie Lou Reid my good friend and congratulate her on a well-earned retirement.

IN HONOR OF CHARLES J. COLGAN

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 28, 2017

Mrs. COMSTOCK. Mr. Speaker, I, along with my colleague Representative ROBERT WITTMAN, rise today to honor the life of Virginia State Senator Charles J. Colgan, who passed away on January 3, 2017 at the age of 90. As the longest serving member of the Virginia Senate, he was well known for his bipartisan approach to serving Virginians and his constituents. His exemplary demeanor and attitude will be missed, and it was an honor to have known him. He is a sterling example of what it means to be an effective legislator who has earned the full respect of those whom he represents. He was not just a great representative for the Commonwealth, but he was also a genuine person who brought honor and integrity to everything he did. Senator Colgan accomplished much in his career, and he will be remembered not just for his legislative achievements, but also for the manner in

which he treated those around him, with respect and decency.

Senator Colgan adopted a service oriented mindset long before his time in the Virginia State House. After serving in the Army Air Forces during World War II, he started Colgan Air—a regional commuter airline based in Manassas, Virginia. Not only did this commuter airway provide a valuable service to Americans and Virginians, but it also helped create jobs and economic opportunity in Prince William County.

After many successful years at Colgan Air, Senator Colgan was elected to the Virginia Senate in 1975 to represent several fast-growing areas of Virginia including Manassas, Manassas Park and parts of Prince William County. During his time in the Senate, he co-chaired the Senate Finance Committee, taking a particular interest in the economic and educational development of Prince William County and the surrounding area. He was instrumental in bringing Northern Virginia Community College Campuses to Woodbridge, as well as establishing George Mason University's Manassas location. Senator Colgan truly carried himself as a citizen-politician—a trait which today we aspire to exemplify.

Senator Colgan lost his wife of 52 years, the former Agnes Footen, in 2001. He remarried in 2008 and is survived by his wife of eight years, Carmen Alicia Bernal, of Gainesville; as well as eight children from his first marriage, Charles J. Colgan Jr. of Nokesville, Va., Ruth C. Willis of Brewerton, N.Y., Michael J. Colgan and Dot Chaplin, both of Gainesville, Raymond T. Colgan, Mary C. Finnigan and Patrick S. Colgan, all of Manassas, and Timothy C. Colgan of Warrenton, Va.; a brother, Robert Colgan, of Manassas; 24 grandchildren; and 22 great-grandchildren.

Mr. Speaker, we ask you to join us and countless others as we recognize the many contributions of Senator Charles Colgan. The services he provided to the Commonwealth of Virginia and to our country will never be forgotten, and we wish his family the best.

RECOGNIZING BETH MORRIS

HON. DOUG COLLINS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 28, 2017

Mr. COLLINS of Georgia. Mr. Speaker, I rise today to recognize Beth Morris, an outstanding member of the Gainesville Community. Ms. Morris has been an invaluable asset to the development of the community's successful youth athletics program at Gainesville Parks and Recreation.

It has often been said that the strength of a community depends upon the spirit of community in each person. "Miss Beth," as the students in her youth program call her, epitomizes this truth through her dedication to her friends, family, and neighbors.

For more than 40 years, she has been a member of the Georgia Recreation and Park Association and has served as a longstanding committee member on the GRPA State Athletic committee. Throughout her time of service, Ms. Morris has become a mentor to other

Parks and Recreation professionals, indicating that her passion will endure through others for years to come. Miss Beth's compassionate communication style has made her a role model for many GRPA Young Professionals.

In addition to her work at Gainesville Parks and Recreation, she serves as a volunteer for Gainesville Meals on Wheels, with United Way, and as a mentor for young, at-risk men and women in the Gainesville community. Ms. Morris's leadership has left a significant mark on the thousands of participants that she has led through the youth athletics program at Gainesville Parks and Recreation. It is my honor to recognize Beth's contribution to our northeast Georgia community.

TRIBUTE TO KIM WALL

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 28, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Kim Wall for being named a 2017 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines Area that are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious honor based on a combined criteria of community involvement and success in their chosen career field. The 2017 class of Forty Under 40 honorees will join an impressive roster of 680 past business leaders and growing.

Kim is the co-founder and president of dsHACK, a nonprofit organization that provides opportunities for technology professionals to volunteer their time and talents to help nonprofits improve their technology. In three years, she has helped deliver over half a million dollars of in-kind technology services to 40 nonprofits with the help of over 350 local volunteer technologists. In addition to her nonprofit work and her career in software, Kim enjoys traveling, good food and wine, and seeking new adventures with her husband, friends and family.

Mr. Speaker, it is a profound honor to represent leaders like Kim in the United States Congress and it is with great pride that I recognize her today for utilizing her talents to better both her community and the great state of Iowa. I ask that my colleagues in the United States House of Representatives join me in congratulating Kim on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2017 Forty Under 40 class a long and successful career.

INTRODUCTION OF THE RARE
DISEASE DAY RESOLUTION**HON. ANDRÉ CARSON**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 28, 2017

Mr. CARSON of Indiana. Mr. Speaker, in the United States, rare disorders and diseases are defined as conditions that affect fewer than 200,000 Americans. These conditions range from neurological diseases to devastating disorders that affect development. One thing that all of the patients and families affected by these conditions have in common is the need for education, research and treatment.

Though supporting research and development at the National Institutes of Health and the Food and Drug Administration, Congress has recognized the necessity for investment in lifesaving innovations that have an impact on rare diseases. On the last day in February each year, people all around the world unite to share their stories and educate communities of researchers, health professionals, governments, families and friends about how rare diseases affect them. I am introducing this resolution to encourage my colleagues in Congress to recognize the challenges facing the rare disease patient community and support efforts to improve access to treatments and cures.

IN RECOGNITION OF THE 100 YEAR
ANNIVERSARY OF THE LOUDOUN
COUNTY CHAPTER OF THE
AMERICAN RED CROSS**HON. BARBARA COMSTOCK**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 28, 2017

Mrs. COMSTOCK. Mr. Speaker, I rise to honor the 100th anniversary of the Loudoun County Chapter of the American Red Cross. Established in 1917, this chapter, comprised of staff, local organizations, and volunteers, has worked tirelessly to protect our Loudoun community. The success of the American Red Cross can be largely attributed to its network of local branches and chapters, like that of Loudoun County. For years, these local branches have established strong partnerships and garnered large groups of volunteers that allow for the broader organization to prosper on both a national and international level.

According to the chapter's Executive Director, Erwin Stierle, the five fundamental lines of service the American Red Cross aims to provide in Loudoun include disaster services, service to the armed forces, preparedness and safety, blood services, and international services. Additionally from a local community perspective, there are a growing number of Red Cross clubs across Loudoun County's high schools, and they have established several different local initiatives, including the Home Fire Campaign, in which smoke alarms and fire safety preparedness information are installed and provided in homes. Under the leadership of Erwin Stierle and his staff, the

local chapter has seen enormous growth in community engagement and a surge in volunteers.

To speak to some of the recent work of the Loudoun Chapter, in the past year they collected 2,000 units of blood, which is enough to save 6,000 people, and they trained 2,600 people in life saving skills such as CPR and first aid. Most recently in response to a fire in Ashburn, Virginia in which families lost their apartments, the Loudoun County Chapter of the American Red Cross gave these families gift cards for food and hotels, helped replace their clothes, and more. First responders play a key role in aiding in emergency situations, but it is groups, like the Loudoun County Chapter of the American Red Cross, that follow closely behind the first responders to aid members of the community in times of distress.

These recent endeavors are only a small sample of the work the Loudoun Chapter has been able to accomplish over the past 100 years. On behalf of Virginia's 10th District and our great Commonwealth, I thank them for their hard work and dedication to our community, nation, and world. Mr. Speaker, I ask my colleagues to join in recognizing the 100th anniversary of the Loudoun County Chapter of the American Red Cross.

TRIBUTE TO CHRISTIE SULLIVAN

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 28, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Christie Sullivan for being named a 2017 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines Area that are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious honor based on a combined criteria of community involvement and success in their chosen career field. The 2017 class of Forty Under 40 honorees will join an impressive roster of 680 past business leaders and growing.

Christie is the Acquisitions and Divestitures Director for Kum & Go convenience stores. Over the past nine years, Christie has gained significant insight into how departments within an organization best interact to optimize success. Outside of work, she is involved in the Kum & Go Women's Network, Women's Leadership Council and Commercial Real Estate Women. She and her husband Zeb are the proud parents of three beautiful daughters, Zoe, Elsa and Onnika.

Mr. Speaker, it is a profound honor to represent leaders like Christie in the United States Congress and it is with great pride that I applaud her today for utilizing her talents to better both her community and the great state of Iowa. I ask that my colleagues in the United States House of Representatives join me in

congratulating Christie on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2017 Forty Under 40 class a long and successful career.

AMERICAN HEART MONTH

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 28, 2017

Mr. SMITH of New Jersey. Mr. Speaker, I rise today to give additional recognition to the tireless advocacy of the staff and volunteers of the American Heart Association, as well as the organizations in my home state of New Jersey and across the country and to mark the end of American Heart Month.

Their ongoing efforts to combat the leading cause of death among men and women are essential, this month, and every month. On February 7, 2017, in an effort to raise particular awareness of the risk this disease poses to women, the Coalition for Heart and Stroke, which I co-chair, held a briefing in coordination with the American Heart Association and WomenHeart: The National Coalition for Women with Heart Disease. Despite the fact that heart disease is the number one cause of death among women in the U.S. and almost 400,000 women succumb to this disease annually, heart disease is often erroneously thought of as a man's disease. Awareness campaigns like Heart Disease Month aim to correct misinformation and can help save lives.

Among the issues discussed at our February 2017 Heart Month kick-off was the importance of having women, in representative numbers, in federally funded studies so that we can understand how heart disease presents differently in women; if current diagnostic methods are effective in detecting cardiovascular disease (CVD) in women; and if women react similarly to men to different therapeutic treatments.

On February 14, 2017, the American Heart Association released a new study that included projections for the prevalence of heart disease in 2035. These projections show that in the next two decades, the number of Americans with CVD will rise to 131.2 million people. This represents a dramatic increase from the last report, published in 2011, which estimated that 100 million Americans would suffer from CVD by 2030. However, the previously projected estimate of 100 million was already surpassed in 2015. That same year, the death rate from heart disease rose by 1 percent for the first time since 1969.

This report also shows that by age 45, the risk of developing CVD rises to 50 percent, and it increases to 80 percent by age 65.

Not only does CVD extract a devastating human toll, it is also the costliest disease in America, inflicting a \$555 billion impact in 2016. The report released last week indicates that by 2035, the cost of heart disease will approximately double to \$1.1 trillion. That cost is borne in no small part by the American taxpayer, with CVD accounting for significant spending through Medicare Fee-For-Service.

While heart disease and stroke account for 27 percent of all deaths combined, the NIH invests only 7 percent of its budget on related research.

That is why, as co-chair of the Congressional Coalition on Heart and Stroke, I have worked to increase funding for critical programs at the National Institutes of Health (NIH) and the Centers for Disease Control and Prevention (CDC). For FY 17, the Heart and Stroke Coalition requested \$3.4 billion for the National Heart, Lung, and Blood Institute and \$1.8 billion for the National Institute of Neurological Disorders and Stroke.

Despite the \$2 billion increase in funding for NIH in FY 2016, NIH's purchasing power was 19 percent less than in FY 2003 last year. This loss has occurred at a time of heightened scientific opportunity and enhanced investment in the scientific field by other countries. We need to restore our purchasing power for NIH and capitalize on investments to improve health, spur economic growth, innovation, and advances in science.

The Coalition also requested \$160.037 million for CDC's Heart Disease and Stroke Prevention Program. Funding for this CDC program goes toward State Public Health Actions on Heart Disease and Stroke Prevention as well as for the actions to prevent obesity and diabetes. Funding for this also goes into national surveillance on stroke and heart disease.

The Coalition additionally requested a combined \$42 million for CDC's Million Hearts and WISEWOMAN (Well-Integrated Screening and Evaluation for Women across the Nation) programs. These programs offer preventative health services, referrals to local health care providers, and lifestyle programs and health counseling tailored to identified risk factors for those most vulnerable.

American Heart Month has motivated lifesaving initiatives across the country. For instance, in my home state of New Jersey, in my district, the Monmouth Medical Center, Southern Campus is on the forefront of the fight against CVD. This year, the Medical Center hosted its fourth annual American Heart Month event on February 11, providing cardiac screenings to nearly 100 people.

February 22, 2017 marked the first annual National Heart Valve Awareness Day. This year, the U.S. Department of Health and Human Services (HHS) has for the first time ever listed this day on the National Health Observances Calendar. More than 5 million people in the U.S. have been diagnosed with this particular disease, which involves damage to one or more of the heart's four valves and can result in reduced blood flow, causing the heart to work harder and the body to get less oxygen.

Tragically, more than 22,000 people in the U.S. die from this condition every year. It is my hope that inclusion of this day in Heart Month will raise awareness of the risks of heart valve disease among those at risk, as well as the medical community.

I am honored to once again serve as the co-chair of the Congressional Heart and Stroke Coalition, which was founded in 1996 for the purpose of raising awareness of the seriousness of cardiovascular diseases and to act as a resource center for heart and stroke issues, including biomedical research, quality and availability of care, health promotion and disease prevention. Over the past twenty-one years, this bi-partisan, bi-cameral coalition, which now numbers nearly 150 members, has also worked to advance public policy aimed at fighting cardiovascular diseases.

I would like to acknowledge my colleagues who are fellow members of the Congressional Heart and Stroke Coalition and thank them for their efforts. I encourage those members who have not yet joined the Coalition to do so.

I would also like to thank WomenHeart and The American Heart Association for their dedication and impact and look forward to continuing to work in cooperation with them throughout this Congress.

Those suffering from cardiovascular disease, as well as their loved ones and caregivers, need vocal advocates on Capitol Hill to ensure access to quality care and treatments. We have a duty to see that programs aimed at combating CVD, as well as medical research for prevention and treatment of stroke and heart attacks are supported appropriately at a federal level. I look forward to continuing to work with my colleagues in Congress and

with advocates across the nation as we continue this critical work throughout the year in the fight against America's number one killer.

RECOGNIZING SARA THOMAS FOR
HER COURAGOUS SERVICE AND
COMMITMENT TO CAL FIRE

HON. RAUL RUIZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 28, 2017

Mr. RUIZ. Mr. Speaker, I rise to recognize an outstanding leader in my district, Sara Thomas of Indio, California. Sara was a remarkable leader, firefighter, wife, mother, and daughter. She had a deep passion for serving others and giving voice to the voiceless.

Sara spent her career serving residents in the Coachella Valley with dedication and passion, and was widely respected by her community. As a firefighter with the California Department of Forestry and Fire Protection (CAL FIRE), Sara was a source of strength and an anchor of hope to those around her.

For sixteen years, Sara protected countless individuals in moments of tragedy. She began her career in 2000 as a seasonal Firefighter 1 in El Cajon, California, and then in the San Benito-Monterey Unit. In 2004, she transferred to the Riverside Unit as a limited term Firefighter II. Four years later, Sara became a permanent firefighter with the Riverside Unit. She last served with Fire Station 80 Unit in Indio, California.

Sara was not only an impressive firefighter, but also a dedicated mentor to emerging young leaders. Her work inspires me.

In December of 2015, Sara was diagnosed with cancer. Her family and loved ones stood with Sara throughout her battle until the end. Sara will be deeply missed, but her spirit will live on through the legacy of her work.

Mr. Speaker, I am proud to recognize and honor Sara Thomas. She is an example to all of us to serve our community with courage and passion.

SENATE—Wednesday, March 1, 2017

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

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

Let us pray.

God of wonder, beyond all majesty, You are worthy of our praise. Today, on this Ash Wednesday, the beginning of Lent, give us the wisdom to reflect on our mortality and to examine our lives. Use our Senators as ambassadors of peace, reconciliation, and justice. May they work to remove malice, envy, revenge, deception, and bitterness.

Lord, inspire them with Your presence until their faith in You is visible and contagious. May they bear witness to Your love even when their motivations are misunderstood by their detractors. Give them the gifts of integrity and authenticity in their relationships with You and with one another.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

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

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. COTTON). The majority leader is recognized.

PRESIDENT'S ADDRESS TO CONGRESS

Mr. McCONNELL. Mr. President, I think we were all really pleased last night to hear the President's unifying message. It was refreshing for everyone after such a difficult election season. It was great to see even my friend the Democratic leader occasionally applauding the President last night. It is a reminder that we are all in this together.

Yesterday, I laid out my hopes for his address to Congress. I said that the middle class is ready for a new direction after 8 years of disappointments. I said that we all knew what needed to get done, too—issues like simplifying taxes to create more jobs, reforming regulations to get the economy moving, and repealing and replacing ObamaCare to bring relief to the mid-

dle class. It was great to hear the President touch on each of those issues last night.

It was also great to hear him talk about his outstanding nominee to the Supreme Court, Judge Neil Gorsuch—a judge who has earned widespread acclaim and who will be a worthy successor to Justice Scalia on the High Court.

Last night President Trump talked about a new spirit of optimism in our country. He talked about repositioning us for success, both at home and in a dangerous world. He talked about growing opportunity, better jobs, and a thriving middle class. Then, he actually put forward policies that could get us there. What a change from the last 8 years.

He also outlined some of the actions he has already taken to move these priorities forward. For instance, he took action yesterday to send the so-called waters of the United States rule back to the drawing board. He demonstrated that there are realistic ways to protect our Nation's waterways without excessive and duplicative regulations that infringe on the property rights of individuals.

Let me again commend him for protecting the middle class from yet another regulation based more on ideology than fact. It is just the type of thing Americans are so tired of—left-wing regulations spun as one thing, but that really do another; left-leaning laws that purport to help the middle class, but that actually hurt middle-class families.

A great example of that is ObamaCare. Americans were promised that costs would go down, but, of course, they went up. Americans were promised more choice, but they got less. Americans were promised that they could keep their plans, but that was a broken promise as well.

No wonder Americans were so tired of what they have seen over the last 8 years. They are ready for something entirely new. They are ready to start believing in the future again. The President made clear last night that he is ready to work with Congress on policies that can actually move us forward. He will find many partners in Congress excited to get those things accomplished.

We share his commitment on other issues he outlined too. We agree that our children deserve better than failing schools. We agree that our veterans deserve better than failing bureaucracy. We agree that our brothers and mothers and friends and neighbors deserve better than the scourge of heroin and prescription opioid abuse.

In an era of divided government, Congress took what action we could on those issues. It was often significant action, and we are all proud of it. But we now have a chance to achieve even more. So, of course, we are excited about the opportunity to improve the lives of the men and women who sent us here. That is why we all signed up for this job in the first place.

I am not just talking about Republicans. I know our Democratic friends have different ideas than us on many of these things. I know the far left is pressuring them to burn the place down because it can't accept the results of last year's election. But everyone knows that won't get us anywhere at all.

Let's remember that we have a historic opportunity before us. We can keep refighting the last election over and over and over, or we can heed the President's message of unity last night. We can come together to accomplish big things. We can pull down the barriers of the past. We can uphold, in the words of the Democratic leader himself, our "moral obligation" to "avoid gridlock and get the country to work again."

Now, I know he said that just before the election. I know he hoped the election would turn out differently. But we each have a duty to accept the results. We each have a duty to bring the country together and to move it forward. That is now the challenge before our Democratic friends.

I ask them to meet the moment—to meet the moment. I hope they will because the American people are counting on us all. They are ready for a new start. We are determined to work hard on their behalf. As the President himself said last night, so is he.

I suggest the absence of a quorum. The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

PRESIDENT'S ADDRESS TO CONGRESS

Mr. SCHUMER. Mr. President, before I get into the substance of my remarks, I was listening to our Republican leader talking about compromise—not that

he ever engaged in very much of it when he was leader last year—but compromise requires something to compromise over. We have nothing from the administration, nothing on infrastructure, nothing on trade, nothing even on ACA.

You want to sit down and talk? Let's see what your plans are. See if you can get your own act together before you are pointing the finger at Democrats.

The President's speech—let me say this: This President's speech was detached from this President's reality. The President, in this speech and in so many others, talks like a populist. He talks to the working people of America and promises them things. When he governs, it is nothing like that at all. He is favoring the very powerful special interests, making their lives easier, and putting more burdens on the backs of the middle class and people trying to get to the middle class.

A metaphor for this was his speech at the inauguration. He gave a speech—also aimed at the working people—and within an hour after that, he signed an Executive order that helped the banks and added about \$500 to the mortgage of every new homeowner.

You can't just talk the talk, Mr. President. You have to walk the walk. On issue after issue, we haven't seen anything—or negative things for the working class.

We heard about infrastructure. A month ago, the Democrats put together an infrastructure plan of \$1 trillion. It was a strong plan. It has a lot of support throughout the country.

Where is the President's infrastructure plan? We haven't heard a peep about it. Some of his White House folks leaked that we will not get to infrastructure until next year. Mentioning it in a speech—infrastructure—is not going to employ a single new worker.

What about trade? The President talked about trade, putting America first. My views tend to be closer to President Trump's than they were to President Bush's or President Obama's on trade. Again, what we hear in the speech and what the President actually does are contradictory.

Throughout his campaign, the President took an issue near and dear to my heart and to the heart of Senator GRHAM of South Carolina—China manipulating its currency. He had said over and over again in the campaign: On the first day I am President, I will sign an Executive order that labels China a currency manipulator.

They are. We know they manipulate their currency, and it has cost America hundreds of thousands, if not millions of good-paying jobs and caused a load of wealth to flow from our country to theirs.

This one didn't require congressional approval. This one didn't require a single Democrat to join in. All the President had to do was sign the order. We

are now 40 days into this administration. Not only has he still not signed the order, but he is saying he may back off.

Last night, the President talked about research, wiping out rare diseases. Yet with the budget they proposed, given that they want to slash domestic discretionary spending by tens of billions of dollars and exempt veterans and Homeland Security, there is no alternative to the fact that the President in his budget, at the same time he is talking about medical research, is going to slash it.

Education. He talked about the great issue of education. The same thing: His budget is going to slash education to smithereens, hurting our students, hurting our teachers, hurting our schools.

Perhaps the most hypocritical of all was draining the swamp. That was one of the President's main themes when he was President-elect: Drain the swamp. Look who is in his Cabinet. His Secretary of Treasury, his Secretary of Commerce, and his NEC adviser are from Wall Street.

Is this the same man who said that we are going to go after Wall Street if we get elected? Wall Street is running the economic show. The Cabinet is filled with bankers. The Cabinet is filled with billionaires, not people who feel for the average American. In fact, if you add up the net wealth of his Cabinet, it has more wealth than one-third of the American people total—close to 100 million people. That is cleaning the swamp? Give me a break.

The problem with the President's speech is very simple: His actions don't match his words. His words in the campaign are not matched by his actions. His words in his inaugural speech are not matched by his actions, nor are his words in his speech last night.

It was so funny that he spoke to a bunch of cosmopolitan news anchors, and he mentioned that maybe he will change his views on immigration. The media got into a buzz about that. Then, the speech he gave was one of the most virulently anti-immigrant speeches that we have heard any President ever give. He is saying one thing, doing another.

It is not the hypocrisy that bugs us, although it is there. It is the fact that he is not helping middle-class America. It is the fact that he is not making it easier for more people to travel and get into the middle class because he seems to have governed from the hard, hard right. The hard right is very far away from where the average American is.

Mr. Mulvaney's idea of a budget—maybe 10 percent of America, mostly ideologues, would support it. It is even far away from where the average Republican is. Yesterday, when the President proposed his budget, we had one of my colleagues on the Republican side saying it is dead on arrival. We had the

majority leader saying that you can't cut the State Department foreign aid in half. He is far over, and that is hurting him and hurting us, hurting the American people.

The first 40 days have been a pretty rough 40 days for President Trump. It hasn't worked out very well. Why? It is not because he hasn't given a few good speeches. It is because he is governing from the hard right. He is governing far away from what the American people want. He is governing way off to the extreme.

A speech isn't going to change that. A speech isn't going to create one job or one infrastructure plan or one trade law that makes our trade laws, which need to be changed, fairer. No, no, it takes action. Unfortunately, when the President takes action, it is quite the opposite of what he says in the speech on the issues that affect the middle-class and working-class people.

If President Trump does not change how he governs—how he governs, not what speeches he gives—in the near future, then these 40 days, which have been of tumult, of contradiction, of turning one's back on the working class, will be 6 months and then will be a year and then will be 2 years.

The problem with the Presidency does not lie in the speeches the President gives, even though I might object to a lot of the things he puts in them. It lies in how he governs, and he is not governing well. He is not governing down the middle. He is not governing in a way that lends itself to compromise. We Democrats will continue to hold the President accountable. That is our job. That is what the Constitution says we should do, and we will continue until we see the President change his course in governing. No speech is going to change that or affect that.

NOMINATION OF RYAN ZINKE

Mr. SCHUMER. Mr. President, one other issue is our nominee today, Mr. ZINKE. I want to spend a minute on him. He is the nominee for Secretary of Interior. One of the most important issues handled by the Interior Department is the stewardship of our national parks. These are some of the great national resources of our country.

When my children were younger, my wife and I would take them to national parks, and we would go hiking. We loved it. We so looked forward to going out West. I remember the reward at the end of a big hike was a peanut butter and jelly sandwich. I probably wanted it even more than my kids did. I loved peanut butter and jelly.

From Niagara Falls to the Erie Canalway, to places like Seneca Falls, Stonewall, and Ellis Island, my dear State of New York is home to some of our country's most famous national parks and monuments. They are places

I have visited and treasured my whole life. I have been concerned in recent years about the reluctance on the other side of the aisle to properly care for these great national beauties, these great national resources. Currently, there is a \$12 billion maintenance backlog for our national parks. Our Republican majority has not seen fit to address them.

Now, adding insult to injury, the new administration's hiring freeze across Federal agencies has already affected parks like the Women's Rights National Historic Park in Seneca Falls, which I have visited many times. It has had to cancel tours due to insufficient funding.

Most troubling, our Republican colleagues want to make it easier to sell off or give away public lands and expand the footprint of the oil and gas industries on public lands—as usual, helping those narrow special interests, hurting the average American. That seems to be the trademark of this administration, which our friends on the other side of the aisle are happily going along with.

That is the context in which I approach Congressman ZINKE's nomination. He claims to be a conservationist in the spirit of Teddy Roosevelt, a great New Yorker. He has demonstrated support for rules, however, that would make it easier to sell off public lands. It is the opposite of what Teddy Roosevelt wanted.

Congressman ZINKE claims to be a conservationist, but he said he would revisit actions taken by the last administration to use the Antiquities Act to permanently protect endangered places of cultural, tribal significance. He claims to be a Roosevelt conservationist but pledged his support for the Trump administration's energy agenda—once again, centered on efforts to expand drilling and mining on Federal lands and waters. A few big oil companies would be made happy, but America would lose a great resource that is an economic resource as well as a beautiful natural resource.

I would say to Mr. ZINKE: You can't be a Roosevelt conservationist when you vote to make it easier to sell off public lands. You can't be a Roosevelt conservationist when you support opening up public lands to increased extraction and drilling. You are not much of a conservationist when you downplay the authority of the legislation that allows the President to create national monuments.

In sum, Congressman ZINKE says he is a dyed-in-the-wool conservationist but doesn't have the record to back it up. That should concern every outdoor enthusiast, every lover of our great and grand national parks.

Unfortunately, because of his record, I will vote no on Mr. ZINKE's nomination. I urge my colleagues to do the same.

I yield the floor.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of RYAN ZINKE, of Montana, to be Secretary of the Interior.

Under the previous order, there will now be 20 minutes of debate, equally divided.

The Senator from Montana.

Mr. DAINES. Mr. President, what a historic day for Montana. As a fellow Montanan, as a member of the Senate Committee on Energy and Natural Resources and Senate Appropriations Subcommittee on Interior, Environment, and Related Agencies, I look forward to working with RYAN ZINKE in his new role as the Secretary of the Interior.

Serving at the helm of the Department of the Interior, I know he will be a strong advocate for our public lands. He will uphold the Federal trust responsibility to Indian tribes, and he will help unleash American energy and will strengthen our water infrastructure.

I have heard all week some friends on the other side of the aisle speak against my good friend from Montana, RYAN ZINKE. I can tell you, I am perplexed. They are concerned that RYAN ZINKE may not uphold the important roles of the Department of Interior—and that is to protect the public interests in land and mineral management—that he will take shortcuts to extract minerals. Let me tell you what RYAN ZINKE will do, and I have known RYAN ZINKE for 38 years. He will finally restore balance to the use and management of Federal land.

Do you know that in Montana we have more recoverable coal than any State in the United States? Yet the Obama administration had planned to block our ability, Montana's ability, to develop these resources. A moratorium is not a responsible policy. It is reckless. It is misguided, leaving the States and the tribes to be reliant on mineral

royalties, to lose out on these revenues, and lose out on the good-paying jobs that coal supports. RYAN ZINKE will take a fresh look at our coal programs and see how we can access these untapped resources in an environmentally responsible way.

Let me remind my colleagues that RYAN ZINKE was born and raised in Montana. It is a State where we like to say we get to work where we also like to play. He will restore that balance to the Department so Montanans can gain better access to our public lands.

He will also ensure our public lands work for those who live closest to them, and that means our States and our tribes. RYAN is a Montanan. He grew up in America's public lands. He grew up in the shadows of Glacier National Park. I grew up in the shadows of Yellowstone National Park. He knows we must strike this balance between conservation and responsible energy development, and he understands better than anybody I know that one-size-fits-all policies of Washington, DC, never work for real America.

I look forward to voting for my friend, my colleague, a Navy SEAL for 23 years, and our next Secretary of the Interior, RYAN ZINKE.

Mr. CARDIN. Mr. President, I will vote against confirming Representative RYAN ZINKE as Secretary of the Interior, and I would like to take this opportunity to explain why. To put the matter succinctly, Representative ZINKE—if he is confirmed—will be charged with implementing the Trump administration's "energy independence plan," which includes maximizing energy production on Federal lands, including the outer continental shelf, OCS. I oppose oil and gas drilling off the coast of Maryland and the entrance to the Chesapeake Bay. There is too little to gain and too much to lose.

Last November, the Bureau of Ocean Energy Management, BOEM, wisely did not include any parcels in the Atlantic in the 2017 to 2022 plan to lease offshore land the Federal Government controls. In December, then-President Obama used his authority under section 12(a) of the 1953 Outer Continental Shelf Lands Act of 1953 to withdraw unleased OCS lands from future lease sales, too.

This makes sense. According to BOEM, the entire Atlantic OCS, from Maine all the way to Florida, has 1.15 billion barrels of "undiscovered technically recoverable" oil and 12.80 trillion cubic feet of "undiscovered technically recoverable" natural gas. These sums sound large, but let's put them in context. The Gulf of Mexico OCS has more than 40 times as much oil and 10 times as much natural gas.

Meanwhile, the U.S. Geological Survey, USGS, recently determined that the midland basin of the Wolfcamp Shale area in the Permian Basin has 20 billion barrels of oil and the natural gas equivalent of another 1.6 billion

barrels. The oilfield stretches over 118 miles from Lubbock to Midland. It is the largest "continuous oil" discovery in the United States, according to the USGS, three times larger than the assessment of the oil in the mammoth Bakken formation in North Dakota.

It doesn't make any sense to jeopardize the marine life and the fishing and tourism industries along the Maryland coast and Chesapeake Bay when there is so much more oil and gas in other parts of the country.

Deepwater Horizon was a state-of-the-art rig, but it failed, causing the largest oil spill in U.S. waters. Eleven crewman were killed. An oil spill entering the Chesapeake Bay would be a disaster.

An even bigger threat to Maryland and other coastal States is climate change and rising sea levels. We need to accelerate our transition from fossil fuels, not our dependence on them. Two years ago, Oceana concluded that modest levels of offshore wind development over the next 20 years could produce about twice the amount of energy along coastal Atlantic States as offshore drillings and create more than 1.5 times the number of jobs.

There is no provision in the 1953 law that permits President Trump to reverse the Obama administration's section 12(a) OCS withdrawals, but he is determined to try. When Representative ZINKE was first asked about lifting the moratoria, he responded, "If I am confirmed, I will work to implement President-elect Trump's policy."

That is the problem right there.

I appreciate Representative ZINKE's honorable service to our country, both in uniform as a Navy SEAL and as an elected official in the Montana State Senate and the U.S. House of Representatives. He has called himself a "Theodore Roosevelt conservationist" and supports a permanent reauthorization of the Land and Water Conservation Fund.

It is possible Representative ZINKE will try to resist the Republicans' zeal for transferring ownership of precious public lands from the Federal Government, although he supported a House rule change at the beginning of this Congress to make it easier. Representative ZINKE is an avid sportsman who appears to appreciate the unique role the Federal Government has in managing these resources for multiple uses—not just energy production—and preserving them for future generations.

While these are all positive factors, I am troubled that Representative ZINKE has received a 3 percent rating from the League of Conservation Voters. He has vacillated on the issue of climate change: in 2010, he was one of nearly 1,200 State legislators who signed a letter to President Obama and Congress calling for "comprehensive clean energy jobs and climate change legislation." Since then, however, he has re-

peatedly expressed doubt about anthropogenic climate change. In an October 2014 debate, Representative ZINKE stated: "it's not a hoax, but it's not proven science either." During his confirmation hearing, Representative ZINKE said that humans "influence" climate change, but did not acknowledge the scientific consensus that human activity is a dominant cause of climate change. He also supports using the Congressional Review Act to overturn rules agencies have spent months and even years to develop.

For all of these reasons, but particularly out of concern for the Chesapeake Bay and Maryland's beautiful shoreline and coastal communities, I will vote against confirming Representative ZINKE as Secretary of the Interior.

Mr. VAN HOLLEN. Mr. President, I oppose the nomination of Representative RYAN ZINKE to be Secretary of the Interior.

The Department of the Interior is charged with judicious management of our Nation's public lands. It is responsible for balancing conservation, recreation, and development to ensure that Americans get the best use and best value from our collective natural resources.

President Teddy Roosevelt, one of the greatest stewards of our public lands, once said: "I recognize the right and duty of this generation to develop and use the natural resources of our land; but I do not recognize the right to waste them, or to rob, by wasteful use, the generations that come after us."

The Obama administration took important steps to protect our resources and provide best value to taxpayers. Taking Atlantic Ocean drilling off the table protects our coastal areas and the vital tourism industry up and down the Eastern Shore, including Ocean City. Modernizing the coal leasing process ensures that taxpayers get proper payment for use of common resources. Preventing methane leakage on public lands stops waste of resources and pollution from a potent greenhouse gas.

Representative ZINKE's history in Congress casts doubt on his commitment to these important initiatives. He has a mere 3 percent lifetime score from the League of Conservation Voters and an F grade from the National Parks Action Fund. I appreciate that he has spoken in opposition to the sale or transfer of public lands to States, but I am deeply concerned about his vote in January in the House of Representatives for a rule change that would make sales and transfers much easier.

As the Sierra Club has said: "Rather than dedicating himself to the preservation of our public lands, Representative Zinke has repeatedly sided with those who would dismantle, degrade, or dispose of them. Mining, drilling, log-

ging, and dirty energy interests have been placed time and again before the public interest"

In an op-ed opposing a Department of the Interior rule to update coal leasing to get better value for American taxpayers, Representative ZINKE said that the Obama administration was "fighting a more aggressive war against American coal than they are against ISIS." This kind of hyperbole does not bode well for Representative ZINKE's ability to represent American taxpayers or promote conservation as Secretary of the Interior, should he be confirmed.

In his nomination hearing, Representative ZINKE pledged to support Federal public lands, permanently reauthorize the Land and Water Conservation Fund, and address the National Parks maintenance backlog. These are important promises from any nominee for the Department of the Interior. Unfortunately, Representative ZINKE's voting record does not give me confidence in his commitment to fulfill them, and therefore I must vote against his nomination today. I am proud to be a member of the Appropriations Subcommittee on Interior, Environment, and Related Agencies, and if he is confirmed, I look forward to working with him to protect our public lands and ensure that American taxpayers get a fair deal for our common resources.

Mr. DAINES. I yield back the time on both sides.

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

The question is, Will the Senate advise and consent to the Zinke nomination?

Mr. DAINES. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: The Senator from Georgia (Mr. ISAKSON).

The PRESIDING OFFICER (Mr. SULLIVAN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 68, nays 31, as follows:

[Rollcall Vote No. 75 Ex.]

YEAS—68

Alexander	Cortez Masto	Heinrich
Barrasso	Cotton	Heitkamp
Bennet	Crapo	Heller
Blunt	Cruz	Hoeben
Boozman	Daines	Inhofe
Brown	Donnelly	Johnson
Burr	Enzi	Kaine
Capito	Ernst	Kennedy
Cassidy	Fischer	King
Cochran	Flake	Lankford
Collins	Gardner	Lee
Coons	Graham	Manchin
Corker	Grassley	McCain
Cornyn	Hatch	McCaskey

McConnell	Roberts	Thune
Moran	Rounds	Tillis
Murkowski	Rubio	Toomey
Murphy	Sasse	Udall
Nelson	Scott	Warner
Paul	Shelby	Wicker
Perdue	Strange	Wyden
Portman	Sullivan	Young
Risch	Tester	

NAYS—31

Baldwin	Gillibrand	Reed
Blumenthal	Harris	Sanders
Booker	Hassan	Schatz
Cantwell	Hirono	Schumer
Cardin	Klobuchar	Shaheen
Carper	Leahy	Stabenow
Casey	Markey	Van Hollen
Duckworth	Menendez	Warren
Durbin	Merkley	Whitehouse
Feinstein	Murray	
Franken	Peters	

NOT VOTING—1

Isakson

The nomination was confirmed.

Mr. MCCONNELL. Mr. President, I move to reconsider the vote on the nomination, and I move to table the motion to reconsider.

The PRESIDING OFFICER. The question is on agreeing to the motion to table.

The motion was agreed to.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, there will now be 10 minutes of debate equally divided.

The Senator from Idaho.

Mr. CRAPO. Mr. President, it is an honor for me to recommend again Dr. Carson as the Secretary of HUD. Dr. Carson brings a fresh set of eyes to every issue and every problem he faces, and he has an incredible record of success and of achieving outstanding results. We look forward to his bringing that same kind of analytical mind and management to the Department of Housing and Urban Development.

I don't think there is a better pick that could have been made. I urge my colleagues to support this motion to invoke cloture.

I yield the remainder of our time to the Senator from Montana.

CONFIRMATION OF RYAN ZINKE

Mr. DAINES. Mr. President, back in 1979, there was a junior from Bozeman High School and another junior from Whitefish High School, both headed to Dillon, MT, as Boys State delegates. The keynote speaker that year was a newly elected U.S. Senator named Max Baucus. Who knew that 38 years later the kid from Bozeman would serve as a U.S. Senator and the kid from Whitefish would be our next Secretary of the Interior.

Congratulations to RYAN ZINKE, our new Secretary of the Interior, who was confirmed with very strong bipartisan support. He is the first Montanan to serve in a President's Cabinet since our statehood in 1889.

RYAN, it is truly an honor to be one of the very first to call you Secretary ZINKE. On behalf of the people of Montana and our country, well done, sir.

I yield back my time.

Mr. CRAPO. Mr. President, it is my understanding that there is no one else who wants to speak on either side. So at this time, I yield back all time on both sides.

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

Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Benjamin S. Carson, Sr., of Florida, to be Secretary of Housing and Urban Development.

Mitch McConnell, Johnny Isakson, Jeff Flake, Steve Daines, James Lankford, Roger F. Wicker, Dan Sullivan, Thom Tillis, Rob Portman, John Thune, John Hoeven, Deb Fischer, James M. Inhofe, Tim Scott, Lindsey Graham, Jerry Moran, Pat Roberts.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Benjamin S. Carson, Sr., of Florida, to be Secretary of Housing and Urban Development shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Georgia (Mr. ISAKSON).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 62, nays 37, as follows:

[Rollcall Vote No. 76 Ex.]

YEAS—62

Alexander	Fischer	Paul
Barrasso	Flake	Perdue
Blunt	Gardner	Portman
Boozman	Graham	Reed
Brown	Grassley	Risch
Burr	Hatch	Roberts
Capito	Heitkamp	Rounds
Cardin	Heller	Rubio
Carper	Hoeven	Sasse
Cassidy	Inhofe	Scott
Cochran	Johnson	Shelby
Collins	Kennedy	Strange
Corker	King	Sullivan
Cornyn	Lankford	Tester
Cotton	Lee	Thune
Crapo	Manchin	Tillis
Cruz	McCain	Toomey
Daines	McConnell	Warner
Donnelly	Menendez	Wicker
Enzi	Moran	Young
Ernst	Murkowski	

NAYS—37

Baldwin	Durbin	Klobuchar
Bennet	Feinstein	Leahy
Blumenthal	Franken	Markey
Booker	Gillibrand	McCaskill
Cantwell	Harris	Merkley
Casey	Hassan	Murphy
Coons	Heinrich	Murray
Cortez Masto	Hirono	Nelson
Duckworth	Kaine	Peters

Sanders	Stabenow	Whitehouse
Schatz	Udall	Wyden
Schumer	Van Hollen	
Shaheen	Warren	

NOT VOTING—1

Isakson

The PRESIDING OFFICER. On this vote, the yeas are 62, the nays are 37.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Benjamin S. Carson, Sr., of Florida, to be Secretary of Housing and Urban Development.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAPO. Mr. President, I applaud my colleagues for voting in favor of cloture on the nomination of Dr. Benjamin Carson to be the next Secretary of the Department of Housing and Urban Development.

On January 12, the Senate Banking Committee held its confirmation hearing, and Dr. Carson responded to questions and concerns thoroughly and thoughtfully. Dr. Benjamin Carson was unanimously reported out of the Senate Banking Committee on January 24.

To many Americans, Dr. Carson needs no introduction; however, his impressive resume bears repeating. Dr. Carson was raised by a single mother in an impoverished part of the city of Detroit. He attended Yale University and the University of Michigan Medical School and later became a highly accomplished and respected neurosurgeon. Dr. Carson was named director of pediatric neurosurgery at Johns Hopkins Hospital in 1984, at the age of 33—the youngest such director in the Nation.

He gained national fame in the 1980s by becoming the first doctor to lead an operation that separated twins who were conjoined at the head—one of many high-profile operations led by Dr. Carson. He also ran for President this past election and spent months traveling the country, listening to the American people about the problems and the issues they face with respect to housing.

During his testimony before our committee, Dr. Carson highlighted his commitment to carrying forth the mandate of HUD and to learning more from the people who are directly affected by HUD policies. He has also received bipartisan letters of support from four former HUD Secretaries—Henry Cisneros, former Senator Mel Martinez, Alphonso Jackson, and Steven Preston—who served under both Republican and Democratic administrations.

He has said he plans to continue his conversation with the American people and do a listening tour if confirmed. This is an encouraging sign that Dr.

Carson wants to hear from stakeholders and, more importantly, from the American people.

There are many HUD issues to be addressed. Once confirmed, we can begin working on several important issues under HUD's jurisdiction. Streamlining requirements for local public housing authorities, revising certain public housing programs, and strengthening financing for small and rural affordable housing developments are areas that should be addressed. Tackling homelessness, especially among our Nation's veterans, is another issue that is important to me and should be addressed.

It is critical that HUD allow local communities to craft solutions that work best for their needs. There has been bipartisan interest in several of these reforms over the years, and I am confident we can make progress once Dr. Carson is confirmed.

Dr. Carson has consistently demonstrated a commitment to improving the lives of his fellow Americans, and his intellect, leadership, and life experiences are unique, valuable assets for leading an agency like HUD.

I urge my colleagues to vote in support of Dr. Carson's nomination so we can continue the great work of improving America's housing system.

Senator CORNYN very graciously gave me his time, which he was lined up to take first. He has asked if he could take his time at this point.

Mr. President, I ask unanimous consent that Senator CORNYN be next allowed to speak.

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

The majority whip.

Mr. CORNYN. Mr. President, the Chamber is too slowly moving forward on the President's Cabinet nominees. So far, this Chamber has confirmed 16 Cabinet nominees since January 20. I would note that the most recent nominee, Secretary ZINKE, was confirmed by a vote of 68 to 31 and that Wilbur Ross, Secretary of Commerce, was confirmed by a vote of 72 to 27.

Why have we burned 5 weeks of this new administration and denied the President the staff and the help and the team he needs in order to lead the country? It makes no sense whatsoever.

I, once again, implore our friends on the other side of the aisle to stop the foot-dragging and the delay for delay's sake and to let the President have his Cabinet.

PRESIDENT'S ADDRESS TO CONGRESS

Mr. President, I want to comment briefly on last night's address by President Trump to a joint session of Congress.

I think it is safe to say that the President had an extraordinary night last night. This is not just a view from a partisan, but, I think, on a bipartisan basis, people were enormously impressed by the vision the President laid out.

I have had some private conversations with colleagues on the floor, who have said to me, in essence, that this is an unusual and unconventional President but one who is clearly interested in making progress for the American people. He laid out a broad, welcoming vision of some of the things he wants to accomplish, but he did so in a way that welcomed Democrats and bipartisan support to help make that progress for the American people. I think they were somewhat surprised but gratified to hear the President make those sorts of remarks, and I congratulate President Trump for doing it.

Basically, he articulated an optimistic vision and a new direction for the country. This election, like the election back in 2008, was a change election. We have those every now and then. After one party is in power for 8 years, frequently, people say: We would like to try something different. We would like a change election.

We had a true change election in 2016.

The American people made clear that they wanted to get back in the game when they elected President Trump in November—by that I mean in terms of our American prosperity, our American strength, our American leadership in the world. President Trump talked about a new national pride and of cultivating a surge of economic security across the country. I think, at bottom, his speech was a message about confidence—confidence in the American people, confidence in our economic system, which has lifted more people out of poverty than has any other system the world has ever known, confidence that, unfortunately, had been lost during the Obama years that focused so much on self-doubt and America's role in the world—retreating from that role—unfortunately, leaving a void that has been filled, all too eagerly, by tyrants, dictators, and thugs, like Vladimir Putin, for example.

It is also true that this President was elected because, for too long, many people in this country had felt left out and felt like they just were not a part of the conversation we were having here about the great issues of the day. Many felt sidelined, even alienated, by irrelevant policy debates that had nothing to say to their quality of life in America. Many believed they truly didn't have a seat at the table.

President Trump's message throughout the campaign and now—about 5 weeks into his new administration—reflects, I think, the frustration and even the angst many Americans had felt and the gratification now, as they feel like they have somebody who believes in what they believe and will not leave them on the sidelines.

I believe what President Trump represents is an antidote to what many people saw as wrong with Washington, DC. While it is true that President

Trump has never held public office before—by all accounts, he is an unconventional political leader—last night, we heard he will work with all of us to actually do something about the concerns of hard-working American families. He will usher in a new era of renewed confidence in what the American people can accomplish together as we enter into, as he put it, a time of national rebuilding.

This is about restoring faith in the American dream. My parents were part of the "greatest generation"—of those who fought in World War II, who preserved America and a great future for their children and grandchildren. It sickens me, when I read public opinion polling, that too many people today say they do not see that better life—more secure, more prosperous—for their children and grandchildren in the future. What they are saying, in essence, is that we are losing faith in the American dream. I think what President Trump talked about last night is a renewed faith and a renewed commitment to the American dream, which means some sacrifice on the part of the present generation, not just in spending money we do not have and in racking up debt we will never repay and that our children and grandchildren will be saddled with.

Just as one example, President Trump talked about taking on this tepid economic recovery he inherited and turning it into a jobs machine that grows our economy for everyone. This is an optimistic message, as many have noted—it is Reaganesque, really, in its tone—in its talking about building the American economy and reestablishing America's leadership role in the world. I know it is just one indicator.

If you want to look at some objective measure of the American people's hopefulness and optimism about the future, all you need to do is to look at the stock market, as it has gone up 10 percent since President Trump was sworn in and closed at a record high for the 12th day in a row—a record that goes back to 1987. To me, that is saying that the markets and the American people are hopeful about what might be accomplished together under this administration.

One of the things we heard last night, as well, is a reflection of what Vice President PENCE has told us in private gatherings—I have heard him say it in public gatherings as well—which is that the administration is in the "promise-keeping business." Keeping your promises is important. How are you going to maintain the public's confidence when people say one thing when they are campaigning, and then, once they are sworn into office, they forget about those promises and move on? I am grateful this administration believes in the importance of keeping promises.

We have already seen the President keep his promises to help rein in overreaching regulations; his commitment to reforming the Tax Code, which he talked about last night, so that the economy can grow again and we can all benefit; and his commitment to repealing and replacing the failed experiment of ObamaCare. All of these, he reiterated, he has begun to work on, and he has actually committed to seeing them through to completion. These just aren't talking points, these are promises he has already begun delivering on.

I am personally grateful—and I am sure the Presiding Officer is as well—that he has also reprioritized our national security. National security is just not one on a cafeteria plan that we can kind of walk into and say: I will take a little of this and a little of that. National security is the No. 1 priority for the Federal Government. No one else can do that. At a time when our country faces innumerable threats from all around the world, including terrorism here at home, I appreciate the fact that the President is committed to doing what it takes to restore our national security, to protect our borders, and to restore the rule of law.

I think it is just as simple as this President is committed to getting back to the basics of governing. He is doing what he said he would do, and I find that reassuring, together with the outstanding Cabinet members he has selected to serve with him in his administration.

What America needs and what my constituents in Texas call, write, and ask me about all the time is a way forward that delivers security to our people, encourages prosperity for everyone, and instills confidence in the job creators and investors so we can enjoy a new era of prosperity for all of our people.

I am confident President Trump, in working closely with Congress, can deliver on these and many more promises he has made to the American people. It is obvious to me, from his comments last night, that he is welcoming and inviting our Democratic colleagues to stop the resistance—to stop the obstruction—and to actually come join us in helping to move the country forward. I find that refreshing and welcome, as I hope some of our colleagues will who still haven't quite gotten over the election on November 8 and the constituents they have who feel they are still in a protest mode. There is a time for competing in elections, and then there is a time for governing. That takes all of us, as adults who care deeply about our country, working together on a bipartisan basis to try to find common ground and move the American people's agenda forward.

I look forward to working with the President to make America a stronger, safer, and more economically vibrant

nation. That is something we all want and something we should all work together to achieve.

As I said, as we go forward, I hope our friends on the other side of the aisle look at the bigger picture. I have been here long enough to experience when people run for election—like many will do in 2018—and have no record of accomplishment to point to. I believe the Presiding Officer knows what I am talking about. Growing our economy and protecting our homeland should be bipartisan. It should be nonpartisan. And, as the President mentioned, now is the time to come together to unify as Americans to make our country stronger.

I hope all of our colleagues will join together, including our Democratic friends, to let us get to the work of legislating, to let us get off of this extended foot-dragging timetable on confirming the President's nominees for his Cabinet, especially when we are seeing votes like we saw on Mr. ZINKE and Mr. Ross—68 to 31, 72 to 27. There is no rationale for delaying those confirmations when our Democratic colleagues are voting to confirm them. We could have done this on January 20.

Mr. President, I thank my friend from Ohio for his courtesy.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Mr. President, I rise in support of Dr. Carson for Secretary of Housing and Urban Development. However, I just can't resist, as I listened to my friend Senator CORNYN—and I do like and respect Senator CORNYN, and I do mean that. It is always said here, but I actually do. I am just amused by the term "obstructionism." This President was 100 yards down the hall speaking last night and still hasn't put any legislative proposals forward—nothing on immigration except Executive orders; nothing on infrastructure even though Democrats have followed the four corners, if you will, of his proposal, \$1 trillion over 10 years—put ink to paper and actually written a real plan that includes public transit, that includes highways and bridges and water and sewer and housing and airports and ports and all of the things we do in doing it right on infrastructure, on public works. So we are all still waiting.

The President has made a lot of speeches. Last night he was not as combative as usual. That was welcome. I think we all, as Senator CORNYN said, applauded that. But we are still looking for substance. We are looking for one bill. Repeal and replace the Affordable Care Act—what does that mean? He still hasn't given us anything specific. They have been voting on replacing and repealing the Affordable Care Act for more than a decade, but they still don't have a plan.

If we listen to the Governor from my home State, the State where the Pre-

siding Officer grew up—they should listen to our Republican Governor, who admonishes colleagues here: Don't repeal the Affordable Care Act unless you have a way to take care of 700,000 Ohioans who have lost their insurance under Medicaid; not to mention 100,000 who will lose their insurance who are on their parents' health plan; not to mention 100,000 who are on the exchanges; not to mention 100,000 seniors who are saving \$1,100 on their prescription drugs a year; not to mention 1 million Ohio seniors who get free, no copay, no deductible osteoporosis and diabetes screenings and physicals and all the things the Affordable Care Act gives them. They offer no proposals to replace any of those services. They talk about State lines, and they talk about health savings accounts, and they talk about tort reform. That is like this many people compared to this many people. They know that. Yet I still hear this talk of obstructionism. Give us stuff. Give us legislative proposals.

The assistant majority leader started off by talking about I guess a slow-walk of nominees. Now, I am the ranking Democrat, and my friend Senator CRAPO is now the chairman of the committee. He was not chairman then, and he is not mostly responsible for this. But I am on the Banking Committee, and last year, with a Democratic President—I don't want to look back and do tit-for-tat. It is not about that. It is about moving the country forward. But last year—what was it—25 to 30 nominees came from the President. Some were very significant, including the Export-Import Bank. Some were Federal Reserve. Some of them were inspectors general, and most people don't quite know what they do. But all nominees, more than 25, more than two dozen nominees—1 of them was confirmed by the Senate last year, 1 of 28 or so in our committee, and he was confirmed in December, in the 24th month of the 2-year term. So don't lecture us about people slow-walking and obstructionism and all of that. There were more than 25 nominees, and 1 of them was confirmed. SEC, Securities and Exchange Commission, didn't move; Federal Reserve, didn't move; the public transit administrator, didn't move—one after another after another. The Under Secretary for Terrorism and Financial crimes didn't move. Even though he was originally a Bush nominee and then was promoted in the Obama years, he didn't even come to a vote because of whatever reason the Banking Committee gave us. So we don't need that lecture.

But more important, on these nominees, we all know the history. When I look at criticism and hear "Why aren't these nominees all passed?" let's look at about 6 or 8 months ago. Every Presidential candidate, until this last election, starts to put together a transition

team in August, and President Trump—Candidate Trump began to do that but not with much seriousness. Then the person he had leading his transition team he fired in November, soon after the election, so he had to start again. So he had no people kind of ready to go on these nominations, what, in fact, he was going to do on all of these Cabinet positions.

After that, he didn't really vet, he didn't really analyze, he didn't really look at the backgrounds of these nominees. So if they didn't do it—usually the President's people look at these nominees and analyze and see how corrupt they are, if they have conflicts of interest, all of that. Well, they didn't do that in this administration because apparently they didn't have time. So they nominated these people, and we have never seen this many conflicts of interest, we have never seen this kind of wealth, and we have never seen this many billionaires appointed to the Cabinet.

Just out of the Finance Committee, the Secretary of Health and Human Services bought and sold health care stocks of companies—on the floor of the House of Representatives, he was working on bills and amendments; yet he bought and sold hundreds of thousands of dollars' worth of health care stock, and then he didn't tell the committee the full story.

The Secretary of the Treasury had a \$100 million investment he forgot to report. Maybe somebody out there would forget if they had a \$100 million investment. They might forget they had it, but most Americans wouldn't forget that. He lied to the committee. He lied to the committee about robo-signings. Hundreds of—and this was directly related to this nomination—hundreds of Ohioans, at least, maybe thousands, lost their homes—including in the Presiding Officer's home city where he grew up—because of these robo-signings.

So that is why this has been slowed down—because many of these nominees are unqualified for the jobs, many of them have conflicts of interest, and many of them have very complex financial holdings and portfolios that take a long time to sort through. That is the reason for the delay, and to accuse us of anything else is just playing politics.

As I said, I am here today to argue for the confirmation of Dr. Carson.

I voted for a number of these nominees when I thought they could offer something to our country. I voted against some of the most corrupt and some of the most out-of-step and some of the most far-right, radical nominees, and that list is, unfortunately, much longer with this President than any President in American history.

Dr. Carson had a distinguished career as a pediatric neurosurgeon. We know that about him, and that is good. His

remarkable life story is well known to millions of Americans. We know that about him, and that is good. But he is not the nominee I would have chosen to lead HUD. In fact, he is not the nominee any President in my lifetime would have chosen to lead HUD because he has no direct experience with the housing and community development fields.

He made troubling statements on public policy issues prior to his nomination. My colleagues and I on the Banking Committee asked Dr. Carson several very direct questions about his views now that he is the nominee for Secretary of HUD. I will give Carson the benefit of the doubt—that is why I will vote for him—because he made commitments to me in person, sitting in my office, across the table, and he made commitments in the Banking, Housing, and Urban Affairs Committee in his testimony and in his written responses.

Dr. Carson promises to address the scourge of lead hazards that threaten the health and the future of children in Ohio and nationwide.

Under oath, he pledged to uphold the Fair Housing Act and the housing rights of LGBTQ individuals. That wasn't what his past has been. He has made comments that I find offensive or worse about gay people in this country, but he made the commitment under oath to our committee that he would fight any discrimination against people because of their sexual orientation.

He has pledged to advocate for rental assistance and investment to end homelessness. He has pledged to push to include housing in the President's infrastructure plan.

Those are commitments he made. Those are commitments he made under oath. Those are commitments I will hold him to in spite of perhaps his prior philosophy of government and in spite of perhaps some of his comments he might have made in the past. My job is to hold him accountable for this. The job of everybody in this Senate, of both parties, is to hold him accountable.

Dr. Carson's responses to my questions for the record are available as part of the record of the Banking Committee's January 12, 2017, hearing on the nomination of Dr. Carson to be Secretary of the U.S. Department of Housing and Urban Development. I have also made them available online as part of my statement on the Banking Committee's approval of Dr. Carson's nomination on January 24, 2017.

My statement and the link to the questions for the record are available on the Banking Committee's website at <http://www.banking.senate.gov/public>.

Mr. President, as the ranking member of the Banking Committee—and I would emphasize the committee—while the last 2 years, it might only have been called banking, maybe it could have just been called Wall Street for

the way it was running, but the full name of the committee is Banking, Housing, and Urban Affairs. It is important to remember that. We oversee housing policy, and I see how important this Department is for people in Ohio and across our country.

HUD is in charge of enforcing fair housing laws. It has been an essential partner in our national efforts to prevent and end homelessness for veterans—something Senator CRAPO talked about—for the chronically homeless, and for youth and families. The Department's primary rental assistance program helped 4.5 million low-income families, the elderly, and people with disabilities find a place to call home—something that should be a right in this country.

HUD has assisted cities and towns in their efforts to revitalize neighborhoods and invest in communities and promote lead-safe, healthy housing for children. There is still a great challenge in States like mine where there is deteriorating lead paint in old homes that threaten so many children. In my hometown of Cleveland and where I grew up in Mansfield and in Appalachia and in city after city and community after community in my State, there are lots of older homes. In the city of Cleveland, well over half the homes are at least 60 years old.

I asked somebody from the Cleveland health department: What percentage of those homes have toxic levels of lead? And he said 99. Understand that old homes in this country—homes that are 60, 70, 80 years old—many homes fall into that category, and they overwhelmingly have toxic levels of lead.

My support for Dr. Carson centers around the fact that he may not know much about housing policy yet—I am hopeful that in the tours he takes, including to my State and the chairman's State of Idaho—I hope and I assume he will learn more about housing, but one thing he does know as a brain surgeon is he knows what lead does to the development of children.

The Cleveland Plain Dealer reported 70 census tracts in Cuyahoga County where as many as one in three children are poisoned because of the age and the condition of the housing stock. One in three children has her or his physical and emotional and mental development sometimes arrested or slowed because of lead poisoning.

Through the Federal Housing Administration, HUD works with lenders to help creditworthy borrowers access stable mortgage credit so they can purchase a home. FHA played a central countercyclical role in providing mortgage credit following the financial crisis when the private sector largely withdrew from the field, as we remember. It has since receded into its typical share of the housing market. It is still essential, though, for home buyers, including many first-time and minority home buyers. HUD'S role will

only become more important as housing communities' development challenges have grown. The need for affordable housing has grown dramatically since the great recession. The demand for units has increased while wages have stagnated.

The market alone is not producing sufficient housing for families and those on fixed incomes. Studies have demonstrated that many people who perform essential work—child care teachers, school bus drivers, retail workers, people working full time, people working just as hard as the staff in front of me, people working just as hard as people who have titles like mine—simply can't afford the rent in the communities they serve. Half of the people who rent pay more than 30 percent of their income for housing.

One-quarter of all renters—25 percent of all renters, 11 million people in this country—pay more than half of their incomes for rent. If you are paying 51, 52, 55 percent of your income in rent, if one bad thing happens—a sick child, your plant lays you off for 2 weeks, your roof leaks, any number of things can happen. When you are living on the edge, when half of your income is for housing, what happens? You lose your home. You get evicted.

These burdens are more severe at the bottom of the income spectrum among extremely low-income renter households—those with incomes at or below 30 percent of median income, and 75 percent may pay more than half of their income in rent.

The National Low Income Housing Coalition identified a shortage of 7 million affordable and available rental units for the Nation's extremely low-income renter households. We are reaching only one out of four of those eligible families. Many end up on years' long waiting lists for lack of funding.

Government extends a hand to some of these families, but not to nearly enough. That needs to change. Despite the growing need for affordable housing, we risk losing the affordable housing resources we have due to physical deterioration or the end of long-term affordability contracts of property owners.

Families burdened by high housing costs have fewer resources available to meet other needs such as transportation for work and food and medicine. They even face eviction and homelessness; 500,000 people were homeless on any given night in January of 2016—550,000, actually.

The Department of Education data, which includes families doubled up for economic reasons, indicates that 1.4 million school children and their families were homeless at some point during the 2013–2014 school year. Think about that. Some of these kids were exposed to lead and have learning disabilities. Others don't get enough to eat, in

spite of the family school breakfast and lunch program, because they don't eat so well on weekends and at night and on summer vacations or whenever. In addition, 1.4 million are homeless.

Matthew Desmond wrote a book called "Evicted." He is a gentleman I have gotten to know a little bit. He lived in Milwaukee, a poor White neighborhood, a poor Black neighborhood. He wrote about people he got to meet and got to know, and he spent enough time where he got to know people. When he signed this book, he wrote: Home equals life. If you don't have a decent place to live—and I would imagine that none of us in this Chamber has that challenge. When you don't have a place to call home, your life can be upside down. With all of the challenges and all of the things that can happen, when you get evicted, your kids have to move to a new school district. You don't know where you are going to end up. You lose the few possessions you have when you're evicted. This book is recommended reading for anybody who works on housing issues. It is a book called "Evicted" by Matthew Desmond.

One last point: I look forward to working with colleagues in the administration on the President's proposed \$1 trillion investment and infrastructure, including housing. To jump-start the conversation about the President's proposed infrastructure package, my colleagues and I announced a blueprint to rebuild America's infrastructure.

I find it interesting, again, that the assistant majority leader talked about Democrats' intransigence and Democrats' obstruction when the President has put nothing out there on infrastructure, nothing out there on housing, nothing out there about healthcare—repeal and replace—none of those kinds of legislation.

We don't even know what he is talking about, other than saying "\$1 trillion." Democrats acted responsibly and put out our \$1 trillion 10-year plan, hoping the President's \$1 trillion 10-year plan can match up and we can work together. This blueprint talks about ways we invest in American infrastructure to improve the Nation's transportation, water, housing, and community infrastructure and create thousands of good-paying union jobs in construction and manufacturing jobs with strong "Buy American" provisions.

Even though the President in his prior life as a businessman wore suits, sold suits, sold tableware, and sold glassware made overseas, and even though this suit I wear is made by union workers 10 miles from my house, the President, now that he is President—the issue is not his own private business or his family's own private business where they outsource jobs to do production so they make more money. I don't like that, but that is no

longer our business. What is our business is that the President steps forward with "Buy American."

"Buy American" means if there is steel in an infrastructure project, it should be made by steelworkers in Youngstown or Lorain, OH, or somewhere in Ohio. If there is iron in these projects, if there is aluminum in these projects, if there is concrete, if there is any kind of product, if taxpayers are paying for it, it should be made by American workers.

Our blueprint is central to HUD's mission. It includes \$100 billion to rebuild Main Street and communities. It includes ideas to address affordable housing challenges, eliminate blighted properties that bring down local property values, and remediate lead hazards that threaten children. We are ready to work on real infrastructure.

As I said, I am going to vote for Ben Carson for Secretary of HUD. He is not an inspiring choice, but he is someone who is an accomplished man. I count on him to help us address this terrible lead problem. I count on him to stand with us, as he pledged, to address the scourge of lead. I count on him to uphold the Fair Housing Act and the housing rights of LGBTQ individuals. I count on him to advocate for rental assistance and investment and homelessness. I count on him to push to include housing in the President's infrastructure plan. I count on him to fight the President. If the President is going to increase defense by \$50 billion and cut a whole host of housing and urban programs, I count on this nominee. He promised our committee. He said it. He said it in private meetings. He said it in public meetings. We will hold him accountable. I plan to vote yes.

To reiterate, I rise today to speak on the pending nomination of Dr. Benjamin Carson to be the new Secretary of the Department of Housing and Urban Development, or HUD.

Dr. Carson is not the nominee I would have chosen to lead HUD, due to both his lack of direct experience with the housing and community development fields, and his often troubling public statements prior to his nomination.

Despite my reservations, and my disagreements with some of his positions, I will give Dr. Carson the benefit of the doubt based on commitments he has made to me in person and to the Banking, Housing, and Urban Affairs Committee in his testimony and written responses.

This includes Dr. Carson's promises to:

Address the scourge of lead hazards that threaten the health and futures of children in Ohio and nationwide; Uphold the Fair Housing Act and the housing rights of LGBTQ individuals; Advocate for rental assistance and investment to end homelessness; And push to include housing in the President's infrastructure plan. Let me be

clear: I will do everything in my power to hold Dr. Carson accountable for making good on his promises.

Role of HUD. As the ranking member of the Banking, Housing, and Urban Affairs Committee responsible for housing policy, I have seen how important the Department is for people in Ohio and across the country.

HUD is charged with enforcing our fair housing laws. It has been an essential partner in our national efforts to prevent and end homelessness for veterans, the chronically homeless, and youth and families.

The Department's primary rental assistance programs help over 4.5 million low-income households of families, the elderly, and people with disabilities find a place to call home.

It assists cities and towns in their efforts to revitalize neighborhoods and invest in communities; and promotes lead-safe, healthy housing for children.

Through the Federal Housing Administration, HUD works with lenders to help creditworthy borrowers access sustainable mortgage credit so they can purchase a home.

The FHA played an essential, countercyclical role in providing mortgage credit following the financial crisis, when the private sector largely withdrew from the field.

It has since receded to its typical share of the housing market, but it is still essential for many homebuyers, including first-time and minority homebuyers.

HUD's role has only become more important as our housing and community development challenges have grown.

The need for affordable housing has grown dramatically since the Great Recession, as demand for rental units has increased and wages have stagnated.

The market alone is not producing sufficient affordable housing for families and those on fixed incomes.

A person with a full-time job would need to earn an hourly wage of \$20.30 in order to afford a modest, two-bedroom rental at HUD's national average fair market rent.

This "housing wage" is far above the minimum wage, income available to people with disabilities who rely upon Supplemental Security Income, or even the median wage earned by renters.

Studies have demonstrated that people performing essential work—like child care teachers, school bus drivers, and retail workers—are often unable to afford rent in the communities they serve.

Half of all renters—over 21 million households—paid more than 30 percent of their incomes towards housing in 2014. And a quarter of all renters—over 11 million—paid more than half their incomes for rent.

These burdens are more severe at the bottom of the income spectrum. Among extremely low income renter households—those with incomes at or

below 30 percent of area median income, 75 percent pay more than half their incomes on rent.

In 2016, the National Low Income Housing Coalition identified a shortage of 7.2 million affordable and available rental units for the nation's ELI renter households.

We are reaching only one out of four eligible families. Many end up on years-long waiting lists for lack of funding.

Despite the growing need for affordable housing, we risk losing the affordable housing resources we have due to physical deterioration or the end of long-term affordability contracts with property owners.

Public housing alone needs an estimated \$26 billion in major repairs. HUD estimates that we are losing 10,000 units of public housing every year due to physical obsolescence.

According to Harvard's Joint Center on Housing Studies, nearly 2.2 million units of HUD-assisted and low income housing tax credit-supported housing will reach the end of their affordability periods by 2025. Families burdened by high housing costs have fewer resources available to meet other needs like transportation to work, food, and medicine, and they may even face eviction and homelessness.

Nearly 550,000 people were homeless on a given night in January 2016. Department of Education data, which include families doubled up for economic reasons, indicate that nearly 1.4 million school-age children and their families were homeless at some point during the 2013–2014 school year.

The hardships stemming from evictions and homelessness make it harder for families to climb the economic ladder.

As Matthew Desmond, author of *Evicted*, points out: "Eviction is a cause, not just a condition, of poverty."

Trump Urban Renewal Plan. Throughout his campaign, President-elect Trump promised to rebuild America's "inner cities," which he labeled "hell holes."

Mr. Trump spelled out his views in his, quote, "New Deal for Black America, With a Plan for Urban Renewal."

The plan covers issues such as school choice, investing in law enforcement, tax reform, trade, and infrastructure investment.

At a time when more than 11 million families are paying more than half their income toward rent, and half a million people have no place to call home, the President-elect's plan does not mention this housing crisis.

In addition, cities, like Black Americans, are not monolithic.

In recent years, many cities have seen a wave of population growth and investment that have led to greater economic activity, tighter rental housing markets, and rising rental housing costs.

As a result, many lower-income families and businesses who endured challenging decades in their communities are finding themselves priced out of their long-time neighborhoods just when additional economic opportunities are opening up.

Loss of housing in urban neighborhoods can push residents away from access to jobs, transit, and local support networks such as hospitals and child care.

In many of these neighborhoods, federally-assisted housing may be coming to the end of long-term affordability contracts or at risk of loss due to physical deterioration and HUD will be called on to help low-income people access the opportunity that has finally come to their neighborhoods.

HUD will need to respond to a diverse set of challenges across the country.

Dr. Ben Carson is a distinguished pediatric neurosurgeon. His remarkable life story is well known to all of us, and to millions of Americans beyond this room. He is an inspiration and a testament to the American dream.

Dr. Carson's experience, while impressive, does not automatically qualify him to lead HUD.

In reviewing Dr. Carson's nomination, I had the opportunity to question him extensively about his plans as Secretary. His answers were responsive, in contrast to many of President Trump's nominees.

Dr. Carson committed to: Address the scourge of lead paint hazards that threaten the future of too many of Ohio's children; Uphold the Fair Housing Act and housing rights for lesbian, gay, bisexual, transgender and queer (LGBTQ) individuals; Advocate for rental assistance and investment to end homelessness; and Push to include housing in the President's infrastructure plan.

Some of Trump's appointees have taken positions antithetical to the agencies for which they would be responsible. In his testimony, Dr. Carson did not seem to be in this camp.

At that hearing, Carson stated that he plans to go on a listening tour across the country and at HUD to learn what is working and what is not. And he promised to surround himself with pragmatic, bipartisan, senior advisers.

He said: "I will surround myself with people who have a passion for improving the agency, not breaking down its programs."

In many cases, Dr. Carson moderated or reversed controversial positions he had taken previously.

I will discuss a few of the commitments Dr. Carson made during our committee process.

Lead Paint Poisoning. Dr. Carson promised to work to end the scourge of lead poisoning that threatens the health and futures of too many children in Ohio and across the country.

There is a growing realization that safe, affordable housing is a platform for good health.

Whether that is healthy housing that protects kids from lead and asthma-inducing mold, accessible units that help seniors safely age in place and avoid expensive institutional care, or housing that enables people with disabilities to live in the community.

As Dr. Carson said in his written statement: "There is a strong connection between housing and health . . . Housing (and housing discrimination) is a "social determinant" of health . . . These problems occur across America—in cities as well as suburbs and rural areas . . . We cannot have social mobility without a strong healthy foundation in the home."

When Dr. Carson and I met privately, we discussed the tragic effects of lead in Ohio and nationwide. He knows—from a medical perspective—the terrible price that children and society pay for the legacy of lead in water, industrial settings, and, all-too-often, deteriorating paint in their homes.

While we have rightly focused on lead in water in Flint, MI, and Sebring, OH, the most prevalent source of childhood lead poisoning is lead-based paint in homes built before the federal government stepped in to prohibit its use in 1978.

Approximately 23 million older homes have significant lead paint hazards, 3.6 million of which house children under six who are most susceptible to the effects of lead paint poisoning. This is a great challenge in states like mine that have a lot of older homes.

The Cleveland Plain Dealer reported that that there are nearly 70 census tracts in Cuyahoga County, where I live, where as many as 1 in 3 children are likely poisoned because of the age and condition of the housing stock.

This is a tragedy not just for these kids and families, but for society. We all absorb the increased costs of medical care, education, criminal justice, and lost economic potential that stem from childhood lead poisoning.

If confirmed, I look forward to working with Dr. Carson to address the avoidable tragedy of childhood lead paint poisoning.

Fair Housing. Dr. Carson pledged to uphold the nation's fair housing laws, which includes the requirement that HUD's grantees affirmatively further fair housing.

At the hearing, Dr. Carson was clear about his support for the Fair Housing Act, stating:

I think the Fair Housing [Act] in 1968 was one of the best pieces of legislation we had. It was modified 1988. LBJ said no one could possibly question this, I agree with him.

I asked Dr. Carson about a 2015 Washington Times Op-Ed in which he objected to HUD's rule implementing the Fair Housing Act's Affirmatively Furthering Fair Housing provision, likening it to a failed socialist experiment.

The rule, which implements a requirement of the Fair Housing Act, was adopted after a two-year public comment period and responds to GAO criticism of HUD's previous guidance in this area.

Carson stated that his op-ed had been "distorted by many people." He went on to say that he has no problem with "affirmative action or . . . integration" but that he does have a problem with people dictating policy when they don't know the area when we have "local HUD officials . . . who can assess what the problems are in their area and, working with local officials, can come up with better solutions."

The fair housing rule is such a locally driven conversation, because it requires HUD grantees to analyze their own situations and develop locally driven plans to address their fair housing challenges.

Finally, Dr. Carson stated in writing that he would enforce the Fair Housing Act and support HUD's 2015 rule.

If Dr. Carson were to reverse the fair housing rule, it would violate his commitments at the hearing and in writing.

LGBTQ Housing Rights. During the Committee's process, I sought information on Dr. Carson's views of the housing rights of LGBTQ individuals.

In the past, Dr. Carson has made troubling comments about LGBTQ people that raised questions about whether LGBTQ people should enjoy the same rights as everyone else.

Dr. Carson's views in this area are important because the HUD Secretary oversees the housing rights of all Americans, including LGBTQ people. LGBTQ people face housing discrimination, bullying, and an alarmingly high incidence of youth homelessness.

In his written statement, Dr. Carson clearly stated that he wants to improve the lives of all families and communities "no matter their race, creed, color, or orientation."

In light of his previous statements, my colleague and I asked further questions.

I asked Dr. Carson whether he believes that HUD has a duty to take actions that promote equal access to housing opportunities for LGBTQ people. In response, he stated that he believes that "all Americans . . . should be protected by the law," but went on to say that no one gets "extra rights."

To clarify his meaning, I asked whether he could think of any instances where protecting equal access to housing opportunities for LGBTQ people would mean providing them "extra rights."

His response was "I cannot."

I also asked whether he believes that HUD provides "extra rights" to LGBTQ people that need to be withdrawn.

His response was "I do not."

In other statements, Dr. Carson also clearly pledged to protect the LGBTQ

community from discrimination and to continue to support and enforce HUD's equal access rules.

These rules ensure that all individuals have equal access to the Department's programs "without regard to actual or perceived sexual orientation, gender identity or marital status" and in accordance with their gender identity.

If Dr. Carson is confirmed, any actions that he or the agency take to discriminate against or limit the housing rights of LGBTQ individuals and families would be contrary to his statements to me and the Committee.

Rental Assistance. Dr. Carson promised to be an advocate for HUD rental assistance.

During the hearing, Dr. Carson backed away from his previous position calling for 10 percent across-the-board cuts to Federal programs as a budget-cutting measure.

At our hearing, Dr. Carson noted that he had revised his position to 1 percent across-the-board cuts as a way to achieve budget savings. While I do not subscribe to this policy, it shows moderation of Dr. Carson's previous position.

With respect to HUD programs, he recognized the value of HUD rental assistance programs in meeting the needs of the lowest income individuals, stating:

When it comes to deep affordability, though, removing all regulatory barriers won't get you there. It comes down to subsidy. . . . I think we can all agree that we will all make sure housing is a key consideration in every appropriations bill . . . If confirmed I will be a vocal advocate internally for funding, but prioritization will continue to occur in this Administration as it did in the last.

Dr. Carson also recognized the value of the important safety net provided by HUD programs, stating that "the rental assistance program is essential" and that "safety net programs are important. I would never . . . advocate abolishing them without having an alternative route for people to follow."

Ending Homelessness. In 2010, Opening Doors, the Federal Strategic Plan to Prevent and End Homelessness, set out goals to end homelessness for veterans, the chronically homeless, families, children, and youth and all other homelessness.

Through a combination of bipartisan federal investments in appropriate housing solutions particularly permanent supportive housing for the chronically homeless and HUD-VASH vouchers for veterans and improved practices at the federal and local levels, we have made real progress toward these goals. Since 2010, such investments have helped reduce chronic homelessness by 27 percent and veterans' homelessness by 47 percent.

Yet, more remains to be done.

According to HUD's "2015 Annual Homeless Assessment Report" to Congress, approximately 549,928 people

were homeless on a given night in January 2016. Nearly 195,000 of the homeless on this night were in families including at least one child.

Stating that “No one can argue with the goal of ending homelessness,” Dr. Carson said he intends to build on the progress we have made toward ending homelessness. He also said he will “call for continued investment to end homelessness for veterans, the chronically homeless, and children and families.”

Dr. Carson also praised the United States Interagency Council on Homelessness, which coordinates Federal efforts to efficiently and effectively combat homelessness and helps facilitate local communities’ coordinated efforts. Housing and Infrastructure. The President’s promised \$1 trillion investment in infrastructure is one of the pillars of the President’s Plan for Urban Renewal. This is an area where I have said I would like to work with the new administration.

Our grandparents built an infrastructure for us that was the envy of the world and became the foundation of our economy for years to come. But after decades of neglect, we need to re-invest.

My colleagues in the Democratic caucus and I are taking the President up on his call for a \$1 trillion investment in American infrastructure.

To jump-start the conversation about the President’s promise, we announced “A Blueprint to Rebuild America’s Infrastructure.”

This blueprint talks about ways we can invest in American infrastructure to improve the Nation’s transportation, water, housing, and community infrastructure while creating thousands of construction and manufacturing jobs in Ohio and across the country.

Our blueprint includes \$100 billion to rebuild our main streets and communities, which is central to HUD’s mission.

This includes ideas to address affordable housing challenges, eliminate the blighted properties that bring down local property values in neighborhoods, and remediate lead hazards that can set children back for life and increase public costs.

We need to invest in the infrastructure of our communities.

I’ve talked about the need to address lead-based paint to prevent childhood lead poisoning.

In communities across Ohio and the country, blighted properties are holding our neighborhoods back. They reduce neighbors’ property values, reduce tax base necessary to support public services, and create crime and safety threats.

A 2015 report from Policy Matters Ohio estimated Ohio alone would need \$750 million to address the State’s residential demolition needs.

Our public housing alone needs an estimated \$26 billion in repairs.

When we met, Dr. Carson said that he is supportive of investing in our public housing infrastructure.

In questions following the hearing, I asked Dr. Carson whether he would work with the President to ensure that there is a real infrastructure package to address the needs of our urban and rural communities and that it includes funding for preserving and creating affordable housing.

In response, Dr. Carson responded by saying, “I will absolutely commit to advocating for the inclusion of housing in the President Elect’s infrastructure package.”

I look forward to working with Dr. Carson to ensure that the administration supports these job-creating investments in our housing and other infrastructure.

Support Despite Reservations. As I stated at the outset, Dr. Carson is not the nominee that I would have chosen to lead HUD.

I do not agree with all of his positions.

For example, Dr. Carson wants to help people increase their incomes so that they can become self-sufficient. I also believe we should do everything we can to help families escape poverty and find good, middle-class jobs that can sustain a family.

However, Dr. Carson seems to believe that this can be done without raising the minimum wage and without the Labor Department’s overtime rule that would help 100,000 workers in my state get the pay they deserve. He believes incomes will rise just by creating the right “environment.”

I believe that the Federal Government should stand on the side of workers rather than advancing a billionaire agenda.

But despite my reservations and my disagreements with some of his positions, I am voting to confirm him, based on the commitments he made to the committee that I discussed here today.

The National Low Income Housing Coalition, or NLIHC, is a leading national organization advocating for safe, affordable housing for low-income people, including the residents of HUD-assisted housing.

NLIHC recently circulated a statement that reads:

Despite our initial concerns about Carson’s lack of experience with and knowledge of the HUD programs that he would oversee, NLIHC does not oppose his nomination:

As demonstrated in his Senate confirmation hearing, Carson has clearly taken the time to begin to understand and come to appreciate the importance of HUD’s programs.

Once confirmed, NLIHC is committed to working with Dr. Carson to ensure that the lowest income people in America have decent, affordable and accessible homes.

In the coming years, I will do everything in my power to hold him to his promises and to advocate for HUD’s important work.

I Hope the Administration Helps Him Succeed. Even if Dr. Carson and I shared the exact same views, I would be concerned about what the next few years bodes for HUD and our communities.

On January 23, the Trump administration adopted a hiring freeze and called for a reduction in the Federal workforce.

HUD already experienced the greatest percentage drop in career employees across the government from 2005 through 2014, and now HUD faces the highest percentage career employees eligible to retire by 2019.

According to HUD’s FY 2017 budget justifications, “This retirement wave can cause a loss of leadership and institutional knowledge at all levels.”

Such a loss could also cause a failure to ensure that the Department is upholding its duties to taxpayers by ensuring the quality of federally-assisted housing, fair housing enforcement, and overseeing FHA lending programs, for examples.

Dr. Carson says he wants to learn from and be on the side of HUD’s career staff. Let’s hope the administration gives him sufficient staffing to accomplish his mission.

I am also very concerned about HUD’s budget going forward.

The Senate recently confirmed Mick Mulvaney, an ideologue who threatened to default on our debt and wants to gut our retirement safety net, to lead the President’s Office of Management and Budget.

There have been reports that the administration has been considering using Heritage Foundation budget blueprints as the basis for its budget proposals.

Heritage has proposed budget outlines that would literally zero out the HUD rental assistance programs and the Community Development Block Grant Program.

We are also hearing reports that the Trump administration is making plans to cut nondefense discretionary programs by \$54 billion in fiscal year 2018—about a 10 percent cut—in order to fund increased defense spending.

This cut would come on top of the sequestration-related cuts to nondefense discretionary, or NDD, programs that will kick in in FY 2018 if we don’t do something to stop them.

NDD programs at HUD have already absorbed cuts. Since 2010, funding for public housing has fallen 21 percent, while funding for the HOME program has fallen by more than 50 percent.

Sequestration cuts in FY 2013 reduced the number of housing vouchers by more than 80,000. In recent years, Congress and local agencies have been able to restore many of these lost vouchers, but further cutbacks will reverse this trend.

At a time when our families are facing growing affordable housing needs,

the administration may be considering cuts that would devastate our housing safety net and leave families, seniors, formerly homeless veterans, and communities reeling.

All of this is coming at the same time that they are repealing the ACA and working to repeal rules that protect workers, consumers, and retirees.

At our hearing, Dr. Carson himself walked away from previous comments he had made in support of 10 percent across-the-board cuts.

At the nomination hearing, Dr. Carson stated:

I want to advocate for the HUD budget. . . . In the process of doing a listening tour and in talking to the people who were there already I want to put together a world-class plan on housing in this country and then I want to come to you with that world-class plan and I want to convince you all that this is what we need to do.

I hope that the administration and those setting budget priorities here in Congress will give Dr. Carson and HUD the tools they need to fulfill their mission.

If not, I hope my colleagues and citizens across the country will work with me to ensure that we have a housing and community development policy that meets the needs of all Americans.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. ERNST). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. TILLIS). Without objection, it is so ordered.

CONGRATULATING THE STATE OF NEBRASKA ON THE 150TH ANNIVERSARY OF THE ADMISSION OF THAT STATE INTO THE UNITED STATES

Mrs. FISCHER. Mr. President, I rise to recognize a pivotal moment in our Nation's history. On this day, 150 years ago, the Territory of Nebraska became the 37th State to enter the Union.

Let me tell you the story of Nebraska. In a deep and powerful way, it is the story of America. America grew up in Nebraska. We were the first State admitted after the Civil War, but our admission was first vetoed by President Andrew Johnson. It was the only time in American history that this had happened. The reason? President Johnson disagreed with a fundamental condition of Nebraska's statehood—that Black men be allowed to vote.

Fortunately, Congress overrode this veto, and on March 1, 1867, Nebraska became a State. I said before that Nebraska's statehood was a pivotal moment for our country. Nebraska gave America a chance to be better.

By bringing Nebraska into the Union, our country turned away from slavery

forever. We turned toward the truth about humankind—that everyone is precious in Heaven's eyes. By making Nebraska a State, America reached for a future more closely aligned with that truth.

Since that new birth of freedom, our Nation has taken many more steps—some bold strides, some stumbles—but always we seek to be more fully the country we were made to be. At a crucial moment, Nebraska strengthened our commitment to do that. Nebraska renewed America's identity.

As a State, Nebraska had not only hard but also humble beginnings. They called it the Great American Desert. In the early 1800s, the famous military officer and explorer Zebulon Pike shrugged us off, saying simply: "Not a stick of timber." A few years later, geologist Edwin James and MAJ Steven Long gave us this review: "The land was uninhabitable by a people depending on agriculture."

Today, wagon ruts can still be seen on Windlass Hill on the Oregon-California Trail, where settlers passed through. They were looking for greener pastures.

Well, last year Nebraska ranked No. 1 in the Nation in beef exports. The State ranked No. 1 in both the number of mother cows and cattle on feed. We are the beef State. We are Corn Huskers. With both corn and cattle, we produce high quality protein products that are sought by consumers all around this globe. We are No. 1 in the Nation in great northern bean production, popcorn production, and irrigated acres of cropland. Nebraska agriculture is diverse and it is expansive.

We also have more miles of river than any other State. As we sit over the great High Plains in the Ogallala Aquifer, water flows to seven other States from Nebraska. Our abundant supply of groundwater makes us leaders in producing soybeans, wheat, pork, and grain sorghum.

But I am getting ahead of myself.

In 1862, President Abraham Lincoln signed the Homestead Act. It made Americans really a simple offer: Strike out west, cultivate 160 acres of surveyed government land for 5 years, and at the end of that time, the land would be theirs. Families crossed the plains in covered wagons to take Mr. Lincoln up on that offer, and this time they stayed. In fact, the law's very first claimant was a doctor and a Civil War veteran named, fittingly enough, Daniel Freeman. So powerful was his dream that Dr. Freeman filed his paperwork just a few minutes after midnight on New Year's Day, 1863, the day that law went into effect. His homestead lies just outside of Beatrice, NE, where today we find the Homestead National Monument of America. In this vast and ruthless land, the homesteaders made the American dream real. They tilled the earth, first to feed themselves and then to feed the world.

Nebraskans made the Great American Desert into one of the greatest agricultural exporting regions in world history. They did this in part by scientific discovery. Developments in agricultural technology, including the center pivot, pioneered in Nebraska, have allowed Nebraska ag producers to feed the world. Nebraska continues to lead the Nation in center pivot irrigation technology, and today we are home to the four largest irrigation companies in the United States.

Other technological breakthroughs came in transportation, especially rail. These developments helped us to connect our communities and our country. The route of the First Transcontinental Railroad runs through my State. Today, Bailey Yard in North Platte is the world's largest railroad classification yard. In addition, Nebraska now connects her families by 97,000 miles of public roads. Well, that is a far cry from those wagon ruts. These improvements allow us to continue that noble work which we gladly accept of feeding the world.

I would like to take a moment to reflect on something. Nebraska not only helped America find its moral compass again, but our State also shows what wonders a free and virtuous people may work, and it reveals the relationship between the two. When you seek the right thing first and you work at it hard, amazing things follow. This is true not only in our rural areas but also in our cities.

Omaha began as the "Gateway to the West." Pioneers and immigrants made it a mighty city in its own right. From the former stockyards to the strong family businesses and Fortune 500 companies that you will find there today, the fingerprints of hardworking, dedicated people cover every inch of concrete.

Omaha leads in banking, insurance, telecommunications, transportation, and in medicine. Last year, the University of Nebraska Medical Center was ranked fifth in America among the best medical schools for primary care. I think Dr. Daniel Freeman, America's first homesteader, would be proud of that, but I doubt if he would be surprised. This is what happens when we work hard and let ourselves be guided by goodness.

It happened in Lincoln, our State capital, which was renamed after President Lincoln was assassinated. It happens in our Nebraska Panhandle towns and in our cities along the broad and braided Platte River, all along our I-80 corridor, and in so many rural small towns across our State. Nebraskans are a people who are engaged in manufacturing, technology, ag business, education, and the arts. We are strong people, and we build strong communities.

I have to say another word about doing the right thing. In 1879, Nebraska was the site of the first time that

American Indians had their day in court, when Standing Bear made his famous statement: "I am a Man." The U.S. district court eventually ruled what we all know to be absolute truth—that a person is a person. Here again, Nebraska gave America the opportunity to be better. There are many other moments.

Nebraska was the first State in which women were the two major party candidates for Governor, when Kay Orr, a Republican, defeated Helen Boosalis, a Democrat, in 1986.

I am on the Senate floor honoring the State I love on its 150th anniversary. I encourage you to come and see what the good life is about. See our cities—their industry, their creativity, their culture—where our innovators work new wonders, so much so that we are now called Silicon Prairie. Feel the thrill of Memorial Stadium, which becomes our third largest city on a game day. Shout "Go Big Red" and cheer on the Huskers. Delight in our opera and ballet. Breathe in our small towns. Stop in at a family-run bakery. Have lunch at a local cafe. Enjoy some of the national food sensations that began in Nebraska: Kool-Aid, our Reuben sandwich, and, of course, runzas.

Enjoy local favorites, like kolache, kuchen, fried tacos, and pork chili. Enjoy a Nebraska rodeo. Ride out to our rural areas, where, as Poet Laureate Ted Kooser says, the "pickup kicks its fenders off and settles back to read the clouds." Be awed by the vastness of Nebraska, which gives us perspective on things great and small. Learn from Chimney Rock, our western buttes, and the Pine Ridge, how to stand tall no matter the weather or the season of life. Be soothed by the Sandhills—the largest grass-covered sand dunes in the world and God's own cattle country. Find peace in the song of the Sandhills cranes. Take in the Central Flyway, where millions of migratory birds fly, including our State bird—the western meadowlark. See our gently rolling eastern hills. Canoe our rivers, fish our trout streams, and relax on our lakes. Follow the trails that tell the story of our history and the roads that lead to a bright future. See Nebraska at night, under a sky filled with stars. Know why people travel from all across the world simply to stargaze.

Pulitzer Prize-winning novelist Willa Cather, who grew up in Nebraska, wrote of the West: "Elsewhere, the sky is the roof of the world; but here the Earth was the floor of the sky."

We are a people of the Great Plains, the prairie, the Sandhills. We remember our enduring sources of strength—faith in God, reliance on family, and a habit of hard work. These things give us a sure footing.

For America for 150 years, Nebraska has been a place to look up and begin again, a land of vast possibility, of op-

portunity, a place to dream and to realize dreams—a model for America and the envy of the world.

Congratulations to the people of the great State of Nebraska as we celebrate our rich history, the exciting present that we are building, and the brighter future we will have in our next 150 years.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. SASSE. Mr. President, if I could just begin with a hearty "amen" to the great words of my senior Senator, it felt like old home week there for a moment, with the quote about the Nebraska sky. My kids—I have one of them with me almost every week in DC. We commute, and I bring somebody with me. Another two of them are almost surely going to be exploring along the Platte River later this afternoon, as happens almost every day. As for the comments about the 1986 campaign between Kay Orr and Helen Boosalis, it was the first time in America that two women had run for Governor of any State. I worked for Kay, the Republican Governor; it was the first campaign I had ever worked on as a 14-year-old. And then, most fundamentally, were her great words about the Homestead Act and the settling of America. I am a fifth generation Nebraskan and descended from homesteaders in the exact counties that the Senator was talking about engaged in Jefferson County.

Our State on its 150th anniversary, looks back on a history built by grit from homesteaders, as Senator FISCHER mentioned, to a football team at Memorial Stadium in Lincoln. Today, we celebrate all of those things that make Nebraska special: hard work, resolve, and love and care for our neighbors.

Millions of men and women settled Nebraska when our State was still known as the Great American Desert. The Homestead Act made land ownership accessible to anyone—to widows, to former slaves, to immigrants. People of totally different backgrounds could legally own 160 acres of American land, and as long as they worked and lived on that land for 5 years, they would get the deed. Your care of the land is what mattered, not your background, not your status, not your family name, but your willingness to work and to contribute and to feed the world as our State still does today.

Today, Nebraska is the breadbasket of the world, exporting more than \$6 billion a year of agricultural products. We have cared about the land for this last century and a half, but we care even more about our neighbors. Two towns tell that story well.

During World War II, North Platte launched a hospitality initiative that reached 6 million American troops as they would head for Pacific and European theaters in World War II. Folks in

the town saw trains stop in North Platte every day and decided that they would cheer those servicemen who were on their way to the war to fight for our freedom.

On Christmas Day in 1941, a young woman named Rae Wilson, a 26-year-old saleswoman, founded the North Platte Canteen. For 4 years, volunteers would meet each train—full of troops and passing through North Platte—with candy, with fruit, with smiles, with hugs, and with encouragement, thanking those men for how they were going to fight to defend the freedoms that made places like Nebraska and the rest of this Nation great. Some soldiers would go on to become POWs, including the first train of men that went through North Platte on Christmas Day in 1941. They had been sent off by these women of North Platte with food and with encouragement for their fight. Some never returned home. Who knows how much the kindness of those women meant to people from all of the States as they passed through Nebraska on the way to their deployments.

In recent years, that same generosity has shown up in Pilger, NE. In June of 2014, twin tornadoes ripped through this small Nebraska town, killing two and leveling the entire town—destroying 78 buildings. Only in the two corners of the town were structures left standing. Some people might not consider a town of 352 people a top priority, but those folks are not from Nebraska. From all across our State, thousands of volunteers just began driving to this town where tornadoes had destroyed people's livelihoods and their homes, bringing meals and sorting through rubble with people who had been strangers until the volunteers arrived and became family.

Young and old, Nebraskans from all across our State pitched in 2½ summers ago. One retired teacher would drive 180 miles every day round trip to serve in this community, helping people dig out of the rubble. One little girl sent \$70 in from her lemonade stand. Pilger became the town known as the town too tough to die.

When we are not coming together to help our neighbors, we are usually coming together to celebrate Husker football. Our team represents something much bigger than just a typical collegiate sports team. It is about toughness, and it is about community. The Bugeaters, as the Nebraska Cornhuskers were first known in the 1890s, started with a volunteer coach and now boast many Heisman Trophy winners, five national titles, and a sell-out streak that dates to October of 1962.

For those of you who think there are football teams in your States—and I say this with all due respect to the Presiding Officer, who comes from a State that has passable football—and

for those of you who think you are from States where football is taken seriously, there has not been a seat available to a game in Nebraska since October of 1962. Nebraska has had, by far, the biggest winning streak—the winningest team—over the course of the last half century in American college football.

Nebraskans know and love this team, not just because of the prowess on the field but because Nebraska football is the undisputed champion of Academic All-Americans in the country, having a 43-award lead over the second closest team in the history of Academic All-American Awards and American life.

That is Penn State, not North Carolina, that is in second place, I say to the Presiding Officer.

We live, we breathe, and we love our football team. After each Husker win, church attendance goes up, and crime goes down. Literally, for generations, half of the boys in Nebraska grew up wanting to play quarterback for Tom Osborne in the option offense. Why only half, you ask? It is because the other half wanted to play Blackshirts defensive football to smack the snot out of whoever was going to line up against the Huskers on a given Saturday.

Success on the field is great, but the real reason Nebraskans are so proud of this team is that the Cornhuskers embody the hard work, resolve, teamwork, passion, and sportsmanship of the Nebraska people. While these are the trademarks and hallmarks of our football, they are really the hallmarks of our community associations—of Nebraska's pioneers, of our farmers, our ranchers, our teachers, our small business men and women, our churches, and our Rotary clubs.

Do you know what? We could not be any more proud of that heritage. On this 150th anniversary, I join my senior Senator in saying, please, come visit, and "Go Big Red."

I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

Mrs. FISCHER. Mr. President, I ask unanimous consent to proceed as in legislative session.

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

Mrs. FISCHER. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 74, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 74) congratulating the State of Nebraska on the 150th anniversary of the admission of that State into the United States.

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

Mrs. FISCHER. Mr. President, I ask unanimous consent that the resolution

be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 74) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

Mrs. FISCHER. Mr. President, I yield the floor.

EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. The assistant Democratic leader.

PRESIDENT'S ADDRESS TO CONGRESS AND RUSSIA INVESTIGATION

Mr. DURBIN. Mr. President, last night, I joined most of the Members of Congress to hear President Trump give his first address to a joint session. His speech lasted about 60 minutes, and I listened carefully, as did everyone in the Chamber, to the President's first remarks from that historic setting as he addressed a joint session of Congress.

There were some omissions, which I found very interesting. Not once—not one time—in the course of an hour did President Trump ever say the word "Russia"—not one time—even though we have been told by 17 of our intelligence agencies that Russia made an overt effort to influence the outcome of the last Presidential campaign. That has never happened before in American history. A foreign country attacked the sovereignty of the United States in the election process for the highest office in the land. I think that is noteworthy. It is certainly historic. It would certainly be worth at least a mention when a President speaks to a joint session of Congress just a few months after that election. Instead, there was radio silence, mute button, crickets—nothing about Russia.

What do we have in terms of congressional response to the possibility that Vladimir Putin was trying to pick our next President? We have the suggestion by the Republican leaders in the Senate and the House that this matter should be taken up by the Intelligence Committees.

It sounds reasonable on its face. Having served on Intelligence Committees, I can tell you it is an awesome responsibility and assignment. I can also tell you we have some extraordinarily gifted, talented, patriotic members of those committees from both political parties in the Senate and in the House, but there is a fundamental flaw to this approach. If you went searching on Capitol Hill to find the room in which the Senate Intelligence Committee meets, you would come up empty. There is no sign on the door. It is basi-

cally kept clandestine, confidential, and secret. For 4 years, I entered that door, sat down in closed hearings, with no one from the public able to hear or even appreciate what we were doing. It is a lonely assignment—unlike any other committee on Capitol Hill.

I wonder: Is that what we want to do to explore the involvement of Vladimir Putin in our Presidential campaign—to go behind closed doors in secret and meet clandestinely? I think not.

There is an aspect of this that will require some intelligence gathering, some discussion of intelligence—and certainly that would be secret—but there is much more of it that is public in nature that will never be disclosed if we rely on the Senate Intelligence Committee. It is an invisible process, and that invisible process does not serve the needs of a democracy that wants the truth—the straight talk, the answers.

Secondly, the work of an Intelligence Committee ends up in a report that is classified, which means the public doesn't get to see it. We have seen some renditions of it—heavily redacted pages, where one or two words might escape being crossed out.

How do you move from a classified document on Putin's involvement in our Presidential campaign to a public document the people can understand? It takes declassification. Who makes the decision on whether we declassify the information from the Intelligence Committee investigation? The White House.

So, with the possibility—and I underline that word—with the possibility that some people in the President's campaign may or may not have been involved in this, the President has the last word as to the American people ever hearing the results of an Intelligence Committee report.

Many of us believe this is serious, and many of us believe there should be an independent, transparent commission, just like the 9/11 Commission. Let's call on people we respect, such as GEN Colin L. Powell, Sandra Day O'Connor, a former Supreme Court Justice, and many others just like them, who could get to the bottom of this and answer the basic questions: What were the Russians up to? We hear they had 1,000 trolls sitting in offices in Moscow dreaming up ways to hack into the computers and Internet of the United States and to disclose information to try to influence the outcome of the election. It is not a new tactic from Russia. They have done it over and over again.

The last couple of weeks I visited Poland, Lithuania, Ukraine. They know these tactics oh so well. Under Soviet times and since, Russia has tried to invade their space when it comes to election decisions—overtly, covertly, through propaganda, through cyber attacks. They have done it in many countries around the world. Sadly, they are

good at it. Now they have decided they can do it in the United States. They can decide who our President will be or at least try to. Are we going to take this sitting down?

November 8, 2016, election day, was a day that will live in cyber infamy in the United States. The Russians invaded the U.S. election process. The President of the United States spoke to the American people last night and never mentioned one word—not a single word—about this.

How many Republican Senators and Congressmen have come to the floor? I don't know about in the House, but I can tell my colleagues I know about the Senate. None. Not one has come to the floor to even address this issue.

So when President Trump ignored it last night, refused to even mention it, I wasn't surprised, but it is not going away. It is a fact.

We currently have an investigation underway in our intelligence agencies. I just met with former Senator Dan Coats of Indiana. He has been designated by the President to be the DNI—the Director of National Intelligence. He made a statement publicly yesterday before a hearing in Congress that he is going to cooperate with the committees and with Congress in disclosing information they have accumulated in our intelligence agencies as to this Russian involvement in our election.

We also know the Federal Bureau of Investigation is involved in this same exercise to find out exactly what happened and to disclose as much as possible and take action—prosecutorial action—if necessary.

There is a problem, though. The Federal Bureau of Investigation works for the Attorney General. The Department of Justice has the power to impede or stop any FBI investigation. Our former colleague Jeff Sessions was deeply and personally involved in the Trump Presidential campaign. He should recuse himself. He has an obvious conflict of interest on this issue. For the integrity of the office and for his own personal integrity, he should step aside and appoint a special prosecutor who can follow up, if necessary, with this FBI investigation.

This is a serious matter that was not addressed at all last night by the President of the United States speaking to a joint session of Congress.

The Associated Press went through some of the claims that were made by the President last night, and I want to give them credit for their homework on this. It is important for the RECORD that some of the things the President said be explained.

The President said:

According to the National Academy of Sciences, our current immigration system costs American taxpayers many billions of dollars a year.

The Associated Press writes:

That's not exactly what the report says. It says immigrants "contribute to government finances by paying taxes and add expenditures by consuming public service."

The report found that while first-generation immigrants are more expensive to governments than their native-born counterparts, primarily at the state and local level, immigrants' children "are among the strongest economic and fiscal contributors in the population." This second generation contributed more in taxes on a per capita basis, for example, than non-immigrants in the period, 1994-2013.

The report [that the President unfortunately mischaracterized] found that the "long-run fiscal impact" of immigrants and their children would probably be seen as more positive "if their role in sustaining labor force growth and contributing to innovation and entrepreneurial activity were taken into account."

So to argue, as the President did yesterday, that the National Academy of Sciences, as he said, stated that our current immigration system costs American taxpayers many billions of dollars is, at best, incomplete and misleading.

The President then went on to say during the course of his speech last night:

We've saved taxpayers hundreds of millions of dollars by bringing down the price of the F-35 jet fighter.

I remember when he said that.

The Associated Press says as follows:

The cost savings he persists in bragging about were secured in full or large part before he became President.

He has taken credit for something he didn't do.

According to the AP:

The head of the Air Force program announced significant price reductions in the contract for the Lockheed F-35 fighter on December 19—after [candidate] Trump, [President-Elect Trump] had tweeted about the cost but weeks before he met with the company's CEO.

The AP goes on:

Pentagon managers took action even before the election to save [this] money. . . . Richard Aboulafia, an analyst with the aerospace consulting firm Teal Group, said there is no evidence of any additional cost savings as a result of President Trump's actions.

Here is another statement made by the President last night:

We will provide massive tax relief for the middle class.

I remember that one. That is something I hope we all can aspire to, but let me tell my colleagues what the Associated Press says about that claim.

Trump has provided little detail on how this would happen. Independent analyses of his campaign tax proposals found that most of the benefits would flow to the wealthiest families. The richest 1 percent would see an average tax cut of nearly \$215,000 a year, while the middle one-fifth of the population would get a tax cut of just \$1,010, according to the Tax Policy Center, a joint project with the Brookings Institution and Urban Institute.

Here is another statement the President made last night:

Ninety-four million Americans are out of the labor force.

The Associated Press says:

That's true, but for the vast majority of them, it's because they choose to be. That 94 million figure includes everyone aged 16 and older who doesn't have a job and isn't looking for one. So it includes retirees, parents who are staying home to raise children, high school and college students who are studying rather than working.

They are unlikely to work regardless of the state of the economy. With the huge baby boomer generation reaching retirement age many of them retiring, the population of those out of the labor force is increasing and will continue to do so, most economists forecast.

It's true that some of those out of the workforce are of working age and have given up looking for work. But that number is probably a small fraction of the 94 million President Trump cited.

Another statement the President made: He said his budget plan will offer "one of the largest increases in national defense spending in American history."

I will not dwell on this other than to say that the absolute number—a \$54 billion increase, or about 10 percent, is the largest single number. On a percentage basis, there have been larger increases in previous years, like 2002, 2003, and 2008.

Here is another claim made by the President last night:

Since my election, Ford, Fiat-Chrysler, General Motors, Sprint, Softbank, Lockheed, Intel, Walmart, and many others have announced they will invest billions of dollars in the United States and will create tens of thousands of new American jobs.

The Associated Press reports that "many of the announcements reflect corporate decisions that predate [Trump's Presidential] election," making it unlikely his administration "is the sole or even primary reason for the expected hiring. . . . In the case of Intel, construction of the Chandler, Arizona, factory referred to by Trump actually began during Barack Obama's presidency. The project was delayed by insufficient demand for Intel's high-powered computer chips, but the company now expects to finish the factory within four years because it anticipates business growth."

Another statement made by President Trump last night in his speech:

We will stop the drugs from pouring into our country and poisoning our youth, and we will expand treatment for those who have become so badly addicted.

The facts:

Addicts and mentally ill people who gain access to treatment programs for the first time as a result of ObamaCare—the Affordable Care Act—are worried about repeal that President Trump has called for. Repeal could end coverage for 1.8 million people who have undergone addiction or mental health treatment, cut \$5.5 billion on spending on such services according to estimates by economist Richard Frank, a former administration official under Barack Obama, now with the Harvard Medical School.

The AP goes on to say:

The key question is what will happen to Medicaid as a result of changes Republicans are pursuing? Broadly speaking, Republicans want to transform the health insurance program for low-income people from an open-ended Federal entitlement to a system that provides States with a limited amount of financing and gives them latitude on how to spend it.

The AP goes on to say:

If Congress is too stingy with State allotments, States would be hampered dealing with the emergencies like the opioid epidemic.

The next statement by President Trump last night:

According to data provided by the Department of Justice, the vast majority of individuals convicted for terrorism-related offenses since 9/11 came here from outside of our country. We have seen the attacks at home, from Boston to San Bernardino to the Pentagon, and yes, even the World Trade Center.

The Associated Press responds:

It's unclear what Justice Department data the President is citing. The most recent government information that has come out doesn't back up his claim. Just over half the people President Trump talks about were actually born in the United States, according to Homeland Security Department research. That report said of 82 people the government determined were inspired by foreign terrorist groups to attempt to carry out an attack on the U.S., just over half [of them] were [born in the United States] native-born citizens.

The AP goes on to say:

Even the attacks Trump singled out weren't entirely the work of foreigners. Syed Rizwan Farook, who along with his Pakistani wife killed 14 people in the deadly 2015 attack in San Bernardino, California, was born in Chicago.

It's true that in the immediate aftermath of September 11, the FBI's primary concern was with terrorists from overseas feared to be plotting attacks in the United States. But that's no longer the case. The FBI and Justice Department have been preoccupied with violent extremists from inside the U.S. who are inspired by the calls to violence and mayhem of the Islamic State group. The Justice Department has prosecuted scores of Islamic State-related cases since 2014, and many of the defendants are U.S. citizens.

Another statement by President Trump last night:

ObamaCare is collapsing . . . imploding. Obamacare disaster.

The AP writes:

There are problems with the 2010 health care law, but whether it's collapsing is hotly disputed.

One of the two major components of the Affordable Care Act has been a spike in premiums and a drop in participation from insurers. But the other component, equally important, seems to be working fairly well, even if its costs are a concern.

Trump and congressional Republicans want to repeal the whole thing, which risks leaving millions of people uninsured if the replacement plan has shortcomings. Some critics say GOP rhetoric itself is making things worse by creating uncertainty about the future.

The health law offers subsidized private health insurance along with a state option to expand Medicaid for low-income people. To-

gether, the two arms of the program reach more than 20 million people.

Republican governors whose states have expanded Medicaid are trying to find a way to persuade Congress and the administration to keep this expansion, and maybe even build on it, while imposing limits on the long-term costs of Medicaid.

While the Medicaid expansion seems to be working, the markets for subsidized health insurance are stressed in many states. Also affected are millions of people who buy individual policies outside the government markets, and face the same high premiums with no financial help from the health law. Larry Levitt of the nonpartisan Kaiser Family Foundation says "implosion" is too strong a term. An AP count found that 12.2 million people signed up for this year, despite the Trump administration's threats to repeal the law.

I might add, that it is despite all of the speeches made on the floor of the Senate and the House, promising that it would be repealed as well.

The last point I want to make is this. I was troubled last night by a recurring theme in the President's speech. It was a theme about immigration in the United States. We are a nation of immigrants. My mother was an immigrant to this country. I am proud to serve as a Senator from the State where she and her family settled. I am proud of the struggle they went through—coming to this country, not knowing the language, going through some pretty rough times, facing poverty, taking the dirtiest and toughest jobs. Because of that, the second generation of my family—the one I represent—has brought some great people to this world in our own families and perhaps even added to the benefits of the United States for others.

Last night, if you listened to the characterization of immigrants, it was negative, virtually from start to finish.

In the audience last night, I had a young lady as my guest. She is an extraordinary lady. Her name is Aaima Sayed. She is Pakistani, and she was brought to the United States at the age of 3 by her parents from Pakistan. They settled in Chicago and eventually moved to New Jersey. It turns out the family had its difficulties and the mother and father split and separated. When the father left, he left behind his paperwork—which was in place or at least in the process—of trying to legalize the presence of his family, and nothing was done.

It wasn't until she was in high school that this young lady realized that she was undocumented. That creates obstacles for any young person. In her case, a special obstacle was the cost of higher education. As an undocumented child in America, she didn't qualify for government assistance—Federal Government assistance—and limited State assistance. Yet she aspired to go on to school and to borrow the money, if necessary, at high interest rates from private sources in order to finish her education. She graduated from Rutgers

University magna cum laude and then wanted to go to medical school.

There weren't many medical schools accepting undocumented students, but there was one. I am proud to tell you that it was Loyola University of Chicago, the Stritch School of Medicine. There were about 65 undocumented young people in medical school in the United States, and 30 of them were at Loyola in Chicago. I have met most of them. Each and every one of them is more inspiring than the next.

They opened up the competition. They didn't give them slots to fill. They said: Compete with everyone. These students were so outstanding from across the United States that they made it to Loyola.

This young lady, in her third year, faces another 6 years of education before she completes her medical degree. When she is finished with those 6 years, it isn't over. In Illinois, we told her she could go to school, but it was part of a contract. She could attend school, and we would reduce the interest payments at a later part in her life if she gave us 1 year of service in an underserved community in Illinois for each year of medical school. She has 6 years of school left and 4 years of serving in a rural community or an underserved neighborhood clinic in the city of Chicago or nearby.

She signed up for it. She is an amazing young person. She is determined to get this medical degree—despite the debt, despite the obstacles. The only reason she can do this is because she is protected by something called DACA.

Let me explain. Some 16 years ago, I introduced a bill called the DREAM Act. It said that if you were brought to the United States, like she was, under the age of 16, you had a good life, no criminal record or history of a problematic nature, and completed your education, you can stay in the United States and eventually work your way toward legalization.

President Obama took it up and created an Executive order called DACA and said to the young people in that situation: Come and apply, pay a \$600 filing fee, then go through a criminal background check, and if you make it, we will give you 2 years to live in the United States without fear of deportation, with a work permit.

She signed up. That is how she can go to medical school. You need to work to go to medical school. She is going through a clinical experience where she is actually working in these hospitals. Without a work permit, she wouldn't be able to complete medical school.

The obvious question is this: What is going to happen to this program under President Trump? In fairness, the President has said positive things about DACA and DREAMers. I thanked him personally. I have only met him three times, but I thanked him personally twice for doing that. I hope that it

means that ultimately there will be some path for the 750,000 young people, just like her, who are simply asking for a chance to be educated and be part of America's future.

I hope that, as people who listened to the speech last night think about immigrants to the United States, they will think about this young woman, as well, who has worked so hard her entire life to better herself and to be able to help others at a later point in life.

She is an extraordinary person, and there are so many more just like her. They are immigrants to this country. In this case it is Muslim immigrant to this country who someday will be an exceptional doctor, who is going to give 4 years of her life back to my home State and then is going to help others all across the United States. That, to me, is an image of immigrants that shouldn't be lost with the negative connotations that were raised last night.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

MINERS PROTECTION ACT

Mr. MANCHIN. Mr. President, I rise today to call for immediate action on the Miners Protection Act. Today, as we sit here, 22,600 miners have received letters. This is a copy of the letter, and I am going to read it to you. This is a letter they received today letting them know their healthcare benefits will be terminated at the end of April. This letter basically says:

The UMW 1993 Benefit Plan notified you in December 2016—

This is one of multiple letters they received. Can you imagine getting a 4-month extension? Then by law you have to have 90 days before they can terminate you. Every time you get an extension, within 30 days you get another letter saying you are going to be terminated. That is the inhumane treatment our retired miners and mostly widows are receiving—

that the U.S. Congress had passed the Continuing Health Benefits for Miners Act, which provided for the transfer of federal funds to the Plan to cover the health care benefits you receive through April 30, 2017. The Plan cautioned that further Congressional action would be necessary in order for the Plan to provide health care coverage to you after April 30. At this time, Congress has not taken the action needed to continue your benefits. Unless Congress acts before the end of April, the 1993 Benefit Plan will not be able to provide you with the health benefits that you have been receiving from the 1993 Plan, and those benefits will terminate effective May 1, 2017. In addition, your Funds' Health Service Card will no longer be valid.

Can you imagine a 75- or 80-year-old woman—a lady, a widow—who has lost her husband, probably because of black lung, and all the work he did for our country and for himself and his family, and she has received that three times or more now—not knowing what in the

world or why they can't do something that we promised, something that was done in 1946, where the Krug amendment and the Krug act basically said that we would take care of our miners so that they would have permanent healthcare and a pension. It was not done by taxpayers' dollars. It was done by the coal they mined. For every ton of coal, there would be so much set aside. Then we had the bankruptcy laws happen in the 1980s, which basically destroyed a lot of companies for paying into it. Then we had the crash of 2008, which took it further down.

Now we stand here today, and we have a fix coming out of the AML, the abandoned mine lands, coming, again, from coal that was mined to pay for the miners' pension and benefit plan, and we can't get it done.

I will tell you, if that piece of legislation was allowed to be voted on tonight, we would have well over 60 votes, bipartisan. My Republican colleagues and all of our Democrat colleagues here understand the importance of the working people.

President Trump is speaking about this every time. Last night he shouted out to miners. I was so pleased. I have not heard that since I have been here—anyone saying: Thank you for the job you have done. We are not leaving you behind. You have given to this country the country we have, the superpower of the world. You have produced the energy through the toughest of times, and we appreciate that.

I was very, very appreciative to see that type of recognition. I can't tell you how much more appreciative I would be right now to see us as a bipartisan group—Democrats and Republicans—standing up for the working people that we talk about every day and saying: Listen, as to the pension guarantee act, which basic to the Miners Protection Act, we are going to pass that. We are going to put this aside. We don't have to worry about this anymore. We have done it.

That is all we are asking for. Everybody who has joined me in this journey understands that we are all fighting for the working people, which is what we were sent here to do, from your wonderful State of South Carolina to my beautiful State of West Virginia. They depend on us. The retired miners are walking our halls. Maybe you have seen them. If not, I am sure they will come by and say hi to you. They are very appreciative of the consideration we are all giving them. They are hoping we finally get this done.

I am doing it for them and for their families and what they have done for our country. The 4-month extension is not even humane. I have said that. My reason for saying that is that these people can't comprehend it. I can assure you that, when I go back to my office after I leave the floor, I will get phone calls: JOE, they are going to take

my healthcare again. What am I going to do?

I keep saying: Ma'am, please, trust us; hold tight.

We could have had this fixed before. We kicked the can down the road 4 months. Now I have been told—and we all seem to accept it—that they are going to do a permanent healthcare fix. I am appreciative of that. The bottom line is that we have pensions out there hanging, which is going to be a bigger albatross around us if we don't something, and we have a chance to fix it all and put that aside.

I spoke to President Trump, and I am hopeful that he will speak out on this, and he has spoken out. He has told me that he supports it.

I said: Please, Mr. President, speak to our friends on the other side—our leadership—and let them know how much you support this, and let us put this behind us because we can fix it once and for all.

We were told to get a legislative hearing, and we did that. We were told to go through regular order. We went to the Finance Committee, and it was passed out—bipartisan, overwhelmingly bipartisan.

I know we have the 60 votes. I was told we have to reintroduce it again. So here we are. I reintroduced it, and we have bipartisan support again. We are ready to go.

Why do we put these people through this type of agony? I don't know. We have so many other challenges, and we have to come together. This is one we have already agreed we are together on and can't move it.

I know you have always been a dear friend and supportive, and you know the hard work our people have done, and I appreciate that. However, it is time to act. It is time to get this done. If we wait until April, that is exactly when our continuing resolution is coming up, and, basically, we have no budget to work off of. So we have to do another extension until we can get something more permanent. They could get caught up in that CR again. We are going to say: We are sorry; we couldn't get it done, but we will give you another 2, 3, or 4 months.

I can't go home and continue to tell these wonderful people who have been so good and so patient that I am sorry, but we just have to wait another few months.

When is enough enough? When are those few months going to be up and we do the right thing? I am asking all of you; I am asking all of my colleagues: Please, this is one time when we can do something and feel good about it and go home over the weekend and go back to our constituents and tell them that this one is finished, that we fixed this.

I am asking for that vote. I would encourage all of my colleagues to do the same, to speak to the leaderships to

make sure that we can move the miners protection and make sure the miners get the healthcare and the pension benefits they were guaranteed and they have been promised and which has been kept until now, and that we are not going to let them down.

With that, Mr. President, I thank you, and I thank all of my colleagues for the support we have been receiving. I am asking the majority leader to please let us have this vote and put it on the floor. Let's go from there and see what happens. I am willing to do that.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. COTTON). Without objection, it is so ordered.

Mrs. MURRAY. Mr. President, I ask unanimous consent to speak as in morning business.

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

FAMILY PLANNING PROVIDERS

Mrs. MURRAY. Mr. President, thank you, and thank you to some of my colleagues who are going to be joining me on the floor this afternoon.

The day after President Trump was inaugurated was one of the most inspiring I have ever gotten a chance to be part of. Millions of people, men and women, marched in Seattle, in Washington, DC, and in cities and towns in between. They carried signs, they chanted, and they made it absolutely undeniably clear that when it comes to women's rights and healthcare, people across the country do not want to go backward. Since then, they have continued to speak up and stand up.

But we are here today because Donald Trump and Republicans in Congress simply are not getting the message. I want to discuss one crucial example in particular—the possibility that in a matter of days, Senate Republicans could roll back a rule protecting family planning providers from being discriminated against and denied Federal funding.

Let me start by explaining a bit about what family planning providers mean to our community. These providers—part of the Title X program, which has bipartisan history—deliver critical healthcare services nationwide but are especially needed in rural and frontier areas. In 2015 alone, Title X provided basic primary and preventive healthcare services, such as Pap tests, breast exams, birth control, and HIV testing, to more than 4 million low-income women and men at nearly 4,000 health centers. In my home State of Washington, tens of thousands of patients are able to receive care at these

centers each year. They often have nowhere else to turn for healthcare. In fact, 4 out of 10 women who receive care at health centers funded by Title X consider it to be their only source of healthcare.

Taking resources away from these providers would be cruel. It would have the greatest impact on women and families who are most in need. But that is exactly what the law passed in the House, which is now on its way to the Senate, would mean. It would undo a valuable effort by the Obama administration to ensure that healthcare providers are evaluated for Federal funding based on their ability to provide the services in question, not ideology. In doing so, the bill would make it even easier for States, led by extreme politicians, to deny family planning providers Federal funding, not because of the quality of the care they provide or the value to the communities they serve but based on whether the politicians in charge agree that women should be able to exercise their constitutionally protected rights to safe, legal abortion.

It is the 21st century. It is time for politicians to stop telling women what they can and can't do with their own bodies. That is what the women and men who have been marching and speaking up all over our country believe. That is what I believe. It is what Democrats believe.

If Leader McCONNELL thinks he can rush this harmful legislative effort through without a fight, we are here to say he is wrong. He can expect Democrats and maybe even some Republicans who are concerned about losing healthcare providers in their own States to fight back. So today I am calling on the leader to commit right now to drop this effort and agree not to bring this bill to the floor. It is well past time that extreme Republicans end their damaging political attacks on women. I think the opportunity to start that is right this minute. So we urge him to take this action and not bring this to the floor. We want him to know that we are going to fight back every step of the way if he does.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I came to the floor to join my colleague and friend Senator MURRAY to say that I, too, am ready for this fight to oppose S.J. Res. 13, which would allow the discrimination against Title X family planning providers. This is a misguided measure that would leave millions of women and families with fewer healthcare options. It would drastically decrease women's access to basic primary and preventative health services, including lifesaving cancer screenings and HIV testing.

Make no mistake, as Senator MURRAY said, the primary target of this

legislation is Planned Parenthood. For years now, Republican leaders in Congress have tried to keep women from choosing Planned Parenthood as their healthcare provider—this at a time when Planned Parenthood serves millions of women nationwide, including nearly 12,000 women in New Hampshire, my home State. Most of the women in New Hampshire have incomes below or near the poverty line. Many of those women live in rural areas where they don't have other options for healthcare coverage.

The sad irony of this attack on Planned Parenthood is that study after study has shown that cutting back access to birth control and to other family planning methods actually increases the number of abortions. So I understand that opponents are interested in supporting this legislation because they think Planned Parenthood provides abortions, but the coverage Planned Parenthood is providing to women in New Hampshire and across this country with Federal dollars does not allow for abortions. So what we are doing is taking away women's access to contraception and to other family planning services and saying: You have no choice now.

More than ever right now, facts matter. Research matters. Talking away women's access to birth control and family planning will lead to more abortions, not fewer abortions. Yet this legislation is part and parcel of a broader national campaign against Planned Parenthood, whose clinics have been the target of vilification, of threats, and of violence. In October of last year, the Planned Parenthood clinic in Claremont, NH, was vandalized not once but twice. The second attack, a breaking-and-entering incident, caused extensive damage. It forced the clinic to close for 5 weeks.

I have great admiration for the courage of doctors and other healthcare providers at the Claremont clinic. Despite threats and attacks, they are determined to continue serving women across the Connecticut River Valley, many of whom have no alternative to the Claremont clinic. They are typical of the dedicated healthcare professionals at Planned Parenthood clinics all across our country.

The good news is that, according to poll after poll, the American people across the political spectrum—from Independents, to Libertarians, to Democrats, to Republicans—strongly support Planned Parenthood and oppose efforts to take away women's ability to choose Planned Parenthood as their healthcare provider.

At last night's Presidential address to Congress, I was honored to have as my guest Jennifer Frizzell of Planned Parenthood of Northern New England. Jen knows exactly what is at stake for

women if President Trump and Republican leaders succeed in closing hundreds of Planned Parenthood clinics across the United States.

So let's be clear again: Supporting family planning clinics is not about abortion, which by law is never funded by taxpayer dollars—something that I think is often misrepresented by some of our colleagues here in Congress. What this is about is ensuring that American women have access to the basic healthcare they need. For 40 percent of women, their visits to a family planning center is the only care they receive annually. In 2015 alone, Title X provided basic primary and preventive healthcare services, such as Pap tests, breast exams, birth control, and HIV testing, to more than 4 million women and men at nearly 4,000 health centers.

I am sure that every one of our colleagues is receiving letters and emails and phone calls from constituents on this issue. They are pleading with us not to take away their access to Planned Parenthood and the healthcare they trust and depend on.

I received this message from Caitlin Parnell of Hampstead, NH. She said:

As a young mother of a 2-year-old, my husband and I knew we wanted to wait to have more children. We were both working full time but barely making ends meet. The companies we worked for offered health insurance, but they were small companies, and the monthly cost was well more than we could afford. So we went without. With no insurance, I turned to Planned Parenthood for birth control. With the sliding pay scale, I was able to get exams and birth control within my budget. We were able to decide the best time to have more children, which also allowed us to responsibly manage our finances as well. An unplanned pregnancy at that point would have destroyed the little financial stability we had. I don't know where our family would be without Planned Parenthood.

Karla Canderhoof is a stay-at-home mother in Newfields, NH. She wrote this:

After being diagnosed with ovarian cyst issues that caused debilitating pain, I turned to Planned Parenthood for treatment. In my case, the treatment for ovarian cysts was birth control. At the time (during my college years) I could not afford the cost of birth control due to my lack of insurance. But Planned Parenthood gave me birth control free of charge.

Amanda Arel of Rochester, NH, sent this message:

During the ages of 22 to 25, I utilized Planned Parenthood for my annual exams and birth control. As I did not have insurance and was in college, I was not able to afford most medical care. Planned Parenthood not only provided me with essential care, they made it very comfortable for me and were very knowledgeable and answered any questions I had. They provided birth control for me that, if it wasn't for them, I would not have been able to get, at a cost I could afford.

I still support Planned Parenthood because they provide safe, affordable healthcare for all, and that is so important.

We need to listen to our constituents, those who are speaking out in passionate support of Planned Parenthood and other family planning clinics.

As Senator MURRAY said so eloquently, this is about respecting women's access to healthcare services, including those millions of vulnerable women who have nowhere else to turn for essential care. This is also about respecting women's constitutionally protected right to make our own reproductive choices. We must not allow Congress to strip away Federal investments in family planning clinics by allowing States to discriminate against providers like Planned Parenthood.

I urge our Republican colleagues, don't bring S.J. Res. 13 to the floor. If it does come to the floor, I certainly intend to join in the fight with my colleagues—Senator MURRAY, Senator BLUMENTHAL, and so many other Democrats and, I believe, Republicans—to defeat this legislation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I am proud and honored to follow my very distinguished colleague from New Hampshire, Senator SHAHEEN, and Senator MURRAY of Washington in this cause which invokes a line that I think the President used last night in his address to us, pledging cooperation for causes where we can make a common cause.

Surely no cause is more important than healthcare, no goal is more important than preventive services for women so we can all avoid the costs not only in dollars and cents but the cost of human suffering and foreclosed futures that will come when women are denied these kinds of basic services.

I met this morning with a group from Planned Parenthood, patients and providers working in clinics across New England. They told me their story—some of them patients, some of them service providers and volunteers—about the kind of transformative effect that primary care, examinations and screenings, can have for women who would otherwise lack those services. The community health centers cannot substitute for them.

Family planning programs under title X are often the only Federal programs dedicated to providing comprehensive services in family planning but also in related preventive health services.

Over the past year alone, title X providers have provided cancer and HIV screenings, contraceptive services, and other primary and preventive services to over 4 million women and men at nearly 4,000 health centers in New England and across the country. This network of healthcare providers is a safety net. They compose a network, the title X network, including providers of State and local health departments,

federally qualified health centers, and family planning councils. They create a network that provides a critical source of healthcare to people who otherwise would be denied it. They are trusted providers who are willing to serve the uninsured, the uninsured and low-income individuals who risk losing all access to healthcare if it was not for this network.

These clinics are often the only healthcare providers in rural areas and other parts of the country. So the political attacks on providers that provide abortion services would mean a loss of access to all family planning and preventive healthcare in these parts of the country—rural, metropolitan, suburban. Not only are these services necessary, but family planning services are really good investments, especially when it comes to the money that otherwise would be spent when illnesses or diseases become more serious.

In 2010, the \$1.14 billion that was spent in this country on family planning resulted in more than \$8 billion in gross savings. That is a clearly worthwhile investment.

The resolution that passed the House last month that Senator MCCONNELL is considering bringing to the Senate floor would eliminate protections that prevent discrimination against these very providers, discrimination based on facts or sometimes nonfacts that have nothing to do with the quality of care or the worthiness of the investment in these clinics and healthcare providers.

The regulation that Republicans are seeking to eliminate ensures that no qualified providers will be excluded from eligibility for Federal funding for discriminatory reasons outside of that provider's ability to provide care. That is really the criterion that matters. The ones who want to eliminate this regulation apparently would rather risk limiting access to healthcare in order to score political points. Unfortunately, it is really that simple.

At a time when Republicans continue to try to push ahead with repealing the Affordable Care Act, which also includes essential support for preventive healthcare, they also want to disrupt the country's healthcare system for this kind of women's healthcare.

Just last night, after President Trump claimed he wanted to work with Members of both parties to invest in women's health, we are threatened with this step to eliminate an important regulation that protects women's health. I ask the President and my colleagues across the aisle to join in this common cause, which should unite us on a bipartisan basis. If they want to continue these attacks, we are ready for the fight, but we would much rather cooperate and collaborate in the cause of women's healthcare.

I urge my Senate colleagues to listen to the kind of providers and patients whom I met with this morning, the

kind of provider that Senator SHAHEEN brought with her last night as her guest, the kind of providers and patients and volunteers who work in these clinics all across the country, whether it is Planned Parenthood or other kinds of clinics. I ask them to listen to the advocates here, supporters, like the National Coalition of STD Directors, the National Campaign to Prevent Teen and Unplanned Pregnancy, the American Psychological Association, the National Association of County and City Health Officials, the ACLU, and the American Medical Student Association. They are just a few of the stakeholders who advocate strongly that this regulation be continued and who oppose the step the House passed and that the majority leader may bring to the floor.

These people have dedicated their lives and their careers to assisting the vulnerable, whether they are providing healthcare or legal services or other kinds of support, and they are saying to us: Do not eliminate this regulation. I think we ought to listen to them. I hope my colleagues will.

I am determined that we will fight tooth and nail if we need to do so, but I would much rather that we follow the President's offer and that we collaborate to stop the elimination of this regulation, which is so important to making sure that women's healthcare is based on quality, not on discriminatory reasons based on political motive.

The PRESIDING OFFICER. The Senator from Maine.

Mr. KING. Mr. President, I rise to oppose S.J. Res. 13, which is a Congressional Review Act resolution to undo the regulations which protect title X health centers. I believe this resolution, although well meaning, will have the opposite effect of its intention.

I particularly want to discuss the organization known as Planned Parenthood, but, more generally, these women's health centers, these title X health centers, No. 1, provide many healthcare services to women, particularly low-income women. They are the choice of those women. They are a place they have chosen to go to receive their healthcare treatment.

I do think that one of the problems with this whole debate is the use of the term "funding" of Planned Parenthood. What we are talking about here is not funding, as in a budget line or a budget provision that says: Planned Parenthood gets \$58 million or \$100 million or \$10, whatever it is. That is not the way it works. What we are talking about is reimbursement for women's healthcare services provided on an individual, case-by-case basis, and this does not include abortion. It does not include abortion.

These organizations in Maine—Planned Parenthood, for example, serves 10,000 people. Ten thousand women choose to get their healthcare services from Planned Parenthood.

The other piece of this debate I have never understood is why those who are opposed to abortion would be so opposed to organizations that allow women to make choices about pregnancies and provide contraception and contraception advice, which statistically we know reduces abortion.

In Maine, because of the access to organizations like Planned Parenthood and other women's healthcare clinics, we have seen our teen pregnancy rate drop 58 percent in the last 20 years or so—58 percent. That is a significant reduction, and it is attributable, at least in some significant part, to the availability of the services provided by these organizations.

It has always struck me as ironic, in the extreme, that someone who says they are against abortion should be against an agency that provides contraception and family planning services that prevent pregnancy and therefore prevent abortion.

I subscribe to President Clinton's formulation that abortion should be safe, legal, and rare. It should not be something that is chosen just casually—and of course it isn't. This is a terribly difficult decision for a woman, but that is not the subject today. The subject today is curtailing the reimbursement for women's healthcare services to an organization or organizations that may also provide abortion services.

It is contrary to the very idea of trying to prevent abortion, but it is also denying healthcare services of choice to thousands of women in Maine and millions across the country.

I have sat in this body for 4 years and heard people talking about how consumers and patients should be able to choose their physicians, they should be able to choose their healthcare options. This was a basic principle. It is one of the arguments we have heard as we have been discussing other healthcare issues in this body. This Congressional Review Act provision would take away that choice. I think that is a great disservice to those citizens, many of whom are low income, many of whom are covered by Medicaid, many of whom do not have private health insurance. To take this step that this resolution would entail would be very shortsighted, and I believe it is a violation of the rights of those people to choose their healthcare providers.

It also does not achieve the ends that the sponsors want to achieve. That is why I believe that this resolution—although it may be denominated as something to do with being anti-abortion, I think it is just the opposite. If this resolution passes and these healthcare centers under Title X, including Planned Parenthood, are unable to deliver these services, there will be more unwanted pregnancies and more abortions. I think that is a sad and unfortunate outcome to be perpetrated by people who say they are trying to oppose abortion.

Planned Parenthood provides women's healthcare services. It provides contraceptive services. I know the people in Maine who work for this agency, and I know this is a terribly controversial issue, but I believe that if what we want to do is minimize the number of abortions, then it makes no sense whatsoever to somehow indiscriminately strike out at the funding of the agencies that provide healthcare services.

Nobody in this body is talking about Federal funds for abortion. That is not what the issue is. If that were the issue, this would be an entirely different debate. The issue is taking reimbursement away from the Planned Parenthood clinic or Title X clinic for mammograms, cervical exams, or other women's healthcare services. Why would we want to do that in the name of achieving some other goal that won't even be achieved? In fact, it will be made a more widespread issue.

I hope the Senate will realize that whatever the motivation behind this provision is, it just makes no sense. It makes no sense from the point of view of preventing abortion. It makes no sense in terms of the taxpayers. Preventive services, contraceptive services, cost about \$200 a patient; a Medicaid birth costs about \$10,000. If it is a Medicaid patient, those are taxpayer dollars. We are talking about saving taxpayers money.

This goes to the healthcare system in general: Why would we want to undo prevention, whether prevention of unwanted pregnancies or prevention of a disease? Prevention is part of the solution to the healthcare crisis in this country because of the excessive cost.

Here is a specific case. Again, we are not talking about funding abortions. We are not talking about funding Planned Parenthood. We are not talking about funding these Title X health centers. We are talking about protecting them in terms of their reimbursement for women's health services delivered. That is what this vote is about. If you vote for this, you are voting to take away reimbursement for health services that are necessary to protect the health and well-being of women across this country.

I hope my colleagues will vote no on this resolution, and I believe it will serve the public and it will even serve those people who are concerned most deeply—and I understand—about abortion. If you want fewer abortions, fund Planned Parenthood. It seems to me that is a fairly clear correlation, and it is one we should respect. But we also should respect the rights, needs, and choices of those millions of women who rely on these clinics for their healthcare needs aside from the issue of reproductive rights, just straight healthcare needs. That is what this vote is all about.

Thank you, Mr. President.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. TOOMEY). Without objection, it is so ordered.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent to speak for up to 15 minutes as in morning business.

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

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, I am here today for the 158th time to ask this Chamber to wake up to the mounting evidence of climate change. The sad truth is that, in Congress anyway, this issue has turned starkly partisan thanks to a torrent of dark political money that the fossil fuel industry uses to both threaten and reward the Republican Party in a dirty, dark money game of stick-and-carrot. Republicans in Congress ignore climate change for the simple reason that the fossil fuel industry has become their political life support system. It does not have to be this way.

Outside this Chamber, even Republicans see things very differently. In the investment sector, where people have to make decisions based on real facts and where duties to shareholders limit overly creative accounting, the Republican signal is clear.

An impressive group of Republican former Treasury Secretaries and Republican former Presidential economic advisers recently proposed a conservative, market-based climate solution. Republican Presidents trusted these folks with the conduct of the U.S. economy. Jim Baker was Secretary of the Treasury under President Reagan, Hank Paulson was Secretary of the Treasury under President George W. Bush, and George Shultz was Secretary of the Treasury under President Nixon, in addition to other distinguished offices that they held. Joining those three were Martin Feldstein, Chairman of President Reagan's Council of Economic Advisers, and Greg Mankiw, who held that position for President George W. Bush; Rob Walton, the former chairman of the board of Walmart, the world's largest retailer and employer; and Tom Stephenson from Sequoia Capital, the venture capital firm out in Silicon Valley. This Republican group proposed a "carbon dividends" plan. It combines a carbon tax on fossil fuels—which reflects harm from carbon emissions which market economics ordinarily requires to be built into the price of the product—with a big dividend returning all of the revenues to the American people, and a reduction of regulations, which may be mooted

by a good enough carbon fee. This idea is actually not so different from my own American Opportunity Carbon Fee Act.

In their report, they all note that the "mounting evidence of climate change is growing too strong to ignore." Many would say that it grew too strong to ignore a good decade ago, but it is important that these Republican leaders have acknowledged this.

They also said: "Economists are nearly unanimous in their belief that a carbon tax is the most efficient and effective way to reduce carbon emissions."

This report lines up with many other Republicans outside Congress who support a revenue-neutral carbon fee. It is the favorite climate solution in conservative economic circles. Indeed, it is the only widely accepted climate solution among Republicans.

The Niskanen Center, a Libertarian think tank that spun off from the Cato Institute, last month wrote this:

The case for climate action is now so strong that one would be hard-pressed to find a serious academic economist who opposes using market forces to manage the damage done by greenhouse emissions.

Like the Treasury Secretaries, economists and investors throughout the financial community are saying loud and clear: We can no longer ignore climate change.

Goldman Sachs, for instance, in 2015 did a report on the low-carbon economy. It was called: "Goldman Sachs equity investor's guide to a low carbon world, 2015-2025." So unless somebody here is going to say that Goldman Sachs is in on the hoax, Goldman Sachs is taking this pretty seriously.

Last year, the investment firm BlackRock, with more than \$1 trillion in assets under management, issued a report titled: "Adapting Portfolios to Climate Change."

I don't think investors trust \$1 trillion to a firm that falls for hoaxes. BlackRock, like Goldman, knows that climate change is real and is helping its investors plan for the economic fallout.

BlackRock warns in its report: "Investors can no longer ignore climate change. . . ." Parenthetical editorial comment: That is the job of Republicans in Congress.

BlackRock also had something to say about a price on carbon. They said this: "Higher carbon pricing would help address [externalities from fossil fuels] and would be the most cost-effective way for countries to meet their Paris agreement pledges."

So in the real world, where real decisions are being made by very smart people backed by real money, they are telling their clients: You must take climate change seriously, and you must take carbon pricing seriously.

The BlackRock report had this data on prices that companies are setting on

carbon internally—in their own internal accounting—across sectors, including healthcare and energy and utilities. As we can see, the price per metric ton ranges from a low of about \$10 in information technology, up to over \$350 per metric ton—internal costs of carbon accounting in these industries.

The point ought to be pretty clear. The business community is acting, investors are insisting on it, and a price on carbon is a key part of the program.

The legendary Wayne Gretzky's rule was to "skate to where the puck is going to be." These major firms recognize where the carbon economy is heading. We should too. We would, if it weren't for the political mischief wreaked in Congress by the fossil fuel industry.

BlackRock and Goldman Sachs are not alone. The insurance and reinsurance industry is one of the world's biggest investors, as well as one of the world's best analyzers of risk. Munich Re and Swiss Re, and others in property casualty and reinsurance, warn us that climate change is real and portends huge costs for society. Munich Re's head of risk accumulation in the United States said in 2015: "As a nation, we need to take steps to reduce the societal impact of weather events as we see greater variability and volatility in our climate."

One of the biggest investors in the housing market is the Federal Home Loan Mortgage Corporation, Freddie Mac. Freddie Mac has warned about climate change impact on the real estate sector: "The economic losses and social disruption may happen gradually, but they are likely to be greater in total than those experienced in the housing crisis of the great recession."

When we think of what we went through in the housing crisis of the great recession, wow, Freddie Mac is warning that the economic losses and social disruption from climate change in our housing markets are likely to be worse.

These are all serious investors and they have serious warnings for us, and ignoring all of them just to please fossil fuel industry patrons is a big, big mistake.

Even President Trump's nominee to head the Securities and Exchange Commission, Jay Clayton, thinks we need action. For years, his law firm has encouraged clients, including ExxonMobil, to disclose climate change-related risks to the SEC and to investors. If he is confirmed, I hope he will enforce the SEC's existing disclosure requirements for climate risk and clarify that public disclosures should include asset valuations based on global compliance with international treaties. Investors need climate change risks disclosed against a "reality check" baseline that assumes international compliance with the Paris climate commitments. An assumption that we fail should not be acceptable.

Slowly, investor disclosures are improving. Last year, New York attorney general Eric Schneiderman forced Peabody Energy to restate its disclosures. Just last week, Chevron acknowledged to its investors in an SEC filing that, lo and behold, some of its products “may be considered pollutants,” noted “new conclusions about the effects of the company’s operations on human health or the environment,” and they acknowledged “an increased possibility of governmental investigations and, potentially, private litigation against the company.”

It is better late than never, I suppose. Now it is time for the rest of the industry to report fully and fairly, first on the risks that shareholders bear from assets that are wrongly valued now—that are falsely valued in their reports—and, second, on the company’s potentially culpable behavior in climate denial.

Institutional investors are joining in those efforts. Our Rhode Island pension fund, managed by our treasurer, Seth Magaziner, is pushing for greater transparency on political and lobbying spending at large energy companies like Exxon, Chevron, ConocoPhillips, and Devon. For the resolution filed at ConocoPhillips, Rhode Island was joined by over 20 other cofilers, including the State of Connecticut, Senator MURPHY’s home State, whom I see here on the floor.

Just recently, the G20 nations—the 20 biggest economies in the world—set up a group called the Task Force on Climate-related Financial Disclosures. It is made up of 32 members from large banks, insurance companies, asset management companies, pension funds, credit rating agencies, and accounting and consulting firms—you know, liberal extremists. And they are saying: Here it comes; let’s get ready. They have asked that companies begin to come clean on the climate risk they face.

The big energy companies need to come clean on how much they are spending to deny climate science and where they are spending it, because, ultimately, it is their own investors who will be hurt by their irresponsibility. Ultimately, all the phony climate denial they pay for is a fool’s errand because the laws of physics, chemistry, and biology aren’t going away, and a day of reckoning for all this mischief and nonsense they have paid for inevitably will come.

We in the Senate have a duty to the American people to find a way to combat climate change. I realize this body will need help in that task. We will need help from the business community, which can apply its understanding of market forces and risk analysis to this challenge. It would help if the fossil fuel industry would focus on the long term health of its shareholders rather than on short-term

gain. The fossil fuel industry should stand down the relentless political opposition it has maintained to any climate solution, and it should stand down the phony climate denial operation it continues to support.

It will take all of us coming together—companies, investors, regulators, governments, citizens, Republicans and Democrats—to achieve Donald Trump’s once-stated goal of combating the “catastrophic and irreversible effects of climate change”—his quote: “catastrophic and irreversible effects of climate change.”

I did not misquote President Trump, although he was Donald Trump then. It was 2009, and this full page advertisement was taken out in the New York Times declaring that the science of climate change was “irrefutable” and the consequences of climate change would be “catastrophic and irreversible.” It was signed by none other than Donald J. Trump, as well as his children, Donald Trump, Jr., Eric Trump, and Ivanka Trump. They were right then. If they get back to this, they will be right now.

The evidence and the science have only piled up since 2009. It is time for all of us to heed the advice of our universities, our scientists, and the people who actually know what they are talking about, and put the arguments of the fossil fuel industry where they belong—in the trash bin of history. We need to wake up before it is too late.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

GUN VIOLENCE

Mr. MURPHY. Mr. President, last night, President Trump began his speech with an appropriate reference to the anti-Semitic attacks that have occurred all over the country. Two bomb threats were called into a Jewish community center in the New Haven area in Connecticut. I visited that center and the staff and the kids of that center, who are now being housed in a nearby synagogue. He also condemned, in strong terms, the murder of a young man in Kansas City, the victim of an apparent hate crime, targeted for simply being a foreigner or being of a different religion. We can’t know exactly what the reason was, but it was an attack based on hate.

I want to tell my colleagues a little bit about that young man, to begin with, as a means of, once again, coming to the floor of the Senate to tell my colleagues about the victims of gun violence in this country—the 86 or so people every day who are taken by guns, suicides, and murders and accidental shootings; the 2,600 people a month whose lives are taken through gun violence, and the 31,000 a year. By the way, that number is just the number of people who are killed. Those are the lives that are eliminated. There are another 75,000 every year who are in-

jured by gun fire, whose lives are irrevocably altered by that act of violence.

Srinivas Kuchibhotla was a 32-year-old engineer. He was working for Garmin. He was just hanging out at a bar. It was Austin’s Bar and Grill, and he was enjoying the company of friends. Witnesses saw a man enter the bar. He was agitated, and he was drunk. He was a patron of the bar. He had left and he reentered, and he began shooting at Srinivas and his friend. Witnesses say that the shooter told Srinivas to “get out of my country” before killing him and then critically injuring his friend and an unbelievably brave bystander who tried to stop the shooter.

Hundreds of grief-stricken family members and friends gathered in his hometown in India for this young man’s funeral. In accordance with Hindu tradition, his body was carried on a carriage and his ashes were laid to rest. Friends said that his mother was absolutely wailing as the carriage went by.

His mother had wondered whether America was a safe place for her son. Months before the shooting, she asked him to return to India if he was feeling insecure, but he told her he was safe, that he was fine. His wife also wondered how safe it would be to stay in the United States, but she said that Srinivas always assured her that only good things could happen to good people.

He undoubtedly was a good person. His family members remember him as the kindest person you would meet. He was, in their words, “full of love, care and compassion for everyone. He never uttered a word of hatred, simple gossip, or a careless comment.”

His friends and family members remember him as “brilliant, well-mannered and simply an outstanding human being.”

He was “a very sharp, top-of-his-class kind of guy,” said one of his classmates at the University of Texas at El Paso where Srinivas earned a master’s degree in electrical and electronic engineering. He was also an avid cricket player and a big fan of cricket as well.

He was 32 years old. He was sitting at a bar, enjoying time with his friends when a man who was at the bar, who probably saw Srinivas, thought that he looked different from him and, filled with hate, walked back into the bar and shot and killed him.

That is only one story from that day. On average, there are 85 other stories across the country in which people lose their lives to gunfire. What made me so mad last night was that after that moment—that appropriate moment in which President Trump talked about this horrible shooting—moments later, he referenced the daily slaughter that happens in our cities. He spoke in front of the joint session for, it seemed, nearly an hour and a half and offered absolutely no solutions to do anything

about the cascading gun violence that is enveloping our Nation.

Irony of all ironies, the same week that he is lamenting, eulogizing Srinivas's death in Kansas City, he is signing a law passed by this body that would allow for more people with serious mental illness to get their hands on guns.

We don't know the full story of Adam Purinton yet, but you have to imagine that this was someone who was deeply disturbed. Maybe he was just drunk, but in order to decide to pull out a gun in a bar and shoot someone just because they look different than you do probably means that there is something going on—more than a few beers. Mr. Purinton probably had some stuff going on. He might have been mentally ill.

When I got here, I thought that one of the few things we agreed upon—Republicans and Democrats, liberals and conservatives—was that if you were seriously mentally ill, you probably shouldn't be able to buy a weapon, not because people with a mental illness are inherently dangerous—that is not true at all—but because erring on the side of caution when it comes to someone who is seriously ill would probably be the safe thing to do. That used to be a bipartisan commitment.

A few weeks ago, this body passed a law to allow tens of thousands of people who have serious mental illness, who have been judged by a government agency to be so sick that they can't manage their own financial affairs, they literally can't cash a check, their Social Security check has to be sent to someone else because they can't manage their affairs—we passed a law to allow those people to buy guns.

Spare me your concern for the victims of gun violence if you are not willing to do anything about it and, in fact, you are going to take steps to make gun violence more likely rather than less likely in this country. So 31,000 people a year, 2,600 a month, 86 a day—there is no other country in the world in which this happens. There is no other country in the world in which these numbers of people are dying from guns. It is our fault because week after week, month after month, year after year, we do nothing about it, and now we are making it worse.

In the 4 years after Sandy Hook happened, I went back to tell people that we had done nothing. That was embarrassing enough. Now I have to go back to the families of Sandy Hook and tell people that when Congress thinks about gun violence, we think about making changes in the law to make gun violence more likely, to put more guns into the hands of dangerous people. We are going backward now.

Teresa Robertson owned a floral shop in a beauty shop in Fairfax, OK. Fairfax is a really small town, a really tight-knit community. It is still on

edge because about a week ago, Teresa's estranged husband walked into the store, started shooting at Teresa, and then barricaded himself inside city hall, firing shots at the local police, who returned fire, fatally killing Teresa's husband.

She had filed a protective order against her husband about 2 weeks before because she feared for her life. She filed for divorce a week later, and a week following that, he shot her.

Laws can protect against something like that, right? We have the power to stop that. In Connecticut, if you file a protective order against a spouse who you believe is going to harm you, the police have the ability to take those weapons away for the period of time in which you were adjudicating that protective order.

If that law had been in effect in Oklahoma, maybe Teresa Robertson would still be alive today and maybe her husband would still be alive and maybe their two kids—ages 13 and 16—wouldn't be without both of their parents.

The fact is, every single day, domestic partners—women primarily—are killed or are shot by boyfriends or estranged husbands. It often plays out just like this: protective order, divorce filing, murder. That is on us.

We have the ability to protect women from their estranged husbands. There are laws. We can't stop every shooting, but it certainly can cut down on these numbers.

Two days later, emergency responders found 26-year-old Michael "Shane" Watkins bleeding profusely from a gunshot wound to the head on Berkshire Avenue in Bridgeport, CT. He died shortly after arriving at the hospital. The police are still investigating the shooting, but they believe that Shane was an innocent victim of a robbery that went bad.

His friends said that Shane was someone who was always laughing, who was always smiling, who had a good heart, was a caring person. A neighbor said that Shane was "always upbeat, always joking, always smiling." This was a good kid.

He was a dedicated family man. He was a long time employee of the local Stop & Shop. He was 26 years old. This was a robbery gone bad. Shane Watkins was one of those 86.

Twelve-year-old Kanari Gentry Bowers was playing basketball with friends in Chicago, IL, at Henderson Elementary School. A stray bullet hit her on February 11. For 4 awful, agonizing days, Kanari sat lying unconscious in the hospital with a bullet lodged in her 12-year-old spine before she died on February 15.

Her family released a statement that said: "Please keep your children close and do whatever it takes to protect them from the senseless gun violence in our city."

That doesn't sound exceptional, does it? "Please keep your children close and do whatever it takes to protect them." Think about that idea. Think about the idea that you can't let your children get far away from you in Chicago today because they are not at risk of getting lost; they are at risk of being shot.

The little girl had dreams of becoming a judge. That is not something that a lot of 12-year-old girls are thinking about, but Kanari wanted to be a judge. She was described as a vivacious young girl.

I hear President Trump talk about Chicago all the time. He talks about Chicago as though he cares, but he doesn't propose anything that would reduce the trajectory of gun violence, the horror of living in neighborhoods that you can't let your child stray more than a few feet from you without fearing for their lives. He has proposed nothing to do with making that city safer.

People say Chicago has some of the toughest gun laws in the Nation, yet it is one of the most violent places. Exactly, exactly: Chicago has some of the toughest gun laws in the Nation. New York City has some of the toughest gun laws in the Nation. They are still violent places. Why? Because the vast majority of guns in those cities, the illegal guns that spread throughout the city like poison ivy come from outside of Chicago. They come from Indiana. In New York, they come from South Carolina. They come from North Carolina. They come from places in which it is easy to buy a gun without a background check at a gun show or on the internet. They flow into these cities and become used in murder after murder.

If you don't have a Federal requirement that background checks have to be conducted wherever you buy a gun, no matter how strong the laws of Chicago are, they can't be protected; 12-year-old girls can't be protected.

This was all in February, by the way. This was all in the last 3 weeks.

On February 20, some friends got together at a local church in Pomona, CA, and all of a sudden, gunshots started firing through the windows and the walls of this church—a drive-by shooting.

You know who was dead at the end of that? An 8-year-old little boy named Jonah. He was adopted from an orphanage in Taiwan. He had been in the United States for only 3 years. His adoptive parents and his friends—you should read what they say about this kid: "He had an infectious smile and loved everyone and everything."

He was still learning English, but with his playful demeanor, he had adapted almost immediately to life in the United States. He loved wrestling with his adoptive dad, running, laughing. He loved superheroes. He was always injuring himself jumping off of

something. He loved living in this country.

He was a 5-year-old in an orphanage in Taiwan, and then he was in the United States with a dad and with superhero action figures, and now he is dead because somebody fired bullets randomly into a church in Pomona, CA.

Why don't we do anything about this? We are not so coldhearted as to be unable to understand what life is like for a mom and a dad who lose an 8-year-old child. We are not so brain-dead as to not be able to comprehend the fact that every time someone is shot, there are at least 20 people whose lives are permanently altered.

The post-traumatic stress involved in one shooting has enormous ripple effects. I have talked at length on this floor about the constant grief that envelops my town of Sandy Hook because of what happened there. It will never end.

Now, instead of defending the status quo, we are talking about making it easier for deeply mentally ill people to get guns. A bill was just introduced on the floor of the Senate this week that would allow for someone to carry a concealed weapon anywhere in the Nation, regardless of what that local State jurisdiction wanted. If you had a concealed weapon permit in Texas, you would be able to walk into Manhattan without any way for the local police to check you out. There is even an effort to make silencers legal.

Mr. President, 31,000 a year, 2,600 a month, 86 a day. I have come down to the floor I don't know how many times—certainly not as many as Senator WHITEHOUSE but many times to tell the stories of the victims. I told a few more this afternoon because if the data doesn't move you—again, only in this country; in no other country in the world does this happen—then maybe the stories of these victims will move you. Maybe being able to put yourself in the shoes of a mom who lost a child, of a husband who lost a wife way before their time, will move you to action.

This is only controversial here. Ninety percent of the American public wants us to move forward with the universal background checks. The majority of Americans think these super-powerful military weapons should stay in the hands of the military and law enforcement. Everybody out there wants to give law enforcement the tools and the funding necessary to carry out the existing law. It is not controversial out in the American public; it is only controversial here.

It is about time that we do something about this epic level of carnage that continues to plague our Nation and have some response to these voices of victims that seem endless.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. GARDNER). Without objection, it is so ordered.

Mr. RUBIO. Mr. President, I ask unanimous consent that I be permitted to enter into a colloquy with the Senator from Delaware.

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

RUSSIA

Mr. RUBIO. Mr. President, I am here to discuss, along with the Senator from Delaware, the issue of Russia. I know it has been at the forefront of much of the debate that is ongoing in this country. I wanted to begin by commending the Vice President and Secretary of Defense and Secretary of Homeland Security and Secretary of State for the strong message of support for NATO. That includes the President last night and their strong support, by the way, for the Transatlantic Alliance that these individuals outlined during their respective visits to the Munich Security Conference and meetings with allies in February.

At that Munich Security Conference on February 18, the Russian Foreign Minister, Sergey Lavrov, said: "I hope [he means the world] will choose a democratic world order, a post-West one, in which each country is defined by its sovereignty." I think that based on recent history, it is clear that when a Russian leader says "post-West," we should interpret that as a phrase to mean post-America.

So I would ask the Senator with regard to this, what are his views with regard to Vladimir Putin's desire to establish spheres of influence in Europe and the Middle East, create divisions with our allies. How should we view the Russian world view as it compares to the national interests of the United States?

Mr. COONS. I would like to thank my friend, the Senator from Florida, my colleague on the Foreign Relations Committee and on the Appropriations Committee. I would like to answer his question by saying, it seems clear to all of us on the Foreign Relations Committee who have had the opportunity to travel to Eastern Europe to visit with our NATO allies that Vladimir Putin has a world view and an agenda that is in sharp contrast with our own.

Vladimir Putin dreams of returning Russia to the days of the Russian Empire, to reexerting influence over a broad geographic region from the Baltic Sea and Poland and Ukraine to the Caucasus and Central Asia. He has internally used the West and NATO as a scapegoat for Russia's internal economic woes. He has, as we know,

launched invasions or extended his influence through forces and supported illiberal and separatist fighters in Georgia and Ukraine and Moldavia, former Soviet republics, and has launched cyber attacks and propaganda campaigns and coordinated the use of all his tools of state power against our NATO allies in the Baltic region and Central and Western Europe.

All of these things suggest a very different world view, a different set of values than we have in the United States and a different set of values in a way that really worries me. As my colleague from Florida has suggested, when Foreign Minister Lavrov talks about a world order defined by sovereignty, he is challenging us. He is challenging what the West really stands for, what we in America stand for.

I believe what we stand for is the universal values on which we forged the Transatlantic Alliance more than 70 years ago, a Transatlantic Alliance that has been a force for stability and good in the world, a Transatlantic Alliance that has secured peace in Western Europe, North America ever since the close of the Second World War but a Transatlantic Alliance that is rooted in values, values of freedom of speech, freedom of press, rule of law and democracy, and in opposition to authoritarianism.

We support American leadership because a stable and prosperous world makes us safer and more economically secure. So I would ask my friend from Florida what he views as the agenda or the objective of Russia and whether we can be hopeful, in any way, that Vladimir Putin's Russia has an agenda that is harmonious with ours, that can be put in the same direction as ours or whether it is fundamentally at odds.

Mr. RUBIO. To answer that question, I would begin by reminding everyone that when we are talking about Russia, we are not talking about the Russian people. We are talking about Vladimir Putin and the cronies who surround him and their goals for the future. We have no quarrel with the Russian people, who I actually believe would very much want to have a better relationship with the United States and certainly live in a world in which their country was more like ours than the way their government now runs theirs.

The second thing I would point to is, it is important to understand history. At the end of the Second World War, Nazism had been conquered, and the Japanese Empire and its designs had also been ended, fascism defeated. The United States and the world entered this period of a Cold War, a battle between communism and the free world. The United States and our allies stood for that freedom. At the fall of the Berlin Wall, the end of the Soviet bloc, the fall of communism, the world we all hoped had entered into this new era,

where every nation had a different system—maybe some had a parliamentary system, maybe some had a republic, such as ours—but in the end, more people than ever would have access to a government responsive to their needs.

That was the growing trend around the world, up until about 7, 8, 10 years ago. We now see the opposite. We see a rising arc of the totalitarianism, and within that context is where I believe Vladimir Putin's world view is constructed. He views the values we stand for, which some may call Western values, and perhaps that is the right terminology, but I really believe in universal values: the idea that people should have a role to play in choosing their leader, that people should have a freedom to worship as they see fit, that people should be able to express their opinions and ideas freely without fear of retribution or punishment by the government.

These are the values I think we have stood for and that our allies have stood for and that we had hoped Russia would stand for in this new era, but Vladimir Putin viewed that as a threat. In particular, over the last number of years, he has decided the best way for him to secure his place in Russian politics is through an aggressive foreign policy in which he views it as a zero-sum game.

That is not the way we view it. We actually view the world as a place where we can help rebuild Japan; we can help rebuild Germany. They are stronger, and we are stronger. It isn't one or the other.

He does not see it that way. He views the world as a place where in order for Russia to be greater, America has to be less; in order for him to be more powerful, we have to be less powerful, and it is a world in which he has to undermine democratic principles and try to expose them as fraudulent.

That is why you saw the Russian intelligence services meddle in our elections in 2016. One of the main designs they had was to create doubt and instability about our system of government and to not just discredit it here at home but to discredit it around the world.

I just returned from Europe a week ago. Germany and France, which both have upcoming elections of their own, are seeing an unprecedented wave of active measures on the part of Russian intelligence to try to influence their elections. In the Netherlands, we have seen some of the same. So this is very concerning.

Our European allies are very concerned about the weaponization of cyber technology to strategically place information in the public domain for purposes of undermining candidates, steering elections, and undermining policymaking.

I want everybody to understand this is not just about elections. The exact same tools they used in the 2016 Presi-

dential election, they could use to try to influence the debate in the Senate by attacking individual Senators or individual viewpoints and using their control over propaganda to begin to spread that.

I will give you just one example, and that is in May of 2015, the German intelligence agencies reported an attack on the German Parliament, on energy companies, on universities. They attribute that to Russian hackers.

In Montenegro, the Prime Minister has sought membership in NATO, an action we have supported in the Senate Foreign Relations Committee, which both of us serve on, but Russian intelligence has plotted at a very aggressive level to disrupt their elections late last year.

Moscow has used TV and Internet outlets like Russia Today, or RT, and Sputnik to launch propaganda campaigns to galvanize anti-EU extremists ahead of the Dutch elections. The list goes on and on. There is no shortage of them.

The point is, we are in the midst of the most aggressive, active measures ever undertaken by a foreign government to not just meddle in American policy debates and American elections but in those throughout the free world, and it is deeply concerning.

I think another matter that I would love to hear the Senator's opinion on is on the issue of human rights violations because, on top of being a totalitarian state, what goes hand in hand with totalitarianism are human rights violations. In fact, totalitarianism is, in and of itself, a human rights violation; that there can be no dictatorship, no repressive regime, no totalitarian leader who can maintain themselves in power without violating the human rights of their people.

So I would ask the Senator—I would love to have his comment on whether or not, indeed, Vladimir Putin is a serial human rights violator and what our policy should be in terms of outlining that to the world.

Mr. COONS. We have worked together on a number of bills in this area. Let me respond to my friend the Senator by saying it is clear that Vladimir Putin's Russia has been a serial human rights violator. When we talk about human rights, we talk about things that belong to everyone, and they are necessary as a check on state power. When nations break these rules, we believe they should be held accountable.

Russia continues to engage in efforts, as my colleague said, that undermine democracy in free elections throughout Europe. We have shared concerns about the upcoming elections—the Dutch elections, French, and German elections—where there are overt actions and covert actions by Russia to influence the outcome of those elections, but part of why they are doing that,

part of why they are violating these norms around Europe is because they are seeking to distract from their brutal rule at home.

The reality is, many of the critics of Putin's regime end up dead or incapacitated.

Boris Nemtsov, a Russian politician who supported the introduction of capitalism into the Russian economy and frequently criticized Vladimir Putin, was assassinated 2 years ago, on February 27, on a bridge just near the Kremlin in Moscow.

Vladimir Kara-Murza, a Russian politician and journalist, was apparently poisoned last month, the second time in recent years. He had been actively promoting civil society and democracy in Russia.

Back in September of 2012, Putin threw USAID out of Russia altogether, claiming that U.S. efforts were undermining Russian sovereignty when, in fact, we had been working in Russia since the nineties, supporting human rights, independent journalism, and promoting fair elections.

Most importantly, in my view, Russia doesn't just violate the human rights of its own citizens, it exports brutality.

Russia's support for Bashar al-Assad's murderous regime and brutal war in Syria continues. Their military has targeted hospitals, schools, and Syrian first responders. They have blocked the provision of food and medicine to starving families and children. Russia's diplomats have vetoed any efforts at the United Nations to act to stop the suffering in Syria. Also, Russia, having illegally invaded Ukraine and annexed Crimea, continues to promote violence and instability in eastern Ukraine, in the Donbas region, leading to the deaths of thousands.

All of these human rights violations within Russia and in countries around its sphere of influence, in its region, suggest to us that they need to be held accountable for these violations of basic human rights.

Like the Senator from Florida, I led a codel to Eastern and Central Europe. Mine was not last week. It was last August, but with two Republican House Members and two Democratic Senate Members, the five of us went to the Czech Republic, to Ukraine, and to Estonia. We heard widespread concern about this record of human rights and a disrespect for democracy in Russia and about this aggressive hybrid warfare campaign that threatens Ukraine's very stability and existence, that puts Estonia, our NATO ally, on warning, and that is putting at risk Czech independence and Czech elections all across Central and Western Europe.

We have heard from Ambassadors, experts, those who have testified in front of committees on which we serve, about a Russian campaign—a brutal campaign—to undermine human rights

within Russia and to undermine democracy throughout Western Europe, with a larger strategic goal of separating the United States from our Western allies and undermining the Transatlantic Alliance that has been so essential to our peace, security, and stability for 70 years. We cannot let this stand.

There is no moral equivalence between Russia and the United States. If we believe in our democracy and if we believe in our commitment to human rights, we must stand up to this campaign of aggression. So I ask my colleague what he believes we might be able to do on the Foreign Relations Committee, on the Appropriations Committee, or here in the Senate, what we might do, as voices working in a bipartisan way, to stand up to these actions undermining democracy and human rights?

Mr. RUBIO. That is the central question. The first is what we are doing now, which is an important part: shining the sunlight on all of it, making people aware of it. For example, we know in France two of the leading candidates have views that I think the Kremlin would be quite pleased with, if that became the foreign policy of France—a third, not so much. He is a very young candidate running as an independent. His last name Macron. Suddenly, as he began to surge in the polls, all these stories started appearing, ridiculous stories about his personal life, about his marriage, things that are completely false, completely fabricated. Fortunately, French society and the French press understands this and has reported it as such.

It is important for us. This is happening and is real, and it is unprecedented in its scope and in its aggression. So shining a light on the reality and understanding, as I always tell my colleagues—I said this last October, that this is not a partisan issue.

I am telling you that—to my Republican colleagues who might be uncomfortable about discussing Russian interference—this is not about the outcome of the election; this is about the conduct and what happened throughout it. And what they did last year, in the fall, in the Presidential race, they can do against any Member here. If they don't like what you are saying, if they think you are getting too far on policy, you could find yourself the target of Russian propaganda in the hopes of undermining you, perhaps even having you eliminated from the debate because they understand our political process quite well.

The second is to do no harm. There is this notion out there—and I think on paper it sounds great, right—why don't we just partner up with the Russians to defeat ISIS and take on radicalism around the world.

The problem is this: No. 1, that is what Russia claims they are already

doing. Vladimir Putin claims he is already doing that. So if he is already doing it, why would we have to partner with him? He is already doing it. Obviously, the answer is because he hasn't. This has been about propping up Assad.

Here is the other problem. When you partner up with someone, you have to take responsibility for everything they do and all the actions they undertake.

Senator COONS just outlined a moment ago, he said: Well, we talked about the bombing in Aleppo.

Think about it. If we had partnered with Russia in Syria and they were bombing Aleppo and they were hitting hospitals and they were killing civilians and they were our partners, we have to answer for that as well. We would be roped into that.

The third is to understand their strategic goal is not to defeat radical elements in the Middle East; their strategic goal is to have inordinate influence in Syria, with Iran, potentially in other countries at the expense of the United States.

We have had two Presidents—a Republican and a Democrat—previous to the current President who thought they could do such a deal with Vladimir Putin. Both of them fell on their face because they did not understand what they were dealing with. It is my sincerest hope that our current President doesn't make the same mistakes.

In addition to that, I know there are a number of legislative approaches that we have worked on together, as members of both the Senate Foreign Relations Committee and the Senate Foreign Operations Appropriations Subcommittee, and I would ask the Senator from Delaware if he could highlight some of those legislative matters that we have been talking about: resolutions, laws, and public policy that we have been advocating.

Mr. COONS. Well, briefly, if I could. Two bills that are currently gathering cosponsors—and which I hope our colleagues will review and consider joining us in cosponsoring—one is S. 341, the Russia Sanctions Review Act of 2017, which currently has 18 cosponsors. The other is S. 94, the Counteracting Russian Hostilities Act of 2017, that has 20 cosponsors—10 Republicans and 10 Democrats. In both cases, we are proud to have a very broad range of both Republicans and Democrats engaged in this important legislation, which ensures that Russia pays a price for breaking the rules. It starts by taking action to support the sanctions against the Russian Government for its occupation, its illegal annexation of Crimea, for its egregious human rights violations in Syria, and for meddling in the U.S. election. It prevents the lifting of sanctions on Russia until the Russian Government ceases the very activities that caused these sanctions to be put in place in the first place. It supports civil society, pro-democracy,

anti-corruption activists in Russia and across Europe to show that many of us are determined, as members of the Foreign Relations Committee, as members of the Appropriations Committee, as Senators—not as partisans—that we intend to fund the tools that will enable the United States and our NATO allies to push back on Russia's aggression. Most of these tools come from the international affairs budget: State Department and foreign assistance accounts.

I want to commend you, Senator, for giving a strong and impassioned speech on the floor today about the importance of our keeping all of these tools in our toolkit so that as we confront our adversaries around the world, we have the resources and the ability to partner with and strengthen our allies as well.

We have no quarrel with the Russian people, but we are here because there is nothing Vladimir Putin's regime would love more than to see his actions divide us in this Chamber and divide us in this country from our vital allies in Europe and divide the whole North Atlantic community that for seven decades has brought peace and stability to Europe, has brought prosperity to the United States, not as an act of charity but as an investment in the best interests of security.

We are here to say with one voice that we will stand up to Russian aggression that undermines democracy and violates human rights.

I am grateful for my colleague, for the chance to join him on the floor today, and I look forward to working together with any of our colleagues who see these issues as clearly as my friend and colleague, the Senator from Florida.

Mr. RUBIO. I thank the Senator for joining me in this endeavor here today. It is important that we speak out about this.

In a moment, the majority leader will be here with some procedural matters that will, I guess, take the Senate to a different posture.

Before that happens, I wanted to close by not just thanking him for being a part of this but by making a couple more points.

The first is, I want you to imagine for a moment, if you are sitting at the Kremlin and you are watching on satellite television the debate going on in American politics today, you are probably feeling pretty good about yourself. You have one group arguing that maybe the elections weren't legitimate because the Russians interfered. In essence, there have been news reports about a tension between the President and the Intelligence Committee. You have these reports every single day back and forth. You are looking at all this chaos, and you are saying to yourself: We did a pretty good job. If what we wanted to do was to divide the

American people against each other, have them at each other's throats, arguing about things, and sowing chaos and instability into their political process, I think you look at the developments of the last 6 weeks and 6 months, and if you are in the Kremlin, you say: Well, our efforts have been pretty successful with that. I think that is the first thing we need to understand.

The second thing is, this should all be about partisanship. I am a member of the Senate Intelligence Committee. It is probably known that we are undertaking an investigation into Russian interference in the 2016 elections. I want everyone to know—I speak for myself and I believe almost all of my colleagues when I say, on the one hand, I am not interested in being a part of a witch hunt; on the other hand, I will not be part of a coverup. We are going to get to the truth. We want to get to the truth. We want to be able to deliver to this body and to the American people a document with truth and facts, wherever they may lead us, because this is above political party. Our system of government and this extraordinary Republic has been around for over two centuries. It is unique and it is special, and with all of its blemishes and flaws, I wouldn't trade it for anything in the world.

I want people to think about that. The next time you wonder and say to yourself that things are so tough in America and things are going so poorly, well, with whom would you trade places? I am not saying we don't have problems, because we do, but I ask, in what country would you rather be? I promise you that you won't say China if you know anything about China. I promise you that you won't say Russia if you know anything about Russia. There is no nation on Earth we would trade places with, and there is no process of government I would trade for ours. It is not perfect.

One of the strengths of our system is our ability to stand up here in places like the Senate and discuss our differences and our problems and make continuous progress forward even if the pace is slower and more frustrating than we wish. That is what is at stake in this process and what is at stake in this debate. That is what none of us can allow to see erode because of interference by a foreign government, especially one that is a thug and war criminal in every sense of the word.

So our quarrel is not with the Russian people and it is not with Russia. I have extraordinary admiration for the Russian people. I have extraordinary admiration for the sacrifices and contributions they have made throughout history to our culture and to the world. But, unfortunately, today their government is run by an individual who has no respect for his own people and no respect for the freedom and liberty of

others, and it is important for our policymakers on both sides of the aisle to be clear-eyed and clear-voiced in what we do moving forward.

I thank the Senator for being with us today and allowing us to engage in this discussion. I hope we will see more of that in the weeks and months to come so we can speak clearly and firmly in one voice that on issues involving America and our sovereignty and our system of government and decisions we must make, we will speak with one voice as one Nation, as one people, as one country.

I thank the Presiding Officer, and I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

150TH ANNIVERSARY OF THE UNIVERSITY OF ILLINOIS

Mr. DURBIN. Mr. President, today I wish to recognize the sesquicentennial anniversary of the founding of the University of Illinois, a nationally recognized institution of higher education with a long record of innovation and discovery and the home of the Fighting Illini.

In 1867, 150 years ago, my home State of Illinois established the University of Illinois with the purpose of fostering access to higher education for the working people. It would become one of 37 public, land-grant institutions established as a result of the Morrill Land-Grant Colleges Act signed into law by President Abraham Lincoln.

Over the past 150 years, the University of Illinois and those associated with it have been responsible for pushing the boundaries of human knowledge, scientific discovery, social justice, and equality.

In 1941, David Blackwell, the son of a railroad worker from southern Illinois, received his Ph.D. in mathematics from the University of Illinois. In 1965, Dr. Blackwell became the first African American elected to the National Academy of Sciences, whose members advise the President and Congress on

matters related to science and technology. Dr. Blackwell is regarded as the most famous African-American mathematician in history.

In 1948, the University of Illinois became, and remains to this day, the most accessible campus in the world for individuals with disabilities. Timothy Nugent founded the first comprehensive program of higher education for individuals with disabilities at the University and helped create a campus that allowed individuals with disabilities to move about freely and independently. While the availability of buses with wheelchair lifts, accessible street curbs, and comprehensive collegiate programs for those with disabilities all have become the national standard, they started at the University of Illinois.

The University of Illinois has long been a leader in groundbreaking research and innovation in science. In the early 1970s, Paul Lauterbur discovered magnetic resonance imaging—better known by its initials: MRI. For his pioneering work, he was awarded a Nobel Prize in 2003.

Today the university is one of the premier public research universities in the world. It ranks in the top 50 universities in America for research and development dollars spent in science and engineering. It is also home to one of the world's most powerful supercomputers, known as Blue Waters. Blue Waters is the fastest supercomputer located on a college campus in the world.

What began 150 years ago as a small building on the Illinois prairie between the Illinois Central train station in Champaign and the courthouse in Urbana is today a 785-acre campus with a reputation admired around the world. It is home to more than 44,000 students from all 50 States and more than 100 different countries each year. The University of Illinois has enhanced the lives of over 450,000 living alumni and produced 23 Nobel Laureates and 22 Pulitzer Prize winners in the process. In addition, the university has grown to include campuses in Chicago and Springfield and regional campuses in Rockford, Peoria, and the Quad Cities.

It is with great pride that I ask my colleagues to join me in recognizing the sesquicentennial anniversary of the founding of the University of Illinois. I offer my best wishes and congratulations to President Timothy Killeen and all the University faculty, staff, students, and alumni on this important milestone.

COMMITTEE ON THE JUDICIARY

RULES OF PROCEDURE

Mr. GRASSLEY. Mr. President, the Committee on the Judiciary has adopted rules governing its procedures for the 115th Congress. Pursuant to rule

XXVI, paragraph 2, of the Standing Rules of the Senate, I ask unanimous consent that a copy of the Committee rules be printed in the RECORD.

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

RULES OF PROCEDURE OF THE UNITED STATES SENATE COMMITTEE ON THE JUDICIARY—115TH CONGRESS

I. MEETINGS OF THE COMMITTEE

1. Meetings of the Committee may be called by the Chairman as he may deem necessary on three days' notice of the date, time, place and subject matter of the meeting, or in the alternative with the consent of the Ranking Minority Member, or pursuant to the provision of the Standing Rules of the Senate, as amended.

2. Unless a different date and time are set by the Chairman pursuant to (1) of this section, Committee meetings shall be held beginning at 10:00 a.m. on Thursdays the Senate is in session, which shall be the regular meeting day for the transaction of business.

3. At the request of any member, or by action of the Chairman, a bill, matter, or nomination on the agenda of the Committee may be held over until the next meeting of the Committee or for one week, whichever occurs later.

II. HEARINGS OF THE COMMITTEE

1. The Committee shall provide a public announcement of the date, time, place and subject matter of any hearing to be conducted by the Committee or any Subcommittee at least seven calendar days prior to the commencement of that hearing, unless the Chairman with the consent of the Ranking Minority Member determines that good cause exists to begin such hearing at an earlier date. Witnesses shall provide a written statement of their testimony and curriculum vitae to the Committee at least 24 hours preceding the hearings in as many copies as the Chairman of the Committee or Subcommittee prescribes.

2. In the event 14 calendar days' notice of a hearing has been made, witnesses appearing before the Committee, including any witness representing a Government agency, must file with the Committee at least 48 hours preceding appearance written statements of their testimony and curriculum vitae in as many copies as the Chairman of the Committee or Subcommittee prescribes.

3. In the event a witness fails timely to file the written statement in accordance with this rule, the Chairman may permit the witness to testify, or deny the witness the privilege of testifying before the Committee, or permit the witness to testify in response to questions from Senators without the benefit of giving an opening statement.

III. QUORUMS

1. Seven Members of the Committee, actually present, shall constitute a quorum for the purpose of discussing business. Nine Members of the Committee, including at least two Members of the minority, shall constitute a quorum for the purpose of transacting business. No bill, matter, or nomination shall be ordered reported from the Committee, however, unless a majority of the Committee is actually present at the time such action is taken and a majority of those present support the action taken.

2. For the purpose of taking down sworn testimony, a quorum of the Committee and each Subcommittee thereof, now or hereafter appointed, shall consist of one Senator.

IV. BRINGING A MATTER TO A VOTE

The Chairman shall entertain a non-debatable motion to bring a matter before the

Committee to a vote. If there is objection to bring the matter to a vote without further debate, a roll call vote of the Committee shall be taken, and debate shall be terminated if the motion to bring the matter to a vote without further debate passes with eleven votes in the affirmative, one of which must be cast by the minority.

V. AMENDMENTS

1. Provided at least seven calendar days' notice of the agenda is given, and the text of the proposed bill or resolution has been made available at least seven calendar days in advance, it shall not be in order for the Committee to consider any amendment in the first degree proposed to any measure under consideration by the Committee unless such amendment has been delivered to the office of the Committee and circulated via e-mail to each of the offices by at least 5:00 p.m. the day prior to the scheduled start of the meeting.

2. It shall be in order, without prior notice, for a Member to offer a motion to strike a single section of any bill, resolution, or amendment under consideration.

3. The time limit imposed on the filing of amendments shall apply to no more than three bills identified by the Chairman and included on the Committee's legislative agenda.

4. This section of the rule may be waived by agreement of the Chairman and the Ranking Minority Member.

VI. PROXY VOTING

When a recorded vote is taken in the Committee on any bill, resolution, amendment, or any other question, a quorum being present, Members who are unable to attend the meeting may submit votes by proxy, in writing or by telephone, or through personal instructions. A proxy must be specific with respect to the matters it addresses.

VII. SUBCOMMITTEES

1. Any Member of the Committee may sit with any Subcommittee during its hearings or any 1) other meeting, but shall not have the authority to vote on any matter before the Subcommittee unless a Member of such Subcommittee.

2. Subcommittees shall be considered de novo whenever there is a change in the Subcommittee chairmanship and seniority on the particular Subcommittee shall not necessarily apply.

3. Except for matters retained at the full Committee, matters shall be referred to the appropriate Subcommittee or Subcommittees by the Chairman, except as agreed by a majority vote of the Committee or by the agreement of the Chairman and the Ranking Minority Member.

4. Provided all members of the Subcommittee consent, a bill or other matter may be polled out of the Subcommittee. In order to be polled out of a Subcommittee, a majority of the members of the Subcommittee who vote must vote in favor of reporting the bill or matter to the Committee.

VIII. ATTENDANCE RULES

1. Official attendance at all Committee business meetings of the Committee shall be kept by the Committee Clerk. Official attendance at all Subcommittee business meetings shall be kept by the Subcommittee Clerk.

2. Official attendance at all hearings shall be kept, provided that Senators are notified by the Committee Chairman and Ranking Minority Member, in the case of Committee hearings, and by the Subcommittee Chairman and Ranking Minority Member, in the

case of Subcommittee Hearings, 48 hours in advance of the hearing that attendance will be taken; otherwise, no attendance will be taken. Attendance at all hearings is encouraged.

IX. SUBPOENAS

The Chairman of the Committee, with the agreement of the Ranking Member or by a vote of the Committee, may subpoena the attendance of a witness at a Committee or Subcommittee hearing or Committee deposition, or the production of memoranda, documents, records, or any other materials. Any such subpoena shall be issued upon the signature of the Chairman or any other Member of the Committee designated by the Chairman.

X. DEPOSITIONS

1. Any subpoena issued for a deposition that is to be conducted by staff shall be accompanied by a notice of deposition identifying the Majority staff officers designated by the Chairman and the Minority staff officers designated by the Ranking Member to take the deposition, and the Majority and Minority shall be afforded the opportunity to participate on equal terms.

2. Unless waived by agreement of the Chair and Ranking Member, any deposition shall have at least one Member present for the duration of the deposition. All Members shall be notified of the date, time, and location of any deposition.

3. Any Member of the Committee may attend and participate in the taking of any deposition.

4. A witness at a deposition shall be examined upon oath administered by an individual authorized by law to administer oaths, or administered by any Member of the Committee if one is present.

5. Unless otherwise specified, the deposition shall be in private.

BUDGET SCOREKEEPING REPORT

Mr. ENZI. Mr. President, I wish to submit to the Senate the budget scorekeeping report for March 2017. The report compares current-law levels of spending and revenues with the amounts the Senate agreed to in the budget resolution for fiscal year 2017, S. Con. Res. 3. This information is necessary for the Senate Budget Committee to determine whether budget points of order lie against pending legislation. It has been prepared by the Republican staff of the Senate Budget Committee and the Congressional Budget Office, CBO, pursuant to section 308(b) of the Congressional Budget Act, CBA.

My last filing, which was based on enforceable levels relative to the fiscal year 2016 budget resolution, S. Con. Res. 11, and the Bipartisan Budget Act of 2015, P.L. 114-74, can be found in the RECORD for November 16, 2016. The information contained in this report for fiscal year 2017 is current through February 27, 2017.

Tables 1-3 of this report are prepared by my staff on the Budget Committee.

Table 1 gives the amount by which each Senate authorizing committee exceeds or is below its allocation for budget authority and outlays under the

most recently adopted budget resolution. This information is used for enforcing committee allocations pursuant to section 302 of the Congressional Budget Act of 1974, CBA. All committees are in compliance with their allocations assumed in the budget resolution and match the levels that I included in the allocation enforcement filing of January 17, 2017.

Table 2 gives the amount by which the Senate Committee on Appropriations exceeds or is below the statutory spending limits for fiscal year 2017. This information is used to determine points of order related to the spending caps found in sections 312 and 314 of the CBA. As the Federal Government is currently operating under the terms of the latest continuing resolution and temporary funding is not included in enforcement totals, this scorecard shows \$543.5 billion in security and \$415.2 billion in nonsecurity budget authority remain available for full-year appropriations.

Table 3 tracks compliance with the fiscal year 2017 limit for overall changes in mandatory programs, CHIMPS, in appropriations bills, established in the fiscal year 2016 budget resolution. The limit for this fiscal year is \$19.1 billion. To date, there are no recorded CHIMP entries on this score-

card. Division A of the Further Continuing and Security Assistance Appropriations Act, 2017, P.L. 114-254, included a qualifying CHIMP, \$170 million, but the Appropriations Committee included a provision to prevent its budgetary effects from being entered onto the scorecard. This exclusion was the first of its kind since the creation of the new rule in 2015. This information is used for determining points of order under section 3103 of that resolution.

In addition to the tables provided by Budget Committee Republican staff, I am submitting tables from CBO, which I will use for enforcement of budget totals agreed to by the Congress.

CBO provided a spending and revenue report for fiscal year 2017. This information is used to enforce aggregate spending levels in budget resolutions under section 311 of the CBA.

For fiscal year 2017, CBO annualizes the temporary effects of the latest continuing resolution that provides funding through April 28, 2017. For the enforcement of budgetary aggregates, the Budget Committee excludes this temporary funding. As such, the committee views current-law levels as being \$953 billion and \$583.2 billion below budget resolution levels for budget authority and outlays, respec-

tively. Revenues are consistent with the levels assumed in the budget resolution. Finally, Social Security outlays and revenues are at the levels assumed in S. Con. Res. 3.

CBO's report also provides information needed to enforce the Senate pay-as-you-go, PAYGO, rule. Following passage of the budget resolution in January, I reset the Senate's PAYGO scorecard to zero. Since passage of the resolution, there have been no laws enacted that have a significant effect on the Federal Government's budget deficit over either the 6- or 11-year periods. The Senate's PAYGO rule is enforced by section 201 of S. Con. Res. 21, the fiscal year 2008 budget resolution.

Finally, included in this submission is a table tracking the Senate's budget enforcement activity on the floor. No budget points of order have been raised since the passage of the budget resolution.

All years in the accompanying tables are fiscal years.

I ask unanimous consent that the accompanying tables be printed in the RECORD.

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

TABLE 1.—SENATE AUTHORIZING COMMITTEES—ENACTED DIRECT SPENDING ABOVE (+) OR BELOW (–) BUDGET RESOLUTIONS
(In millions of dollars)

	2017	2017–2021	2017–2026
Agriculture, Nutrition, and Forestry			
Budget Authority	0	0	0
Outlays	0	0	0
Armed Services			
Budget Authority	0	0	0
Outlays	0	0	0
Banking, Housing, and Urban Affairs			
Budget Authority	0	0	0
Outlays	0	0	0
Commerce, Science, and Transportation			
Budget Authority	0	0	0
Outlays	0	0	0
Energy and Natural Resources			
Budget Authority	0	0	0
Outlays	0	0	0
Environment and Public Works			
Budget Authority	0	0	0
Outlays	0	0	0
Finance			
Budget Authority	0	0	0
Outlays	0	0	0
Foreign Relations			
Budget Authority	0	0	0
Outlays	0	0	0
Homeland Security and Governmental Affairs			
Budget Authority	0	0	0
Outlays	0	0	0
Judiciary			
Budget Authority	0	0	0
Outlays	0	0	0
Health, Education, Labor, and Pensions			
Budget Authority	0	0	0
Outlays	0	0	0
Rules and Administration			
Budget Authority	0	0	0
Outlays	0	0	0
Intelligence			
Budget Authority	0	0	0
Outlays	0	0	0
Veterans' Affairs			
Budget Authority	0	0	0
Outlays	0	0	0
Indian Affairs			
Budget Authority	0	0	0
Outlays	0	0	0
Small Business			
Budget Authority	0	0	0
Outlays	0	0	0
Total			
Budget Authority	0	0	0
Outlays	0	0	0

TABLE 2.—SENATE APPROPRIATIONS COMMITTEE—ENACTED REGULAR DISCRETIONARY APPROPRIATIONS ¹

[Budget authority, in millions of dollars]

	2017	
	Security ²	Nonsecurity ²
Statutory Discretionary Limits	551,068	518,531
Amount Provided by Senate Appropriations Subcommittee		
Agriculture, Rural Development, and Related Agencies	0	9
Commerce, Justice, Science, and Related Agencies	0	7
Defense	45	0
Energy and Water Development	— 340	— 340
Financial Services and General Government	0	0
Homeland Security	0	9
Interior, Environment, and Related Agencies	0	120
Labor, Health and Human Services, Education and Related Agencies	0	24,570
Legislative Branch	0	— 1
Military Construction and Veterans Affairs, and Related Agencies	7,898	74,600
State Foreign Operations, and Related Programs	0	0
Transportation and Housing and Urban Development, and Related Agencies	0	4,400
Current Level Total	7,603	103,374
Total Enacted Above (+) or Below (—) Statutory Limits	— 543,465	— 415,157

¹ This table excludes spending pursuant to adjustments to the discretionary spending limits. These adjustments are allowed for certain purposes in section 251(b)(2) of BBEDCA.² Security spending is defined as spending in the National Defense budget function (050) and nonsecurity spending is defined as all other spending.

TABLE 3.—SENATE APPROPRIATIONS COMMITTEE—ENACTED CHANGES IN MANDATORY SPENDING PROGRAMS (CHIMPS)

[Budget authority, millions of dollars]

	2017	
	Security	Nonsecurity
CHIMPS Limit for Fiscal Year 2017		19,100
Senate Appropriations Subcommittees		
Agriculture, Rural Development, and Related Agencies	0	0
Commerce, Justice, Science, and Related Agencies	0	0
Defense	0	0
Energy and Water Development	0	0
Financial Services and General Government	0	0
Homeland Security	0	0
Interior, Environment, and Related Agencies	0	0
Labor, Health and Human Services, Education and Related Agencies	0	0
Legislative Branch	0	0
Military Construction and Veterans Affairs, and Related Agencies	0	0
State Foreign Operations, and Related Programs	0	0
Transportation and Housing and Urban Development, and Related Agencies	0	0
Current Level Total	0	0
Total CHIMPS Above (+) or Below (—) Budget Resolution		— 19,100

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, March 1, 2017.

Hon. MIKE ENZI,
Chairman, Committee on the Budget,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on the fiscal year 2017 budget and is current through February 27, 2017. This report is sub-

mitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of S. Con. Res. 3, the Concurrent Resolution on the Budget for Fiscal Year 2017.

Since our last letter dated November 16, 2016, the Congress has cleared and the Presi-

dent has signed the Further Continuing and Security Assistance Appropriations Act, 2017 (Public Law 114-254). That act has significant effects on budget authority and outlays in fiscal year 2017.

Sincerely,

KEITH HALL.

Enclosure.

TABLE 1.—SENATE CURRENT LEVEL REPORT FOR SPENDING AND REVENUES FOR FISCAL YEAR 2017, AS OF FEBRUARY 27, 2017

[In billions of dollars]

	Budget Resolution ^a	Current Level ^b	Current Level Over/Under (—) Resolution
ON-BUDGET			
Budget Authority	3,226.1	3,308.0	81.9
Outlays	3,224.6	3,254.7	30.1
Revenues	2,682.1	2,682.1	0.0
OFF-BUDGET			
Social Security Outlays ^c	805.4	805.4	0.0
Social Security Revenues	826.0	826.0	0.0

SOURCE: Congressional Budget Office.

^a Excludes \$81,872 million in budget authority and \$40,032 million in outlays assumed in S. Con. Res. 3 for non regular discretionary spending, including spending that qualifies for adjustments to discretionary spending limits pursuant to section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985, that is not yet allocated to the Senate Committee on Appropriations.^b Excludes emergency funding that was not designated as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.^c Excludes administrative expenses paid from the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund of the Social Security Administration, which are off-budget, but are appropriated annually.

TABLE 2.—SUPPORTING DETAIL FOR THE SENATE CURRENT LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2017, AS OF FEBRUARY 27, 2017

[In millions of dollars]

	Budget Authority	Outlays	Revenues
Previously Enacted ^a			
Revenues	n.a.	n.a.	2,682,088
Permanents and other spending legislation	2,054,297	1,960,884	n.a.
Appropriation legislation	138,258	619,553	n.a.
Offsetting receipts	— 834,250	— 834,301	n.a.
Total, Previously Enacted	1,358,305	1,746,136	2,682,088

TABLE 2.—SUPPORTING DETAIL FOR THE SENATE CURRENT LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2017, AS OF FEBRUARY 27, 2017—
Continued
[In millions of dollars]

	Budget Authority	Outlays	Revenues
Continuing Resolution:			
Further Continuing and Security Appropriations Act, 2017 (P.L. 114–254) ^{b,c,d}	1,034,868	613,341	0
Entitlements and Mandatories:			
Budget resolution estimates of appropriated entitlements and other mandatory programs	914,848	895,267	0
Total Current Level ^e	3,308,021	3,254,744	2,682,088
Total Senate Resolution ^f	3,226,128	3,224,630	2,682,088
Current Level Over Senate Resolution	81,893	30,114	n.a.
Current Level Under Senate Resolution	n.a.	n.a.	n.a.
Memorandum:			
Revenues, 2017–2026:			
Senate Current Level	n.a.	n.a.	32,351,660
Senate Resolution	n.a.	n.a.	32,351,660
Current Level Over Senate Resolution	n.a.	n.a.	n.a.
Current Level Under Senate Resolution	n.a.	n.a.	n.a.

Source: Congressional Budget Office.
Notes: n.a. = not applicable; P.L. = Public Law.
^a Includes the budgetary effects of enacted legislation cleared by the Congress during the 114th session, prior to the adoption of S. Con. Res. 3, the Concurrent Resolution on the Budget for Fiscal Year 2017.
^b Emergency funding that was not designated as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall not count for certain budgetary enforcement purposes. These amounts, which are not included in the current level totals, are as follows:

	Budget Authority	Outlays	Revenues
Further Continuing and Security Assistance Appropriations Act, 2017 (P.L. 114–254)	– 2	– 1	0
^c Division A of P.L. 114–254 contains the Further Continuing Appropriations Act, 2017, which provides funding for those agencies within the jurisdiction of 11 of the 12 regular appropriations bills through April 28, 2017; those amounts are shown under the “Continuing Resolution” section of this table. Certain provisions in Division A provide funding until or beyond the end of fiscal year 2017; those amounts are shown in the “Previously Enacted” section of this table. In addition, Division B of P.L. 114–254 contains the Security Assistance Appropriations Act, 2017, which provides funding until or beyond the end of fiscal year 2017 for overseas contingency operations; those amounts are shown under the “Previously Enacted” section of this table. ^d Sections 193–195 of Division A of P.L. 114–254 provided funding, available until expended, for innovation projects and state responses to opioid abuse. CBO estimates that, for fiscal year 2017: The \$20 million in discretionary budget authority provided by section 193 would result in an additional \$5 million in outlays for FDA innovation projects; The \$352 million in discretionary budget authority provided by section 194 would result in an additional \$91 million in outlays for NIH innovation projects; The \$500 million in discretionary budget authority provided by section 195 would result in an additional \$160 million in outlays for state response to opioid abuse. Consistent with sections 1001–1004 of P.L. 114–255, for the purposes of estimating the discretionary budget authority and outlays for these provisions under the Congressional Budget and Impoundment Act of 1974 and the Balanced Budget and Emergency Deficit Act of 1985, these amounts are estimated to provide no budget authority or outlays. ^e For purposes of enforcing section 311 of the Congressional Budget Act in the Senate, the resolution, as approved by the Senate, does not include budget authority, outlays, or revenues for off-budget amounts. As a result, current level does not include these items. ^f Excludes \$81,872 million in budget authority and \$40,032 million in outlays assumed in S. Con. Res. 3 for non regular discretionary spending, including spending that qualifies for adjustments to discretionary spending limits pursuant to section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985, that is not yet allocated to the Senate Committee on Appropriations.			

TABLE 3.—SUMMARY OF THE SENATE PAY-AS-YOU-GO SCORECARD FOR THE 115TH CONGRESS, AS OF FEBRUARY 27, 2017
[In millions of dollars]

	2016–2021	2016–2026
Beginning Balance ^a	0	0
Enacted Legislation: ^{b,c,d}		
Tested Ability to Leverage Exceptional National Talent Act of 2017 (P.L. 115–1)	*	*
Disapproving the rule submitted by the Department of the Interior known as the Stream Protection Rule. (P.L. 115–5)	*	*
Current Balance	*	*
Memorandum:		
Changes to Revenues	2016–2021	2016–2026
Changes to Outlays	*	*

Source: Congressional Budget Office.
Notes: n.e. = not able to estimate; P.L. = Public Law; FAA = Federal Aviation Administration; * = between –\$500,000 and \$500,000.
^a Pursuant to the statement printed in the Congressional Record on January 17, 2017, the Senate Pay-As-You-Go Scorecard was reset to zero.
^b The amounts shown represent the estimated effect of the public laws on the deficit.
^c Excludes off-budget amounts.
^d Excludes amounts designated as emergency requirements.

ADDITIONAL STATEMENTS

REMEMBERING SHERIFF RALPH OGDEN

● Mr. FLAKE. Mr. President, with a heavy heart I wish to mark the passing of a pillar of the Arizona law enforcement community.

When people think of the Old West, they often picture a Stetson-wearing lawman sitting astride his horse, keeping watch over his community.

For generations of residents in southwestern Arizona, that lawman was Yuma County Sheriff Ralph Ogden.

With his towering frame and trademark mustache, Sheriff Ogden looked every bit the part.

Despite his imposing physical presence, Sheriff Ogden was a kind, com-

passionate man, beloved by his deputies and celebrated by his community.

After 4 years of distinguished service in the U.S. Marine Corps, Ralph Ogden began his 42-year law enforcement career as a dispatcher and jailer in Parker, AZ.

A dedicated public servant, he would eventually serve as chief deputy for 12 years.

Ralph would go on to be elected to five consecutive terms as sheriff, with his 20-year tenure the longest in Yuma County history.

Sheriff Ogden always understood the importance of getting to know the community he served and encouraged his employees to get involved in charities, religious groups, and service organizations.

He valued teamwork and recognized that no one can succeed on their own.

This philosophy of always having each other's back was something he carried with him throughout his time with the sheriff's office, and it was reflected in the way he treated those around him.

Sheriff Ogden was known to write personal birthday and anniversary cards for each of his employees, just to show that he valued their service and friendship and that they were important to him.

When asked about the benefits of serving in law enforcement, Sheriff Ogden said that, when you go home tired and beat after a long day, you sleep well knowing you did some good.

Sheriff Ralph Ogden did a lot of good, and I know he is resting well.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Ridgway, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting nominations which were referred to the Committee on the Judiciary.

(The message received today is printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 12:30 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that pursuant to 10 U.S.C. 9355(a), and the order of the House of January 3, 2017, the Speaker appoints the following individual on the part of the House of Representatives to the Board of Visitors to the United States Air Force Academy: Lieutenant Colonel Bruce Swezey, United States Air Force, Retired, Franklin, Wisconsin.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-889. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General Robert R. Ruark, United States Marine Corps, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-890. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "International Affairs; Antarctic Marine Living Resources Convention Act" (RIN0648-BB86) received during adjournment of the Senate in the Office of the President of the Senate on February 23, 2017; to the Committee on Commerce, Science, and Transportation.

EC-891. A communication from the Federal Register Liaison Officer, Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Implementation of Statutory Amendments Requiring the Modification of the Definition of Hard Cider" (RIN1513-AC31) received during adjournment of the Senate in the Office of the President of the Senate on February 23, 2017; to the Committee on Finance.

EC-892. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of Deputy Secretary, Department of Homeland Security, received in the Office of the President of the Senate on February 28, 2017; to the Committee on

Homeland Security and Governmental Affairs.

EC-893. A communication from the Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, the Department's fiscal year 2014 and fiscal year 2015 inventories of commercial and inherently governmental activities; to the Committee on Homeland Security and Governmental Affairs.

EC-894. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-655, "Elderly Tenant and Tenant with a Disability Protection Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-895. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-656, "Council Financial Disclosure Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-896. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-657, "Condominium Owner Bill of Rights and Responsibilities Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-897. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-658, "Vehicle-for-Hire Accessibility Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-898. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-659, "Downtown Business Improvement Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-899. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-664, "Specialty Drug Copayment Limitation Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-900. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-665, "Regulation of Landscape Architecture and Professional Design Firms Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-901. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-666, "Washington Metrorail Safety Commission Establishment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-902. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-668, "Uniform Electronic Legal Material Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-903. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-669, "State Board of Education Omnibus Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-904. A communication from the Chairman of the Council of the District of Colum-

bia, transmitting, pursuant to law, a report on D.C. Act 21-670, "Nationals Park and Ballpark District Designated Entertainment Area Signage Regulations Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-905. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-671, "Rail Safety and Security Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-906. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-672, "Collaborative Reproduction Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-907. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-673, "Fair Credit in Employment Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-908. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-674, "Urban Farming and Food Security Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-909. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-676, "Death Certificate Gender Identity Recognition Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-910. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-677, "Fair Criminal Record Screening for Housing Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-911. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-678, "Omnibus Alcoholic Beverage Regulation Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-912. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-679, "Office of Out of School Time Grants and Youth Outcomes Establishment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-913. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-680, "Bryant Street Tax Increment Financing Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-914. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-681, "District of Columbia State Athletics Consolidation Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-915. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-682, "Universal Paid Leave Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-916. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-683, "Snow Removal Agreement Authorization Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-917. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-684, "Wage Theft Prevention Clarification and Overtime Fairness Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-918. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-685, "Land Disposition Transparency and Clarification Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-919. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-686, "First-time Homebuyer Tax Benefit Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-920. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-687, "Advisory Neighborhood Commissions Omnibus Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-921. A communication from the Deputy General Counsel, Office of General Counsel, Small Business Administration, transmitting, pursuant to law, the report of a rule entitled "Civil Monetary Penalties Inflation Adjustments" (RIN3245-AD44) received during adjournment of the Senate in the Office of the President of the Senate on February 23, 2017; to the Committee on Small Business and Entrepreneurship.

EC-922. A communication from the Deputy General Counsel, Office of Investment and Innovation, Small Business Administration, transmitting, pursuant to law, the report of a rule entitled "Small Business Investment Companies: Passive Business Expansion and Technical Clarifications" (RIN3245-AG67) received during adjournment of the Senate in the Office of the President of the Senate on February 23, 2017; to the Committee on Small Business and Entrepreneurship.

EC-923. A communication from the Deputy General Counsel, Office of Policy, Planning, and Liaison, Small Business Administration, transmitting, pursuant to law, the report of a rule entitled "Credit for Lower Tier Small Business Subcontracting" (RIN3245-AG71) received during adjournment of the Senate in the Office of the President of the Senate on February 23, 2017; to the Committee on Small Business and Entrepreneurship.

EC-924. A communication from the Office Program Manager, Office of Regulation Policy and Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "VA Veteran-Owned Small Business Verification Guidelines" (RIN2900-AP93) received during adjournment of the Senate in the Office of the President of the Senate on February 23, 2017; to the Committee on Veterans' Affairs.

and second times by unanimous consent, and referred as indicated:

By Mr. COTTON (for himself, Mr. BOOZMAN, Mr. COCHRAN, and Mr. DONNELLY):

S. 478. A bill to amend the Migratory Bird Treaty Act to prohibit baiting exemptions on certain land; to the Committee on Environment and Public Works.

By Mr. BROWN (for himself, Mr. WICKER, Mr. CARDIN, and Ms. COLLINS):

S. 479. A bill to amend title XVIII of the Social Security Act to waive coinsurance under Medicare for colorectal cancer screening tests, regardless of whether therapeutic intervention is required during the screening; to the Committee on Finance.

By Mr. PORTMAN (for himself and Mr. UDALL):

S. 480. A bill to reauthorize the Multi-national Species Conservation Funds Semipostal Stamp; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BENNET:

S. 481. A bill to provide for the withdrawal and protection of certain Federal land in the State of Colorado, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. THUNE (for himself, Mr. MURPHY, Mrs. CAPITO, and Mr. DONNELLY):

S. 482. A bill to amend the Internal Revenue Code of 1986 to treat certain amounts paid for physical activity, fitness, and exercise as amounts paid for medical care; to the Committee on Finance.

By Mrs. MURRAY:

S. 483. A bill to designate and expand wilderness areas in Olympic National Forest in the State of Washington, and to designate certain rivers in Olympic National Forest and Olympic National Park as wild and scenic rivers, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. MENENDEZ (for himself and Mr. HATCH):

S. 484. A bill to amend the Investment Company Act of 1940 to terminate an exemption for companies located in Puerto Rico, the Virgin Islands, and any other possession of the United States; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. FLAKE (for himself, Mr. HEINRICH, Mr. MCCAIN, Mr. RISCH, Mr. CRAPO, Mr. GARDNER, Mr. HELLER, Mr. BARRASSO, Mr. DAINES, Mr. TESTER, and Mr. BENNET):

S. 485. A bill to amend the Healthy Forests Restoration Act of 2003 to provide cancellation ceilings for stewardship end result contracting projects, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CASEY (for himself, Mr. PORTMAN, Mr. COONS, Mr. GARDNER, Mr. BROWN, Mr. ROBERTS, Ms. STABENOW, Mrs. CAPITO, Mrs. GILLIBRAND, and Mr. BLUNT):

S. 486. A bill to amend title XVIII of the Social Security Act to provide for the non-application of Medicare competitive acquisition rates to complex rehabilitative wheelchairs and accessories; to the Committee on Finance.

By Mr. CRAPO (for himself, Ms. STABENOW, Ms. BALDWIN, Mr. BENNET, Mr. BLUNT, Mr. COCHRAN, Ms. DUCKWORTH, Mr. GARDNER, Mrs. GILLIBRAND, Ms. HIRONO, Mr. ISAKSON, Mr. KING, Ms. KLOBUCHAR, Mr.

LEAHY, Mr. MENENDEZ, and Mr. RISCH):

S. 487. A bill to amend the Internal Revenue Code of 1986 to provide for an exclusion for assistance provided to participants in certain veterinary student loan repayment or forgiveness programs; to the Committee on Finance.

By Mr. TOOMEY (for himself and Mr. WARNER):

S. 488. A bill to increase the threshold for disclosures required by the Securities and Exchange Commission relating to compensatory benefit plans, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mrs. FISCHER (for herself and Mr. SASSE):

S. Res. 74. A resolution congratulating the State of Nebraska on the 150th anniversary of the admission of that State into the United States; considered and agreed to.

By Mr. PORTMAN (for himself and Mr. BROWN):

S. Res. 75. A resolution recognizing the 100th anniversary of the Academy of Nutrition and Dietetics, the largest organization of food and nutrition professionals in the world; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. CASEY (for himself, Mr. ISAKSON, Mrs. CAPITO, Mr. COONS, and Mrs. SHAHEEN):

S. Res. 76. A resolution expressing support for the designation of March 21, 2017, as "National Rosie the Riveter Day"; to the Committee on the Judiciary.

By Mr. CASEY (for himself, Ms. COLLINS, Mr. MARKEY, Mr. COONS, Mr. MENENDEZ, Mr. BROWN, Mr. ISAKSON, Mrs. FEINSTEIN, Mr. VAN HOLLEN, Mrs. CAPITO, Mr. MORAN, and Mr. THUNE):

S. Res. 77. A resolution supporting the goals and ideals of Multiple Sclerosis Awareness Week; considered and agreed to.

ADDITIONAL COSPONSORS

S. 59

At the request of Mr. CRAPO, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S. 59, a bill to provide that silencers be treated the same as long guns.

S. 132

At the request of Mr. CRAPO, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 132, a bill to amend title 54, United States Code, to provide for congressional and State approval of national monuments and restrictions on the use of national monuments.

S. 152

At the request of Mr. RUBIO, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 152, a bill to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first

based on performance or misconduct, and for other purposes.

S. 203

At the request of Mr. BURR, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 203, a bill to reaffirm that the Environmental Protection Agency may not regulate vehicles used solely for competition, and for other purposes.

S. 223

At the request of Ms. COLLINS, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 223, a bill to provide immunity from suit for certain individuals who disclose potential examples of financial exploitation of senior citizens, and for other purposes.

S. 236

At the request of Mr. WYDEN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 236, a bill to amend the Internal Revenue Code of 1986 to reform taxation of alcoholic beverages.

S. 254

At the request of Mr. UDALL, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 254, a bill to amend the Native American Programs Act of 1974 to provide flexibility and reauthorization to ensure the survival and continuing vitality of Native American languages.

S. 315

At the request of Mr. SULLIVAN, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 315, a bill to direct the Secretary of the Army to place in Arlington National Cemetery a monument honoring the helicopter pilots and crewmembers who were killed while serving on active duty in the Armed Forces during the Vietnam era, and for other purposes.

S. 339

At the request of Mr. NELSON, the names of the Senator from Idaho (Mr. CRAPO), the Senator from Florida (Mr. RUBIO), the Senator from Alaska (Ms. MURKOWSKI), the Senator from North Carolina (Mr. TILLIS), the Senator from Arkansas (Mr. COTTON), the Senator from Nevada (Mr. HELLER), the Senator from Delaware (Mr. COONS) and the Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of S. 339, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation, and for other purposes.

S. 372

At the request of Mr. PORTMAN, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 372, a bill to amend the Tariff Act of 1930 to ensure that merchandise arriving through the mail shall be subject to review by U.S. Customs and Border Protection and to re-

quire the provision of advance electronic information on shipments of mail to U.S. Customs and Border Protection and for other purposes.

S. 389

At the request of Mr. WYDEN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 389, a bill to amend the Internal Revenue Code of 1986 to ensure that kombucha is exempt from any excise taxes and regulations imposed on alcoholic beverages.

S. 407

At the request of Mr. CRAPO, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 407, a bill to amend the Internal Revenue Code of 1986 to permanently extend the railroad track maintenance credit.

S. 415

At the request of Ms. CORTEZ MASTO, the names of the Senator from New York (Mr. SCHUMER), the Senator from Ohio (Mr. BROWN) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. 415, a bill to nullify the effect of the recent Executive order that makes the vast majority of unauthorized individuals priorities for removal and aims to withhold critical Federal funding to sanctuary cities.

S. 420

At the request of Mr. RUBIO, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 420, a bill to require the President to report on the use by the Government of Iran of commercial aircraft and related services for illicit military or other activities, and for other purposes.

S. 422

At the request of Mrs. GILLIBRAND, the names of the Senator from Florida (Mr. NELSON), the Senator from Minnesota (Mr. FRANKEN) and the Senator from Colorado (Mr. BENNET) were added as cosponsors of S. 422, a bill to amend title 38, United States Code, to clarify presumptions relating to the exposure of certain veterans who served in the vicinity of the Republic of Vietnam, and for other purposes.

S. 431

At the request of Mr. THUNE, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 431, a bill to amend title XVIII of the Social Security Act to expand the use of telehealth for individuals with stroke.

S. 445

At the request of Ms. COLLINS, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 445, a bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 473

At the request of Mr. TESTER, the names of the Senator from New York (Mrs. GILLIBRAND), the Senator from Ohio (Mr. BROWN) and the Senator from Michigan (Mr. PETERS) were added as cosponsors of S. 473, a bill to amend title 38, United States Code, to make qualification requirements for entitlement to Post-9/11 Education Assistance more equitable, to improve support of veterans receiving such educational assistance, and for other purposes.

S.J. RES. 11

At the request of Mr. BARRASSO, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S.J. Res. 11, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule of the Bureau of Land Management relating to "Waste Prevention, Production Subject to Royalties, and Resource Conservation".

S. RES. 54

At the request of Mr. BLUMENTHAL, the names of the Senator from Ohio (Mr. PORTMAN) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. Res. 54, a resolution expressing the unwavering commitment of the United States to the North Atlantic Treaty Organization.

S. RES. 70

At the request of Ms. HIRONO, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. Res. 70, a resolution recognizing the 75th anniversary of Executive Order 9066 and expressing the sense of the Senate that policies that discriminate against any individual based on the actual or perceived race, ethnicity, national origin, or religion of that individual would be a repetition of the mistakes of Executive Order 9066 and contrary to the values of the United States.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 74—CONGRATULATING THE STATE OF NEBRASKA ON THE 150TH ANNIVERSARY OF THE ADMISSION OF THAT STATE INTO THE UNITED STATES

Mrs. FISCHER (for herself and Mr. SASSE) submitted the following resolution; which was considered and agreed to:

S. RES. 74

Whereas the name "Nebraska" is derived from a Native American Siouan word that means "flat water" and is inspired by the Platte River;

Whereas early explorers of the Great Plains called the Nebraska region the "Great American Desert", mistakenly believing that its vast prairies were incapable of supporting agriculture;

Whereas the Platte River Valley provided an ideal corridor for settlers traveling westward along the Oregon, Mormon, and California Trails;

Whereas the Act entitled "An Act to secure Homesteads to actual Settlers on the Public Domain", approved May 20, 1862, encouraged enterprising individuals to consider settling in the Nebraska Territory;

Whereas Nebraska was—

(1) the first State admitted to the United States after the conclusion of the Civil War; and

(2) the only State the admittance of which the President vetoed because of disagreement with the "fundamental condition" imposed by Congress with respect to giving black men the right to vote;

Whereas, by means of the Act entitled "An Act for the Admission of the State of Nebraska into the Union", approved February 9, 1867, Congress overrode the veto of President Andrew Johnson, opening the way for the admission of Nebraska into the United States on March 1, 1867;

Whereas the admission of Nebraska into the United States led to the further settlement of Nebraska and the construction of the transcontinental railroad westward from the Omaha terminus;

Whereas, in 1879, a Federal district court in Nebraska was the site where American Indians were first recognized as persons under the laws of the United States after Standing Bear pleaded, "I am a man";

Whereas Nebraska is leading the way for a new innovation frontier where entrepreneurs are engaged in building the economy of the future by establishing and growing great businesses;

Whereas Nebraska is the only State whose residents, desiring greater government accountability, voted to transition the State legislature from a bicameral system to a unicameral system, thereby reducing the size of the legislature by nearly 70 percent;

Whereas Nebraska is the home of such national food sensations as the reuben and runzas;

Whereas Nebraska leads the United States in—

- (1) beef and veal exports;
- (2) commercial red meat production;
- (3) commercial cattle slaughter;
- (4) Great Northern bean production;
- (5) popcorn production; and
- (6) the number of irrigated acres of cropland;

Whereas Nebraska continues to lead the United States in center-pivot irrigation technology, as Nebraska is home to the 4 largest irrigation companies in the United States;

Whereas, in 1866, Nebraska was the first State in which women were the 2 major party candidates for governor;

Whereas Nebraska has played and continues to play a significant and remarkable role in the civic, economic, educational, and cultural life of the United States;

Whereas, on March 1, 2017, Nebraska marks the 150th anniversary of the admission of that State into the United States; and

Whereas the sesquicentennial celebration of statehood offers a special opportunity for the people of Nebraska to reflect, remember, celebrate, and plan for an even brighter future that embodies the State motto of Nebraska, "Equality Before the Law": Now, therefore, be it

Resolved, That the Senate congratulates the State of Nebraska on the 150th anniversary of the admission of that State into the United States.

SENATE RESOLUTION 75—RECOGNIZING THE 100TH ANNIVERSARY OF THE ACADEMY OF NUTRITION AND DIETETICS, THE LARGEST ORGANIZATION OF FOOD AND NUTRITION PROFESSIONALS IN THE WORLD

Mr. PORTMAN (for himself and Mr. BROWN) submitted the following resolution; which was referred to the Committee on Agriculture, Nutrition, and Forestry:

S. RES. 75

Whereas, on October 20, 1917, dietitians met in Cleveland, Ohio, to identify ways in which food and nutrition professionals could help the United States Government conserve food and improve public health and nutrition during World War I;

Whereas the foundational meeting on October 20, 1917, led to the creation of the American Dietetics Association, now known as the Academy of Nutrition and Dietetics (referred to in this preamble as the "Academy");

Whereas, since the inception of the Academy, the Academy has grown from a charter membership of 58 individuals to the largest organization of food and nutrition professionals in the world, with a membership as of January 2017 of more than 75,000 individuals;

Whereas the Academy is comprised of a diverse group of registered dietitian nutritionists and technicians, scientists, clinicians, educators, students, and other food and nutrition practitioners; and

Whereas, through evidence-based research and education, members of the Academy play an important role in shaping the food choices and nutrition of the people of the United States: Now, therefore, be it

Resolved, That the Senate—

(1) commemorates October 20, 2017, as the 100th anniversary of the Academy of Nutrition and Dietetics; and

(2) applauds the Academy of Nutrition and Dietetics for its past, present, and future efforts to champion the principles established by its dietitian predecessors more than 100 years ago—

(A) to promote food and nutrition professionals; and

(B) to improve the health and wellness of all people of the United States through research, education, and advocacy.

SENATE RESOLUTION 76—EXPRESSING SUPPORT FOR THE DESIGNATION OF MARCH 21, 2017, AS "NATIONAL ROSIE THE RIVETER DAY"

Mr. CASEY (for himself, Mr. ISAKSON, Mrs. CAPITO, Mr. COONS, and Mrs. SHAHEEN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 76

Whereas National Rosie the Riveter Day is a collective national effort to raise awareness of the 16,000,000 women who worked during World War II;

Whereas the people of the United States have chosen to honor women workers who contributed from the home front during World War II;

Whereas those women left their homes to work or volunteer full-time in factories, farms, shipyards, airplane factories, banks, and other institutions in support of the Armed Forces overseas;

Whereas those women worked with the United Service Organizations and the American Red Cross, drove trucks, riveted airplane parts, collected critical materials, rolled bandages, and served on rationing boards;

Whereas it is fitting and proper to recognize and preserve the history and legacy of working women, including volunteer women, during World War II to promote cooperation and fellowship among those women and their descendants;

Whereas those women and their descendants wish to further the advancement of patriotic ideas, excellence in the workplace, and loyalty to the United States; and

Whereas March 21, 2017, during Women's History Month, is an appropriate day to designate as "National Rosie the Riveter Day": Now, therefore, be it

Resolved, That the Senate—

(1) supports the designation of March 21, 2017, as "National Rosie the Riveter Day"; and

(2) acknowledges the important role played by women during World War II.

SENATE RESOLUTION 77—SUPPORTING THE GOALS AND IDEALS OF MULTIPLE SCLEROSIS AWARENESS WEEK

Mr. CASEY (for himself, Ms. COLLINS, Mr. MARKEY, Mr. COONS, Mr. MENENDEZ, Mr. BROWN, Mr. ISAKSON, Mrs. FEINSTEIN, Mr. VAN HOLLEN, Mrs. CAPITO, Mr. MORAN, and Mr. THUNE) submitted the following resolution; which was considered and agreed to:

S. RES. 77

Whereas multiple sclerosis (referred to in this preamble as "MS") can impact individuals of all ages, races, and ethnicities, but MS is at least 2 to 3 times more common in women than in men;

Whereas there are approximately 2,300,000 individuals worldwide who have been diagnosed with MS;

Whereas MS is typically diagnosed in individuals between the ages of 20 and 50, but it is estimated that between 8,000 and 10,000 children and adolescents are living with MS in the United States;

Whereas MS is an unpredictable, often disabling disease of the central nervous system that disrupts the flow of information within the brain and between the brain and the body;

Whereas symptoms of MS range from numbness and tingling to vision problems and paralysis, and the progress, severity, and specific symptoms of MS in any 1 person cannot yet be predicted;

Whereas, while there is no evidence that MS is directly inherited, studies show that there are genetic and environmental factors that give certain individuals a higher risk of developing MS;

Whereas the exact cause of MS is unknown, and there is no cure for MS;

Whereas the Multiple Sclerosis Coalition, a national network of independent MS organizations dedicated to the enhancement of the quality of life of individuals affected by MS, recognizes and supports Multiple Sclerosis Awareness Week;

Whereas the mission of the Multiple Sclerosis Coalition is to increase opportunities for cooperation and to provide greater opportunity to leverage the effective use of resources for the benefit of the MS community;

Whereas the United States plays a critical role in coordinating MS research globally and amplifies the impact of research in the United States through which results are delivered to MS patients;

Whereas, in 2012, the National Multiple Sclerosis Society was a founding member of the International Progressive MS Alliance, which coordinates research to accelerate the development of treatments for progressive MS by removing international scientific and technological barriers and, as of 2017, includes 16 MS organizations from 15 countries, 8 foundation and trust members, and 5 pharmaceutical partners;

Whereas the Multiple Sclerosis Coalition recognizes and supports Multiple Sclerosis Awareness Week during March each year;

Whereas the goals of Multiple Sclerosis Awareness Week are—

(1) to invite people to join the movement to end MS;

(2) to encourage everyone to do something to demonstrate a commitment to moving toward a world free of MS; and

(3) to acknowledge those who have dedicated time and talent to help promote MS research and programs; and

Whereas, in 2017, Multiple Sclerosis Awareness Week is recognized during the week of March 5 through March 11: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of Multiple Sclerosis Awareness Week;

(2) encourages States, localities, and the territories and possessions of the United States to support the goals and ideals of Multiple Sclerosis Awareness Week by issuing proclamations designating Multiple Sclerosis Awareness Week;

(3) encourages media organizations—

(A) to participate in Multiple Sclerosis Awareness Week; and

(B) to help provide education to the public about multiple sclerosis;

(4) commends the efforts of States, localities, and the territories and possessions of the United States to support the goals and ideals of Multiple Sclerosis Awareness Week;

(5) recognizes and reaffirms the commitment of the United States to ending multiple sclerosis by—

(A) promoting awareness about individuals that are affected by multiple sclerosis; and

(B) supporting multiple sclerosis research and education programs;

(6) recognizes all individuals in the United States living with multiple sclerosis;

(7) expresses gratitude to the family members and friends of individuals living with multiple sclerosis, who are a source of love and encouragement for those individuals; and

(8) salutes the health care professionals and medical researchers who—

(A) provide assistance to individuals affected by multiple sclerosis; and

(B) continue to work to find ways—

(i) to stop multiple sclerosis;

(ii) to restore what has been lost due to multiple sclerosis; and

(iii) to end multiple sclerosis forever.

AUTHORITY FOR COMMITTEES TO MEET

Mr. McCONNELL. Mr. President, I have eight requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to Rule XXVI, paragraph 5(a), of the Standing Rules of the Sen-

ate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation be authorized to hold a meeting during the session of the Senate on Wednesday, March 1, 2017, at 10 a.m. in room 106 of the Dirksen Senate Office Building, entitled "Connecting America: Improving Access to Infrastructure for Communities Across the Country."

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works be authorized to meet during the session of the Senate on Wednesday, March 1, 2017, at 10:30 a.m., in room 406 of the Dirksen Senate office building, to conduct a hearing entitled, "Flood Control Infrastructure: Safety Questions Raised by Current Events."

COMMITTEE ON FINANCE

The Committee on Finance be authorized to meet during the session of the Senate on Wednesday, March 1, 2017, at 10:30 a.m., in 215 Dirksen Senate Office Building, to consider nomination.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary be authorized to meet during the session of the Senate, on March 1, 2017, following the first vote on the Senate Floor, in the Capitol, to conduct an executive business meeting.

COMMITTEE ON HOMELAND SECURITY

The Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on Wednesday, March 1, 2017, at 10 a.m. to conduct a hearing entitled "The Effects of Border Insecurity and Lax Immigration Enforcement on American Communities."

COMMITTEE ON VETERANS' AFFAIRS

The Committee on Veterans' Affairs be authorized to meet during the session of the Senate on Wednesday, March 1, 2017, at 10 a.m., in room SD-G50 of the Dirksen Senate Office Building, to conduct a legislative presentation of The American Legion.

COMMITTEE ON VETERANS' AFFAIRS

The Committee on Veterans' Affairs be authorized to meet during the session of the Senate on Wednesday, March 1, 2017, at 2 p.m., in room SD-G50 of the Dirksen Senate Office Building, to conduct a legislative presentation of Veterans of Foreign Wars.

SUBCOMMITTEE ON EMERGING THREATS AND CAPABILITIES

The Subcommittee on Emerging Threats and Capabilities of the Committee on Armed Services be authorized to meet during the session of the Senate on Wednesday, March 1, 2017, at 10:15 a.m., in closed session, to receive testimony on Global Counterterrorism.

SUPPORTING THE GOALS AND IDEALS OF MULTIPLE SCLEROSIS AWARENESS WEEK

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 77, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 77) supporting the goals and ideals of Multiple Sclerosis Awareness Week.

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

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

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

The resolution (S. Res. 77) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the President pro tempore, and upon the recommendation of the Democratic leader, pursuant to 22 U.S.C. 2761, appoints the following Senator as Vice Chairman of the Senate Delegation to the British-American Interparliamentary Group Conference during the 115th Congress: the Honorable Patrick J. Leahy of Vermont.

ORDER OF PROCEDURE

Mr. McCONNELL. Mr. President, I ask unanimous consent that following leader remarks on Thursday, March 2, there be 20 minutes of debate, equally divided, prior to the confirmation vote on Executive Calendar No. 5, the nomination of Ben Carson to be Secretary of Housing and Urban Development, followed by up to 10 minutes of debate, equally divided, prior to the cloture vote on Executive Calendar No. 9, the nomination of Rick Perry to be Secretary of Energy, and if cloture is invoked, time be counted as if invoked at 7 a.m. that day.

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

ORDERS FOR THURSDAY, MARCH 2, 2017

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Thursday,

March 2; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, that following leader remarks, the Senate proceed to executive session and resume consideration of the Carson nomination as under the previous order.

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

ADJOURNMENT UNTIL 9:30 A.M.
TOMORROW

Mr. McCONNELL. If there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 4:34 p.m., adjourned until Thursday, March 2, 2017, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

UNITED STATES SENTENCING COMMISSION

DANNY C. REEVES, OF KENTUCKY, TO BE A MEMBER OF THE UNITED STATES SENTENCING COMMISSION FOR A TERM EXPIRING OCTOBER 31, 2019, VICE RICARDO H. HINOJOSA, TERM EXPIRED.

CHARLES R. BREYER, OF CALIFORNIA, TO BE A MEMBER OF THE UNITED STATES SENTENCING COMMISSION FOR A TERM EXPIRING OCTOBER 31, 2021. (REAPPOINTMENT)

CONFIRMATION

Executive nomination confirmed by the Senate March 1, 2017:

DEPARTMENT OF THE INTERIOR

RYAN ZINKE, OF MONTANA, TO BE SECRETARY OF THE INTERIOR.

HOUSE OF REPRESENTATIVES—Wednesday, March 1, 2017

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
March 1, 2017.

I hereby appoint the Honorable KEITH J. ROTHFUS to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2017, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

HUMAN RIGHTS VIOLATIONS IN CUBA

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

Ms. ROS-LEHTINEN. Mr. Speaker, appalling human rights violations take place in my native homeland of Cuba on a regular basis and have only gotten worse in the past few years. Just last week, the Castro regime sentenced a man to a year in prison. What was his crime? He did not watch Fidel Castro's funeral on the television. And just a few months ago, Danilo Maldonado, also known as El Sexto, was arrested for writing "he's gone" on a wall after Fidel Castro's death.

Mr. Speaker, the Cuban people lack the most basic of human rights, and they are punished for any sentiment that is not in accordance with the Castro regime. The former administration of this wonderful country failed the people of Cuba.

Since the change in the Cuba policy, reports show that the humanitarian crisis has only gotten worse on the island. The 2017 Freedom in the World report put out by Freedom House showed

that arbitrary arrests were at the highest level in 7 years. The Cuban Commission for Human Rights and National Reconciliation documented a monthly average of 862 arbitrary detentions between January and November of last year.

Raul Castro tries to silence the Cuban people by subjecting human rights defenders, journalists, and peaceful protesters to arbitrary arrest and short-term detentions. Castro also tries to cut any relation between the opposition and outside groups.

Just last week, Mr. Speaker, Luis Almagro, the Secretary General of the Organization of American States, the OAS, was denied entry to Cuba. He was to receive the first Oswaldo Paya Liberty and Life Award. Paya was a human rights activist murdered by the Castro regime just 5 years ago. Almagro was to be presented with the award by Paya's daughter, but the Castro regime called this "an unacceptable provocation"—receiving an award.

Similarly, the former Education Minister of Chile denied entry to Cuba and former Mexican President denied entry to Cuba simply because they planned to meet with true human rights activists and defenders on the island.

I challenge these U.S. congressional delegations that go to Cuba to march with the Ladies in White on any given Sunday. Here they are. Here are their faces. Will they be brave enough to do so, to march with these defenseless ladies, or do they just want a junket to glamorize Cuba?

Not to mention the many human rights abuses that go unreported, Mr. Speaker. Instead, the Cuban people risk their lives to record abuses, to report them to outside organizations.

The Ladies in White, Las Damas de Blanco, march every Sunday, peacefully protesting the unjust and barbaric imprisonment of dissidents.

Look at these images, Mr. Speaker, and the stories of the women on these posters. They are regularly beaten and arrested, yet they continue fighting for the freedom of their country. Protesters like Xiomara de las Mercedes Cruz Miranda, who has been in prison since last April; or Maria del Carmen Cala Aguilera, in prison since April of 2015; or Juana Castillo Acosta, who was beaten in her own home, and then sentenced to 5 years in house arrest.

There are so many women to highlight, so I will flip the posters.

Here are some other faces and other names: Yunet, Marieta, Jacqueline, Marta, and Aymara Nieto Munoz, right

over here, just a handful of the many women who are in prison today in Castro's gulags.

Mr. Speaker, these are just a few of the many who are persecuted daily for opposing the Castro regime. That is their crime. They are simply tossed in jail in Castro's effort to silence the people. But the Cuban people remain strong in the face of the repressive Castro regime. They do not give up hope of seeing a free and democratic Cuba.

I see that same hope, Mr. Speaker, in the eyes of my constituents, Cuban Americans like me and my family, who were given the opportunity to create a life in a country—our country—that stands for everything that Castro is against: freedom of speech, assembly, petition, the rule of law, and democracy.

Mr. Speaker, we must stand with the people of Cuba. We must stand against a Castro regime that seeks to benefit only itself. We must give the Cuban people hope and commit to help them achieve freedom and democracy.

It is the duty of the new administration to review the previous administration's failed policy and start working for the people of Cuba and against the Castro regime.

WE MUST RESIST NOW

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

Mr. BLUMENAUER. Mr. Speaker, in this Chamber last night, as I listened to the President's address to the joint session, I could only think of one word: "resist."

Whether one voted for Donald Trump or not, we are all obligated to resist his incoherent and contradictory pledge to dismantle the protections of the Affordable Care Act with empty slogans.

Perhaps the most revealing moment of the Trump administration so far was his declaration Monday in his meeting with America's Governors that health care is complex. "Who knew?" he said.

Well, anybody who has done any work, any research, or had even had conversations with the people who rely on health care, who study health care, or deliver health care. This was not a secret that it is complex. Yet, for months, he has made reckless, misleading comments and has unleashed efforts to make the Affordable Care Act less effective and to destabilize insurance markets.

We should resist his cynical and cruel step of singling out people who have

somehow been harmed by illegal immigrants as a special category. Why not an office dealing with the far greater number of Americans whose lives are turned upside down as a result of gun violence—which, by the way, is the method of choice for homegrown terrorists who, experts in his own government point out, are responsible for more terrorist acts and violence and death of Americans than people who are foreign-born.

We should resist empty promises to rebuild and renew America by failing to provide any meaningful detail. That squanders an opportunity for bipartisan cooperation and a badly-needed effort to revitalize America and put millions of Americans to work at jobs that can't be outsourced overseas and that will strengthen each community. It is important to resist an administration program long on divisive rhetoric, misinformation, and lost opportunities.

The least popular new President in our history, as near as we can tell, has mobilized millions of Americans to be involved, to resist. It is critical that Americans of good conscience, who care about the future of their country and want to change the trajectory and tone of politics, dive in now to protect programs they care about which are under assault, to reject shortsighted policies that will spend billions of dollars on things we don't need, like even more nuclear weapons. How many times do we have to be able to blow up the world in order to achieve deterrence?

We should resist spending less on critical parts of our defense. For example, the diplomacy and international aid saves human lives; it undercuts the calls to radicalism for people without hope. Making the job of our diplomats and our aid workers harder and more dangerous and less effective should be resisted at every turn.

We should resist draconian budget cuts and hiring freezes that undercut the opportunity to take care of our veterans, especially their health. Their health is a long overdue promise that Trump has occasionally talked about but is now actively undermining.

We should resist unparalleled potential budget assaults on things that make a difference to our communities, like arts, public broadcasting, programs for children, things that matter deeply.

Together, we can resist these destructive policies in Congress, in the budget, and in legislation, while we strengthen their support for similar programs at home. Everybody should resist by being involved in their community. There is something every one of us cares about at home and on the national stage. We should resist politics of division, hatred, and hopelessly flawed and failing priorities.

We should resist. It is within our power to dramatically change the po-

litical equation. Remember, Donald Trump lost the popular vote by almost 3 million votes, while Democrats picked up seats in the House and the Senate. The country is much more evenly divided, and they are not united in support of this administration.

By doing our job now, it makes it possible to build on the successes by making sure everyone has a chance to participate in the voting process. Fight efforts at voter suppression.

It is time for all of us to engage in that resistance that adds energy and hope across America. It must start now and will continue until we defeat hate, bigotry, shortsighted policy, and misallocated priorities.

America can halt and reverse the damage that has been set in motion. We should resist. We should resist now.

RARE DISEASE WEEK

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

Mr. LANCE. Mr. Speaker, this week we recognize the work of the tireless advocates fighting rare diseases.

I have the honor of serving as the Republican chair of the House of Representatives Rare Disease Caucus. I consider it one of the greatest responsibilities of my service to work for innovative treatment and new technologies and to build an atmosphere of appreciation and understanding in Congress for the hard work of all of the patient advocates. Their passion is often driven by the care of loved ones, and their personal stories are profiles in courage.

Hearing from thousands of advocates, many of whom are here in Washington this week, gives the members of the caucus renewed energy and purpose. Events held during Rare Disease Week here on Capitol Hill and at the NIH in Bethesda highlight what has been accomplished and what still needs to be done.

One of those champions joined us in the House Chamber just last evening. I was very proud that President Trump invited New Jersey resident Megan Crowley to his joint session address. Megan's story of combating a terrible rare disease is a testament to the American spirit. Megan is now a student at Notre Dame. I salute her, her parents, and her family for their courage.

Passage of the 21st Century Cures Act was a major accomplishment in the last Congress—indeed, in my opinion, it was the most important piece of legislation passed during the 114th Congress. We worked in a bicameral, bipartisan way. We worked with the White House and with the Department of Health and Human Services. It passed overwhelmingly in the House and in the Senate, and now it is the law of the land.

I am encouraged that the Trump administration will carefully implement its provisions to our healthcare system, improving the healthcare system and to help spur the next great medical innovations.

Congress will join and help direct that effort and proceed through the appropriations process to match progress and research funds.

□ 1015

Right now it takes 15 years for a new drug to move from the lab to the local pharmacy. The CURES Act modernizes clinical trials to expedite the development of new drugs and devices, removes regulatory uncertainty in the development of new medical apps, and breaks down barriers to facilitate increased research collaboration.

Patients with degenerative conditions, cancers, and rare diseases await the genius of these new solutions. We need to do everything we can to help find these cures.

I have met with many rare disease patients, advocates, and their loved ones. Their work is inspiring, and it gives our caucus a mission and a purpose.

Mr. Speaker, I urge my colleagues to join the Rare Disease Caucus and help us in this great cause. In this, the week that we recognize the work of the tireless advocates across the Nation, I salute all of them for what they are doing for the American Nation.

CONNECT THE DOTS

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

Mr. JEFFRIES. Mr. Speaker, we have a reality show host masquerading as President of the United States of America who came to this Chamber yesterday in a Hollywood-style production and pretended to act Presidential.

But the question that we confront is one that Richard Nixon actually first raised, in November of 1973, when he said that the American people deserve to know whether or not the President is a crook. That was an observation that Richard Nixon made in the context of the Watergate scandal which began as a nickel-and-dime break-in at the Democratic National Committee headquarters in the summer of 1972, and, obviously, concluded with impeachment proceedings and the ultimate resignation of a President in disgrace.

Nixon made the observation that the American people deserve to know whether or not the President is a crook, and many people across the country are raising a similar question because 17 different intelligence agencies have concluded that the Russians, at the explicit direction of Vladimir Putin, interfered in our election for the purpose of helping Donald Trump. Yet,

it is hard to get an independent investigation going in this place because my friends on the other side of the aisle continue to put party ahead of the country.

But that is just the beginning. We know that, as early as December of 2015, at least four different cronies of Donald Trump were in regular communication with Russian intelligence agents at the same time these individuals were hacking into the DNC, the DCCC, and the Clinton campaign, interfering with our democracy. These individuals were Michael Flynn, who came to become Trump's first national security adviser; Carter Page, who was his former foreign policy adviser; Paul Manafort, who was the chairman of the Trump campaign; and Roger Stone, a longtime affiliate.

If they were having these conversations at this time, we know they probably weren't talking about Russian vodka. What were they talking about? The American people deserve to know.

We also are aware that Michael Flynn had an illegal conversation, in December of 2016, with the Russian Ambassador where he discussed sanctions that were imposed on Russia because of their hacking. He then apparently lied about this conversation to the Vice President who then went out and misrepresented facts to the American people, and then Michael Flynn resigned in disgrace. But we still can't get an independent, nonpartisan investigation in this place.

But that is not all. We know that Donald Trump has not been bashful when going after our allies like Mexico or Australia or NATO or the European Union or, this past weekend, France. He is not bashful about being critical, but he can't say a negative word about Vladimir Putin, a brutal dictator. It appears that this President is more determined to make the Kremlin great again.

But that is not all. He refuses to release his taxes despite promising the American people that he was going to do so prior to November of last year. What exactly is he hiding in these tax documents? Yet, we still can't get an independent investigation.

We also know that the White House Chief of Staff engaged in potentially unlawful conversations with the FBI, perhaps trying to get them to obstruct justice in the public sphere in the midst of an ongoing investigation.

All we are saying is connect the dots. This should not be a Democratic issue or a Republican issue. The American people deserve to know whether or not the President is a crook.

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

MONROE COUNTY ROADS PROJECT

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

Mr. CURBELO of Florida. Mr. Speaker, I come to the floor today to congratulate and express my gratitude to Monroe County leaders who recently took steps to address the impact sea level rise is having on roads and infrastructure in my district.

Earlier this year, the Monroe County Board of County Commissioners took action that sets new standards for determining elevation of future county road improvement projects to account for future sea level rise. This is a problem my district is already facing. The 2015 King Tides led to flooding that lasted more than 3 weeks in several neighborhoods, causing damage to homes and businesses and leaving my constituents unable to move freely to and from their homes.

Mr. Speaker, few cities or counties around the United States are as advanced in sea level rise planning and implementation as Monroe County. I am grateful for their leadership, and I am committed to continuing to support their efforts any way I can here in Washington, from advocating for transportation infrastructure research grants that will help ensure we have the best engineering at our disposal to working with my fellow members of the Climate Solutions Caucus to discuss and build consensus for proposals that will mitigate the effects of rising sea levels.

It is critical we continue to work toward an infrastructure package that will give our communities the funds they need to bring our roadways like those in Monroe County into the 21st century.

NATIONAL DEBT

Mr. CURBELO of Florida. Mr. Speaker, I rise today to discuss one of the most serious issues facing the United States—the staggering national debt that will reach \$20 trillion this month, or \$62,715 per person living in our country. While the national debt grew over \$9 trillion under President Obama, we now have a new opportunity here in this Congress to work together with the new administration to propose and debate solutions that will address our country's debt and get our fiscal house back in order.

Every day, families across my district sit around the dinner table and make tough decisions about how they will spend their money. Most stick to their budgets because they don't have a choice, and their government should be no different.

In 2015, I was proud to support a 2-year bipartisan budget agreement that implemented new caps on discretionary spending for both fiscal years 2016 and 2017. Too often, enormous sums are wasted due to unpredictable budget cycles and government shutdown threats.

With the adoption of this 2-year budget, Congress was able to reduce wasteful spending by providing certainty to agencies as they plan for the future.

The budget also included reforms to entitlement programs, which is the largest percentage of national debt. It is important that we protect programs like Social Security, Medicare, and Medicaid—the invaluable safety net for those who need the help—while working to implement reforms to make these programs solvent for future generations.

Mr. Speaker, my constituents sent me back to Washington to continue to build consensus with my colleagues on both sides of the aisle to advance solutions that will rein in our national debt, and that is exactly what I plan to do. It is our duty, as elected officials, to leave our children and grandchildren with the same economic opportunities as previous generations, and that will continue to be one of my main priorities here in Congress.

SMALL BUSINESS HIGHLIGHT

Mr. CURBELO of Florida. Mr. Speaker, I have never had much of a sweet tooth, but it has recently been brought to my attention that my district is home to some thriving small businesses that are putting south Florida on the map for desserts.

Not far from my district office, Night Owl Cookie Company, recently named Forbes 30 Under 30, is delivering fresh-baked cookies to constituents across West Kendall. Since starting the business in 2015, when he would make and deliver cookies from his parents' kitchen, Andrew Gonzalez's success has flourished to three brick-and-mortar locations across Florida.

Further south is Knaus Berry Farm in the Redlands where families from all across south Florida will travel to pick up fresh produce and, of course, to wait in line for fresh, homemade cinnamon rolls. Founded as a family farm in 1956, Knaus Berry has since become a Miami staple, with generation after generation making the trip to south Dade to pick up fresh produce and baked goods. The farm's success has spread, leading to partnerships with other south Florida small businesses that use their cinnamon rolls to create Knaus Berry Farm-inspired doughnuts and ice cream.

It is important that we celebrate these small businesses, Mr. Speaker, because they provide hope, opportunity, and jobs to so many Americans in my district and across the country. It is critical for us to continue advancing policies in this Congress that will continue allowing these small businesses the opportunity to provide hope and jobs for so many Americans.

A NEW AMERICAN CENTURY

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

Mr. SCHIFF. Mr. Speaker, 100 years ago next month, on April 2, 1917, President Woodrow Wilson stood in this Chamber and asked Congress to declare war on Germany. While the proximate cause for America's entry into World War I was Germany's campaign of unrestricted submarine warfare, Wilson and his supporters were also motivated by the belief that they, and the force of American arms, could deliver Europe from its intractable squabbles and, in so doing, make the world safe for democracy.

It was not until the following spring that the American doughboys were committed to the Western Front in large numbers, but they provided not only the additional combat power needed to break the exhausted Germans within months, but also imbued a sense of moral purpose into what had been nearly 4 years of futile slaughter.

A generation later, millions of American GIs returned to help free Europe from Adolf Hitler, while millions more pushed Japan back from its imperial conquests in Asia. This time we stayed—the living to keep the peace and prevent one form of tyranny being replaced by another and the dead as silent witnesses to the cost of liberation.

The United States worked to create the United Nations and a host of other international organizations designed to bind together humanity and avoid another catastrophic world war. We extended aid and friendship to our former enemies through the Marshall Plan and rebuilt Western Europe into an alliance of democracies, a shining contrast to the Soviet Union's eastern satellites.

America's commitment to peace was matched by an equally resolute willingness to defend freedom. When the Soviet Union blockaded Berlin in 1948, in an attempt to force the Western allies out of their half of the city, American pilots flew missions around the clock for 11 months to keep the city supplied until the Soviets relented.

Walls, barbed wire, and stifling oppression characterized the Soviet bloc and Communist Asia. Against this, the United States marshaled its greatest weapons—individual liberty, democratic governance, and a market economy to discredit and defeat communism.

When the Cold War ended four decades after it had begun, it was the fall of the Berlin Wall that symbolized the triumph of freedom and seemingly heralded a new era of peace and prosperity.

Nearly three decades have passed since communism's collapse and the global harmony that many hoped for has been replaced by an international order more challenging to American leadership and American ideals than any we have seen in my lifetime.

□ 1030

Intolerance, ultra-nationalism, and crude populism are rising across the

developed world and threaten to undo the work of decades. After a century of American leadership of the international community, there was a sense among many here at home and around the world that we have lost our will to lead, that we will no longer honor President Kennedy's commitment to "pay any price, bear any burden, meet any hardship, support any friend, oppose any foe to assure the survival and the success of liberty."

The world sees President Trump's executive orders on immigration and asks: Where is the America that welcomed millions to its shores?

Well, I am happy to say that America is alive and well in communities across this great Nation, where people from every continent live together, eat each other's food, celebrate each other's holidays, and it also lives on in the hundreds of State Department officials who signed a Dissent Channel memorandum opposing that policy.

The world sees President Trump's threats to withdraw from Europe and Asia unless our allies "pay up," and asks whether America will still defend its friends. That America, the one that stands shoulder-to-shoulder with NATO and South Korea, can be found in our troops stationed in the Baltics, Poland, and along the DMZ; and it can be found here in Congress, where there is broad support for our alliances and our allies.

The world sees President Trump threatening to drastically cut our foreign assistance budget, the literal difference between life and death for millions of the world's most vulnerable people, and asks: Where is America's legendary generosity?

That America, Mr. Speaker, is alive and well, too. Our USAID professionals, our Peace Corps volunteers, and the thousands of individual Americans working as medical missionaries or with NGOs are still making a difference around the globe every day.

The world sees President Trump's embrace of Vladimir Putin and his seeming disdain for key allies like Germany and Australia and wonders whether we will remain committed to democracy and the rule of law, or we will abandon principle in favor of expedience and flattery.

That America—the America that stood with Solidarity in Poland, with Nelson Mandela in South Africa, and with Aung San Suu Kyi in Burma—is still here, too. Millions of Americans, Democrats and Republicans, the old and young, still stand with those who seek freedom, and we will never allow this President to abandon our ideals.

And finally, Mr. Speaker, the world has seen the rise of Donald Trump and wonders whether Americans will still fight for their own democracy—are we still worthy heirs to Washington, Lincoln, and Roosevelt? The answer to that is on display every day across this country. From the millions who clogged our nation's streets on January 21st, to the calls pouring

into Congress every day to demand a full investigation of the Russia scandal, the American people are engaged and ready to fight for our democracy here at home and for freedom around the world.

To those who doubt us, or wonder whether we remain true to our ideals, whether we will stand up for what we believe, and defend not only America but the beautiful idea it represents, let me borrow a phrase from John Paul Jones, the Revolutionary War hero. "We have not yet begun to fight."

HAPPY 150TH BIRTHDAY, NEBRASKA

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

Mr. SMITH of Nebraska. Mr. Speaker, I rise today to congratulate my home State of Nebraska on 150 years of Statehood.

On March 1, 1867, Nebraska became the 37th State admitted to the Union. Today, as we celebrate this milestone 150 years later, we honor the legacies of the pioneers who took great risks and overcame countless obstacles in pursuit of opportunity.

Our State's pioneer heritage has always inspired me. I am proud to be a fifth-generation resident of Scotts Bluff County, Nebraska. My family was part of the Homestead Movement, settling in western Nebraska and working as sugar beet laborers to build a bright future for generations to come.

The pioneer spirit is still alive and well today, which is one of the many reasons the "Good Life" is such a great place to live. Nebraskans' work ethic is second to none. From the producers who have made the Third District the top-producing agriculture district in the country, to the small businesses which employ nearly half of Nebraska's workforce, productivity is a hallmark of our State.

In addition to our pioneer spirit, Nebraskans are known for their kindness. I am proud of our State's reputation as "Nebraska Nice" and enjoy introducing my colleagues in Washington, D.C., to Nebraska visitors any chance I get.

From Huskers football to world-class research facilities, from Runza to Dorothy Lynch, and from the Oregon Trail to the Homestead National Monument, there is an endless list of unique reasons for Nebraskans to be proud.

I am honored to represent some 65,000 square miles of the Cornhusker State in Congress, and I will continue working every day to uphold our legacy of opportunity.

In celebration of Nebraska's 150th birthday, it is only fitting to close in true Nebraska fashion: Go Big Red.

DR. JEKYLL AND MR. HYDE

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

Ms. SPEIER. Mr. Speaker, this morning, the President is being lauded for a speech that stayed on message and was optimistic. Those accolades would be deserved if his actions bore any resemblance to his words. But, instead, we were subjected to a barrage of third grade sound bites, falsehoods, and half-truths, just like always.

The President condemned the vandalism at the Jewish cemeteries. Yet, earlier the same day, he suggested that these anti-Semitic acts were a “false flag” operation possibly committed by Jews themselves; which is very similar, by the way, to what White supremacist talking points circulated by David Duke are all about.

The President also condemned the racist hate crime murders in Kansas of an Indian engineer.

But why did it take him nearly a week to break his silence? Didn't this act of domestic terrorism deserve a tweet?

He didn't commit to doing anything about it until he was nudged by a tweet by Hillary Clinton.

The President says he wants to fix health care, but all the House Republicans can agree on is to kick 30 million people off their insurance.

Yes, Mr. Trump, we already knew that health care was complicated. It is good to know that you finally understand it as well.

The President said he wanted to invest in women's health, but his own party is committed to defunding Planned Parenthood. Planned Parenthood offers health care to one in five women in this country.

The President said he supports democratic ideals, but he won't advocate them around the globe. He says he supports diplomacy, but his budget cuts the State Department by 37 percent.

The President says he wants to invest \$1 trillion in infrastructure, but congressional Republicans have already implied they won't give him the money.

The President said he supports the rule of law, but he is violating the Constitution's Emoluments Clause every single day.

And worst of all, the President says he supports the troops. Then he blames the military for his own botched raid. This disgraceful abandonment of responsibility makes a mockery of the grief of Chief Petty Officer Owens' widow, who wept in front of all the American people watching the speech on TV last night.

His comments earlier in the day blaming the military are really indescribable. I agree that we must never forget Ryan Owens' sacrifice, and that is why we must understand the circumstances that led to his death and follow through with his parents' request for an independent investigation.

This speech demonstrates that the President can read from a teleprompter

that he so derided during his campaign. Last night, he showed a calm and civilized face to the Nation. Was this a one-night stand or a changed man who recognizes the ominous responsibilities of being President of the United States?

We have seen the President's Mr. Hyde face in his tweets and his unhinged press conferences. I think the question before us now is: Will a single night of soothing platitudes be sufficient?

Dr. Jekyll and Mr. Hyde is something we read. What we do know is that Dr. Jekyll could not suppress his dark side. The question is: Can the President?

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

TEXAS DECLARATION OF INDEPENDENCE

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

Mr. OLSON. Mr. Speaker:

“Delegates of the People of Texas in General Convention at the town of Washington on the 2nd day of March, 1836.

“When a government has ceased to protect the lives, liberty, and property of the people, from whom its legitimate powers are derived, and for the advancement of those whose happiness it was instituted, and so far from being a guarantee for the enjoyment of those . . . inalienable rights, becomes an instrument in the hands of evil rulers for their oppression.

“When the Federal Republican Constitution of their country, which they have sworn to support, no longer has a substantial existence, and the whole nature of their government has been forcibly changed, without their consent, from a restricted federative republic, composed of sovereign states, to a consolidated central military despotism, in which every interest is disregarded but that of the army . . . both the internal enemies of civil liberty, the everready minions of power, and the usual instruments of tyrants.”

“When, in consequence of such acts of malfeasance, and abdication on the part of the government, anarchy prevails, and civil society is dissolved into its original elements. In such a crisis, the first law of nature, the right of self-preservation, the inherent and inalienable rights of the people to appeal to first principles, and take their political affairs into their own hands in extreme cases, enjoins it as a right towards themselves, and a sacred obligation to their posterity, to abolish such government, and create another in its stead, calculated to rescue them from impending dangers, and to secure their future welfare and happiness.”

“The Mexican government, by its colonization laws, invited and induced

the Anglo-American population of Texas to colonize its wilderness under the pledged faith of a written constitution, that they should continue to enjoy that constitutional liberty and republican government to which they had been habituated in the land of their birth, the United States of America.

“In this expectation they have been cruelly disappointed, inasmuch as the Mexican nation has acquiesced in the late changes made in the government by General Antonio Lopez de Santa Anna, who having overturned the constitution of his country, now offers us the cruel alternative, either to abandon our homes, acquired by so many privations, or submit to the most intolerable of all tyranny, the combined despotism of the sword and the priesthood.”

“It has suffered the military commandants, stationed among us, to exercise arbitrary acts of oppression and tyranny, thus trampling upon the most sacred rights of the citizens, and rendering the military superior to the civil power.”

“It denies us the right of worshipping the Almighty according to the dictates of our own conscience, by the support of a national religion, calculated to promote the temporal interest of its human functionaries, rather than the glory of the true and living God.

“It has demanded us to deliver up our arms, which are essential to our defence, the rightful property of freemen, and formidable only to tyrannical governments.

“These, and other grievances, were patiently borne by the people of Texas, until they reached that point at which forbearance ceases to be a virtue. We then took up arms in defence of the national constitution. We appealed to our Mexican brethren for assistance. Our appeal had been made in vain. . . .

“The necessity of self-preservation, therefore, now decrees our eternal political separation.

“We, therefore, the delegates with plenary powers of the people of Texas, in solemn convention assembled, appealing to a candid world for the necessities of our condition, do hereby resolve and declare, that our political connection with the Mexican nation has forever ended, and that the people of Texas do now constitute a free, Sovereign, and independent republic, and are fully invested with all the rights and attributes which properly belong to independent nations; and, conscious of the rectitude of our intentions, we fearlessly and confidently commit the issue to the decision of the Supreme arbiter of the destinies of nations.”

181 years ago, the Republic of Texas was born. God bless Texas.

□ 1045

NITTANY THEATRE AT THE BARN

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to celebrate a true treasure in central Pennsylvania, actually in Boalsburg, Pennsylvania, the Nittany Theatre at the Barn. This one-of-a-kind theater has a storied history which started in the late 1800s as the service barn on a working farm.

The Boal family settled the region for which the town Boalsburg is named. This town was on the main road for travelers from Philadelphia to Pittsburgh. The Boal Mansion estate, which dates to 1789, is a national registered landmark.

The fourth generation of the Boal family, Colonel Theodore Davis Boal, married a descendant of Christopher Columbus and brought the Columbus Chapel to the Boal Mansion from Spain in 1909. This included an admiral's desk said to belong to Columbus himself. By the 1930s, the estate's aging barn was retired from farm use, but it would eventually take on a whole new life.

Pierre Boal retired from the diplomatic service for the country following World War II. He wanted to make the family's estate into a regional museum to display the family's vast collection of treasures and artifacts. Mr. Boal hired Lillian Dickson-Major, an English stage and film actress and lover of history, to be the first curator of the new Boal Mansion Museum. She arrived in 1953 and immediately began preparing the estate for museum service. Lillian looked at the emptied barn and saw its potential as the site for a "most unusual theatre."

At the same time, theater professionals throughout the country and at nearby Penn State University wondered how theater would continue to survive in a world that was captivated by television and Technicolor motion pictures. Pierre and Lillian invited several Penn State professors and theater specialists to make their plans. To close the deal, Pierre Boal leased the old barn to the newly formed Centre County Theatre Association for the generous sum of zero dollars as a means to invite and encourage culture and theater in Centre County. Entrusted to oversee the construction of a state-of-the-art arena theater, the Centre County Theatre Association brought life to Lillian's vision of the barn as a "most unusual theatre."

After several years of preparations and construction, the theater opened at the barn in the summer of 1959 and was a tremendous success. Many audiences enjoyed the summer performances in the old barn for decades. After a long run, the community theater company let the old barn go dark, but

it was only for a brief time before Nittany Theatre at the Barn took up the cause to breathe new life once again into the historic community treasure. State-of-the-art advancements were made at the barn, merging the latest technologies with good, old-fashioned summer stock theater.

The house is stocked with 99 seats, retaining all the charm and intimacy that made the barn legendary. In addition, to enhance audiences' experiences, brand-new, state-of-the-art LED lighting and Broadway quality sound systems were installed. Nittany Theatre also partners with Penn State's School of Theatre to allow Penn State's young actors to share the stage with local seasoned actors.

Mr. Speaker, this theater is full of history and full of life. For nearly 60 years, audiences in Happy Valley have enthusiastically embraced summer theater in Pennsylvania's oldest arena barn theater. I congratulate all those who have kept this community gem open for business throughout the years. As they say in the business, "break a leg" this summer.

RECESS

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

Accordingly (at 10 o'clock and 48 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

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

PRAYER

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

Dear Lord, we give You thanks for giving us another day.

We use this moment to be reminded of Your presence and to tap the resources needed by the Members of this people's House to do their work as well as it can be done.

Send, O God, Your healing grace upon those torn nations and upon the Members of this assembly who struggle to see the shared hope for a better future in those with whom they disagree.

For many Americans, the holy season of Lent begins tomorrow, and foreheads are marked this day in recognition of our limits as men and women and as a reminder of Your power to forgive and heal the harms done through our failures.

All this day and through the week may our Representatives do their best to find solutions to pressing issues facing our Nation. Please hasten the day

when justice and love shall dwell in the hearts of all peoples and rule the affairs of the nations of Earth.

May all that is done this day be for Your greater honor and glory.
Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. BILIRAKIS led the Pledge of Allegiance as follows:

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

RESIGNATION FROM THE HOUSE OF REPRESENTATIVES

The SPEAKER laid before the House the following resignation from the House of Representatives:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 1, 2017.

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

DEAR SPEAKER RYAN: I would like to bring to your attention the attached resignation letter I have sent to Governor Steve Bullock of Montana.

I have enjoyed my tenure as Montana's sole Congressman, and I look forward to continuing my service to Montana and our nation as Secretary of the Interior.

If I can be of any assistance during this transition, please let me know. I would be glad to help however I can.

Sincerely,

RYAN ZINKE.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 1, 2017.

Gov. STEVE BULLOCK,
Office of the Governor,
Helena, MT.

DEAR GOVERNOR BULLOCK: I would like to inform you that I am resigning from my position as the United States Congressman for Montana's At-Large District on March 1, 2017, in order to assume the Secretary of the Interior position. Thank you for the support and partnership that you have provided my office during these last few years.

I have enjoyed my tenure as Montana's sole Congressman, and I look forward to continuing my service to Montana and our nation as Secretary of the Interior.

If I can be of any assistance during this transition, please let me know. I would be glad to help however I can.

Sincerely,

RYAN ZINKE.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Under clause 5(d) of rule XX, the Chair announces to the House that, in light of the resignation of the gentleman from Montana (Mr. ZINKE), the whole number of the House is 430.

ANNOUNCEMENT BY THE SPEAKER

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

NATIONAL EATING DISORDERS
AWARENESS WEEK

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

Ms. ROS-LEHTINEN. Mr. Speaker, as we observe National Eating Disorders Awareness Week, I urge our south Florida community to attend the Alliance for Eating Disorders Awareness Walk this Saturday, March 4, at Tradewinds Park. The walk will celebrate everybody's shape and also encourage screening for eating disorders.

Eating disorders impact millions of Americans and has a proportionate impact on teens and young adults. That is why, Mr. Speaker, I have led bipartisan legislation that urges the Federal Trade Commission to uphold its duty to protect the next generation by promoting fair and responsible advertisements, especially for products geared for children and teens.

I was so proud that last year we were able to enact into law the Anna Westin Act, which I introduced with my colleague TED DEUTCH, in order to allow an avenue for millions of young Americans impacted by eating disorders to seek the help that they need.

Let's celebrate and commemorate Eating Disorders Awareness Week, and I encourage everyone to help spread awareness and promote authentic healthy body images.

THE COST OF BORDER WALLS

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

Mr. HIGGINS of New York. Mr. Speaker, the Massachusetts Institute of Technology Review reported that the cost of then-candidate Trump's wall along the southern border will be up to \$40 billion for every 1,000 miles of wall. With the potential of a 2,000-mile wall along the border, American taxpayers can expect to pay up to \$80 billion for a wall at the southern border—\$80 billion for a wall we were told Mexico would pay for, and Mexico said they will not pay for that wall.

Last year, a leading Republican Governor also suggested that we should explore building a wall along the north-

ern border. The northern border wall would be 5,000 miles. A northern border wall would cost about \$400 billion using the MIT report estimates. Obviously, Canada, like Mexico, will not pay for a silly wall.

Mr. Speaker, \$480 billion to wall in the United States. What is it with Republicans and walls? What are they afraid of? What we need is a new infrastructure bill not to build walls, but to build bridges and roads and to build infrastructure to put Americans back to work and to grow the American economy.

PRESIDENT DONALD TRUMP
FULFILLS PROMISES

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

Mr. WILSON of South Carolina. Madam Speaker, last night President Donald Trump spoke to a joint session of Congress and to the American people in a powerful and positive address.

From day one, President Trump committed himself to fulfilling the promises he made to the American people, and last night he outlined his bold agenda. I was grateful to hear his plans to repeal regulations, reduce taxes, create jobs, repeal and replace ObamaCare, and promote veterans.

As the chairman of the House Armed Services Subcommittee on Readiness, I appreciated his determination to rebuild our military by providing them with the resources they need to promote peace through strength.

The President's speech received an overwhelmingly optimistic response, with nearly 60 percent of viewers having a positive reaction. Additionally, 70 percent of the viewers said the President's policies would move the country in the right direction.

I look forward to working with the President and Speaker PAUL RYAN to achieve the bold, positive vision for American families.

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

Congratulations to Interior Secretary RYAN ZINKE and his wife, Lola, a great team for America.

PRESERVING AFFORDABLE
HEALTH CARE

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

Ms. DELBENE. Madam Speaker, too often we forget that the Affordable Care Act is about more than numbers. It is about real people. So for the next 6 weeks, I will be highlighting the voices of my constituents who have flooded my inbox with heart-wrenching stories about why the law must be pre-

served, constituents like Paul from Snohomish, whose son-in-law died of cancer before the Affordable Care Act.

His disease started small, but, growing up, his family couldn't afford insurance, and he delayed seeking care. By the time he got a job with health coverage, the disease had progressed too far, and he died at the age of 29. Paul wrote to me and said: "The certificate of death says my son-in-law died from cancer, but I believe he died from a broken healthcare system."

We can't go back to a time when getting sick meant going bankrupt. Across the country, Americans like Paul are telling Congress not to repeal the Affordable Care Act. We should heed their advice.

REDUCING PRICE OF
PRESCRIPTION DRUGS

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

Mr. BILIRAKIS. Madam Speaker, as President Trump remarked in his joint address, we must work to bring down the high price of prescription drugs. Too often we have seen the price of lifesaving medication skyrocket due to bad actors taking advantage of monopolies in the market. We witnessed it in 2015 when Turing Pharmaceuticals hiked the price of Daraprim, a drug to treat HIV patients. We saw it again with Mylan Pharmaceuticals raising the cost of the EpiPen by 400 percent.

We cannot allow this to continue.

I am proud to join my colleague, Congressman KURT SCHRADER, to introduce the Lower Drug Costs Through Competition Act. Our bill is a bipartisan approach to tackle the issue of high drug costs head-on. Our legislation uses the free market to incentivize competition among drug makers, encouraging them to bring new generic drugs to market.

My constituents in Florida and folks nationwide need relief. Let's get this done.

IMMIGRANTS ALSO SAVE LIVES

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

Mr. POLIS. Madam Speaker, yesterday President Trump launched a rather ridiculous effort called the Victims of Immigration Crime Engagement Office, or VOICE. They are going to be focusing on talking about people who were victimized by people who are here illegally.

First of all, the statistics aren't with him. It turns out that people who are undocumented are among the least likely groups to commit illegal acts, and studies show that they are one-fifth to one-half less likely to commit a crime.

So I want to start an effort that is similar. I am going to start a task force called SAINT, Saved by American Immigrants National Taskforce, to talk about Americans whose lives were saved by people who are here undocumented—people like Dr. Alfredo Quinones-Hinojosa, who became a brain surgeon, saving countless lives; people like Antonio Diaz Chacon, who chased down a child abductor and saved a 6-year-old girl from a horrific fate, even though he is undocumented; and another undocumented immigrant named Jesus Manuel Cordova, who rescued a 9-year-old boy in the Arizona desert.

These are the kinds of lifesaving efforts from our undocumented immigrants where they save American lives. I bet our efforts at SAINT talking about saving American lives will match, life for life, all of the things that President Trump tries to drum up through his VOICE effort.

Of course there are good and bad people. Of course there are good and bad hombres. Let's celebrate the good with the bad. I look forward to sharing their stories with my colleagues.

PRESIDENT HITS HOME RUN

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

Mr. SMITH of Texas. Madam Speaker, President Trump hit a home run in the State of the Union Address last night. As he said, the way to renew the American spirit is to put Americans first—their jobs, their safety, their education, and their health. He also focused on border security. The rule of law will stop drugs and protect American jobs and lives.

A recent poll found that, by a 2-to-1 ratio, voters feel that the President has kept his promises to the American people. Another poll revealed that 78 percent of Americans had a positive response to President Trump's State of the Union speech. No doubt Americans will rally behind him and support his efforts to put Americans first.

President Trump's words will be long remembered: "My job is not to represent the world. My job is to represent the United States of America."

ANTIOCH BAPTIST CHURCH

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

Mr. PITTENGER. Madam Speaker, I rise today in honor of Antioch Baptist Church in Robeson County, North Carolina.

This year, Antioch Baptist celebrates their 200th anniversary. What an incredible testimony of faithfully spreading God's Word and ministering to the community.

In 1817, the church was founded in the swamps of Robeson County as Burnt Island Baptist, with meetings under a brush arbor on the same spot where the church meets today.

In 1842, the church was renamed Antioch, after the city from which the Apostle Paul launched his three missionary journeys. The name was chosen to signify the church's commitment to missions.

More recently, Antioch Baptist took on the mission of providing a solid education alternative for the people of Robeson County by opening Antioch Christian Academy.

Later this year, I look forward to joining Pastor MARK MEADOWS and the congregation of Antioch Baptist Church to celebrate their 200th anniversary.

God bless them.

□ 1215

KEEPING HEALTHCARE PROMISE

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

Mr. COLLINS of Georgia. Madam Speaker, last night, in this Chamber, we heard President Trump call on the 115th Congress to repeal and replace ObamaCare with reforms that expand patient choice, increase their access to substantive health care, lower costs for our friends and neighbors, and, at the same time, provide better quality health care.

I am here today to say that my colleagues and I are doing just that. We have listened to the families who have lost income and access to their doctors. My own corner of northeast Georgia is full of individuals who work tirelessly to care for their families, and ObamaCare has made it harder for them to see their doctors.

The first promise that ObamaCare broke was that if people liked their insurance, they could keep it. As the insurance market continues its death spiral, we see insurance providers offering less coverage for more money.

Now, my colleagues and I have a choice to make: rescue our failing healthcare system by repealing ObamaCare and returning competition and innovation to the healthcare landscape, or go down in history as leaders who did not keep their promises; as leaders who allowed their neighbors to suffer under what may be the most misguided, destructive policy of our generation.

The choice is clear. The choice is urgent. The choice is simple: Republicans are leading in healthcare reform that will bring relief to Americans who have only experienced the broken promises of ObamaCare. We are offering affordable, flexible healthcare options that prioritize patients over bureaucrats, and we are doing it together.

IMMIGRANTS ARE THE CORNERSTONE

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

Mr. PANETTA. Madam Speaker, I rise today to express my continued disappointment with President Trump's anti-immigrant stance, especially based on his joint session remarks last night.

I admit I was very honored to attend my first joint session as a Member of Congress, but as a Member of Congress, as an American, and as a grandson of an Italian immigrant, I was disheartened that the President doubled down on his divisive and dangerous rhetoric against immigrants and continued to create fear by focusing on the worst in people.

Before I came to Congress, I was a prosecutor. I understand and believe that those who commit serious and violent felonies should be prosecuted and deported. But I also grew up on the central coast of California, and I realize and appreciate how much immigrants contribute to our community.

That is why I want to ask President Trump to come down from his gold tower, come out of the White House, and come to the green and fertile Salinas, San Juan, and Pajaro Valleys. He will see that immigrants are the reason why my district is called the salad bowl of the world. He will see that immigrants are the cornerstone, the foundation not only of that economy, not only of that community, but of our country.

NEBRASKA SESQUICENTENNIAL

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

Mr. BACON. Madam Speaker, I rise today to commemorate the 150th Statehood Day of the great State of Nebraska.

This day is a proud day for all Nebraskans. Today, we honor the long and rich history of our State and the contributions our citizens have made to our country and the world.

On March 1, 1867, Nebraska became the 37th State, and much has happened since then. In a century and half, Nebraska has grown to not only be the leader in agriculture, but also in technology and business.

From the Sandhills of western Nebraska to the many neighborhoods of Omaha, one can see each day the evidence of the extraordinary industriousness of my fellow Nebraskans. Across nearly 49,000 farms and ranches, our proud citizens are responsible for a multi-billion-dollar agriculture market producing food that fuels the world.

Nebraska is home to many great and wonderful things, but what I celebrate

about Nebraska Statehood Day more than anything is the State's wonderful people.

In roughly 30 years in the Air Force, I had 16 assignments, taking my family all over the world. During these 16 assignments, I found that nowhere were the people nicer and more accommodating to military families than Nebraskans. We found out that there is no place like Nebraska, and we are happy to call Nebraska home. Nebraska truly is the good life.

REPLACE ACA EXCHANGES AND MEDICAID EXPANSION

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

Mr. MARSHALL. Madam Speaker, I rise today to support our President's plan to replace the Affordable Care Act, but I want to stop and salute my colleague, my neighbor to the north, General DON BACON, and the great State of Nebraska. As I tell people, I have never met a bad person from Nebraska yet. General BACON continues to represent his State in a great manner, and I appreciate his friendship.

Madam Speaker, I rise to support the President's plan to replace the ACA exchanges and Medicaid expansion. This is simply in a death spiral right now. It is not working in Kansas. It is not working in the country. We cannot afford to go in that direction.

I am committed to helping those with long-term health issues, as well as those that get insurance outside the workplace, to truly find quality, affordable health care. We are not going to turn our backs on anybody. We are going to ensure there is a quality transition time for all patients.

REPEAL OBAMACARE

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

Mr. JOHNSON of Louisiana. Madam Speaker, we are excited today about the renewal of the American spirit. One big step in that renewal is the repeal of ObamaCare.

The ACA is failing and the American people are suffering because of it. Premiums have skyrocketed and healthcare decisions are no longer being made by patients and doctors but by out-of-touch Washington bureaucrats often motivated by their own self-interests.

In my State of Louisiana alone, some insurance providers have projected rates to increase as much as 41 percent in 2017. There is nothing about that number that is affordable, and many are choosing to forego healthcare coverage altogether, rather than suffer under the weight of the new, increased costs.

Some would suggest that a higher cost should imply a higher quality of

care, but even that is not true under our current system. In many areas across the United States, ObamaCare has removed nearly all competition in the marketplace and has left consumers with only one or two providers to choose from, further removing patient choice from the process.

Patient-centered care is critical to a productive healthcare system, and Republicans in Congress have been working tirelessly to create a plan that benefits all Americans. Quality, affordable health care is within our reach. Contrary to what many in the media would have you believe, we will not pull the rug out from under the American people. Our focus is protecting patients, and what we are offering is a real solution to the disaster that is ObamaCare.

KEEPING OUR PROMISES

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

Mr. ARRINGTON. Madam Speaker, we have a new era that has dawned on American politics. Our citizens are demanding that we don't conduct our business as usual.

These are times that call for bold leadership and bold action. Over the last couple of years, my observation is that we don't need new solutions. We have reforms for immigration, reforms for regulations, reforms for our Tax Code. What we need is courage: courage to act, courage to keep our promises, as our President said last night, and finish what we started.

ObamaCare is a disaster, to repeat what the President said. The facts are undisputable. This isn't a situation where we have a leaky roof in need of repair. We are on faulty foundation, and it is shifting under our feet. If we don't act swiftly and decisively, the house will collapse.

Leadership is about courage. Leadership is about keeping our promises. We all owe it to the American people to act accordingly.

READY FOR GROWTH AND INNOVATION

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

Mr. ALLEN. Madam Speaker, I rise today in support of the Searching for and Cutting Regulations that are Unnecessarily Burdensome Act, or the SCRUB Act.

This legislation establishes a commission to review existing Federal regulations and report to Congress those that should be repealed to reduce unnecessary costs to the economy—kind of like a regulation report card.

Federal rules and regulations have sucked the life out of our small businesses for the last 8 years. Unlike some

lawmakers, I have the unique experience of having operated a business under Obama-era rules and regulations. Let me tell you that it was very difficult. Our struggles were not an isolated event. Georgians and Americans across the country bore those same burdens.

We are ready for growth and innovation and an environment that encourages an economy like we have never seen before. The SCRUB Act is a solid step forward in restoring life to the American small-business community.

I urge my colleagues to support this legislation.

PROVIDING FOR CONSIDERATION OF H.R. 1004, REGULATORY IN- TEGRITY ACT OF 2017, AND PRO- VIDING FOR CONSIDERATION OF H.R. 1009, OIRA INSIGHT, RE- FORM, AND ACCOUNTABILITY ACT

Mr. SESSIONS. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 156 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 156

Resolved, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1004) to amend chapter 3 of title 5, United States Code, to require the publication of information relating to pending agency regulatory actions, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Oversight and Government Reform. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. All points of order against provisions in the bill are waived. No amendment to the bill shall be in order except those printed in part A of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. At any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House

resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1009) to amend title 44, United States Code, to require the Administrator of the Office of Information and Regulatory Affairs to review regulations, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Oversight and Government Reform. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115-4. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part B of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Ms. ROSELEHTINEN). The gentleman from Texas is recognized for 1 hour.

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

GENERAL LEAVE

Mr. SESSIONS. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks.

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

There was no objection.

□ 1230

Mr. SESSIONS. Madam Speaker, I rise today in support of the rule. It is a fair rule that enables thoughts and

ideas from both sides of the aisle to be considered on the House floor today. It enables us to proceed with the work that the American people have sent us here to accomplish. It is of great measure of the work that we are doing today. We had an extensive and long committee hearing at the Committee on Rules yesterday with witnesses from both sides of the aisle, Republicans and Democrats, who felt strongly about the issues and ideas that were before them and the ideas which will be presented on the floor of the House of Representatives today, the underpinning of which are entitled to give the American people a better shot at a better life not only from a business perspective, economic development, but also the creation of jobs in the United States of America.

Madam Speaker, I also rise in support of the underlying legislation contained in this rule. These bipartisan initiatives will enhance transparency, provide for a check on Federal agencies, and I believe help create a better process in the Federal Government for the people we serve, which are the people of this great Nation.

Congress enacted the Administrative Procedure Act in 1946 to ensure that the public had an opportunity to provide expertise, opinions, and other comments during the rulemaking process that takes place in the administration. It was designed to provide guarantees of due process in administrative procedures for self-governing American citizens who have to live under these rules that are promulgated by those unelected and not necessarily known by the American people.

The Administrative Procedure Act, known as the APA, as it is commonly referred to, was designed to require agencies to keep the public informed of the information and ideas, procedures, and rules, and to provide a means for public participation in the rulemaking process that would take place here in Washington, D.C.

Unfortunately, as is too often the case, Federal bureaucrats over years and previous administrations have exploited the broad language of the Administrative Procedure Act to focus the rulemaking process solely for special interest reasons. Sometimes it is groups, sometimes it is ideas, and sometimes it is against the voices of the average American who wishes to participate in this process. This clearly was not the APA's legislative intent and reflects yet another encroachment on Congress' Article I powers which are enshrined in the United States Constitution.

This shift away from the intent of the Administrative Procedure Act, known as the APA, has meant that most agency deliberations are carried out without a record or even a public review of those decisions that are made. Additionally, and possibly more

troubling, agencies have undermined the purpose and the spirit of the notice-and-comment process by actively campaigning in support of their ideas using government resources and processes to that advantage.

The clearest example of this abuse can be found recently and numerous at the Environmental Protection Agency, known as the EPA. After issuing the waters of the United States notice of proposed rulemaking, the EPA undertook a public campaign utilizing social media platforms to solicit support for what was, at the time, a promulgated rule. Following this abuse, the GAO issued a report finding that the EPA violated propaganda and anti-lobbying provisions concerning the use of their fiscal year 2014 and 2015 appropriations.

The Regulatory Integrity Act of 2017 helps ensure transparency in the rulemaking process by prohibiting Federal agencies from anonymously issuing statements for propaganda purposes, in other words, an agency lobbying for itself, its ideas, as opposed to the public comment period, final rulemaking, and then issues and ideas being discussed with and by the people of the country. Specifically, H.R. 1004 requires agencies to make available online information about public communications on pending regulatory actions.

Further, H.R. 1004 requires that agencies "expressly disclose that the Executive agency is the source of the information to the intended recipients."

Why is this important?

This is important because too many times information is provided without the basis of the facts behind it. It is opinion, Mr. Speaker. When members of the public see information that is provided, a source should be behind that information.

Further, H.R. 1004 prohibits agencies from "soliciting support for or promoting . . . pending agency regulatory action." A simple concept of transparency and, I believe, professionalism that both sides of the aisle should not only demand, but also welcome from any executive agency, regardless of who is in the White House. It is in the best interest of the American public, and transparency and honesty related to that should be above reproach. Unfortunately, this has also not been the instance, as there are abuses and overreach by Federal agencies and unelected bureaucrats.

Presidents of both parties have required a centralized review of regulations since the 1970s. This has largely been handled by the Office of Information and Regulatory Affairs, or OIRA, as it is commonly referred to. Every President since President Ronald Reagan has required a centralized review of regulations at OIRA so that an agency can do cost-benefit analysis of regulatory actions, which means there

is a centralized process for the administration to look at what they do.

In 1993, President Bill Clinton put into place Executive Order 12866 to designate OIRA as the repository of expertise concerning regulatory issues. The executive order limited OIRA's review of regulations to only significant rules changes, those that have an annual effect on the economy of \$100 million or more. This office is responsible for reviewing the regulatory actions at both the proposed and final rulemaking stages. Unfortunately, lately, agencies have blatantly ignored the principles of the executive order from President Clinton, Executive Order 12866, and other governing authorities, including those requiring State, local, and tribal consultation in the rulemaking process have been ignored.

According to a policy center at George Mason University, agencies usually satisfy 60 percent or less of the requirements called for in the regulatory analysis, meaning that certain times we have found the executive branch did not even follow the well-known processes that are there to protect the people who they are trying to provide services to. Mr. Speaker, we believe that is partially why we are here today, to clarify and correct these problems.

For example, between 2000 and 2013, 98 percent of the Environmental Protection Agency's final rules contained no estimated compliance costs. That means that the agency chose not to follow the process that is prescribed by the executive order. Additionally, the EPA routinely justifies its regulatory activities by claiming benefits from matters unrelated to the underlying legislation. Mr. Speaker, you can well see why there is consternation not only among people in the United States, but uncertainty with business that is attempting to follow the well-understood rules and regulations and the processes that go therein only to find out that our government chooses not to follow the rules and regulations that they should be following.

H.R. 1009 codifies the requirement for OIRA to conduct a review of significant regulations to ensure the regulations are consistent with applicable law and the principles set forth in the executive order. It also establishes new transparency measures such as requiring increased disclosure when extending review time, explanations about regulations that are dropped from the unified agenda, and a redline of changes that agencies make to regulations while it is under review by OIRA.

OIRA review is important to provide a double check on agencies to ensure not only compliance with the law, but the well-understood proposals that are made by agencies and the processes that they expect to understand in that process. That is why the main tenets of the underlying legislation have been

supported by Presidents in the past, Members of Congress in the past, and even the judiciary that should expect that processes and procedures are followed properly.

Mr. Speaker, I would like to take a note, if I can, and add into the RECORD a Statement of Administration Policy that came from one of our former colleagues, now the Director of the OMB, the Honorable Mick Mulvaney. Mr. Mulvaney, in his new duties as the Director of the OMB, provided his first Statement of Administration Policy. It is concerning exactly the act that we are speaking about. I would like to congratulate the young Director of the OMB for his ascension to not only an important role, but helping the United States Congress to clarify for the American people that which is in their best interest.

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

STATEMENT OF ADMINISTRATION POLICY

H.R. 998—SEARCHING FOR AND CUTTING REGULATIONS THAT ARE UNNECESSARILY BURDENSOME (SCRUB) ACT

(Rep. Smith, R-MO, and three cosponsors)

H.R. 1004—REGULATORY INTEGRITY ACT OF 2017

(Rep. Walberg, R-MI, and eight cosponsors)

H.R. 1009—OIRA INSIGHT, REFORM, AND ACCOUNTABILITY ACT

(Rep. Mitchell, R-MI, and four cosponsors)

The Administration is committed to reducing regulatory burden on all Americans. On January 30, 2017, President Trump signed Executive Order 13771, Reducing Regulation and Controlling Regulatory Costs, which provides for repeal of two regulations for every new one issued. This historic step accelerates the retrospective review process to make common-sense reforms to regulations across the Federal Government. Legislation is helpful where it amends agencies' regulatory processes to ensure they are transparent, and appropriately balance costs and benefits.

Each of these bills would address different aspects of the regulatory process. The SCRUB Act, H.R. 998, addresses the numerous outdated, duplicative, and otherwise unnecessary regulations that have accumulated throughout government. The Regulatory Integrity Act of 2017, H.R. 1004, would restrict the use of agency funds to advocate on behalf of regulations, and the OIRA Insight, Reform, and Accountability Act, H.R. 1009, would codify specific executive branch regulatory review procedures.

The Administration supports the SCRUB Act, the Regulatory Integrity Act, and the OIRA Insight, Reform, and Accountability Act. The Administration looks forward to working with the Congress on technical and other amendments to these bills.

The Administration appreciates the efforts of the Congress to rationalize the regulatory system and looks forward to continuing to work together to reform the regulatory process.

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

Mr. Speaker, today I rise in opposition to the rule and both underlying bills, H.R. 1009, the OIRA Insight, Re-

form, and Accountability Act; and H.R. 1004, the Regulatory Integrity Act.

These two bills that would be debated under this rule were both reported out of the House Committee on Oversight and Government Reform without a single Democratic vote. So these are not bipartisan bills. They were reported out of committee only by Republicans. The bills threaten transparency, undermine the independent authority of government agencies, and weaken the separation of powers between our three branches of government at a time in our history when we need it the most.

I sat in this Chamber last night as President Trump spoke about fixing healthcare and immigration systems, but we haven't seen those plans yet. Instead, all we have seen are these kinds of not-bipartisan bills that don't accomplish a lot.

Now, these two bills claim to offer accountability and integrity in the rulemaking process, but when you look past their title, you see what they really are is just another backdoor attack on American workers, an attack on our environment and protecting our public health.

First with regard to H.R. 1009, much has been said since the start of this Congress about the importance of our checks and balances in our system. We have a new President who isn't shy about blurring the lines of separation between the executive, legislative, and even the judicial branches of government. He publicly condemned a judge based on his ethnicity in a private case. He also attacked a judge who struck down his order on immigration. I find it troubling to be debating a bill that would make government agencies even more dependent on the judgment of the White House when many of us question the judgment of the gentleman currently occupying the Oval Office.

Under current law, independent agencies, like the Environmental Protection Agency, the Consumer Financial Protection Bureau, Federal Communications Commission, and many others don't need approval from the administration to move forward with a new rule or regulation. Misleadingly characterized as simplifying the existing executive order, what this bill would actually do is require all rules made by independent government agencies to be sent to the White House, centralizing the power of the White House and the power of the President.

□ 1245

This bill effectively mandates improper influence by the White House.

In addition, the bill repeals language that exempts rules considered to be lifesaving from having to undergo a full review process.

If those reasons weren't enough to dissuade my colleagues from voting in favor of this rule, let me briefly discuss

the unlimited review window this bill would create to derail and delay important rules. Frankly, important provisions like this are the reasons why the American people, often rightfully, accuse the government of waste, fraud, and abuse.

By giving the Office of Information and Regulatory Affairs unlimited time to review rules, Congress would effectively allow the White House to bury rules in red tape and paperwork, the very red tape and paperwork and bureaucracy that the American people are frustrated with. This bill is a recipe to make government less efficient rather than more efficient. It would grind the rulemaking process to a halt by burying the very limited staff of the White House under a whole array of rules from independent agencies that, with no timeline, would simply sit in the White House either going nowhere or being studied by committee after committee after committee. Perhaps, after several years, they will see the light of day after even more bureaucrats have had the chance, at your taxpayer expense, to read those rules.

My colleagues on the other side of the aisle claim that this bill makes the Office of Information and Regulatory Affairs somehow more accountable by Congress by authorizing the statute, but that is not the case. This bill, like many other bills we have seen in this Congress, frankly, is a solution in search of a problem.

I don't disagree that the rulemaking process should be simplified, but there is a collaborative, bipartisan way to do that. This bill does not represent that idea. If passed, H.R. 1009 would reduce the ability of independent government agencies to work effectively, create additional paperwork and bureaucracy, and transfer significant power and authority to the White House and the President.

Frankly, this bill is a serious threat on our checks and balances at a time we need it the most. I urge my colleagues on both sides of the aisle to take that into account when voting on the rule and the bill today.

The second bill under this rule is H.R. 1004, the so-called Regulatory Integrity Act. It is another example of Republican attacks on health and safety protections.

The Regulatory Integrity Act of 2017 requires executive agencies to provide extensive and, often, gratuitous information on their websites related to any pending regulatory action they are seeking to make. Again, it is difficult to find a Member of this body who doesn't believe that we want more transparency, more accountability, and more streamlining of regulations. Of course, those are priorities for the country. This bill does not do that.

I don't believe an outright attack on our rulemaking process meant to protect our health, meant to protect peo-

ple from fraud and abuse, and giving yet more hoops for agency officials to jump through in doing the job that Congress has asked them to do, in no way is that the correct way to go about increasing transparency in government. This bill makes it more difficult for all of the agencies that we have set up, that we have directed, to do their job: to protect the American public.

The new reporting requirements that are included in this bill will distract agencies from their core missions of keeping Americans safe and, again, bury them under mounds and mounds of additional paperwork requirements. Many of these agencies have seen their budgets cut by the Republicans, and the reporting requirements will take up even more of their very limited capacity that they have under the budget constraints they operate at.

As many of us know, this bill was born out of a 2015 GAO study that determined that the Environmental Protection Agency had violated certain restrictions during the rulemaking process for waters of the U.S. To me, the fact that that determination was made by an independent government agency is proof that our oversight process works. If there is a bipartisan bill we can do to implement best practices, I think that we could have strong Democratic support for that. This bill does not do that.

Republicans are ignoring the fact that the GAO also concluded that "the agency complied with the applicable requirements," and were so concerned with providing the public with opportunities to comment that the EPA and Army Corps of Engineers conducted over 400 meetings across the country. If this bill passes the House, the ability of agencies to do those kinds of outreach efforts and stakeholder involvement efforts would be limited. It would be limited by vast and unnecessary additional work, red tape, and bureaucratic reporting requirements that would be mandated under this bill with the same limited resources they have today. I think that it would be better use of their limited resources to do those kinds of field opportunities across the country, giving American stakeholders and people involved the opportunity to testify about how those rules affect them.

The most immediate and certain effect of this bill would be to virtually prohibit agencies from disclosing to the public any benefits that agency actions would have in protecting the American people. If an agency is no longer allowed to explain how the rule-making process would benefit and protect the American people, the public, of course, would view this as some sort of burdensome regulation. Perhaps that is the goal of this bill from a propaganda perspective.

Finally, this bill will ban agencies from soliciting support for their regu-

lations, seemingly forgetting that current law already does this. If there is need to clarify it again, we can certainly do so in a bipartisan way.

This unsettling trend of trying to, in fact, regulate regulations actually leads to additional bureaucracy and paperwork. It is a disservice to American workers and families, to our environment, and to many Americans who don't know if they can make their rent or have health insurance at the end of the month. It is a disservice to the thousands of military and civilian workers no longer able to seek employment in the Federal Government and a disservice to so many American children and adults.

The fact that we are even considering these bills illustrates that the priorities in Congress are not in line with the priorities of the people that we represent. I have not heard an outcry from my constituents on any of these issues. I hear about health care. I hear about immigration reform, improving our schools, making college more affordable, not that we need more administrative hurdles to the rulemaking process. I haven't heard it once from a single constituent at 51 townhalls I had last session.

The passage of this bill will put a significant administrative burden on government agencies that issue rules to protect Americans. It would limit the ability of the agencies that we set up under our authorizing statutes to do their job: to protect the health and safety of the American people.

I urge my colleagues to reject this rule and reject these bills.

I reserve the balance of my time.

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

I appreciate the gentleman's thoughtful observations on this rule and on the bills. I will acknowledge that yesterday at the Rules Committee there was a vigorous discussion—I thought, professional on both sides—where there was an idea about the intent of this bill and what it would, in essence, lay off on the administration, or any administration, in trying to make sure that they complied with the law.

I will tell you that our Appropriations chairman, as well as the Appropriations Committee, would be able to deal effectively with this if they believed they needed more money in order to accomplish these efforts. But I think that transparency is an important issue, and I think that our authorizing and appropriating committees will understand that, as they deal with agencies, a better dialogue, whether it be Republican or Democrat in office, needs to be able to deal with Congress, provide us information, provide the American people with information, and be forthright about the decisions that they are going to make.

I think that the new Director of the OMB, the Honorable Mick Mulvaney,

responded in his advice back—meaning the statement of administrative policy that directly took on this issue—that he looked forward to not only working with Congress on their needs, but also complying with the spirit of the law. I believe, Mr. Speaker, that what we are doing today is providing information to a brand-new administration and saying to a brand-new administration that it is okay if you have your ideas about those issues that you would wish to take up, but you have to be forthright about what you are doing. You have to provide information not only to Congress, but the American people; and when you propose changes or rules, you have to be honest and forthright in doing that.

It may be a little bit more money, but this Congress will stand behind this. And I believe that the new Trump administration, at least through my conversations with our new President and the head of OMB, they intend for across the government, across a new administration to attempt to be forthright and direct about what they are doing and why we are doing it. Now, more than ever, whether you are a Republican or Democrat or not—you could be a person back home—you are entitled to try and clarify and ask information. That is what we are doing.

Mr. Speaker, I yield 10 minutes to the gentleman from Washington (Mr. NEWHOUSE), a member of the Rules Committee, who served his State honorably as their agriculture commissioner.

Mr. NEWHOUSE. Mr. Speaker, I would like to thank my good friend from Texas (Mr. SESSIONS), the chairman of the Committee on Rules, for yielding me this time.

I am certainly in favor of the Regulatory Integrity Act of 2017, which I think will provide necessary transparency in the regulatory process by requiring agencies to post all public comments issued during a proposed rulemaking, which sounds simple enough. I cosponsored this legislation because I strongly believe, and I firmly believe, the public comment process is critical to ensure Federal regulations are drafted to protect the American people and not to punish them.

Unfortunately, far too often, agencies either ignore or fail to incorporate the public's input and suggestions when proposing and finalizing these important rules. Many regulatory actions impose billions of dollars in compliance and other costs on industries, on consumers, on small businesses, on farmers, and on families while bureaucrats ignore the meaningful input, suggested improvements, and the real concerns being voiced by the very people that will be most affected by their actions.

Mr. Speaker, this measure requires more transparency and accountability of Federal agency communications

about proposed and pending regulations. Agencies like the Environmental Protection Agency have continually violated Federal laws and appropriations restrictions that prohibit the use of Federal funds for lobbying, advocacy, and propaganda efforts.

I know many are aware of the EPA's unlawful social media campaign advocating for the waters of the United States rule, the WOTUS rule; however, an even more egregious example recently occurred in my own home State of Washington. The EPA-funded What's Upstream campaign used grant awards to fund a website, radio ads, and billboards depicting dead fish and polluted water, alleging that farmers and the agriculture industry were responsible. The website helped visitors email their State legislators to advocate for 100-foot stream buffer zones around farms and other agricultural operations, despite prohibitions against such advocacy.

As a lifelong farmer, I have got to tell you, Mr. Speaker, I was insulted by the blatant lies this campaign had spread about farmers; and as a Member of Congress, I am outraged that the EPA continues to award grant funding to the entities responsible for this, I think, despicable and deceitful antifarmer campaign. I believe Congress must ensure Federal agencies follow the law to prevent future libelous campaigns like What's Upstream from ever receiving another cent of taxpayer dollars.

H.R. 1004 prohibits lobbying in support of proposed rules and requires agencies to track the details of all public communications about pending regulatory actions, while establishing clear standards for prohibited activities. This will guarantee that both the public and Congress understand how Federal agencies communicate with the public about pending regulations, and these reasonable restrictions will support transparency and accountability across the Federal Government.

Mr. Speaker, agencies should consider comments from the public and incorporate reasonable changes so that proposed Federal regulations can be revised and refined using that valuable public feedback before they are finalized. However, too often, Federal bureaucrats simply go through the motions and end up ignoring the public's input while they happily flout Federal law and create campaigns designed to garner support for their preferred proposals. Federal agencies must not treat their proposed regulations as final. By doing so, they are ignoring the voice and the will of the American people.

I urge my colleagues to support this important rule and the underlying bill; then, together, we can return transparency, we can return accountability, and we can return public input to the Federal rulemaking process once and for all.

□ 1300

Mr. POLIS. I would like to inquire if the gentleman from Texas (Mr. SESSIONS) has any remaining speakers?

Mr. SESSIONS. Mr. Speaker, as a matter of fact, I do not have additional speakers. I would wish to not only close myself, but to present a little bit more information. I would allow the gentleman, if he were prepared to offer his close, I would do the same.

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

Mr. Speaker, we are all deeply concerned over the reports from our intelligence community regarding foreign interference in our most recent election. When we defeat the previous question, I will offer an amendment to the rule to bring up bipartisan legislation, H.R. 356, the Protecting Our Democracy Act, which would create an independent commission to investigate the foreign interference in our 2016 election.

This is not a partisan matter. Both Democrats and Republicans have called for this investigation and a full accounting for the American people. Frankly, the American people deserve to know what happened, and Congress has the responsibility to get to the bottom of it.

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

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

There was no objection.

Mr. POLIS. Mr. Speaker, when I was back in my district earlier this year, again, I didn't have a single constituent raise issues over regulatory reform. I did have people ask if we can have a full accounting of foreign interference with our more recent election, and, if we defeat the previous question, that will give us an opportunity to do that.

I urge my colleagues to vote "no" and defeat the previous question. I will also urge them to vote "no" on the rule, and "no" on the underlying bills.

Just so no one is here under any illusions, Republicans do currently control the House, and the Senate, and the White House. Frankly, they have the ability to set the agenda, and they could use that agenda to advance real reforms like infrastructure, or tax reform, or fixing our broken immigration system, repairing broken roads and bridges. Today, instead, we are debating something so obscure that I don't think the American people know what OIRA does or how to pronounce it; another bill that has to deal with whether regulations are seen and signed off on by the staffers in the White House; and two bills that don't do anything

but undermine the separation of powers, undermine the authority of this institution, the United States Congress, and make it harder for public agencies to do the job that we have instructed them to do to keep the American people safe.

For these reasons, Mr. Speaker, I urge my colleagues to defeat the previous question so we can bring up H.R. 356, the Protecting Our Democracy Act, and oppose the underlying legislation.

I yield back the balance of my time.

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

Mr. Speaker, the debate today has been fair and above board. I want to congratulate and thank the gentleman from Colorado not only for his service on the Rules Committee, but his service today in announcing not just his party's policies and ideas on this, but also his own, as he brings a vast business experience not only to Congress and to the Rules Committee, but to serve the people of his congressional district.

However, with that said, Mr. Speaker, I think that this will be overwhelming success on a bipartisan basis today, and the reason why is, because what we are doing is in the best interest of the American people.

We are doing this because the American people want and need an opportunity, as they petition their government, to know that they were heard, for their issues and ideas to be seen. And I would think now more than ever, especially if it were a prior administration, we would be accused of trying to jam down their throats something that we saw that was trying to put an undue burden on another administration. But, in fact, we are not.

And so the thoughts and ideas today should be—regardless of the administration, regardless whether you completely agree, or somewhat disagree, we would want that government, that agency to be able to operate with the confidence of the American people. And that means that they are not there for their own purposes, or special interests, or for them to skew facts or information that might be provided to the American people, but, in fact, were opinions as opposed to something that was reasonably gained as a result of a scientific fact or information that was based on facts of the case.

Mr. Speaker, the regulatory state in this country has grown exponentially and, really, to unprecedented levels. Unelected bureaucrats have exceeded their authority, they are creating regulations, they are negatively impacting the marketplace, which causes a problem for me back home, and Members of Congress back home, as businesses talk about following rules and regulations rather than the marketplace, and trying to add employees and to turn the cash register.

Accordingly, the American Action Forum, when totaling all available regulatory costs reported by executive agencies, the Obama administration imposed more than \$600 billion in regulatory costs from 2009 to 2014. That is \$600 billion worth of regulatory costs imposed on the American people by unelected bureaucrats that have increasingly become unaccountable, not only to economic growth, but also to the American people, and I believe to Congress.

Other studies have produced the same conclusion and it is this: that runaway regulations have a disastrous effect on the United States economy, impacting not only job creation, but also the effective opportunity for the free enterprise system to exist.

Federal agencies should exist to serve the American people. And as such, they should heed and respect their views and comments, while staying within the parameters of laws passed by lawmakers or ensuring the rulemaking process is transparent and free of propaganda.

Mr. Speaker, we appreciate you allowing us time to debate this on behalf of the American people today. This rule and the underlying legislation will provide an important check on the regulatory state that we find exists today in the United States, and to return transparency, responsiveness, and, I believe, honest dignity to the American people that we serve, for this overreaching process. I urge my colleagues to support this rule and the underlying legislation.

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

AN AMENDMENT TO H. RES. 156 OFFERED BY
MR. POLIS

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

SEC 3. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 356) to establish the National Commission on Foreign Interference in the 2016 Election. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Foreign Affairs. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 4. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 356.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

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

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

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

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

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

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

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

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

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

The yeas and nays were ordered.

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

SEARCHING FOR AND CUTTING REGULATIONS THAT ARE UNNECESSARILY BURDENSOME ACT

The SPEAKER pro tempore (Mr. NEWHOUSE). Pursuant to House Resolution 150 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 998.

Will the gentleman from Kentucky (Mr. ROGERS) kindly take the chair.

□ 1309

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 998) to provide for the establishment of a process for the review of rules and sets of rules, and for other purposes, with Mr. ROGERS of Kentucky (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Tuesday, February 28, 2017, amendment No. 7 printed in House Report 115-20 offered by the gentleman from Illinois (Mr. KRISHNAMOORTHY) had been disposed of.

AMENDMENT NO. 8 OFFERED BY MS. BONAMICI

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in House Report 115-20.

Ms. BONAMICI. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 31, after line 24, add the following new title (and update the table of contents accordingly):

TITLE VI—EXEMPTIONS

SEC. 601. EXEMPTION RELATING TO CONSUMER PROTECTIONS FOR STUDENT LOAN BORROWERS.

The provisions of this Act do not apply to any rule or set of rules prescribed by the Secretary of Education with respect to providing consumer protections for student loan borrowers.

The Acting CHAIR. Pursuant to House Resolution 150, the gentlewoman from Oregon (Ms. BONAMICI) and a

Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Oregon.

Ms. BONAMICI. Mr. Chair, I rise today in support of the amendment to protect student loan borrowers from the dangerous provisions of the SCRUB Act.

More than 40 million Americans have student loan debt. Roughly one-quarter of these borrowers are behind on their payments either in delinquency or default. The Federal Government has a responsibility to protect these borrowers and American taxpayers from unscrupulous institutions that saddle students with exorbitant debt in exchange for an education of dubious value.

Hardworking students, like those who attended Corinthian Colleges or ITT Tech, could be harmed if Congress passes a law that potentially strips them of a clear process for having their debt forgiven after institutions fabricate job placement figures or close unexpectedly.

This bill could allow institutions like Corinthian Colleges to require pre-dispute arbitration clauses, and prohibit class-action lawsuits—making it much less likely that students will get the justice they deserve when a school misrepresents the quality of its programs.

Millions of borrowers who rely on popular income-driven repayment plans could be left without options for keeping their payments affordable.

Active-Duty servicemembers could lose access to deferment benefits.

Rules banning incentive pay could be undone, exposing student veterans and others to aggressive marketing.

This bill could weaken Federal protections for millions of student loan borrowers when, instead, Congress should be working together to make college more affordable.

I encourage my colleagues to vote “yes” on this amendment, and I reserve the balance of my time.

Mr. ROSS. Mr. Chair, I claim the time in opposition.

The Acting CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. ROSS. Mr. Chairman, as we pointed out yesterday, the SCRUB Act requires the commission to identify regulations that should be repealed. The commission focuses on rules and regulations that are out of date, no longer useful, and otherwise unnecessary or obsolete.

As I stated yesterday, no regulations should be exempt from this bill. Not all consumer protection regulations are created equal. If the regulation is important, effective and still relevant, then let it stand. If the regulation is not effective, no longer valuable and unnecessary, then why keep it around?

This amendment is just another wrong-headed carve-out that will end

up hurting student loan borrowers more than it could possibly help them.

And for those reasons, Mr. Chairman, I urge my colleagues to oppose this amendment, and I reserve the balance of my time.

Ms. BONAMICI. Mr. Chair, I yield 1 minute to the gentlewoman from California (Mrs. DAVIS), the ranking member of the Subcommittee on Higher Education and Workforce Development.

Mrs. DAVIS of California. Mr. Chairman, I rise to protect student loan borrowers. Protecting our young people should be a priority for every single Member of this Chamber. A major way that we are able to defend our students is through the safeguards that are at stake today.

These protections, like provisions which ensure students are able to find gainful employment or have recourse if a school misleads them, have been integral in the wake of unethical practices by certain schools. We have seen the damage that schools like ITT Tech and Ashford University have done in districts like mine. And as a military town, the students in San Diego are particularly vulnerable to bad actors in the for-profit education industry.

I can tell you, Mr. Chair, I have heard from students who can't get the degrees they need to provide a better life for their families; veterans who write to me imploring us to protect the men and women who would have spent their lives protecting us; students who write to me frustrated by this Chamber's insistence on deregulation for deregulation's sake; and many more who write letters saying, education is important to us. And we believe it should be important to you as well.

Let's prove them right, Mr. Chair. Let's show that education is important to us, and let's commit to keeping key provisions for students intact.

□ 1315

Mr. ROSS. Mr. Chairman, everybody wants to see gainful employment for our students, our college students especially.

Those institutions that have preyed on these students also are as a result of a regulatory environment that has allowed that to happen. That same regulatory environment would be under review, under oversight by the SCRUB Act. For those reasons particularly, we need to make sure that we do not have this amendment, but, more importantly, that we do allow for the underlying bill.

For those reasons, again, I urge opposition to this amendment by my colleague.

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

Ms. BONAMICI. Mr. Chair, I yield 1 minute to the gentleman from Colorado (Mr. POLIS), the ranking member of the Subcommittee on Early Childhood, Elementary, and Secondary Education.

Mr. POLIS. Mr. Chair, I rise in strong support of Congresswoman BONAMICI's amendment.

Today, our country owes over \$1.3 trillion in student debt. In Colorado, the average student loan borrower owes \$26,000.

Why would we want to risk abolishing consumer protections for our borrowers?

These are very personal numbers. The stories I hear, the burden of student loan debt affects people's ability to own a home or buy a car.

A recent report from the Consumer Financial Protection Bureau found that the number of student loan borrowers over the age of 60 has quadrupled. People haven't even paid off their loans as they enter retirement age.

Now, the Obama administration did take important steps to protect and support student loan borrowers. They made it easier for them to pay back their loans and ensured they were treated fairly by student loan services. Rolling back these protections would have far-reaching negative effects for our borrowers.

I strongly support Congresswoman BONAMICI's amendment, exempting Federal protections that support consumer protections for student loan borrowers from the SCRUB Act. The last thing we need to scrub away is protections for people to take out student loans.

I urge my colleagues to vote "yes."

Ms. BONAMICI. Mr. Chairman, the SCRUB Act is completely unnecessary. Agencies can already review and repeal regulations that are no longer needed. The only thing this bill does for people with student loan debt is give them less certainty that their investment will be worth it.

At a time when a college degree or credential is a critical tool for securing a family-wage job, it makes no sense to threaten to rescind rules that shield Americans from career programs that leave students with large debts and low wages.

I encourage all of my colleagues to adopt this amendment to safeguard consumer protections for student loan borrowers.

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

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Oregon (Ms. BONAMICI).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Ms. BONAMICI. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Oregon will be postponed.

AMENDMENT NO. 9 OFFERED BY MS. BONAMICI

The Acting CHAIR. It is now in order to consider amendment No. 9 printed in House Report 115-20.

Ms. BONAMICI. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 31, after line 24, add the following new title (and update the table of contents accordingly):

TITLE VI—EXEMPTIONS

SEC. 601. EXEMPTION RELATING TO ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965.

The provisions of this Act do not apply to any rule or set of rules relating to title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.).

The Acting CHAIR. Pursuant to House Resolution 150, the gentlewoman from Oregon (Ms. BONAMICI) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Oregon.

Ms. BONAMICI. Mr. Chairman, I rise in support of the amendment to exempt rules related to title I of the Elementary and Secondary Education Act from the misguided provisions of the SCRUB Act.

Title I is the core feature of the Elementary and Secondary Education Act, a critical civil rights law that holds States accountable for helping all students succeed.

The SCRUB Act threatens rules for implementing title I, which, in turn, threatens students. For example, title I rules clarify important accountability requirements that we passed into law just last session with strong bipartisan support.

Clear rulemaking is necessary to give education leaders certainty so they can benefit from the law's new flexibility and innovate on behalf of students.

Title I rules also include important details about the use of assessments in schools. These rules were negotiated with broad consensus. Would the SCRUB Act repeal them and deny States clarification about reducing the burden of testing?

My colleagues across the aisle may argue that no rule should be exempt from the SCRUB Act and that somehow the unelected commission in the bill will identify only bad rules. I am not so sure. The commission in the bill could create any methodology for targeting rules and, without knowing the commission's method, it is disingenuous to say that essential rules, good rules, wouldn't be affected.

Additionally, rules are rarely black and white as the majority suggests. Title I accountability rules, for example, sometimes push States to report on how they are serving each subgroup of students. But where some local officials may complain, these rules make sure that low-income and minority families are being counted.

Will the commission hear the concerns of those families?

I ask my colleagues to protect vulnerable students across the country by supporting this amendment.

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

Mr. ROSS. Mr. Chair, I claim the time in opposition.

The Acting CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. ROSS. Mr. Chair, this amendment would exclude from the commission's review regulations under title I, part A of the Elementary and Secondary Education Act, as amended.

ESEA provides financial assistance to local educational agencies and schools with high numbers or high percentages of children from low-income families to help ensure that all children meet challenging State academic standards.

No regulation should be exempt from the review process, especially those regulations that impact low-income students across the country. It is imperative that we have smart, targeted, cost-effective regulations that actually help the people that need the help.

Imposing ineffective regulations on schools and educational agencies cost taxpayers money—this must be given the opportunity for oversight, as is given under the SCRUB Act—and overburden our already exhausted educators, and can cause more harm rather than good.

Why not take a look at these regulations and just consider whether they are working? And, if they are, then let's leave them alone. But if not, then, let's change them there.

There is no reason why we should create, again, a special carve-out from the commission's consideration. For those reasons, Mr. Chairman, I urge my colleagues to oppose this amendment.

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

Ms. BONAMICI. Mr. Chairman, I yield 1 minute to the gentleman from Colorado (Mr. POLIS), the ranking member of the Subcommittee on Early Childhood, Elementary, and Secondary Education.

Mr. POLIS. Mr. Chairman, I rise in strong support of Congresswoman BONAMICI's amendment, which I am also proud to cosponsor.

When ESEA, or the Elementary and Secondary Education Act, was first passed in 1965, it truly was a landmark and important piece of civil rights legislation. It is written with the intent that every student—no matter their race, their economic background, their ZIP Code—deserves a great education in our country.

Title I of ESEA gets at the heart of the civil rights spirit for providing additional funding for schools with significant populations of high-needs and at-risk students. Now, title I also provides important performance and equity parameters for States and districts and gives some direction about

how States can comply with these requirements to support our most struggling schools.

Of course, the text of the law doesn't do everything, which is why we rely on the protections that have been put in place through rule.

The SCRUB Act would allow an unelected panel to carelessly do away with important civil rights protections and transparency, the opposite of the legislative intent in the ESEA.

The Department of Education regularly goes through an extensive process for finalizing regulations, and to do away with these protections on a whim by an unelected, all-powerful panel may somehow score political points, but it is at the expense of students across our country.

I strongly support Representative BONAMICI's amendment that would exempt title I from this harmful bill, and I urge its passage.

Mr. ROSS. Mr. Chairman, since 1965, when the ESEA was passed, we have gone from chalkboards to iPads. Things have changed. The regulatory environment has changed.

May I remind my colleagues that, under the SCRUB Act, the bipartisan review committee would make these recommendations for changes in the regulatory scheme to Congress, who would have the final say as to whether any regulations need to be changed.

Again, for those reasons, Mr. Chairman, I urge my colleagues to oppose this amendment.

I yield back the balance of my time.

Ms. BONAMICI. Mr. Chair, I yield 1 minute to the gentlewoman from California (Mrs. DAVIS), the ranking member of the Subcommittee on Higher Education and Workforce Development.

Mrs. DAVIS of California. Mr. Chairman, I rise to suppose the ESEA title I protection amendment.

We all know education, at its core, is a civil rights issue. We have a responsibility to ensure that every student has access to a world-class education, and this is especially true for children who come from families with limited means.

For our working class families, a quality education can be—and actually is—the ladder which raises an entire family's prospects. The protections that we are debating today ensure that these students and their schools are not shortchanged from the resources they need in order to be successful. These are resources that they are entitled to by law.

Last year's Every Student Succeeds Act was a very successful bipartisan compromise, so let's not gut the protections that are crucial for its effective implementation before it is even given a chance.

A student's ZIP Code should not determine the quality of his or her education. A family's income should not

determine their child's career prospects, and a school's location should not determine its resources.

Let's come together to protect our most vulnerable students because, as we all know, today's investments in education will determine our future.

Ms. BONAMICI. Mr. Chair, may I inquire to the remaining time, please?

The Acting CHAIR. The gentlewoman from California has 1 minute remaining.

Ms. BONAMICI. Mr. Chair, title I of the Elementary and Secondary Education Act is a key Federal law for advancing equity in our Nation's classrooms. The rules implementing title I provide important details that make sure historically underserved students have access to an equal public education. These rules are too important to entrust to a mysterious commission.

I am very proud of the work I did in the State legislature repealing unnecessary education rules and statutes. We did it in a very collaborative, bipartisan manner through existing processes. That is what we should be doing, not going through this SCRUB Act.

I urge my colleagues to protect title I rules, stand up for educational equity, and support the amendment.

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

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Oregon (Ms. BONAMICI). The amendment was rejected.

AMENDMENT NO. 10 OFFERED BY MR. RASKIN

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in House Report 115-20.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 31, after line 24, add the following new title (and update the table of contents accordingly):

TITLE VI—EXEMPTIONS

SEC. 601. EXEMPTION RELATING TO CLEAN AIR ACT.

The provisions of this Act do not apply to any rule or set of rules relating to the enforcement of the Clean Air Act (Public Law 88-206; 42 U.S.C. 7401 et seq.).

The Acting CHAIR. Pursuant to House Resolution 150, the gentleman from Maryland (Mr. RASKIN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Maryland.

Mr. RASKIN. Mr. Chairman, my amendment would protect all rules relating to the enforcement of the Clean Air Act, which are in danger now under H.R. 998, the SCRUB Act, which seeks to authorize a brand new \$30 million Presidential commission of unelected and unaccountable bureaucrats to wipe out agency rules across the whole field of government.

Mr. Chairman, last night in this Chamber, the President of the United States came and articulated policy areas where he said his administration "wants to work with Members of both parties." One of these was to promote clean air and clean water. I was happy to hear it because earlier in the day he signed an executive order to clear the way for weakening safe drinking water standards through redefinition of which small bodies of water are covered under the Clean Water Act.

Now, the amendment I propose provides a chance for all of us to start fresh in demonstrating our seriousness about this new bipartisan commitment to protect the water we drink and the air that we breathe.

The SCRUB Act proposes to create a commission to do what Federal agencies and commissions already do, which is to review and update their rules. That is why a lot of us are deeply skeptical about spending \$30 million to create a new roving commission to hack away at rules protecting the public interest.

This commission would be made up of five members appointed directly by the President at his discretion and four members by the President from congressional nomination, too, from each party.

The advocates for this legislation say it is not about dismantling the rules that protect the water that our children drink or the air that our children and our grandparents breathe or the food that all of us eat. It is just about getting rid of unnecessary and obsolete and profligate regulations. And I take them at their word that that is what it is about.

□ 1330

So let's all agree that the new super-commission that you seek to establish under the SCRUB Act will not touch, in any way, the rules adopted under the Clean Air Act. If that is not the purpose of this legislation, to undermine the Clean Air Act regime, as its advocates repeatedly insist, then there should be no problem having us formalize this commitment on a bipartisan basis.

Right now, the SCRUB Act does not explicitly protect clean air—or clean water, for that matter—from the prospects of a roving bureaucratic attack. Thus, it exposes all of us to unnecessary harm, threatening to scrub away the rules that protect the air we breathe.

What will that mean for 17 million Americans with asthma, for the millions of people with lung cancer and other respiratory diseases, for more than 30,000 people struggling with cystic fibrosis? All of these people are potentially in danger simply because of an overblown ideological attack on regulations, which are just the rules that we adopt as a constitutional democracy to protect ourselves from harm.

In answer to objections about the bill, the majority says that Congress will still have its say; but if you read it carefully, you see that congressional authority has actually been placed in a straitjacket. The bill requires an up-or-down vote on the commission's recommendations as a complete omnibus package rather than voting on each proposal individually.

So if you agreed with loosening some regulations, for example, in the Title X Family Planning program, which has a lot of rules, but you don't want to eviscerate the regulatory infrastructure under the Clean Air Act or the Clean Water Act, you would have to vote on the entire package at once. This makes Congress into an embarrassing rubber stamp for a nine-person body effectively controlled by the executive branch.

Dear colleagues, let's not play games with the health and safety of our constituents. If this bill passes as is, rules that govern the very air we breathe would be subject to the SCRUB Act's unelected, unaccountable, and unbounded practitioners. My amendment closes a gaping and dangerous hole in the legislation. I ask my colleagues to think about public health and safety first, and not the magical thinking and scientifically ungrounded cost-benefit analysis promised by the SCRUB Act.

I reserve the balance of my time.

Mr. ROSS. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. ROSS. Mr. Chairman, this bill, again, requires the commission to identify regulations which should be repealed. The commission focuses on rules and regulations that are, again, out-of-date, no longer necessary, no longer useful, or otherwise obsolete.

Regulations promulgated under the Clean Air Act need to be examined and updated just as much as any other regulations. Reviewing and revisiting regulations promulgated decades ago allows the opportunity to improve upon existing standards.

According to the Competitive Enterprise Institute, the Environmental Protection Agency regulations cost the public \$353 billion a year. Given the high costs associated with EPA regulations, excluding these regulations from this review process just doesn't make any sense. \$353 billion—more than one-third of a trillion dollars—needs review.

Importantly, this bill has several significant procedural hurdles to pass before any regulation would be repealed: the commission must determine the regulation is no longer necessary; the commission must recommend repealing the regulation; and, most significantly, Congress would need to vote to get rid of the regulation. No regulation would be repealed without a vote by Congress.

This is reinstating the authority that this body has, and for these foregoing reasons, Mr. Chairman, I urge my colleagues to oppose this amendment.

I reserve the balance of my time.

Mr. RASKIN. Mr. Chairman, I yield such time as he may consume to my colleague from Maryland (Mr. CUMMINGS).

Mr. CUMMINGS. Mr. Chairman, I support this amendment to exempt rules under the Clean Air Act from this bill.

According to a 2011 study by the Environmental Protection Agency, the central benefits of the Clean Air Act exceed costs by a factor of more than 30 to 1, and the high benefits exceed costs by 90 times. Cleaner air provides exceptional economic benefits because it results in the improved health and productivity of Americans and reduces medical expenses for air pollution-related health problems.

The Clean Air Act will prevent thousands of early deaths; and its air quality and health benefits, including the prevention of heart attacks and the reduction of pulmonary diseases like chronic bronchitis, will grow over time.

Representative RASKIN's amendment, which would exempt all rules that relate to the Clean Air Act, is based on common sense. Cleaner air benefits every man, woman, and child in the country. If the Environmental Protection Agency is prevented or delayed from promulgating new regulations relating to the Clean Water Act because of cost, the children of this country will pay a very heavy price.

I hope that all Members will understand the need for exempting rules that result in cleaner air for our children and support this amendment.

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

Mr. ROSS. Mr. Chairman, this bill, when passed, does nothing to remove any regulation. What it does is exactly what we were elected to do: provide transparency and oversight over existing regulations to determine whether they are necessary or not. For those reasons, Mr. Chairman, I would again urge opposition to this amendment.

I yield back the balance of my time.

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

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. RASKIN. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Maryland will be postponed.

AMENDMENT NO. 11 OFFERED BY MS. MOORE

The Acting CHAIR. It is now in order to consider amendment No. 11 printed in House Report 115-20.

Ms. MOORE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 31, after line 24, add the following new title (and update the table of contents accordingly):

TITLE VI—EXEMPTIONS

SEC. 601. EXEMPTION RELATING TO TRIBAL GOVERNMENTS.

The provisions of this Act do not apply to any rule or set of rules—

- (1) relating to any obligation of the Federal Government with respect to a Tribal government; or
- (2) supporting Tribal sovereignty and self-determination.

The Acting CHAIR. Pursuant to House Resolution 150, the gentlewoman from Wisconsin (Ms. MOORE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Wisconsin.

Ms. MOORE. Mr. Chairman, my amendment is very simple. It just says that the provisions of the SCRUB Act will not apply to any rule or set of rules relating to any obligation of the Federal Government with respect to tribal government or supporting tribal sovereignty and self-determination.

Mr. Chair, the United States has a unique legal and political relationship with Indian tribal governments, as outlined in the Constitution, treaties, statutes, executive orders, and judicial decisions. However, too often they have been overlooked when it comes to Federal policies that will have a direct impact on that relationship and that sovereignty.

My concern is that, without explicit language, H.R. 998 would simply continue this mistake, which has had devastating consequences for our Native American brothers and sisters. It has been a decades-long policy of the Federal Government to engage Native American tribes in a government-to-government relationship that respects their right to self-government and self-determination, and my amendment seeks to ensure that nothing in this bill will undermine those efforts.

My amendment would exempt rules that will have an impact on this government-to-government relationship from the bill's requirements. This will, of course, require agencies and this commission to examine the impact on this special relationship in each rule that they bring to the chopping block. It makes clear that protecting the sovereignty and promoting the economic, political, and social self-determination for the Native American community remains a pressing priority.

Now, just 2 days ago, Mr. Chairman, the House considered and passed a bill, H.R. 228, the Indian Employment, Training and Related Services Consolidation Act, to make permanent a program that allows tribes to combine up

to 13 different Federal, employment, childcare, and job training funding sources.

Of course, the sponsor of this legislation, Representative DON YOUNG, a true champion for Native Americans, described it well. He said: "This program is what tribal self-determination is all about. Tribes understand their members best and know how to use these tools for creating expanding job opportunities in their communities."

The same thing with NAHASDA, which has a lot of innovations, and I have worked with Congressman STEVE PEARCE and Representative COLE and others. Once NAHASDA reauthorization becomes law, it, too, might fall short because of this particular bill. I fear that the SCRUB Act's reckless rush to repeal rules based primarily only on one consideration, cost to the economy, will adversely affect Native Americans.

How will members of this commission be experts on the sovereignty and government-to-government relationship with tribes? There is no appointee for Native American communities on this commission, on the needs of native communities, on efforts by Congress to promote self-determination. The bill requires zero such knowledge and participation.

Additionally, simply requiring agencies to blindly—blindly—cut regulations is just nonsensical by itself.

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

Mr. ROSS. Mr. Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. ROSS. Mr. Chairman, this amendment is the prime example of why we need the SCRUB Act. "Federal Management of Programs that Serve Tribes" was added to the Government Accountability Office biannual high-risk report released earlier this month. The GAO reported: "For nearly a decade, we, along with inspectors general, special commissions, and others, have reported that federal agencies have ineffectively administered Indian education and health care programs and inefficiently fulfilled their responsibilities for managing the development of Indian energy resources."

Look, the GAO found numerous challenges, including poor conditions at schools, inadequate healthcare oversight, and mismanagement of energy resources that limit the ability of tribes to create economic benefits and improve the well-being of their communities.

Clearly, the Federal Government is not getting this right, and we need to exercise our oversight. We need more attention to this issue, not less.

Exempting regulations relating to tribal governments is simply wrong. It keeps in place outdated and ineffective

regulations that are burdening our tribal governments. For these reasons, Mr. Chairman, I urge my colleagues to oppose this amendment.

I reserve the balance of my time.

Ms. MOORE. Mr. Chairman, this is precisely why the Members should adopt my amendment: because this is an unelected commission, and the relationship between Native American tribes is a government-to-government relationship.

If the gentleman is correct that we need to review regulations and change them, then that is something that needs to happen with Native Americans seated at the table. As my good friend LINDA SÁNCHEZ often points out, when you are not at the table, you are definitely on the menu.

History has shown that failure by the Federal Government to consider the impact on tribal communities and to include their voices in Federal decisions has often left undesirable and devastating policy. Such consideration is disrespectful of their sovereignty and disrespectful of our Constitution. Such consideration is a critical need for us to create and maintain a strong and productive Federal-tribal relationship. I urge my colleagues to support my amendment.

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

Mr. ROSS. Mr. Chairman, the regulations that we are talking about in the GAO report that are so ineffective, that have been a failure, are those regulations that have been imposed by unelectable bureaucrats in the bureaucracy that we are trying to reach back and gain not only oversight, but transparency as well. The SCRUB Act needs to be there for that particular purpose, and, for those reasons, this amendment should be opposed.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Wisconsin (Ms. MOORE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. MOORE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Wisconsin will be postponed.

□ 1345

AMENDMENT NO. 12 OFFERED BY MR. CUMMINGS

The Acting CHAIR. It is now in order to consider amendment No. 12 printed in House Report 115-20.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 31, after line 24, add the following new title (and update the table of contents accordingly):

TITLE VI—EXEMPTIONS

SEC. 601. EXEMPTION RELATING TO PROTECTIONS FOR WHISTLEBLOWERS.

The provisions of this Act do not apply to any rule or set of rules relating to—

- (1) protections for whistleblowers; or
- (2) penalties for retaliation against whistleblowers.

The Acting CHAIR. Pursuant to House Resolution 150, the gentleman from Maryland (Mr. CUMMINGS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Maryland.

Mr. CUMMINGS. Mr. Chairman, my amendment would exempt from this bill any rule that protects whistleblowers or that imposes penalties on individuals who retaliate against whistleblowers. This bill would jeopardize all agency rulemakings—no matter how important—even rules that protect whistleblowers.

The Department of Energy issued a ruling in December that would authorize the department to impose civil penalties on Federal nuclear contractors who retaliate against whistleblowers who report information concerning nuclear safety. On January 31, 2017, DOE put a moratorium on that rule in response to President Trump's mandated freeze on rulemakings.

This is exactly the kind of rule that could become a casualty of this bill. We must ensure that agencies can issue rules that protect individuals who blow the whistle on waste, fraud, and abuse, as well as safety issues that can be a matter of life and death.

Mr. Chairman, I include in the RECORD a letter from the Project on Government Oversight supporting my amendment. That letter states: "Whistleblowers are the first and best line of defense against significant problems on federal projects and must be protected from retribution for the act of reporting wrongdoing. Regulations to protect those whistleblowers should be exempt from the SCRUB Act 2017."

PROJECT ON
GOVERNMENT OVERSIGHT,

Washington, DC, February 28, 2017.

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

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

DEAR SPEAKER RYAN AND MINORITY LEADER PELOSI: On behalf of the Project On Government Oversight (POGO), I would like to voice my support for the whistleblower protection amendment to the Searching for and Cutting Regulations that are Unnecessarily Burdensome Act of 2017 (SCRUB Act) introduced by Ranking Member ELIJAH CUMMINGS of the House Oversight and Government Reform Committee.

POGO is an independent nonprofit that has, for 35 years, investigated and exposed corruption and misconduct in order to achieve a more accountable federal government. As such, our organization is deeply committed to protecting whistleblowers within the federal government and its contractors. This amendment will explicitly

protect any agency-promulgated regulations that protect whistleblowers or that lay out penalties for those who retaliate against whistleblowers from being targeted as “unnecessarily burdensome” under the SCRUB Act.

These regulations, like a Department of Energy (DOE) rule that would have allowed the Department to impose civil penalties against contractors who retaliate against whistleblowers, are already being disrupted by the current regulatory freeze. Whistleblowers are the first and best line of defense against significant problems on federal projects and must be protected from retribution for the act of reporting wrongdoing. Regulations to protect those whistleblowers should be exempt from the SCRUB Act of 2017.

We are happy to champion this amendment and hope it will receive the bipartisan support it deserves.

Sincerely,

DANIELLE BRIAN,
Executive Director.

Mr. CUMMINGS. Let me say that whistleblowers have played a very significant role in our committee, the Oversight and Government Reform Committee. As a matter of fact, many of the reforms that have come have come because people were bold enough to stand up and come forward and provide information that we would not have gotten. One of the things, Mr. Chairman, that we have said over and over again on a bipartisan basis is that we will protect whistleblowers.

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

Mr. ROSS. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. ROSS. Mr. Chairman, let me begin by saying that my colleague from Maryland, the ranking member of the full committee, has been and continues to be probably one of the strongest advocates for whistleblower protections, and I thank him and laud him for that. But I must disagree with him in regard to this amendment.

No one regulation is the perfect and ideal regulation that will last into perpetuity. All regulations need to be reviewed, and that is what this rule does. The commission focuses on rules and regulations that are out of date, no longer useful, and are otherwise unnecessary or obsolete.

Regulations that were promulgated with the original intent of protecting whistleblowers need updating and consideration as much as any other regulation does. Reviewing and revisiting regulations promulgated decades ago creates the opportunity to improve upon existing standards.

Excluding whistleblower regulations from this exercise means that whistleblowers would lose out on the chance to streamline regulations and reduce burdens that might be harming whistleblowers. In fact, this process could actually help protect whistleblowers in its oversight and transparency.

Importantly, this bill has several significant procedural hurdles to pass before any regulation would be repealed. The commission must determine that the regulation is no longer necessary; the commission would then recommend repealing the regulation; and, again, most significantly, Congress would need to vote on the regulation in order to get rid of it.

Again, for these reasons, I urge my colleagues to oppose this amendment.

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

Mr. CUMMINGS. Mr. Chairman, may I inquire how much time I have remaining?

The Acting CHAIR. The gentleman from Maryland has 2½ minutes remaining.

Mr. CUMMINGS. Let me say this, Mr. Chairman, I have, as the ranking member of our committee, had many opportunities to sit and listen to whistleblowers who were shaking in their shoes. They were worried. But there was something that they wanted to do that was far more important to them than just that moment. They were trying to make sure that they did the right thing, and they brought it to the attention of people that they thought would listen to them and would do something about their concerns when they felt they had got to the point where, in many instances, they felt that they had nobody to go to.

This administration has been very interesting. If there is any time that we need to be protecting whistleblowers, it is right now because there are so many people in our government who feel that they are under threat. They see things changing, and many of them are in fear.

I appreciate what the gentleman said, but I don't care how you look at this. If somebody has the nerve to come up and say, I want my government to be better—some people have told me, I want to preserve my democracy. I want it to be a democracy for my children so they can have the democracy that I had when I was born—and they have the nerve to come up, then we have to do everything in our power. We have to send that message, and the message needs to come from here. It may not come from the White House, but it has got to come from here.

That is why this concerns me so much. Any message other than that says to those people that they have got to keep hiding, they have got to keep shaking in their boots, and they have got to keep silent when, deep in their souls, they want to make a difference.

We are better than that.

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

Mr. ROSS. Mr. Chairman, again, nothing in the SCRUB Act does anything to remove any of the protections that already exist for whistleblowers.

This essentially makes it open for review, but, more importantly, as I agree with my colleague from Maryland, we need to protect the whistleblowers. And if it be the focus of Congress to do just that, then we must, irrespective of the SCRUB Act, focus on strengthening those laws that protect our whistleblowers to make our government run more transparently, more effectively, and more efficiently.

Again, I urge my colleagues to oppose this amendment.

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

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

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. CUMMINGS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Maryland will be postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 115-20 on which further proceedings were postponed, in the following order:

Amendment No. 8 by Ms. BONAMICI of Oregon.

Amendment No. 10 by Mr. RASKIN of Maryland.

Amendment No. 11 by Ms. MOORE of Wisconsin.

Amendment No. 12 by Mr. CUMMINGS of Maryland.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 8 OFFERED BY MS. BONAMICI

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Oregon (Ms. BONAMICI) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 191, noes 235, not voting 3, as follows:

[Roll No. 109]

AYES—191

Adams	Blumenauer	Bustos
Aguilar	Blunt Rochester	Butterfield
Barragán	Bonamici	Capuano
Bass	Boyle, Brendan	Carbajal
Beatty	F.	Cárdenas
Bera	Brady (PA)	Carson (IN)
Beyer	Brown (MD)	Cartwright
Bishop (GA)	Brownley (CA)	Castor (FL)

Castro (TX) Jayapal
 Chu, Judy Jeffries
 Cicilline Johnson (GA)
 Clark (MA) Johnson, E. B.
 Clarke (NY) Kaptur
 Clay Keating
 Cleaver Kelly (IL)
 Clyburn Kennedy
 Cohen Khanna
 Connolly Kihuen
 Conyers Kildee
 Cooper Kilmer
 Correa Kind
 Courtney Krishnamoorthi
 Crist Kuster (NH)
 Crowley Langevin
 Cuellar Larsen (WA)
 Cummings Larson (CT)
 Davis (CA) Lawrence
 Davis, Danny Lawson (FL)
 DeFazio Lee
 DeGette Levin
 Delaney Lewis (GA)
 DeLauro Lieu, Ted
 DelBene Lipinski
 Demings Loeb sack
 DeSaulnier Lofgren
 Deutch Lowenthal
 Dingell Lowey
 Doggett Lujan Grisham,
 Doyle, Michael M.
 F. Luján, Ben Ray
 Ellison Lynch
 Engel Maloney,
 Eshoo Carolyn B.
 Espallat Maloney, Sean
 Esty Matsui
 Evans McCollum
 Foster McEachin
 Frankel (FL) McGovern
 Fudge Meeks
 Gabbard Meng
 Gallego Moore
 Garamendi Moulton
 Gonzalez (TX) Murphy (FL)
 Gottheimer Nadler
 Green, Al Napolitano
 Green, Gene Neal
 Grijalva Nolan
 Gutiérrez Norcross
 Hanabusa O'Halleran
 Hastings O'Rourke
 Heck Pallone
 Higgins (NY) Panetta
 Himes Pascrell
 Hoyer Payne
 Huffman Pelosi
 Jackson Lee Perlmutter

NOES—235

Abraham Chaffetz
 Aderholt Cheney
 Allen Coffman
 Amash Cole
 Arrington Collins (GA)
 Babin Collins (NY)
 Bacon Comer
 Banks (IN) Comstock
 Barletta Conaway
 Barr Cook
 Barton Costa
 Bergman Costello (PA)
 Biggs Cramer
 Bilirakis Crawford
 Bishop (MI) Culberson
 Bishop (UT) Curbelo (FL)
 Black Davidson
 Blackburn Davis, Rodney
 Blum Denham
 Bost Dent
 Brady (TX) DeSantis
 Brat DesJarlais
 Bridenstine Diaz-Balart
 Brooks (AL) Donovan
 Brooks (IN) Duffy
 Buchanan Duncan (SC)
 Buck Duncan (TN)
 Bucshon Dunn
 Budd Emmer
 Burgess Farenthold
 Byrne Faso
 Calvert Ferguson
 Carter (GA) Fitzpatrick
 Carter (TX) Fleischmann
 Chabot Flores

Peters Jenkins (WV)
 Peterson Johnson (LA)
 Pingree Johnson (OH)
 Pocan Johnson, Sam
 Polis Jones
 Price (NC) Jordan
 Quigley Joyce (OH)
 Raskin Katko
 Rice (NY) Kelly (MS)
 Richmond Kelly (PA)
 Rosen King (IA)
 Roybal-Allard King (NY)
 Ruiz Kinzinger
 Ruppertsberger Knight
 Rush Kustoff (TN)
 Ryan (OH) Labrador
 Sánchez LaHood
 Sarbanes LaMalfa
 Schakowsky Lamborn
 Schiff Lance
 Schneider Latta
 Schrader Lewis (MN)
 Scott (VA) LoBiondo
 Scott, David Long
 Serrano Loudermilk
 Sewell (AL) Love
 Shea-Porter Lucas
 Sherman Luetkemeyer
 Sinema MacArthur
 Sires Marchant
 Slaughter Marino
 Smith (WA) Marshall
 Soto Massie
 Speier McCarthy
 Suozzi McCaul
 Swalwell (CA) Ross
 Takano McClintock
 Thompson (CA) McHenry
 Thompson (MS) McKinley
 Titus McMorris
 Tonko Rodgers
 Torres McSally
 Tsongas Meadows
 Vargas Meehan
 Veasey Amodei
 Vela Hudson
 Velázquez McNeerney
 Visclosky
 Walz
 Wasserman
 Schultz
 Waters, Maxine
 Watson Coleman
 Welch
 Wilson (FL)
 Yarmuth

Fortenberry
 Foxx
 Franks (AZ)
 Frelinghuysen
 Gaetz
 Gallagher
 Garrett
 Gibbs
 Gohmert
 Goodlatte
 Gosar
 Gowdy
 Granger
 Graves (GA)
 Graves (LA)
 Graves (MO)
 Griffith
 Grothman
 Guthrie
 Harper
 Harris
 Hartzler
 Hensarling
 Herrera Beutler
 Hice, Jody B.
 Higgins (LA)
 Hill
 Holding
 Hollingsworth
 Huizenga
 Hultgren
 Hunter
 Hurd
 Issa
 Jenkins (KS)

Messer Scott, Austin
 Mitchell Sensenbrenner
 Moolenaar Sessions
 Mooney (WV) Shimkus
 Mullin Shuster
 Murphy (PA) Simpson
 Newhouse Smith (MO)
 Noem Smith (NE)
 Nunes Smith (NJ)
 Olson Smith (TX)
 Palazzo Smucker
 Palmer Stefanik
 Paulsen Stewart
 Pearce Stivers
 Perry Taylor
 Pittenger Tenney
 Poe (TX) Thompson (PA)
 Poliquin Thornberry
 Posey Tiberi
 Ratcliffe Tipton
 Reed Trott
 Reichert Turner
 Renacci Upton
 Rice (SC) Valadao
 Roby Wagner
 Roe (TN) Walberg
 Rogers (AL) Walden
 Rogers (KY) Walker
 Rohrabacher Walorski
 Rokita Walters, Mimi
 Rooney, Francis Weber (TX)
 Rooney, Thomas Webster (FL)
 J. Wenstrup
 Ros-Lehtinen Westernman
 Roskam Williams
 Ross Wilson (SC)
 Rothfus Wittman
 Rouzer Womack
 Royce (CA) Woodall
 Russell Yoder
 Rutherford Yoho
 Sanford Young (AK)
 Scalise Young (IA)
 Schweikert Zeldin

NOT VOTING—3

□ 1419

Messrs. FERGUSON, PAULSEN, YOUNG of Iowa, MARSHALL, POE of Texas, BILIRAKIS, JENKINS of West Virginia, MULLIN, THOMPSON of Pennsylvania, RODNEY DAVIS of Illinois, and DUFFY changed their vote from “aye” to “no.”

Messrs. PETERS, GALLEGO, and SUOZZI changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 10 OFFERED BY MR. RASKIN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Maryland (Mr. RASKIN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 189, noes 231, not voting 9, as follows:

[Roll No. 110]

AYES—189

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

NOES—231

Abraham Brooks (IN) Curbelo (FL)
 Aderholt Buchanan Davidson
 Allen Buck Davis, Rodney
 Amash Bucshon Denham
 Amodei Budd Dent
 Arrington Burgess DeSantis
 Babin Byrne DesJarlais
 Bacon Calvert Diaz-Balart
 Banks (IN) Carter (GA) Donovan
 Barletta Carter (TX) Duffy
 Barr Chabot Duncan (SC)
 Barton Chaffetz Duncan (TN)
 Bergman Cheney Dunn
 Biggs Coffman Emmer
 Bilirakis Cole Farenthold
 Bishop (MI) Collins (GA) Faso
 Bishop (UT) Comer Ferguson
 Black Comstock Fitzpatrick
 Blackburn Conaway Fleischmann
 Blum Cook Flores
 Bost Costa Fortenberry
 Brady (TX) Costello (PA) Foxx
 Brat Cramer Franks (AZ)
 Bridenstine Crawford Frelinghuysen
 Brooks (AL) Culberson Gaetz

Gallagher Long
Garrett Loudermilk
Gibbs Love
Gohmert Lucas
Goodlatte Luetkemeyer
Gosar MacArthur
Gowdy Marchant
Granger Marino
Graves (GA) Marshall
Graves (LA) Massie
Graves (MO) Mast
Griffith McCarthy
Grothman McClintock
Guthrie McHenry
Harper McKinley
Harris McMorris
Hartzler Rodgers
Hensarling McSally
Herrera Beutler Meadows
Hice, Jody B. Meehan
Higgins (LA) Messer
Hill Mitchell
Holding Moolenaar
Hollingsworth Mooney (WV)
Huizenga Mullin
Hultgren Murphy (PA)
Hunter Newhouse
Hurd Noem
Issa Nunes
Jenkins (KS) Olson
Jenkins (WV) Palazzo
Johnson (LA) Palmer
Johnson (OH) Paulsen
Johnson, Sam Pearce
Jones Perry
Jordan Peterson
Joyce (OH) Pittenger
Katko Poe (TX)
Kelly (MS) Poliquin
Kelly (PA) Posey
King (IA) Ratcliffe
King (NY) Reed
Kinzinger Reichert
Knight Renacci
Kustoff (TN) Rice (SC)
Labrador Wittman
LaHood Womack
LaMalfa Roe (TN)
Lamborn Rogers (AL)
Lance Rogers (KY)
Latta Rohrabacher
Lewis (MN) Rokita
LoBiondo Rooney, Francis

NOT VOTING—9

Collins (NY) McCaul
Cuellar Pelosi
Hudson Rush

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1427

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 11 OFFERED BY MS. MOORE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Wisconsin (Ms. MOORE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 197, noes 229, not voting 3, as follows:

Rooney, Thomas J.
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Taylor
Tenney
Thompson (PA)
Thornberry
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

[Roll No. 111]

AYES—197

Gallego
Garamendi
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Hurd
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loeb sack
Lofgren
Lowenthal
Lowe y
Lucas
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Mullin
Murphy (FL)
Nadler
Napolitano

NOES—229

Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Cheney
Coffman
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway

Fitzpatrick
Fleischmann
Flores
Fortenberry
Fox
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Huizenga
Hultgren
Hunter
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance

NOT VOTING—3

Hudson Pelosi Scott, David

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (Mr. COLLINS of Georgia) (during the vote). There is 1 minute remaining.

□ 1432

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 12 OFFERED BY MR. CUMMINGS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Maryland (Mr. CUMMINGS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 194, noes 231, not voting 4, as follows:

[Roll No. 112]

AYES—194

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

NOES—231

Abraham Blum Coffman
Aderholt Bost Cole
Allen Brady (TX) Collins (GA)
Amash Brat Collins (NY)
Amodel Bridenstine Comer
Arrington Brooks (AL) Comstock
Babin Brooks (IN) Conaway
Bacon Buchanan Cook
Banks (IN) Buck Costello (PA)
Barletta Bucshon Cramer
Barr Budd Crawford
Barton Burgess Culberson
Bergman Byrne Curbelo (FL)
Biggs Calvert Davidson
Bilirakis Carter (GA) Davis, Rodney
Bishop (MI) Carter (TX) Denham
Bishop (UT) Chabot Dent
Black Chaffetz DeSantis
Blackburn Cheney DesJarlais

Diaz-Balart Knight
Donovan Kustoff (TN)
Duffy Labrador
Duncan (SC) LaHood
Duncan (TN) LaMalfa
Dunn Lamborn
Emmer Lance
Farenthold Latta
Faso Lewis (MN)
Ferguson Long
Fleischmann Loudermilk
Flores Love
Fortenberry Lucas
Foxy Luetkemeyer
Franks (AZ) MacArthur
Frelinghuysen Marchant
Gaetz Marino
Gallagher Marshall
Garrett Massie
Gibbs Mast
Gohmert McCarthy
Goodlatte McCaul
Gosar McClintock
Gowdy McHenry
Granger McKinley
Graves (GA) McMorris
Graves (LA) Rodgers
Graves (MO) McSally
Griffith Meadows
Grothman Meehan
Guthrie Messer
Harper Mitchell
Harris Moolenaar
Hartzler Mooney (WV)
Hensarling Mullin
Herrera Beutler Murphy (PA)
Hice, Jody B. Newhouse
Higgins (LA) Noem
Hill Nunes
Holding Olson
Hollingsworth Palazzo
Huizenga Palmer
Hultgren Paulsen
Hunter Pearce
Hurd Perry
Issa Pittenger
Jenkins (KS) Poe (TX)
Jenkins (WV) Poliquin
Johnson (LA) Posey
Johnson (OH) Ratcliffe
Johnson, Sam Reed
Jordan Reichert
Joyce (OH) Renacci
Katko Rice (SC)
Kelly (MS) Roby
Kelly (PA) Roe (TN)
King (IA) Rogers (AL)
King (NY) Rogers (KY)
Kinzinger Rohrabacher

NOT VOTING—4

Hudson Pelosi
Lowenthal Scott, David

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1436

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR (Mr. FLEISCHMANN). There being no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. COLLINS of Georgia) having assumed the chair, Mr. FLEISCHMANN, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 998) to provide for the establishment of a process for the review of rules and sets of rules, and for other purposes, and, pursuant to House Resolution 150, he reported the bill back to the House with sundry

amendments adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment reported from the Committee of the Whole? If not, the Chair will put them en gros.

The amendments were agreed to.

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

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

MOTION TO RECOMMIT

Mr. RASKIN. Mr. Speaker, I have a motion to recommit at the desk.

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

Mr. RASKIN. I am, indeed.

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

The Clerk read as follows:

Mr. Raskin moves to recommit the bill H.R. 998 to the Committee on Oversight and Government Reform with instructions to report the same back to the House forthwith with the following amendment:

At the end of the bill, add the following new title (and update the table of contents accordingly):

TITLE VI—EXEMPTIONS

SEC. 601. EXEMPTION FOR CERTAIN RULES OR SETS OF RULES.

The provisions of this Act do not apply to any rule or set of rules relating to—

(1) any law governing a potential conflict of interest of an employee or officer of the executive branch;

(2) any law governing the financial disclosures of an employee or officer of the executive branch; and

(3) bribery.

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

Mr. RASKIN. Mr. Speaker, this is the final amendment to the bill, which will not kill the bill or send it back to the committee. If adopted, the bill will immediately proceed to final passage, as amended.

The purpose of this amendment is simply to carve out from the provisions of the legislation any rules that we have adopted in order to prevent conflicts of interest and in order to promote financial transparency and disclosure by executive branch employees.

Mr. Speaker, since I became a Member of the House in January and joined the Judiciary Committee, we have been subjected to an onslaught of bills seeking to free corporate polluters, lead paint and asbestos manufacturers, and other abusers of the rights of consumers and citizens from having to face the people they injure in court and having to comply with the rules that have been worked out over the decades to protect our air, our water, our land, our people, our health, and our workplaces.

In most cases, we don't even get hearings on these bills. In the Judiciary Committee, I have not seen a victim of toxic torts or lead poisoning or medical malpractice testify, but their rights are being flattened every single day by the legislative bulldozer that is running amuck.

These bills are flying at us with lightning speed—no hearings, no real debate, no time to study the measures, no time to do the proper information gathering for our constituents.

Now the SCRUB Act would establish an unelected roving commission with unlimited subpoena power. It would be controlled by the President who gets to appoint a clean majority—five members at his own discretion; and four more, two Republicans and two Democrats. So when they say it is bipartisan, remember what that means: Seven spots for majority appointees and two spots for minority appointees. More importantly, this roving commission can be lobbied behind closed doors by the special interests that want to splice and dice the regulations that we have worked out over the decades to protect the public against harm.

In all of the rules that our democracy has put in place—not just old rules, not just obsolete rules, not just silly rules—all of them are going to be in the crosshairs of this roving commission—no exceptions, no firewalls, no protections for rules governing public health and safety—like the Clean Water Act or like the Clean Air Act. They just rejected the amendment to carve that out. There are no protections, significantly, and this is what the amendment is about, for rules guaranteeing transparency in government and integrity in government.

My motion to recommit, Mr. Speaker, would incorporate into the underlying legislation an amendment that I advanced in committee that goes to the heart of the crisis of confidence in Washington, in America today. I think every Member of this body can support it without betraying any of their principles or their party. On the contrary, I think it strengthens all of our principles and it strengthens our parties by building public confidence in the political system as a whole. It makes sure we can keep draining the swamp, as the President of the United States said in this Chamber last night.

My amendment states very simply that the Commission may not target for destruction any rules relating to any law governing a potential conflict of interest of an employee or officer of the executive branch, or any law governing the financial disclosures of executive branch employees, and bribery.

Right now, we know there is a dangerous crisis in popular confidence in the national government. This administration has brought to Washington a web of complicated conflicts of interest, real or potential, attendant to a

global business empire that engages in business with foreign governments, foreign and domestic corporations, and a huge host of regulated entities.

Just a mile from where we sit today, for example, the Trump Hotel is renting out guest rooms, ballrooms, meeting rooms, and whole floors to foreign governments, embassies, and large corporations in flagrant violation of the Emoluments Clause, article 1, section 9, which requires the President to come ask us—Congress—for permission to receive payments from foreign governments.

□ 1445

They even have a director of diplomatic sales now. Furthermore, the standard lease that the Trump Hotel has with the General Services Administration forbids any elected official of the United States Government or the District of Columbia from deriving any profit or value from the lease. Clearly, there is a breach in this lease right now. The problem is that the President is not only the tenant, he is, for all intents and purposes, the landlord too because he controls the GSA and appoints its director. So President-landlord Donald Trump would have to go to court to sue tenant businessman Donald Trump for breaching the lease by collecting money under it as a public official. This just scratches the surface of a welter of ethical conflicts.

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

Since I became a member of this House in January, my Freshman colleagues and I have been engaged in two activities. First, we've been sitting in hearings and trying to make sense of bills that fundamentally change the legal and regulatory structure of America—and we've done so without hearing from witnesses, without time to study measures, and without time to do the proper information gathering that I believe is necessary to serve our various constituencies. Second, we've come to the floor at the end of each day to cast votes on deregulation. This house has been in the business of loosening rules on everything. We've made it easier to pollute, easier to harm consumers—all in the name of cutting regulatory costs. And so it's no surprise that a bill like this sailed through the Committee on Oversight and Government Reform to the floor.

This bill would establish an unelected commission with unlimited subpoena power and partisan majority to chop through the Federal Register with a chain saw. There are no exceptions, no firewalls, no protections for rules and regulations governing health and safety and there are no protections for rules guaranteeing transparency in government.

My motion to recommit would incorporate into the underlying legislation, an amendment I offered in committee. It's straightforward and unburdensome. In fact, when I offered it in committee one of my colleagues on the other side indicated that the priority of this bill is "major rules with massive costs."

If passed, this MTR would make certain that no provision of the SCRUB Act could be used to eliminate rules relating to laws that govern conflicts of interest of executive branch officers or employees. That's it—it reinforces existing law and clarifies provisions of this bill.

Surely, we can agree that rules designed to help maintain the public trust in those representing them in the Executive Branch are sacred enough to be explicitly protected. And if anyone should ask why it's so important, we don't have to look too far. This administration is a walking, talking billboard for the need to protect laws that protect the public trust.

I urge my colleagues to support this common sense measure.

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

Mr. ROSS. Mr. Speaker, I rise in opposition to the motion.

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

Mr. ROSS. Mr. Speaker, it is interesting because creatively my friend from Maryland is trying to do unsuccessfully what they have done all along unsuccessfully, and that is just create a carve-out of regulations for review by the SCRUB Act.

Now, what regulation is so perfect it should never be reviewed again? None. And that is why the SCRUB Act is so important. You see, this bill went through regular order.

In the Oversight and Government Reform Committee, we went through a markup, and my friends across the aisle had an opportunity to make their amendments. We came to the floor. They had an opportunity to make their amendments. Two were accepted—made it a bipartisan bill.

But, more importantly, let's take the impact of this bill and what it does to our economy. The Small Business Administration says that annually each business must pay \$20,000 a year in compliance costs because of our regulatory environment. The Competitive Enterprise Institute says that that is \$15,000 per household.

Members, we were elected to be accountable to those who elected us; not to allow some unaccountable, unelectable bureaucracy to make rules and regulations that have filled up 178,000 pages of the Code of Federal Regulations.

Let us do what we were elected to do, and reach back and take that authority that we have given to these regulatory agencies. Let us pass this SCRUB Act so that we will have the opportunity to not only review, but eliminate those regulations that are no longer necessary, inefficient, and ineffective.

Members, I ask for you to oppose this motion and vote for the underlying SCRUB Act and let us regain the authority that the people have given us.

I yield back the balance of my time.

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

There was no objection.

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

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

RECORDED VOTE

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

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, the 5-minute vote on the motion to recommit will be followed by 5-minute votes on the passage of the bill, if ordered; ordering the previous question on House Resolution 156; and adoption of the resolution, if ordered.

The vote was taken by electronic device, and there were—ayes 190, noes 235, not voting 4, as follows:

[Roll No. 113]

AYES—190

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

Wasserman
Schultz
Waters, Maxine

Watson Coleman
Welch
Wilson (FL)

NOES—235

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

NOT VOTING—4

Capuano	Pelosi
Hudson	Scott, David

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1500

Messrs. COFFMAN, DESJARLAIS, and Mrs. COMSTOCK changed their vote from “aye” to “no.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

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

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 240, noes 185, not voting 4, as follows:

[Roll No. 114]

AYES—240

Abraham	Duncan (TN)	Latta
Aderholt	Dunn	Lewis (MN)
Allen	Emmer	LoBiondo
Amash	Farenthold	Long
Amodel	Faso	Loudermilk
Arrington	Ferguson	Love
Babin	Fitzpatrick	Lucas
Bacon	Fleischmann	Luetkemeyer
Banks (IN)	Flores	MacArthur
Barletta	Fortenberry	Marchant
Barr	Fox	Marino
Barton	Franks (AZ)	Marshall
Bergman	Frelinghuysen	Mast
Bilirakis	Gallagher	McCarthy
Bishop (MI)	Garrett	McCaul
Bishop (UT)	Gibbs	McClintock
Black	Goodlatte	McHenry
Blackburn	Gosar	McKinley
Blum	Gottheimer	McMorris
Bost	Gowdy	Rodgers
Brady (TX)	Granger	McSally
Brat	Graves (GA)	Meadows
Bridenstine	Graves (LA)	Meehan
Brooks (AL)	Graves (MO)	Messer
Brooks (IN)	Griffith	Mitchell
Buchanan	Grothman	Moolenaar
Buck	Guthrie	Mooney (WV)
Bucshon	Harper	Mullin
Budd	Harris	Murphy (FL)
Burgess	Hartzler	Murphy (PA)
Byrne	Hensarling	Newhouse
Calvert	Herrera Beutler	Noem
Carter (GA)	Hice, Jody B.	Nunes
Carter (TX)	Higgins (LA)	O'Halleran
Chabot	Hill	Olson
Chaffetz	Holding	Palazzo
Cheney	Hollingsworth	Palmer
Coffman	Huizenga	Paulsen
Cole	Hultgren	Pearce
Collins (GA)	Hunter	Perry
Collins (NY)	Hurd	Peterson
Comer	Issa	Pittenger
Comstock	Jenkins (KS)	Poe (TX)
Conaway	Jenkins (WV)	Poliquin
Cook	Johnson (LA)	Posey
Costa	Johnson (OH)	Ratcliffe
Costello (PA)	Johnson, Sam	Reed
Cramer	Jordan	Reichert
Crawford	Joyce (OH)	Renacci
Cuellar	Katko	Rice (SC)
Culberson	Kelly (MS)	Roby
Curbelo (FL)	Kelly (PA)	Roe (TN)
Davidson	King (IA)	Rogers (AL)
Davis, Rodney	King (NY)	Rohrabacher
Denham	Kinzing er	Rokita
Dent	Knight	Rooney, Francis
DeSantis	Kustoff (TN)	Rooney, Thomas
DesJarlais	Labrador	J.
Diaz-Balart	LaHood	Ros-Lehtinen
Donovan	LaMalfa	Rosen
Duffy	Lamborn	Roskam
Duncan (SC)	Lance	Ross

Rothfus
Rouzer
Royce (CA)
Rush
Russell
Rutherford
Sanford
Scalise
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)

Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg

Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOES—185

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

NOT VOTING—4

Hudson
Pelosi

Rogers (KY)
Scott, David

□ 1507

Ms. BLUNT ROCHESTER changed her vote from “aye” to “no.”
So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 1004, REGULATORY INTEGRITY ACT OF 2017, AND PROVIDING FOR CONSIDERATION OF H.R. 1009, OIRA INSIGHT, REFORM, AND ACCOUNTABILITY ACT

The SPEAKER pro tempore (Mr. SIMPSON). The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 156) providing for consideration of the bill (H.R. 1004) to amend chapter 3 of title 5, United States Code, to require the publication of information relating to pending agency regulatory actions, and for other purposes, and providing for consideration of the bill (H.R. 1009) to amend title 44, United States Code, to require the Administrator of the Office of Information and Regulatory Affairs to review regulations, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 233, nays 189, not voting 7, as follows:

[Roll No. 115]

YEAS—233

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Baretta
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)

Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Dunn
Emmer
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Portenberry
Foxy
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)

Graves (MO)
Griffith
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)

LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger

Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas
J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)

Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NAYS—189

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan
F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clever
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Doyle, Michael
F.
Ellison
Engel
Eshoo
Espallat
Esty
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gonzalez (TX)
Gottheimer
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loeb sack
Lofgren
Lowenthal
Lowey

Lujan Grisham, M.
Lujan, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
Matsui
McCormack
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
Pallone
Panetta
Pascarelli
Payne
Pelosi
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema

Sires
Slaughter
Smith (WA)
Soto
Speier
Suozi
Swalwell (CA)
Takano
Thompson (CA)

NOT VOTING—7

Duncan (TN)
Green, Al
Hudson

□ 1513

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

(By unanimous consent, Mr. SESSIONS was allowed to speak out of order.)

ANNOUNCEMENT BY COMMITTEE ON RULES REGARDING AMENDMENT PROCESS FOR H.R. 725, INNOCENT PARTY PROTECTION ACT; H.R. 720, LAWSUIT ABUSE REDUCTION ACT; AND H.R. 985, FAIRNESS IN CLASS ACTION LITIGATION ACT

Mr. SESSIONS. Mr. Speaker, this morning the Rules Committee issued announcements outlining the process for amendments for three measures likely to be on the floor next week.

An amendment deadline has been set for Monday, March 6, at 3 p.m. for H.R. 725, the Innocent Party Protection Act. And a deadline has been set for Tuesday, March 7, at 10 a.m. for H.R. 720, the Lawsuit Abuse Reduction Act; and H.R. 985, the Fairness in Class Action Litigation Act.

The text of these measures is available at the Rules Committee website, and feel free to contact me or my staff with any questions.

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

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

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

RECORDED VOTE

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

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 234, noes 180, not voting 15, as follows:

[Roll No. 116]

AYES—234

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bergman
Biggs
Billirakis
Bishop (MI)
Bishop (UT)
Black

Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot

Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

Scott, David

Dent
DeSantis
DesJarlais
Diaz-Balart
Labrador
Duffy
Duncan (SC)
Dunn
Emmer
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)

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

NOES—180

Conyers
Cooper
Courtney
Crist
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DeBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Español
Esty
Evans
Foster
Frankel (FL)
Fudge
Gallego
Garamendi

Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

Levin
Lewis (GA)
Lipinski
Loebach
Lofgren
Lowenthal
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney,
Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran

Pallone
Panetta
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Serrano
Sewell (AL)

NOT VOTING—15

Bass
Cleaver
Correa
Costa
Duncan (TN)

Gabbard
Green, Al
Gutiérrez
Himes
Hudson

Lieu, Ted
Marshall
O'Rourke
Pascell
Scott, David

□ 1520

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. MARSHALL. Mr. Speaker, I was talking to constituents and reached a time when a very personal issue arose. Had I been present, I would have voted "yea" on rollcall No. 115 and "yea" on rollcall No. 116.

DISAPPROVING THE RULE SUBMITTED BY THE DEPARTMENT OF LABOR RELATING TO "CLARIFICATION OF EMPLOYER'S CONTINUING OBLIGATION TO MAKE AND MAINTAIN AN ACCURATE RECORD OF EACH RECORDABLE INJURY AND ILLNESS"

Mr. BYRNE. Mr. Speaker, pursuant to House Resolution 150, I call up the joint resolution (H.J. Res. 83) disapproving the rule submitted by the Department of Labor relating to "Clarification of Employer's Continuing Obligation to Make and Maintain an Accurate Record of Each Recordable Injury and Illness", and ask for its immediate consideration in the House.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Pursuant to House Resolution 150, the joint resolution is considered read.

The text of the joint resolution is as follows:

H.J. RES. 83

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress disapproves the rule submitted by the Department of Labor relating to "Clarification of

Employer's Continuing Obligation to Make and Maintain an Accurate Record of Each Recordable Injury and Illness" (published at 81 Fed. Reg. 91792 (December 19, 2016)), and such rule shall have no force or effect.

The SPEAKER pro tempore. The gentleman from Alabama (Mr. BYRNE) and the gentleman from Virginia (Mr. SCOTT) each will control 30 minutes.

The Chair recognizes the gentleman from Alabama.

GENERAL LEAVE

Mr. BYRNE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on H.J. Res. 83.

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

There was no objection.

Mr. BYRNE. Mr. Speaker, I rise today in strong support of H.J. Res. 83, and I yield myself such time as I may consume.

Mr. Speaker, America's workers deserve responsible, commonsense, regulatory policies to ensure safe and healthy working conditions. Let me say that again. America's workers deserve responsible, commonsense regulatory policies to ensure safe and healthy working conditions.

They deserve a Federal Government that holds bad actors accountable, and a government that takes proactive steps to help employers improve safety protections and prevent injuries and illnesses before they occur. Just as importantly, they deserve to know that Federal agencies are following the law.

For years, Republicans have called on OSHA to reject a top-down approach to worker protections and, instead, collaborate with employers to identify gaps in safety and address the unique challenges facing workplaces.

Unfortunately, under the Obama administration, our concerns usually fell on deaf ears. In fact, one of the administration's parting gifts to workers and small businesses was a regulatory scheme that reflects not only a backwards, punitive approach to workplace safety, but one that is completely unlawful.

Here's why. Under the Occupational Safety and Health Act, employers have long been required to record injuries and illnesses and retain those records for 5 years. The law explicitly provides a 6-month window under which OSHA can issue citations to employers who fail to maintain proper records; 6 months. It is written in the law. This approach helps ensure workplace hazards are addressed in a timely manner.

However, in 2006, OSHA took action against Volks Constructors for record-keeping errors that occurred well beyond what the law allows, well beyond 6 months. The errors were from nearly 5 years earlier. That is why a Federal appeals court unanimously rejected

OSHA's overreach. The opinion for the Court stated: "We do not believe Congress expressly established a statute of limitations only to implicitly encourage the Secretary to ignore it." Even President Obama's Supreme Court nominee, Judge Garland, agreed OSHA's action was "not reasonable."

What came next was an outright power grab. OSHA decided to take its unlawful action one step further. This time it would not only ignore the law, but rewrite it. The agency finalized the "Volks" rule, unilaterally extending the statute of limitations from 6 months to 5 years. OSHA undertook for itself the power that only this Congress has to write laws.

The agency created significant regulatory confusion for small businesses. Many would likely face unwarranted litigation because of unlawful regulatory policies. Of course, further judicial scrutiny also means hardworking taxpayers will foot the bill when OSHA is forced to defend its lawless power grab once again.

Simply put, OSHA had no authority to do this. We have a Constitution that grants Congress, not Federal agencies, the power to write the law. But that is not the only reason we are here today. We are also here because this rule does nothing to improve workplace safety.

Maintaining injury and illness records is vitally important and can help enhance worker protections. But that is not the goal of this rule. This rule only serves to punish employers. As we have said repeatedly, OSHA should, instead, collaborate with employers to help them understand their legal responsibilities and ensure safe measures are in place to prevent workplace hazards in the future.

Fortunately, Congress has the authority to reject this failed approach to workplace safety and block an abuse of executive power that began under the Obama administration.

I urge my colleagues to support this resolution, and I hope we can all work together to encourage a more proactive approach that prevents injuries and illnesses from happening in the first place.

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

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in opposition to H.J. Res. 83, the Congressional Review Act resolution of disapproval that will undermine workplace safety and health. It does so by overturning a clarifying rule issued by OSHA on December 9, 2016, to ensure accurate occupational injury and illness reporting.

Now, first of all, it is strange that we are reversing a rule through the Congressional Review Act that creates no new compliance or reporting obligation, imposes no new costs. It simply gives OSHA the tools to enforce an em-

ployer's continuing obligation to record injuries and illnesses.

Spurred by the court of appeals decision, which blocked OSHA from citing continuing violations outside the 6-month statute of limitations, OSHA updated its recordkeeping rule. This new rule makes it clear that employers have a continuing obligation to record serious injuries and illnesses on an OSHA Log if they failed to comply with the requirement to record the injury at the time the injury or illness occurred.

Since the enactment of OSHA in 1970, accurate data on workplace injuries and illnesses has been recognized as an important tool for protecting worker safety and health.

Since 1972, employers in higher hazard industries have been required to record the occurrence of each serious occupational injury or illness within 7 days on a "Log of Work-Related Injuries and Illnesses."

□ 1530

An annual summary of this law must be posted for 3 months starting in February of each year in a conspicuous place where employees' frequent records must be kept for 5 years.

While most employers faithfully comply with OSHA's rules, there are a number of well-documented incentives for employers to underreport workplace injuries. These incentives include lower workers' compensation rates, more favorable treatment in public contracting, and a lower chance of having a future OSHA inspection.

Underreporting means that workplace hazards are masked, making it less likely that employers or employees become aware of patterns that would indicate the need to take corrective actions to prevent future injuries. If injuries and illnesses are not on the log, OSHA may overlook hazards at a worksite during an inspection and consequently leaving workers exposed to correctable dangers.

Mr. Speaker, because of underfunding, OSHA only has sufficient resources to inspect a workplace once every 140 years on average. So the likelihood that they might show up in the next 6 months is obviously remote. To be effective, OSHA must have reliable injury and illness data to target its scarce resources towards work sites where employees are facing the greatest dangers. Understated injury rates may mean that OSHA will bypass work sites that need to be inspected.

Without reliable recordable injury rates, private contractors and public sector officials will not be able to make sufficiently informed decisions when assessing the safety records of prospective contractors and subcontractors.

Mr. Speaker, OSHA's practice for the last 40 years and the decisions of the bipartisan and independent OSHA Review Commission have upheld the principle that every day an employer fails

to record an injury was a continuing violation for the purpose of calculating time limits under OSHA's statute of limitations. That is not totally open-ended but limited to the 5-year requirement that employers are required to maintain these injury records.

In spite of this 40-year precedent, a 2012 D.C. Court of Appeals decision known as *Volks Constructors* upended the 40-year precedent when it held that OSHA did not have the authority to issue a citation for an occurrence of a violation that extended beyond the 6-month statute of limitations as set forth in OSHA. The court noted that OSHA's previous regulation provided for no specific articulated continuing obligation to record injuries beyond 7 days.

There was a concurrent opinion in the *Volks* decision which made it clear that a regulation, which expressly provides for an employer's continuing obligation, would be lawful.

Now, when you talk about what the court decided and what Mr. Garland wrote, that was on the previous regulation, not on this one.

Informed by the guidance of the court, OSHA has issued a new rule which does make it clear that an employer's duty to maintain an accurate record of workplace injuries and illnesses is, in fact, an ongoing obligation.

So let's be clear, eliminating this rule means that employers who want to underreport injuries will face no sanctions if the injuries go back more than 6 months. Rolling back this rule essentially creates a vast safe harbor for noncompliance and creates the perverse incentive for underreporting.

The premise behind the resolution today is that it is unlawful. If that is the case, Congress should repeal the regulation. But no court has reviewed this new rule, only the predecessor. There has been no appeal of the new rule that has been lodged since the new rule was issued in December.

The proper course of action is to have the courts decide the legal question since arguably they are in the best position to interpret the laws and evaluate the precedents. This especially makes sense since one of the concurring opinions in the *Volks* case identified abundant legal precedent for tolling the statute of limitations when there are continuing violations in other laws that are nearly identical to the reporting requirements in OSHA. These include the Consumer Credit Reporting Act and the Sex Offender Registration and Notification Act.

On the other hand, if the purpose of passing this resolution is just to eliminate the possibility of OSHA's clarifying rule could ever be found lawful, then it is obvious that H.J. Res. 83 is an ideological attack without any regard for consequences to worker safety.

On the other hand, if there is a bona fide view that OSHA lacks the ade-

quate legal basis for the rule, then the constructive solution would be to amend OSHA and provide for the clarifying statutory authority. We should not be repealing the rule because we know what happens when this deterrent is eliminated. After OSHA lost its authority to enforce the violations outside the 6-month window under the *Volks* decision, there was a 75 percent reduction in the number of citations issued for underreporting, and that is according to OSHA data.

So, Mr. Speaker, there has been no hearing held on this final rule or this resolution. There has been no assessment of the consequences of underreporting of injuries which will occur if this resolution is adopted, and there has been no evaluation of any alternative way to ensure accountability for employers who flout the law. There has just been a headlong rush to push this resolution to the floor just a few days after its filing.

So given the complete lack of deliberation regarding this new rule, this Congressional Review Act resolution is premature, at best, but it will definitely have regrettable consequences to the health and safety of the people that we are charged to protect.

Mr. Speaker, I urge a "no" vote.

I reserve the balance of my time.

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

Mr. Speaker, I would like to read very briefly a quote from the court's decision: "We find this statute to be clear and the agency's interpretation unreasonable in any event"—in any event.

There is no way to rewrite this regulation to comply with the law that is clear. There is no way for the agency's interpretation to become reasonable. It is unreasonable according to the court in any event.

My friend from Virginia talked about the fact that OSHA just updated the regulation to impose a continuing obligation. OSHA does not have that authority. Only this Congress has that authority. No agency can unilaterally decide to change a statutory provision that the court has said is clear. He said this applies to only a few categories of employers. It applies to nearly every category of employers that has 10 employees or more. So you could have an employer with 50 employees, and they are subject to this regulation. This applies to virtually any employer.

OSHA has 6 months to enforce this law—6 months—from any violation. Now, why 6 months? Because it is important to investigate these things quickly and determine whether there has been a violation because things get lost and people leave their employment. Congress made the decision for 6 months because that was a period of time in which OSHA could perform its duties reasonably, and we could get justice the way it ought to be done.

We can amend OSHA, but we have not chosen to do so. Until this Congress chooses to change OSHA, the agency has to comply with the clear wording of the statute as it has been passed by this Congress. The agency does not have the right to do this. It would be a waste of taxpayer money and time to force an employer to go challenge this in court when we already know what the result is going to be. It is not up to the committee or to the Congress to go back and review an agency interpretation we know, as a matter of law, is wrong.

So this is a responsible act to take, and I would suggest to the agency and to my fellow Members of Congress that if we want to reconsider a statute of limitations we do it on this floor and not in that agency.

Mr. Speaker, I yield such time as she may consume to the gentlewoman from North Carolina (Ms. FOXX) who is the chairwoman of our committee.

Ms. FOXX. Mr. Speaker, I want to thank my colleague from Alabama for his able testimony in regard to this resolution.

I rise today in support of this resolution because it will reverse an unlawful power grab and restore responsible worker health and safety policies.

Article I of the Constitution is clear. It is the Members of this body—the legislative branch—who write the law. Why? Because we are closest to the people and, therefore, more responsive to the needs and demands of those we serve.

It is the responsibility of the executive branch to enforce the laws—not write them. Unfortunately, the previous administration failed to abide by this founding principle. President Obama boasted about his days teaching constitutional law, yet his administration tried time and time again to rewrite the law unilaterally through executive fiat.

The *Volks* rule is just one example of this unprecedented overreach. Under Occupational Safety and Health Act regulations, employers are required to record injuries and illnesses and retain those records for 5 years. This information has long been used by safety inspectors and employers to identify gaps in safety and enhance protections for workers.

To ensure hazards are addressed in a timely manner, the law explicitly provides a 6-month window under which an employer can be cited for failing to keep proper records—6 months. But never one to let the law stand in the way of its partisan agenda, the Obama administration decided to unfairly target a Louisiana construction company for recordkeeping errors from nearly 5 years earlier.

That's right, 5 years. Not even remotely close to what the law passed by Congress permits. The consequences of this unlawful power grab were predictable. Employers large and small faced

significant regulatory confusion and legal uncertainty. Fortunately, a Federal appeals court unanimously struck down this power grab as my colleague from Alabama has cited. Even President Obama's nominee for the Supreme Court, Judge Merrick Garland, referred to OSHA's action as unreasonable.

How did the Obama administration respond to this judicial rebuke? It completely ignored the court's ruling. The agency doubled down on its abuse of power and tried to rewrite the law extending the threat of penalty from 6 months to 5 years.

Again, it is Congress that writes laws, not government agencies. That is precisely why we must support this resolution. By supporting H.J. Res. 83, we will provide more certainty for small businesses and uphold the rule of law. Just as importantly, we must demand a better approach to worker health and safety. To be clear, this rule does nothing—I repeat nothing—to improve the health and safety of America's workers.

Instead of shaming employers, OSHA should collaborate with employers and develop a proactive approach that will keep workers safe. That is exactly what Republicans have demanded for years, and we will continue to demand so in the years ahead no matter which party has the Presidency.

As my colleague from Alabama has said, this is exactly the appropriate way to block this unlawful rule, not only because the agency has no authority to do what it did, but because it is why we have the CRA.

Mr. Speaker, I urge my colleagues to block an unlawful rule by voting in favor of H.J. Res. 83. I wish to thank the chairman of the Workforce Protections Subcommittee, Representative BYRNE, for his leadership on this important issue.

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, prior to yielding, I just want to make a comment that the court struck down the previous rule, not the rule which is the subject of this resolution. The previous rule did not have a specific citation about a continuing obligation. This rule does. The excerpts from the Garland concurring decision says:

None of this is to say, as the petitioner suggests in its opening brief, that a statute of limitations like OSHA's statute of limitations can never admit to a continuing violation for a failure to act. To the contrary, where a regulation or statute imposes a continuing obligation to act, a party can continue to violate it until that obligation is satisfied.

This regulation specifically cites the obligation as a continuing obligation.

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

□ 1545

Ms. JACKSON LEE. Let me thank the gentleman for his very astute argument and his leadership on the committee.

I am going to narrow my argument to, I think, very realistic questions about whether or not we are procedurally in the context of overruling the OSHA decision out of the Federal courts or whether or not this is really a question of do we want to protect the rights of American workers and protect them from the years of injuries that preceded the establishment of OSHA. I want to fall on the side of the American worker.

Let me be very clear what we are talking about today. The ruling that we are speaking about went against 40 years of precedence in reporting workplace safety violations. Since 1972, every administration has maintained that the 5-year retention period for recording work-related injuries, illnesses, or death is standard practice. This DOL rule was simply put in place to codify and create some consistency that will benefit both employers and employees.

Thank you, President Obama, who recognized that it is not the Member of Congress who may slip on a rug in their privileged manner of coming to this august body and voting, but it is, in fact, the workers who come every day and pick up your garbage, the sanitation workers, the same workers that Dr. King went to Memphis to stand up for and the individuals who, because of their work, are susceptible to injuries more often than not.

Individuals who work in construction, who help build our houses and hospitals and tall skyscrapers, what excuse can we give for not maintaining the standards of keeping and reporting those injuries for a period of 5 years and the retention of such? Or those who work, for example, in the area of railroads, railroad beds and railroad sites—hard labor. Or those who work at our ports—hard labor.

So I rise to oppose disapproving the rule submitted by the Department of Labor regarding OSHA, and I do so for the men and women who do the heavy lifting.

I include in the RECORD a letter from AFSCME, which represents municipal and county workers across America, establishing why we should vote “no” on this.

AMERICAN FEDERATION OF STATE,
COUNTY AND MUNICIPAL EMPLOYEES, AFL-CIO,
Washington, DC, February 28, 2017.
HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REPRESENTATIVE: On behalf of the 1.6 million members of the American Federation of State, County and Municipal Employees (AFSCME), I'm writing to urge you to oppose H.J. Res. 83, which would abolish an Occupational Safety and Health Administration (OSHA) rule that clarifies an employer's

responsibility to maintain accurate records of serious work-related injuries and illnesses.

The new OSHA rule creates NO new compliance or reporting obligations and imposes no new costs on employers.

The 1970 law creating OSHA explicitly directed the agency to “prescribe regulations requiring employers to maintain accurate records of and to make periodic reports on, work-related deaths, injuries and illnesses other than minor injuries” Since the first recordkeeping regulations issued in 1972, OSHA has required employers to record workplace injuries on an “OSHA log” within seven days of the injury and to maintain the records of the log and annual summary of the log for five years. Every Republican and Democratic administration since 1972 has interpreted this employer obligation to make and maintain accurate records to be ongoing from the date of the injury or illness until the five-year retention period expires. OSHA issued this clarifying regulation in December 2016 in response to a court decision that dramatically limited OSHA's enforcement of injury recordkeeping regulation to a six-month period. OSHA's clarifying rule simply restores the standard to one employers have known and complied with for 45 years.

H.J. Res. 83 would strip OSHA of its enforcement authority and harm workplace safety.

Passage of this Congressional Review Act Resolution of Disapproval would enable employers who deliberately and recklessly break the law to avoid any penalties for systematically failing to report or underreporting injuries over many years. They would be able to cover up or mask longstanding workplace hazards that need correcting. OSHA has limited resources and, on average, can inspect a workplace once every 140 years. OSHA relies upon reliable injury and illness data to prioritize its resources to those workplaces that present the greatest hazards to workers. H.J. Res. 83 would remove OSHA's enforcement ability to protect workers from the most dangerous and significant hazards.

Workplace injuries are real. Last year, a GAO report found workplace violence is a serious concern for the approximately 15 million health care workers in the United States, but the full extent of injuries that are the result of workplace violence is unknown because of underreporting. Accurate reporting would help OSHA, employers, workers and their representatives respond more effectively to this prevalent workplace hazard. H.J. Res. 83 would jeopardize the progress that could be made on workplace violence and other workplace injuries by blocking this basic reporting and record-keeping rule or a similar rule in the future.

We oppose H.R. Res. 83 and urge you to stand with workers by rejecting this resolution.

Sincerely,

SCOTT FREY,

Director of Federal Government Affairs.

Ms. JACKSON LEE. H.J. Res. 83 is wrong. It is wrong because it goes against the hardworking people.

I also include in the RECORD, Mr. Speaker, a letter from the International Brotherhood of Teamsters disapproving of H.J. Res. 83.

INTERNATIONAL BROTHERHOOD
OF TEAMSTERS,
Washington, DC, February 27, 2017.
HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REPRESENTATIVE: On behalf of the 1.4 million members of the International Brotherhood of Teamsters, I urge you to oppose

H.J. Res. 83, disapproving the rule submitted by the Department of Labor relating to "Clarification of Employer's Continuing Obligation to Make and Maintain an Accurate Record of Each Recordable Injury and Illness." Disapproving this rule would undermine safety in some of the nation's most dangerous industries, many of which employ Teamsters.

The rule does not impose new costs on employers and simply reaffirms OSHA's ability to enforce injury and illness recordkeeping. This rule became necessary when a 2012 court decision overturned policy that had been in place for 40 years by limiting enforcement of OSHA's injury recordkeeping regulations to a six month period. OSHA publishes the data that it collects from employers on worksite injury and illness which is then utilized by employers, unions, and workers to identify and fix workplace hazards. With limited resources, OSHA also utilizes the data to target its enforcement and compliance activities to the most dangerous workplaces thus making it essential that OSHA have accurate information. With under-reporting of injury and illness data already a major issue, it makes no sense to effectively strip OSHA of its ability to enforce reporting requirements as this ultimately impacts workplace safety. Congress should be working to improve work place safety not undermine it, and voting for H.J. Res 83 will ultimately harm working men and women.

I urge you to oppose H.J. Res. 83 to protect OSHA's ability to enforce accurate injury and illness reporting and to ensure workers have a safe and healthy workplace.

Sincerely,

JAMES P. HOFFA,
General President.

Ms. JACKSON LEE. Mr. Speaker, I stand with the workers.

Mr. Speaker, I rise in strong opposition to H.J. Res. 83, a resolution "Disapproving Department of Labor Rule Relating to Clarification of Employer's Continuing Obligation to Make And Maintain an Accurate Record of Each Recordable Injury And Illness."

I oppose this bill because it will harm workers who depend on the Occupation Health and Safety Administration to ensure that their workplaces are safe. H.J. Res. 83 will undermine workplace health and safety and make it impossible for OSHA to ensure that injury and illness records are complete and accurate.

Accurate records are needed to ensure OSHA focuses its limited resources on the nation's most dangerous workplaces, instead of wasting time in workplaces with low risk.

The Department of Labor rule at issue here does not create any new obligations.

OSHA has enforced injury recordkeeping requirements by reviewing the last five years of an employer's records throughout its entire history, under every administration.

In 2012, a court decision limited enforcement of OSHA's injury recordkeeping regulations to a six month period—a dramatic departure from the last OSHA's 40 year policy and practice.

The 2016 rule simply allows OSHA to continue this practice.

Mr. Speaker, complete and accurate information on work-related injuries and illnesses is important.

The Occupational Safety and Health Act of 1970 directs the Secretary of Labor to "prescribe regulations requiring employers to

maintain accurate records of, and make periodic reports on, work-related deaths, injuries and illnesses other than minor injuries."

Since the early 1970's, OSHA has required construction employers to keep these records.

The records are used by employers, workers, and unions at the workplace to identify hazardous conditions, and take corrective action to prevent future injuries and exposures.

Both positive and negative injury trends are tracked on a national scale, allowing limited prevention resources to be targeted effectively.

Most importantly, OSHA relies on the records to target its enforcement and compliance assistance activities to dangerous workplaces.

No employer, union, or individual could possibly want OSHA inspecting safe workplaces rather than hazardous ones, but without accurate information, this will happen.

Disapproval of the new rule puts construction workers lives in danger.

Without the new rule, it will be impossible for OSHA to effectively enforce recordkeeping requirements and assure that injury and illness records are complete and accurate.

Underreporting of injuries and illnesses is already a huge problem, and without enforcement, this will get much worse.

It will undermine safety and health and put workers in danger.

I strongly oppose H.J. Res. 83 and urge all Members to vote against this ill-conceived and unwise legislation.

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

Mr. Speaker, the gentleman from Virginia referred to continuing violations. There is no provision in this law for continuing violations.

Looking again at the court's decision. They said this: the statute of limitation provides that "no citation may be issued . . . after the expiration of six months following the occurrence of any violation."

They go on to say this: "Like the Supreme Court, we think the word 'occurrence' clearly refers to a discrete antecedent event—something that 'happened' or 'came to pass' 'in the past.'"

By any common definition, there was no occurrence; i.e., no discrete action, event, or incident, no coming about, and no process of happening within the requisite 6 months. You can't take that wording and slip into it a continuing violation requirement unless you change the statute. The agency can't change the statute.

The court, in its decision on the Volks rule, also looked at something very important, and that is: Why do we require this agency to do its work in a good period of time?

It says: "Nothing in this statute suggests Congress sought to endow this bureaucracy with the power to hold a discrete record-making violation over employers for years, and then cite the employer long after the opportunity to actually improve the workplace has passed."

In other words, we gave the agency 6 months to do its job, and it should do its job.

Now, other people have looked at this, people who are experts in workplace safety. I refer you, Mr. Speaker, to a letter that was written on October 27, 2015, by the American Society of Safety Engineers, which I include in the RECORD.

AMERICAN SOCIETY OF
SAFETY ENGINEERS,

Park Ridge, IL, October 27, 2015.

Re ASSE Comments on OSHA Notice of Proposed Rule Clarification of Employer's Continuing Obligation to Make and Maintain an Accurate Record of Each Recordable Injury and Illness [Docket No: OSHA-2015-0006].

Hon. DAVID MICHAELS,

Assistant Secretary, Occupational Safety and Health Administration, OSHA Docket Office, U.S. Department of Labor, Washington, DC.

DEAR ASSISTANT SECRETARY MICHAELS: As you well know, the more than 37,000 member safety, health and environmental (SH&E) professionals of the American Society of Safety Engineers (ASSE) intimately know the details of collecting workplace injury and illness data, recording that data for employers, and the careful work needed to report that data to the Occupational Safety and Health Administration (OSHA). Perhaps more than any stakeholders, our members understand the value of this data in managing workplace safety and health risks as well as its appropriate use by OSHA in developing better means to focus the agency's resources on the most difficult risks facing American workers. Our members use injury and illness data to help them protect workers. They expect no less of an effective OSHA.

That being said, ASSE cannot support the requirement that employers have a duty to record an injury or illness continues for the full duration of the record-retention-and-access period—five years after the end of the calendar year in which the injury or illness became recordable—that OSHA proposes in its July 29, 2015 Notice of Proposed Rulemaking (NPR) Clarification of Employer's Continuing Obligation to Make and Maintain an Accurate Record of Each Recordable Injury and Illness [Docket No: OSHA-2015-0006]. ASSE respectfully opposes the adoption of a Final Rule as proposed in this rulemaking for the reasons that follow.

NATURE OF VIOLATIONS

ASSE members do not look at the issues raised in this rulemaking with the same viewpoint of the occupational safety and health bar that, no doubt, will provide substantive legal arguments against the case OSHA makes for addressing the Volks II decision through this rulemaking. Rather, our members' view is a practical one that comes from years of experience on the job as the professionals charged with meeting OSHA's recordkeeping requirements.

Our members know the inadvertent mistakes they themselves can make in recordkeeping and reporting. They also know what they typically find when they are hired by a company to help improve workplace safety and health. As they assess the workplace's risks and past safety performance to help them develop safety and health management plans, the reporting mistakes our members typically find are not very often the worst cases that, unfortunately, seem to be creating this rulemaking. The errors in reporting they see are, by far, minor, isolated, and, if continuing, it is only in the sense that a typo can be repeated day after day.

They also see mistakes that come from a widespread lack of understanding of OSHA's detailed reporting requirements. When seasoned safety and health professionals consistently use ASSE's educational conferences, our social media, and opportunities to meet with OSHA staff through the ASSE-OSHA Alliance to get the best and latest information about OSHA recordkeeping requirements, we know that, even for them, the task of meeting those requirements can be too often confusing. Given that the vast majority of employers report to OSHA without the help of a safety and health professional, it is not difficult to see that the significant increase in records retention that OSHA is attempting to require of employers here will not succeed in a significant impact on safety and health among American workers.

UNINTENDED CONSEQUENCES

No reporting error is excusable. But a company's errors to which OSHA is determined to have access to for a period that can be up to six years through this rulemaking will not very often correlate to the risks facing workers, especially the risks a safety and health professional is trying to address for the company in the present. The statements OSHA makes about the value of data collected through current injury and illness recordkeeping are merely conclusory and are counter to our members' experience.

Measured against our members' belief that the additional data will provide little help to them or OSHA, they are particularly concerned that this rulemaking can only succeed in driving more employers towards greater expectations that safety and health professionals will focus energy and resources on collecting and reporting the lagging indicators that OSHA requires, taking them away from risk assessment and management tasks and their efforts to move their employers towards performance measurements based on leading indicators that we know can better measure a company's safety and health performance.

Many of our members, especially those who work in or for mid-sized and small companies, face a difficult uphill climb in selling their employers risk management and moving from lagging to leading indicators. We know OSHA values these approaches also. But when OSHA uses its limited resources to focus on measures that do not reflect cutting-edge safety principles and push our members' efforts backwards, OSHA is making their job more difficult. Our members value OSHA but want an OSHA that works with them to advance the best ideas for advancing workplace safety and health. Requiring this data to be available for OSHA's use for nearly six years does not meet our members' hope for an effective OSHA.

DIRECT BURDEN

ASSE is also concerned that the OSHA's estimates of the direct burden this rulemaking will place on employers are inadequate. The economic analysis states that there will not be a new cost burden. This was based on a 2001 analysis that it takes 0.38 hour to record an injury or illness, with a total cost per case of \$17.75. From an informal survey of involved ASSE members, a more realistic estimate is that an hour is needed for each case over the five-year period, taking into account the variety of tasks involved, including determining if there was medical treatment beyond first aid, verifying lost and restricted day counts, and adjusting for changes in the status of a case. An updated economic analysis is need-

ed, which we urge OSHA to conduct before a Final Rule is proposed.

A MEASURE OF THE PROBLEM

Related to our members' concern over the rulemaking's direct burdens on employers is OSHA's failure to discuss in the NPR why OSHA faces such difficulty in obtaining adequate data from employers. No doubt, employers are responsible for meeting OSHA's reporting requirements. Our members suspect that OSHA's reporting rules and deadlines are not effective and cost employers unnecessarily.

Before requiring more extensive reporting, it would be helpful both to OSHA and the safety and health community to know more about why employers do not report. How many employers blatantly disregard the requirements and how many are simply making errors? What do employers and their workers not understand about the requirements? What training or level of expertise would help fill the gaps in reporting that OSHA believes exist? We urge OSHA to examine these issues as an extension of its economic analysis. With more knowledge, there may be better ways to address recordkeeping that can support better employer reporting.

CONCLUSION

As we say above, our members want a strong and effective OSHA. But their view of an effective OSHA is an OSHA that can embrace the best our members already understand about how to achieve safe and healthy workplaces. An OSHA injury and illness prevention plan standard that is truly risk-based would help make OSHA more effective. Greater reliance on control banding to achieve better protection limits, as we have recently suggested to OSHA, would. Establishing professional competencies to define "competent person" in OSHA standards would. Finding a better way to update consensus standards in OSHA's standards would. Rethinking OSHA's reporting requirements to help move employers towards leading indicators and more advanced ways to measure safety performance certainly would. The areas where OSHA and our members agree on making OSHA more effective are many. Adding lengthier reporting burdens that will do little to help OSHA, employers or occupational safety and health professionals better manage workplace safety and health will not.

As always, ASSE is more than willing to discuss these concerns further. Thank you for listening to our members' views.

Sincerely,

MICHAEL BELCHER, CSP,
President.

Mr. BYRNE. What it says is that this regulation does nothing to enhance workplace safety. That is from the American Society of Safety Engineers.

Also opposing this regulation is the Coalition for Workplace Safety. I include in the RECORD a letter from them dated February 17 of this year.

COALITION FOR WORKPLACE SAFETY,
February 17, 2017.

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

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

Hon. STEVE SCALISE,
Majority Whip, House of Representatives,
Washington, DC.

Hon. VIRGINIA FOXX
Chairwoman, Committee on Education & the
Workforce, Washington, DC.

Hon. BRADLEY BYRNE,
Chairman, Subcommittee on Workforce Protec-
tions, Washington, DC.

DEAR SPEAKER RYAN, MAJORITY LEADER MCCARTHY, MAJORITY WHIP SCALISE, CHAIRWOMAN FOXX, AND CHAIRMAN BYRNE: The undersigned groups strongly urge you to introduce and move a Congressional Review Act (CRA) joint resolution of disapproval to invalidate the Obama Administration's OSHA regulation overturning the decision in *Volks* regarding the statute of limitations for recordkeeping violations.

At its core, the *Volks* Rule is an extreme abuse of authority by a federal agency that will subject millions of American businesses to citations for paperwork violations, while doing nothing to improve worker health and safety. Finalized on December 19, 2016, the rule attempts to extend to five years the explicit six month statute of limitations on recordkeeping violations in the Occupational Safety and Health (OSH) Act of 1970. This regulation simultaneously represents one of the most egregious end runs around Congress' power to write the laws and a clear challenge to the judicial branch's authority to prevent an agency from exceeding its authority to interpret the law.

In 2012, citing the unambiguous language in the OSH Act, the U.S. Court of Appeals for the District of Columbia held that OSHA could not sustain citations against an employer for alleged recordkeeping violations that occurred more than six months before the issuance of the citation because, as the employer asserted, they were outside the six month statute of limitations set forth in the OSH Act. The court was unequivocal in its rebuke of OSHA. Judge Janice Rogers Brown expressed particular concern on the issue of the agency's overstepping its authority: "we were rightly troubled by the notion of being asked by an agency to expand that agency's enforcement authority when Congress had evidently not seen fit to do so." Judge Merrick Garland, in his concurrence, plainly rejected OSHA's rationale for issuing the fines, "the Secretary's contention—that the regulations that *Volks* was cited for violating support a 'continuing violation' theory—is not reasonable." The *Volks* decision has since been endorsed by the Fifth Circuit in the *Delek* decision, issued in December 2016, where the court found "its reasoning persuasive."

In response to the Court of Appeals ruling, OSHA promulgated this regulation specifically to negate the *Volks* case ruling and extend liability for paperwork violations beyond the six month window permitted under the Act. OSHA issued the final rule in the waning days of President Obama's Administration with an effective date of January 19, 2017. Although the regulation was issued in December, it was not submitted to Congress until January 4, meaning that the window for CRA consideration is for a regulation that has just been issued, and is therefore shorter than if it was being considered under the "reset" provisions of the CRA.

We urge you to help put a stop to OSHA's abuse of its authority and support swift passage of a joint resolution of disapproval for this burdensome, unlawful rule. Because the final rule directly contradicts both clear statutory language and two U.S. Courts of Appeals rulings, it must not be allowed to stand.

Thank you for your consideration of this request and for your continued efforts to rein in agency overreach and reduce the regulatory burden on America's job creators.

Sincerely,

Air Conditioning Contractors of America; American Bakers Association; American Coke and Coal Chemicals Institute; American Composites Manufacturers Association; American Farm Bureau Federation; American Feed Industry Association; American Foundry Society; American Fuel and Petrochemical Manufacturers; American Health Care Association; American Iron and Steel Institute; American Road and Transportation Builders Association; American Society of Concrete Contractors; American Subcontractors Association, Inc.; American Supply Association; American Trucking Associations.

Asphalt Roofing Manufacturers Association; Associated Builders and Contractors; Associated General Contractors; Associated Wire Rope Fabricators; Copper & Brass Fabricators Council, Inc.; Corn Refiners Association; Distribution Contractors Association; Flexible Packaging Association; Global Cold Chain Alliance; Independent Electrical Contractors; Industrial Minerals Association—North America; Institute of Makers of Explosives; International Dairy Foods Association; International Foodservice Distributors Association; International Franchise Association.

International Warehouse Logistics Association; IPC-Association Connecting Electronics Industries; Leading Builders of America; Mason Contractors Association of America; Mechanical Contractors Association of America; Mike Ray; Motor & Equipment Manufacturers Association; National Association for Surface Finishing; National Association of Home Builders; National Association of Manufacturers; National Association of Professional Employer Organizations; National Association of the Remodeling Industry; National Association of Wholesaler-Distributors; National Automobile Dealers Association; National Center for Assisted Living; National Chicken Council.

National Cotton Ginners' Association; National Demolition Association; National Electrical Contractors Association; National Federation of Independent Business; National Grain and Feed Association; National Lumber and Building Material Dealers Association; National Oilseed Processors Association; National Restaurant Association; National Retail Federation; National Roofing Contractors Association; National School Transportation Association; National Tooling and Machining Association; National Turkey Federation; National Utility Contractors Association; Non-Ferrous Founders' Society; North American Die Casting Association; North American Meat Institute.

Plastics Industry Association (PLASTICS); Power and Communication Contractors Association; Precision Machined Products Association; Precision Metalforming Association; Printing Industries of America; Retail Industry Leaders Association; Sheet Metal and Air Conditioning Contractors National Association; Shipbuilders Council of America; Southeastern Cotton Ginners Association,

Inc.; Texas Cotton Ginners' Association; The Association of Union Constructors (TAUC); Thomas W. Lawrence, Jr.—Safety and Compliance Management; Tile Roofing Institute; Tree Care Industry Association; TRSA—The Linen, Uniform and Facility Services Association; U.S. Chamber of Commerce; U.S. Poultry & Egg Association.

Mr. BYRNE. To the point, there is nothing in this statute that allows for continuing violations, and there is nothing in this regulation that provides for workplace safety. This is a power grab by an agency in violation of its authorizing statute and by a clear decision of this circuit court of appeals.

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

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself such time as I may consume before I yield to the gentleman from Florida.

The law requires the keeping the records for 5 years. If there are bogus records, you ought to have an obligation to keep them correct. That has been the interpretation for 40 years, up until this decision.

We need the money to do their job. If they do their job, if we provide them with some funding, they can show up more than once every 140-some years.

We keep talking about a court decision that affected another resolution, not this one.

Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. SOTO).

Mr. SOTO. Mr. Speaker, this is a simple issue: Do we want to make workplaces safer? Do we want to keep workers from getting hurt on the job? Of course, we do.

In order to protect workers, we need good data on where injuries are happening so we can work with employers to stop them.

Sometimes the other side says commonsense protections like this are too expensive or they kill jobs or they stifle innovation. None of those is even remotely true here.

The protections this resolution would take away cost nothing. Responsible employers are already keeping these records. That is why the coalition opposing this resolution includes workers rights advocates and a whole lot of other folks like public health practitioners. These are not political people. These are just people who work every day to help Americans lead safe, healthy lives.

This is not about President Obama or power grabs. It is about protecting the American worker.

The 6-month period is a setup which will lead to less enforcement. Rather than eliminating the rule, let's codify it and use the information we collect to continue to evolve our laws to protect workers.

I urge my colleagues to vote "no."

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

Mr. Speaker, I would remind the gentleman that the experts on this, the

American Society of Safety Engineers, have said that this regulation does not enhance workplace safety. So if we are about workplace safety, this regulation isn't it. Let's talk about something that will help with workplace safety, not something that is a lawless power grab by a Federal agency.

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

Mr. SCOTT of Virginia. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. TAKANO), a hard-working member of the Committee on Education and the Workforce.

Mr. TAKANO. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise today in opposition to rolling back workplace safety protections for American workers. This use of the Congressional Review Act would endanger employees and throw away four decades of precedent for the sole purpose of protecting companies that repeatedly violate safety standards.

The Occupational Safety and Health Administration, commonly known as OSHA, is among the best tools we have to ensure that companies adhere to basic safety standards. Because the agency's budget is so small compared to its critical task, OSHA relies on accurate data to focus on the companies that pose the greatest danger to employees.

The previous administration sought to clarify and codify the responsibility companies have to maintain an honest record of their employees' injuries and illnesses. This resolution would undermine OSHA's ability to target serial offenders by removing companies' obligation to keep reliable data about safety issues in the workplace. If passed into law, the resolution would essentially grant amnesty to companies with years of workplace safety violations, while sending a clear message to employers that the Federal Government is no longer committed to worker safety.

Mr. Speaker, I have asked the question many times since the President took office, and I will ask it again today: How does this give power back to the people? How does undermining workplace safety regulations support middle class Americans? How does protecting companies that repeatedly violate safety standards improve the life of workers? The answer is that it doesn't.

I call on my colleagues to stand with working Americans who deserve a safe workplace and vote "no" on this resolution.

Mr. Speaker, I include in the RECORD a letter from the UAW opposing the repeal of this rule and also a letter from National Nurses United in opposition to H.J. Res. 83.

UAW,
February 28, 2017.

DEAR REPRESENTATIVES: On behalf of the more than one million active and retired

members of the International Union, United Automobile, Aerospace and Agricultural Implement Workers of America, UAW, we strongly urge you to oppose H.J. Res. 83. This misguided resolution undermines workplace health and safety standards in the most dangerous industries. The proposed legislation will make it much harder for the Occupational Safety and Health Administration (OSHA) to ensure the safety and health of America's workers.

Since the early 1970s, OSHA has required employers to maintain a safety record for five years and make reports to the Department of Labor (DOL). These records are used by workers and employers to identify hazards, fix them, and most importantly, keep accidents from happening in the future. DOL utilizes these records to publish statistics on workplace injury and illness rates and OSHA relies on them to allocate scarce resources.

OSHA issued the recordkeeping rule to clarify an employer's responsibility to maintain a safe workplace. The rule does not impose any new costs or obligations on employers and only covers larger businesses with the most high risk occupations.

Accurate injury and illness records are critically important for workers and their families. Having the necessary tools to collect complete and accurate data on work-related injuries and illnesses is a key component in reducing, mitigating, and eliminating hazards and deaths in the workplace.

Historically, OSHA has assessed and enforced injury recordkeeping requirements under every administration. In turn, workers in America have enjoyed a much safer work environment. We must not take away or reduce OSHA's role in improving health and safety conditions for workers and we must ensure the accuracy of the reporting requirements. Tremendous gains have been made in workplace hazard reporting. We cannot go backwards.

The UAW members have a long and storied history of securing workplace protections for all of America's workers. This bill undermines those gains and more than 40 years of solid science and practice.

We urge you to resoundingly reject H.J. Res. 83 and vote No when it comes to the floor.

Sincerely,

JOSH NASSAR,
Legislative Director.

NATIONAL NURSES UNITED,

February 27, 2017.

Re Letter in Opposition to H.J. Res. 83, Congressional Review Act Resolution to Block OSHA Injury and Illness Recordkeeping Clarification Rule.

Hon. VIRGINIA FOXX,
Chair, Committee on Education and the Workforce, House of Representatives, Washington, DC.

Hon. ROBERT SCOTT,
Ranking Member, Committee on Education and the Workforce, House of Representatives, Washington, DC.

DEAR CHAIRWOMAN FOXX AND RANKING MEMBER SCOTT: On behalf of over 150,000 members across the country and as the largest organization representing registered nurses in the United States, National Nurses United (NNU) urges you to oppose H.J. Res. 83, which would block the Occupational Safety and Health Administration's (OSHA) final rule clarifying employers' continuing obligations to record workplace injuries and illnesses. By revoking OSHA's authority to enforce recordkeeping requirements, this Congressional Review Act (CRA) resolution

denudes the agency of the tools necessary to identify and target patterns of workplace hazards. These recordkeeping requirements are fundamental to OSHA's ability to protect workers from job-related health and safety hazards. But H.J. Res. 83 would leave OSHA with no functional mechanism to protect workers from longstanding workplace hazards—health and safety dangers on the job would go undisclosed and uncorrected. Congress must oppose this GRA resolution lest it place the health and safety of workers in serious jeopardy.

The published final rule, known as the "Volks Rule," is a common-sense measure meant to align OSHA regulations with its 40-year-long practice of enforcing employer injury and illness recordkeeping requirements as continuing violations under of the Occupational Safety and Health Act of 1970 (OSH Act). Under the OSH Act, Congress authorized OSHA to promulgate rules requiring employers to maintain accurate records of workplace injuries and illnesses. Since 1972, under multiple Republican and Democratic Administrations, OSHA has required most employers to make and maintain records of workplace injuries and illnesses for five years from the date of the injury or illness. Each OSHA Administration has determined that the five-year record maintenance requirements were continuing obligations of employers and that OSHA citations could be issued if a violation were identified any time within that five-year period. But a 2012 decision by the D.C. Circuit Court of Appeals in *Volks Constructors v. Secretary of Labor* held that OSHA could not issue a recordkeeping citation beyond a six-month period despite the long-standing five-year recordkeeping requirements. There was a gap in OSHA regulations, and the Volks Rule would fix it, making agency recordkeeping rules consistent with its decades-long enforcement practices.

To fulfill its statutory duties to protect America's workforce from workplace safety and health hazards, OSHA depends on its ability to enforce injury and illness recordkeeping requirements. For OSHA to identify workplace hazards and to develop effective means to correct those hazards, complete and accurate information about what, where, when, and how injuries and illnesses occur in the workplace is vital. OSHA uses this information to develop injury prevention plans and to efficiently direct OSHA's scarce resources to worksites that pose the most serious hazards for workers. Reliable workplace injury data is also fundamental to the development and maintenance of effective occupational health and safety standards. Moreover, federal, state, and local officials also need reliable injury and illness data during procurement processes, ensuring that taxpayer dollars to contractors and subcontractors are going to fair and safe workplaces.

The elimination of OSHA's ability to enforce rules on workplace safety records allows—and even incentivizes—employers to obscure ongoing workplace hazards. It would be nearly impossible for OSHA to identify a recordkeeping violation and conduct a comprehensive investigation within six months of the injury or illness, instead of the full five-year recordkeeping period. Chronic underreporting—left unchecked if the Volks Rule was halted—erodes OSHA inspectors' ability to enforce the country's occupational health and safety laws and allows patterns of serious health and safety violations to persist. The CRA resolution would gravely weaken workplace health and safety protections, exposing workers to serious harm while on the job.

Because workers deserve the full and effective enforcement of the panoply of our worker protection laws, NNU urges you to oppose H.J. Res. 83.

Sincerely,

BONNIE CASTILLO, RN,
Director of Health and Safety.

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

Mr. Speaker, I appreciate the comments of the gentleman from California. He said that, if we pass this resolution, we will be granting amnesty to bad actors. We are not granting amnesty to bad actors. They will have no amnesty if OSHA does its job in a timely fashion. Five years is not timely under anybody's commonsense definition. They need to do their job within the 6 months that we have allowed for them to do it, and they have the tools to do their job within 6 months.

So there is no amnesty being granted here. We are expecting a Federal agency that has a lot of money and has a lot of power to simply do its job within 6 months, and they come forward and try to make a new statute of limitations because they don't do their job within 6 months.

I say to this body, I would say to people outside this body, it is time for OSHA to get its job done in the time allotted by the United States Congress and not come running out with some unilateral change in the statute which they have no power to do because, for some reason, they don't think they can do it.

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

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

Mr. Speaker, there are 2,000 inspectors at OSHA. There are 8 million work sites. We can't expect them to visit every 6 months when the funding only allows them to visit each workplace once every 140-some years. You would have to show up at each place every 6 months to catch these violations within that timeframe.

Mr. Speaker, for 40 years, the obligation to record these injuries has been considered a continuing obligation. If the purpose is to overrule the regulation because it is inconsistent with the statute, then we should fix the statute. But this resolution just gives relief to those who fail to record injuries and illnesses in violation of their legal obligation to do so.

As Americans discover the plan to repeal this OSHA rule through a resolution of disapproval, there are a lot of professional organizations, in addition to the ones that have already been introduced, that have been alarmed by this resolution.

The American Public Health Association has written:

Injury and illness records are invaluable for employers, workers and OSHA to monitor the cause and trends of illnesses and injuries. Such data is essential for determining appropriate interventions to prevent other workers from experiencing the same harm. . . .

For decades, the public health community and government agencies have identified a widespread undercount of work-related injuries and illnesses. This includes investigations by the GAO, the Bureau of Labor Statistics and academic researchers. H.J. Res. 83 will have dire consequences for injury prevention and undermine 40 years of occupational injury surveillance in the United States.

The AFL-CIO has written:

In the absence of enforcement, there is no question that the underreporting of injuries, already a widespread problem, will get much worse, undermining safety and health and putting workers in danger.

□ 1600

A group of 66 professional workplace safety groups wrote:

The OSHA clarifying rule on maintaining accurate records imposes no new costs to business, but is critical to assuring that workplace fatalities and injuries are prevented.

Mr. Speaker, I include these letters in the RECORD.

AFL-CIO
LEGISLATIVE ALERT,
February 27, 2017.

DEAR REPRESENTATIVE: The AFL-CIO urges you to oppose H.J. Res 83, a Congressional Review Act Resolution of Disapproval that would repeal an Occupational Safety and Health Administration (OSHA) rule that clarifies an employer's responsibility to maintain accurate records of serious work-related injuries and illnesses. This resolution will make it impossible for OSHA to ensure that injury and illness records are complete and accurate and undermine workplace health and safety.

The rule, issued in December 2016, is in response to a court decision that limited enforcement of OSHA's injury recordkeeping regulations to a six month period—a dramatic departure from OSHA's 40 year policy and practice. The six month restriction makes it impossible for OSHA to enforce the Act's injury recordkeeping requirements, since OSHA does not have the resources to conduct regular inspections of even the most hazardous workplaces. Indeed, currently federal OSHA is only able to inspect workplaces on average, only once every 140 years. The new rule creates no new obligations on employers. It simply makes clear that employers have a responsibility to maintain accurate injury and illness records for 5 years and during this time can be held accountable for violations if records are not complete and accurate.

The collection of complete and accurate information on work-related injuries and illnesses is a cornerstone of the Occupational Safety and Health Act of 1970. The Act directs the Secretary of Labor to "prescribe regulations requiring employers to maintain accurate records of, and make periodic reports on, work-related deaths, injuries and illnesses other than minor injuries." Since the early 1970's, OSHA has required employers in the more hazardous industries to keep these records and make reports to the Department of Labor. These records form the basis of the Bureau of Labor Statistics' (BLS) work-related injury and illness statistics which are used to identify high-risk industries and occupations and emerging problems and to track progress. OSHA relies on the records to target its enforcement and compliance assistance activities to dan-

gerous workplaces. And the records are used by employers, workers and unions at the workplace to identify hazardous conditions and take corrective action to prevent future injuries and exposures.

To ensure the accuracy of this critical information, throughout its entire history, under every administration, OSHA enforced injury recordkeeping requirements by reviewing the last five years of an employer's records. This comprehensive assessment allowed the agency to identify widespread underreporting by some employers, which was masking serious injuries and hazards. OSHA was able to take strong enforcement action which brought about changes in injury recordkeeping practices, but also led to significant safety and health improvements to address hazards and prevent future injuries.

Without the new rule, it will be impossible for OSHA to effectively enforce recordkeeping requirements and assure that injury and illness records are complete and accurate. In the absence of enforcement, there is no question that the underreporting of injuries, already a widespread problem, will get much worse, undermining safety and health and putting workers in danger.

The AFL-CIO asks you to stand up for the safety and health of American workers and to reject H.J. Res. 83.

Sincerely,

WILLIAM SAMUEL,
Director, Government Affairs Department.

AMERICAN PUBLIC
HEALTH ASSOCIATION,
Washington, DC, February 27, 2017.

Hon. VIRGINIA FOXX,
Chair, Committee on Education and the Workforce, Washington, DC.

Hon. ROBERT C. SCOTT,
Ranking Member, Committee on Education and the Workforce, Washington, DC.

DEAR CHAIRWOMAN FOXX AND RANKING MEMBER SCOTT: On behalf of the American Public Health Association, a diverse community of public health professionals who champion the health of all people and communities, I write to oppose H.J. Res. 83, a resolution that would use the Congressional Review Act to void an important Department of Labor policy which clarifies an employer's obligation to make and maintain accurate records of work-related injuries and illnesses. The Occupational Safety and Health Administration issued this regulation in December 2016 in response to an opinion issued by the U.S. Court of Appeals for the D.C. Circuit.

Public health professionals understand the critical importance of accurate information to help identify hazards in order to develop and implement better health and safety protections. One important source of that information is the records some employers are required to keep on work-related injuries and illnesses. These records are invaluable for employers, workers and OSHA to monitor the cause and trends of injuries and illnesses. Such data is essential for determining appropriate interventions to prevent other workers from experiencing the same harm.

The regulation clarified for employers their ongoing obligation to maintain an accurate and complete record of workplace injuries and illnesses. It reiterated a long-standing policy that an employer's duty to record an injury on an OSHA log does not expire. It explained to employers that keeping a record of an injury is an ongoing requirement even if an employer failed to record the injury or illness at the time it occurred.

OSHA requires employers to keep and maintain accurate records of injuries until the five-year records retention period expires.

For decades, the public health community and government agencies have identified a widespread undercount of work-related injuries and illnesses. This includes investigations by the Government Accountability Office, the Bureau of Labor Statistics and academic researchers. H.J. Res. 83 will have dire consequences for injury prevention and undermine 40 years of occupational injury surveillance in the U.S.

We urge you to stand up for workers and workplace safety and oppose this resolution.

Sincerely,

GEORGES C. BENJAMIN, MD,
Executive Director.

FEBRUARY 28, 2017.

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

Hon. NANCY PELOSI,
*Minority Leader,
Washington, DC.*

Hon. VIRGINIA FOXX,
Chair, Committee on Education and the Workforce, Washington, DC.

Hon. ROBERT SCOTT,
Ranking Member, Committee on Education and the Workforce, Washington, DC.

DEAR SPEAKER RYAN, MINORITY LEADER PELOSI, CHAIRMAN FOXX, AND RANKING MEMBER SCOTT: We the undersigned organizations write in strong opposition to H.J. Res 83, a Congressional Review Act Resolution of Disapproval that would repeal an Occupational Safety and Health Administration (OSHA) rule that clarifies an employer's responsibility to maintain accurate records of serious work related injuries and illnesses. This resolution will undermine workplace health and safety in the most dangerous industries.

This OSHA clarifying rule does not impose any new costs nor any new obligations to covered employers, nor does it affect small businesses. It simply clarifies OSHA's authority to hold employers accountable for their longstanding obligation to maintain accurate injury records, a requirement that has been in effect since the Nixon Administration. Further, the rule only covers larger employers in the most dangerous industries.

For over 40 years, only larger employers in high hazard industries have been required to maintain records of serious work related injuries and illnesses. OSHA regulations, issued in the 1970's, require employers to maintain records for five years. Since then, the Department's longstanding position has been that an employer had an ongoing duty to assure that those records were accurate. The Department of Labor uses these records as the basis for published statistics on workplace injury and illness rates and OSHA uses them to allocate scarce agency resources for compliance assistance and enforcement. Employers use these records as a guide to identify and fix job dangers that injure and maim workers.

This rule is needed because in 2012, a court decision overturned 40 years of recordkeeping precedent and made it impossible for OSHA to enforce against recordkeeping violations in dangerous industries that are more than six months old. One of the three judges indicated that OSHA could enforce for continuing violations of its recordkeeping rule if the agency clarified its regulation. The rule that is the subject of H.J. Res 83 remedies the problem and clarifies that OSHA may enforce for continuing violations for the failure to record serious work related injuries and illnesses.

Accurate injury and illness records are vitally important to the protection of workers. They are the most important tool that employers and government use to identify and eliminate job hazards that kill over 4,800 workers a year and seriously injure almost 3 million more. OSHA can only inspect every workplace under its jurisdiction once every 140 years. If employers have no obligation to maintain accurate records during the five year retention period, worker health and safety will be seriously jeopardized.

We are organizations that strongly support ensuring safer workplaces and protecting workers from serious workplace hazards. We ask you to stand with American workers and oppose H.J. Res. 83. The OSHA clarifying rule on maintaining accurate records imposes no new costs to business, but is critical to assuring that workplace fatalities and injuries are prevented.

Sincerely,

9to5, National Association of Working Women; American Federation of Government Employees; American Federation of Labor—Congress of Industrial Organizations (AFL-CIO); American Federation of Teachers (AFT); Asbestos Disease Awareness Organization; Blue Green Alliance; Connecticut Council on Occupational Safety and Health; Communication Workers of America; Council of State and Territorial Epidemiologists; District 1199C Training & Upgrading Fund; Earthjustice; Economic Policy Institute Policy Center; Fair World Project; Family Values @ Work; Farmworker Justice.

Fe y Justicia Worker Center; Food & Water Watch; Futures Without Violence; Health Professional and Allied Employees AFT/AFL-CIO; Institute for Science and Human Values, Inc.; Interfaith Worker Justice; International Brotherhood of Teamsters; International Union, United Automobile, Aerospace & Agricultural Implement Workers of America, UAW; Jobs with Justice; Kentucky Equal Justice Center; Knox Area Workers' Memorial Day Committee of Knoxville, Tennessee; Labor & Employment Committee of the National Lawyers Guild; Labor Project for Working Families.

Legal Aid at Work; Los Angeles Alliance for a New Economy (LAANE); Massachusetts Law Reform Institute; NAACP; National Center for Law and Economic Justice; National Employment Lawyers Association; National Employment Law Project; National Guestworker Alliance; National LGBTQ Task Force Action Fund; National Organization for Women; National Partnership for Women and Families; Natural Resources Defense Council.

Nebraska Appleseed Center for Law in the Public Interest; New Labor; New Rules for Global Finance; Occupational Health Clinical Centers; Oxfam; Policy Matters Ohio; Progressive Congress Action Fund; Public Citizen; Resisting Injustice and Standing for Equality (RISE); Restaurant Opportunities Centers United; Rhode Island Center for Justice; Santa Clara County Wage Theft Coalition; Sargent Shriver National Center on Poverty Law.

SafeWork Washington; Service Employees International Union (SEIU); Southern Poverty Law Center (SPLC); Union of Concerned Scientists; United Food and Commercial Workers International Union (UFCW); UNITE HERE International Union; United Support and Memorial for Workplace Fatalities (USMWF); Washington State Labor Council, AFL-CIO; Western North Carolina Workers' Center; Workers' Center of Central New York; Workplace Fairness; Worksafe; WNYCOSH—Western New York Council on Occupational Safety and Health.

Mr. SCOTT of Virginia. Mr. Speaker, I ask for a "no" vote.

I yield back the balance of my time.

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

Mr. Speaker, I include in the RECORD a letter dated February 28, 2017, from the Associated General Contractors of America; a letter dated February 28, 2017, from Associated Builders and Contractors; a letter dated February 27, 2017, from the National Association of Home Builders; and a letter dated February 28, 2017, from the United States Chamber of Commerce.

THE ASSOCIATED GENERAL
CONTRACTORS OF AMERICA,
Arlington, VA, February 28, 2017.

Re AGC Key Vote—Support Joint Resolution Disapproving of "Volks Rule."

Hon. PAUL RYAN,
House of Representatives,
Washington, DC.

DEAR SPEAKER RYAN: On behalf of the Associated General Contractors of America (AGC) and its 26,000 commercial construction company members, I strongly urge you to support the Congressional Review Act (CRA) joint resolution of disapproval to stop the Occupational Safety and Health Administration's (OSHA) expansion of the statute of limitations for recordkeeping violations in the "Volks Rule." AGC will score this vote as a key vote for the education of its members on its congressional candidate scorecards.

This resolution repeals a rule that was issued by OSHA as a challenge to the judicial branch and congressional authority. Section 9 of the Occupational Safety and Health Act subsection (c) says "No citation may be issued under this section after the expiration of six months following the occurrence of any violation." That seems pretty clear and the courts agreed. In 2012, the U.S. Court of Appeals for the District of Columbia Circuit held in AKM LLC dba Volks Constructors v. Secretary of Labor that section 8(c) of the OSH Act (the section that requires accurate recordkeeping) does not supersede 9(c) and therefore does not permit a continuing violation for paperwork errors and that the agency is overstepping its authority. Additionally, in 2016 the Fifth Circuit endorsed the Volks decision in Delek Ref. Ltd. v. Occupational Safety & Health Review Commission. When OSHA issued its rule, it deliberately and specifically designed the rule to counter the ruling in the Volks case. Because the final rule directly contradicts both clear statutory language and two U.S. Courts of Appeals rulings, it must not be allowed to stand.

The rule is designed to be punitive. It is a regulatory attempt to expand opportunities to cite companies for paperwork violations. It was issued in the waning days of the Obama Administration as an attempt to get around the existing statute of limitations for recordkeeping violations and expand that limitation to sixty-six months. It creates no new recordkeeping requirements. It does not change the data required under recordkeeping requirements. It does not exempt smaller companies from this regulation or these investigations. It does not create any new, safer work practices. The rule tells OSHA inspectors and company employees to fix typos from years ago rather than walking the jobsite, providing safety training or otherwise preventing tomorrow's accidents. We take worker safety very seriously and, unfortunately,

OSHA's rule would require a colossal misallocation of resources. That is why we urge you to support the Congressional Review Act resolution.

Thank you for your consideration of this request.

Sincerely,

JEFFREY D. SHOAF,
Senior Executive Director,
Government Affairs.

ASSOCIATED BUILDERS AND
CONTRACTORS, INC.,

Washington, DC, February 28, 2017.

House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE: On behalf of Associated Builders and Contractors (ABC), a national construction industry trade association with 70 chapters representing nearly 21,000 chapter members, I am writing to express our strong support for H.J. Res. 83, introduced by Rep. Bradley Byrne (R-Ala.), which would block implementation of the Occupational Safety and Health Administration's (OSHA) "Volks" final rule. Also known as Clarification of an Employer's Continuing Obligation to Make and Maintain an Accurate Record of Each Recordable Injury and Illness, the final rule extends the time period in which an employer may be cited by OSHA for recordkeeping violations from six months to up to five years. ABC urges you to vote "yes" on H.J. Res. 83 and will consider this a KEY VOTE for our 115th Congressional Scorecard.

Currently, the Occupational Safety and Health (OSH) Act clearly states the statute of limitations for recordkeeping violations is six months. The D.C. Circuit Court of Appeals also unanimously issued a decision holding OSHA could not issue a citation for a recordkeeping violation beyond the six-month statute of limitations, and it was later endorsed by the 5th Circuit Court of Appeals in the Delek case. The Obama administration's final rule not only contradicts the clear statutory language of the OSH Act, but also two federal appeals courts.

Nullifying the "Volks" rule does not remove an employer's obligation to record injuries or illnesses. OSHA still has the right to cite employers for a recordkeeping violation under the OSH Act. ABC members understand that safety and health practices are inherently good for business; however, this rulemaking does nothing to improve workplace safety and is simply a paperwork burden. OSHA's promulgation of this rulemaking is a clear overstepping of its authority and a contradiction of the OSH Act and U.S. Court of Appeals decisions.

We urge you to SUPPORT H.J. Res. 83 and we thank Rep. Byrne for introducing this important resolution and look forward to working with Congress to restore the rule of law.

Sincerely,

KRISTEN SWEARINGEN,
Vice President of Legislative &
Political Affairs.

NATIONAL ASSOCIATION OF HOME
BUILDERS,

Washington, DC, February 27, 2017.

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

DEAR SPEAKER RYAN: On behalf of the more than 140,000 members of the National Association of Home Builders (NAHB), I write in strong support of H.J. Res. 83. This important legislation will disapprove OSHA's Volks Rule, which is nothing more than a regulatory end run around Congress and the

courts. If this rule is not disapproved, small businesses will be subject to recordkeeping paperwork violations that do nothing to improve worker safety. NAHB is designating support for passage of H.J. Res 83 as a KEY VOTE.

Finalized on December 19, 2016, the rule attempts to extend to five years the explicit six-month statute of limitations on recordkeeping paperwork violations in the Occupational Safety and Health (OSH) Act of 1970. Subsequent court rulings have affirmed applicability of the six-month statute of limitations; nonetheless, the Agency proceeded with its rulemaking. This regulation is an egregious end run around Congress' power to write the laws and a clear challenge to the judicial branch's authority to prevent an agency from exceeding its authority to interpret the law.

Given the vast overstep the Volks Rule represents, one might expect significant gains in worker health and safety as the result. Unfortunately, that is simply not the case. The Volks regulation only changes the window during which OSHA can issue a citation for recordkeeping paperwork violations. Employers will have the exact same obligation to record injuries as they always had, and OSHA will have the exact same opportunity to issue a citation as the statute has always permitted. The regulation is about paperwork violations and does nothing to improve worker health and safety.

NAHB urges you to support H.J. Res 83, and designates a vote in support of H.J. Res 83 as a KEY VOTE.

Sincerely,

JAMES W. TOBIN III.

U.S. CHAMBER OF COMMERCE,
Washington, DC, February 28, 2017.

Re Key Vote Alert!

TO THE MEMBERS OF THE UNITED STATES CONGRESS: The U.S. Chamber of Commerce supports H.J. Res. 83, which would invalidate the regulation issued by the Occupational Safety and Health Administration (OSHA) entitled "Clarification of an Employer's Continuing Obligation to Make and Maintain an Accurate Record of Each Recordable Injury and Illness," and will consider including votes related to it in our 2017 How They Voted scorecard.

The rule would have the effect of extending to five years the statute of limitations on recordkeeping violations that the Occupational Safety and Health Act sets at six months. It was OSHA's attempt to negate a 2012 decision from the D.C. Circuit Court of Appeals involving a construction company known as Volks Constructors. The decision blocked OSHA from sustaining citations for recordkeeping violations that occurred beyond the six month statute of limitations specified in the Occupational Safety and Health Act. The court's unanimous 3-0 ruling included Judge Merrick Garland.

The court unequivocally rebuked OSHA, expressing particular concern on the agency's overstepping its authority: "We do not believe Congress expressly established a statute of limitations only to implicitly encourage the Secretary to ignore it . . . The Act clearly renders the citations untimely, and the Secretary's argument to the contrary relies on an interpretation that is neither natural nor consistent with our precedents." The Volks decision has since been endorsed by the Fifth Circuit in the Delek decision, issued in December 2016, where the court found "its reasoning persuasive."

OSHA's Volks Rule will improperly subject millions of American businesses to citations

for paperwork violations, while doing nothing to improve worker health and safety. It simultaneously represents a usurpation of Congress' power to write the laws and a direct rejection of the judicial branch's authority to rein in an agency when it exceeds its authority.

The Chamber urges you to vote in favor of H.J. Res. 83, to invalidate OSHA's Volks regulation and restore the statute of limitations for citations enacted by Congress.

Sincerely,

JACK HOWARD.

Mr. BYRNE. All of those groups I just mentioned support the repeal of this regulation that would come about by virtue of the bill that is before us. Why? Because we have a right to expect in this country that these regulatory agencies that Congress sets up will do their job with the significant sums of taxpayer money that they are provided by this Congress, the money that comes from the people of America to do their job in a timely fashion. And this agency comes forth and tries to act like it doesn't have the money or the authority to investigate violations and enforce the law within 6 months of a violation. That is balderdash. The American people have a right to expect more from these agencies than that.

But more to the point, the reason we are here today is really simple. We are here today to overturn a rule that is blatantly unlawful. We are here to put a stop to a rule that does nothing—I repeat nothing—to improve workplace safety. We are here to put a check on the very top of executive overreach the Congressional Review Act sought to address.

By blocking this punitive and overreaching rule, we will affirm Congress' commitment to proactive health and safety policies that help prevent injuries and illnesses before they occur. If we wait until the illness or injury has occurred, we have waited too late. OSHA has waited too late. It is time for OSHA to work with these employers, work with these people in the workplace to make the workplace safe, not show up 5 years after the fact when they don't have the authority and say: now we are going to issue a violation.

Mr. Speaker, the approach that we have demanded of OSHA for years is to proactively work in the workplace to ensure that it is safe, and we will continue to do that under this new administration. I urge my colleagues to overturn OSHA's unlawful power grab.

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

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to the rule, the previous question is ordered on the joint resolution.

The question is on the engrossment and third reading of the joint resolution.

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

The SPEAKER pro tempore. The question is on the passage of the joint resolution.

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

RECORDED VOTE

Mr. SCOTT of Virginia. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

OIRA INSIGHT, REFORM, AND ACCOUNTABILITY ACT

GENERAL LEAVE

Mr. CHAFFETZ. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 1009.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 156 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 1009.

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

□ 1605

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1009) to amend title 44, United States Code, to require the Administrator of the Office of Information and Regulatory Affairs to review regulations, and for other purposes, with Mr. JOYCE in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Utah (Mr. CHAFFETZ) and the gentlewoman from the Virgin Islands (Ms. PLASKETT) each will control 30 minutes.

The Chair recognizes the gentleman from Utah.

Mr. CHAFFETZ. Mr. Chairman, I yield myself such time as I may consume.

We are here to consider H.R. 1009. This is a bill sponsored by the gentleman from Michigan (Mr. MITCHELL). It is cosponsored on the Committee on Oversight and Government Reform by the gentleman from North Carolina (Mr. MEADOWS) and the gentleman from Alabama (Mr. PALMER). We are also pleased to have the gentleman from Texas (Mr. SESSIONS), chairman of the Committee on Rules, as well as the gentleman from Michigan (Mr. WALBERG) as cosponsors.

Mr. Chairman, I rise today in support of H.R. 1009, the OIRA Insight, Reform, and Accountability Act. OIRA stands for the Office of Information and Regulatory Affairs. It has many responsibilities. It is a little known agency, but very powerful and very important. Some of its most well-known responsibilities are governed by an executive order. Executive Order 12866 was issued by President Clinton in 1993. The order was maintained under President Bush and reaffirmed by President Obama in 2009.

The OIRA Insight, Reform, and Accountability Act puts into statute the basic structure that has existed for more than two decades. The legislation also includes some minor adjustments for increased transparency and accountability. For example, agencies are required to provide OIRA with a redline of any changes the agency chooses to make during the review process. This allows the public to better understand how centralized review can improve the quality of rulemaking.

The bill clarifies the process for extending the time for OIRA to review regulations. Currently, OIRA has 90 days to review a regulation, but at the request of the issuing agency, OIRA can extend the review indefinitely without notice to the public. Under the Obama administration, many rules were under review for more than a year with no explanation whatsoever. H.R. 1009 requires OIRA and the regulating agency to agree upon the extension and provide a written explanation to the public, including an estimated date of completion.

The government works for the people. You would think if they are going to miss deadlines and be late and go beyond the current rules, the people who are involved in the rulemaking would at least offer a little bit of a written explanation. The bill also requires OIRA to update the explanation and estimated completion date every 30 days after that moving forward.

Another significant difference from the executive order is H.R. 1009 includes independent agencies in OIRA's review of significant regulations. Independent regulatory agencies already submit their regulations to OIRA for the unified agenda and the annual regulatory plans. Under the Paperwork Reduction Act, independent agencies submit information collection requests, which is another way to say government forms, to OIRA for approval. For decades, experts across the political spectrum, including the Administrative Conference of the United States and the American Bar Association, have called for the inclusion of independent agencies in the significant regulation review process. Again, a good group there, the Administrative Conference of the United States, as

well as the American Bar Association also asking for these independent agencies.

There is significant bipartisan agreement on including the independent agencies. In fact, President Obama's Jobs Council recommended including independent agencies in OIRA's regulatory review. Sally Katzen, OIRA administrator under President Clinton, said: "For all practical purposes, the way executive branch agencies and independent agencies conduct rulemaking is the same, so they both should be expected to gather and use information on the costs and benefits of new regulatory proposals." She went on to suggest: "Congress could adapt that approach for OIRA review of the analysis underlying independent agency rulemakings." And she goes on.

That is exactly what the bill does, which brings me to the last major difference between this bill and the executive order. This bill requires OIRA to report on what it reviewed and the results of that review. The Oversight Committee conducted an extensive investigation into the Waters of the United States rulemaking, also known as WOTUS. During the course of the investigation, it was clear OIRA was not conducting the analysis I think we should all expect. OIRA even short-changed the interagency review process in order to meet the self-imposed arbitrary deadline.

H.R. 1009 requires OIRA to issue a report on each significant regulation it reviews so the public can see exactly what legal requirements OIRA focused on and what OIRA found. H.R. 1009 asks OIRA to consider: Did the agency technically comply with the requirement? Did it make solid effort to improve the regulation through the process? Or was the agency just going through the motions? These are very legitimate, easy, simple questions that we think can be answered.

Agencies are supposed to consider the public's comments, but what if the final rule is drafted before the comments are even reviewed? Perhaps the law does not explicitly prohibit that, but is it really an effective regulatory practice? The question is more than just whether agencies have simply complied. It is whether the agency is doing everything it can to limit the burden and make its regulations effective and easy to understand.

By requiring OIRA to make the results of its review of rulemakings available to the public, this bill will encourage agency accountability and improve the public's understanding of the rulemaking process. The Committee on Oversight and Government Reform approved this bill, without amendment, on February 14 of this year.

I again want to thank the leadership of Congressman MITCHELL for doing all

that he has done to bring us to this point where we are debating this on the floor of the House. I also want to thank Katy Rother for her tireless work on this bill. She has done an awful lot of work, working with both sides of the aisle. Hats off to her as well. Again, I urge the passage of this bill.

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

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, February 27, 2017.

Hon. JASON CHAFFETZ,
Chairman, Committee on Oversight and Government Reform, House of Representatives,
Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 1009, the OIRA Insight, Reform, and Accountability Act.

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

KEITH HALL.

Enclosure.

H.R. 1009—OIRA INSIGHT, REFORM, AND
ACCOUNTABILITY ACT

As ordered reported by the House Committee
on Oversight and Government Reform on
February 14, 2017

SUMMARY

H.R. 1009 would codify many executive orders and practices of the federal government related to the process of issuing federal regulations. The legislation also would expand the role of the Office of Information and Regulatory Affairs (OIRA) in the regulatory process and authorize OIRA to review rules proposed by certain independent federal agencies.

CBO estimates that implementing the bill would increase administrative costs to OIRA and federal agencies by a total of \$20 million over the 2018–2022 period; such spending would be subject to the availability of appropriated funds. CBO estimates that enacting the bill would increase direct spending by \$3 million over the 2018–2027 period and would reduce revenues by \$2 million over the same period. Because the bill would affect revenues and direct spending, pay-as-you-go procedures apply.

CBO also expects that enacting H.R. 1009 could delay the issuance of some rules. However, because of the large number and variety of federal rules issued each year, CBO cannot determine whether a delay in the effective date of some rules would have a cost or savings to the federal government.

CBO estimates that enacting H.R. 1009 would not increase net direct spending or on-budget deficits by more than \$5 billion in one or more of the four consecutive 10-year periods beginning in 2028.

H.R. 1009 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would not affect the budgets of state, local, or tribal governments.

ESTIMATED COST TO THE FEDERAL GOVERNMENT

The estimated budgetary effect of H.R. 1009 is shown in the following table. The costs of this legislation fall within all budget functions that include agencies that issue or review regulations.

By fiscal year, in millions of dollars—													
	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2018–2022	2018–2027	
INCREASES IN SPENDING SUBJECT TO APPROPRIATION													
Estimated Authorization Level	4	4	4	4	4	4	4	4	4	4	20	40	
Estimated Outlays	4	4	4	4	4	4	4	4	4	4	20	40	
INCREASES IN DIRECT SPENDING													
Estimated Budget Authority	*	*	*	*	*	*	*	*	*	*	2	3	
Estimated Outlays	*	*	*	*	*	*	*	*	*	*	2	3	
DECREASES IN REVENUES													
Estimated Revenues	*	*	*	*	*	*	*	*	*	*	–1	–2	
NET INCREASE IN THE DEFICIT FROM CHANGES IN DIRECT SPENDING AND REVENUES													
Impact on Deficit	*	*	*	*	*	*	*	*	*	*	3	5	

Note: * = between –\$500,000 and \$500,000.

BASIS OF ESTIMATE

For this estimate, CBO assumes that H.R. 1009 will be enacted near the end of fiscal year 2017 and that spending will follow historical patterns for these and similar activities.

CBO is not aware of any comprehensive information on current spending for regulatory activities governmentwide. However, according to the Congressional Research Service, federal agencies issue 3,000 to 4,000 final rules each year. Most are promulgated by the Departments of Transportation, Homeland Security, and Commerce, and the Environmental Protection Agency (EPA). Agencies that issue the most major rules (those with an estimated economic impact on the economy of more than \$100 million per year) include the Department of Health and Human Services, the Department of Agriculture, and the EPA.

H.R. 1009 would codify certain regulatory policies and practices that are currently being implemented pursuant to several executive orders. Those instructions require agencies in the executive branch to analyze the impacts of regulations (including costs and benefits), to coordinate with OIRA dur-

ing the rulemaking process, and to perform other activities and analyses related to considering the effects of proposed rules.

Spending Subject to Appropriation

On the basis of information from OIRA and several federal agencies on the cost of the rulemaking process, CBO estimates that more personnel would be needed to produce additional analyses and to perform other administrative tasks under H.R. 1009. CBO estimates that spending would increase by about \$4 million annually and \$20 million over the 2018–2022 period to hire and train sufficient staff. Such spending would be subject to the availability of appropriated funds.

Direct Spending

CBO estimates that some independent regulatory agencies would face an increased administrative workload under H.R. 1009 because, under current law, most independent regulatory agencies are not required to submit regulatory analyses to OIRA. Some of those agencies, primarily the Federal Deposit Insurance Corporation (FDIC) and Consumer Financial Protection Bureau (CFPB), can spend funds for such activities without further appropriation. CBO estimates that enacting H.R. 1009 would cost about \$3 mil-

lion over the 2018–2027 period for the FDIC and CFPB to prepare additional reports and analyses of proposed regulations for OIRA.

Revenues

H.R. 1009 would affect revenues by changing the cost of the operations of the Federal Reserve System, which remits its net earnings to the Treasury; those remittances are classified as revenues in the federal budget. The legislation would impose additional administrative expenses on the Federal Reserve to prepare reports and analyses for OIRA. Based on the cost of similar administrative work of the Federal Reserve, CBO estimates those additional administrative costs would reduce remittances by the Federal Reserve to the Treasury by \$2 million over the 2018–2027 period.

PAY-AS-YOU-GO CONSIDERATIONS

The Statutory Pay-As-You-Go Act of 2010 establishes budget-reporting and enforcement procedures for legislation affecting direct spending or revenues. The net changes in outlays and revenues that are subject to these pay-as-you-go procedures are shown in the following table.

CBO ESTIMATE OF PAY-AS-YOU-GO EFFECTS FOR H.R. 1009, AS ORDERED REPORTED BY THE HOUSE COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM ON FEBRUARY 14, 2017													
By fiscal year, in millions of dollars—													
	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2017–2022	2017–2027
NET INCREASE IN THE DEFICIT													
Statutory Pay-As-You-Go Impact	0	0	0	0	0	0	0	0	0	0	0	3	5
Memorandum:													
Changes in Outlays	0	0	0	0	0	0	0	0	0	0	0	2	3
Changes in Revenues	0	0	0	0	0	0	0	0	0	0	0	–1	–2

INCREASE IN LONG-TERM NET DIRECT SPENDING AND DEFICITS

CBO estimates that enacting H.R. 1009 would not increase net direct spending or on-budget deficits by more than \$5 billion in one or more of the four consecutive 10-year periods beginning in 2028.

INTERGOVERNMENTAL AND PRIVATE-SECTOR IMPACT

H.R. 1009 contains no intergovernmental or private-sector mandates as defined in UMR. Estimate prepared by: Federal Costs: Nathaniel Frentz, Matthew Pickford, and Stephen Rabent; Impact on State, Local, and Tribal Governments: Zachary Byrum; Impact on the Private Sector: Paige Piper/Bach.

Estimate approved by: H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.

HOUSE OF REPRESENTATIVES, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,
Washington, DC, February 16, 2017.

Hon. BOB GOODLATTE,
Chairman, Committee on the Judiciary, Washington, DC.

DEAR MR. CHAIRMAN: On February 14, 2017, the Committee on Oversight and Government Reform ordered reported without amendment H.R. 1009, the “OIRA Insight, Reform, and Accountability Act” by a vote of 23 to 16. The bill was referred primarily to the Committee on Oversight and Government Reform, with an additional referral to the Committee on the Judiciary.

I ask that you allow the Committee on the Judiciary to be discharged from further consideration of the bill so that it may be scheduled by the Majority Leader. This discharge in no way affects your jurisdiction over the subject matter of the bill, and it will not serve as precedent for future referrals. In addition, should a conference on the bill be necessary, I would support your request to

have the Committee on the Judiciary represented on the conference committee. Finally, I would be pleased to include this letter and any response in the bill report filed by the Committee on Oversight and Government Reform, as well as in the Congressional Record during floor consideration, to memorialize our understanding.

Thank you for your consideration of my request.

Sincerely,

JASON CHAFFETZ,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON THE JUDICIARY,
Washington, DC, February 23, 2017.

Hon. JASON CHAFFETZ,
Chairman, Committee on Oversight and Government Reform, Washington, DC.

DEAR CHAIRMAN CHAFFETZ: I write with respect to H.R. 1009, the “OIRA Insight, Reform, and Accountability Act.” As a result of your having consulted with us on provisions within H.R. 1009 that fall within the

Rule X jurisdiction of the Committee on the Judiciary, I forego any further consideration of this bill so that it may proceed expeditiously to the House floor for consideration.

The Judiciary Committee takes this action with our mutual understanding that by foregoing consideration of H.R. 1009 at this time, we do not waive any jurisdiction over subject matter contained in this or similar legislation and that our committee will be appropriately consulted and involved as this bill or similar legislation moves forward so that we may address any remaining issues in our jurisdiction. Our committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation and asks that you support any such request.

I would appreciate a response to this letter confirming this understanding with respect to H.R. 998 and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration of H.R. 1009.

Sincerely,

BOB GOODLATTE,
Chairman.

Ms. PLASKETT. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I oppose this bill. My colleagues on the other side have portrayed this bill as simply a codification of an executive order President Clinton issued. That simply is not the case. This bill makes significant changes to the regulatory process. The bill would require independent agencies to submit rules to the Office of Information and Regulatory Affairs, OIRA, for review. Independent agencies do not currently have to get the approval of the White House for regulations they issue. Congress designed independent agencies to be just that, independent. This bill would change that.

In February of 2015, the Committee on Oversight and Government Reform Chairman JASON CHAFFETZ sent four letters to the chairman of the Federal Communications Commission alleging that the White House had “an improper influence” on the FCC’s net neutrality plan and that the FCC “failed to establish the appearance that this rulemaking is independent, fair, and transparent.”

The bill we are considering would enshrine in law that very allegation my esteemed colleague Chairman CHAFFETZ had concerns about, political interference by the White House with the FCC and other independent agencies. The Congressional Budget Office estimates that this bill would increase direct spending by \$3 million and reduce revenues by \$2 million. These direct spending and revenue effects are caused by the fact that the bill covers independent agencies. CBO has also estimated that the bill would cost Federal agencies an additional \$20 million in administrative costs. Imagine, I am fighting to keep the budget down in this matter.

The bill does not include offsets for any additional spending. The bill also

omits critical phrases from Executive Order 12866 that ensures that OIRA reviews do not contradict existing law. For example, the executive order requires agencies to provide the cost and benefits of alternatives to a proposed rule “unless prohibited by law.” The bill does not include this exception, and my colleagues on the other side have still not explained why it does not include this language.

□ 1615

It is unclear how the bill would impact laws that prohibit agencies from considering costs when setting public health standards.

The Coalition for Sensible Safeguards—an alliance over 150 labor, scientific, good government, health, and environmental groups—sent a letter to the House Members yesterday opposing this bill. That letter said in part:

“Particularly concerning, H.R. 1009 would in effect rewrite dozens of public interest laws containing congressional mandates that require agencies to prioritize public health and safety and the preservation of the environment, clean air, and clean water over concerns for industry profits. This consequence flows from another key difference between H.R. 1009 and the Executive Orders it purports codify: Whereas the Orders impose their requirements only to the extent consistent with applicable laws, H.R. 1009 recognizes no such limitations.”

Mr. Chairman, this bill would also give OIRA the ability to hold up rulemaking indefinitely.

Under Executive Order 12866, the administrator over OIRA has 90 days to review a rule, and that period can be extended one time for 30 days. This bill would allow OIRA to extend its review “for any number of additional 30-day periods upon written request by the administrator or the head of the agency.”

The bill also gives the rulemaking agencies the ability to object to an extension of OIRA review period, but it is not realistic to think that an agency would refuse a request for an extension from the White House.

The Union of Concerned Scientists also sent a letter to House Members opposing this bill. That letter said:

Of particular concern is the fact that H.R. 1009 aims to codify some of the most burdensome requirements of previous executive orders while gutting the much-needed flexibility that the orders provide to Federal agencies in charge of ensuring science-based protections for the public. Congress should increase protections for our constituents rather than preventing agencies from issuing science-based protections.

I urge my colleagues to oppose this bill.

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

Mr. CHAFFETZ. Mr. Chairman, I yield such time as he may consume to the gentleman from Michigan (Mr. MITCHELL), the sponsor of the bill.

Mr. MITCHELL. Mr. Chairman, I thank the gentleman from Utah for yielding.

Last night, President Trump stood feet from here and spoke about the need and his commitment to regulatory reform.

I would like to echo those comments. One of the chief reasons the voters sent most of us here is because they know that Federal regulation is killing our economy and placing a heavy burden on families. I am proud to deliver on a promise I made during the campaign, and to have done so in the first 100 days. The OIRA Insight, Reform, and Accountability Act codifies the Office of Information and Regulatory Affairs, known as OIRA. OIRA serves as the regulatory gatekeeper, a safety valve, providing a process and review to hold back the floodgates of unnecessary burdensome and duplicative regulations.

OIRA is a bipartisan office within the executive branch that was originally created during the Reagan administration and further outlined by President Clinton in an executive order. President Clinton put it well when he said:

“The American people deserve a regulatory system that works for them, not against them: a regulatory system that protects and improves their health, safety, environment, and well-being and improves the performance of the economy without imposing unacceptable or unreasonable costs on society; regulatory policies that recognize that the private sector and private markets are the best engine for economic growth; regulatory approaches that respect the role of State, local, and tribal governments; and regulations that are effective, consistent, sensible, and understandable.”

I agree with President Clinton’s words in 1993. This is about making sure government solves problems, rather than creates them. And create them, it has.

In recent years, the regulatory state has grown to impressive levels. Between 2006 and 2015, agencies published over 36,000 final rules, of which 555 were considered economically significant. That is, they anticipated an economic effect of \$100 million or more.

Many of these regulations have been imposed without thorough cost-benefit analysis, placing huge burdens on families and businesses. What is worse, Americans have had little, if any, influence on regulations that impact their lives as unelected bureaucrats regularly have exceeded their authority while imposing regulations that negatively impact them. It is our responsibility as the people’s representatives to protect them from this ever-expanding regulatory state.

This bill is simple and plain. The bill locks into place existing transparency requirements like the unified agenda and the annual regulatory plan.

The bill also requires OIRA to tell us more about what they are currently doing.

After OIRA conducts a review of significant regulations, H.R. 1009 requires OIRA to give us a readout. Imagine that, we want them to tell us what they are doing. How did the agency do? Is the regulation well drafted? Did the agency meet the requirements of the law? That is a novel approach. Did the agency pick the best way to regulate? OIRA is already required to conduct this review under Executive Order 12886.

The bill asks OIRA to tell us the results. I am surprised and disappointed that even on this bill we have seen significant opposition.

My minority counterparts have made complaints based on strained legal arguments, but they haven't offered an amendment to fix the alleged problem. Why? Because they don't like the basic concepts of the bill. These are not partisan concepts. We have heard their concerns in committee. We obviously disagree at this point. And as the chairman said, this is passed by committee without amendment. We look forward to support, and I ask my colleagues to support the bill.

Ms. PLASKETT. Mr. Chairman, I yield myself such time as I may consume.

We are opposed to the bill because we have received letters and concerns from a cross section of Americans, a cross section of organizations, who recognize that this is not really a codification of an executive order, but this is overreach on the part of the majority of Congress at this time. They feel that they are able to do it, and so they are going to ram this through.

H.R. 1009 would add another layer of bureaucracy to an already slow rule-making process. The Consumer Federation of America says:

The bill creates a regulatory working group to provide input to agencies about how to improve their regulatory process, including an evaluation of risk assessment techniques.

It appears like this is what we are going to be doing throughout Oversight and Government Reform, is creating new task forces and new groups to review rulemaking and review regulations at the cost of the taxpayer.

H.R. 1009 would jeopardize the independence of agencies like the Consumer Product Safety Commission, the Securities and Exchange Commission, the Commodities Futures Trading Commission, the Federal Communications Commission, as well as other independent agencies because it will give the Office of Information and Regulatory Affairs, OIRA, the ability to review significant rules which are outside of their scope now. That is why these agencies are called independent, because Congress wanted them to be independent. We are now giving OIRA overreach into independent agencies.

The Consumer Federation of America goes on to say:

Authorizing OIRA to conduct its own analysis would not only add pressure from the executive branch and add time and expense to the already slow regulatory process, but would also give the special interests seeking to quash a safety measure yet another avenue to prevent a rule from being promulgated.

Significantly, independent agencies were created by Congress to prioritize public health and safety, ensure a fair financial marketplace, and consumer privacy. This bill would undermine the authorizing statutes and the missions of these independent agencies by allowing those agencies to be in some way touched by the White House.

Again, we have the Natural Resources Defense Council. Their letter to all of the Members said:

The bill would also revive legislative language that Congress repealed elsewhere because it made it impossible to protect the public.

Specifically, in H.R. 1009, OIRA was charged with ensuring that the regulation imposes the least burden on society. Congress removed such language when it updated TSCA because the phrase had made it impossible for chemical safety regulations to pass judicial muster, even when the chemical was asbestos, well known to be a potential carcinogen.

No one wants to impose unnecessary burdens on society, but the phrase "least burdensome" has been interpreted to put an agency in an impossible position of providing that there is no other conceivable way to accomplish its goal of having to cost out every theoretical option.

The reason we are opposed to this bill is because it makes it more difficult for independent agencies to remain independent and not be moved by the White House by political machinations that this Congress is now trying to impose on them.

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

Mr. CHAFFETZ. Mr. Chairman, I yield myself such time as I may consume.

Let me mention that the bill does not require any of these agencies to provide new analysis. And I haven't really heard an example or a reason why something would be prohibited in an agency from sharing existing cost-benefit analysis.

What could the agencies have that they should not share with OIRA?

It just seems reasonable that if they have this information, they should share it. Ultimately, we do work for the American people, and the American people should be able to see this information as it goes to OIRA.

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

Ms. PLASKETT. Mr. Chairman, I yield 3 minutes to the gentlewoman from California (Ms. MAXINE WATERS).

Ms. MAXINE WATERS of California. Mr. Chairman, I thank Ms. PLASKETT for yielding to me.

H.R. 1009 would empower Trump's White House to block all of the independent financial agencies' proposed actions to protect our economy. And, worse, the bill empowers President Trump's advisers to influence monetary policy, including interest rates that affect America's mortgages, credit cards and IRAs.

Independent agencies, like the Consumer Financial Protection Bureau, would have to first receive the okay from Trump's administration, packed with Wall Street insiders, before they could protect the American public. For example, the administration could block the Consumer Financial Protection Bureau's recent proposal to stop payday lender debt traps. These agencies would be directed to write rules favorable to industry, subjecting individuals once again to predatory practices.

I am so deeply troubled that H.R. 1009 gives the Trump administration a say in the Federal Reserve's monetary policy decisions. The importance of Fed independence is well established and results in objective, nonpolitical policymaking, and a high degree of credibility with financial markets.

However, today's bill threatens the integrity of these decisions. Given that the Fed's actions can move stock markets by hundreds of points, we should absolutely reject the Trump White House and Republicans' desire to use the Fed for partisan gain.

An administration that believes bad polls are "fake news," goes to great lengths to inflate the number of attendees at the inauguration, and misrepresents the Nation's debt level should not be allowed to meddle with the interest rate decisions or marketplace guardrails critical to our economy's health.

I urge Members to oppose this bill.

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

Ms. PLASKETT. Mr. Chairman, I yield 3 minutes to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Chairman, I thank my good friend from the Virgin Islands (Ms. PLASKETT) for yielding to me.

I had to come down as I saw this attempt to use our jurisdiction to undermine our independent agencies. And I want to put an emphasis on independent agencies because they have always been treated differently.

□ 1630

Executive Order 12866 has long subjected agency rulemakings to some review by the Office of Information and Regulatory Affairs, but independent agencies have been treated differently. Congress deliberately created them as independent to exempt them from political review for their regulatory actions by the White House.

The agencies we are talking about are very often agencies that deal with our economy. They are almost always agencies whose subject matter is controversial, like the National Labor Relations Board, which deals with labor management matters, or the FTC, whose role is to prevent anticompetitive business practices, not to mention the Fed.

Now, the executive order provides OIRA with the ability to do cost-benefit analysis “unless prohibited by law.” Those words are our congressional words, “unless prohibited by law.”

Now, that language is not in this executive order. Does it mean that it is erased so that, with respect to environment and public safety rules for example, “prohibited by law” no longer obtains and cost benefit can be done so that you can weigh the cost or the benefit of rules? The benefit would be clear, but the cost of rules that are so protective of the public that we have exempted them in the past—the silence is deafening.

Agencies also have always been able to indicate, because they have the only real knowledge, whether or not their rulemakings are significant. How could we give this exclusive authority now to OIRA? The politicization of independent agencies, making them subject to White House oversight, is very dangerous. It robs them of what is perhaps the most important part of their independence. This bill goes many steps too far.

Mr. CHAFFETZ. Mr. Chair, I would just point out that these independent agencies need oversight as much as any other agency; and, ultimately, what we are trying to do is provide more transparency, more information to the public. Whether or not they think they are independent or not, they still work for the American people, and the people that are footing the bills and that have to live under these regulations should have the right to see this information and have this information provided to them through the process.

We are never going to apologize for trying to increase the transparency and the process. That is what this bill does.

I reserve the balance of my time.

Ms. PLASKETT. Mr. Chair, we would say that this bill is not necessarily about transparency so much as it is about the executive branch, and specifically the White House, being able to reach into these independent agencies. There are already mechanisms in place for the transparency that my colleague is speaking about. What we are doing now is creating another level of oversight over the committees, over these independent agencies, so that this Congress can then have reach into them as well.

At this time, I yield 5 minutes to the gentleman from Rhode Island (Mr. CICILLINE).

Mr. CICILLINE. I thank the gentlewoman for yielding.

Mr. Chair, I rise in opposition to H.R. 1009, the OIRA Insight, Reform, and Accountability Act, yet another radical bill, part of a corporate agenda designed to eviscerate public protections under the Clean Water Act and other laws designed to ensure the safety of American families.

As the ranking member of the House Judiciary Subcommittee on Regulatory Reform, I have several serious concerns with this measure.

First, H.R. 1009 would eviscerate the independence of agencies that are critical to holding corporations accountable and protecting consumers, such as the Consumer Financial Protection Bureau, the Federal Trade Commission, and the Securities and Exchange Commission. Congress established these expert agencies with the express purpose of exercising independence from the policy whims of the White House.

Section 3423 of H.R. 1009, however, would task the White House Office of Information and Regulatory Affairs, OIRA, with a governmentwide review of significant regulatory actions, effectively placing this obscure entity as the gatekeeper of the rulemaking system.

Currently, OIRA only reviews a small portion of significant regulatory actions, allowing it to effectively allocate its finite resources to review the most pressing rules. But by substantially expanding OIRA's mandate to include every significant regulatory action, this legislation would simultaneously water down agency oversight while also subjecting independent agencies to the influence of the Trump administration, facilitating political interference in the rulemaking process.

One of the overriding goals of OIRA review is to ensure that the President's policies are reflected in agency rules. Greater Presidential control over rulemaking, particularly in this administration's hands, could have devastating consequences in terms of public health and safety. It would not only provide special interests with an additional tool for regulatory capture, but it would also allow the White House to substitute its own policy preferences for those of Congress.

As Senator RON JOHNSON, the Republican chair of the Senate committee with jurisdiction over administrative law, observed in a report last year: “Limits on the President's power over independent agencies—like the Federal Communications Commission—demonstrate the importance of maintaining the agency's independence.”

Furthermore, because President Trump has made the outrageous and unprecedented choice not to divest his business holdings, I am also very concerned that H.R. 1009 would only serve to convert the regulatory system into his own personal investment account.

Robert Weissman, the president of Public Citizen, recently noted: “The Nation's golfer-in-chief” owns or brands businesses across the country that would be affected by protections promulgated under the Clean Water Act. Increasing the White House's role in the rulemaking system will only serve to undermine what little transparency exists into the President's regulatory conflicts of interest.

The Government Accountability Office has reported in multiple studies that OIRA has not addressed transparency concerns that GAO has raised, and for this reason I offered an amendment.

I was pleased to hear my friend from Utah talk about the transparency benefits, but I offered an amendment to H.R. 1009 that was designed to ferret out crony capitalism by requiring that OIRA reports whether a significant regulatory action would financially benefit the President or his senior advisers. That seems like a really sensible idea if you really want to get at the issue of transparency.

Very disappointingly, my Republican colleagues refused to make my amendment in order, really tacitly acknowledging their concerns with what this type of transparency might mean for the Trump administration.

Finally, while supporters of this proposal argue that it merely codifies executive orders that were issued under Democratic administrations, the reality is that H.R. 1009 was drafted without Democratic input, contains several poison pill provisions designed to ensure its partisan and unworkable nature, and would only have been vetoed by the Obama administration.

As the Obama administration noted in the context of a veto threat of another antiregulatory bill, agencies already adhere to the robust and well-understood procedural and analytical requirements of the Administrative Procedure Act, the Regulatory Flexibility Act, the Unfunded Mandates Reform Act, the Paperwork Reduction Act, and the Congressional Review Act.

Passage of antiregulatory legislation to “replace this established framework with layers of additional procedural requirements,” the Obama administration cautioned, “would undermine the ability of agencies to execute their statutory mandates.” Because H.R. 1009 does this very thing, I urge my colleagues to oppose this legislation.

I thank the gentlewoman for yielding.

Ms. PLASKETT. Mr. Chair, I yield myself the balance of my time to close.

There are many organizations that oppose this bill, including consumer protection groups such as The Center for Popular Democracy's Fed Up Coalition. The Fed Up Coalition sent a letter to House Members today that said:

The Fed Up Coalition exists to ensure that policymaking at the Federal Reserve reflects

the concerns of working families and communities of color. By encroaching on the Fed's ability to pursue sound regulation and extending the hand of the executive branch in the Federal Reserve decisionmaking, H.R. 1009 undermines the Fed's ability to keep our financial system safe and protect working families and taxpayers that our coalition represents.

I strongly urge Members to vote "no" on H.R. 1009, and I yield back the balance of my time.

Mr. CHAFFETZ. Mr. Chairman, I yield myself the balance of my time.

I just want to simply point out that the bill does extend OIRA to review independent agencies. I also would point out, as I did earlier, the Administrative Conference of the United States recommended OIRA review be extended to independent agencies back in 1988.

In fact, the American Bar Association recommended OIRA review be extended to independent agencies in 1990 and reaffirmed the need again in 2016. They said: "We strongly urge you to bring the independent regulatory commissions within the requirements for cost-benefit analysis"—I am going to just inject my own words here in the middle.

Cost-benefit analysis, isn't that something reasonable that we should all look at? That is not asking an agency too much, especially if they already have the information.

They went on to say: "OMB review, and retrospective review of rules currently reflected in Executive Order 12866. . . ."

Those are not overly burdensome requests. In fact, in 2011, Sally Katzen, the OIRA Administrator under President Clinton, urged Congress to support extending OIRA review to independent agencies, when she wrote: "Our concern is that independent agencies are not typically engaging in the analysis that has come to be expected as a form of governmental best practice for regulatory agencies."

It seems like a reasonable expectation to employ best practices. And all that bill does is—again, it does not interfere with independent agencies' rulemaking process or their policy decision. It simply requires OIRA to review the regulations to ensure these agencies are complying with legal requirements just the same as any other agency.

That is a reasonable request. That is why we urge its passage.

I yield back the balance of my time. The Acting CHAIR (Mr. TIPTON). All time for general debate has expired.

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

It shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115-4. That amendment in the nature of a substitute shall be considered as read.

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

H.R. 1009

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "OIRA Insight, Reform, and Accountability Act".

SEC. 2. OFFICE OF INFORMATION AND REGULATORY AFFAIRS.

(a) AMENDMENT.—Subchapter I of chapter 35 of title 44, United States Code, is amended by adding at the end the following new sections:

"§3522. Office of Information and Regulatory Affairs Regulatory Working Group; regulatory plan; Unified Agenda

"(a) REGULATORY WORKING GROUP.—

"(1) ESTABLISHMENT; MEMBERS.—The Administrator of the Office of Information and Regulatory Affairs shall convene a working group to be known as the Regulatory Working Group, whose members shall consist of the following:

"(A) The Administrator.

"(B) Representatives selected by the head of each agency that the Administrator determines to have significant domestic regulatory responsibility.

"(C) Other executive branch officials as designated by the Administrator.

"(2) CHAIR.—The Chair of the Regulatory Working Group shall be the Administrator, who shall periodically advise Congress on the activities of the Regulatory Working Group.

"(3) PURPOSE.—The Regulatory Working Group shall serve as a forum to assist agencies in identifying and analyzing important regulatory issues, including, at a minimum—

"(A) the development of innovative regulatory techniques;

"(B) the methods, efficacy, and utility of comparative risk assessment in regulatory decision-making; and

"(C) the development of streamlined regulatory approaches for small businesses and other entities.

"(4) MEETINGS.—The Regulatory Working Group shall meet not less than quarterly and may meet as a whole or in subgroups of members with an interest in particular issues or subject areas.

"(5) ANALYTICAL STUDIES.—To inform the discussion of the Regulatory Working Group, the Regulatory Working Group may request analytical studies and reports by the Office of Information and Regulatory Affairs, the Administrative Conference of the United States, or any other agency.

"(b) REGULATORY PLAN.—

"(1) IN GENERAL.—

"(A) DEADLINE FOR AND DESCRIPTION OF REGULATORY PLAN.—Not later than June 1 of each year, the head of each agency shall approve and submit to the Administrator a regulatory plan that includes each significant regulatory action that the agency reasonably expects to issue in proposed or final form in the following fiscal year or thereafter and the retrospective review described in paragraph (2). The regulatory plan shall also contain, at a minimum, the following:

"(i) A statement of the regulatory objectives and priorities of the agency.

"(ii) A summary of each planned significant regulatory action including, to the extent possible, alternatives to be considered and preliminary estimates of the anticipated costs and benefits of such action.

"(iii) A summary of the legal basis for each such action, including whether any aspect of the action is required by statute or court order.

"(iv) A statement of the need for each such action and, if applicable, how the action will reduce risk to public health, safety, or the envi-

ronment, as well as how the magnitude of the risk addressed by the action relates to any other risk within the jurisdiction of the agency.

"(v) The schedule for each such action, including a statement of any applicable statutory or judicial deadline.

"(vi) The name, email address, and telephone number of a knowledgeable agency employee the public may contact for additional information about each such action.

"(B) CIRCULATION OF REGULATORY PLAN.—Not later than 10 days after receiving the regulatory plan under subparagraph (A), the Administrator shall circulate the regulatory plan to any other agency the Administrator determines may be affected by the plan.

"(C) AGENCY NOTIFICATION TO OIRA OF CONFLICTING SIGNIFICANT REGULATORY ACTIONS.—The head of an agency shall promptly notify the Administrator in writing if any planned significant regulatory action in the regulatory plan of another agency may conflict with the policy or action taken or planned by that agency. The Administrator shall forward any notification received under this subparagraph to the other agency involved.

"(D) NOTIFICATION OF CONFLICTING SIGNIFICANT REGULATORY ACTIONS.—The Administrator shall notify the head of an agency in writing if any planned significant regulatory action conflicts with any policy or action taken or planned by another agency.

"(E) REQUIREMENT TO PUBLISH IN UNIFIED AGENDA.—Each regulatory plan submitted by the head of an agency under subparagraph (A) shall be included in the October publication of the Unified Agenda described under subsection (c).

"(2) RETROSPECTIVE REVIEW.—

"(A) LIST OF OUTDATED REGULATIONS.—The head of each agency shall include in the regulatory plan submitted under paragraph (1)(A) a list of regulations that have been identified by the agency (including any comments submitted to the agency) as unjustified, unnecessary, duplicative of other regulations or laws, inappropriately burdensome, or otherwise recommended for removal.

"(B) DESCRIPTION OF RETROSPECTIVE REVIEW.—The head of each agency shall include in the regulatory plan submitted under paragraph (1)(A) a description of any program or other effort to review existing regulations to determine whether any such regulations should be modified or eliminated in order to increase the effectiveness in achieving the regulatory objectives of the agency or to reduce the burden of regulations. The agency shall include any statutory requirements that require the agency to promulgate or continue to impose regulations that the agency believes are unnecessary or outdated by reason of changed circumstances.

"(C) OIRA COORDINATED REVIEW.—The Administrator shall work with interested entities and agencies, including through the processes established under subsection (d), to review the list of regulations identified under subparagraph (A) and such entities may assist OIRA and the agencies with identifying regulations or groups of regulations that—

"(i) impose significant or unique burdens on governmental entities and that are no longer justified; or

"(ii) affect a particular group, industry, or sector of the economy.

"(c) UNIFIED AGENDA.—

"(1) SUBMISSION OF REGULATIONS UNDER DEVELOPMENT OR REVIEW.—Not later than April 1 and October 1 of each year, the head of each agency shall submit to the Administrator an agenda of each regulation under development or review in accordance with any guidance issued under this section. Each agenda shall include, to the extent practicable, the following:

“(A) For each regulation—
 “(i) a regulation identifier number;
 “(ii) a brief summary of the regulation;
 “(iii) a citation to the legal authority to issue the regulation;
 “(iv) any legal deadline for the issuance of the regulation;
 “(v) the name and phone number for a knowledgeable agency employee; and
 “(vi) the stage of review for issuing the regulation.

“(B) For each regulation expected to be promulgated within the following 18 months—

“(i) a determination of whether the regulation is expected to be a significant regulatory action or an economically significant regulatory action; and

“(ii) any available analysis or quantification of the expected costs or benefits.

“(C) For any regulation included in the immediately previous agenda, an explanation of why the regulation is no longer included.

“(2) PUBLICATION OF UNIFIED AGENDA REQUIRED.—Not later than April 15 and October 15 of each year, the Administrator shall compile and publish online each agenda received under paragraph (1) (to be known as the Unified Agenda).

“(3) GUIDANCE.—

“(A) IN GENERAL.—The Administrator shall issue guidance for agencies on the manner of submission under this subsection and on meeting the requirements of this subsection, including a standard definition for each stage of review and any other definition that would assist the public in understanding the different terms used by agencies to submit the agenda required under paragraph (1).

“(B) UPDATES.—The Administrator shall periodically review compliance with this section and issue guidance or recommendations to assist agencies in complying with this section.

“(d) COORDINATION WITH STATE, LOCAL, AND TRIBAL GOVERNMENTS AND THE PUBLIC.—

“(1) STATE, LOCAL, AND TRIBAL GOVERNMENTS.—The Administrator shall meet not less than quarterly with representatives of State, local, and tribal governments to identify both existing and proposed regulations that may uniquely or significantly affect those government entities.

“(2) PUBLIC.—The Administrator shall periodically convene conferences with representatives of businesses, nongovernmental organizations, and the public to discuss regulatory issues of common concern.

“(e) BEST PRACTICES.—The Administrator shall, in consultation with the Regulatory Working Group and the entities described in subsection (d), periodically develop advice and guidance for agencies on best practices of the development of regulations.

“§3523. OIRA coordinated review of significant regulatory actions

“(a) OIRA REVIEW.—

“(1) IN GENERAL.—The Administrator shall conduct a Governmentwide coordinated review of significant regulatory actions to ensure that such regulations are consistent with applicable law and that a regulatory action by one agency does not conflict with a policy or action taken or planned by another agency.

“(2) PERIODIC AGENCY SUBMISSION OF PLANNED REGULATORY ACTIONS.—The head of each agency shall provide to the Administrator, at such time and in such a manner as determined by the Administrator, a list of each planned regulatory action with an identification of whether each such regulatory action is a significant regulatory action.

“(3) REVIEW OF SIGNIFICANT REGULATORY ACTION REQUIRED.—

“(A) IN GENERAL.—The Administrator shall make a determination of whether any planned

regulatory action submitted under this section is a significant regulatory action and shall review each such significant regulatory action in accordance with this section.

“(B) NOT SUBJECT TO REVIEW.—Any planned regulatory action determined by the Administrator not to be a significant regulatory action is not subject to review under this section.

“(C) NOTIFICATION REQUIRED.—Not later than 10 days after a planned regulatory action has been determined to be a significant regulatory action, the Administrator shall notify the head of the relevant agency of such determination.

“(4) WAIVER OF REVIEW FOR SIGNIFICANT REGULATORY ACTION.—The Administrator—

“(A) may waive review of any planned regulatory action designated as a significant regulatory action; and

“(B) shall publish online a detailed written explanation of any such waiver.

“(b) AGENCY CONSULTATION WITH OIRA.—

“(1) IN GENERAL.—An agency may consult with OIRA at any time on any regulatory action.

“(2) REGULATION IDENTIFIER NUMBER.—The head of an agency shall make every effort to obtain a regulation identifier number for the regulatory action that is the subject of the consultation before consulting with OIRA.

“(3) CONSULTATION INFORMATION REQUIRED.—If the head of an agency is unable to obtain the regulation identifier number as described in paragraph (2), the head of the agency shall provide the regulation identifier number to OIRA as soon as the number is obtained with a list of any previous interactions with OIRA relating to the regulatory action that is the subject of the consultation.

“(c) AGENCY SUBMISSION OF SIGNIFICANT REGULATORY ACTION FOR REVIEW.—Before issuing a significant regulatory action, the head of an agency shall submit the significant regulatory action to the Administrator for review and shall include the following:

“(1) The text of the significant regulatory action.

“(2) A detailed description of the need for the significant regulatory action.

“(3) An explanation of how the significant regulatory action will meet the identified need.

“(4) An assessment of potential costs and benefits of the significant regulatory action.

“(5) An explanation of the manner in which the significant regulatory action is consistent with a statutory mandate and avoids undue interference with State, local, and tribal government functions.

“(6) For an economically significant regulatory action, if any of the following was developed during the decisionmaking process of the agency:

“(A) An assessment of and quantification of costs and benefits of the significant regulatory action.

“(B) An assessment of and quantification of costs and benefits of potentially effective and feasible alternatives, including any underlying analysis.

“(C) An explanation of why the planned significant regulatory action is preferable to any identified potential alternatives.

“(d) DEADLINES FOR REVIEW.—

“(1) REVIEW COORDINATION.—To the extent practicable, the head of each agency shall work with the Administrator to establish a mutually agreeable date on which to submit a significant regulatory action for review.

“(2) EXPEDITED REVIEW.—When an agency is obligated by law to issue a significant regulatory action before complying with the provisions of this section, the head of the agency shall notify the Administrator as soon as possible. To the extent practicable, OIRA and the agency shall comply with the provisions of this section.

“(3) 10-DAY REVIEW.—In the case of a significant regulatory action that is a notice of inquiry, advance notice of proposed rulemaking, or other preliminary regulatory action prior to a notice of proposed rulemaking, within 10 business days after the date of submission of the such action to the Administrator, OIRA shall complete the review.

“(4) 90-DAY REVIEW.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), for any other significant regulatory action not described in paragraph (3), within 90 days after the date of submission of the action, OIRA shall complete the review.

“(B) EXCEPTION 45-DAY REVIEW.—If OIRA has previously reviewed the significant regulatory action described in subparagraph (A) and, since that review, there has been no material change in the facts and circumstances upon which the significant regulatory action is based, OIRA shall complete the review within 45 days after submission of the action.

“(5) EXTENSION.—Any review described under this subsection may be extended for any number of additional 30-day periods upon written request by the Administrator or the head of the agency. Such request shall be granted unless the nonrequesting party denies the request in writing within 5 days after receipt of the request for extension.

“(6) RETURN.—If the Administrator determines OIRA is unable to complete a review within the time period described under this subsection, the Administrator may return the draft of the significant regulatory action to the agency with a written explanation of why OIRA was unable to complete the review and what additional information, resources, or time OIRA would need to complete the review.

“(7) WITHDRAWAL.—An agency may withdraw the regulatory action from OIRA review at any time prior to the completion of the review.

“(e) COMPLIANCE REVIEW.—The Administrator shall review any significant regulatory action submitted under subsection (c) to determine the extent to which the agency—

“(1) identified the problem that the significant regulatory action is designed to address (including, where applicable, the failures of private markets or public institutions that warrant new agency action);

“(2) assessed the significance of the problem the regulatory action is designed to address;

“(3) examined whether existing regulations or laws have created or contributed to the problem that the regulatory action is designed to correct and whether those regulations or laws should be modified to achieve the intended goal more effectively;

“(4) identified and assessed available alternatives to direct regulation, including providing economic incentives to encourage desired behaviors, such as user fees or marketable permits, or providing information upon which choices can be made by the public;

“(5) considered, to the extent reasonable, the degree and nature of the risks posed by various substances or activities within the jurisdiction of the agency;

“(6) designed the regulatory action to be the most cost-effective manner to achieve the regulatory objective;

“(7) considered incentives for innovation, consistency, predictability, flexibility, distributive impacts, equity, and the costs of enforcement and compliance by the Government, regulated entities, and the public;

“(8) assessed costs and benefits of the regulatory action and made a reasoned determination that the benefits justify the costs;

“(9) used the best reasonably obtainable scientific, technical, economic, and other information concerning the need for and consequences of the regulatory action;

“(10) identified and assessed alternative forms of regulation and, to the extent feasible, specified performance objectives rather than behavior or manner of compliance;

“(11) sought comments and suggestions from appropriate State, local, and tribal officials on any aspect of the regulatory action that might significantly or uniquely affect those governmental entities;

“(12) assessed the effects of the regulatory action on State, local, and tribal governments, including specifically the availability of resources to carry out the regulatory action, and minimized the burdens that uniquely or significantly affect such governmental entities, consistent with achieving regulatory objectives;

“(13) harmonized the regulatory action with the regulatory and other functions of State, local, and tribal governments;

“(14) avoided conflicts with or duplication of other existing regulations;

“(15) tailored the regulatory action to impose the least burden on society, including individuals, businesses of differing sizes, and other entities (including small communities and governmental entities), consistent with obtaining the regulatory objectives, and taking into account, among other things and to the extent practicable, the costs of cumulative regulations;

“(16) drafted the regulatory action to be simple and easy to understand, and minimized the potential for uncertainty and litigation arising from such uncertainty;

“(17) met all applicable Executive order requirements;

“(18) met all applicable statutory requirements; and

“(19) complied with all applicable guidance.

“(f) **QUALITY REVIEW.**—For any significant regulatory action submitted under subsection (c), OIRA shall assess the extent to which the agency conducted a meaningful and complete analysis of each of the factors described in subsection (e), considering best practices, methods observed through reviewing other agencies, comments from stakeholders, and other resources that may improve the quality of the process.

“(g) **INTERAGENCY CONSULTATION.**—The Administrator shall identify each agency potentially affected, interested, or otherwise likely to provide valuable feedback on a significant regulatory action submitted under subsection (c) and facilitate a meaningful interagency consultation process. The Administrator shall—

“(1) provide each identified agency with a copy of the draft regulatory action;

“(2) allow each identified agency to review the draft regulatory action for a sufficient period of time, not less than 10 business days;

“(3) solicit written comments from such agency and provide those written comments to the submitting agency; and

“(4) as appropriate, facilitate conversations between agencies.

“(h) **STAKEHOLDER CONSULTATION.**—For all substantive communications between OIRA and individuals not employed by the executive branch regarding a regulatory action submitted to the Administrator for review under this section, the Administrator shall—

“(1) invite the issuing agency to any meeting between OIRA personnel and individuals not employed by the executive branch;

“(2) not later than 10 business days after receipt of any written communication submitted by any individual not employed by the executive branch, make such communications available to the public online; and

“(3) make available to the public online a log, which shall be updated daily, of the following information:

“(A) The status of each regulatory action.

“(B) A copy of any written communication submitted by any person not employed by the executive branch.

“(C) The dates and names of persons involved in any substantive oral communication and the subject matter discussed during such communication.

“(i) **CONCLUSION OF REVIEW.**—

“(1) **PROVISION TO AGENCY.**—Upon completion of the review, the Administrator shall provide the head of an agency with the results of the OIRA review in writing, including a list of every standard, Executive order, guidance document, and law reviewed for compliance and the results for each.

“(2) **CHANGES DURING REVIEW PERIOD.**—Within 24 hours after the conclusion of the OIRA review under this section, the head of the submitting agency shall provide the Administrator with a redline of any changes the agency made to the regulatory action during the review period. To the extent practicable, the agency shall identify any change made at the suggestion or recommendation of any other agency, member of the public, or other source. To the extent practicable, the agency should identify the source of any such change.

“§3524. Public disclosure of regulatory review

“(a) **IN GENERAL.**—On the earlier of 3 days after OIRA completes the review of any agency significant regulatory action under section 3523, the date on which such agency publishes the regulatory action in the Federal Register, or the date on which the agency announces a decision not to publish the regulatory action, the Administrator shall make available to the public online—

“(1) all information submitted by an agency under section 3523;

“(2) the results of the review provided to the agency under section 3523;

“(3) the redline of any changes made by the agency during the course of the review provided under section 3523(i)(2); and

“(4) all documents exchanged between OIRA and the agency during the review.

“(b) **PLAIN LANGUAGE REQUIREMENT.**—All information provided to the public shall, to the extent practicable, be in plain, understandable language.”.

(b) **TECHNICAL AND CONFORMING AMENDMENT.**—The table of sections at the beginning of chapter 35 of title 44, United States Code, is amended by inserting after the item relating to section 3521 the following new items:

“3522. Office of Information and Regulatory Affairs Regulatory Working Group; regulatory plan; Unified Agenda.

“3523. OIRA coordinated review of significant regulatory actions.

“3524. Public disclosure of regulatory review.”.

(c) **DEFINITIONS.**—Section 3502 of title 44, United States Code, is amended—

(1) in paragraph (13)(D), by striking “; and” and inserting a semicolon;

(2) in paragraph (14), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following new paragraphs:

“(15) the term ‘Administrator’ means, unless otherwise indicated, the Administrator of the Office of Information and Regulatory Affairs;

“(16) the term ‘economically significant regulatory action’ means any regulatory action described under subparagraph (A) or (B) of paragraph (21);

“(17) the term ‘OIRA’ means the Office of Information and Regulatory Affairs;

“(18) the term ‘regulation’—

“(A) means an agency statement of general applicability and future effect, which the agency intends to have the force and effect of law, that is designed to implement, interpret, or prescribe law or policy or to describe the procedure or practice requirements of an agency; and

“(B) does not include such a statement if—

“(i) issued in accordance with the formal rule-making provisions of sections 556 and 557 of title 5;

“(ii) the statement pertains to a military or foreign affairs function of the United States, other than procurement regulations and regulations involving the import or export of non-defense articles and services;

“(iii) the statement is limited to an agency organization, management, or personnel matters; or

“(iv) the statement is exempted as a regulation by the Administrator;

“(19) the term ‘regulation identifier number’ means a unique identification code for regulations, which is designed to assist tracking regulations through the course of development;

“(20) the term ‘regulatory action’ means any substantive action by an agency normally published in the Federal Register that promulgates or is expected to lead to the promulgation of a final regulation, including notices of inquiry, advance notices of proposed rulemaking, and notices of proposed rulemaking;

“(21) the term ‘significant regulatory action’ means any regulatory action that is likely to result in a regulation that may—

“(A) have an annual effect on the economy of \$100,000,000 or more;

“(B) adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities;

“(C) create a serious inconsistency or otherwise interfere with an action taken or planned by another agency;

“(D) materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients therein; or

“(E) raise novel legal or policy issues arising out of legal mandates;

“(22) the term ‘small business’ has the meaning given the term ‘small-business concern’ in section 3 of the Small Business Act (15 U.S.C. 632); and

“(23) the term ‘State’ means each of the several States, the District of Columbia, each territory or possession of the United States, and each federally recognized Indian tribe.”.

(d) **DEADLINE FOR ISSUANCE OF GUIDANCE.**—Not later than 180 days after the date of the enactment of this Act, the Administrator of the Office of Information and Regulatory Affairs shall issue any guidance required by section 3522 of title 44, United States Code, as added by subsection (a).

The Acting CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part B of House Report 115-21. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. MITCHELL

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in part B of House Report 115-21.

Mr. MITCHELL. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 7, line 2, strike “Administrator shall work with interested” and insert the following: “head of each agency shall submit the program descriptions required in subparagraph (B) to the Administrator. The Administrator shall work with other interested”.

Page 7, beginning on line 16, strike “April 1 and October 1” and insert “March 15 and September 15”.

Page 8, beginning on line 17, strike “analysis or quantification” and insert “clear summary”.

Page 15, beginning on line 16, strike “written request by the Administrator or the head of the agency. Such request shall be granted unless the nonrequesting party denies the request in writing within 5 days after receipt of the request for extension.” and insert the following: “mutual agreement of the Administrator and the head of the agency. For each 30 day extension, the Administrator shall make publicly available online a written explanation, including the reasons for the extension and an estimate of the expected conclusion date.”.

Page 15, line 22, strike “complete” and insert “conclude”.

Page 19, line 14, strike “assess” and insert “review”.

Page 20, line 7, strike “and provide those written comments to the submitting agency”.

Page 21, beginning on line 20, strike “Within 24 hours after the conclusion of the OIRA review under this section, the head of the submitting agency shall provide the Administrator with” and insert the following: “As soon as practicable and before publication in the Federal Register of a significant regulatory action for which OIRA concluded review under this section, the head of the submitting agency shall make available to the Administrator”.

Page 22, beginning on line 6, strike “On the earlier of 3 days after OIRA completes the review of any agency significant regulatory action under section 3523, the date on which such agency publishes the regulatory action in the Federal Register, or the date on which the agency announces” and insert the following: “On the earlier of the date on which an agency publishes a significant regulatory action reviewed under section 3523 in the Federal Register, the agency otherwise makes the significant regulatory action publicly available, or the agency announces”.

Page 22, line 20, insert “senior level officials at” after “between”.

Page 24, line 20, insert after “Administrator” the following: “and a written explanation of the exemption, including the date of the decision and the reasons for exempting the specific statement, is made publically available online”.

Page 25, strike lines 1 through 7 and insert the following:

“(20) the term ‘regulatory action’ means—

“(A) any substantive action by an agency normally published in the Federal Register that promulgates or is expected to lead to the promulgation of a final regulation, including notices of inquiry, advance notices of proposed rulemaking, and notices of proposed rulemaking; or

“(B) any agency statement of general applicability and future effect, other than a substantive action described in subparagraph (A), which sets forth a policy on a statutory, regulatory, or technical issue or an interpretation of a statutory or regulatory issue.”.

Page 26, insert after line 16 the following:

(e) EFFECTIVE DATE.—Section 3524 of title 44, as added by subsection (a), shall take effect 120 days after the date of the enactment of this Act.

SEC. 3. NO ADDITIONAL FUNDS AUTHORIZED.

No additional funds are authorized to carry out the requirements of this Act and the amendments made by this Act. Such requirements shall be carried out using amounts otherwise authorized.

The Acting CHAIR. Pursuant to House Resolution 156, the gentleman from Michigan (Mr. MITCHELL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. MITCHELL. Mr. Chair, this amendment makes technical changes to H.R. 1009 to ensure consistency in dates and terms, require OIRA to review significant guidance, and prohibit authorization of additional funds. It allows OIRA 4 weeks to review the Unified Agenda submissions, requires a mutual agreement to extend the regulatory review beyond 90 days, and requires a written explanation of each 30 days of the extension.

That is critical. They must explain to us, to the people, any extension.

It clarifies the timing of the post-review disclosure to occur as soon as the agency makes the proposed final rule public, clarifies that disclosure of interagency communication is limited to exchanges with senior-level OIRA staff, requires a written explanation for any exempt regulations, and expands OIRA to review the guidance document per a Bush-era executive order.

□ 1645

This amendment primarily makes technical changes to the bill that were developed in consultation with OIRA staff. We took their concerns and suggestions into account, and we incorporated most of those in this amendment. For example, this amendment clarifies the review extension process that has been the subject of some conversation here.

Our minority counterparts have claimed that OIRA has 90 days, plus a 30-day extension to review under current executive order. That is clearly not true under the executive order or in practice. Under the Obama administration, OIRA review, at times, exceeded 2 years without explanation. This limitless extension is permissible under the governing executive order, which allows an automatic 30-day extension at the request of OIRA and a limitless extension at the request of the agency.

We have heard that when OIRA needs that additional time, they simply call up an agency and ask for an extension. So this bill requires transparency in the review process, puts limits on that, and requires the disclosure of that.

OIRA has suggested the term is a mutual agreement between the agen-

cies so that, in fact, we could put limits on the review and extension process.

Another important addition to this amendment is that we are extending OIRA's review to guidance documents. This is not a new practice. In 2007, President Bush issued Executive Order 13422, which extended OIRA's review to guidance documents.

While President Obama rescinded that executive order, OIRA Administrator Shelanski affirmed to the Oversight and Government Reform Committee in the past Congress that OIRA should continue the practice of reviewing significant guidance documents.

These guidance documents will only rise to the level of OIRA review if they meet the significant standard.

I urge my colleagues to support this amendment.

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

Ms. PLASKETT. Mr. Chair, I claim the time in opposition to this amendment.

The Acting CHAIR. The gentlewoman from the Virgin Islands is recognized for 5 minutes.

Ms. PLASKETT. Mr. Chair, this manager's amendment does not fix the flaws in the bill we are considering.

One of the major flaws in the bill is the authority it gives to the Office of Information and Regulatory Affairs to hold up rules indefinitely. This amendment attempts to address that concern by requiring that any extension be agreed to by both the White House and the agency issuing the rule.

It is just not realistic to believe that an agency whose top official is appointed by the President would tell the White House it cannot have an extension if the White House asks. This amendment also does nothing to address the concern that the bill could interfere with other laws.

The Natural Resources Defense Council sent a letter to House Members opposing H.R. 1009. That letter states:

“The bill would also revive legislative language that Congress repealed elsewhere because it made it impossible to protect the public. Specifically, in H.R. 1009, OIRA is charged with ensuring that a regulation imposes the least burden on society. Congress removed such language when it updated the Toxic Substances Control Act because the phase had made it impossible for chemical safety regulations to pass judicial muster, even when the chemical was asbestos, well known to be a potent carcinogen.”

This amendment also includes language that says that no funds shall be authorized to carry out the bill. This does not change the fact that the CBO estimates that the bill will result in \$3 million in direct spending. That is money that Congress has not appropriated that independent agencies like the Federal Deposit Insurance Corporation and the Consumer Financial Protection Bureau would have to spend.

CBO also estimates that the bill would change the operations of the Federal Reserve, which would result in \$2 million in reduced revenues.

CBO also estimates that agencies would have to spend \$4 million in appropriated funds each year to comply with the requirements of this bill. Making agencies comply with additional requirements without giving them more money means that agencies will have to choose between which requirements they comply with and which they ignore.

I oppose this amendment.

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

Mr. MITCHELL. Mr. Chair, one brief comment, which is we are perfectly comfortable with the cost of \$20 million, given the billions of dollars that the regulatory system currently costs businesses and taxpayers. We think it is a small investment to, in fact, have regulations make sense, not duplicate, not be overburdensome; and we suggest that it is a small cost given the overall cost to running the Federal Government to actually get regulation dialed back to some controllable level.

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

Ms. PLASKETT. Mr. Chairman, I am just so grateful that my colleague is interested in making investments, monetary investments, with taxpayers' dollars. I will be looking to him and his other cosponsors and supporters when we are looking for investing in working class Americans and working people and protecting health care and other benefits when we have the budget discussions.

I have no further statements at this time.

I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. BUCK

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in part B of House Report 115-21.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 2, line 19, strike "and".

Page 2, line 22, strike "entities." and insert "entities; and".

Page 2, after line 22, insert the following new subparagraph:

"(D) the methods used to ensure agencies coordinate with State, local, and Tribal governments."

Page 4, after line 14, insert the following new clause (and redesignate subsequent clauses accordingly):

"(v) A summary of the agency's plan to coordinate with State, local, and Tribal governments throughout the regulatory process."

Page 8, line 16, strike "and".

Page 8, line 18, strike "benefits." and insert "benefits; and".

Page 8, after line 18, insert the following new clause:

"(iii) efforts to coordinate with State, local, and Tribal governments."

Page 9, line 23, insert "and policies" after regulations.

Page 13, after line 14, insert the following new paragraph (and redesignate subsequent paragraphs accordingly):

"(6) An explanation of agency efforts to coordinate with State, local, and Tribal governments throughout the regulatory process."

Page 18, line 4, strike "appropriate" and insert "impacted".

The Acting CHAIR. Pursuant to House Resolution 156, the gentleman from Colorado (Mr. BUCK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. BUCK. Mr. Chairman, this amendment empowers State, local, and tribal governments by ensuring they have a say in the regulatory process.

H.R. 1009 already codifies and improves upon the practices of the Office of Information and Regulatory Affairs. My amendment strengthens the language even further, requiring OIRA to hold Federal agencies accountable for coordinating and consulting with State, local, and tribal governments before issuing new regulations. In other words, we are giving governors, local officials, and tribal leaders a say in the regulations that affect them. These local officials know what their communities need much better than the bureaucrats in Washington.

Unfortunately, our Federal agencies have a habit of issuing regulations and policies without consulting local and State governments. For example, we just need to look at the EPA waters of the United States rule.

Historically, States have had significant authority over water management. Governors have worked with local and tribal leaders to set up their own laws and regulations to ensure that water is properly allocated, that water meets certain quality standards, and that water in their State is protected from misuse.

The EPA's WOTUS rule is excessive and burdensome because they disregarded the role of the States in crafting waterway regulations. The agency held no substantive consultation with State governments prior to issuing the rule, despite States' historical roles in regulating their water supplies, despite the State-level experts who could have helped the EPA craft a better regulation, despite President Clinton's Executive Order 13132 ensuring that Federal agencies consult with State, local, and tribal officials before issuing a rule.

Federal officials never gave State, local, and tribal officials the opportunity to explain how their States were currently handling the situation and

how this rule could negatively impact their jurisdictions. Since the EPA bureaucrats barreled ahead without State, local, or tribal input, they proposed an overreaching rule.

This amendment would require the EPA and other Federal agencies to account for how proposed rules will affect impacted States, localities, and tribes.

The amendment under consideration simply requires Washington to listen to and learn from local governments because local governments are closer to the people. And the people of this Nation should have a say in the rules and regulations that are affecting their livelihoods.

In closing, this amendment is simple. It ensures that regulatory agencies talk with State, local, and tribal leaders throughout the regulatory process.

I urge my colleagues in the House to support this.

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

Ms. PLASKETT. Mr. Chairman, I claim the time in opposition, but I do not oppose this amendment.

The Acting CHAIR. Without objection, the gentlewoman from the Virgin Islands is recognized for 5 minutes.

There was no objection.

Ms. PLASKETT. Mr. Chair, this amendment would require agencies to report on their efforts to coordinate with State, local, and tribal governments throughout the regulatory process. I agree that it is important that State, local, and tribal governments are properly included in the regulatory process. The amendment, however, simply adds new requirements without addressing the flaws in the underlying bill.

The amendment fails to address the fact that this bill does not exclude independent agencies from its coverage. Congress designed independent agencies to be just that, independent.

The amendment fails to include an offset for the additional \$20 million in administrative costs that this bill will likely cost Federal agencies.

The amendment also fails to insert a provision into the bill to ensure that OIRA reviews do not contradict existing laws. The amendment also fails to mandate a specific timeframe within which OIRA must complete its review.

The amendment simply does nothing to improve the numerous deficiencies in this bill.

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

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

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

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. YOUNG OF IOWA

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part B of House Report 115-21.

Mr. YOUNG of Iowa. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, after line 14, insert the following new clause (and redesignate the subsequent clauses accordingly):

“(v) A description of any action taken by the agency to ensure that each planned significant regulatory action is not duplicative or conflicting with any other existing or planned regulatory action.”

Page 22, after line 21, insert the following new subsection (and redesignate the subsequent subsection accordingly):

“(b) AGENCY DISCLOSURE.—Each agency that submits a significant regulatory actions to OIRA under section 3522 or 3523 shall maintain on the website of the agency the following:

“(1) A list of each active regulatory action, including the status of the regulatory action or a link to each entry on the unified agenda.

“(2) The most recent regulatory plan of the agency.

“(3) A link to each record disclosed under subsection (a).”

The Acting CHAIR. Pursuant to House Resolution 156, the gentleman from Iowa (Mr. YOUNG) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Iowa.

Mr. YOUNG of Iowa. Mr. Chair, my amendment seeks to strengthen the underlying bill in two ways. First, my amendment requires agencies to proactively consider whether their actions are duplicative or conflicting. As Iowans and all Americans know too well, the maze of the Federal bureaucracy can too often be confusing and contradicting.

This long overdue provision holds the agency proposing the regulation accountable to prevent the growing red tape strangling our economy and jobs engine.

The Federal regulatory environment over the past few decades has allowed agencies to operate unchecked, leading to overlapping and conflicting rules which come at a riveting cost to the economy, the taxpayer, and to jobs.

So by requiring agencies to proactively consider duplication as part of their regulatory plans, credibility rears itself. We don't need duplicity. We don't need to waste resources and time in the Federal Government.

Secondly, my amendment works to increase regulatory transparency by improving the public's access to information. By requiring each agency to maintain a list of every active regulatory action submitted to the Office of Information and Regulatory Affairs on its website, we can shine the light on agencies' rules and regulations, which, as we know, have the full effect of law. This would include a list of all active regulatory actions, the agency's most recent regulatory plan, and a link to

all records submitted to the Office of Information and Regulatory Affairs for review.

In closing, many of our constituents may be unfamiliar with the Office of Information and Regulatory Affairs and its role and may not know where to find important information on regulatory actions. So simply creating a link on an agency website or websites to the records of OIRA, the Office of Information and Regulatory Affairs, making this available online is a simple change and low burden for a considerable benefit. It is all about transparency. It is all about the taxpayers' access to information.

I appreciate the leadership of the chairman and the author of this bill, and I urge my colleagues to support my amendment and the underlying bill.

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

Ms. PLASKETT. Mr. Chairman, I claim the time in opposition to this amendment.

The Acting CHAIR. The gentleman from the Virgin Islands is recognized for 5 minutes.

Ms. PLASKETT. Mr. Chairman, I cannot support this amendment because it is duplicative of requirements already in place and will waste limited agency resources through additional burdensome requirements.

On January 18, 2011, President Obama issued Executive Order 13563 requiring each agency to implement plans for reviewing existing rules. Section 6 of that executive order requires each agency to “periodically review its existing significant regulations to determine whether any such regulations should be modified, streamlined, expanded, or repealed so as to make the agency's regulatory program more effective or less burdensome in achieving the regulatory objectives.”

□ 1700

There can be no real doubt that this executive order covers the review and elimination of duplicative and conflicting regulatory actions. Frankly, the elimination of regulations that are duplicative or conflicting is one of the most efficient actions an agency can take to make its regulatory program more effective and less burdensome.

Forcing agencies to spend time and resources to describe what they are already doing is wasteful and unduly burdensome. Agencies already keep the public apprised of their regulatory activities through the easily-accessible websites reginfo.gov and regulations.gov, both of which are managed by the Office of Information and Regulatory Affairs. Through these websites, the public can search for rules, comments, adjudications, and supporting documents. The public can also access each agency's unified agenda, which contains the regulatory agenda for each agency.

The public can also access a list of pending agency rules. Each of these rules has easily accessible links that can allow the public to obtain further information about the rule, including its status and Executive Order 12866 meetings about the rule.

This amendment does nothing to improve the deficiencies in H.R. 1009, and will force agencies to waste their time and limited resources on work that is already being done. I urge Members to oppose this amendment.

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

Mr. YOUNG of Iowa. Mr. Chairman, I appreciate the spirit of this debate with my colleague across the aisle. This adds extra bite to what may already be in place, oversight and accountability, and Congress has a role in this.

So while I appreciate the spirit of what my colleague said, and what has been done in the past, we want to give it extra teeth. Also, transparency and access to taxpayer information is so crucial. So I urge the adoption of this amendment.

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

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

The Acting CHAIR (Mr. MCCLINTOCK). The question is on the amendment offered by the gentleman from Iowa (Mr. YOUNG).

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

Ms. PLASKETT. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Iowa will be postponed.

AMENDMENT NO. 4 OFFERED BY MR. MEADOWS

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in part B of House Report 115–21.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 12, line 8, insert after “action.” the following: “OIRA shall maintain a log of each agency consultation with OIRA before submitting the significant regulatory action for review under this section, including the date of the consultation, the name of each agency official involved with the consultation, and a description of the purpose of the consultation.”

Page 22, line 19, strike “and”.

Page 22, line 21, strike the period and insert “; and”.

Page 22, after line 21, insert the following new paragraph:

“(5) a list of each consultation described under section 3523(b).”

The Acting CHAIR. Pursuant to House Resolution 156, the gentleman from North Carolina (Mr. MEADOWS)

and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Carolina.

Mr. MEADOWS. Mr. Chairman, I appreciate the leadership of the chairman of the full committee on matters of transparency and accountability. I can tell you that there is no one who has a greater definitive desire to make sure that we hold our government accountable and certainly accountable to the American people.

So, it is with that goal in mind that I rise to ask my colleagues to support an amendment that we are offering that would actually just keep a log of any of the pre-review consultations with agencies that OIRA actually has and conducts, and to publish that list upon completion of review.

Dating back to some 2003, the Government Accountability Office had made the recommendation about increasing this transparency at the Office of Information and Regulatory Affairs. GAO actually made one recommendation targeted at what they call informal review, Mr. Chairman, that OIRA conducts before an agency actually formally submits a rule for review.

Indeed, the GAO recommended that the Director of the Office of Management and Budget should define a transparency requirement that would be applicable to agencies and OIRA, in Section 6 of Executive Order 12866, in such a way that would not include not only the formal review, but it would also include the informal review period when OIRA says that it has sometimes, considering some of the most important facts as it relates to new rules.

This recommendation remains unimplemented today, and I can tell you, Mr. Chairman, we have had a number of hearings where we have had this particular group in. I know my colleagues, the gentleman opposite from Virginia, and I believe that OIRA plays a critical role. And yet, at the same time, some of these meetings were going on without the knowledge, and even after the fact, when they went into effect, and we had really no understanding of some of the deliberation that went on.

So this is just a great transparency, commonsense amendment, and I would urge my colleagues to support it.

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

Ms. PLASKETT. Mr. Chairman, I claim the time in opposition to this amendment.

The Acting CHAIR. The gentlewoman from the Virgin Islands is recognized for 5 minutes.

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

Mr. Chairman, I oppose this amendment, and it is unfortunate because we believe that this amendment, on its own, is something that would draw bi-

partisan support. Unfortunately, this amendment is attached to H.R. 1009, because the amendment would make the role of OIRA in the rulemaking process more transparent.

The Government Accountability Office has consistently found that OIRA is not transparent about its involvement in shaping rules. The GAO testified to the Oversight and Government Reform Committee, in March of 2016, that it has made 25 recommendations to OMB to improve its process, but OMB has only implemented six of those recommendations.

This amendment would be a step in the right direction. And as usual, my colleague, the esteemed gentleman from North Carolina, always comes up with rational, well-reasoned amendments and ideas that can be supported across the aisle; and for that, you know, we believe and we are hopeful that Mr. MEADOWS will work with the committee on a bipartisan basis to pursue these types of productive transparency reforms.

It, unfortunately, does not fix the problems with the underlying bill and is rather packaged with a partisan bill the House is considering today. For this reason, I am in opposition to the amendment.

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

Mr. MEADOWS. Mr. Chairman, I yield myself such time as I may consume.

I thank the gentlewoman from the Virgin Islands, and, as a gifted orator, and certainly a gifted attorney, I appreciate her compliments. And although not all might agree with her assessment of the reasonable fashion of which I craft particular amendments, I do appreciate the fact that she recognizes it in this case.

She also knows that, in doing this, working in a bipartisan way, is something that, on this particular committee, Oversight and Government Reform, Mr. Chairman, we have had just a wonderful history of being able to work in a real way. And so she certainly has my commitment to continue to try to perfect the language in making sure that transparency is held paramount.

That being said, I don't intend to withdraw the amendment because there are two ways things get done here in Washington, D.C., slow and never. And if we just remember that, this particular day, hopefully we will put this in place.

But the esteemed gentlewoman from the Virgin Islands has my commitment to work with her in a bipartisan way to perfect any language in legislation that may come up after this particular bill.

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

Ms. PLASKETT. Mr. Chairman, the fact that the esteemed gentleman of

North Carolina is willing to work with me means that it has been a wonderful day for me, and I am just so glad because I understand, although I don't always agree with everything that he says, and I know that the gentleman from North Carolina's heart is in the right place; that he is working towards resolutions of issues; that he is principled in his beliefs.

Mr. Chairman, I yield 1 minute to the esteemed gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY. Mr. Chair, I just want to associate myself with the underlying intent of my friend from North Carolina. He is right. At our hearings, we did discover flaws in OIRA's process. And I think that his amendment is designed to try to address that and to inject some very needed transparency.

Unfortunately, because of the underlying bill, I am not going to oppose my friend's amendment, but I do share the concern of my friend, the Delegate from the Virgin Islands, and will be opposing the underlying bill.

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

Mr. MEADOWS. Mr. Chairman, I thank the two colleagues opposite for their gracious remarks and understand their reluctance to support it based on their concerns with the underlying bill. I, again, reaffirm my commitment to work in a bipartisan way to make sure that transparency is the key for the day.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from North Carolina (Mr. MEADOWS).

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MR. CHAFFETZ

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in part B of House Report 115-21.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 22, line 5, strike "**Public disclosure**" and insert "**Disclosure**".

Page 22, after line 24, insert the following new subsection:

"(c) RECORDKEEPING.—The Administrator shall ensure any record associated with a significant regulatory action submitted to OIRA under section 3522 or 3523 is easily accessible for a period of time consistent with approved records disposition schedules for the agency, in a manner that all records associated with a significant regulatory action can be promptly submitted to Congress upon request."

Page 23, after line 4, strike the item relating to section 3524 and insert the following new item:

"3524. Disclosure of regulatory review."

The Acting CHAIR. Pursuant to House Resolution 156, the gentleman from Utah (Mr. CHAFFETZ) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Utah.

Mr. CHAFFETZ. Mr. Chairman, this amendment requires OIRA to maintain records on each significant regulatory action reviewed such that it is easily accessible and transferrable when responding to congressional requests.

Unfortunately, in the last Congress, Mr. Chairman, the committee asked for the Office of Information and Regulatory Affairs, OIRA—asked Administrator Shelanski for records relating to the review of the Waters of the United States, often known as WOTUS, and that rulemaking process. The administrator repeatedly failed to take the requests seriously, which led me, as the chairman of the Oversight and Government Reform Committee, to issue a subpoena in July of 2015.

Even upon issuance of a subpoena, OIRA resisted responding to the request, blowing past deadlines and being totally nonresponsive. We held multiple hearings. We conducted transcribed interviews. We had lengthy staff-to-staff conversations, but still OIRA did not seem to take the request seriously. I don't know how much money they wasted in time and effort to slow this process down and resist our being able to get the information that they said they had in order to make this decision.

It was not until the committee, myself, as the chairman, getting on the phone with the head of OMB, when I told him that I had every intention to hold Mr. Shelanski in contempt and issue a contempt report, that we actually received a full set of documents. This was well past a year since the initial request. You should not have to go through those gyrations whatsoever.

I will think the resistance was largely a political maneuvering—this is my own opinion—by the administration that did not want us to see how rushed, incomplete, and politically involved this regulatory review was. That is my own personal opinion.

But for those who are here and the future generations, it seems reasonable that they have to have their act in order if they are actually going to issue a rule. And if Congress asks for the underlying information, as Representatives of the people, that should be easily transferrable to Congress upon request.

That is what this amendment does. This is why it should pass, and that is what this amendment is intended to do.

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

Ms. PLASKETT. Mr. Chairman, I rise in opposition to this amendment.

The Acting CHAIR. The gentlewoman from the Virgin Islands is recognized for 5 minutes.

Ms. PLASKETT. Mr. Chairman, I do not oppose this amendment. However, like the manager's amendment, it does

nothing to improve the bill. This amendment, in fact, really does not move the needle at all.

Agencies, including the Office of Management and Budget, are required to preserve records according to the records schedules under the Federal Records Act and regulations issued by the National Archives and Records Administration.

This amendment says that OIRA must do what it is already required to do. This amendment provides a platform to express frustration with OIRA's response to a subpoena issued by the chairman during the Obama administration, as demonstrated by his statements just a few moments ago.

I look forward to him expressing the same outrage if the current administration does not provide documents that the Members on this side of the aisle, the Democratic members of the committee, request.

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

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

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

The amendment was agreed to.

□ 1715

AMENDMENT NO. 6 OFFERED BY MR. CONNOLLY

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in part B of House Report 115-21.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 26, after line 16, insert the following new subsection:

(e) EXEMPTION FOR INDEPENDENT REGULATORY AGENCIES.—The provisions of sections 3522, 3523, and 3524 of title 44, United States Code, as added by subsection (a), do not apply to an independent establishment as defined in section 104 of title 5, United States Code.

The Acting CHAIR. Pursuant to House Resolution 156, the gentleman from Virginia (Mr. CONNOLLY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. CONNOLLY. Mr. Chairman, first, I would like to note I do oppose the underlying bill. This bill would require independent agencies, for the first time, to submit their rules to OIRA for review.

The Congressional Budget Office estimates the bill would increase direct spending by \$3 million and reduce revenues by \$2 million. CBO also estimates that the bill would cost Federal agencies an additional \$20 million in administrative costs for compliance.

The reason the bill costs money is because it does not simply codify an executive order as its proponents suggest.

The bill would require independent agencies, for the first time, to submit their rules to OIRA for review. Independent agencies such as the FCC, SEC, and CFPB do not currently have to get the approval of the White House for regulations they issue.

Congress designed independent agencies to be just that—independent. This bill would enshrine in law the ability for the White House to engage in political interference with those agencies.

The Consumer Federation of America sent a letter to House Members today opposing this bill. The letter said, *inter alia*:

H.R. 1009 will jeopardize independence of agencies like the Consumer Product Safety Commission, the Securities and Exchange Commission, the Commodity Futures Trading Commission, the Federal Communications Commission, as well as other independent agencies because it will give the Office of Information and Regulatory Affairs the ability to review significant rules. Authorizing OIRA to conduct its own analysis would not only add pressure from the executive branch and add time and expense to that process, but would also give special interests seeking to quash a safety measure, for example, yet another avenue to prevent a rule from ever being promulgated.

Indeed, one suspects that is the intent of the bill.

A 2013 editorial in *The New York Times* warned of the dangers of subjecting independent agencies to OIRA review. The editorial foresaw what we are now dealing with 4 years later: “Subjecting independent agencies to executive regulatory review would not improve the rule-making process, but it would ensure that ostensibly regulated industries are as unregulated and deregulated as possible.”

It also said: “There is no question that making independent agencies less independent is a bad idea.”

My amendment would take care of that by repealing that portion of this bill. I urge all Members to support the amendment.

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

Mr. CHAFFETZ. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Utah is recognized for 5 minutes.

Mr. CHAFFETZ. Mr. Chairman, I do appreciate working with my colleagues on the Oversight and Government Reform Committee. We disagree on many things, but we have good debates, and I do appreciate the spirit in which Mr. CONNOLLY brings this amendment forward. I enjoy working with the gentlewoman from the Virgin Islands (Ms. PLASKETT), and certainly our ranking member, Mr. CUMMINGS.

I try to accept and work with the minority on all things, but certainly amendments that they would like to see move forward. Unfortunately, I am going to have to oppose this one. I am trying to maximize transparency.

I think what Mr. MITCHELL is bringing forward in this bill is the right policy in opening up this transparency.

I see this going in the wrong direction. It would remove existing requirements for agencies, such as the EPA or the Consumer Financial Protection Bureau, to give notice about upcoming regulations. It removes existing requirements, for instance, for the EPA to submit its rules to OIRA for review.

In a March 2015 hearing, in fact, it was Mr. CONNOLLY of Virginia who said: “OIRA boasts an incredibly hardworking, and dedicated corps of career staff that is first-rate when it comes to conducting quantitative analysis that weighs complex economic costs against potential benefits.”

I happen to agree with Mr. CONNOLLY. I think there are good, hardworking, and dedicated people who are committed to this country, and they work hard. That is why I think this hardworking, dedicated corps of people who work as career staff should offer first-rate, as we call it, analysis for all regulations, not just some of them. Let's do it for all of them. I think that is fair.

We want to know that the regulations will be effective in achieving their goals. We have to always keep sight, Mr. Chairman, that all of us in the Federal Government work for the American people. They pay the bills and they have to live under these regulations. We should maximize that transparency, whether they are, quote, unquote, independent or part of the executive agency.

If you are affected by a rule, you are affected by a rule, and people who are affected by those have every right to see what helped create that. So I don't think there should be an exemption that is carved out under this bill, and that is why I stand in opposition to this amendment.

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

Mr. CONNOLLY. Mr. Chairman, may I inquire how much time is remaining?

The Acting CHAIR. The gentleman from Virginia has 2 minutes remaining.

Mr. CONNOLLY. Mr. Chairman, I thank my friend from Utah.

I also enjoy working with him in finding common ground; however, I find it amusing to have myself quoted on the floor by the distinguished chairman because, just a few minutes ago, he was talking about how difficult it was to get compliance from OIRA to provide documents requested on a bipartisan basis by the committee. Just a little bit before that, my friend from North Carolina and I agreed on some real problems in terms of the process OIRA uses in the process of its mission. So it is hardly like our committee found or I found that OIRA is without problem.

I believe the bottom line here, however, is independent means independent. We created these agencies for a reason and to be independent of White House political interference for a reason. I would submit, respectfully,

now, more than ever, we want to preserve the independence of those organizations.

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

Mr. CHAFFETZ. Mr. Chairman, I urge a “no” vote on this particular amendment. I think it takes us in the wrong direction. We need to maximize transparency, and this will help us achieve that.

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

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

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. CONNOLLY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Virginia will be postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part B of House Report 115–21 on which further proceedings were postponed, in the following order:

Amendment No. 3 by Mr. YOUNG of Iowa.

Amendment No. 6 by Mr. CONNOLLY of Virginia.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 3 OFFERED BY MR. YOUNG OF IOWA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Iowa (Mr. YOUNG) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 265, noes 158, not voting 6, as follows:

[Roll No. 117]

AYES—265

Abraham
Aderholt
Aguilar
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bera

Bergman
Beyer
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)

Brooks (IN)
Brownley (CA)
Buchanan
Buck
Bucshon
Budd
Burgess
Bustos
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz

Cheney
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Cooper
Costello (PA)
Cramer
Crawford
Cuellar
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Delaney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Fox
Franks (AZ)
Frelinghuysen
Gabbard
Gaetz
Gallagher
Gallego
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gottheimer
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Gene
Griffith
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Himes
Holding
Hollingsworth
Huizenga
Hultgren
Hunter
Issa

Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
Kihuen
Kind
King (IA)
King (NY)
Kinzinger
Knight
Kuster (NH)
Kustoff (TN)
Labrador
LaHood
Lamborn
Lance
Latta
Lewis (MN)
Lipinski
LoBiondo
Loeb
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
Matsui
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Newhouse
Noem
Nunes
O'Halleran
Olson
Palazzo
Palmer
Paulsen
Pearce
Perlmutter
Perry
Peters
Peterson
Pittenger
Poe (TX)
Poliquin
Posey

Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce (CA)
Ruiz
Russell
Rutherford
Sanford
Scalise
Schneider
Schradler
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Suozy
Taylor
Tenney
Thompson (CA)
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOES—158

Adams
Barragán
Bass
Beatty
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan
F.
Brady (PA)
Brown (MD)
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright

Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Connolly
Conyers
Correa
Costa
Courtney
Crist
Crowley
Cummings
Davis (CA)

Davis, Danny
DeFazio
DeGette
DeLauro
DeBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael
F.
Ellison
Engel
Eshoo
Español
Esty
Evans

Foster	Lowenthal	Sánchez	Butterfield	Himes	Payne	Hunter	Meehan	Scott, Austin
Frankel (FL)	Lowe	Sarbanes	Capuano	Hoyer	Pelosi	Issa	Messer	Sensenbrenner
Fudge	Lujan Grisham,	Schakowsky	Carbajal	Huffman	Perlmutter	Jenkins (KS)	Mitchell	Sessions
Garamendi	M.	Schiff	Cárdenas	Jackson Lee	Peters	Jenkins (WV)	Moolenaar	Shimkus
Gonzalez (TX)	Luján, Ben Ray	Scott (VA)	Carson (IN)	Jayapal	Pingree	Johnson (LA)	Mooney (WV)	Shuster
Green, Al	Lynch	Scott, David	Cartwright	Jeffries	Pocan	Johnson (OH)	Mullin	Simpson
Grijalva	Maloney,	Serrano	Castor (FL)	Johnson (GA)	Polis	Johnson, Sam	Murphy (PA)	Smith (MO)
Gutiérrez	Carolyn B.	Sewell (AL)	Castro (TX)	Johnson, E. B.	Price (NC)	Jordan	Newhouse	Smith (NE)
Hanabusa	Maloney, Sean	Shea-Porter	Chu, Judy	Jones	Quigley	Joyce (OH)	Noem	Smith (NJ)
Hastings	McCollum	Sherman	Cicilline	Kaptur	Raskin	Katko	Nunes	Smith (TX)
Heck	McEachin	Sires	Clarke (MA)	Keating	Rice (NY)	Kelly (MS)	Olson	Smucker
Higgins (NY)	McGovern	Slaughter	Clarke (NY)	Kelly (IL)	Richmond	Kelly (PA)	Palazzo	Stefanik
Hoyer	McNerney	Smith (WA)	Clay	Kennedy	Rosen	King (IA)	Palmer	Stewart
Huffman	Meeks	Soto	Cleaver	Khanna	Roybal-Allard	King (NY)	Paulsen	Stivers
Jackson Lee	Meng	Speier	Clyburn	Ruiz	Ruiz	Kinzinger	Pearce	Taylor
Jayapal	Moore	Swallow (CA)	Cohen	Kildee	Ruppersberger	Knight	Perry	Tenney
Jeffries	Napolitano	Takano	Connolly	Kilmer	Rush	Kustoff (TN)	Peterson	Thompson (PA)
Johnson (GA)	Neal	Thompson (MS)	Conyers	Kind	Ryan (OH)	Labrador	Pittenger	Thornberry
Johnson, E. B.	Nolan	Titus	Correa	Krishnamoorthi	Sánchez	LaHood	Poe (TX)	Tiberi
Kaptur	Norcross	Tonko	Costa	Kuster (NH)	Sarbanes	LaMalfa	Poliquin	Tipton
Keating	O'Rourke	Torres	Courtney	Langevin	Schakowsky	Lamborn	Posey	Trott
Kelly (IL)	Pallone	Tsongas	Crist	Larsen (WA)	Schiff	Lance	Reed	Turner
Kennedy	Panetta	Vargas	Crowley	Larson (CT)	Schneider	Latta	Reichert	Upton
Khanna	Pascrell	Veasey	Cuellar	Lawrence	Schrader	Lewis (MN)	Renacci	Valadao
Kildee	Payne	Vela	Cummings	Lawson (FL)	Scott (VA)	LoBiondo	Rice (SC)	Wagner
Kilmer	Pelosi	Velázquez	Davis (CA)	Lee	Scott, David	Long	Roby	Walberg
Krishnamoorthi	Pingree	Visclosky	Davis, Danny	Levin	Serrano	Loudermilk	Roe (TN)	Walden
Langevin	Pocan	Walz	DeFazio	Lewis (GA)	Sewell (AL)	Love	Rogers (AL)	Walker
Larsen (WA)	Polis	Wasserman	DeGette	Lieu, Ted	Shea-Porter	Lucas	Rogers (KY)	Walorski
Larson (CT)	Price (NC)	Schultz	Delaney	Lipinski	Sherman	Luetkemeyer	Rohrabacher	Walters, Mimi
Lawrence	Quigley	Waters, Maxine	DeLauro	Loebbeck	Sinema	MacArthur	Rokita	Weber (TX)
Lawson (FL)	Raskin	Watson Coleman	DelBene	Lofgren	Sires	Marchant	Rooney, Francis	Webster (FL)
Lee	Rice (NY)	Welch	Demings	Lowenthal	Slaughter	Marino	Rooney, Thomas	Westerman
Levin	Rosen	Wilson (FL)	DeSaulnier	Lowe	Smith (WA)	Marshall	J.	Wenstrup
Lewis (GA)	Ruppersberger	Yarmuth	Doyle, Michael	Lujan Grisham,	Soto	Massie	Ros-Lehtinen	Williams
Lieu, Ted	Rush		F.	M.	Speier	Mast	Roskam	Wilson (SC)
Lofgren	Ryan (OH)		Ellison	Lynch	Suozi	McCarthy	Ross	Wittman
			Engel	Maloney,	Swalwell (CA)	McCaul	Rothfus	Womack
			Eshoo	Carolyn B.	Takano	McClintock	Rouzer	Woodall
			Españat	Maloney, Sean	Thompson (CA)	McHenry	Royce (CA)	Yoder
			Esty	Matsui	Thompson (MS)	McKinley	Russell	Yoho
			Evans	McCollum		McMorris	Rutherford	Young (AK)
			Foster	McEachin		Rodgers	Sanford	Young (IA)
			Frankel (FL)	McGovern		McSally	Scalise	Zeldin
			Fudge	McNerney		Meadows	Schweikert	
			Gabbard	Meeks				
			Gallego	Meng				
			Garamendi	Moore				
			Gottheimer	Moulton				
			Green, Al	Murphy (FL)				
			Green, Gene	Napolitano				
			Grijalva	Neal				
			Gutiérrez	Nolan				
			Hanabusa	Norcross				
			Hastings	O'Halleran				
			Heck	Pallone				
			Higgins (NY)	Panetta				
				Pascrell				

NOT VOTING—6

Hudson	LaMalfa	Richmond
Hurd	Nadler	Walden

□ 1748

Mr. GONZALEZ of Texas and Ms. MOORE changed their vote from “aye” to “no.”

Messrs. GROTHMAN, AMODEI, COHEN, DELANEY, THOMPSON of California, Ms. MATSUI, Messrs. KIND, MOULTON, BEYER, DUNCAN of South Carolina, and MARCHANT changed their vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 6 OFFERED BY MR. CONNOLLY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. CONNOLLY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 188, noes 234, not voting 7, as follows:

[Roll No. 118]

AYES—188

Adams	Beyer	Boyle, Brendan
Aguilar	Bishop (GA)	F.
Barragán	Blumenauer	Brady (PA)
Bass	Blunt Rochester	Brown (MD)
Beatty	Bonamici	Brownley (CA)
Bera		Bustos

NOES—234

Abraham	Carter (TX)	Fitzpatrick
Aderholt	Chabot	Fleischmann
Allen	Chaffetz	Flores
Amash	Cheney	Fortenberry
Amodei	Coffman	Fox
Arrington	Cole	Franks (AZ)
Babin	Collins (GA)	Frelinghuysen
Bacon	Collins (NY)	Gaetz
Banks (IN)	Comer	Gallagher
Barletta	Comstock	Garrett
Barr	Conaway	Gibbs
Barton	Cook	Gohmert
Bergman	Cooper	Goodlatte
Biggs	Costello (PA)	Gosar
Bilirakis	Cramer	Gowdy
Bishop (MI)	Crawford	Granger
Bishop (UT)	Culberson	Graves (GA)
Black	Curbelo (FL)	Graves (LA)
Blackburn	Davidson	Graves (MO)
Blum	Davis, Rodney	Griffith
Bost	Denham	Grothman
Brady (TX)	Dent	Guthrie
Brat	DeSantis	Harper
Bridenstine	DesJarlais	Harris
Brooks (AL)	Diaz-Balart	Hartzler
Brooks (IN)	Donovan	Hensarling
Buchanan	Duffy	Herrera Beutler
Buck	Duncan (SC)	Hice, Jody B.
Bucshon	Duncan (TN)	Higgins (LA)
Budd	Dunn	Hill
Burgess	Emmer	Holding
Byrne	Farenthold	Hollingsworth
Calvert	Faso	Huizenga
Carter (GA)	Ferguson	Hultgren

NOT VOTING—7

Doggett	Hurd	Ratcliffe
Gonzalez (TX)	Nadler	
Hudson	O'Rourke	

□ 1753

Ms. MAXINE WATERS of California changed her vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR. The question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Ms. ROS-LEHTINEN) having assumed the chair, Mr. MCCLINTOCK, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1009) to amend title 44, United States Code, to require the Administrator of the Office of Information and Regulatory Affairs to review regulations, and for other purposes, and, pursuant to House Resolution 156, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

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

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

MOTION TO RECOMMIT

Mr. CARTWRIGHT. Madam Speaker, I have a motion to recommit at the desk.

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

Mr. CARTWRIGHT. I am opposed to it in its current form.

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

The Clerk read as follows:

Mr. Cartwright moves to recommit the bill H.R. 1009 to the Committee on Oversight and Government Reform with instructions to report the same back to the House forthwith with the following amendment:

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

(e) EXEMPTION FOR THE OFFICE OF GOVERNMENT ETHICS.—The provisions of sections 3522, 3523, and 3524 of title 44, United States Code, as added by subsection (a), do not apply to the Office of Government Ethics.

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

Mr. CARTWRIGHT. Madam Speaker, this is the final amendment to the bill which will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage, as amended. This motion to recommit is to defend ethical conduct throughout our government.

In response to the Watergate scandal, Congress created the Office of Government Ethics to protect against unethical behavior in the executive branch. In 1988, President Ronald Reagan signed into law a bill to strengthen the Office of Government Ethics by removing it from the Office of Personnel Management and giving it greater independence from the White House.

□ 1800

Now Congress is attempting to undo this vision of a strong, independent Office of Government Ethics at a time when we need it more than ever. This bill would put the Office of Government Ethics right back under the control of the White House, and that is why this motion to recommit simply excludes OGE from this bill.

We appreciate the need for strong ethical guidelines most strongly when people act unethically. Every day we witness this White House struggle with honesty and credibility. We heard the promises last night, the ones we have been hearing all along.

When you promise to create family-sustaining jobs by revitalizing American infrastructure and then we find

out he means to do it with tax breaks to huge corporations and none of the regular guarantees that the people actually doing the work will be treated right and paid fairly, that is when you have a credibility problem.

When you promote yourself as a man of the people but then we find out you have stuffed your Cabinet with out-of-touch billionaire friends, that is when you have a credibility problem.

When you promise to fix America's education system but then we see you appoint Betsy DeVos to head the Department of Education, someone with no education experience, someone who wants to gut public education, that is when you have a credibility problem.

When you address Congress and promise to repeal and replace the Affordable Care Act in a way that guarantees increased access, coverage of preexisting conditions, and that costs will go down but no one in America knows how you plan to pay for that, that is when you have a credibility problem.

We don't need a White House with a credibility problem. We need these promises the President has made to come true. We need a stronger economy full of family-sustaining jobs. We need Social Security, Medicaid, and Medicare to be protected. We need to have an executive branch we can trust. This is our future, and we need to be smart about it. I believe that smart people trust, but they verify.

The problem is we do seem to have a President whose relationship with the truth is, at best, a nodding acquaintance. This is why we need a strong Office of Government Ethics more than ever.

Ronald Reagan was right; it needs to be an office independent of control by the White House.

We need it to keep our leaders from enriching themselves in public office, to keep our leaders honest, to help us trust, but verify that our elected officials do what is best for the American people and not their own pocketbooks.

We need it to ensure that our President is acting in our best interest with nations around the world. We have already seen this President and his staff repeatedly lie and refuse to answer questions about their business and political ties with dealings in Russia. We have seen, at a minimum, improper and potentially far worse collusion over rigging an election, and we have seen the administration attempt to influence investigations into their dealings with Russia.

We need an Office of Government Ethics to be independent of the White House because this President has used diplomatic relations to promote his businesses abroad at the expense of the American taxpayer. He promised to drain the swamp and immediately started appointing his billionaire buddies to Cabinet positions and rush their

hearings through before they could even complete the ethics process.

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

The Chair reminds Members to refrain from engaging in personalities toward the President.

Mr. MITCHELL. Madam Speaker, I rise in opposition to the motion to recommit by my colleague.

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

Mr. MITCHELL. Madam Speaker, I thank my colleagues on both sides of the aisle for the robust process by which we considered this bill.

The bill came to the floor through regular order in the Committee on Oversight and Government Reform. We had a full markup which allowed for Members on both sides of the aisle to offer amendments and insight. We had healthy debate on a number of amendments, and we just voted on some of them.

This bill codifies existing policy with changes only to include independent agencies and improve government transparency.

I oppose the motion to recommit. I urge my colleagues to oppose the motion and vote "yes" on final passage.

I yield back the balance of my time.

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

There was no objection.

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

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

RECORDED VOTE

Mr. CARTWRIGHT. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 5-minute vote on the motion to recommit will be followed by 5-minute votes on passage of H.R. 1009, if ordered, and passage of H.J. Res. 83.

The vote was taken by electronic device, and there were—ayes 193, yeas 234, not voting 2, as follows:

[Roll No. 119]

AYES—193

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

Ellison	Lee	Richmond	McCarthy	Rice (SC)	Stewart	Herrera Beutler	McHenry	Sanford
Engel	Levin	Rosen	McCaul	Roby	Stivers	Hice, Jody B.	McKinley	Scalise
Eshoo	Lewis (GA)	Royal-Ballard	McClintock	Roe (TN)	Taylor	Higgins (LA)	McMorris	Schweikert
Espallat	Lieu, Ted	Ruiz	McHenry	Rogers (AL)	Tenney	Hill	Rodgers	Scott, Austin
Esty	Lipinski	Ruppersberger	McKinley	Rogers (KY)	Thompson (PA)	Holding	McSally	Sensenbrenner
Evans	Loeb sack	Rush	McMorris	Rohrabacher	Thornberry	Hollingsworth	Meadows	Sessions
Foster	Lofgren	Ryan (OH)	Rodgers	Rokita	Tiberi	Huizenga	Meehan	Shimkus
Frankel (FL)	Lowenthal	Sánchez	McSally	Rooney, Francis	Tipton	Hultgren	Messer	Shuster
Fudge	Lowe y	Sarbanes	Meadows	Rooney, Thomas J.	Trott	Hunter	Mitchell	Simpson
Gabbard	Lujan Grisham, M.	Schakowsky	Meehan	Rooney, Thomas J.	Turner	Hurd	Moolenaar	Sinema
Gallo	M.	Schiff	Messer	Ros-Lehtinen	Upton	Issa	Mooney (WV)	Smith (MO)
Garamendi	Luján, Ben Ray	Schneider	Mitchell	Roskam	Valadao	Jenkins (KS)	Mullin	Smith (NE)
Gonzalez (TX)	Lynch	Schrader	Moolenaar	Ross	Wagner	Jenkins (WV)	Murphy (FL)	Smith (NJ)
Gotthelmer	Maloney,	Scott (VA)	Mooney (WV)	Rothfus	Walberg	Johnson (LA)	Murphy (PA)	Smith (TX)
Green, Al	Carolyn B.	Scott, David	Mullin	Rouzer	Walden	Johnson (OH)	Newhouse	Smucker
Green, Gene	Maloney, Sean	Serrano	Murphy (PA)	Royce (CA)	Walker	Johnson, Sam	Noem	Stefanik
Grijalva	Matsui	Sewell (AL)	Newhouse	Russell	Walorski	Jones	Nunes	Stewart
Gutiérrez	McCollum	Shea-Porter	Noem	Rutherford	Walters, Mimi	Jordan	Olson	Stivers
Hanabusa	McEachin	Sherman	Nunes	Sanford	Weber (TX)	Joyce (OH)	Palazzo	Suozi
Hastings	McGovern	Sinema	Olson	Scalise	Webster (FL)	Katko	Palmer	Taylor
Heck	McNerney	Sires	Palazzo	Schweikert	Wenstrup	Kelly (MS)	Paulsen	Tenney
Higgins (NY)	Meeks	Slaughter	Palmer	Scott, Austin	Westerman	Kelly (PA)	Pearce	Thompson (PA)
Himes	Meng	Smith (WA)	Paulsen	Sensenbrenner	Williams	King (IA)	Perry	Thornberry
Hoyer	Moore	Soto	Pearce	Sessions	Wilson (SC)	King (NY)	Peterson	Tiberi
Huffman	Moulton	Speier	Perry	Shimkus	Wittman	Kinzing	Pittenger	Tipton
Jackson Lee	Murphy (FL)	Suozi	Pittenger	Shuster	Womack	Knight	Poe (TX)	Trott
Jayapal	Napolitano	Swalwell (CA)	Poe (TX)	Simpson	Woodall	Kustoff (TN)	Poliquin	Turner
Jeffries	Neal	Takano	Poliquin	Smith (MO)	Yoder	Labrador	Posey	Upton
Johnson (GA)	Nolan	Thompson (CA)	Posey	Smith (NE)	Yoho	LaHood	Ratcliffe	Valadao
Johnson, E. B.	Norcross	Thompson (MS)	Ratcliffe	Smith (NJ)	Young (AK)	LaMalfa	Reed	Wagner
Jones	O'Halleran	Titus	Reed	Smith (TX)	Young (IA)	Lamborn	Reichert	Walberg
Kaptur	O'Rourke	Tonko	Reichert	Smucker	Zeldin	Lance	Renacci	Walden
Keating	Pallone	Torres	Renacci	Stefanik		Latta	Rice (SC)	Walker
Kelly (IL)	Panetta	Tsongas				Lewis (MN)	Roby	Walorski
Kennedy	Pascrell	Vargas				LoBiondo	Roe (TN)	Walters, Mimi
Khanna	Payne	Veasey				Long	Rogers (AL)	Weber (TX)
Kihuen	Pelosi	Vela				Loudermilk	Rogers (KY)	Webster (FL)
Kildee	Perlmutter	Velázquez				Love	Rohrabacher	Wenstrup
Kilmer	Peters	Visclosky				Lucas	Rokita	Westerman
Kind	Peterson	Walz				Luetkemeyer	Rooney, Francis	Williams
Krishnamoorthi	Pingree	Wasserman				MacArthur	Rooney, Thomas J.	Wilson (SC)
Kuster (NH)	Pocan	Schultz				Marchant	J.	Wittman
Langevin	Polis	Waters, Maxine				Marino	Ros-Lehtinen	Womack
Larsen (WA)	Price (NC)	Watson Coleman				Marshall	Roskam	Woodall
Larson (CT)	Quigley	Welch				Massie	Ross	Yoder
Lawrence	Raskin	Wilson (FL)				Mast	Rothfus	Yoho
Lawson (FL)	Rice (NY)	Yarmuth				McCarthy	Rouzer	Young (AK)
						McCaul	Royce (CA)	Young (IA)
						McClintock	Russell	Zeldin

NOT VOTING—2

Nadler

□ 1811

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

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

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 241, nays 184, not voting 4, as follows:

[Roll No. 120]

YEAS—241

Abraham	Costello (PA)	Hensarling	Abraham	Calvert	Dunn	Adams	Delaney	Kihuen
Aderholt	Cramer	Herrera Beutler	Aderholt	Carter (GA)	Emmer	Aguilar	DeLauro	Kildee
Allen	Crawford	Hice, Jody B.	Allen	Carter (TX)	Farenthold	Barragan	DelBene	Kilmer
Amash	Culberson	Higgins (LA)	Amash	Chabot	Faso	Bass	Demings	Kind
Amodei	Curbelo (FL)	Hill	Amodei	Chaffetz	Ferguson	Beatty	DeSaulnier	Krishnamoorthi
Arrington	Davidson	Holding	Arrington	Cheney	Fitzpatrick	Bera	Deutch	Kuster (NH)
Babin	Davis, Rodney	Hollingsworth	Babin	Coffman	Fleischmann	Beyer	Dingell	Langevin
Bacon	Denham	Huizenga	Bacon	Cole	Flores	Bishop (GA)	Doggett	Larsen (WA)
Banks (IN)	Dent	Hultgren	Banks (IN)	Collins (GA)	Fortenberry	Blumenauer	Doyle, Michael F.	Larson (CT)
Barletta	DeSantis	Hunter	Barletta	Collins (NY)	Fox	Blunt Rochester	Ellison	Lawrence
Barr	DesJarlais	Hurd	Barr	Comer	Franks (AZ)	Bonamici	Engel	Lawson (FL)
Barton	Diaz-Balart	Issa	Barton	Comstock	Frelinghuysen	Boyle, Brendan F.	Eshoo	Lee
Bergman	Donovan	Jenkins (KS)	Bergman	Conaway	Gaetz	Brady (PA)	Espallat	Levin
Biggs	Duffy	Jenkins (WV)	Biggs	Cook	Gallagher	Brown (MD)	Esty	Lewis (GA)
Bilirakis	Duncan (SC)	Johnson (LA)	Bilirakis	Cooper	Gibbs	Brownley (CA)	Evans	Lieu, Ted
Bishop (MI)	Duncan (TN)	Johnson (OH)	Bishop (MI)	Costa	Gohmert	Bustos	Foster	Lipinski
Bishop (UT)	Dunn	Johnson, Sam	Bishop (UT)	Costello (PA)	Goodlatte	Butterfield	Frankel (FL)	Loeb sack
Black	Emmer	Jordan	Black	Cramer	Gosar	Capuano	Fudge	Lofgren
Blackburn	Farenthold	Joyce (OH)	Blackburn	Crawford	Gotthelmer	Carbajal	Gabbard	Lowenthal
Blum	Faso	Katko	Blum	Culberson	Gowdy	Cárdenas	Gallo	Lowe y
Bost	Ferguson	Kelly (MS)	Bost	Curbelo (FL)	Granger	Cartwright	Garamendi	Lujan Grisham, M.
Brady (TX)	Fitzpatrick	Kelly (PA)	Brady (TX)	Davidson	Graves (GA)	Castor (FL)	Gonzalez (TX)	Luján, Ben Ray
Brat	Fleischmann	King (IA)	Brat	Davis, Rodney	Graves (LA)	Castro (TX)	Green, Al	Lynch
Bridenstine	Flores	King (NY)	Bridenstine	Denham	Graves (MO)	Chu, Judy	Green, Gene	Maloney,
Brooks (AL)	Fortenberry	Kinzing	Brooks (AL)	Dent	Guthrie	Cicilline	Grijalva	Carolyn B.
Brooks (IN)	Fox	Knight	Brooks (IN)	DesJarlais	Harper	Clark (MA)	Gutiérrez	Maloney, Sean
Buchanan	Franks (AZ)	Kustoff (TN)	Buchanan	Diaz-Balart	Harris	Clarke (NY)	Hanabusa	Matsui
Buck	Frelinghuysen	Labrador	Buck	Donovan	Hartzler	Clay	Hastings	McCollum
Bucshon	Gaetz	LaHood	Bucshon	Duffy	Hensarling	Cleaver	Heck	McEachin
Budd	Gallagher	LaMalfa	Budd	Duncan (SC)		Clyburn	Higgins (NY)	McGovern
Burgess	Garrett	Lamborn	Burgess	Duncan (TN)		Cohen	Himes	McNerney
Byrne	Gibbs	Lance	Byrne			Connolly	Hoyer	Meeks
Calvert	Gohmert	Latta				Conyers	Huffman	Meng
Carter (GA)	Goodlatte	Lewis (MN)				Correa	Jackson Lee	Moore
Carter (TX)	Gosar	LoBiondo				Courtney	Jayapal	Moulton
Chabot	Gowdy	Long				Crist	Jeffries	Napolitano
Chaffetz	Granger	Loudermilk				Crowley	Johnson (GA)	Neal
Cheney	Graves (GA)	Love				Cuellar	Johnson, E. B.	Nolan
Coffman	Graves (LA)	Lucas				Cummings	Kaptur	Norcross
Cole	Graves (MO)	Luetkemeyer				Davis (CA)	Keating	O'Halleran
Collins (GA)	Griffith	MacArthur				Davis, Danny	Kelly (IL)	O'Rourke
Collins (NY)	Grothman	Marchant				DeFazio	Kennedy	Pallone
Comer	Guthrie	Marino				DeGette	Khanna	Panetta
Comstock	Harper	Marshall						
Conaway	Harris	Massie						
Cook	Hartzler	Mast						

Pascarell	Sánchez	Thompson (CA)	Fortenberry	Lewis (MN)	Roskam	Lynch	Pocan	Smith (NJ)
Payne	Sarbanes	Thompson (MS)	Foxx	Long	Ross	Maloney,	Polis	Smith (WA)
Pelosi	Schakowsky	Titus	Franks (AZ)	Loudermilk	Rothfus	Carolyn B.	Price (NC)	Soto
Perlmutter	Schiff	Tonko	Frelinghuysen	Love	Rouzer	Maloney, Sean	Quigley	Speier
Peters	Schneider	Torres	Gaetz	Lucas	Royce (CA)	Matsui	Raskin	Suozi
Pingree	Schrader	Tsongas	Gallagher	Luetkemeyer	Russell	McCollum	Rice (NY)	Swalwell (CA)
Pocan	Scott (VA)	Vargas	Garrett	MacArthur	Rutherford	McEachin	Richmond	Takano
Polis	Scott, David	Veasey	Gibbs	Marchant	Sanford	McGovern	Ros-Lehtinen	Thompson (CA)
Price (NC)	Serrano	Vela	Gohmert	Marino	Scalise	McNerney	Rosen	Thompson (MS)
Quigley	Sewell (AL)	Velázquez	Goodlatte	Marshall	Schweikert	Meeks	Roybal-Allard	Titus
Raskin	Shea-Porter	Visclosky	Gosar	Massie	Scott, Austin	Meng	Ruiz	Tonko
Rice (NY)	Sherman	Walz	Gowdy	Mast	Sensenbrenner	Moore	Ruppersberger	Torres
Richmond	Sires	Wasserman	Granger	McCarthy	Sessions	Moulton	Rush	Tsongas
Rosen	Slaughter	Schultz	Graves (GA)	McCaul	Shimkus	Murphy (FL)	Ryan (OH)	Vargas
Roybal-Allard	Smith (WA)	Waters, Maxine	Graves (LA)	McClintock	Shuster	Napolitano	Sánchez	Veasey
Ruiz	Soto	Watson Coleman	Graves (MO)	McHenry	Simpson	Neal	Sarbanes	Velázquez
Ruppersberger	Speier	Welch	Griffith	McKinley	Sinema	Nolan	Schakowsky	Visclosky
Rush	Swalwell (CA)	Wilson (FL)	Grothman	McMorris	Smith (MO)	Norcross	Schiff	Walz
Ryan (OH)	Takano	Yarmuth	Guthrie	Rodgers	Smith (NE)	O'Halleran	Schneider	Wasserman
			Harper	McSally	Smith (TX)	O'Rourke	Schrader	Schultz
			Harris	Meadows	Smucker	Pallone	Scott (VA)	Waters, Maxine
			Hartzler	Meehan	Stefanik	Panetta	Scott, David	Watson Coleman
			Hensarling	Messer	Stewart	Pascrell	Serrano	Welch
			Herrera Beutler	Mitchell	Stivers	Payne	Sewell (AL)	Wilson (FL)
			Hice, Jody B.	Moolenaar	Taylor	Pelosi	Shea-Porter	Yarmuth
			Higgins (LA)	Mooney (WV)	Tenney	Perlmutter	Sherman	Young (AK)
			Hill	Mullin	Thompson (PA)	Peterson	Sires	
			Holding	Murphy (PA)	Thornberry	Pingree	Slaughter	
			Hollingsworth	Newhouse	Tiberi			
			Huizenga	Noem	Tipton			
			Hultgren	Nunes	Trott			
			Hunter	Olson	Turner			
			Hurd	Palazzo	Upton			
			Issa	Palmer	Valadao			
			Jenkins (KS)	Paulsen	Vela			
			Jenkins (WV)	Pearce	Wagner			
			Johnson (LA)	Perry	Walberg			
			Johnson (OH)	Peters	Walden			
			Johnson, Sam	Poe (TX)	Walker			
			Jones	Poliquin	Walorski			
			Jordan	Posey	Walters, Mimi			
			Joyce (OH)	Ratcliffe	Weber (TX)			
			Katko	Reed	Webster (FL)			
			Kelly (MS)	Reichert	Wenstrup			
			Kelly (PA)	Renacci	Westerman			
			King (IA)	Rice (SC)	Williams			
			Kinziger	Roby	Wilson (SC)			
			Knight	Roe (TN)	Wittman			
			Kustoff (TN)	Rogers (AL)	Womack			
			Labrador	Rogers (KY)	Woodall			
			LaHood	Rohrabacher	Yoder			
			LaMalfa	Rokita	Yoho			
			Lamborn	Rooney, Francis	Young (IA)			
			Lance	Rooney, Thomas J.	Zeldin			
			Latta					

NOT VOTING—4

Carson (IN) Nadler
Hudson Rutherford

□ 1818

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

DISAPPROVING THE RULE SUBMITTED BY THE DEPARTMENT OF LABOR RELATING TO "CLARIFICATION OF EMPLOYER'S CONTINUING OBLIGATION TO MAKE AND MAINTAIN AN ACCURATE RECORD OF EACH RECORDABLE INJURY AND ILLNESS"

The SPEAKER pro tempore. The unfinished business is the vote on passage of the joint resolution (H.J. Res. 83) disapproving the rule submitted by the Department of Labor relating to "Clarification of Employer's Continuing Obligation to Make and Maintain an Accurate Record of Each Recordable Injury and Illness", on which a recorded vote was ordered.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. The question is on the passage of the joint resolution.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 231, noes 191, not voting 7, as follows:

[Roll No. 121]

AYES—231

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat

Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook

Cramer
Crawford
Cuellar
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores

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

NOES—191

Crist
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Donovan
Doyle, Michael F.
Ellison
Engel
Eshoo
Español
Esty
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gonzalez (TX)
Gotthelmer
Green, Al
Green, Gene
Grijalva
Hanabusa
Hastings
Heck
Higgins (NY)

Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
King (NY)
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
LoBiondo
Loebach
Lofgren
Lowenthal
Lowey
Lujan Grisham, M.
Luján, Ben Ray

NOT VOTING—7

Blumenauer
Costello (PA)
Delaney

Gutiérrez
Hudson

Nadler
Pittenger

□ 1825

So the joint resolution was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

HOUR OF MEETING ON TOMORROW

Mr. BYRNE. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

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

There was no objection.

APPOINTMENT OF MEMBERS TO CONGRESSIONAL-EXECUTIVE COMMISSION ON THE PEOPLE'S REPUBLIC OF CHINA

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to 22 U.S.C. 6913 and the order of the House of January 3, 2017, of the following Members on the part of the House to the Congressional-Executive Commission on the People's Republic of China:

Mr. WALZ, Minnesota
Ms. KAPTUR, Ohio

APPOINTMENT OF MEMBERS TO CANADA-UNITED STATES INTER-PARLIAMENTARY GROUP

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to 22 U.S.C. 276d and the order of the House of January 3, 2017, of the following Members on the part of the House to the Canada-United States Interparliamentary Group:

Mr. HIGGINS, New York
Ms. SLAUGHTER, New York
Mr. MEEKS, New York

Mr. LARSEN, Washington
Mr. DEFAZIO, Oregon

COMMUNICATION FROM THE DEMOCRATIC LEADER

The SPEAKER pro tempore laid before the House the following communication from the Honorable NANCY PELOSI, Democratic Leader:

MARCH 1, 2017.

Hon. PAUL RYAN,
*Speaker of the House of Representatives, U.S.
Capitol, Washington, DC.*

DEAR SPEAKER RYAN: Pursuant to 44 U.S.C. 2702, I am pleased to reappoint Mr. John A. Lawrence of Washington, D.C. to the Advisory Committee on the Records of Congress.

Thank you for your attention to this appointment.

Sincerely,

NANCY PELOSI,
Democratic Leader.

SALUTE TO MEALS ON WHEELS

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, today commemorates the 15th anniversary of March for Meals. This month-long grassroots campaign seeks to raise awareness about senior hunger and isolation. It also celebrates the proven private-public partnership of government, local community organizations, businesses, and compassionate individuals coming together to ensure that America's seniors are not forgotten.

As chairman of the Agriculture Subcommittee on Nutrition, I know how important this program is to seniors across America. One in six seniors might not know where their next meal is coming from.

But on March 22, 1972, President Nixon signed into law a measure that establishes a national nutrition program for seniors 60 years and older.

For nearly 45 years, these critical programs—commonly referred to as Meals on Wheels—have delivered more than just nutritious meals to homebound seniors in virtually every community across the country.

Meals on Wheels programs have come together each March, since 2002, to celebrate this proven collaboration of local community organizations, businesses, all levels of government, and compassionate individuals to ensure their seniors are not forgotten.

Thank you to everyone who works to help our seniors live healthy lives.

□ 1830

ATTACK ON WOMEN'S HEALTH

(Mrs. WATSON COLEMAN asked and was given permission to address the House for 1 minute.)

Mrs. WATSON COLEMAN. Mr. Speaker, today begins Women's His-

tory Month, and I am proud to use this occasion to lift up our achievements, our perseverance and dedication to a more equal and balanced world. That is why it is so unfortunate that my colleagues on the other side of the aisle and President Trump's White House insist on harming women through their stubborn adherence to antiwomen policies.

One prime example is their assault on the Affordable Care Act. The facts are clear: ACA prohibits charging women more than men for insurance; ACA establishes preventive services to be provided at no extra cost to women, including annual well-women exams, breastfeeding support, supplies for new moms, birth control, and screening and counseling for domestic and intimate partner violence; 9.5 million previously uninsured women now have coverage through ACA; 55 million now have access to vital preventive care at no cost.

These are not alternative facts or fake news. If this is the Trump Republicans' gift to us in celebration of Women's History Month, I hope they keep the receipt.

CONGRATS EDINA GIRLS HOCKEY CHAMPS

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

Mr. PAULSEN. Mr. Speaker, I want to offer a big congratulations to the Edina Girls hockey team for winning its very first Minnesota high school State championship.

The Hornets dominated in the championship game just last weekend, winning 4-0. Senior forward Lolita Fidler led the way with an early goal in the first period, finishing with two goals. On the other end, senior goalie Anna Goldstein stood on her head throughout the tournament, allowing just one goal in three games.

The girls squad finished with an impressive 28-1-1 record under head coach Sami Reber, who is a former Edina hockey player herself, bringing the title to her alma mater.

Edina's run of excellence is a testament to their program's serious dedication on the ice, in the classroom, and in their community. On top of giving their all in their sport, these students also strive academically and contribute in positive ways at home and among their peers.

Mr. Speaker, we are so proud of these student athletes, and it is fun to see Edina bringing their very first State high school hockey championship home.

Go Hornets.

REACTION TO PRESIDENT TRUMP'S ADDRESS

(Mr. PAYNE asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. PAYNE. Mr. Speaker, last night President Trump delivered a speech that was long on campaign themes but short on specifics. It seems the President is more interested in political theater than leadership, and it showed. He was very vague on every topic he discussed, from health care to trade, to tax reform.

The campaign is over, but it is clear President Trump hasn't moved on. Where is his interest in governing and in leading this Nation? I don't see it. Just the day before, in his speech, he discovered that health care is unbelievably complex.

Every day since the inauguration President Trump has shown that he is ill-prepared, ill-tempered, and ill-informed, and he does not understand what governing is about. His speech did not change that.

It is time for President Trump to stop talking about bringing this country together and actually make an effort to do so. He needs to engage Congress, including the Congressional Black Caucus. He needs to move from platitudes to plans, and he also needs to act on the priorities of the American people.

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

REDDING VA LEASE APPROVAL

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

Mr. LAMALFA. Mr. Speaker, my district is home to nearly 60,000 men and women who have served in our Nation's Armed Forces, and many more are still serving today. Yet for too long, veterans have had trouble receiving veterans medical care in our area, instead being forced to travel to Sacramento or farther from places like Redding, Chico, or Yreka.

So I am proud to announce that the Transportation Infrastructure Committee will authorize the VA to lease a new facility in Redding, California. This new lease will consolidate two buildings into one and will expand the regional VA square footage by over 50 percent in that consolidation, which will house an additional 17 mental health providers, a mammography division, and a second X-ray unit, significantly increasing the types of care available in Redding and in the north State.

Taxpayers will put up the money for the facility. Now it is time for the VA to ensure that this facility is properly staffed and these tax dollars are not wasted and instead respected, and, most importantly, that our veterans are respected with timely care.

THE UNSUSTAINABLE FUTURE OF STUDENT DEBT

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

Mr. CARBAJAL. Mr. Speaker, I rise on behalf of millions of students and graduates in this country that are struggling to finance their higher education and pay off student loans.

Yesterday I invited Izeah Garcia to the President's address. Izeah is an advocate for increasing accessibility and lowering the cost of a higher education. Izeah and I share a similar story: sons of hardworking immigrant parents, and the first in our families to attend a university, both at UC Santa Barbara, located in my district.

Like many students today struggling to afford the rising cost of tuition, we relied on student loans to put us through college. In the President's speech last night, we didn't hear one mention of the over \$1.3 trillion student loan debt crisis.

I urge this administration and Congress to commit to addressing the unsustainable future of student debt by allowing students to refinance their debt at a lower interest rate and expanding access to Pell grants. We can ensure that every student is afforded the opportunity to pursue a higher education and to better their lives, their communities, and our country.

HONORING ANGELA LARA FLORES

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

Mr. VEASEY. Mr. Speaker, I rise today to honor the life of Angela Lara Flores, a dedicated servant to her community and her family.

Angela was born in Palacios, Texas, on August 2, 1926, to her parents Cesario Lara and Lydia Teran.

She was a devoted, longtime member of Casa de Dios Presbyterian Church and served as the treasurer of the church for 32 years.

Not only did Angela give her time and energy to the church, but she was also known for her community service. She volunteered faithfully at a local senior citizens center in Dallas and even worked full time for the senior citizens center in Palacios.

Despite her busy schedule, Angela had time for her favorite pastime, and that was putting puzzles together with her family.

My heartfelt sympathy goes out to her four children—Jesse J. Flores, Lucinda Flores, Diana Flores, and Steve Flores—5 siblings, 19 grandchildren, 43 great-grandchildren, 8 great-great-grandchildren, and numerous nieces and nephews.

I ask my colleagues to join me in remembering Angela's 90 years of life.

OPIOID CRISIS AND PHARMACEUTICAL COMPANIES

(Ms. MICHELLE LUJAN GRISHAM of New Mexico asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, we continue to see pharmaceutical companies put profits over people. Even though 33,000 people are dying every year due to the opioid crisis, Kaleo Pharma raised the price of a lifesaving opioid overdose medication from \$690 in 2014 to \$4,500 this year.

The pharmaceutical industry has not only misled consumers and their providers to create a system where there are more opioid prescriptions than adults in the United States, but they are now jacking up the price of lifesaving drugs and making money on this opioid crisis that they helped, in fact, create.

Meanwhile, the costs of the opioid epidemic fall on States, cities, communities, hospitals, counties, courts, and local communities who, quite frankly, do not have the resources to keep up.

This is why I introduced a bill which would impose a fee on the production of opioids and use the revenue for opioid prevention, treatment, and research programs across the country.

Pharmaceutical companies have to be part of solving the problem that they helped cause and to give back to the communities that opioids have ravaged.

THE IMPORTANCE OF COMMUNITY PHARMACIES

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentleman from Georgia (Mr. COLLINS) is recognized for 60 minutes as the designee of the majority leader.

Mr. COLLINS of Georgia. Mr. Speaker, it is good to be back. It is good to be back on the floor, as we have been now, for the last few weeks doing the people's business, and we will continue to move forward.

I appreciate the last speaker discussing pharmaceutical prices. I think it is another issue, but we are going to go straight to really what I believe is the bigger cause of problems in our communities, and that is the pharmacy benefit managers and their monopolistic, terrorist kind of ways that they are dealing with our community pharmacies and independent pharmacies and actually causing problems in health care.

GENERAL LEAVE

Mr. COLLINS of Georgia. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include any extraneous material in the RECORD on this Special Order hour.

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

There was no objection.

Mr. COLLINS of Georgia. Mr. Speaker, as we get started now, we have a lot of speakers. This is something that has been on my heart for a while, and I know that it is something we have been getting more and more comments and questions about, especially when you are dealing with the pharmaceutical prices and the Pharma industry.

When they begin to look into it, they began to see that there was actually a bigger issue. It was not just big pharmacy and the problems that we do see in drug pricing. It was the end delivery that is going to the pharmacies and how the independent community pharmacists are being beaten down in a way that is really unseemly in our society. They are taking that healthcare line tonight.

I have a lot of speakers, and I have a lot of stuff that I am going to be talking about.

Just as an important reminder: A community pharmacist is an important niche in our healthcare system, serving as the primary healthcare provider for over 62 million people. Especially in our rural and suburban areas, this is a vital lifeline. Roughly 40 percent of the prescriptions nationwide and a higher percentage in rural Georgia—especially in northeast Georgia—are filled by our friends in the independent community pharmacy system.

Look, the problems that we have and we are going to be discussing even further tonight, we are going to delve into some issues that we want to see taken care of. We want to see this industry, especially in dealing with pharmacy benefit managers, put into proper perspective so that we can actually take care of our constituents.

A gentleman who has been a fighter and a leader with me on this from day one since I have been in Congress and dealing with this issue, especially with transparency, is the gentleman from Iowa (Mr. LOEBSACK). This is a fight that we are going to continue to keep fighting. I know he is as well, and we have a lot of friends tonight to help us out.

I yield to the gentleman from Iowa (Mr. LOEBSACK) as he continues to try to tell the story that we have been trying to tell here for a long time.

Mr. LOEBSACK. Mr. Speaker, I really appreciate Representative COLLINS of Georgia's leadership on this issue. There is really no one in this body—maybe with the exception of Representative CARTER of Georgia—who can tell the story of community pharmacists the way Representative DOUG COLLINS does.

I thank Representative COLLINS of Georgia for putting this Special Order hour together. He has been such a

strong leader on pharmacy issues. He has been a great partner on the legislation that we will be discussing this evening.

I am proud to say that this is a bipartisan issue, one of the few in this Congress at this point. It is one of the few in Washington, D.C., at this point. We have been able to find a consensus on this, at least with respect to one bill, and I think we are probably going to be able to do it with respect to others as well.

We know for a fact that pharmacists across the country serve as the first line of healthcare services for so many patients around this country.

□ 1845

People count on pharmacists' training and expertise to stay healthy and to stay informed and, most importantly, to stay out of urgent care centers and out of hospitals. That is why I am proud to stand here today with my colleagues to recognize the quality and the affordable and the personal care that pharmacists provide every day.

Within that group of pharmacists, we have got a subset of pharmacists, and that is the community pharmacists and their pharmacies. They are also a great source not only of the expertise they provide, but economic growth in rural communities like those in my district and across the State of Iowa.

As Mr. COLLINS mentioned, rural areas are very important in this as well. I am a member of the Small Business Caucus. I recognize how challenging it can be for some of these small pharmacists to compete with the bigger companies. I appreciate their hard work to serve our communities.

Like most small-business owners, community pharmacists, they have to face challenges to compete and negotiate on a day-to-day basis with large entities as far as their business transactions are concerned. I frequently visit community pharmacists and I see the great job they are doing.

One pressing challenge facing many of our community pharmacists in particular that will be discussed tonight is the ambiguity and the uncertainty surrounding the reimbursement of generic drugs. Generic prescription drugs account for the majority of drugs dispensed by pharmacists, making transparency in reimbursement absolutely critical to the financial health of these small pharmacies.

But we know that pharmacists are reimbursed for generic drugs through what is called maximum allowable cost, or MAC. And this is a price list that outlines the upper limit or the maximum amount that an insurance plan will pay for a generic drug. These lists are created by pharmacy benefit managers, as Mr. COLLINS mentions, PBMs. This is the drug middleman.

There are lot of problems, but one of the problems is that the methodology

used to create these lists are not disclosed. There is no transparency.

Further, they are not updated on a regular basis either, resulting often in pharmacists being reimbursed below what it costs them to acquire the drugs themselves. It is a major problem, because when PBMs aren't keeping the cost of generic drugs consistent, those price differentials can be a serious financial burden for local pharmacies. And we know when they have a financial burden, that will affect their business, that will affect the economy in the area, and that is going to affect their patients as well. And we can't have that as we are moving forward, especially in this country, doing what we can to reform health care.

When we talk about reimbursement uncertainty for pharmacies, we are talking about uncertainty for those patients, as I just said.

So, look, when we deal with this issue, I think we have to be very transparent about it. We are going to be introducing later this week, on a bipartisan basis, this Prescription Drug Price Transparency Act. Specifically, what this act will do, it will increase transparency of generic drug payments in Medicare part D, in Medicare Advantage, the Federal Employees Health Benefits Program, and TRICARE pharmacy programs, by requiring that PBMs do three things; and Mr. COLLINS will flesh this out, and I think Mr. CARTER will as well.

First, provide pricing updates at least once every 7 days. Second, disclose the sources used to update maximum allowable cost—or MAC—prices. Third, notify pharmacies of any changes in individual drug prices before these prices can be used as a basis of reimbursement.

This is commonsense, bipartisan legislation. We are going to hear more about that in just a couple of minutes, but I am very thankful to be here to talk about these issues.

There is one more I want to talk about, if I might, Mr. COLLINS, and that is the importance of access to local pharmacies and Medicaid beneficiaries in particular. We know that Medicaid beneficiaries depend on their pharmacies as a provider of convenient, trusted care in their communities.

In addition to dispensing vital prescription drugs, pharmacies provide additional services to Medicaid enrollees, including immunizations, medication therapy management—a really big issue—and point-of-care testing like flu or strep tests. These are preventive and maintenance care services that help to fill in the gaps where provider shortages exist.

I know we are looking at reform and maybe replacing the Affordable Care Act, but we have to be very careful, too. We all recognize the importance of Medicaid, I think, going forward, and it is really important, certainly, for these

pharmacies and these community pharmacists, and for their patients as well.

I thank the gentleman from Georgia. I really appreciate him including me in this process. This is bipartisan. It is important to so many communities, so many patients around America, and I am just happy to be here to say a few words.

Mr. COLLINS of Georgia. I appreciate the gentleman being here. I know there are others from across the aisle that are joining us in this fight, and we are looking forward to continuing.

Mr. Speaker, I am just going to highlight a few things as we go through, and we are going to move through some of our speakers.

Mr. Speaker, I want to highlight something that pharmacy benefit managers, PBMs, for those watching, may not know about, and they don't want you to know about it, and it is called spread pricing. Really, what happens there is PBMs have the maximum allowable cost, which is what Mr. LOEBSACK was just talking about, that determine the maximum amount a pharmacy will be reimbursed for certain generic drugs.

However, the PBMs' reimbursement price determinations are hidden. There is no transparency in the process. That is the bill that we are going to be putting out.

PBMs commonly manipulate the pricing by something called spread pricing. PBMs charge employers a higher price for drugs than necessary, and reimburse pharmacies at the MAC, or the maximum allowable cost, which is typically lower.

Spread pricing allows PBMs to skim money from the difference between the high rate they charge for a prescription and the low rate they reimburse pharmacies. Spread pricing is artificially raising the acquisition cost of pharmacy drugs by overcharging at the expense of retail pharmacies, consumers, and health plans. And that is probably one of the better things they do. This gets worse. We are going to continue to talk about it.

Tonight I look forward to hearing some more from my friend. I yield to the gentleman from Texas (Mr. BABIN). Welcome to the show.

Mr. BABIN. Mr. Speaker, I thank Congressman DOUG COLLINS for leading this very Special Order on a topic that is very near and dear to my heart, the invaluable role of community pharmacists in our society.

As a rural dentist who practiced for 35 years, I can relate to the plight of community pharmacists who must overcome all of the challenges involved in running a small business while serving their patients and serving their customers and doing their job as a medical professional.

Just like my small hometown of Woodville, Texas, where I practice, many of the areas in which community

pharmacies are located are rural and have underserved, low-income and elderly populations. This can present unique challenges and, oftentimes, results in community pharmacists performing a lot of services, such as face-to-face counseling and planning services for patients' medication regimen at no charge, care that is uncompensated by Medicare and not typically reimbursed by private insurance companies as well.

What is even more challenging is the uphill battle that community pharmacists continually face in just getting adequate payment for the lifesaving medications that they dispense on a daily basis and still be able to earn a small profit.

Community pharmacists rely on pharmacy benefit managers, or PBMs, who negotiate directly with payors, including private insurance companies, as well as Medicare part D and other government plans, for reimbursement levels for medications. The problem is that the payment levels that make it up to the community pharmacists after the PBMs have "skimmed off the top" are well below the pharmacists' acquisition costs and fail to be delivered in a timely manner in many circumstances, in many instances.

Simply put, there is a dire need for more transparency throughout this process and for more accountability for PBMs. I proudly cosponsored legislation that would do just this last year. It was called the MAC Transparency Act, and I now proudly support this bill again in this 115th Congress. Now is the time to act on this bill.

As a dentist, it was my goal to treat each patient to the highest standard of care, a goal that I share with all of the community pharmacists that I know. Sadly, if there is no change in the conditions that community pharmacists are facing, many of these providers will have to close their doors. Many already have, and our patients suffer.

For the sake of many rural communities that I serve, I hope to see the MAC Transparency Act and other similar pieces of legislation move forward, as well as a greater spotlight put on the actions of the PBMs so that community pharmacists can get the relief that they so desperately need to continue practicing.

I thank Congressman COLLINS for his leadership on this issue.

Mr. COLLINS of Georgia. I think the gentleman is hitting on something and, Mr. Speaker, I think this is really something we need to discuss. We are not discussing simply a business model that was designed in a vacuum, that was designed to help.

Early on I stated this, and I state it every time we have this. PBMs, in their first iteration, as they first came about, were a good mechanism to provide pricing and between the pharmacies and the wholesalers.

The problem was when they became vertically integrated, when they started owning distribution chains, when they started owning their actual end-result pharmacies. When they started doing this, it became then that they are negotiating for themselves. And this is where the end-user—at the end of the day, the person who pays is the Federal Government, but also the customer, our constituents. This is what happens here, and we are losing community and independent pharmacists every day. This is just not right.

When three companies control 80 percent of the market and they use tactics like gag orders and other things, where they don't want their pharmacists to talk about it, where they send out letters saying that the pharmacist is not on their plan anymore when clearly the pharmacist is, but then refuse to send a retraction letter, this is just—I have said this, and I have had people call me after we have talked about this, Mr. Speaker, where they basically said it is amazing this is happening. And all I say is it is true, and it has never really been refuted.

Mr. Speaker, I yield to the gentleman from Tennessee (Mr. DUNCAN) and welcome him here to the floor to talk more about this important issue for our communities.

Mr. DUNCAN of Tennessee. Mr. Speaker, I thank the gentleman from Georgia for yielding, and I want to say that, in a short time in the Congress, he has become one of our greatest Members, and I appreciate him leading this effort tonight.

It is sad, it is unfortunate that, with any big government program, a small number of individuals or companies find ways to manipulate the system and become wealthy. That is why 6 or 7 of the 10 wealthiest counties in the U.S. are suburban counties to Washington, D.C., and that is wrong.

I have read for years about the revolving door at the Pentagon, about the defense contractors hiring all the retired admirals and generals. The same thing has happened with the Food and Drug Administration, that the big drug giants have hired all the former top people at the FDA, and we have a drug price crisis in this country today. There are many parts of it, but we want to talk tonight about one that most don't know about and you almost have to be a pharmacist to really understand what is going on.

But I rise tonight, Mr. Speaker, to join my colleagues in exposing, as I say, an almost unknown culprit in our Nation's drug price crisis, pharmacy benefits managers, also known as PBMs.

PBMs are essentially middlemen between pharmacies and drug manufacturers, but the legal relationships among PBMs, pharmacies, and drug and insurance companies have become increasingly entangled and complex.

For instance, one of the largest pharmacy chains also operates its own PBM, and one of the largest medical insurance companies also operates its own PBM.

PBMs are supposed to be helping keep down the costs of drugs by negotiating discounts and helping pharmacies with managing drug plans, as they often claim to do. Despite these PBM promises, though, I have heard from several pharmacy owners in my district who say that many PBMs are, in reality, ripping them off by drastically raising drug costs.

PBMs have tricks of the trade that include retroactively charging pharmacies more for drugs that they have already sold and processed. I am also told that PBMs also take too long to update the market value of the drugs on their covered drug lists. But these tricks are just two. PBMs use many more.

According to one expert and pharmacy owner in my district, he has seen three primary causes for recent increases in prescription drugs: one, FDA involvement, including requiring "modern clinical trials" of old drugs that have worked for decades; two, drug manufacturers needlessly hiking the price of generic drugs; and three, PBMs charging ridiculous prices for drugs and pocketing the profits.

According to my constituents, PBMs are the main culprit of the three. This pharmacist recently met with me and shared an eye-opening example. One of his senior customers came in with a prescription for a fairly common drug. The prescription had a real or actual cost of \$23.40, but the pharmacist found that the PBM was charging a copay of \$250, over 10 times the actual cost of the drug. The pharmacist chose to just absorb the PBM's ridiculous copay, and only charged his customer the actual cost of the drug.

Another pharmacist in my district emailed me, describing how PBM practices are accelerating seniors into the Medicare part D coverage gap, or doughnut hole. He said: "All of these PBMs have these types of unfair compensations . . . This is not fair, and it hurts our seniors."

Even more pharmacists in my district have also reached out to me, saying that they only get pennies on the dollar for the drugs they sell. PBM actions are forcing pharmacies to deny patients access to critical medications, or to give drugs away for free.

The Daily Times in Blount County, in my district, recently ran a story on PBMs called "Sworn to Secrecy."

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The article cites a pharmacist in Pennsylvania, Eric Pusey, who says that his patients' copays for drugs are often higher than out-of-pocket costs. Why? Because of PBM clawbacks. Mr. Pusey says that if he explains

clawbacks to his customers, some get fired up and don't even believe what we are telling them is accurate.

Another pharmacist in Houston says: We look at it as theft—another way for the PBMs to steal. Most people don't understand. If their copay is high, then they care.

Susan Hayes, a pharmacist in Illinois, says that these PBM clawbacks are like crack cocaine, the PBMs just can't get enough.

Some PBMs are facing lawsuits with accusations such as defrauding patients, racketeering, breach of contract, and violating insurance laws. Since 1987, when the first of the three largest PBMs incorporated, drug prices have increased 1,100 percent, Mr. Speaker, and per capita expenditures have jumped by 756 percent.

The three largest PBMs make up about 80 percent of the drug market, which includes about 180 million patients. These PBMs often conduct business through mail order practices. They sometimes will automatically fill prescriptions month after month even if the patient no longer needs the medication, resulting in terrible waste. Patients include veterans and Medicare beneficiaries—endangering them, wasting their benefits and taxpayer dollars, and driving up the cost of drugs.

As we heard President Trump say in his address last night, we need to look into the artificially high drug prices right away. A good place to start is PBMs. Mr. Speaker, PBMs must be more transparent in their operations so that they can be held to their promises and to the law.

I will just close by saying that PBMs must no longer be able to get away with conducting their business with such unethical methods that they are using now. In short, PBMs must be held accountable for their roles in the Nation's drug price crisis. I join in supporting our community pharmacists.

Mr. COLLINS of Georgia. The gentleman couldn't have laid it out any better. That is exactly what we are talking about. If every Member of our body would go home and just go to their community pharmacy, they would hear this all over the country. This is not new.

I have been on this floor now for almost 2½ years talking about this, and I have not had PBMs come to me and say: Well, no, that's not really true.

Because they do it. So I thank the gentleman for being a part and lending your voice in your community.

We are also very blessed in this body to have someone who doesn't have to come to it like I did in having to deal with it from a family perspective or from my community. We have someone who has actually done this for a living. He is my friend from southeast Georgia. He is a pharmacist. He has made this his life.

I saw he was up at his alma mater the other day, and, President Cathy

Cox, I would have to say he is a Young Harris man.

Mr. Speaker, I yield to the gentleman from Georgia (Mr. CARTER).

Mr. CARTER of Georgia. First of all, Mr. Speaker, I want to thank Representative COLLINS for holding this tonight, for organizing this, also for his advocacy, and for what he has done to bring about attention to this very important subject. This, of course, is something that is very dear to my heart. As the only pharmacist currently serving in Congress, I take this very seriously. I take that responsibility very seriously.

But it is more than that because, you see, in my professional life, for over 30 years, I had the honor of practicing pharmacy. I have built up relationships over that time, relationships with families and with patients. When I see what is happening in pharmacy now, it is an affront. It is an affront to me, and it should be an affront to all Americans. My heart is in this, truly in this.

In over 30 years of practice, I have built up relationships with patients and with families. I have served grandparents, I have served parents, I have served children, and total families. You can only imagine the hurt that it brings whenever I see these people suffering because of what has been mentioned here tonight.

Right now, in our country, prescription drug prices are something that is in the forefront, in the news. There is a problem, a real big problem, and that problem—yes, the pharmaceutical manufacturers have a concern here, and they have responsibility. But there is a bigger problem. It is what I refer to as the man behind the curtain. I wrote an op-ed about this and talked about the man behind the curtain. That is the PBMs, the pharmacy benefit managers. I am going to call them out tonight.

Before I do that, I want to just say something about community pharmacists because they play such an important and vital role in our communities. They directly interface and build relationships with neighbors and friends. I have been there, I have done that, and I understand how important it is. Representative COLLINS has spoken about it, and Representative LOEBSACK, a friend of pharmacy, has spoken so many times. He has spoken about it as well. Representative BABIN and Representative DUNCAN understand how important the community pharmacies are and how important they are to the healthcare system.

But beneficiaries are facing increased costs for prescription drugs without much of a basis or notification on why these costs are skyrocketing. So, very quickly, I want to talk about why these costs are skyrocketing. Yes, as I said earlier, some of the pharmaceutical manufacturers need to be held accountable. They do.

I say that, but I also say that I am a big fan of the pharmaceutical manufacturers. You see, in my over 30 years of practicing pharmacy, I have seen nothing short of miracles. I can remember when I started practicing in 1980. I can remember that people would come in to get an antibiotic and that we would have to dispense 40 capsules and have them take four a day for 10 days. Now I can give them one capsule, and they can take it and be done with it. People were going into the hospital back then to be treated for infections. Now we can treat them. The advances that we have seen are phenomenal.

We talk about the price of some of these drugs, for instance, the drug that is used for hepatitis C. Yes, it is too expensive, and that price has come down significantly. It is only as good as it is affordable. If it is not accessible, if it is not affordable, then it is no good. But stop for just one minute, and think about it. We cured a deadly disease through research and development. The pharmaceutical manufacturers put some of their profits back into research and development, which I applaud.

We cured a deadly disease, hepatitis C, that was killing people. Again, that price needs to come down so that it is more accessible to people. But, again, we cured it. So I am going to cut the pharmaceutical manufacturers a little bit of leeway there.

I think it is interesting that the President, in his first month in office, called the pharmaceutical manufacturers to the White House. He told them: You got to do something about these escalating drug prices.

He also talked about those people who are on the other side of R&D, who are on the other side of research and development. He put a notice out, and he said: You better beware because we're going to be watching you.

The next day, the stocks of two of the major pharmacy benefit managers went down. They went down significantly, almost 2 percent, because they knew what was coming, and they know what is coming now.

First of all, let's talk about the profits of the PBMs. A quick history, PBMs came about kind of in the mid 1960s, and all they were was a processor. Their goal and their charge was just to keep up and to process insurance claims as insurance came about and became more and more popular to pay for medications. That is all they did.

But over time, they have evolved into more than that. If you look at what has happened over the past decade, the profits of the three major PBMs—and Representative COLLINS alluded to this earlier—you have got three companies who control almost 80 percent of the market. That is not good. That is not competition, and that is what we have to have in health care in order to decrease healthcare costs. It is competition. When you have three

companies that account for almost 80 percent of the market, that is never good.

But if you look at those three companies and you look at their profits over the last decade, you will see that they have increased some 600 percent—billions of dollars. Now, you can make the argument, well, the pharmaceutical manufacturers, their profits have increased, too. Yes, they have; and, yes, they should be accountable for that. However, at least they are bringing value to the system by investing into research and development.

PBMs bring no value to the healthcare system at all. They put no money into research and development. All they do is skim it off the top. As medications go up in price, they make more. Representative COLLINS alluded to spread pricing. That is exactly what he is talking about, and that is exactly how they are making their money. The more expensive a drug, the more money the PBM is going to make. That's all there is to it.

I served on the Oversight and Government Reform Committee for the past session in the 114th Congress. We had a problem with Mylan Pharmaceuticals and a drug that they had, EpiPen. It went up to \$600. Unbelievable. Here was a drug that is a life-saving drug that people have to have for anaphylactic shock. We in Congress actually passed legislation that required that drug to be on hand in gyms and in schools in case there was a problem. Yet, they went up to \$600.

It was really interesting because, during the time that we were asking questions of the CEO, she mentioned, well, when it leaves us, it is this price right here—I am just going to use round figures—it is \$150. By the time it gets to the pharmacist and by the time it is dispensed to the patient, it is \$600.

I asked her: What is that difference there? Where is that coming from?

I don't know.

I don't know either.

Now, there is the beginning and the end. The beginning is the pharmaceutical manufacturer. She doesn't know. The end is me, the dispensing pharmacist, and I don't know.

That is what I'm referring to when I talk about the man behind the curtain. That is where the PBMs come in.

Now, they will tell you: Well, we are taking that money, and we are giving it back to the companies, to the insurance.

Well, if they are, and they're not keeping any of it, then why are their profits going up so much? Why have their profits gone up over 600 percent? It's because they're keeping it. They're keeping it, and they're adding no value whatsoever to the system.

Now, they will argue the fact, they will say: Well, we are keeping drug prices down.

Oh, yeah? Well, how is that working out for you? It ain't working out very

well at all because drug prices are going up.

I mentioned the competition, the fact that we have got three companies that control over 80 percent of the market. That decreases choices.

We are talking about community pharmacies, and I know that is what Representative COLLINS is really wanting to focus on here tonight, and it is so very important because we have to have community pharmacies. They are vital to the healthcare system. In many areas, the most accessible healthcare professional is the pharmacist, particularly in rural areas. As they go, and as they are eliminated, we are losing a vital part of the healthcare system.

But PBMs are shutting out a lot of these community pharmacies. I alluded earlier to the fact that I have served grandparents, parents, and grandchildren. I've built up those relationships. One of the toughest things that I have ever faced is for a family member to come in to me literally in tears and say: I have got to change pharmacies.

I say: Why?

Because my insurance company, because my PBM says that I have to get it from them through mail order.

Well, why would you have to get it through them through mail order?

Because they own the pharmacy.

Representative COLLINS alluded earlier about vertical integration, and that is what we see. The PBM owns the pharmacy that they are requiring the patient to go to. Well, guess what? That means they are padding their pocket even more. That is the kind of thing that we should be protected from.

I will give you a quick story, a true story. Back when I was still practicing pharmacy and owned my pharmacy, my wife had insurance through her employer. She had a different insurance plan than I had. She got her insurance, and she got a prescription filled at my pharmacy—at my pharmacy. Now, this is the pharmacy benefit manager who owns the pharmacy. That night when I got home, I got a phone call from the insurance company saying: Well, your wife got a prescription filled here at this pharmacy, but if she gets it filled at our pharmacy, we can give her a lower copay. We can give her a discount.

Now, supposedly there is a firewall in between the PBM and the pharmacy. Well, guess what? There wasn't that firewall there that night, not when I got that phone call.

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Can you imagine? What is that doing? That is taking patients away from the community pharmacist. That is unfair business practices. So, that is what we talk about. Ultimately, who suffers?

I don't want to give the impression I am just here to try to make sure that

community pharmacies stay profitable and make sure that they stay in business, although it is important. If they don't stay in business, who is going to suffer? It is going to be the patient. It is going to be the healthcare system.

Folks, the only thing that is going to bring down costs in our healthcare system is more competition and free market principles. That is what we are trying to do now in Congress, through the repeal and the replacement of the Affordable Care Act.

We understand that we have got to get free market principles back into the healthcare system. We have got to get competition in order to drive healthcare costs down. We understand that. This is a big problem, a big problem.

Very quickly, I want to talk about three bills that are being proposed. First of all, I want to talk about Representative COLLINS' MAC Transparency bill.

Transparency, that means give us an opportunity to see exactly what is going on. If you mention transparency to a PBM, they go berserk: My gosh, no, we can't have that. We can't have transparency.

But Representative COLLINS' bill, the MAC Transparency bill, which I am proud to be an original cosponsor of, brings about greater transparency in generic pricing—drug pricing, in general, but particularly generic.

Many of the recipients don't understand the cost structure. They don't understand how that works, where the original fees are originating from, which are often a direct result of the fees that are leveraged by the PBMs, the prescription drug plan sponsors.

Congressman COLLINS' bill addresses this issue, and it addresses more. Under his legislation, a process would be established to help mediate disputes in drug pricing. It would establish new criteria for PBMs to adhere to when managing the costs of prescription drug coverage.

This MAC Transparency bill is a step forward not only for the industry, but for the beneficiary, and that is what is so very, very important. It is no surprise that costs are going up. No surprise at all. With the lack of transparency, that is what is going to happen.

We have got to have greater transparency in the drug pricing system. And, yes, that includes pharmacy. Yes, that includes the pharmacy; yes, it includes the pharmaceutical manufacturer; but mostly, it has got to be with the PBMs.

If we have a CEO of a medication—a pharmaceutical company like Mylan which we had come up and testify before us here in Congress, and I ask her about that gap there and where that money is going, if she doesn't know and I don't know, there is a problem. That means we need more transparency. And that is exactly what happened.

Now I want to talk about another problem that is called DIR fees, direct and indirect remuneration. Let me tell you, this will be the death of community pharmacies.

DIR fees are what they refer to as clawback fees. What happens is, when you go into a pharmacy, you get a prescription filled, the pharmacy's computer calls the insurance company's computer, the PBM's computer, and it tells us how much to charge the patient in a copay and tells us how much we are going to get paid. However, with these DIR fees, months later, after we have already been promised how much we are going to be paid, pharmacists are getting bills from these PBMs that are saying: Well, we didn't make quite as much that quarter as we should have, so we are going to have to claw back this much.

I met with pharmacists from the New York State pharmacy association and they were telling me, literally, horror stories about getting bills for \$85,000, \$110,000 in clawback fees. Folks, that is not a sustainable business model. When you are trying to run a business, a community pharmacy, and you get a bill months later in the hundreds of thousands of dollars, that is not sustainable. You can't stay in business that way.

We have got to do something about DIR fees. Thankfully, Representative MORGAN GRIFFITH from Virginia has a bill addressing this. I am supporting him on that bill.

In fact, in a recent survey, nearly 70 percent of community pharmacists indicated that they don't receive any information about when those fees will be collected or how large they will be. Again, ultimately, who ends up being penalized? Who ends up being penalized is the patient. The patient ends up being penalized.

Understand, this is not a partisan issue. These PBMs don't care whether you are Republican or Democrat. They care about one thing, and that is profit. That is all.

Now, let's talk about one other. Let's talk about a bill that Representative BRETT GUTHRIE from Kentucky has, H.R. 592, Pharmacies and Medically Underserved Areas Enhancement Act. Under this bill, many of the individuals who seek consultation, especially seniors, can continue to receive that quality input and expertise.

This bill is known as the pharmacy provider status. Simply, what this will do is make sure that the pharmacists who give consultations are being reimbursed for that. That is vitally important.

Pharmacies are the front line in health care. There are so many diseases. The pharmacists who are graduating today are so clinically superior to when I graduated. Their expertise is beyond anything that I ever imagined it would be. We need to make sure that

we are utilizing that. That is going to be a key in helping us control healthcare costs: utilizing all these allied health fields and making sure we are using them to their fullest potential. This bill will help us do that.

So there are just three bills that are being introduced right now with community pharmacists that impact pharmacy but, more importantly, that impact health care and that are going to help us have a great healthcare system and to continue to have a great healthcare system.

There are a couple other things that I wanted to mention. I am going to hold off on those because, again, I want to make sure that everybody understands the point that I am trying to make, and that is just how important, how vital the community pharmacies are and just how bad the PBMs are and how they are ripping off the public. They are ripping off the public. Look at their balance sheets. Look at the profits. Again, they want to argue, and they want to say: We are holding down drug prices.

Again, how is that working for you? It is not working. It is not working because they are pocketing the profits. If they were truly doing what they said they set out to do, we wouldn't see escalating drug prices like we are seeing.

Yes, there are some bad actors out there, as there are in every profession. Yes, we had Turing Pharmaceuticals and Martin Shkreli, the "pharma bro." This guy was a crook, no question about it. We had Valeant Pharmaceuticals and what they did with Isuprel and Nitropress.

Just recently, Marathon Pharmaceuticals bought a drug that was available over in Europe. They brought it over here and got it approved in America. It is a very important drug for muscular dystrophy. Now they want to increase the price to an enormous amount that won't be affordable for patients.

Those are bad actors. As my daddy used to say, you are going to have that, and we understand that. We have Valeant and Turing and Marathon. We are calling them out, too. They need to be called out.

But we also need to focus on what one of the biggest problems is in escalating prescription drug prices, and that is the PBMs. They bring no value whatsoever to the system. They put no profit back into research and development.

Communities' pharmacists play an important role in our healthcare system. I am proud to support our community pharmacists. I am proud to have been able to practice in a profession for over 30 years that I know brings a great deal of value to patients and to their families.

Again, I want to thank Representative COLLINS, and I want to commend him for his hard work.

Representative AUSTIN SCOTT is here, also. He has been a champion of this as well. They understand. They get it. I appreciate their efforts on that, and I appreciate everyone who has been here tonight. I thank Representative COLLINS for hosting us here tonight. I appreciate his support.

Mr. COLLINS of Georgia. Before the gentleman goes, you told the story about getting a call from your own pharmacist. You and I were here together, I think, sometime 6 months ago. We were doing this and talking about this issue of mail order. We were talking about this.

I had a Member who was watching us on the floor talk about the pharmacy and the PBM problem and got a call from the PBM because they had gotten a prescription for their child. Yes, the day before they are getting a call in their office from the PBM saying: If you just switch from your local pharmacist, we will do it better. That is why we are sitting here.

An interesting thing you brought up on DIR fees. What we have right here sort of describes what you were talking about. I am putting it here so people can see it.

There is an interesting part of this DIR fee issue. It forces Medicare part D beneficiaries to pay inflated prices at the point of sale that are higher in actual cost than the drugs. The cost of the drug will be recouped in DIR fees, which is retroactively assessed later.

Many beneficiaries are moving past their part D benefit faster and hitting the doughnut hole sooner, forcing them to pay out-of-pocket costs. This is particularly true with lifesaving or specialty drugs. These are things that we are seeing.

Patients forced to pay out of pocket might be forced to cut back or abandon treatment. According to the Community Oncology Alliance, pharmacists lose \$58,000 per practice, on average, to DIR fees each year. This makes it difficult for independent community pharmacists to keep up.

When patients pass through the doughnut hole into catastrophic coverage, guess who picks it up? CMS takes on the cost-sharing burden. This is why this matter is in Congress. These costs have increased from \$10 billion in 2010 to \$33 billion in 2015. This is just dealing with this issue.

We have got to have greater transparency on this. This is why Morgan Griffith's bill is good and we are going to continue to fight about this.

Again, I have yet to have a PBM tell me I am wrong here. I know from your experience you are seeing it as well.

I yield to the gentleman from Georgia (Mr. AUSTIN SCOTT), our other friend from south Georgia who has been outspoken on this. He comes to the floor to talk about his experiences with this as well.

Mr. AUSTIN SCOTT of Georgia. Mr. COLLINS, I had several parents in my

office today. I thought I would talk about a couple of the meetings that I had.

I had a father there talking about his son Gabe. He had a T-shirt on with "H4G," which stands for "Hope for Gabe." I listened to him talk about his son and the life-threatening disease that his son has and the threat that his son is under because of a U.S. pharmaceutical manufacturer named Marathon. I would like to read part of an email that I have from him:

Hope you are well. I just wanted to let you know that my son Gabe takes a drug called Deflazacort. He has since he was 5 years old. He is now 11. We currently pay \$116 for a 3-month supply of 15-milligram dose for Deflazacort. We were getting this drug from Europe, as it was not available here in the United States, and have had no problem with access to date.

Now, many of you heard about this story. The FDA approved the same drug for sale in the United States. What did the drug manufacturer do with the price of it? Well, Marathon took the price from \$116 a quarter to approximately \$87,000 a year.

Now, this is what is happening. For drugs that are available everywhere else in the world, it is not that they are being developed with extensive research and expensive research in our country. People are simply buying the right to sell the drug in the United States. As soon as approved and available in the U.S. marketplace, it is no longer legal for people to import that drug from Europe. Marathon priced the drug at \$89,000 per year.

Reading again from his email, in bold letters:

It is the same drug we are getting today from Europe for \$450 per year, the exact same drug. We need your help here. The Duchenne community needs your help, and specifically Gabe needs your help.

□ 1930

As I sit here and look at the American flag, you know, there is no other country in the world that allows their citizens to be treated like this. None. I am embarrassed that this Congress hasn't done anything about this abuse to the American citizens from the pharmaceutical and the PBM industry.

I know our President, and I am glad that we have a President with the courage and the boldness that our President has, had the executives to the White House. I would suggest that a good meeting also would be to have the parents—have the father of Gabe, have the mother of Gabe come to the White House. Sit down in the same room with the TVs on with the executives from those companies that are cheating these people. Let's let the executives explain on TV in front of the parents, in front of the child who needs that lifesaving drug why it costs \$450 in another country but should cost \$87,000 in America.

Another group of parents that was in my office today was there representing

juvenile diabetes. I had a heart-wrenching discussion with a mother in my office in Warner Robins about her daughter, insulin-dependent. She has got to have it or she dies. This mother had a job, actually, in another country and talked about what she paid in another country to receive that same drug, insulin, for her child. It cost a fraction of what it cost in America.

I think it would be great for our President to have that mother and that daughter or the mother who was in my office today talking about her daughter come and sit down at the White House, and maybe the president of Eli Lilly could come and sit down. Maybe we could put the TV on, the cameras on so everybody in America could see the CEO explain why insulin, which has been around for decades, costs as much in this country as it does when it doesn't cost anywhere near that in any other country.

Something has got to give. Something has got to give. The American families have given enough. I am hopeful that we will move sooner rather than later. American families can't take it anymore. A drug that costs \$450, that can be imported from Europe, shouldn't cost \$87,000 in America.

On top of the issues with what is happening with the manufacturers, we have got the issue with the PBMs.

Why shouldn't you know what the PBMs are getting in a kickback?

Everywhere else you go, you get a price sticker. You know what the rebates are when you go to your local car dealer. They are readily advertised.

Why shouldn't you know as the American citizen?

My friend Mr. COLLINS and I have been working on it for years. We worked on it back in the State legislature. In fact, we passed a bill back in, I think, 1987, the first transparency act that we passed in the State legislature in Georgia. I hope that governors and members of the State legislatures will go back and address this issue as well. The transparency issues can be done at the State level. That bill came to the Georgia House floor, and it passed 150-0. Not a single Democrat, not a single Republican voted against that bill. Every single member who was there that day voted for the bill.

Mr. Speaker, we know something has got to be done. I just hope that we take action sooner rather than later.

I would just like to make one last request. Mr. President, I hope you will invite these parents and their children to the White House. I hope you will invite the CEOs of these companies to come and sit down at the same table, and I hope you will even invite the press to come and publicize the meeting.

I thank Mr. COLLINS so much for standing up for the American citizens. I am honored to be a friend of his, and I thank him for allowing me to be in the fight.

Mr. COLLINS of Georgia. Representative SCOTT brings out this issue with passion. That is exactly what we need as we go forward in this discussion.

This is exactly what the PBMs don't want to have. They don't want to have transparency. They don't want to talk about it. We have been talking about it now for years on this floor. It just continues to get worse.

In fact, the Prescription Drug Price Transparency Act that we are getting ready to introduce—and Mr. SCOTT and others are part of it—just the other day they were trying to undercut this bill.

I recently saw an interview with Mark Merritt. He is the CEO of PCMA, the trade group for PBMs. The article misrepresented PBMs' role in the marketplace. Now, that is a shocker, really. Distorting the facts to protect PBMs' ability to continue profiting at the expense of beneficiaries and taxpayers.

So tonight let's have a little fact check. Let's look at the claims by Mr. Merritt versus the truth.

First, Mr. Merritt claimed that PBMs play an important role in negotiating price discounts in order to pass those savings along to customers. In fact, what he said was:

We have an interest in lower price or bigger discounts . . . and we're going to negotiate the most aggressive discounts we can.

Well, it is true that PBMs do effectively negotiate huge discounts. However, the patients never see this discount or rebates reflected in their prices or out-of-pocket costs. These rebates and discounts merely pad PBMs' profit margins. They do not increase patients' well-being. This lack of transparency allows PBMs to receive massive rebates and refuse to pass those savings along to consumers or customers.

In fact, what is interesting, there is proof that transparency in MAC pricing saves more money than the PBMs are willing to admit.

You want an example?

Let's look to Texas. Texas has one of the oldest MAC-style laws. Texas passed MAC transparency legislation similar to the Prescription Drug Price Transparency Act in June of 2013.

Now, here we go, Mark, explain this one.

Since Texas passed their law, their Medicaid fee-for-service prescription drug expenditures for the top 100 drugs fell from \$219.54 per prescription to \$91.32. Yep, you are doing a good job negotiating for your bottom line.

What else does he say?

Number two, Merritt tries to distort the purposes of the Prescription Drug Transparency Act by drawing concern to transparency in the drug marketplace. Let's see what he says. He says:

The kind of transparency to be concerned about is where competing drug companies and competing drugstores can see the detailed arrangements that we have with all of their competitors.

Well, seeing as how they own part of the competitors, not really a lot of things going on there.

Our legislation simply would not allow competing drug companies to see detailed arrangements that PBMs have with competitors.

Mark, quit lying.

This statement is a misrepresentation of what the Prescription Drug Transparency Act does. Competing pharmacies would not be able to see the arrangements their opponents have with PBMs because they would not be publicly disclosed. Transparency measures and contractual agreements include confidentiality clauses preventing public disclosure.

May I remind Mark that he has gag orders in some States where the pharmacists can't even talk about these issues.

By the way, they send letters to pharmacists saying: Oh, don't go talk to your elected officials, because if you do, we will cut your contract off.

Wow, that is concern, Mark.

Furthermore, the disclosure of sources of drug pricing determinations remains confidential and is only disclosed to pharmacies and their contracting entities. PBMs distort transparency to mean only public transparency in an attempt to protect the profitability that comes with keeping their corrupt business practices in the dark. I wish he would have stopped there. He didn't.

Let's go on to the third. Mark Meritt says:

We want to make sure that wholesalers who sell to the drugstore aren't trying to sell the most expensive thing and pass the cost onto consumers.

All right. Here we go again. This is getting familiar. It has little to do with wholesalers. PBMs design the formularies—yes, we understand this, Mark—that dictate what drugs are covered by insurers. Because there is no transparency, PBMs are able to receive drugs at discounted prices but refuse to tell employers. PBMs are then able to still charge employers the full amount for the drug, even though they are receiving it cheaper. PBMs often receive large rebates to incentivize them to include expensive brand name drugs in their formularies, even though cheaper generics are available.

Mr. Speaker, listen. They receive large rebates to incentivize them to include the expensive brand name drugs on their formularies. I had an issue just like that with my own mother just recently. She needed medication. She had been on it for 8 months. They had to reauthorize it after the first of the year.

I asked: Well, is there another issue she could have?

They said: Well, this is the only one on the formulary.

PBMs don't control pricing; PBMs don't control what drugs come to mar-

ket. Another falsehood. PBMs substitute expensive drugs and overcharge Medicare part D, TRICARE, and FEHB programs. This means they are lining their pockets with money from the taxpayers.

Fourth thing:

If drugstores like those terms, they can sign a contract; and if they don't, they can join with some other plan or PBM.

Oh, I love this. This is classic, Mr. Speaker. PBMs hold a disproportionate share of the marketplace. We have already talked about three of the largest PBMs own 80 percent of the market—80 percent. Because PBMs have a stranglehold on the market, community pharmacists cannot stay in business without being forced to contract with them. It forces community pharmacists to sign take-it-or-leave-it contracts with anticompetitive and unfair provisions, and from transmitting it without written consent. These are just crazy.

I had—one of my pharmacists who was on their plan actually had a letter sent to their customers who said: You are no longer on the plan.

He called the PBM. The PBM said: No, you are still on the plan.

He said: Then why did you send a letter out?

PBM said: Oops, must have been a mistake.

He said: Well, why don't you send a letter out telling them that they are wrong?

PBM said: Oh, we don't do that. That is on you.

Yeah, because all you want to do is keep the money, follow the money. Mark, it is easy. I understand running a trade association is tough, but at least be honest about it.

The last thing. Community pharmacists typically get paid more by plans because there is not as much competition. Well, five for five. Community pharmacists in northeast Georgia and across the United States are under constant threat of going out of business because of PBMs. PBMs exploit the market, prey upon community pharmacists, using spread pricing and retroactive DIR fees. PBMs also use a disproportionate share of the market to steer patients to pharmacies they own themselves.

The Prescription Drug Price Transparency Act is vitally important to improving fairness and transparency in the healthcare system. Community pharmacists must be kept in business and patients should have the choice to receive care from their local pharmacists. Community pharmacists might be afraid to stand up to PBMs. Community pharmacists many times are basically scared into submission.

I have stood on the floor of this House many times. My pharmacists can't speak, but I can, and I will remind the PBMs one more time: You can't audit me. You can go audit for

profit, which you do every day. You can go hit them, but you can't hit me.

I will continue to be a voice for community pharmacists. These Members are being a voice for community pharmacists. Our numbers are rising every day. The President himself has actually begun to look at those middlemen and those pricing.

Tonight ends another night of telling the truth when the truth needs to be told. Mr. Speaker, we end another time of standing up for the American people and the community pharmacists.

I yield back the balance of my time.

CONGRESSIONAL PROGRESSIVE CAUCUS: REACTIONS TO THE PRESIDENT'S ADDRESS TO CONGRESS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentlewoman from Washington (Ms. JAYAPAL) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Ms. JAYAPAL. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the subject of my Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

Ms. JAYAPAL. Mr. Speaker, today I stand here for this Special Order on behalf of our Congressional Progressive Caucus, and we have decided that we would like to use this Special Order hour to address our reactions to the President's address to the Union last night.

Before I offer my part of those remarks, Mr. Speaker, I yield to the gentleman from Maryland (Mr. RASKIN), my friend and colleague.

Mr. RASKIN. Mr. Speaker, I thank Congresswoman JAYAPAL. She has been a sensational leader within the Democratic Caucus and within the Congressional Progressive Caucus, especially on the issues of immigration and the rights of refugees. It is such an honor to be able to serve with her. I appreciate being able to spend some moments just reflecting on what took place in our Chamber last night with the President's speech.

We should start by giving credit where credit is due. This speech was not "American Carnage II." It was a vast improvement, I would say, over all of the violent and apocalyptic imagery and rhetoric that we saw in the inaugural address. So hats off to the President's new speech writer, whoever that may be.

However, having said that, I think it is simply old wine in a new bottle. The same basic extremist Steve Bannon infrastructure governed that address despite the fact that the manners had improved considerably.

□ 1945

When I thought about President Trump's speech in this Chamber last night, I thought about George Orwell. Not because of 1984, although I admit that my well-thumbed copy of this great dystopian novel is sitting on my desk right now and the words "war is peace" and "ignorance is strength" have been running through my mind over the last several weeks. No, I thought of Orwell not because of 1984, but because of a great essay he once wrote called "Notes on Nationalism."

In this essay, George Orwell contrasted patriotism and nationalism—two concepts that often get conflated. But at least, in his view, they represented two very different things. Patriotism, he argued, was a positive emotion, a passionate belief in one's own community—its people, its institutions, its values, its history, its culture.

An American patriot today, I would argue, believes in our magnificent constitutional democracy—our Constitution; our Bill of Rights; our judiciary and our judges; our States and our communities; our poets like Emily Dickinson and Walt Whitman and Langston Hughes and Merrill Leffler; our philosophers like John Dewey and Ralph Waldo Emerson; our extraordinary dynamic culture which invites and absorbs new waves of people from all over the world, our artists, our musicians like Bruce Springsteen, the Neville Brothers, and Dar Williams. All of these people and things are what we love about America, and they evoke the positive emotion of patriotism.

Patriotism is all about uplifting people; drawing on what is best in our history; finding what is best in our culture; invoking our Founders, Madison, Jefferson, Franklin, and Tom Paine; invoking the people who founded the country once again through the Civil War and the reconstruction amendments, Abraham Lincoln and Frederick Douglass; the people who transformed America in the women's suffrage movement, like Susan B. Anthony; the people who remade America once again in the civil rights movement, like Martin Luther King, Bob Moses, and the Student Nonviolent Coordinating Committee; the people who blew the doors off of discrimination and oppression against other groups, like the LGBT community, like Harvey Milk.

All of these people stand for a progressive dynamic and inclusive concept of America, and patriots want to draw on this culture in history in order to continue to make great progress for our people today. A patriot wants to improve the health of our people, the education of our people, the critical thinking skills of our people, the well-being of America.

Now, nationalism is different. If you look at it historically as Orwell did, nationalism has been not about build-

ing people up and improving their lives, it has been about militarizing society and getting everyone to sync their individuality, their creative personality into a large corporatist and authoritarian state, one that is destined to exploit people's goodwill by mobilizing them for groupthink and endless hostility in war, the kind that Orwell dramatized so frightfully in 1984 and in "Animal Farm."

Well, I am sorry to say that I didn't see a lot of patriotism in Orwell's terms in the speech last night. Ninety percent of our kids go to public schools, but 90 percent of this President's energy and administration's energy seems to go into maligning and defunding public education and diverting public money away from public schools into private education. That is the Betsy DeVos agenda.

Or take health care. The Affordable Care Act represents a magnificent national investment in health care of our own people. More than 22 million of our fellow citizens, previously uninsured, got health care because of the ACA. Thirty million if you include the expansion of Medicaid that took place under the ACA.

If you decide to go to a town hall, yours or someone else's, you will meet people who will tell you that their lives were saved because of the Affordable Care Act—victims of breast cancer and colon cancer and heart attacks and strokes and on and on. These things are just in the nature of life. We are all subject to medical misfortune. If you learn you have cancer or if you have a heart attack, that is a misfortune. It happens to people every day. But if you have cancer or leukemia or you have a heart attack and you can't get health coverage because you lost your job or because you are too poor, that is not just a misfortune, that is an injustice because we can do something about that. Because that has to do with how we have organized our own affairs as a society.

But what did we hear from the President last night about the health care and well-being of our people? Repeal and replace the Affordable Care Act. They voted more than 50 times to repeal the Affordable Care Act and never once to replace it. They have got no plan. The President did not offer a plan.

The President restated the values of the Affordable Care Act itself. And understand, the Affordable Care Act was the compromise because the logical thing to have done, as President Obama said, if we were starting from scratch, would be to adopt a single payor plan. But because we were along a certain path, he felt we couldn't do that.

So he took the plan that was adopted at The Heritage Foundation, the conservative think tank, the one that was put in in Massachusetts by Governor

Romney—RomneyCare. That is the Affordable Care Act. But they couldn't tolerate that because they cared more about scoring political points against the President than they did about actually making health care available to as many Americans as possible.

So the President showed up empty-handed again. No plan whatsoever. If there were a plan, we would be debating it. If they had something to offer, we would be talking about it. But they don't have it. They just want to repeal and consign everybody back to medical oblivion. Millions of people going back to not having it. Making everybody else's insurance premiums skyrocket and just turning our backs on the families that now depend on the Affordable Care Act.

Now, I will say the President mentioned in passing something that he made a big deal of during the campaign, and I was happy he did. He went back to saying that we needed to give the government the authority to negotiate with the large drug companies, the prescription drug companies, for lower prices.

And I was happy to hear my colleagues from the other side of the aisle in talking about the pharmacist just now, also talking about the extraordinary power of the pharmaceutical companies and their predatory practices.

Well, what the President has said makes perfect sense on this point, which is there was some special interest legislation that came out several years ago saying that the government could not negotiate for lower prices with the drug companies when it comes to Medicare. We do it with Medicaid, we do it with VA drug benefits, but we can't do it for Medicare drug benefits because some lobbyist was able to get somebody to stick that into the bill, and the GOP majority stands by it now.

And so I appeal to the President, if you are serious about it, I will work day and night to get every Democratic vote I can to side with you in giving the government the authority to negotiate for lower drug prices. That is a common ground agenda. Let's do that.

But as to the general picture of health care in the country, the President gave us nothing last night. We also got no jobs plan. We got no plan to confront the shameful inequality in our society.

When the President and his Cabinet entered the Chamber last night, the net worth of this room went up by \$9.6 billion. This is the richest Cabinet in American history. These 17 people in the Cabinet have more wealth than 43 million American households combined. That is one-third of American households. When you look at the Trump Cabinet, you can see the net worth of one-third of American families together.

And the President, who campaigned like a crusading populist, like William Jennings Bryan, for working people, creates a Cabinet of billionaires and CEOs, people who profited like mad from NAFTA and all the trade deals that the President now denounces. He closed his campaign by railing against Goldman Sachs. But Goldman Sachs may as well be the nickname of this Cabinet. From Secretary Tillerson to Steve Bannon and many others, Goldman Sachs is all over this administration.

And last night, we also got more immigrant bashing. And I know my friend and colleague, Congresswoman JAYAPAL, will discuss this.

How patriotic is immigrant bashing? I would say not very. Tom Paine said America would be a haven of refuge for people fleeing political and religious repression all over the world. Madison said it would be a sanctuary for religious and political refugees. America would come to be symbolized by the Statue of Liberty. "Give us your poor, your tired, your huddled masses yearning to breathe free," that is the spirit of America.

We are a nation of immigrants. Other than Native Americans, we were here before everybody else got here. And the slaves were brought here against their will. But everybody else, we are immigrants or we are the descendants of immigrants. So if you attack immigrants, you are really attacking the dynamic and inclusive culture of America, a community of communities.

And then there is the big proposal we got to slash \$56 billion in domestic spending and put it into a great big, new military buildup. And here we see the fingerprints, of course, of Steve Bannon. We could destroy the National Endowment for the Arts, the National Endowment for the Humanities, the Environmental Protection Agency, the National Institutes of Health, the State Department, the Peace Corps, the National Oceanic and Atmospheric Administration, the Securities and Exchange Commission, the Federal Election Commission, the CFPB, and on and on, and still not come close to the \$56 billion that they want to rip out of the domestic priorities of the American people and simply give to the Pentagon. And for what? Why? No one has told us why. What is all of that money going to buy? Who is going to get rich off of all of that money?

Ladies and gentlemen, when you add it all up, this program seems like it partakes of the ultra-nationalist politics that Orwell perceived in authoritarian regimes, not the kind of patriotism that reflects the best in our own Democratic political culture.

The great thing is that Americans are deep patriots. We love our communities. We love our institutions. We love our values. We love our Constitution. We love our Bill of Rights. And

we are not going to fall for a right-wing, ultra-nationalist agenda that takes us away from everything that we love.

□ 2000

Ms. JAYAPAL. Mr. Speaker, I thank my distinguished colleague from Maryland for your tremendous work already in these 7 weeks and schooling us all on the Constitution and making sure that we continue to recognize the tremendous responsibility that we have here in this body to protect that Constitution and everything that it stands for.

Last night's State of the Union Address deserves a response for lots of reasons and, unfortunately, none of them are good.

Last night, we heard from this President a toned-down version of his campaign speeches. The speech was well delivered. He stuck to his script. It may be the first major address that he has conducted where he did stick to the script. He had a lot of diligence in that. And he even started with some very necessary recognition of the anti-Semitic acts that have been taking place across the country, and he denounced those acts.

He denounced the killing of an Indian American in Kansas. I, too, am Indian American, and I know that that killing hit home hard for many of us across the country who wonder if we, too, are going to be the targets of hate. The President did say that he denounces hate, that there is no place in this Nation for hate, and that, in fact, we need to do a lot of work to make sure that we preserve this place, this country as a country that is safe for everybody.

Unfortunately, it took a while to get there, and his words belie the rhetoric that he has put out there in the past. In fact, I think that this President has not spoken out against the kind of hate and, in fact, has sometimes said things that encourage his followers to act in ways that simply do not meet the rhetoric that he had yesterday.

The first place that that was so obvious to me was in the space of immigration. Now, I have been an advocate on immigration for many, many years. I have worked across the aisle with friends and colleagues in the U.S. Senate, in the U.S. House of Representatives. At that time, I was an advocate. But together, we understood the tremendous contributions of immigrants to this country, and we understood that unless you were Native American, that, willing or unwilling, everybody in this country has been an immigrant or a descendant of immigrants.

And so to come into the Chamber and yet again hear the fear-mongering and the characterization of immigrants, undocumented immigrants, as this enormous swath of people who simply all they do is commit crimes is simply a travesty and a disservice to the millions of people across this country who

work every day to pick our vegetables, clean our homes, serve us in so many different capacities, as well as to all of those who have come through the legal immigration system, but with many challenges.

You know, it took me 18 years to get my citizenship. I went through visa after visa after visa. I understand the barriers. But for this President to continue to focus on a stereotype of undocumented immigrants as criminals is simply disingenuous, unfair, and, frankly, un-American.

DREAMers and refugees and immigrants and others who have helped build this country were the guests of many of us Democrats in the Chamber. We each brought incredible men and women to join us for the State of the Union; people who we feel demonstrate the resilience and the strength and the courage of immigrants across this country.

I was proud to be joined by an amazing woman, a good friend named Aneelah Afzali, who is the executive director of the American Muslim Empowerment Network, an initiative of the Muslim Association of Puget Sound. Aneelah is a Harvard-trained lawyer. She is an incredible snowboarder. She is a 12th Man Fan. She loves the Seahawks, and she is a strong advocate for a community that has been, frankly, terrorized since the passing of the President's Muslim ban. Now, of course, courts have said that that ban is unconstitutional.

The President seems to be accepting that it is unconstitutional, but we also know that he has reshaped that ban to continue to target people simply for the country from which they come, simply for the region that they come from.

The reason we invited all of those guests to be here in the Chamber with us is because we wanted to send a message to this President and to our country that we are strong as a country because of our diversity, that we are better for the perspectives and the values that people bring, and regardless of what religion you are, we all, as the President said yesterday, do bleed the same blood, and we all believe in the promise of the United States of America.

We wanted the President to understand and our colleagues in this body to understand, when we pass laws, when we approve of executive orders, to target people simply based on religion or place of origin, that we are doing a tremendous disservice to this country and we might be violating constitutional laws in some of these cases, but that America deserves better in terms of how we position what immigrants have done for this country.

Now, the President last night kept talking about these heinous crimes that immigrants commit. In fact, he had some people here in the Chamber,

his guests, who were tragically affected by the murder of individuals in their families who were killed because of a single, undocumented immigrant. A heinous crime committed by an undocumented immigrant is simply not representative of the millions of law-abiding immigrants across our country.

This is a continuation of what the President did during the campaign: fear-mongering and otherizing people. The reality is that, just like Dylann Roof's horrific murders in South Carolina cannot be representative of all Caucasian Americans, there is no way that one undocumented immigrant or even a couple of undocumented immigrants can be representative of 11 million who have served this country, helped build our economy, helped drive our industries, and who contribute so much to our country every single day.

The President also seemed to paint this picture of immigrants as driving up crime, that when you have undocumented immigrants, then you have higher crime. In fact, the statistics show that immigrants commit crimes at far lower rates than native-born Americans and that our sanctuary cities, the cities around the country that have policies that are friendly to immigrant communities, including undocumented immigrants, that those actually are safer as cities than comparable cities that are not sanctuary cities.

That was a report that came out, and it is an important one for people to understand. Why? Because, when you have trust and when you understand that the fix that we need is for a system that is broken, an immigration system that has been broken for a very long time, the way to address these issues is not to criminalize and otherize and fearmonger about people who are trying to help our country, but to actually get to work on a real fix for our immigration system.

I was initially pleased that the President talked about fixing a broken immigration system, but then he said we are going to look at a merit-based system. Now, I would not have been able to come to this country under a merit-based system because I came here by myself when I was 16 years old. My parents sent me over here. They had very little money in their bank account. They used their \$5,000 to send me by myself because they felt like this was the place I was going to get the best education.

And if you look at a merit-based system, what you do is you exclude the millions of people who have actually come to the United States seeking refuge from famine, from devastation, from drought, from persecution. You exclude all of those people. You also exclude all of the families who are trying to reunite with their loved ones when they come here and they bring their spouse or they bring their parent

or their child. That whole system of family-based immigration that the United States has built so much of our country around, that, too, would be excluded.

Unfortunately, this President is still not at a place where he has said and embraced the idea of comprehensive immigration reform, an immigration reform that has been, until this point, traditionally bipartisan—68 bipartisan votes in the U.S. Senate in 2013 for a comprehensive immigration bill that would have brought \$1.5 trillion into our economy over the next 10 years by legalizing and providing a pathway to citizenship for undocumented immigrants but, perhaps equally importantly, would have provided the dignity and respect to undocumented immigrants in a very different way than what the President spoke about last night.

My colleague Mr. RASKIN talked a little bit about health care and the Affordable Care Act, and during his speech, the President, unfortunately, again renewed the theme that the Affordable Care Act has been a disaster. He talked about his ideas for health care, and he said some things that maybe all of us could agree with.

He said that we deserve health care that lowers costs for people. Yes, I would like that. He said that we deserve health care that increases quality of care—absolutely.

But unfortunately, neither the President nor Republicans in this Chamber have offered us a replacement plan. So to repeal the Affordable Care Act which has provided so much benefit to people—more than 20 million Americans gained health care through the Affordable Care Act. But if Republicans succeed in repealing it, 30 million people will lose it.

The 150 million Americans with pre-existing conditions will see their protections stripped away, leaving them vulnerable to a lack of coverage. You cannot protect the most expensive and the most valuable provisions of the Affordable Care Act if you do not continue to keep the pool large enough, full of healthy people, so that those provisions actually become affordable. And you need to ensure that the pool is large enough through the individual mandate.

So we have not seen a plan that improves health care, and it is important that we recognize we have improvements to make. There are too many Americans across the country that still, today, don't have access to health care in the way that we would like them to. But the solution for that is a Medicare-for-all plan, a public plan that allows us to take profits out of the business of health care. It should not be a business. It should be about making people better. It should be about making people well and not about making corporations rich. That, I think, is a very important piece.

The President said that he would support a plan that would actually provide us with the ability to negotiate for prescription drugs for Medicare. That would bring down the cost for those prescription drugs. I am all in for that plan, and that is why I hope the President supports the bill that was introduced.

Senator CANTWELL introduced a bill yesterday that would allow the United States to import more affordable drugs from Canada while also allowing Medicaid to negotiate drug prices directly, and that would lower the costs for our seniors and for others who rely on those lifelong medications.

I am so proud to have sponsored that same bill in the House. That is the solution that we need to move to is lowering the costs of prescription drugs, lowering the cost of health care, increasing the quality of the care that we provide.

Let's talk about the environment for a minute because the President mentioned yesterday that he cares about clean water and clean air, but at the same time, the President has proposed in reports that have been published in the news that he intends to cut the Environmental Protection Agency by 25 percent, the budget of the Environmental Protection Agency.

Scott Pruitt, our new Secretary of the EPA, has talked about putting in place plans to repeal progress on climate change. The President also signed a rule to essentially roll back progress on the Clean Water Act, and we are talking about cutting agencies and staff of the EPA across the country.

The reality is that we need to be thinking about how we preserve our planet for the next generation. I have got a 20-year-old son and he says to me: Mom, this is one of the most important things you can do is preserve the planet for me and for my kids. That is what we need to do is look at the science of climate change, look at the ways in which we can strengthen our ability to protect the environment, instead of what this President has said he will do, which is to repeal so many of the rules that the Obama administration put in place to make sure that we check the notion that corporations should be able to mine our land, literally and figuratively, for profit while destroying it for the future.

Budget and taxes, this was a really interesting one. One of the most common refrains of President Trump's campaign was that he was going to drain the swamp, and last night he talked about that. He said he promised he would do it, and he is now draining the swamp. He has put a ban on lobbyists.

Unfortunately, what he didn't talk about is that, even with the ban on lobbyists, it is as if he is draining that swamp and then pumping it into another spot, which happens to be his

Cabinet, that is filled with people who represent Goldman Sachs ties, the CEO of ExxonMobil, plenty of other elites who—we don't begrudge people to make some money, but these are people who have made profit off of a vast majority of Americans losing their income.

□ 2015

These are people, frankly, who lobbied the United States Government so that those corporations could do better and so that they, as CEOs, could do better while caring not at all for the broad interests of people across this country.

Based on these picks, it is clear that the President's priority is for the wealthiest in our country and not, as he promised over and over again, for the working people in our country.

Now, I would love to be proven wrong on this. But unfortunately, all of the tax plans, all of the proposals that we have seen so far, or, at least, the blueprints that we have seen so far would not do as he said last night. Last night, he said he wants to provide a huge tax cut or tax relief for middle class families. We would love to see that. Unfortunately, the plan looks, in fact, like it is going to provide relief to the top tier of income earners in this country and not to the middle class.

He has talked about a \$54 billion cut in domestic spending, and I wanted to have people understand exactly what \$54 billion amounts to because most of us don't really know. We can't really imagine that because we don't have \$54 billion lying around.

If we added up the entire budget for the Environmental Protection Agency, the entire budget of the National Oceanic and Atmospheric Administration, the entire budget for the National Park Service—and I should give you these numbers because they are interesting: \$8 billion for the EPA, \$5.85 billion for the National Oceanic and Atmospheric Administration, \$3.1 billion for the National Park Service, \$2.9 billion for the Department of Energy efficiency and renewable energy program, \$1.6 billion for the Fish and Wildlife Service, and \$1.2 billion for the U.S. Geological Service—you still don't get to that \$54 billion. There are a whole bunch of others that are in that list. You still don't get to \$54 billion, even if you remove all of those agencies.

So the work that we have to do is really to have people understand that if we are going to cut nondefense discretionary spending by the amount that he is talking about increasing our defense budget by, our military spending by, then you are going to have to cut into the very programs that help middle class families to continue their lives and have dignity, respect, pull themselves up and know that they are going to have food on the table and a roof over their head and be able to send

their kids to college and be able to retire in security. All of these programs help people to do that, to have opportunity in this country, which is why America is such a great country because we provide that kind of opportunity. But if we decimate our non-defense discretionary spending by cutting it by \$54 billion, then we are taking away that opportunity from millions and millions of families. This is not how we build up our communities.

Our budget is a demonstration of our values as a country. We have to understand that this is a time of tremendous insecurity for Americans across our country. Wealth inequality is at the highest level that it has been in a very long time, and people do not see the opportunity for themselves.

They elected this President, in part, because of the promises that he made; and so if he is going to follow through, that would mean protecting those social safety net programs. It would mean investing in the environment for the future. It would mean expanding Social Security and Medicare. It would mean saying that the answer to health care is actually a Medicare-for-all program, a way to make sure that every American does not have to be one healthcare crisis away from bankruptcy.

The President also talked about education last night, and he said it is the civil rights issue of our time. I couldn't agree with him more, but I do not understand how you go from that place to then saying that the answer to that is school choice.

Ninety percent of the kids in this country go through the public education system. That is what my son went through. We need to make sure that we preserve the ability for people in this country to send their kids to good public schools.

We should be investing in our public schools, investing in our teachers, making sure that we provide the tools and the resources to teachers so that in our public schools—the place where our kids are going to spend the most amount of their days—that they are getting the kind of education that allows them to earn a future, contribute back to the country, be trained for all the jobs that we need to fill right here in the United States of America.

We should be investing in preapprenticeship programs. We should be investing in debt-free college for all of our young people because it is ridiculous that a young person has to choose between being \$45,000 in debt or not going to college, not seeking a higher education.

Higher education is what gave me everything that I have today. It was my parents' belief in me and my future and the \$5,000 that they had in the bank that they used to send me here so that I could get a college degree. I was 16 years old, and now I have the tremen-

dous honor of standing in this Chamber, the U.S. House of Representatives, in the greatest country in the world, going from being an immigrant to being a United States Representative.

I want every American—no matter what color you are, no matter whether you are rural or urban, no matter whether you have money or don't have money—I want you to have a great public education that you can go to. That is choice. That is real choice.

Choice is not privatizing our public education system, and then saying, hey, 10 percent of the people get to go to that, and then everybody else is going to go to schools that don't give them that opportunity.

Real choice is about having an investment in our public education system as the doorway, the gateway to a future of opportunity.

Mr. Speaker, the most important thing I think is that last night's address was a softer tone. It was a disciplined speech, and there were some good statements.

Unfortunately, the rhetoric of last night doesn't match the actions. It doesn't match the executive actions of the last 7 weeks that have thrown this country into chaos on immigration. It doesn't match the fact that we still don't have a replacement plan that will make things better for health care, not increase payments, not give giveaways to insurance companies, not decrease subsidies so that health care can be affordable.

His speech last night did not reflect specifics around how he is going to accomplish some of the good things that he said he was going to do. And it continued to put fear into people's hearts and minds about who our neighbors are, about the immigrants across this country who have done so much to build and contribute.

He is the President of the United States. He has a remarkable microphone. He talked about unity last night. But unity means being a President for everybody, and it means not creating stories that somehow draw pictures of an immigrant community that is full of crime, inner cities that are full of crime. That is not the inner cities that I know. If he is talking about inner cities in Chicago and other places, we should be talking about how to fix crime, but not calling everybody who lives there criminals.

We have got to understand that our country deserves a body in this Chamber, in this United States Congress that really preserves the opportunity, the dreams, and the ability for everybody in our country to know that they have got a fair shot. That is what America has been for so long for so many people across the world.

When he talks about improving the vetting of refugees to this country, let me tell you, I know a lot about this issue. There are 20 steps you have to go

through if you want to be vetted into this country as a refugee. All of our multiple intelligence agencies, multiple agencies in other countries, the United Nations and others are involved in that vetting process. Our own intelligence agencies vet people.

Out of the seven countries that he put on the list for the Muslim ban, the 9/11 hijackers didn't come from any of those countries. They came from another country that is not on that list: Saudi Arabia.

So if we are really going to think about how we improve our security in this country, we should be thinking about economic security that gives people the opportunity that they need in this country, the ability to fill our jobs with well-trained folks from this country, and then we continue to allow immigrants to come in as we need them. But don't allow them to come in because we are not training enough people and we are not investing in people right here in this country and then criticize those immigrants for taking these jobs.

Let's raise our wages. Let's invest in apprenticeships. That is good in rural areas, and that is good in urban areas. Let's invest in our community and technical colleges. Let's provide opportunity for people who are ready to take that opportunity.

Let's be compassionate. It is Ash Wednesday today. I am not an observing Catholic, but I think today—because I went to a Jesuit university—and I think today of what we were taught in that university about compassion.

I think it is time for us to recognize that true greatness for our country doesn't come from fear mongering. It doesn't come from otherizing. You can tap into that. You can mobilize people around that. You can enrage people around that.

Ultimately, true greatness and the greatness of this country has always come from our ability to have a vision of opportunity for everybody and to actually work to perfect this Union, to actually work to make democracy real, to actually work to engage people in a vision that says we are all better off when we are all better off. That means that my boat rising lifts your boat rising. It is not about fighting over the spoils that are too small for us anyway. It is not about whose pie we are eating.

It is about having more pie for everybody and ultimately opportunity, education, jobs, higher wages, health care, paid family leave, the ability for people to live with dignity and respect, racial justice, all of the fights that this country has been having for a very long time. Some we have won, and some we have won a little bit on, and some we have won a lot on. We still have a ways to go.

What I hope we do, as we think about the state of the Union of this country,

is understand that our state of the Union is strong when our communities are strong. Our state of the Union is strong when we invest in our future.

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

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

HAPPY BIRTHDAY NEBRASKA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the Chair recognizes the gentleman from Nebraska (Mr. FORTENBERRY) for 30 minutes.

Mr. FORTENBERRY. Mr. Speaker, for 150 years now, Nebraska has held a special place in the history of America. We Nebraskans rightly pride ourselves on the values of hard work, on the values of community life, on the proper value of the good stewardship of our precious resources. The mystique of the Great Plains, the nobility of the family farm, and the vibrancy of our people create the conditions for the good life.

Our story is one of strength, it is one of dignity, and I am proud to celebrate our 150th anniversary.

□ 2030

Mr. Speaker, a number of years ago, a gift of land donation enabled the expansion of the Homestead National Monument, which is near Beatrice, Nebraska. Run by the National Park Service, their personnel were kind enough to invite me to the dedication ceremony; and during that event, a young woman who was from a seventh-generation farm family—in high school at that time, as I recall—got up to speak. She gave a beautiful talk about our Nebraska values, our connectedness to the land, the deeper meaning of living on the plains, and the ideal of maintaining the continuity of family life.

Her remarks, Mr. Speaker, moved me so much that I literally tossed my own speech aside and spoke off the cuff, and I said something like this: Perhaps it was on a day just like this where that settler family came over the hill there, and they looked at the great expansion of the plains before them.

Perhaps that day they felt the warm, spring sun on their cheeks, and they heard the chirp of the western meadowlark in the air, and they watched as the beautiful bluestem prairie grass swayed in the wind. Perhaps it was then that they made their decision: We stay right here. Nebraska will be our home.

Mr. Speaker, when I finished that, I was very proud of myself, so I sat down. And then the next speaker came up, another political figure, and he had this to say: Well, my family came here because they were horse thieves. We all

shared a little laugh, but really, Mr. Speaker, Nebraska's colorful history and droll wit were simultaneously captured in that moment.

Nebraska's official motto is "Equality before the law," but our unofficial motto is "Nebraska nice." It is true. Nebraskans are generally nice. But beneath that friendly veneer is an unmistakable, unvarnished realism.

Nebraskans have a unique ability to look at a situation and size it up accurately, if often humorously. "Git r done" is an often-used phrase that I think can be safely attributable to us.

Now, sometimes, Mr. Speaker, Nebraska has been pejoratively described in the popular imagination of our country, first as the "Great American Desert" because it was thought that nothing would grow there. Today, we have the largest amount of acreage under irrigation in the country, including the fact that we are the largest grower of popcorn in America. We are a leader in livestock production and multiple types of commodity production, as well as specialty crops.

We were sometimes castigated as "flyover country." I hear that around here sometimes, that is, until you come to Nebraska and realize that it is a wonderful place to live and to work and to raise a family relatively free from crime, except even horse thieves, congestion, as well as pollution.

Nebraska has, routinely, the highest graduation rate in the country and the lowest unemployment rate in the country.

And, though, in true Nebraska fashion, self-effacing Cornhuskers would cringe at the term, we have had our fair share of celebrities as well, including Father Ed Flanagan, who founded Boys Town, now known as Boys Town and Girls Town; Civil Rights pioneers, Chief Standing Bear being one of the most prominent; Malcolm X; authors Mari Sandoz and Willa Cather; professional athletes Bob Gibson and Gale Sayers; and entertainers, Henry Fonda, Marlon Brando, Montgomery Clift, Johnny Carson, and Dick Cavett.

Moreover, Mr. Speaker, our singular, unicameral legislature is a model for bipartisanship and frugality. And I would be remiss if I didn't say our run-it-up-the-gut offense with a few option twists, it may not have been flashy, but it helped the University of Nebraska's football team win five national championships.

I am proud to serve in the United States congressional seat once held by Williams Jennings Bryan, who along with Senator George Norris perhaps are the most famous, though controversial in some ways, politicians in our State's history.

As we celebrate the 150th anniversary of Nebraska's admission to the United States of America—by the way, the first State admitted after the Civil War—I recall Representative Bryan's

words from over 100 years ago. It is a quote that actually is outside of our football stadium, known as Memorial Stadium, on Tom and Nancy Osborne Field. It says this: "Destiny is no matter of chance. It is a matter of choice. It is not a thing to be waited for, it is a thing to be achieved."

And perhaps, Mr. Speaker, we can add to that quote today: And that the choice to be good makes the destiny arrive well.

Happy birthday, Nebraska.

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

ADJOURNMENT

Mr. FORTENBERRY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 37 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, March 2, 2017, at 9 a.m.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. DEFAZIO (for himself and Mr. MASSIE):

H.R. 1265. A bill to amend title 49, United States Code, to make modifications to the passenger facility charge program administered by the Federal Aviation Administration, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. BLUMENAUER (for himself and Mr. BUCHANAN):

H.R. 1266. A bill to authorize the Secretary of Transportation to make grants to assist units of local government in developing and implementing plans, known as Vision Zero plans, to eliminate transportation-related fatalities and serious injuries, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. SMITH of Missouri (for himself, Mr. KIND, Mr. KELLY of Pennsylvania, Mr. BLUMENAUER, Mr. MEEHAN, Mr. PASCRELL, Mr. BISHOP of Michigan, Ms. SEWELL of Alabama, Mr. SESSIONS, Ms. DELBENE, Mr. FITZPATRICK, and Ms. SINEMA):

H.R. 1267. A bill to amend the Internal Revenue Code of 1986 to treat certain amounts paid for physical activity, fitness, and exercise as amounts paid for medical care; to the Committee on Ways and Means.

By Mr. SMITH of Nebraska (for himself, Mr. KIND, Mr. KERR, Mr. SCHRAMMER, Mr. YOHIO, Mr. ABRAHAM, Ms. JENKINS of Kansas, Ms. BROWNLEY of California, Ms. DELBENE, Mr. GARAMENDI, Mr. HARPER, Mr. LOEBACK, Mr. MCGOVERN, Mr. ROGERS of Alabama, Mr. RODNEY DAVIS of Illinois, and Mrs. DAVIS of California):

H.R. 1268. A bill to amend the Internal Revenue Code of 1986 to provide for an exclusion for assistance provided to participants in certain veterinary student loan repayment or forgiveness programs; to the Committee on Ways and Means.

By Mr. LAMALFA (for himself and Mr. GARAMENDI):

H.R. 1269. A bill to direct the Secretary of the Interior to take actions to support non-Federal investments in water infrastructure improvements in the Sacramento Valley, and for other purposes; to the Committee on Natural Resources.

By Mr. NADLER (for himself and Ms. HERRERA BEUTLER):

H.R. 1270. A bill to promote and protect from discrimination living organ donors; to the Committee on Energy and Commerce, and in addition to the Committees on Oversight and Government Reform, House Administration, Education and the Workforce, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. JOHNSON of Ohio (for himself and Ms. MATSUI):

H.R. 1271. A bill to amend the Federal Food, Drug, and Cosmetic Act to prevent the abuse of dextromethorphan, and for other purposes; to the Committee on Energy and Commerce.

By Mr. RUSH:

H.R. 1272. A bill to provide for the expeditious disclosure of records related to civil rights cold cases, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. NEWHOUSE (for himself, Mr. GOSAR, Mr. PEARCE, Mr. HARPER, Mr. CRAMER, Mr. MARSHALL, Mr. CHAFFETZ, and Mr. TIPTON):

H.R. 1273. A bill to amend the Endangered Species Act of 1973 to require publication of the basis for determinations that species are endangered species or threatened species, and for other purposes; to the Committee on Natural Resources.

By Mr. NEWHOUSE (for himself, Mr. TIPTON, Mr. ABRAHAM, Mr. GOSAR, Mr. PEARCE, Mr. HARPER, Mr. YOHIO, Mr. JONES, Mr. MARSHALL, and Mr. CRAMER):

H.R. 1274. A bill to amend the Endangered Species Act of 1973 to require making available to States affected by determinations that species are endangered species or threatened species all data that is the basis of such determinations, and for other purposes; to the Committee on Natural Resources.

By Mr. SESSIONS:

H.R. 1275. A bill to eliminate the individual and employer health coverage mandates under the Patient Protection and Affordable Care Act, to expand beyond that Act the choices in obtaining and financing affordable health insurance coverage, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ADAMS (for herself, Mr. MCGOVERN, Ms. FUDGE, Ms. DELAUNO, Mr. EVANS, Ms. PLASKETT, Ms. DELBENE, Ms. NORTON, Ms. KAPTUR, Ms. LEE, Mr. LARSEN of Washington, Ms. VELÁZQUEZ, Mr. HASTINGS, Mr. CICILLINE, Ms. MOORE, Mr. CONYERS, Ms. SHEA-PORTER, Mr. DEUTCH, Mr. GRIJALVA, Mr. MEEKS, Mr. NORCROSS, Ms. JACKSON LEE, Mr. BUTTERFIELD, Mrs. WATSON COLEMAN, Mr. RUSH, Mr. RICHMOND, Mr. COHEN, Ms. CLARKE of New York, Mr. LEWIS of Georgia, Ms. JAYAPAL, and Mr. LANGEVIN):

H.R. 1276. A bill to amend the Food and Nutrition Act of 2008 to require that supplemental nutrition assistance program benefits be calculated with reference to the cost of the low-cost food plan as determined by the Secretary of Agriculture, and for other purposes; to the Committee on Agriculture.

By Mrs. BLACKBURN:

H.R. 1277. A bill to permit indefinite extensions for certain previously extended Medicaid managed care waivers; to the Committee on Energy and Commerce.

By Mr. ESPAILLAT (for himself, Mr. SCHNEIDER, Mrs. WATSON COLEMAN, Ms. NORTON, Mr. COHEN, Mr. RASKIN, Mr. DEUTCH, Mr. BLUMENAUER, Mr. CICILLINE, Mr. GUTIÉRREZ, Ms. VELÁZQUEZ, Mr. CÁRDENAS, and Mr. SWALWELL of California):

H.R. 1278. A bill to amend title 18, United States Code, to require firearm assembly kits to be considered to be firearms; to the Committee on the Judiciary.

By Ms. ESTY (for herself, Mr. KING of New York, Ms. MCCOLLUM, and Mr. COSTELLO of Pennsylvania):

H.R. 1279. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to establish within the Department of Veterans Affairs a center of excellence in the prevention, diagnosis, mitigation, treatment, and rehabilitation of health conditions relating to exposure to burn pits; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FORTENBERRY:

H.R. 1280. A bill to amend the Internal Revenue Code of 1986 to increase the maximum contribution limit for health savings accounts, and for other purposes; to the Committee on Ways and Means.

By Mr. FRELINGHUYSEN:

H.R. 1281. A bill to extend the authorization of the Highlands Conservation Act; to the Committee on Natural Resources.

By Mr. GARRETT (for himself and Mr. MCCAUL):

H.R. 1282. A bill to amend the Homeland Security Act of 2002 to establish Acquisition Review Boards in the Department of Homeland Security, and for other purposes; to the Committee on Homeland Security.

By Mr. HULTGREN (for himself, Mr. DAVID SCOTT of Georgia, and Mr. MESSER):

H.R. 1283. A bill to amend the Higher Education Act of 1965 to require the disclosure of the annual percentage rates applicable to Federal student loans; to the Committee on Education and the Workforce.

By Ms. JENKINS of Kansas (for herself and Mr. THOMPSON of California):

H.R. 1284. A bill to amend title XVIII of the Social Security Act to provide for the recognition of attending physician assistants as attending physicians to serve hospice patients, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KILLMER:

H.R. 1285. A bill to designate and expand wilderness areas in Olympic National Forest in the State of Washington, and to designate certain rivers in Olympic National Forest and Olympic National Park as wild and scenic rivers, and for other purposes; to the Committee on Natural Resources.

By Mr. KIND:

H.R. 1286. A bill to require the Secretary of Education to use the excess revenue generated from the William D. Ford Federal Direct Loan Program to carry out the Federal Pell Grant Program; to the Committee on Education and the Workforce.

By Mr. KRISHNAMOORTHY (for himself, Mr. BLUMENAUER, Mr. GRIJALVA, Mrs. WATSON COLEMAN, Mr. SWALWELL of California, Mr. ESPAILLAT, Ms. LEE, Mr. RASKIN, Mr. NADLER, Mr. MCNERNEY, Mr. VARGAS, Ms. FRANKEL of Florida, Mr. VEASEY, Ms. KAPTUR, Mr. DESAULNIER, Mr. QUIGLEY, Ms. JAYAPAL, Ms. DELAULO, Mr. GENE GREEN of Texas, Mr. CUELLAR, Mr. CORREA, Mr. PERLMUTTER, Mrs. DINGELL, Mr. CASTRO of Texas, Mr. SERRANO, Mr. KEATING, Mr. CAPUANO, Mr. HIGGINS of New York, Mr. TONKO, Mr. PRICE of North Carolina, Mr. CICILLINE, Mr. PETERSON, Mr. VELA, Mr. HASTINGS, Mr. CUMMINGS, Ms. CLARK of Massachusetts, Mr. O'HALLERAN, Ms. PLASKETT, Mr. LAWSON of Florida, Mr. PETERS, Mr. GONZALEZ of Texas, Mr. BROWN of Maryland, Mr. DANNY K. DAVIS of Illinois, Mrs. TORRES, Mr. PANETTA, Ms. BONAMICI, Mr. THOMPSON of California, Ms. MATSUI, Mr. NOLAN, Mr. EVANS, Mr. SUIZZI, Ms. BROWNLEY of California, Ms. VELÁZQUEZ, Mr. CLAY, Mr. NEAL, Mr. LYNCH, Ms. JUDY CHU of California, Mr. GARAMENDI, Ms. HANABUSA, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LEWIS of Georgia, Mr. CARSON of Indiana, Mr. MCGOVERN, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. MCEACHIN, Mr. CÁRDENAS, Mr. ENGEL, Mr. WELCH, Ms. BARRAGÁN, and Mrs. BUSTOS):

H.R. 1287. A bill to require that any Executive order be published on the White House website not less than 72 hours before the Executive order is signed; to the Committee on Oversight and Government Reform.

By Ms. KUSTER of New Hampshire (for herself, Mr. GARAMENDI, Ms. CLARK of Massachusetts, Mr. GRIJALVA, and Mr. SEAN PATRICK MALONEY of New York):

H.R. 1288. A bill to direct the Secretary of Education to carry out a grant program for early childhood STEM activities; to the Committee on Education and the Workforce.

By Ms. LEE (for herself, Mr. BISHOP of Georgia, Ms. CLARKE of New York, Ms. TSONGAS, Mr. CARSON of Indiana, Mr. LEWIS of Georgia, Ms. BORDALLO, Miss RICE of New York, Ms. NORTON, Mrs. DINGELL, and Mr. SOTO):

H.R. 1289. A bill to establish the Social Work Reinvestment Commission to provide independent counsel to Congress and the Secretary of Health and Human Services on policy issues related to recruitment, retention, research, and reinvestment in the profession of social work, and for other purposes; to the Committee on Education and the Workforce.

By Ms. LEE (for herself, Mr. DEFAZIO, Mr. SERRANO, Ms. MCCOLLUM, and Mr. GRIJALVA):

H.R. 1290. A bill to amend title XVIII of the Social Security Act to improve access to mental health services under the Medicare program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as

fall within the jurisdiction of the committee concerned.

By Ms. NORTON (for herself, Ms. ADAMS, Ms. BASS, Mrs. BEATTY, Mr. BEYER, Mr. BISHOP of Georgia, Mr. BLUMENAUER, Ms. BONAMICI, Ms. BORDALLO, Mr. BRADY of Pennsylvania, Mr. BROWN of Maryland, Ms. BROWNLEY of California, Mr. BUTTERFIELD, Mr. CARSON of Indiana, Mr. CARTWRIGHT, Ms. JUDY CHU of California, Mr. CICILLINE, Ms. CLARK of Massachusetts, Ms. CLARKE of New York, Mr. CLAY, Mr. CLEAVER, Mr. CLYBURN, Mr. COHEN, Mr. CONNOLLY, Mr. CONYERS, Mr. COURTNEY, Mr. CROWLEY, Mr. CUMMINGS, Mr. DANNY K. DAVIS of Illinois, Mr. DEFAZIO, Ms. DEGETTE, Mr. DELANEY, Ms. DELAULO, Mr. DESAULNIER, Mr. DEUTCH, Mr. ELLISON, Mr. ENGEL, Ms. ESHOO, Ms. FRANKEL of Florida, Ms. FUDGE, Mr. GALLEGO, Mr. AL GREEN of Texas, Mr. GRIJALVA, Mr. GUTIÉRREZ, Ms. HANABUSA, Mr. HASTINGS, Mr. HUFFMAN, Ms. JACKSON LEE, Mr. JEFFRIES, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Ms. KAPTUR, Ms. KELLY of Illinois, Mr. KILDEE, Mr. KILMER, Mr. LANGEVIN, Mr. LARSON of Connecticut, Mrs. LAWRENCE, Ms. LEE, Mr. LEVIN, Mr. LEWIS of Georgia, Mr. TED LIEU of California, Mr. LIPINSKI, Ms. LOFGREN, Mr. LOWENTHAL, Mrs. LOWEY, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. LYNCH, Mrs. CAROLYN B. MALONEY of New York, Ms. MCCOLLUM, Mr. MCGOVERN, Mr. MCNERNEY, Mr. MEEKS, Ms. MOORE, Mr. NADLER, Mrs. NAPOLITANO, Mr. NOLAN, Mr. O'ROURKE, Mr. PALLONE, Mr. PASCRELL, Mr. PAYNE, Mr. PERLMUTTER, Mr. PETERS, Ms. PLASKETT, Mr. POCAN, Mr. POLIS, Mr. PRICE of North Carolina, Mr. RASKIN, Mr. RICHMOND, Mr. RUPPERSBERGER, Mr. RUSH, Mr. RYAN of Ohio, Mr. SABLAN, Ms. SÁNCHEZ, Mr. SARBANES, Ms. SCHAKOWSKY, Mr. SCOTT of Virginia, Mr. SERRANO, Ms. SEWELL of Alabama, Ms. SLAUGHTER, Ms. SPEIER, Mr. TAKANO, Mr. THOMPSON of Mississippi, Mr. TONKO, Ms. TSONGAS, Mr. VARGAS, Mr. VEASEY, Ms. VELÁZQUEZ, Mr. WALZ, Ms. WASSERMAN SCHULTZ, Ms. MAXINE WATERS of California, Mrs. WATSON COLEMAN, Mr. WELCH, Ms. WILSON of Florida, Mr. YARMUTH, Mr. QUIGLEY, and Mr. LARSEN of Washington):

H.R. 1291. A bill to provide for the admission of the State of Washington, D.C. into the Union; to the Committee on Oversight and Government Reform, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POSEY (for himself, Mr. THOMAS J. ROONEY of Florida, Mr. DEUTCH, Mr. JOHNSON of Georgia, and Mr. TROTT):

H.R. 1292. A bill to amend the Terrorism Risk Insurance Act of 2002 to allow for the use of certain assets of foreign persons and entities to satisfy certain judgments against terrorist parties, and for other purposes; to the Committee on the Judiciary.

By Mr. ROSS:

H.R. 1293. A bill to amend title 5, United States Code, to require that the Office of Personnel Management submit an annual re-

port to Congress relating to the use of official time by Federal employees; to the Committee on Oversight and Government Reform.

By Mr. RUTHERFORD (for himself and Mr. MCCAUL):

H.R. 1294. A bill to amend the Homeland Security Act of 2002 to provide for congressional notification regarding major acquisition program breaches, and for other purposes; to the Committee on Homeland Security.

By Mr. SIRES (for himself and Mr. YOUNG of Iowa):

H.R. 1295. A bill to amend the Peace Corps Act to allow former volunteers and officers and employees to use the seal, emblem, or name of Peace Corps on death announcements and grave stones; to the Committee on Foreign Affairs.

By Mr. TIBERI (for himself, Mr. NEAL, Mr. RENACCI, Mr. LARSON of Connecticut, Mr. PAULSEN, Mr. KIND, and Mrs. BEATTY):

H.R. 1296. A bill to amend the Internal Revenue Code of 1986 to provide appropriate rules for the application of the deduction for income attributable to domestic production activities with respect to certain contract manufacturing or production arrangements; to the Committee on Ways and Means.

By Mrs. WATSON COLEMAN:

H.R. 1297. A bill to amend the Homeland Security Act of 2002 to make technical corrections to the requirement that the Secretary of Homeland Security submit quadrennial homeland security reviews, and for other purposes; to the Committee on Homeland Security.

By Mr. WENSTRUP (for himself and Mr. DANNY K. DAVIS of Illinois):

H.R. 1298. A bill to amend title XVIII of the Social Security Act to cover screening computed tomography colonography as a colorectal cancer screening test under the Medicare program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LEWIS of Minnesota:

H.J. Res. 84. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Transportation relating to "Metropolitan Planning Organization Coordination and Planning Area Reform"; to the Committee on Transportation and Infrastructure.

By Mr. GALLAGHER (for himself and Mr. JOHNSON of Louisiana):

H.J. Res. 85. A joint resolution proposing an amendment to the Constitution of the United States limiting the number of terms Senators and Representatives may serve; to the Committee on the Judiciary.

By Mr. FORTENBERRY (for himself, Mr. SMITH of Nebraska, and Mr. BACON):

H. Con. Res. 32. Concurrent resolution congratulating the State of Nebraska on the 150th anniversary of the admission of that State into the United States; to the Committee on Oversight and Government Reform.

By Mr. CICILLINE (for himself, Ms. SCHAKOWSKY, Ms. MATSUI, Mr. CARTWRIGHT, Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. WASSERMAN SCHULTZ, Ms. LOFGREN, Mr. POCAN, Mr. GRIJALVA, Ms. SHEA-PORTER, Mr. LANGEVIN, Ms. ROYBAL-ALLARD, Ms.

MICHELLE LUJAN GRISHAM of New Mexico, Ms. BONAMICI, Ms. PINGREE, Ms. KAPTUR, Mr. CONNOLLY, Mr. MCNERNEY, Mrs. CAROLYN B. MALONEY of New York, Ms. FUDGE, Mr. COHEN, Mr. GARAMENDI, Mr. DEUTCH, Ms. TITUS, and Ms. SLAUGHTER):

H. Res. 160. A resolution amending the Rules of the House of Representatives to establish a Permanent Select Committee on Aging; to the Committee on Rules.

By Ms. FUDGE (for herself and Mr. TIBERI):

H. Res. 161. A resolution recognizing the 100th anniversary of the Academy of Nutrition and Dietetics, the world's largest organization of food and nutrition professionals; to the Committee on Energy and Commerce.

By Mr. HUFFMAN (for himself, Ms. SPEIER, Mr. FITZPATRICK, Mrs. BEATTY, Ms. BROWNLEY of California, Ms. CLARK of Massachusetts, Ms. CLARKE of New York, Mr. COHEN, Mr. CONYERS, Mr. DELANEY, Mr. DESAULNIER, Mrs. DINGELL, Mr. DONOVAN, Mr. ELLISON, Mr. ESPAILLAT, Mr. EVANS, Mr. GRIJALVA, Mr. GUTHRIE, Mr. HIMES, Ms. JACKSON LEE, Ms. JAYAPAL, Mr. JENKINS of West Virginia, Ms. JENKINS of Kansas, Mr. JONES, Ms. KAPTUR, Mr. KNIGHT, Ms. KUSTER of New Hampshire, Mr. LANGEVIN, Mr. LARSON of Connecticut, Mrs. LAWRENCE, Ms. LEE, Mr. TED LIEU of California, Mr. LOWENTHAL, Ms. MENG, Ms. MOORE, Ms. NORTON, Mr. PALLONE, Mr. PANNETTA, Mr. PETERS, Ms. ROYBAL-ALLARD, Mr. RUSH, Mr. RYAN of Ohio, Ms. SHEA-PORTER, Ms. SLAUGHTER, Mr. SMITH of Washington, Mr. SWALWELL of California, Mr. TAKANO, Ms. TITUS, Mr. THOMPSON of California, Mrs. TORRES, Mr. VARGAS, Ms. VELAZQUEZ, Mr. WALZ, Ms. WASSERMAN SCHULTZ, Mr. YARMUTH, and Mr. FARENTHOLD):

H. Res. 162. A resolution expressing support for designation of March 21, 2017, as "National Rosie the Riveter Day"; to the Committee on Education and the Workforce.

By Mr. PAYNE:

H. Res. 163. A resolution supporting the designation of March 2017, as National Colorectal Cancer Awareness Month; to the Committee on Oversight and Government Reform.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. DEFazio:

H.R. 1265.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1, Clause 3, and Clause 18 of the Constitution.

By Mr. BLUMENAUER:

H.R. 1266.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. SMITH of Missouri:

H.R. 1267.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. SMITH of Nebraska:

H.R. 1268.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8: The Congress shall have Power To lay and collect Taxes, Duties, Imposts, and Excises . . .

By Mr. LAMALFA:

H.R. 1269.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution grants Congress the authority to regulate commerce between the states and has previously been recognized as authorizing the Bureau of Reclamation, which this bill addresses.

By Mr. NADLER:

H.R. 1270.

Congress has the power to enact this legislation pursuant to the following:

Clauses 3 and 18 of Article 1 Section 8 of the U.S. Constitution

By Mr. JOHNSON of Ohio:

H.R. 1271.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution

By Mr. RUSH:

H.R. 1272.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: "The Congress shall have power to . . . provide for the . . . general welfare of the United States . . ."; and

Article I, Section 8, Clause 18: "To make all laws which shall be necessary and proper for carrying into execution the foregoing powers . . ."

By Mr. NEWHOUSE:

H.R. 1273.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution

By Mr. NEWHOUSE:

H.R. 1274.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution

By Mr. SESSIONS:

H.R. 1275.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Ms. ADAMS:

H.R. 1276.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3, "To regulate Commerce with Foreign Nations, and among the several States, and with the Indian Tribes."

Article I, Section 8, Clause 1, "The Congress shall have the Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States."

By Mrs. BLACKBURN:

H.R. 1277.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. ESPAILLAT:

H.R. 1278.

Congress has the power to enact this legislation pursuant to the following: clause 3 of section 8 of article I of the Constitution

By Ms. ESTY:

H.R. 1279.

Congress has the power to enact this legislation pursuant to the following: clause 18 of section 8 of article 1 of the Constitution.

By Mr. FORTENBERRY:

H.R. 1280.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. FRELINGHUYSEN:

H.R. 1281.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Mr. GARRETT:

H.R. 1282.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.

By Mr. HULTGREN:

H.R. 1283.

Congress has the power to enact this legislation pursuant to the following:

Section 8, Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

Section 8, Clause 3: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Ms. JENKINS of Kansas:

H.R. 1284.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8:

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

Article I, Section 9:

No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law.

By Mr. KILMER:

H.R. 1285.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 (relating to providing for the general welfare of the United States);

Article I, Section 8, Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress); and

Article IV, Section 3, Clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mr. KIND:

H.R. 1286.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8, Clause 3.

By Mr. KRISHNAMOORTHY:

H.R. 1287.

Congress has the power to enact this legislation pursuant to the following:

The authority to offer this bill derives from Article 1, Section 8, Clause 18, of the US Constitution.

By Ms. KUSTER of New Hampshire:

H.R. 1288.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 (relating to the power of Congress to provide for the general welfare of the United States) and Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress)

By Ms. LEE:

H.R. 1289.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Ms. LEE:

H.R. 1290.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Ms. NORTON:

H.R. 1291.

Congress has the power to enact this legislation pursuant to the following:

clause 1 of section 3 of article IV of the Constitution.

By Mr. POSEY:

H.R. 1292.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution of the United States: To regulate commerce with foreign nations, and among the several states, and with the Indian tribes;

Article I, Section 8, Clause 9 of the Constitution of the United States: To constitute tribunals inferior to the Supreme Court;

Article I, Section 8, Clause 10 of the Constitution of the United States: To define and punish Piracies and Felonies committed on the high Seas, and Offenses against the Law of Nations;

Article I, Section 8, Clause 18 of the Constitution of the United States: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof;

Amendment V No person shall be . . . deprived of life, liberty, or property, without due process of law.

By Mr. ROSS:

H.R. 1293.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. RUTHERFORD:

H.R. 1294.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18—To make all Laws which shall be necessary and proper for

carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.

By Mr. SIRE:

H.R. 1295.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to clause 3(d) of rules XIII of the Rules of the House of Representatives, the Committee finds the authority for this legislation in article I, section 8 of the Constitution.

By Mr. TIBERI:

H.R. 1296.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I

By Mrs. WATSON COLEMAN:

H.R. 1297.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

Article I, Section 8, Clause 18

By Mr. WENSTRUP:

H.R. 1298.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. LEWIS of Minnesota:

H.J. Res. 84.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the Constitution of the United States—To regulate commerce with foreign nations, and among the several States, and with Indian Tribes

By Mr. GALLAGHER:

H.J. Res. 85.

Congress has the power to enact this legislation pursuant to the following:

Article V: "The Congress, whenever two thirds of both houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the legislatures of two thirds of several states, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this Constitution, when ratified by the legislatures of three fourths of the several states, or by conventions in three fourths thereof, as the one or the other mode of ratification may be proposed by the Congress; provided that no amendment which may be made prior to the year one thousand eight hundred and eight shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that no state, without its consent, shall be deprived of its equal suffrage in the Senate."

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 25: Mr. FARENTHOLD.

H.R. 36: Mrs. ROBY.

H.R. 37: Mrs. ROBY.

H.R. 40: Mr. THOMPSON of Mississippi, Ms. MOORE, and Ms. SEWELL of Alabama.

H.R. 82: Mr. BARLETTA.

H.R. 113: Mr. SARBANES.

H.R. 147: Mrs. ROBY.

H.R. 173: Mr. SCHNEIDER, Mr. GIBBS, Ms. ROSEN, Mr. NOLAN, Mr. YARMUTH, and Ms. FUDGE.

H.R. 179: Mr. WITTMAN and Mr. POLIS.

H.R. 233: Mr. KENNEDY and Mr. LOWENTHAL.

H.R. 257: Mr. MAST.

H.R. 303: Mr. WITTMAN, Mr. KIND, Mr. EMMER, Mr. SMITH of Missouri, Ms. SINEMA,

Mr. HECK, Ms. KAPTUR, Mr. SCHRADER, Mr. HIGGINS of New York, Mr. DAVID SCOTT of Georgia, Mr. LATTA, Mr. RUIZ, and Mr. COMER.

H.R. 305: Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. PASCRELL, Mr. TONKO, Ms. CLARKE of New York, and Ms. LOFGREN.

H.R. 355: Mr. KING of New York and Mr. MARINO.

H.R. 367: Mr. TIBERI, Mr. GOWDY, Mr. WILSON of South Carolina, Mr. FLORES, and Mr. RICE of South Carolina.

H.R. 371: Mr. NOLAN, Mr. RYAN of Ohio, Mr. LARSEN of Washington, Mr. HASTINGS, Mr. COSTA, and Mr. KILDEE.

H.R. 389: Mr. BEYER, Mr. HECK, and Ms. HERRERA BEUTLER.

H.R. 448: Ms. TITUS, Mr. GALLEGU, Ms. MOORE, Ms. BROWNLEY of California, and Mr. TAKANO.

H.R. 453: Mr. LUETKEMEYER.

H.R. 459: Mr. RICHMOND.

H.R. 477: Mr. BRADY of Texas.

H.R. 480: Mr. MARCHANT.

H.R. 490: Mr. DAVIDSON.

H.R. 547: Mr. YARMUTH.

H.R. 559: Mr. HILL.

H.R. 564: Mr. BABIN, Mr. GRAVES of Missouri, Mr. WITTMAN, and Mr. PITTINGER.

H.R. 638: Mr. ROYCE of California and Mr. AGUILAR.

H.R. 660: Mr. VALADAO and Mr. JODY B. HICE of Georgia.

H.R. 664: Ms. SLAUGHTER, Ms. JACKSON LEE, Mr. DONOVAN, and Mr. FASO.

H.R. 669: Mr. LOWENTHAL.

H.R. 685: Mr. BRENDAN F. BOYLE of Pennsylvania.

H.R. 696: Mrs. LOWEY, Mr. CRIST, Mr. CASTRO of Texas, Mr. MAST, Ms. ROSEN, Mr. SERRANO, and Mr. MEEKS.

H.R. 721: Ms. BONAMICI, Mr. AMODEI, Mr. VELA, Mr. FLORES, Mrs. NOEM, Mr. VALADAO, Mr. DESAULNIER, Ms. DELAURO, Mr. SIRE, and Mr. PETERS.

H.R. 747: Mr. CARBAJAL, Ms. SÁNCHEZ, Mr. HOLDING, Mr. GENE GREEN of Texas, Mr. GIBBS, Mr. HUIZENG, Mr. WITTMAN, and Mr. ISSA.

H.R. 754: Ms. MICHELLE LUJAN GRISHAM of New Mexico.

H.R. 757: Ms. TITUS, Mr. SMITH of Washington, Mr. HOYER, and Mr. RUSH.

H.R. 785: Mrs. NOEM.

H.R. 787: Ms. SHEA-PORTER.

H.R. 816: Mr. TAKANO.

H.R. 817: Ms. KAPTUR and Ms. DEGETTE.

H.R. 820: Mr. YOUNG of Iowa, Mr. ENGEL, Mr. DAVID SCOTT of Georgia, Mr. GRAVES of Missouri, Mr. KIND, and Mr. QUIGLEY.

H.R. 821: Ms. SPEIER, Mr. LOWENTHAL, and Ms. BARRAGÁN.

H.R. 823: Ms. BARRAGÁN and Mr. RUIZ.

H.R. 825: Mr. BEN RAY LUJÁN of New Mexico and Mr. JODY B. HICE of Georgia.

H.R. 830: Mr. HECK.

H.R. 842: Mr. SWALWELL of California.

H.R. 849: Mrs. BLACKBURN and Mr. HUDSON.

H.R. 867: Mr. YARMUTH.

H.R. 870: Mr. WEBSTER of Florida.

H.R. 886: Ms. SHEA-PORTER.

H.R. 896: Mr. GRAVES of Missouri.

H.R. 898: Mrs. CAROLYN B. MALONEY of New York and Mr. HIMES.

H.R. 902: Mr. AMODEI and Mr. MCGOVERN.

H.R. 914: Ms. NORTON.

H.R. 941: Mrs. HARTZLER.

H.R. 947: Ms. FRANKEL of Florida.

H.R. 948: Mr. BUTTERFIELD.

H.R. 959: Mr. BLUMENAUER and Mr. LOEBSACK.

H.R. 960: Mr. PERLMUTTER.

H.R. 997: Mr. ADERHOLT, Mr. GRAVES of Missouri, and Mr. BISHOP of Utah.

- H.R. 1002: Mr. FITZPATRICK.
H.R. 1006: Mr. RUSH.
H.R. 1010: Mr. BROOKS of Alabama.
H.R. 1015: Ms. ESTY.
H.R. 1017: Mr. FORTENBERRY.
H.R. 1026: Mr. COLLINS of New York.
H.R. 1031: Mr. BABIN.
H.R. 1038: Mr. BYRNE.
H.R. 1083: Ms. BROWNLEY of California.
H.R. 1091: Mrs. BROOKS of Indiana.
H.R. 1097: Mr. CARSON of Indiana.
H.R. 1098: Mr. BUCHANAN.
H.R. 1102: Mr. KILMER.
H.R. 1104: Ms. SHEA-PORTER.
H.R. 1105: Mr. FARENTHOLD.
H.R. 1148: Mr. HARRIS, Ms. MCCOLLUM, Mr. CLAY, and Ms. MCSALLY.
H.R. 1155: Mr. PRICE of North Carolina and Mr. FORTENBERRY.
H.R. 1158: Mr. ABRAHAM, Mr. RYAN of Ohio, Ms. STEFANIK, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KELLY of Mississippi, Mr. LOEBSACK, and Mrs. BEATTY.
H.R. 1179: Mr. OLSON, Mr. RENACCI, Mr. BANKS of Indiana, Mrs. WALORSKI, and Mr. CRAMER.
H.R. 1188: Mr. FITZPATRICK and Mr. CALVERT.
H.R. 1200: Mr. WITTMAN.
H.R. 1203: Mr. YOHO.
H.R. 1204: Mr. GOSAR and Mr. FLORES.
H.R. 1223: Mr. LANCE, Mr. FRELINGHUYSEN, and Mr. SOTO.
H.R. 1227: Mr. POLIS.
H.R. 1242: Mr. PRICE of North Carolina and Mr. MCGOVERN.
H.J. Res. 48: Mr. KILMER.
H.J. Res. 71: Mr. FRANKS of Arizona, Mr. BABIN, Mr. ROKITA, Mr. FLEISCHMANN, Mr. HIGGINS of Louisiana, and Mr. GIBBS.
H.J. Res. 74: Mr. TONKO, Mr. SERRANO, Ms. SCHAKOWSKY, Mr. LOEBSACK, and Ms. BARRAGÁN.
H.J. Res. 83: Mr. ARRINGTON and Mr. YOHO.
H. Con. Res. 10: Mr. REED.
H. Con. Res. 13: Mrs. BROOKS of Indiana, Mr. COFFMAN, Mr. DENT, Mr. BROOKS of Alabama, Mr. YARMUTH, Ms. GRANGER, and Mr. YOUNG of Iowa.
H. Con. Res. 26: Mr. FLORES.
H. Res. 28: Ms. ADAMS, Ms. HANABUSA, Mr. COURTNEY, Ms. ROSEN, Mr. SCHRADER, Mr. CARBAJAL, Mr. WITTMAN, Mr. KHANNA, Mr. BERA, Mr. LARSEN of Washington, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MARINO, Mr. MEEKS, Mr. RUIZ, Mr. AL GREEN of Texas, Mr. KEATING, and Mr. CUELLAR.
H. Res. 31: Mr. CARBAJAL, Mr. KHANNA, Mr. MCGOVERN, Mr. COSTA, and Mr. CUELLAR.
H. Res. 111: Ms. ROYBAL-ALLARD, Mrs. DINGELL, and Mr. GOTTHEIMER.
H. Res. 132: Ms. SCHAKOWSKY, Mr. SOTO, Ms. VELÁZQUEZ, and Mr. PETERSON.
H. Res. 145: Ms. GRANGER.
H. Res. 154: Mr. RUSH, Mr. MOULTON, and Mr. YARMUTH.
H. Res. 157: Mrs. DINGELL.

EXTENSIONS OF REMARKS

WOMEN'S HISTORY MONTH 2017

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 1, 2017

Mr. VISCLOSKY. Mr. Speaker, it is with great respect and admiration that I rise today in observance of Women's History Month and its 2017 theme: Honoring Trailblazing Women in Labor and Business. Each year, the National Women's History Project selects a unifying theme to recognize and promote Women's History Month. This year's theme features the stories of women from diverse backgrounds and different fields who have challenged and changed the paid labor force to secure equal rights and equal opportunities for women in the workplace.

Despite facing barriers in the workplace, women have always worked and, at times in America's history, have provided the majority of the volunteer labor force. Women of every race, class, and ethnic background are woven into the history of our nation's labor force and continue to significantly impact social and legal structure in the workplace.

Longstanding constraints, including religious and educational conventions, often meant women experienced limited opportunities, low wages, and poor working conditions while performing low-skill, short-term labor positions in the American workforce. Strong role models such as Kate Mullany and Lucy Gonzalez-Parsons were pioneers in the organized labor field in the late 19th century through the turn of 20th century. These women forged the way for other women in all professions, trades, and the arts and sciences to organize for better working conditions and fair wages. Because of these courageous trailblazers, women today, such as Yvonne Walker, the first African-American woman to serve as President of the Service Employees International Union (SEIU), and Lily Ledbetter, whose landmark Supreme Court case of employee discrimination brought about legislative changes and the eponymous Fair Pay Act of 2009, women today are empowered to serve as activists in the fight for fairness in the workplace. These remarkable women were leaders and organizers who not only secured their own rights and access to equal opportunity but also served as a voice for many women who were undervalued and underpaid.

Women today continue to carry the torch to secure workplace justice and equality and to contest and challenge norms in the American workforce. These female entrepreneurs, labor leaders, and innovators have challenged stereotypes and social assumptions about who women are and what they can achieve. These strong women, past and present, serve as remarkable role models who reflect the 2017 theme, Honoring Trailblazing Women in Labor and Business.

Mr. Speaker, I am honored to join in celebrating Women's History Month and to recognize that after decades of dedication, perseverance, contributions, and advances, the stories of American women from all cultures and classes are being printed, spoken, recognized, and celebrated. In an effort to illustrate the many courageous and dedicated women throughout America's history, we remember and recount the tales of our ancestors' talents, sacrifices, and commitments that serve as an inspiration to today's generation of both women and men. I ask that you and my other distinguished colleagues join me in celebrating meaningful and substantial impact women have had in labor and business throughout our nation's history.

HONORING COACH JIM TATE ON HIS 100TH STATE CHAMPIONSHIP

HON. BRADLEY BYRNE

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 1, 2017

Mr. BYRNE. Mr. Speaker, I rise today to recognize Coach Jim Tate on winning his 100th State Championship. This is a remarkable and impressive achievement, and it highlights Coach Tate's dedication to the young men and women he has coached throughout his illustrious career.

A native of Mobile, Coach Tate is a graduate of The Citadel and received a master's degree from the University of Alabama. He is also a veteran who served in the U.S. Army from 1964 to 1969. During his military service, he served in Vietnam with the elite 173rd Airborne Brigade.

After brief stints at schools in South Carolina and Georgia, Coach Tate started coaching at Mobile's St. Paul's Episcopal School in 1978. After originally coaching other sports, he settled in as the boys and girls track and cross country coach in 1981.

Throughout his career, Coach Tate broke numerous state and national records, including the nation's record for the longest consecutive state championship streak in the nation at 16 (1983 to 1998). He has also been inducted into the Mobile Sports Hall of Fame and the National High School Hall of Fame.

On February 4, 2017, Coach Tate's St. Paul's girls indoor track and field team won the Class 4A-5A state championship at the Birmingham CrossPlex. This marked Coach Tate's 100th state title.

Mr. Speaker, Jim Tate has had a positive impact on countless student athletes throughout his career. Over 60 of his former athletes have gone on to perform at the collegiate level. Like any good leader, Coach Tate attributes his success to his athletes, parents, and supporters, but there is no denying his remarkable ability to get the best out of the people he coaches.

Many high schools can only dream of having 100 state championships in their entire history, but Coach Tate has reached that level himself. This high level of success is a testament to his drive, motivation, knowledge, and character.

So, on behalf of Alabama's First Congressional District, I want to thank Coach Tate for his service to our nation and congratulate him on winning his 100th State Championship.

REMEMBERING THE VICTIMS OF THE SUMGAIT POGROMS

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 1, 2017

Mr. SCHIFF. Mr. Speaker, I rise to commemorate the 29th Anniversary of the pogrom against the Armenian residents of the town of Sumgait, Azerbaijan. Twenty-nine years ago, Azerbaijani mobs assaulted and killed their Armenian neighbors. When the violence finally subsided, hundreds of Armenian civilians had been brutally murdered and injured, women and young girls were raped, and victims were tortured and burned alive. Those that survived the carnage fled their homes and businesses, leaving behind everything they had in their desperation.

The pogroms were the culmination of years of vicious anti-Armenian propaganda, spread by the Azerbaijani authorities. The Azerbaijani authorities made little effort to punish those responsible, instead attempting to cover up the atrocities in Sumgait to this day, as well as denying the role of senior government officials in instigating the violence. Unsurprisingly, it was not the end of the violence, and was followed by additional attacks, including the 1990 pogrom in Baku.

The Sumgait massacre and the subsequent attacks on ethnic Armenians, resulted in the virtual disappearance of a once thriving population of 450,000 Armenians living in Azerbaijan, and culminating in the war launched against the people of Nagorno Karabakh. That war resulted in thousands dead on both sides and created over one million refugees in both Armenia and Azerbaijan.

Time has not healed the wounds of those murdered in the pogroms in Sumgait, Kirovabad, and Baku. To the contrary, hatred of Armenians is celebrated in Azerbaijan, a situation most vividly exemplified by the case of Ramil Safarov, an Azerbaijani army captain who savagely murdered an Armenian army lieutenant, Gurgen Margaryan with an axe while he slept. The two were participating in a NATO Partnership for Peace exercise at the time in Hungary. In 2012, Safarov was sent home to Azerbaijan, purportedly to serve out the remainder of his sentence. Instead, he was pardoned, promoted, and paraded

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

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

through the streets of Baku as a returning hero.

The assault on ethnic Armenian civilians in Sumgait helped touch off what would become a direct conflict between Armenia and Azerbaijan over Nagorno Karabakh. And today, Azerbaijan's dangerous behavior on the Line of Contact threatens peace and stability in the region. Artillery and sniper fire across the Line of Contact has become a fact of daily life for civilians in the Nagorno Karabakh Republic, causing numerous casualties. In April of last year, Azerbaijan launched its most aggressive attack in many years, resulting in the loss of many lives over the course of three days of intense fighting.

Along with other Members of Congress, I have consistently called for a direct international response to Azerbaijan's aggressive behavior through deployment of international monitors and technology to monitor ceasefire violations. Azerbaijan's continued rejection of these simple steps speaks volumes, but I believe they should not prevent the installation of these technologies within Nagorno Karabakh. The anniversary of Sumgait is a reminder of the consequences when aggression and hatred is allowed to grow unchecked.

Mr. Speaker, this April we will mark the 102nd Anniversary of the Armenian Genocide, an event the Turkish government, Azerbaijan's closest ally, goes to great lengths to deny. We must not let such crimes against humanity go unrecognized, whether they occurred yesterday or 28 years ago or 100 years ago. Today, let us pause to remember the victims of the atrocities of the Sumgait pogroms. Mr. Speaker, it is our moral obligation to condemn crimes of hatred and to remember the victims, in hope that history will not be repeated.

HONORING ANDREW CABLE

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 1, 2017

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Andrew Cable. Andrew is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 1376, and earning the most prestigious award of Eagle Scout.

Andrew has been very active with his troop, participating in many scout activities. Over the many years Andrew has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Andrew has served his troop as an Assistant Senior Patrol Leader, become a Brotherhood member of the Order of the Arrow, and earned the rank of Fire Builder in the Tribe of Mic-O-Say. Andrew has also contributed to his community through his Eagle Scout project. Andrew constructed a gazebo with swings surrounding a fire pit at Immacolata Manor, a facility for women with developmental disabilities in Liberty, Missouri.

Mr. Speaker, I proudly ask you to join me in commending Andrew Cable for his accomplishments with the Boy Scouts of America

and for his efforts put forth in achieving the highest distinction of Eagle Scout.

TRIBUTE TO STEPHANIE JUTILA

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 1, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Stephanie Jutila for being named a 2017 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines Area that are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious honor based on a combined criteria of community involvement and success in their chosen career field. The 2017 class of Forty Under 40 honorees will join an impressive roster of 680 past business leaders and growing.

Stephanie is a passionate horticulturist, having worked at a number of gardens, zoos and arboretums, including the Smithsonian Institution and the American Horticultural Society. Since becoming its first president and CEO, she has led the transformation of the Des Moines Botanical Center from a municipal to public garden as part of an \$18.6 million capital campaign. Through her leadership, the nonprofit has grown its operating budget by 175 percent, doubled the garden's annual visitation, and cultivated a signature guest experience through its garden design and innovative programming.

Mr. Speaker, it is a profound honor to represent leaders like Stephanie in the United States Congress and it is with great pride that I recognize her today for utilizing her talents to better both her community and the great state of Iowa. I ask that my colleagues in the United States House of Representatives join me in congratulating Stephanie on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2017 Forty Under 40 class a long and successful career.

PERSONAL EXPLANATION

HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 1, 2017

Mr. BRADY of Texas. Mr. Speaker, on roll call No. 103, I was unavoidably detained to cast my vote in time. Had I been present, I would have voted YES.

HONORING CALEB THOMAS JAYNES

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 1, 2017

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Caleb Thomas Jaynes. Caleb is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 1028, and earning the most prestigious award of Eagle Scout.

Caleb has been very active with his troop, participating in many scout activities. Over the many years Caleb has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Caleb has earned the rank of Brave in the Tribe of Mic-O-Say. Caleb has also contributed to his community through his Eagle Scout project. Caleb led a group of scouts to the Platte City Cemetery to use GPS tracking and photographs to document nearly 1,000 grave-stones in the cemetery and preserve the historical information online.

Mr. Speaker, I proudly ask you to join me in commending Caleb Thomas Jaynes for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

RECOGNIZING JAMES HOLLAND

HON. JERROLD NADLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 1, 2017

Mr. NADLER. Mr. Speaker, I rise today to recognize an exceptional young Australian who is currently interning in my Washington, D.C. office. James Holland came to our office as part of the Uni-Capitol Washington Internship Programme (UCWIP) and has been a valuable contributor to our efforts on behalf of New York's Tenth Congressional District.

UCWIP has worked with congressional offices to foster strong ties and understanding between the United States and Australian governments by bringing the best and the brightest from top Australian universities to intern on Capitol Hill. I am proud to have personally hosted 13 Australians since 2003, each bringing their unique outlooks on policy and desire to contribute.

James, a student from Monash University as well as valedictorian for the UCWIP Class of 2017, has worked in our office since January and quickly proved himself to be a highly valuable member of our team. He has researched important issues, attended briefings, and drafted constituent correspondence, among many other duties. He consistently displays a deep desire to learn and treats everyone that he encounters with respect. His hard work and dedication is a tremendous asset to our office and the Tenth Congressional District.

My team has learned a great deal about the current political situation in Australia as

James' fascination with America continues to grow. He is an absolute pleasure to have in the office and I offer him my thanks for a job well done. I wish him the best of luck in all of his future endeavors.

TRIBUTE TO KAREN KARR

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 1, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Karen Karr for being named a 2017 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines Area that are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious honor based on a combined criteria of community involvement and success in their chosen career field. The 2017 class of Forty Under 40 honorees will join an impressive roster of 680 past business leaders and growing.

Karen is an attorney at BrownWinick law firm, focusing on complex residential and commercial real estate transactions. She graduated with distinction from the University of Iowa in 2003 and received her J.D. with honors from Drake University in 2008. She is a member of the Polk County, Iowa State, and American Bar Associations, as well as a member of the Polk County Women Attorneys. Outside of her work, she serves on the boards for Operations Downtown and the Des Moines Social Club. Karen also serves on the Capital Campaign Committee and as a mentor with Community Youth Concepts.

Mr. Speaker, it is a profound honor to represent leaders like Karen in the United States Congress and it is with great pride that I recognize her today for utilizing her talents to better both her community and the great state of Iowa. I ask that my colleagues in the United States House of Representatives join me in congratulating Karen on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2017 Forty Under 40 class a long and successful career.

HONORING CRAIG E. MULLER

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 1, 2017

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Craig E. Muller. Craig is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 397, and earning the most prestigious award of Eagle Scout.

Craig has been very active with his troop, participating in many scout activities. Over the

many years Craig has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Craig has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Craig E. Muller for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

HONORING CHIEF STEPHAN B. WILDER

HON. JAMES B. RENACCI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 1, 2017

Mr. RENACCI. Mr. Speaker, I rise today to pay tribute to Stephan B. Wilder, Chief of Police for North Canton, Ohio, who is now retiring after 36 years of service to the city. Chief Wilder began his law enforcement career with the city in 1981 as an unpaid auxiliary officer. Two years later, he was hired as a part time patrolman, and his full time service to the citizens of North Canton began in 1986. He was promoted to lieutenant in 1996 and became Chief of Police on May 29, 2011.

Before serving the City of North Canton, Chief Wilder was a graduate of Glenwood High School and Kent State University, where he studied Criminal Justice. He went on to obtain his Master's in Criminal Justice Administration from Tiffin University, and his education also includes studies at Northwestern University Center for Public Safety School of Police and Command, as well as the Ohio Police Association of Chiefs of Police Executive Leadership College.

In addition to serving his community in a law enforcement capacity, Chief Wilder has also served North Canton through his active participation in many civic and professional organizations. He has held positions and honors with the North Canton YMCA, North Canton Chamber of Commerce, Junior Achievement, Rotary Club, Knights of Columbus, Ohio Association and the International Association of Chiefs of Police, Stark County Police Chiefs Association, and Boy Scouts of America Buckeye Council. He has been active with the Boy Scouts since he became an Eagle Scout in 1967.

Throughout his career, Chief Wilder has received numerous rewards and honors. He has been honored with the Franklin M. Kreml Leadership Award by Northwestern University and by the Plain Local Schools Foundation and Alumni Association Hall of Distinction.

This week, the City of North Canton celebrates Chief Wilder's distinguished career and his retirement. I offer my congratulations to Chief Wilder on his retirement and thank him for his years of service. North Canton and I are grateful to him for everything he has done as a member of the city's law enforcement and as a leader in the community. I ask my colleagues in the House to join me in paying tribute to a valued public servant and wishing him a happy retirement.

IN RECOGNITION OF THE VICTIMS OF THE SUMGAIT POGROMS

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 1, 2017

Mr. PALLONE. Mr. Speaker, I rise today to commemorate the Sumgait pogroms, one of the most horrific attacks against the Armenian people, committed at the hands of Azerbaijanis 29 years ago.

On February 27, 1988, hundreds of Armenian civilians living in the city of Sumgait in Azerbaijan were indiscriminately killed, raped, maimed, and even burned alive for no reason other than their ethnicity. This senseless violence was instigated by hostile, anti-Armenian rhetoric from Azerbaijani citizens and officials against innocent Armenians.

For nearly three decades, Azerbaijan has taken steps to cover up these crimes against humanity and dismiss the atrocities at Sumgait. Even more disturbing is that perpetrators of this event and similar violent attacks have since been lauded as national heroes.

I condemn these horrific attacks. Tragically, the Azerbaijani government's approach toward the Armenian people has not changed much since these attacks were perpetrated. In 2017, we hear the same violent rhetoric and witness the intimidation tactics by the Azerbaijani government against the people of Nagorno Karabakh.

If we do not condemn crimes against humanity and allow them to go unpunished and unrecognized we only strengthen the resolve of those seeking to perpetrate these crimes in the future. The Armenian people have known this for too long, as we prepare to commemorate the 102nd Anniversary of the Armenian Genocide in April.

I will continue to work with my colleagues on the Congressional Armenian Issues Caucus to remember the victims of the pogroms at Sumgait and to condemn all acts of violence against people who are targeted simply because of their existence. I hope my colleagues will join me in rejecting violent rhetoric and intimidation and renewing our commitment to achieving a collective peace.

RECOGNIZING RUTGERS CANCER INSTITUTE OF NEW JERSEY AT UNIVERSITY HOSPITAL

HON. DONALD M. PAYNE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 1, 2017

Mr. PAYNE. Mr. Speaker, I rise today to recognize the newly formed partnership between the Rutgers Cancer Institute of New Jersey and University Hospital, located in Newark, New Jersey. This landmark agreement, designated by the National Cancer Institute, brings Rutgers' NCI-designated Comprehensive Cancer Center services, as the only one in the state of New Jersey. This will expand the offering of advanced cancer-related services for residents of Newark and the

greater Essex County—which includes many constituents in the 10th Congressional District of New Jersey.

The partnership expands the offering of advanced cancer-related services, including clinical trials only available at NCI-designated cancer centers, community outreach and education programs focusing on cancer prevention, and early detection including increased screenings. The focus on early detection and preventions is very important as March is National Colorectal Cancer Month. Colorectal cancer is the third most common type of cancer in men and women in our country. According to the American Cancer Society, it is the third leading cause of cancer-related deaths in the United States when men and women are considered separately, and the second leading cause when both sexes are combined. In 2016, it was estimated that 134,490 new cases would be diagnosed, and that 49,190 people would die from colorectal cancer. The availability of the latest treatment options and clinical trials at the Rutgers Cancer Institute at University Hospital are expected to improve patient outcomes and increase awareness of early detection and prevention to help reduce cancer incidence and burden in the 10th Congressional District.

This partnership embraces University Hospital's patient-centered care model, and will create a multidisciplinary team of experts that will include: medical, surgical, and radiation oncologists, oncology certified nurses, patient navigators, social workers, registered dietitians, pharmacists, and other specially trained support personnel. The Cancer Institute is also physically connected to University Hospital, which allows patients to access additional clinical services, clinical research opportunities, screening and education programs and administrative offices. Additionally, the new partnership will create educational opportunities for community partners in the Newark area to work with University Hospital to identify cancer-related needs and develop culturally appropriate education. These activities will form the basis for future cancer-focused outreach initiatives, which will focus on improving cancer literacy and communication between patients and healthcare providers.

This collaboration is essential to expanding comprehensive cancer services, including prevention, education, early detection, increased screenings, and clinical trials in Newark and Essex County, New Jersey and I am honored to recognize this exciting partnership between the Rutgers Cancer Institute and University Hospital.

KEYBANK

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 1, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize KeyBank for being honored as the Large Business of the Year by the West Chamber of Commerce.

KeyBank is a valuable community partner across the Denver Metro area and in Jefferson County. In Colorado, KeyBank has 700 em-

ployees, 61 branches and gives generously to more than 50 community partners every year in support of education, workforce development and advancing economic inclusion through building stronger neighborhoods and communities.

For the past two years, KeyBank has sponsored the "Launch" program for the Jefferson County Business Resource Center. Through this sponsorship, KeyBank plays an important role in helping local entrepreneurs create business plans and develop the skills they need to start a small business.

In addition to supporting local entrepreneurs through the "Launch" program, KeyBank also plays an important role in funding small businesses in Jefferson County. KeyBank has provided small business loans to numerous local entrepreneurs, which have helped them acquire other businesses, purchase real estate or grow their businesses in a variety of ways.

I extend my deepest congratulations to KeyBank for this well-deserved honor from the West Chamber of Commerce.

IN RECOGNITION OF MARY MARRARA, SCRANTON UNICO'S UNICAN OF THE YEAR

HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 1, 2017

Mr. CARTWRIGHT. Mr. Speaker, I rise today to honor Mary Marrara, who will be honored as Unican of the Year on March 4, 2017 during the annual Scranton UNICO banquet. Each year UNICO honors a member that puts Service above self. Mary has a lifetime record of service to the Scranton community.

Mary was born and raised in Fort Washington, Pennsylvania. She attended school in the Philadelphia area, and she started her career as a dental manager there. In 1970, she and her husband Phil moved to Scranton. Mary and Phil own P & M Associates, Inc. The company was one of the first to offer cabinet refacing with a major national department store. They have received every top award for over 25 years for customer service and installations. Mary was part of the team in Chicago that created the Quality Every Day program, which set the standard for the national installation. Currently, they work with major retailers and sell and install kitchens on their own. Mary also owned and operated an ice cream shop, The Mary Go Round, which included The Floral Corner with her sister Fran.

In her 47 years of living in northeastern Pennsylvania Mary has served in, helped, and advised a wide array of area organizations. One of the first charities Mary became involved with was St. Joseph's Center, which helps individuals with intellectual disabilities or developmental delays, pregnant women, young families, couples hoping to adopt, and people who require outpatient therapy. Currently, Mary serves on several boards of The Wright Center and co-chairs the Wonderful Women Program and the Wright Center Health Fair. She also serves on the boards of the American Red Cross, the NEPA Philharmonic League, LaFesta Italiana, and the

UNICO Scranton chapter. She is a committee member of the Jim Minicozzi 5K Race, the Jermyn Lions Club, and she serves on the advisory boards for Meals on Wheels and the Scranton Cultural Center.

It is an honor to recognize Mary Marrara for receiving the Unican of the Year Award from Scranton UNICO. I am grateful for her commitment to the citizens of northeastern Pennsylvania. I hope that she will continue to work for the welfare of her neighbors and the improvement of her community.

HONORING MR. CONRAD CONWAY

HON. BOB GIBBS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 1, 2017

Mr. GIBBS. Mr. Speaker, I am honored to recognize Mr. Conrad Conway's brave service in the Navy during World War II. His fight to protect our freedoms and liberties is cherished by our entire nation.

Mr. Conway served in the Pacific Theater during the Second World War as a Signalman in the Navy. For his bravery in the line of duty, Mr. Conway earned the Distinguished Service Cross and the Bronze Star. He and his fellow Seamen's service in the Pacific was documented in Life Magazine, a tribute to the heroes who fought imperialism.

When Mr. Conway returned to the United States, he worked for Cooper Industries in Mount Vernon, Ohio. A devoted member of the community, Mr. Conway served as City Council President for nearly 30 years and was deeply involved in several veterans associations. He is the proud father of nine children, several grandchildren, and even great-children.

Mr. Speaker, on behalf of the citizens of Ohio's 7th Congressional District, I would like to thank Conrad Conway for his service. Our country is forever indebted to the sacrifices he made to defend our freedoms.

PERSONAL EXPLANATION

HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 1, 2017

Mr. BRADY of Texas. Mr. Speaker, on roll call no. 104, I was unavoidably detained to cast my vote in time. Had I been present, I would have voted YES.

TRIBUTE TO JOHN LEDER

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 1, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate John Leder for being named a 2017 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines Area that are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious honor based on a combined criteria of community involvement and success in their chosen career field. The 2017 class of Forty Under 40 honorees will join an impressive roster of 680 past business leaders and growing.

John is an account executive at Holmes Murphy and Associates, where he helps ensure clients get the best service available. But it is his family that truly drives him both professionally and personally. Their experience with his son Owen's challenges with cerebral palsy has caused John to focus much of his volunteer efforts on helping children with challenging medical conditions and their families. He has been active with Variety, The Children's Charity, Courage League Sports and Gillette Children's Specialty Hospital. He contributes in a number of ways, from sharing his experiences with other families, helping to raise money, and spreading awareness of adaptive fitness and wellness programs.

Mr. Speaker, it is a profound honor to represent leaders like John in the United States Congress and it is with great pride that I recognize him today for utilizing his talents to better both his community and the great state of Iowa. I ask that my colleagues in the United States House of Representatives join me in congratulating John on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2017 Forty Under 40 class a long and successful career.

HONORING THE 100TH ANNIVERSARY OF THE ST. CLAIR COUNTY (WEST) ROTARY CLUB

HON. MIKE BOST

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 1, 2017

Mr. BOST. Mr. Speaker, I rise today in recognition of the 100th Anniversary of the Rotary Club of St. Clair County (West).

On March 1, 1917, the Rotary Club of St. Clair County (West) received its first charter with 30 members in attendance, becoming the first Rotary Club activated in Southern Illinois. These members represented real estate agents, bankers, lawyers, lumber and livestock workers, farmers, and many other professions that make up the fabric of Southern Illinois.

Since its activation, the Rotary Club has been a support group to countless business owners through the Great Depression, World War II, and beyond. Not only do its members focus on strengthening businesses, but they also focus on enriching the community through charitable work.

The Red Cross, Salvation Army, Boys and Girl Scouts of America, and YMCA are only a few of the organizations with which St. Clair County (West) has been instrumental in strengthening Southern Illinois, including cre-

ating the Edgemont YMCA facility and a college scholarship program for high school seniors.

We are grateful for the contributions that Rotary Clubs around the nation are making on a daily basis. I urge all of my colleagues to join me in recognition of the 100th Anniversary of the St. Clair County (West) Rotary Club.

INTRODUCTION OF THE VISION ZERO ACT

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 1, 2017

Mr. BLUMENAUER. Mr. Speaker, the true American carnage is what's happening on our roadways. More than 40,000 people were killed last year on streets in communities around the country, yet this is accepted as inevitability. We can do better. We have to do better.

Even more concerning, fatalities of our most vulnerable road users, pedestrians and bicyclists, make up a disproportionate share of those deaths, with pedestrian fatalities increasing 16 percent from 2009 to 2014 and jumping another 9 percent from 2015 to 2016. People who die on our streets are disproportionately children, seniors, and people from low-income or minority communities.

Communities across the country have recognized that there is only one number of acceptable deaths on our streets: zero. Vision Zero is the goal of eliminating all transportation-related fatalities, including pedestrians, bicyclists, transit users, motorists and passengers. Cities from Portland, Oregon to Fort Lauderdale, Florida are implementing inter-agency Vision Zero plans that connect engineering, education, and enforcement to reach the goal of ending transportation deaths and serious injuries. Despite the horrific national statistics, Vision Zero is already making a difference at street level.

Congress should encourage this innovative approach to transportation safety, and today I'm pleased to introduce the Vision Zero Act of 2017 with my friend, Representative VERN BUCHANAN. This bill creates grant programs to plan and implement a Vision Zero framework, giving local communities of all sizes access to funding and best practices to set and reach safety goals. We should no longer accept bicycle and pedestrian fatalities as harsh reality, and this bill gives us the tools to reverse this trend.

IN RECOGNITION OF THE REPUBLIC OF KAZAKHSTAN

HON. MARK MEADOWS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 1, 2017

Mr. MEADOWS. Mr. Speaker, I rise today to commend the Republic of Kazakhstan and its President on taking significant steps towards a more open and democratized form of governance. Recently, President Nursultan

Nazarbayev announced constitutional reforms aimed at improving the accountability of government and the transfer of many powers to the Parliament and ministry level.

Last December, Kazakhstan celebrated twenty-five years of independence from the former Soviet Union. In those twenty-five years, Kazakhstan has become a modernized republic, moved towards a market-based economy, and stewarded growth and prosperity for its citizens. Kazakhstan's President Nazarbayev is now taking the welcomed steps towards implementing the political and constitutional reforms that a modern republic, governed by the people and for the people, requires for continued long-term stability and prosperity.

I am proud of the United States' partnership with Kazakhstan as it continues to make clear its commitment to the rights of its citizens, and we encourage its progress in protecting religious minorities and freedom of the press. These commendable steps towards the democratization of government serve as an example for other countries in the region.

In the coming months, I look forward to welcoming and working with the new Ambassador to the United States, H.E. Erzhan Kazykhanov, and commend the Kazakh government for the willingness to continuously improve the country's governmental system.

TRIBUTE TO JOSHUA MANDELBAUM

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 1, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Joshua Mandelbaum for being named a 2017 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines Area that are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious honor based on a combined criteria of community involvement and success in their chosen career field. The 2017 class of Forty Under 40 honorees will join an impressive roster of 680 past business leaders and growing.

Joshua is committed to serving his community. As an environmental attorney at the Environmental Law and Policy Center, he is a leading voice for Iowa's clean energy economy and constantly working towards collaborative solutions to improving Iowa's water quality. As a father of two young children, he brings passion and insight to the Polk County Early Childhood Iowa board and its work to provide quality early childhood education and child care to all of Polk County.

Mr. Speaker, it is a profound honor to represent leaders like Joshua in the United States Congress and it is with great pride that I recognize him today for utilizing his talents to better both his community and the great state of

Iowa. I ask that my colleagues in the United States House of Representatives join me in congratulating Joshua on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2017 Forty Under 40 class a long and successful career.

**HONORING THE LIFE AND
ACHIEVEMENTS OF DR. JARED
JAMES GRANTHAM**

HON. EMANUEL CLEAVER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 1, 2017

Mr. CLEAVER. Mr. Speaker, I rise today to recognize and honor a doctor and educator from the Kansas City area who recently passed away. Dr. Jared James Grantham passed away on Sunday, January 22nd at the age of 80, after undergoing treatment for cancer.

During his time at the University of Kansas Medical Center, he founded their Kidney Institute, and a renal research and training program. As the director of the Kidney Institute at the University of Kansas Medical Center, he pioneered research into Polycystic Kidney Disease. Dr. Grantham's many contributions to this research include the discovery of hydro-osmotic effects of the hormone vasopressin in the kidneys, as well as the discovery that the renal tubules secrete and reabsorb solutes and water, a finding that came from a series of experiments that showed that kidney cysts in Polycystic Kidney Disease patients are in fact distended renal tubules that trap fluid within an expanding cavity lined by a single layer of cells.

Dr. Grantham's drive to find a cure for Polycystic Kidney Disease was sparked by a memory. His childhood friend, Ronnie Wilkerson, suffered from Polycystic Kidney Disease. Without this inspiration, Dr. Grantham would have never found that renal tubules in the kidney both secrete and reabsorb solutes and water. This eventually led to his confirmation that the cysts are neoplastic growths filled with liquid.

In 1982, alongside Joseph Bruening, Dr. Grantham founded the Polycystic Kidney Disease Foundation to help advance research into this horrible disease. The Polycystic Kidney Disease Foundation is the only organization in the United States solely dedicated to finding treatments and a cure for polycystic kidney disease, as well as improve the lives of those who suffer with it. Over the last 30 years, the Polycystic Kidney Disease Foundation has invested over \$40 million in basic and clinical research, nephrology fellowships, and scientific meetings with a simple goal: to discover and deliver treatments and a cure for Polycystic Kidney Disease.

Before the Polycystic Kidney Disease Foundation was established, Dr. Grantham was one of the very few researchers studying the disease. In February 1981, the Kansas City Star ran an article entitled "Research lags on hereditary condition, specialist says." This article caught the eye of Mr. Joseph Bruening, a Kansas City, Missouri native and businessman whose wife and daughter both suffered from

Polycystic Kidney Disease. In December of 1981, Mr. Bruening mailed a letter to Dr. Grantham interested in contributing funds towards research of this disease. Eventually, the two met and agreed to create a not-for-profit independent medical foundation whose goal was to create a cure for Polycystic Kidney Disease. In 2013, the Polycystic Kidney Disease Foundation made a great stride towards a cure. Tolvaptan, the first drug to show promise in treating this disease, was accepted for priority review by the FDA.

Mr. Speaker, I ask my colleagues to join me today to pause for a moment to honor Dr. Grantham, a pioneer of research for Polycystic Kidney Disease. The lives of people with this disease are better off because of his research and vision.

PERSONAL EXPLANATION

HON. RODNEY DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 1, 2017

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I was in a meeting at the White House.

Had I been present, I would have voted NAY on Roll Call No. 108, NAY on Roll Call No. 107, NAY on Roll Call No. 106, and YEA on Roll Call No. 105.

**TRIBUTE TO SKYLAR MAYBERRY-
MAYES**

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 1, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Skylar Mayberry-Mayes for being named a 2017 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines Area that are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious honor based on a combined criteria of community involvement and success in their chosen career field. The 2017 class of Forty Under 40 honorees will join an impressive roster of 680 past business leaders and growing.

Skylar is a commercial underwriter for Nationwide Insurance and is also a business graduate student at Iowa State. In addition to work and school, he is also very active in his community, having committed over 500 hours of community service for the past four years. He has worked with Big Brothers Big Sisters, the Oakridge Neighborhood, Young Professionals Connection, and the Greater Des Moines Partnership's Diversity and Inclusion Council. In 2015, he was a recipient of the Barack Obama President's National Volunteer Service Award. His aspiration is to one day develop a comprehensive college preparatory program for young African-American men.

Mr. Speaker, it is a profound honor to represent leaders like Skylar in the United States Congress and it is with great pride that I recognize him today for utilizing his talents to better both his community and the great state of Iowa. I ask that my colleagues in the United States House of Representatives join me in congratulating Skylar on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2017 Forty Under 40 class a long and successful career.

PERSONAL EXPLANATION

HON. ANN WAGNER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 1, 2017

Mrs. WAGNER. Mr. Speaker, yesterday I missed the second vote series as I was accompanying constituents Elizabeth Snyder and Justin Sparks to the White House where they met Vice President Mike Pence and discussed the tragic murder of Elizabeth's husband, St. Louis County Police Officer Blake Snyder.

Had I been present, I would have voted YEA on Roll Call No. 105, NAY on Roll Call No. 106, NAY on Roll Call No. 107, and NAY on Roll Call No. 108.

PERSONAL EXPLANATION

HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 1, 2017

Mr. HUDSON. Mr. Speaker, on roll call no. 105, I was unable to cast my vote in person due to an unexpected illness. Had I been present, I would have voted Yea.

TRIBUTE TO PHILIP SANDAGER

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 1, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Philip Sandager for being named a 2017 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines Area that are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious honor based on a combined criteria of community involvement and success in their chosen career field. The 2017 class of Forty Under 40 honorees will join an impressive roster of 680 past business leaders and growing.

Philip is an investment management actuary with Principal Financial Group, a job which has taken him to São Paulo, Brazil, London,

and the United Kingdom as an active leader in the department. Outside of work, Philip is very active with United Way of Central Iowa, his church's multicultural outreach campus, as a volunteer math tutor, and with the Des Moines Choral Society, where he helps to increase their online presence. Philip has also been recognized by the Des Moines Playhouse with a Gypsy Volunteer Award. In his spare time, Philip enjoys playing piano, scuba diving, learning languages, and traveling around the world.

Mr. Speaker, it is a profound honor to represent leaders like Philip in the United States Congress and it is with great pride that I recognize him today for utilizing his talents to better both his community and the great state of Iowa. I ask that my colleagues in the United States House of Representatives join me in congratulating Philip on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2017 Forty Under 40 class a long and successful career.

TRIBUTE TO WIGGIE SHELL

HON. JOHN R. CARTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 1, 2017

Mr. CARTER of Texas. Mr. Speaker, I rise today to pay special tribute to Wiggie Shell, a great American and a great Texan, on the occasion of his 60th birthday. I am honored to call this business and civic leader a friend.

A fifth generation descendant of a Central Texas ranching family, William Carroll "Wiggie" Shell was born March 1, 1957 in Georgetown, Texas. His family has long been committed to his beloved home town. During the early 1950s to 1968, Wiggie's father owned and operated the only public swimming pool in Georgetown known as "The Shell Pool" which was a favorite place where young and old spent many of their summer hours.

Wiggie graduated from Georgetown High School in 1975. A true child of Texas, Wiggie was a rodeo bull rider in his youth and used that knowledge to wrangle Donna, his wife and love of his life, marrying in 1977. They have two children and three grandchildren.

Wiggie started his railroad career as a carman at Georgetown Railroad Company, worked his way up to Chief Mechanical Officer, spending 20 years with the railroad. Wiggie then started at a supplier company called Georgetown Rail Equipment Company (GREX) in the Operations department and worked his way up to President and CEO. Under his leadership, GREX doubled in size and revenue in just three years. Wiggie made GREX into an industry leader by pioneering high-technology solutions for thorny long-standing railroad problems. Under his direction, the company is now moving into international markets. His work as an innovator led to Wiggie being a respected railroad industry support spokesperson in Washington, DC and Austin, TX.

Wiggie's contributions don't stop when the work day ends. He served in the Georgetown Volunteer Fire Department for 28 years and

volunteers with Sky Ball, the premier fundraising event for the Airpower Foundation, one of the oldest military support organizations in the U.S. When he's not working or volunteering, Wiggie relishes his family time, whether enjoying NASCAR races or fishing with his grandchildren.

Mr. Speaker, I join Wiggie's friends, family, and colleagues in wishing him a happy 60th birthday. His has been a life of innovation and service. With Wiggie, the best is yet to come and I wish him nothing but success in all his future endeavors.

RECOGNIZING THE RETIREMENT OF LIEUTENANT GENERAL MICHAEL E. WILLIAMSON

HON. MARTHA MCSALLY

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 1, 2017

Ms. MCSALLY. Mr. Speaker, I rise today to recognize Lieutenant General Michael E. Williamson, United States Army, for his selfless service to our nation, culminating in his assignment as the Principal Military Deputy to the Assistant Secretary of the Army for Acquisition, Logistics and Technology and Director of Acquisition Career Management. Lieutenant General Williamson will retire from active military duty this year after 34 years of service.

Born in Tucson, Arizona, Lieutenant General Williamson was commissioned at the University of Maine as a Second Lieutenant in the Air Defense Artillery in 1983. His assignments included company grade assignments in Germany and command in the 11th Brigade at Fort Bliss, Texas, and the 31st Air Defense Artillery Brigade at Fort Hood, Texas.

Throughout his career, Lieutenant General Williamson has grown as a skilled practitioner, respected leader, and mentor within the Army acquisition workforce. He served with distinction as Senior Military Software Analyst at NATO's military headquarters in Belgium; Chief of Information Technology, Acquisition Career Management; Product Manager for the Global Command and Control System-Army; Military Assistant to the Secretary of the Army; Project Manager for Future Combat Systems Network Systems Integration; Director of Systems Integration; Deputy Program Executive Officer, Integration; Joint Program Executive Officer for the Joint Tactical Radio Systems; and Assistant Deputy for Acquisition and Systems Management. Lieutenant General Williamson will complete his career as Principal Military Deputy to the Assistant Secretary for Acquisition, Logistics and Technology and Director of Acquisition Career Management as the most senior military officer within the Army Acquisition Corps where he tirelessly advocated for equipment modernization and ensured that our Soldiers have the best equipment available.

In addition to his extensive acquisition experience, Lieutenant General Williamson served in the Congressional Fellowship program as a Military Legislative Assistant to former Representative Silvestre Reyes of Texas' 16th District. He also served as the Deputy Commanding General for the Combined Security

Transition Command—Afghanistan during OPERATION ENDURING FREEDOM from 2013 to 2014.

Mr. Speaker, it is my honor to recognize the remarkable career of Lieutenant General Michael E. Williamson and congratulate him as he enters the next chapter of his life. I wish Michael, his loving wife, Tracy, and their beloved daughter, Darcy, the very best as they embark on their new journey together.

TRIBUTE TO BRIAN WALLER

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 1, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Brian Waller for being named a 2017 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines Area that are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious honor based on a combined criteria of community involvement and success in their chosen career field. The 2017 class of Forty Under 40 honorees will join an impressive roster of 680 past business leaders and growing.

Brian is president of the Technology Association of Iowa, where his many accomplishments include rebranding the organization, creating strategic partnerships across the state and launching an Iowa Technology Summit for the fall of 2017. With a passion for his home state, he co-founded a web application to identify Iowa expats around the world called The Iowan Project. He and his wife, Dr. Callie Waller, have a daughter, Parker, a son, Asher, and a border collie named Mr. Jenkins. In his free time, you can find Brian on the golf course or making music.

Mr. Speaker, it is a profound honor to represent leaders like Brian in the United States Congress and it is with great pride that I recognize him today for utilizing his talents to better both his community and the great state of Iowa. I ask that my colleagues in the United States House of Representatives join me in congratulating Brian on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2017 Forty Under 40 class a long and successful career.

CONDEMNING THE ATTACKS ON ARMENIANS IN SUMGAIT, KIROVABAD, AND BAKU

HON. BRAD SHERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 1, 2017

Mr. SHERMAN. Mr. Speaker, we have reached the 29th anniversary of a dark chapter in modern history. During the Nagorno-

Karabakh War of 1988 to 1994, Armenian civilians were indiscriminately attacked in the city of Sumgait. Today, I condemn these pogroms and commemorate the victims.

On the evening of February 27, 1988, a three-day rampage against Armenian civilians living in Sumgait, Soviet Azerbaijan began. Armenian civilians were hunted down and brutally assaulted. There were cases of rape, murder, and maiming of Armenian civilians.

The Soviet Union prohibited journalists from entering the area. It was reported that over 30 people were murdered and over 200 injured. However, it is believed that more, perhaps hundreds, were murdered by roving mobs.

Sadly, the Sumgait pogrom was only the beginning.

Despite international condemnation of the pogrom in Sumgait, another anti-Armenian pogrom occurred later that year in Kirovabad, Azerbaijan, from November 21st to 27th. Due to the brutality, the Armenians of Kirovabad and the surrounding areas were forced to flee their homes. Another crime against humanity occurred from January 13th to the 19th, in 1990. Members of the Armenian community of Baku, the capital of Azerbaijan, were assaulted, tortured and killed by violent mobs.

I would like to commemorate the Armenian victims of the Sumgait, Kirovabad, and Baku massacres, to honor the memory of the murdered, and to stop future bloodshed. If we hope to stop future massacres, we must acknowledge these horrific events and ensure they do not happen again.

We must urge Azerbaijan to cease all threats and acts of coercion against the Republic of Nagorno Karabakh. We should actively monitor and condemn Azerbaijan's violations of the ceasefire in Nagorno Karabakh.

Lastly, we must reaffirm America's commitment to an enduring, peaceful and democratic resolution of the Nagorno Karabakh conflict that includes the Nagorno Karabakh Republic as a party to negotiations.

HONORING THE 200TH ANNIVERSARY OF FORT COVINGTON

HON. ELISE M. STEFANIK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 1, 2017

Ms. STEFANIK. Mr. Speaker, I rise today to honor and recognize the 200th Anniversary of Fort Covington, New York.

Situated directly on the Canadian border, the town of Fort Covington serves as a proud reminder of the North Country's deep history and strong character. Before Fort Covington was formally signed into existence on February 28, 1817, men from the area had already fought for liberty in the American Revolution. It was not until the War of 1812 that the town gained its namesake by witnessing the death of General Leonard Covington, who had been fatally wounded in a nearby battle. The role that Fort Covington played in the Underground Railroad is also worthy of note, with the town harboring slaves along the last leg of their journey to freedom.

These stories have been brought forward by the newly-created Fort Covington Historical

Society, which has made an effort to gather, store, and display the town's proud history. By encouraging historical exploration, the Fort Covington Historical Society has helped foster a community-wide celebration of the town's past, while also ensuring a bright and informed future.

Congratulations to Fort Covington as it celebrates its 200th Anniversary. I would like to wish its residents all the best as they celebrate this momentous occasion.

TRIBUTE TO KELLY WHITING

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 1, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Kelly Whiting for being named a 2017 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines Area that are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious honor based on a combined criteria of community involvement and success in their chosen career field. The 2017 class of Forty Under 40 honorees will join an impressive roster of 680 past business leaders and growing.

Kelly is the Vice President of Business Development for The RAS Companies, Inc. She began her insurance career right out of college and has moved quickly up the ranks, holding roles in sales, claims and underwriting. She is the former Chairwoman of the Membership Committee of the Nationwide Iowa PAC, and currently is the Vice Chair of the Planning & Zoning Commission for the City of Ankeny. She is a member of MENSA, a published author and is working hard to impress her eldest son by organizing a Pokemon Club at his school. In her limited free time, she assists her husband with their real estate investment company, and is an avid reader and golfer.

Mr. Speaker, it is a profound honor to represent leaders like Kelly in the United States Congress and it is with great pride that I recognize her today for utilizing her talents to better both her community and the great state of Iowa. I ask that my colleagues in the United States House of Representatives join me in congratulating Kelly on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2017 Forty Under 40 class a long and successful career.

PERSONAL EXPLANATION

HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 1, 2017

Mr. HUDSON. Mr. Speaker, on roll call No. 106 through 108, I was unable to cast my vote

in person due to an unexpected illness. Had I been present, I would have voted Nay.

HONORING FRANCIS "DANNY" MALCOLM

HON. JUDY CHU

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 1, 2017

Ms. JUDY CHU of California. Mr. Speaker, I rise today to honor Francis "Danny" Malcolm, an outstanding citizen who has done so much for his country and his community.

Danny Malcolm was born on August 2, 1946 in Boston, Massachusetts. He was one of six siblings who grew up and went to school in Boston until the outbreak of the Vietnam War. Not one to stand idly by during times of trouble, Danny chose to join the United States Marine Corps on November 8, 1963. He was only 17 years old at the time but he quickly proved to be a highly capable young man that was more than willing to serve his country.

Danny was assigned to the 3rd Battalion 9th Marine Regiment that was stationed at Camp Lejeune, North Carolina; a unit that was part of the first amphibious landing in Vietnam. Danny was a proud Marine but he also had the distinction of serving as part of Force Recon, an elite Special Forces unit within the Marine Corps.

As part of this unit, Danny served three tours in Vietnam and was engaged in some of the most important battles of the war including the Defense of Airfields Saigon and Chu Lai in 1965, as well as Operation Kansas, Operation Teton, Operation Madison, and Operation Glenn in 1966. Many of these missions were extremely dangerous and required Danny to engage enemy combatants behind enemy lines, obtain crucial enemy intelligence, provide support to other military units and save fellow service members who had become prisoners of war. His courage and commitment to the United States did not go unnoticed and earned him several medals, including the Sharp Shooter Medal, National Service Medal, Good Conduct Medal, Vietnam Service Medal and Vietnam Special Campaign Medal.

Once the war came to a close, Danny returned home to the United States and earned a degree in Biomedical Engineering and Design from California State University, Long Beach. After graduating from college he joined Kaiser Permanente and committed thirty-four years of his life to the organization. During his tenure at Kaiser he played an important role in opening up the Kaiser facility in Baldwin Park, CA. He was highly respected among his colleagues and considered to be a problem solver that could always be depended on to get the job done.

Despite the many demands of life, Danny always went out of his way to make family a priority. He was a loving husband of thirty-four years to Carol Faccioponti-Malcolm, a dedicated father of seven children, a caring grandfather of thirteen and an admiring great grandfather of three. Over the years, Danny became an important part of the community and was seen by friends and family as a wonderful and trustworthy human being who loved his husky

dogs, cherished the outdoors and enjoyed to ride his motorcycles.

Above all, Danny was a Marine and as with most service members who fought in Vietnam, the war left a huge impact on him. After having served during one of the most tumultuous times in American history, Danny chose to dedicate his life to helping the men and women he had fought alongside with. He would often leave home days at a time without saying a word in order to embark on a mission in search of Veterans who had become homeless and were suffering from difficult times. He was considered by many to be a defender of the underdog, and Danny lived up to that title by providing struggling Veterans with food and blankets, paying for a few nights shelter at nearby hotels and referring them to local services for much needed assistance.

Whether he was supporting a friend in need or providing a helping hand to a troubled Veteran, Danny spent all of his life helping people. He was a man of honor and loyalty who always sought to do the right thing. Along with his friends and family whose lives have been impacted through his love and care, it is my honor to commemorate the life of Francis "Danny" Malcolm, a father, husband, and a remarkable United States Force Recon Marine.

PERSONAL EXPLANATION

HON. KEITH ELLISON

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 1, 2017

Mr. ELLISON. Mr. Speaker, due to other commitments, I missed the following roll call votes. Had I been present, I would have voted as follows: Roll call no. 100, I would have voted yes; Roll call no. 101, I would have voted no; and Roll call no. 102, I would have voted yes.

HONORING 50 YEARS OF EDUCATION BY HERKIMER COMMUNITY COLLEGE

HON. ELISE M. STEFANIK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 1, 2017

Ms. STEFANIK. Mr. Speaker, I rise today to honor and recognize the 50th Anniversary of Herkimer Community College in Herkimer, New York.

The college opened its doors in 1967 for over 200 enrolled students, becoming the 29th community college in New York State. Since then, Herkimer Community College has provided over 20,000 alumni with an opportunity to succeed, while also offering immense economic and social benefits to the community it has called home for half a century.

By incentivizing academic, athletic and extra-curricular achievement, Herkimer Community College has helped its students to pursue their goals in exciting and varied careers. The school's success is a testament to its hardworking staff and to the importance of an accessible education.

Congratulations to Herkimer Community College as it celebrates its 50th Anniversary. I want to thank its staff for their vital work and wish them continued success in the future.

TRIBUTE TO CHINA WONG

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 1, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate China Wong for being named a 2017 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines Area that are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious honor based on a combined criteria of community involvement and success in their chosen career field. The 2017 class of Forty Under 40 honorees will join an impressive roster of 680 past business leaders and growing.

After graduating from Iowa State University, China followed her entrepreneurial passions and opened Salon Spa W in Des Moines in 2005. Since then, the company has grown from three to 32 full time employees, and has been recognized as one of the Top 100 Salons in the U.S. by Elle Magazine, a Top 200 Salon in the U.S. by Salon Today Magazine for seven consecutive years, and was nominated for the prestigious North American Hairstyling Awards in 2014 and 2016. Outside of work, her endeavors focus on environmentalism, entrepreneurship for women and minorities, and helping the homeless.

Mr. Speaker, it is a profound honor to represent leaders like China in the United States Congress and it is with great pride that I recognize her today for utilizing her talents to better both her community and the great state of Iowa. I ask that my colleagues in the United States House of Representatives join me in congratulating China on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2017 Forty Under 40 class a long and successful career.

IN RECOGNITION OF THE LIFE OF THE HONORABLE MICHELE MCQUIGG

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 1, 2017

Mrs. COMSTOCK. Mr. Speaker, I rise to honor the life of my constituent and friend, the Honorable Michele McQuigg, who passed away on February 15, 2017 at the age of 69. Throughout her life, Ms. McQuigg was a respected leader in the community and served

as a dedicated public servant for over thirty years. She was not just a great representative for the Commonwealth but also a genuine person who brought honor and integrity to everything she did. Her deep passion for service to Prince William County and Manassas along with her exemplary demeanor and attitude will certainly be missed.

Ms. McQuigg began her career in Virginia politics in 1983 when she ran for Prince William Clerk of the Circuit Court. In 1992 she was elected as the Occoquan District Representative on the Prince William County Board of Supervisors, where she served until 1998. During those years, she garnered an even greater interest in serving Prince William, and she decided to run for the Virginia House of Delegates in the 51st District. After her successful election, she went on to serve in Virginia state house for 9 years where she worked tirelessly to strengthen small businesses, enhance community life, and increase public safety.

From 2008 until her recent passing, Ms. McQuigg served as the Prince William County Clerk of the Court. Among her more impressive actions taken in this role was a project that focused on making court documents and case pleadings available online, for which she scanned 1.3 million pages of legal proceedings. Through a paid subscription service lawyers can now access a vast number of documents online, saving them both time and money. It is projects like this that truly distinguish Ms. McQuigg from other public servants and portray how dedicated, intelligent, and forward-thinking she was.

In addition to her illustrious career as a public servant, Ms. McQuigg worked with various groups and organizations in different capacities, including the Virginia Railway Express (VRE) Operations Board, Lake Ridge-Occoquan-Coles Civic Association, Prince William Republican Committee, Board of Visitors for George Mason University, Occoquan Landing Community Association Board of Directors, READ Community Literacy Council (Co-Founder), and the Prince William Association of REALTORS.

Ms. McQuigg was someone who we all aspire to exemplify. She will be remembered for her truly kind heart, her dedication to our great Commonwealth, and for her friendship to many. She is survived by her husband Clancy McQuigg; her sister Suzanne Berge; her daughters Heather Lukes and Katie Schneider; and her five grandchildren Robert Schneider, Colleen Schneider, Emily Schneider, Shelby Lukes and Luke Schneider.

Mr. Speaker, I ask you to join me and countless others as we recognize the many contributions of the Honorable Michele McQuigg. The impact she has had on the Commonwealth of Virginia and to our country will never be forgotten, and I wish her family the best.

INTRODUCTION OF THE
WASHINGTON, D.C. ADMISSION ACT

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA
IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 1, 2017

Ms. NORTON. Mr. Speaker, I rise today to introduce the Washington, D.C. Admission Act with 115 original cosponsors, a record number. This is the most important bill I introduce each Congress, and it is especially meaningful this time in light of the historic results of the District of Columbia's statehood referendum last November. District voters overwhelmingly voted in favor of the referendum, which advises the D.C. Council to petition Congress for statehood. Residents are more energized than ever before to continue this momentum for statehood, equality, and self-determination. District residents have always been citizens of the United States but remain the only federal income taxpaying Americans who do not have full and equal citizenship rights. The denial of local control of local matters and of equal representation in the Congress of the United States can be remedied only by statehood.

Therefore, I am introducing the Washington, D.C. Admission Act to create a state from essentially the eight home-town wards of the District of Columbia. This 51st state, of course, would have no jurisdiction over the federal territory or enclave that now consists of the Washington that Members of Congress and visitors associate with the capital of our country. The U.S. Capitol Complex, the principal federal monuments, federal buildings and grounds, the National Mall, the White House, and other federal property here would remain under federal jurisdiction. Our bill provides that the State of Washington, D.C. would be equal to the other fifty states in all respects, as is always required, and that the residents of Washington, D.C. would have all the rights of citizenship as taxpaying American citizens, including two senators and, initially, one House member. The District of Columbia recognizes that it can enter the Union only on an equal basis and is prepared to do so.

A substantially similar version of the Washington DC. Admission Act was the first bill I introduced after I was first sworn in as a Member of Congress in the 102nd Congress in 1991. Our first try for statehood received significant support in the House. In 1993, we got the first and only vote on statehood for the District, with nearly 60 percent of Democrats and one Republican voting for the bill. The Senate held a hearing on various approaches to representation, but the committee of jurisdiction did not proceed further. In the 113th Congress, our statehood bill got unprecedented momentum with the Senate's first-ever hearing on statehood, which was the first congressional hearing held on statehood in more than 20 years. The House held its hearing on statehood in 1993, and obtained a record number of cosponsors in the House and Senate, including then-Senate Majority Leader Harry Reid, as well as the other top three Democratic leaders in the Senate. In addition, President Obama endorsed D.C. statehood in a public forum before the statehood hearing was held.

Statehood is the only alternative for the citizens of the District of Columbia. To be content with less than statehood is to concede the equality of citizenship that is the birthright of our residents as citizens of the United States. That is a concession no American citizen has ever made, and one D.C. residents will not make as they approach the 216th year in their fight for equal treatment in their country. This bill reaffirms our determination to obtain each and every right enjoyed by citizens of the United States, by becoming the 51st State in the Union.

INTRODUCTION OF THE STATE,
TRIBAL, AND LOCAL SPECIES
TRANSPARENCY AND RECOVERY
ACT

HON. DAN NEWHOUSE

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 1, 2017

Mr. NEWHOUSE. Mr. Speaker, I rise today to introduce legislation to rightly include state and local entities in federal decision-making and determinations that could potentially have profound impacts on states, municipalities, and local stakeholders. Federal agencies like the U.S. Fish & Wildlife Service (USFWS) are currently not required to share the underlying data used in listing decisions made under the Endangered Species Act of 1973 (ESA) with the states or local entities that would be impacted by such listing decisions. The State, Tribal, and Local Species Transparency and Recovery Act will amend the ESA to simply require that federal agencies disclose all data used to promulgate a potential or final listing determination to the states affected by federal regulatory actions. Local entities deserve to have input on matters with potentially significant impacts on their communities. This bill is a simple, straightforward step to ensuring that input is offered and given due consideration.

The legislation gives local stakeholders the opportunity to verify, dispute, or complement the information federal agencies use in an ESA listings. Far too often, states' data and species recovery plans are effectively ignored by federal agencies, even after earnest and costly efforts have been made to develop comprehensive and effective plans at the state and local levels. Regardless of these efforts, there is currently no guarantee that federal agencies will consider these plans nor the often superior data developed by local entities. By providing states, tribes, and localities the data used to promulgate these proposed listings, an opportunity arises for local stakeholders to get involved, and have their voices heard.

Federal agencies too often overlook local conservation plans developed to ensure the protection of native species. These local efforts should not be disregarded. Local stakeholders deserve to have input in these federal decisions, and also deserve to know whether their hard work is taken into consideration long before the end result of a federal listing decision is made public.

By involving local entities and the firsthand information developed on the ground by the

groups, stakeholders, and communities who know these matters best, federal decisions will be more transparent, accountable, and comprehensive. I encourage my colleagues to join me in supporting the State, Tribal, and Local Species Transparency and Recovery Act to support greater involvement and assurances for local entities in federal agency decision-making.

TRIBUTE TO CHASE YOUNG

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 1, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Chase Young for being named a 2017 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines Area that are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious honor based on a combined criteria of community involvement and success in their chosen career field. The 2017 class of Forty Under 40 honorees will join an impressive roster of 680 past business leaders and growing.

Chase is the director of the Education Leadership Initiative at the United Way of Central Iowa. In this role, Chase interacts with the over 800 members who donate \$1,000 or more every year to support middle school students to succeed in the goal of graduating. He also helps facilitate the investment, special events, and volunteer and campaign committees. Chase also coached football at Des Moines North High School, helping to organize parents and the Johnston Rotary Club to serve a pasta dinner the day before every game. Chase is married with two children, and enjoys hunting, fishing, hiking, and snow skiing.

Mr. Speaker, it is a profound honor to represent leaders like Chase in the United States Congress and it is with great pride that I recognize him today for utilizing his talents to better both his community and the great state of Iowa. I ask that my colleagues in the United States House of Representatives join me in congratulating Chase on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2017 Forty Under 40 class a long and successful career.

IN RECOGNITION OF KAREN
RUSSELL

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 1, 2017

Mrs. COMSTOCK. Mr. Speaker, I rise to recognize and thank an extraordinary leader,

Karen Russell, for the incredible impact she has had on individuals, families and communities in the 10th Congressional District of Virginia.

Every Citizen Has Opportunities, Inc., or ECHO, for short, is dedicated to empower individuals with intellectual and developmental disabilities to achieve their optimal level of personal, social and economic success. ECHO accomplishes this by providing comprehensive vocational assessments, supported employment, extended employment services, medically fragile day support and training in work skills and socialization.

In 1975, ECHO opened its doors offering services to 8 adults and 41 years later, the non-profit's accomplishments are extraordinary. It has served more than 550 individuals and currently has contractual arrangements with 14 business partners at 17 work-sites. ECHO also has 30 community partners and 15 community volunteers.

One person whose extraordinary leadership was essential to ECHO's success was Marketing Manager, Karen Russell, who retired on December 1st, 2016, after nearly 40 years in that critically important role. A native of Lovettsville, in Loudoun County, Karen started as ECHO's Secretary, Bookkeeper and Transportation Manager in 1977.

Karen Russell's marketing success has been derived from her belief in the dignity and worth of every individual and her passionate appeal to prospective employers, on behalf of ECHO participants. Karen has taken great pride in the accomplishments of this skilled and reliable workforce of 140 persons with disabilities, as they fulfill their responsibilities to commercial and government customers every day. Her tireless efforts advocating for ECHO participants has resulted in a profound change in public perceptions. Society has come to realize that people with intellectual and developmental disabilities are actively contributing members of the community who, when they are given a chance to work, have a profound impact on the effectiveness and morale of individual businesses and government agencies.

Mr. Speaker, I ask that you and our colleagues join me in recognizing and thanking Karen Russell, the Marketing Manager at ECHO, for her tireless and passionate advocacy on behalf of those with disabilities and her exemplary leadership of an organization that has been highly successful in empowering them to overcome barriers to employment and in achieving their optimal levels of personal, social and economic success.

INTRODUCTION OF THE 21ST CENTURY ENDANGERED SPECIES TRANSPARENCY ACT

HON. DAN NEWHOUSE

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 1, 2017

Mr. NEWHOUSE. Mr. Speaker, I rise today to introduce legislation to bring more transparency in federal decision-making to the Endangered Species Act of 1973 (ESA). Under existing law, federal agencies are not required

to make publicly available the information and other data acquired from studies for proposed ESA listing determinations. These agencies are not required to submit a reference list of the studies used in the proposed regulation listing that is published in the Federal Register, nor are they required to provide complete citations to studies for any proposed ESA listings. The 21st Century Endangered Species Transparency Act simply requires the data collected and utilized by federal agencies for ESA listing decisions to be made publicly available on the Internet. This is a straightforward, transparent update that will bring this outdated law into the 21st Century.

The ESA became law long before our modern day technological advances, which have provided instant access to information and data online. Providing the factual data behind listing decisions will further the cause of open, transparent, and accountable government. Independent analysis and verification of underlying data used for these decisions will only strengthen the fundamental purpose of the ESA, to keep our native plants and animals from the danger of extinction, while ensuring listing decisions are based on sound science. By making this simple change to the ESA, we can ensure federal agencies are relying solely upon the best available scientific and commercial data, and not on unpublished studies or opinions.

This legislation also includes important protections for matters of privacy. The bill requires the scientific and commercial data used for the basis of proposed listings to be made publicly available, so long as it protects state data privacy laws and importantly, the rights to privacy for individuals and property owners.

With today's advanced access to instant information at the tip of your fingers, all citizens have the right to the information federal agencies use to propose rules and regulations. This bill will further advance transparency in agency rulemakings and listing determinations, and is a simple, straightforward update to the existing law. I ask my colleagues to join me in supporting the 21st Century Endangered Species Transparency Act.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, March 2, 2017 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MARCH 7

10 a.m.

Committee on the Judiciary

To hold hearings to examine the nominations of Rod J. Rosenstein, of Maryland, to be Deputy Attorney General, and Rachel L. Brand, of Iowa, to be Associate Attorney General, both of the Department of Justice.

SD-226

2:15 p.m.

Committee on Appropriations

Subcommittee on State, Foreign Operations, and Related Programs

To hold hearings to examine a broader understanding of Russia's policies and intentions toward specific countries in Europe.

SD-192

MARCH 8

9:30 a.m.

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine the nomination of Elaine C. Duke, of Virginia, to be Deputy Secretary of Homeland Security.

SD-342

10 a.m.

Committee on Appropriations

Subcommittee on Transportation, Housing and Urban Development, and Related Agencies

To hold hearings to examine investing in America, focusing on funding our nation's transportation infrastructure needs.

SD-192

Committee on Commerce, Science, and Transportation

To hold an oversight hearing to examine the Federal Communications Commission.

SH-216

Committee on Environment and Public Works

To hold hearings to examine an original bill entitled, "Nuclear Energy Innovation and Modernization Act".

SD-406

10:30 a.m.

Committee on Appropriations

Subcommittee on Departments of Labor, Health and Human Services, and Education, and Related Agencies

To hold hearings to examine saving lives through medical research.

SD-138

2:30 p.m.

Committee on Armed Services

Subcommittee on Strategic Forces

To hold hearings to examine the global nuclear weapons environment.

SR-222

Committee on Indian Affairs

To hold an oversight hearing to examine Indian affairs priorities for the Trump Administration.

SD-628

MARCH 9

10 a.m.

Committee on Veterans' Affairs

To hold a joint hearing with the House Committee on Veterans' Affairs to examine the legislative presentation of

multiple veterans service organiza-
tions.

SD-G50

10 a.m.
Committee on Veterans' Affairs
To hold a joint hearing with the House
Committee on Veterans' Affairs to ex-

MARCH 22

amine the legislative presentation of
multiple veterans service organiza-
tions.

SD-G50

SENATE—Thursday, March 2, 2017

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The PRESIDENT pro tempore. Today's prayer will be offered by Sharad H. Creasman, campus minister and advisor to the president of Brevard College in Brevard, NC.

The guest Chaplain offered the following prayer:

Let us pray.

We are grateful to stand at the beginning of a new day and a new session. Thank You for the roads we have traveled and for the strength, courage, and fortitude to continue on the roads yet traveled.

Thank You also for the incredible individuals in this space, who have committed themselves to a life of service—women and men who have chosen to use their gifts and their passions to serve their respective constituencies and our Nation.

Help us all on this day to choose courage over fear, benevolence over unkindness, and selflessness over selfishness. Remind us in all of our endeavors that Your energizing and enlivening presence is already with us. And as we continue to press forward through this session and this day, thank You for being the one who has already made the way. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

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

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. HELLER). The majority leader is recognized.

CONGRATULATING SENATOR COCHRAN

Mr. McCONNELL. Mr. President, I wish to start by taking a moment to recognize our distinguished colleague who just marked an impressive milestone in the history of the Senate. Last week, the senior Senator from Mississippi became the 10th longest serving Senator in U.S. history. With over 38 years of service in this body, Senator THAD COCHRAN has proved himself to be a leader and a statesman.

When the Magnolia State sent Senator COCHRAN to the Senate, it was the first time a Republican had won a statewide election in Mississippi in over a century. When he decided to run, Senator COCHRAN didn't falter in the face of long odds. He campaigned hard, and he won. Because of his passionate and dedicated service, the people of Mississippi have sent him back time and again.

Senator COCHRAN has come a long way from his first job as a carhop at Gunn's Dairy Barn near Jackson, MS. Now, he proudly serves the people of his State and helps craft legislation for the entire Nation.

Here in the Senate, we have all had the opportunity to work with Senator COCHRAN. Whether on agricultural issues, responding to national disasters, or negotiating appropriations bills, Senator COCHRAN has played a crucial role on many pieces of legislation. As the chairman of the Appropriations Committee, he has done important work as well.

I know that colleagues on both sides can agree that working with him is always an enjoyable experience. Senator COCHRAN has accomplished a great deal during his years in the Senate. With a conservative philosophy and an affable personality that endears him to both sides of the aisle, Senator COCHRAN has made an important impact.

A few years ago, Senator COCHRAN reached another important milestone when he cast vote No. 12,000 here in the Senate. At that time, I mentioned that Time Magazine included him on the list of America's "Top 10 Senators." They named him "The Quiet Persuader." We all know that Washington is filled with loud voices, but Senator COCHRAN's manner has served our friend and this institution very, very well.

I ask my colleagues to join me in congratulating Senator COCHRAN, his wife Kay, and his entire family on this notable occasion.

REPEALING AND REPLACING OBAMACARE

Mr. McCONNELL. Mr. President, on another matter entirely, I appreciated the opportunity to visit with the President yesterday after his impressive speech before Congress. We had a positive discussion about the upcoming legislative agenda. One important item we discussed was the way forward on repealing and replacing ObamaCare.

Just yesterday, our Members came together for a productive discussion on the next steps toward protecting Amer-

ican families from the broken promises of ObamaCare. Here in Congress, we remain committed to working with the administration to repeal and replace this failed law.

President Trump, in his address to Congress, reaffirmed his own commitment as well. He provided important direction on what the path forward should look like as we transition away from ObamaCare toward truly patient-centered care.

Now, look, we know this transition isn't going to be easy. Providing relief from the disaster of ObamaCare is going to be a challenge. However, the status quo is simply not sustainable. The American people need help, and they need it right now.

That is why we started the process of repealing and replacing this partisan law at the beginning of the year, and it is why we will keep working to make this right for American families. It is what the people who sent us here have called for, and it remains among our top priorities here in the Senate.

NOMINATIONS

Mr. McCONNELL. Mr. President, on yet another matter, the Senate has been working to put the President's Cabinet in place with several important agencies that serve the American people. I am pleased to share that, by the end of the week, we will have confirmed even more nominees, including Representative ZINKE, whom we approved yesterday, as well as Dr. Ben Carson and Gov. Rick Perry. Both Carson and Perry received bipartisan support in committee, and I expect to see the same when the Senate votes to confirm them. Once we do, Dr. Carson can begin bringing much needed reforms to the Department of Housing and Urban Development, while Governor Perry can begin leading on smarter policies at the Energy Department.

I also look forward to confirming another important nomination before the Senate. Judge Neil Gorsuch continues to earn praise from both sides of the aisle, including many on the political left. President Obama's legal mentor calls Gorsuch "brilliant."

His former Solicitor General praises Gorsuch for his "fairness."

Alan Dershowitz says Gorsuch is "highly credentialed" and "hard to oppose on the merits."

Justice Ruth Bader Ginsburg recently had praise for the judge, too, complimenting his collegiality and excellent writing abilities.

Judge Gorsuch has received wide support in his local community as well,

with more than 200 Colorado lawyers from across the political spectrum voicing their support for his nomination. Here is what they said in a letter to Colorado's Senators just last week. They wrote:

We know Judge Gorsuch to be a person of utmost character. He is fair, decent, and honest, both as a judge and a person. His record shows that he believes strongly in the independence of the judiciary. Judge Gorsuch has a well-earned reputation as an excellent jurist. He voted with the majority in 98 percent of the cases he heard on the Tenth Circuit, a great portion of which were joined by judges appointed by Democratic presidents.

We all agree that Judge Gorsuch is exceptionally well-qualified to join the Supreme Court. He deserves an up or down vote.

That is from 200 Colorado lawyers.

It is praise that has been reiterated by other Coloradans as well. Here is how the Colorado Springs Gazette put it this week in an editorial supporting the nomination. The paper said:

To vote against Judge Gorsuch would favor . . . party over someone who clearly ranks among the top-qualified nominees in the court's history.

The considerable praise we have heard regarding Judge Gorsuch is not surprising when we consider the reputation he has earned across his State, in the Federal judiciary, and among those who have worked with him through the years. That includes Judge John Kane, a senior district court judge in Colorado appointed by President Carter. He also shared his view this week on what type of jurist Judge Gorsuch has been, and will continue to be, if confirmed to the Supreme Court. Here is what he had to say. This is a Carter appointee:

[Judge Gorsuch's] opinions, concurrences and dissents are clear, cogent and mercifully to the point. I have been affirmed and reversed by him and in each instance I thought he was right and fair.

Let me repeat what Judge Kane, a Carter appointee, said:

I have been affirmed and reversed by him and in each instance I thought he was right and fair.

Judge Kane added that Judge Gorsuch's "writings indicate a strong respect for tradition and precedent" and, he said, "I don't find his decisions reflecting any sort of ideological bias."

"I am very comfortable with this nomination," Judge Kane concluded, and "I'm not sure we could expect better, or that better presently exists."

Let me say that again. This is a Carter appointee to Federal courts. He said: "I'm not sure we could expect better, or that better presently exists."

In other words, no one is better.

It is high acclaim from someone who not only has professional experience with the nominee before us but also someone who, as a judge himself, has a clear-eyed understanding of the standards a jurist must uphold.

In the coming days, we can expect to see more examples of bipartisan sup-

port for Judge Gorsuch. He is an outstanding nominee. He is both well qualified and well respected, and he deserves fair consideration and an up-or-down vote.

The PRESIDING OFFICER. The Senator from Mississippi.

THANKING THE MAJORITY LEADER

Mr. COCHRAN. Mr. President, let me thank the distinguished majority leader for his generous remarks about my service in the Senate, as has been reflected by the last long number of years. It is heartwarming, and it also reminds me of how important our collective efforts are for the future of our country, our economy, peace in our time, and in helping ensure that we make our time here a positive influence over the opportunities that are available for our citizens to enjoy life, safe and secure, with good leaders and commonsense leaders. That is what our leader is.

I yield the floor.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Benjamin S. Carson, Sr., of Florida, to be Secretary of Housing and Urban Development.

The PRESIDING OFFICER. Under the previous order, there will now be 20 minutes of debate equally divided.

If nobody yields time, the time will be charged equally.

The Senator from Idaho.

Mr. CRAPO. Mr. President, I stand this morning just before we vote on Dr. Benjamin Carson as the next Secretary of the Department of Housing and Urban Development to strongly urge my colleagues to support his nomination.

Dr. Carson was advanced in the committee by a voice vote, as Senator BROWN and I worked with the Banking Committee to assure that his nomination moved through smoothly. I thank

Senator BROWN for his cooperation and work to help us move this nomination promptly.

Dr. Carson also received numerous letters of support from former HUD Secretaries and housing stakeholders alike. There truly is an excitement for his leadership to be brought to the Department.

As I highlighted yesterday, Dr. Carson has said that once confirmed, he is committed to embarking on a listening tour, where he will hear stories and concerns from housing stakeholders across America. This presents a real opportunity for Americans to weigh in on how housing issues affect them in their local communities—input that can make a lasting impact on HUD policies.

Once Dr. Carson is confirmed, we can begin working on several important issues under HUD's jurisdiction. Homelessness, especially among our Nation's veterans, needs to be addressed. We need to streamline regulatory burdens on local public housing agencies so that they can more efficiently serve the communities that rely on them. Financing arrangements for small and rural affordable housing developments should also be strengthened.

For years, there has been bipartisan interest in a number of these reforms. I look forward to having a strong partner at HUD so that we can tackle these important issues and many others head-on. I am eager to get that process started and to start work with Dr. Carson, with Ranking Member BROWN, and with other members of the Banking Committee on these critical issues.

Again, I urge my colleagues to vote to confirm Dr. Carson so that this important work can begin.

Mr. LEAHY. Mr. President, the Department of Housing and Urban Development plays a vital role ensuring that all Americans have access to safe affordable housing. Affordable housing should not be a political issue; it is a moral issue. Programs like Section 8 and the Community Development Block Grant, CDBG, Program keep families in their homes and support and maintain affordable housing. That is not up for debate.

I am disappointed that President Trump did not look to our knowledgeable housing advocates across the country to identify a qualified, experienced nominee to serve as Secretary of the Department of Housing and Urban Development and instead nominated Dr. Ben Carson to this important position. In testimony before the Senate Banking Committee, Dr. Carson, like many nominees, said the right things. He made the right promises. I want to believe that he will fulfill those commitments.

Programs administered by the Department of Housing and Urban Development keep shelter over the heads of our Nation's struggling and low-income

families. They combat homelessness among adults and children alike by building and maintaining affordable housing and helping families buy their first homes. I am proud of the progress we have made in Vermont and across the Nation through programs implemented by the Department of Housing and Urban Development. During his confirmation hearing, Dr. Carson testified to the crucial role of rental assistance programs. He pledged to be an advocate for funding for housing assistance programs. He turned away from his previous call for a 10-percent across-the-board cut to housing programs. I hope that Dr. Carson will fulfill these commitments.

I continue to have concerns regarding Dr. Carson's seeming animosity toward the affirmatively furthering fair housing, AFFH rule, which he called a "failed socialist experiment" in an op-ed in the *Washington Times*. While Dr. Carson tried to minimize those comments in his hearing, I remain concerned that Dr. Carson doesn't understand the AFFH rule. This rule asks cities and towns receiving Federal dollars to look at their housing patterns to identify racial bias and to take action to rectify any bias they find. Dr. Carson has called it social engineering. I call it social justice and support the examination of policies to promote equality and eliminate discrimination. During his confirmation hearing, he pledged to enforce our fair housing laws. I believe this includes upholding the AFFH.

I am concerned that Dr. Carson lacks the necessary experience to successfully serve as our Secretary of Housing and Urban Development. He will be confirmed, of that there is no doubt. I hope that Dr. Carson will work with both sides of the aisle to further the mission of the Department, strengthen the successful programs that keep families in their homes, build and support and maintain affordable housing in Vermont and across the Nation, and help first-time home buyers realize their homeownership goals.

Mr. VAN HOLLEN. Mr. President, Congress created the Department of Housing and Urban Development in 1965 to create strong, sustainable, inclusive communities and quality affordable homes for all Americans. During last year's Presidential campaign, however, President Trump often called into question his commitment to an inclusive America. Thus, the abilities and commitment of the Secretary of Housing and Urban Development are all the more important.

I voted, along with others in the Banking Committee, to report Dr. Carson's nomination to the full Senate because I wanted to allow the nomination to proceed to the floor for consideration and debate. During that time, I have further examined the nomination. I reviewed the statements and letters

that I have received from organizations and individuals who are directly impacted by the work of HUD.

Dr. Carson is a gifted neurosurgeon, but nothing in his experience indicates that he is prepared to run an 8,400-employee government agency. Armstrong Williams, a business manager and close friend of Dr. Carson's, told Reuters in November, "His life has not prepared him to be a Cabinet secretary." Mr. Williams told CNN, "He's never run an agency and it's a lot to ask. He's a neophyte and that's not his strength." And Mr. Williams told *The Hill* newspaper, "Dr. Carson feels he has no government experience, he's never run a federal agency."

Moreover, Dr. Carson's past statements have questioned the mission of the agency that he would lead. He has implied that housing assistance provided by the Department is harmful. He has characterized it as if it were calculated to create dependency, ignoring the real world needs of people who rely on this important safety net. Dr. Carson was dismissive when, during his confirmation hearing, I noted that so many millions of people who receive housing assistance are seniors or people with disabilities, and I asked Dr. Carson about his past advocacy of abolishing Medicare and Medicaid. Dr. Carson's testimony in committee did not show understanding of the importance of these safety net programs to seniors or people with disabilities.

Dr. Carson has also made several statements that call into question his view of the role of the Department in ensuring fair housing for all. Specifically, he has said disparaging things about housing desegregation efforts. In July of 2015, Dr. Carson wrote in the *Washington Times* that the Department of Housing and Urban Development rule designed to desegregate housing, the "affirmatively further" rule, was a "social experiment" and he likened it to "failed socialist experiments."

Dr. Carson likened housing desegregation to "what you see in communist countries." After HUD issued a letter declaring that the city of Dubuque's implementation of the section 8 housing voucher program was intentionally discriminatory against Black applicants from Chicago, Dr. Carson told Iowa radio show host Jan Mickelson, "This is what you see in communist countries, where they have so many regulations encircling every aspect of your life that if you don't agree with them, all they have to do is pull the noose."

Dr. Carson has also shown a lax attitude toward holding accountable those who triggered the housing crisis and financial collapse.

In the February 2016 CBS Republican Presidential debate, Dr. Carson seemed to question the penalty that the Justice Department and the New York At-

torney General extracted from a big New York bank for contributing to the mortgage crisis. The *Wall Street Journal*'s Kimberly Strassel asked Dr. Carson: "This week Morgan Stanley agreed to pay a \$3.2 billion fine to state and federal authorities for contributing to the mortgage crisis. You have a lot of Democrats out saying that we should be jailing more executives, so two questions. Should financial executives be held legally responsible for financial crisis, and do you think fines like these are an effective way to deter companies from future behavior like that?"

Dr. Carson replied: "Now, the—as far as these fines are concerned, you know? Here's the big problem. We've got all these government regulators, and all they're doing is running around looking for people to fine. And, we've got 645 different federal agencies, and sub-agencies. Way, way too many, and they don't have anything else to do. I think what we really need to do is start trimming the regulatory agencies rather than going after the people who are trying to increase the viability, economic viability of our society."

While criticizing the Justice Department for its work to hold Wall Street accountable, Dr. Carson also advocated for a policy that would have made housing less affordable. His campaign website called for "privatizing housing giants Fannie Mae and Freddie Mac." Fannie Mae and Freddie Mac play an important role providing liquidity to the nation's mortgage finance system. A large number of advocacy groups, academics, and industry stakeholders alike agree that some form of government backstop is necessary to ensure a stable housing market and to maintain the 30-year fixed-rate mortgage.

I am also deeply troubled by statements made by Dr. Carson that indicate intolerance. When, in September 2015, Chuck Todd of NBC's *Meet the Press* asked Dr. Carson whether he thought Islam is consistent with the Constitution, Dr. Carson answered, "No, I don't, I do not." Dr. Carson's remarks revealed a fundamental misunderstanding about the First Amendment and religious liberty. And Dr. Carson's remarks about the LGBT community also raise concerns about tolerance.

Because of all the concerns that I have raised, I will not be able to support Dr. Carson's nomination for this post. However, should he be confirmed, I will do everything possible to help make his tenure successful. Specifically, I was heartened by Dr. Carson's statements about wanting to address the hazards of lead paint. I was pleased that, at his confirmation hearing, Dr. Carson agreed that he would urge President Trump to continue the White House task force that President Obama created after the Freddie Gray tragedy in Baltimore to help Baltimore by trying to break down some of the silos

among different Federal agencies. We have a lot of work to do in Baltimore and throughout Maryland.

Mr. CRAPO. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. STRANGE). Without objection, it is so ordered.

Mr. CRAPO. Mr. President, I yield back all time.

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

The question is, Will the Senate advise and consent to the Carson nomination?

Mr. CRAPO. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Georgia (Mr. ISAKSON).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 58, nays 41, as follows:

[Rollcall Vote No. 77 Ex.]

YEAS—58

Alexander	Flake	Perdue
Barrasso	Gardner	Portman
Blunt	Graham	Risch
Boozman	Grassley	Roberts
Brown	Hatch	Rounds
Burr	Heitkamp	Rubio
Capito	Heller	Sasse
Cassidy	Hoeven	Scott
Cochran	Inhofe	Shelby
Collins	Johnson	Strange
Corker	Kennedy	Sullivan
Cornyn	King	Tester
Cotton	Lankford	Thune
Crapo	Lee	Tillis
Cruz	Manchin	Toomey
Daines	McCain	Warner
Donnelly	McConnell	Wicker
Enzi	Moran	Young
Ernst	Murkowski	
Fischer	Paul	

NAYS—41

Baldwin	Gillibrand	Nelson
Bennet	Harris	Peters
Blumenthal	Hassan	Reed
Booker	Heinrich	Sanders
Cantwell	Hirono	Schatz
Cardin	Kaine	Schumer
Carper	Klobuchar	Shaheen
Casey	Leahy	Stabenow
Coons	Markey	Udall
Cortez Masto	McCaskill	Van Hollen
Duckworth	Menendez	Warren
Durbin	Merkley	Whitehouse
Feinstein	Murphy	Wyden
Franken	Murray	

NOT VOTING—1

Isakson

The nomination was confirmed.

The PRESIDING OFFICER. The majority leader.

Mr. McCONNELL. Mr. President, I move to reconsider the vote on the nomination, and I move to table the motion to reconsider.

The PRESIDING OFFICER. The question is on agreeing to the motion to table.

The motion was agreed to.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, there will now be 10 minutes of debate, equally divided.

Mr. McCONNELL. Mr. President, I yield back the time.

The PRESIDING OFFICER. Is there objection?

Without objection, all time is yielded back.

Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of James Richard Perry, of Texas, to be Secretary of Energy.

John Boozman, Chuck Grassley, Johnny Isakson, John Cornyn, James Lankford, James M. Inhofe, Michael B. Enzi, Roger F. Wicker, Pat Roberts, Lamar Alexander, Bill Cassidy, John Barrasso, Orrin G. Hatch, Jerry Moran, David Perdue, John Thune, Mitch McConnell.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of James Richard Perry, of Texas, to be Secretary of Energy shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Georgia (Mr. ISAKSON).

The yeas and nays resulted—yeas 62, nays 37, as follows:

[Rollcall Vote No. 78 Ex.]

YEAS—62

Alexander	Ernst	McConnell
Barrasso	Fischer	Moran
Blunt	Flake	Murkowski
Boozman	Gardner	Paul
Burr	Graham	Perdue
Capito	Grassley	Portman
Cardin	Hatch	Risch
Cassidy	Heitkamp	Roberts
Cochran	Heller	Rounds
Collins	Hoeven	Rubio
Corker	Inhofe	Sasse
Cornyn	Johnson	Scott
Cortez Masto	Kennedy	Shelby
Cotton	King	Stabenow
Crapo	Lankford	Strange
Cruz	Lee	Sullivan
Daines	Manchin	Tester
Donnelly	McCain	Thune
Enzi	McCaskill	

Tillis	Udall	Wicker
Toomey	Warner	Young

NAYS—37

Baldwin	Gillibrand	Nelson
Bennet	Harris	Peters
Blumenthal	Hassan	Reed
Booker	Heinrich	Sanders
Brown	Hirono	Schatz
Cantwell	Kaine	Schumer
Carper	Klobuchar	Shaheen
Casey	Leahy	Van Hollen
Coons	Markey	Warren
Duckworth	Menendez	Whitehouse
Durbin	Merkley	Wyden
Feinstein	Murphy	
Franken	Murray	

NOT VOTING—1

Isakson

The PRESIDING OFFICER. On this vote, the yeas are 62, and the nays are 37.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of James Richard Perry, of Texas, to be Secretary of Energy.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I will speak briefly, as I know the distinguished senior Senator from Alaska is waiting to speak.

I ask unanimous consent to speak as in morning business.

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

CALLING FOR THE APPOINTMENT OF A SPECIAL COUNSEL

Mr. LEAHY. Every day we learn more about the troubling connections between the Russian Government and both President Trump's administration and his campaign, but last night kind of topped everything—a revelation that Attorney General Sessions met with Russian officials during the height of the Presidential campaign, which raises a new level of alarm.

One of the reasons is, we now know the Attorney General, under oath, misled the Senate Judiciary Committee in response to my direct question about his contacts with Russian officials. I asked then-Senator Sessions if he had been in contact with anyone connected to any part of the Russian Government about the 2016 election. His answer was unequivocal. He said no. He provided a similarly misleading response to Senator FRANKEN, saying that he was "not aware" of any connections between the Trump campaign and the Russian Government.

Especially those of us who are lawyers, and who have had a chance to serve as attorney general or as prosecutors in our States, know it is an egregious breach of public trust that Attorney General Sessions has not recused himself from this investigation. I think everybody would agree he has to recuse himself. Of course, as this goes on, the question now arises: Has he perjured himself?

In response to these reports, the Attorney General claims that he “never met Russian officials to discuss issues of the campaign.” That is a wholly inadequate response. The Attorney General was a top adviser to the Trump campaign. He took a private, undisclosed meeting with the Russian Ambassador during the height of concerns about Russian involvement in our election. Think about it. There are reports everywhere about concerns about Russian involvement in the election of the United States, and he has an undisclosed meeting with the Russian Ambassador.

He also met with the Russian Ambassador during an event at the Republican National Convention. One would think, at the Republican National Convention, it is possible that politics might be discussed. Now, if the Attorney General thinks his explanation is sufficient after he misled Congress about these contacts, of course, he is mistaken. I don’t say that as a Democrat. I think everybody would agree to that. What I worry about is that the Attorney General is only the latest Trump administration official who has attempted to mask his contacts with the Kremlin.

The President’s first National Security Advisor lied to the Vice President about his communications with the Russian Ambassador. He only resigned after the media reported how he had lied to Vice President PENCE, and even that was weeks after the President had been informed. He had to leave only when it became public. The President’s Chief of Staff attempted to use the FBI—which, of course, would be in violation of Justice Department policies—to suppress news reports about Russian contacts. I have been here through seven previous Presidents—Republicans and Democrats. You would assume they would play by the rules. This administration seems to want to make up the rules.

My concern is not just what the administration might be doing; my concern is about Russia. We are, I believe strongly, the greatest democracy history has known. We are the longest existing democracy in history, and now we have Russia meddling and trying to undermine our democracy. Every American should worry about that. Every American should be frightened, not just concerned but frightened. It is an attack on our democracy. This is one of the most disturbing national security challenges facing our country. Russian President Putin ordered a multifaceted campaign that was aimed at helping Donald Trump win and undermining public faith in our election. That should alarm and outrage everybody no matter what party one belongs to.

We didn’t hear a word about it in the President’s speech on Tuesday during the joint session of Congress. In fact,

the President’s only reaction has been to disparage American investigators, to disparage the intelligence community, to cast journalists who report on this as “enemies of the American people.” Journalists are not enemies of the American people. Russia is the enemy of the American people. Putin is the enemy of the American people. Do not cast our journalists, do not cast our investigators, do not cast our intelligence people, do not cast those who dare speak out as being enemies of America. Point to the real enemies—Vladimir Putin and those he controls.

It is about time we take this seriously. I have been here 42 years. I have never seen such a perfidious threat to our democracy than what we are seeing in Vladimir Putin, and my concern is the administration does not call it out for what it is. We Americans deserve to know the facts. We deserve a full and fair investigation. We deserve one that is free from any political influence.

I have repeatedly called on Attorney General Sessions, who was one of President Trump’s top advisers during the campaign, to recuse himself and appoint a special counsel to conduct the investigation. Earlier this week, he said: “I would recuse myself on anything that I should recuse myself on.” This morning, he said he would recuse himself “whenever it’s appropriate.” This would be a ludicrous response from a law clerk at the Department of Justice. From the Attorney General, it is dissembling.

Recusal is not optional here. It is required by very clear Justice Department regulations. It is required to maintain at least a semblance of integrity in this investigation. The Attorney General has to recuse himself because, as stated clearly in Department rules, he is obviously “closely identified” with the President due to his “service as a principal adviser.” That is the rule, and that is the rule whether it is a Republican or a Democratic administration. It describes his relationship with the President.

The investigation has to be led by someone who, in reality and in appearance, is impartial and removed from politics. That does not describe someone who was in the trenches of a political campaign with the subjects of the investigation while they were allegedly engaged in the very activity under investigation. It does not describe somebody who misled Congress—who misled the Republican-led Senate Judiciary Committee—about his own activities that have been implicated in the investigation.

This is not a close call. We know Russia is doing everything to undermine our democracy. Let’s stand up for America. Let’s do what is best for our country. The Attorney General should start by stepping aside. Then what we need is an independent investigation, and we need answers.

I thank the distinguished senior Senator from Alaska for her indulgence.

I yield the floor.

The PRESIDING OFFICER (Mr. SULLIVAN). The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, the matter pending before the Senate this morning is the nomination of Rick Perry to be Secretary of Energy, and I have come to the floor to speak to that nomination.

As with Representative ZINKE, whom we confirmed to be Secretary of the Interior just yesterday, I am equally proud to support Governor Perry’s nomination. I know colleagues from both sides of the aisle will be joining me as we make statements in support of this individual to our new President’s Cabinet.

Before that though, here’s a little bit on Governor Perry’s background. He is one who has devoted his life—literally decades of his life—to public service. After graduating from Texas A&M, he joined the U.S. Air Force. He piloted C-130 tactical airlift aircraft in Europe as well as in the Middle East. He has served as a State representative, agriculture commissioner, Lieutenant Governor, and of course Governor of Texas.

During his time as Governor, Rick Perry showed that economic growth and environmental stewardship cannot only survive and coexist, but that they can really thrive. Over the course of 14 years, Texas added 2.2 million jobs, saw its population grow by more than 6 million people, and at the same time he had this robust growth within his State’s population, the State reduced its carbon dioxide emissions by 17 percent, reduced its sulfur dioxide emissions by 56 percent, and reduced its nitrous oxide emissions by 66 percent. So in most States where you have a considerable plus-up in your population and a growing economy, you also see growing levels of impact, growing levels of emission. However Governor Perry dealt with this head-on, and we saw the results over the course of 14 years in the State of Texas.

He led an effort to decommission older and dirtier power plants. He prioritized the development of emerging and innovative technologies, including carbon sequestration and capture. As a result of his leadership in the State of Texas, that State now leads our Nation in producing more wind energy than all but five other countries.

Coming from the State of Alaska, as the Presiding Officer and I do, we recognize that we are labeled as an oil State. Well, Texas certainly has been labeled as an oil-producing State. Yet under Governor Perry’s leadership, we have seen Texas lead the Nation in producing more wind energy than all but five other countries. For those who may come to the floor and suggest that, somehow or another, Governor Perry is anti-environment or bring up

the issue of climate change and suggest that he does not support care for our environment, that is simply not the case, and clearly in his case, actions speak louder than words.

As Texas's longest serving Governor, Rick Perry guided a large, diverse and very complex State government to economic success. Again, when we are talking about States, Alaska is always out there bragging about our size, but if Texas were its own country, it would be the 12th largest economy in the world. So it is one thing to talk about size just by way of geography, but I think it is important—when we are talking about economic contribution, the size of Texas as the 12th largest economy in the world is pretty significant.

What happened in the State of Texas? Not only did the people of Texas give their endorsement to Governor Perry to ask him to serve again as Governor, they gave him their endorsement for his work by reelecting him to office not once but twice—14 years. Governor Perry is a principled leader, and that will serve him well as he takes the helm at the Department of Energy.

DOE has a very important mission, ranging from the maintenance of our nuclear weapons stockpile to the research and development of new energy technologies. At the same time it is also a department, a bureaucracy, something that I think we recognize. It is large. It is cumbersome, with tens of thousands of employees and contractors. I think the example Governor Perry showed as the State leader of Texas is an example that will do well at the Department of Energy—capable of really setting a good direction for the Department.

It has been suggested that he is not one of them in the sense that he is not an award-winning scientist, but, as I mentioned at his hearing before the Senate Energy and Natural Resources Committee, you do not necessarily need to have a scientist to lead other scientists; you need to have somebody who is a good, strong, competent, capable manager. That is what Governor Perry has demonstrated, and that is what the Department of Energy needs. He will hold his employees and contractors accountable. We know he will be a responsible steward of taxpayer dollars.

I think he will work to continue to break down the research silos that have frustrated the Department and work to find ways where there can be greater collaboration, greater working together.

I am also confident that he will pursue policies that will ultimately provide us with more energy, more stable sources of energy for us where—unfortunately, we have great sources of energy, but it is high cost. We need to be working with the Department of Energy. We need collaboration there to do

what we can to reduce the cost of energy, as well as reduce the amount of energy we consume. By supporting basic research, encouraging scientific exploration, and fostering innovation, the Department will increase access to energy, make it more affordable, and continue to improve its environmental performance.

We have 17 National Labs. We are very proud of them. These National Labs are at the heart of those efforts. I have had good conversations with Governor Perry. He reaffirmed in our committee hearing that he clearly recognizes and values the work done by the men and women at our National Labs.

One area, which we do not cover within our Committee on Energy and Natural Resources but which is a big part of DOE's mission, is the maintenance and the protection of America's nuclear weapons. Governor Perry recognizes the importance of that mission, and he is committed to working with experts at the NNSA to maintain a proper stockpile stewardship program.

I believe Governor Perry will also put his management experience to work on a challenge that has really vexed the Department and affected States for a long period of time. He recognizes that we must clean up the legacy wastes that have been left behind by our nuclear weapons programs, particularly at the largest of these sites in Washington State. My hope is that, through his leadership, the Office of Environmental Management can finally move off of GAO's high-risk list. I know these conversations have been had with many members on the committee. It has been pressed as a priority. But, again, ensuring that we deal with these legacy waste sites has to be a priority.

I will reiterate that my hope is that Governor Perry will help address the crisis of rural energy prices in Alaska, as well as in other parts of the country where unfortunately we face high energy costs.

The Department must do a better job of partnering with institutions. In our State of Alaska, we have the opportunity to work with DOE collaboratively. We have been the incubators of good ideas, whether it is in energy microgrids or in some of the other pioneering way, we have done it because of necessity. We have no other options. We look to our institutions to find these good ideas, build on them, and work to bring down the costs and transition our many remote communities that are still relying on diesel power. Far too many of our communities are still dependent on diesel and that is just not right.

So working with Alaska—allow us to be that proving ground for the Department of Energy. Allow us to be that place where we can first deploy some of these new ideas, these innovative ideas, these projects to help lower the costs

and really make a difference in people's lives.

Again, I am proud to be here to support Governor Perry's nomination. I believe he has the management experience we need in the Department of Energy right now to help pursue scientific discovery and to promote innovation, to maintain and safeguard our nuclear weapons stockpile, to make progress on the cleanup of legacy waste, and to partner with States like Alaska that suffer from high energy costs.

I think we recognize that he has his work cut out for him, but we are counting on him to fulfill those responsibilities and to keep the Department of Energy as one that we look to for true leadership not only here in the United States but around the world.

Governor Rick Perry has a strong record of results based on his public service in the State of Texas. He is a proven leader, and I am confident he will do a good job for us leading the Department of Energy in this new administration. I will be supporting his nomination, and I certainly urge my colleagues to do the same.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

TEXAS INDEPENDENCE DAY

Mr. CORNYN. Mr. President, today is Texas Independence Day—a day that inspires pride and gratitude in the hearts of all 28 million Texans.

Before I came to the floor, I asked the Presiding Officer, who hails from the great State of Alaska, to remind me—and he did—that Alaska is 2½ times the size of Texas in terms of landmass, not in terms of population. But today commemorates the signing of the Texas Declaration of Independence, when Texas declared itself a republic and independent from the Nation of Mexico.

Here in the Senate, we remember the sacrifice of those who came before us and laid the foundation for our State by reading a letter written by William Barret Travis, a defender of the Alamo. That tradition goes back to 1961, when then-Senator John Tower started that tradition. I am told my colleague Senator CRUZ will read that letter in full later today, perhaps around 12:30, carrying on this great tradition. So today I wish to express my gratitude for these Texas patriots, many of whom would later serve in the U.S. Congress, including Sam Houston, whose Senate seat I am honored to now occupy.

Sam Houston came from his farm outside Huntsville, TX, in 1846. It took him about 3 weeks to get to Washington, DC. Of course, he didn't have a

modern mode of transportation, but I always marvel at the fact that it now takes me about 3 hours to get home, where it took old Sam 3 weeks just to make a one-way trip.

U.S.-MEXICO BORDER

Mr. President, on another matter, last week I had the great privilege of hosting a number of my congressional colleagues at the Texas border. At a time when so many people are talking about the border of the United States and Mexico, I thought it was important to bring colleagues who were willing to come to learn and listen about the impact of trade, border security, and our relationship with Mexico on my State and on the United States. Of course, this border is so important on all of those issues—security, trade, the economy. It is important to see where they intersect. I am glad they had a chance to come to listen and learn last week.

We did receive a number of very important and useful briefings from Customs officials, Border Patrol agents, and other Federal partners in three major areas along the border, including the Rio Grande Valley. We were in McAllen, TX, Laredo, and Del Rio. I think what my colleagues discovered—if they didn't already know it—is how varied each part of the border is. This is not just true in Texas. It is true in San Diego. It is true in Arizona. It is true in New Mexico. When anybody suggests that we can attain a goal that we all share, which is border security, by just one solution, I think it is important to examine that conclusion and to test it because, frankly, I think what the Border Patrol will tell you is that what we need is infrastructure, yes. We need technology, yes. Then we need people.

That is the formula—personnel, technology, and infrastructure. In my own view, border security is a question of political will. The previous administration did not have that political will. I believe this administration does, and it has been long overdue. I welcome that.

We are going to be working with our State and local officials to make sure that they have the resources they need in order to get the job done. At the same time, I think what we were able to demonstrate to some of our friends from out of State is that we have an important trading relationship with Mexico. As a matter of fact, 5 million American jobs depend on binational trade with Mexico.

We went to one of the largest land ports in the country. I think, maybe, it is the largest port of the country—Laredo, TX—where some 15,000 trucks enter the United States every day. It is a huge influx of cargo and, fortunately, businesses all up and down and along the border have worked with the law enforcement agencies, with Customs and Border Protection to make sure that we can expedite the flow of legal trade into the United States. At the

same time, we police for the entry of illegal drugs and for people illegally entering the United States without proper authority.

One reason why my State has done pretty well relative to the rest of the country in terms of our economy is because of our business-friendly attitude. We believe in lower taxes, reasonable regulation, and a welcoming attitude when it comes to people who make investments and who want to come to our State and start businesses or grow businesses.

We all know that roughly 70 percent of job growth in this country comes not from the Fortune 500 companies but from those small and medium-sized businesses. We work very hard to be a business-friendly State. Why? It is not just because we care about businesses but because we care about the workers who work at those employers.

As one of my former colleagues likes to say, you can't claim to be worker-friendly if you are hostile to the businesses that employ them. That is an inconsistent approach. You need to be consistent.

In addition to the issue of illegal entry into the United States by individuals who come without regard to our immigration laws, we also have a tremendous influx of illegal drugs into the United States. I think one of the things I was reminded of that we all should be cognizant of is that when we focus on the illegal drug activity in Mexico, Central America, or South America, we need to look in the mirror as a nation because the only way those cartels exist and make the money they make and commit the mayhem and violence they commit is because of demand in the United States.

I was very encouraged to hear Secretary John Kelly—former Marine Gen. John Kelly. He is still a marine, always a marine, but now he has taken off the uniform and assumed the responsibility of Secretary of the Department of Homeland Security. He previously served as the commanding general in the Southern Command, as the Presiding Officer knows, which covers the combatant command from south of Mexico down to Central America and South America. So he is very familiar with the region. He made the point, before his confirmation hearing, that there is one thing he would like to see the United States do—effect a major societal and cultural change to deal with the demand for illegal drugs, which fuels all of the cartels and the transnational criminal organizations which plague our security situation along the border and in our neighbors to the south.

I want to say that I am appreciative of our colleagues who joined us on the trip—Senators TILLIS and HELLER, Congressman ROUZER from North Carolina, and my colleagues from Texas, Congressmen JOHN CARTER and MIKE CONAWAY.

I also wanted to say how much I appreciate Speaker RYAN coming to Texas and the Rio Grande Valley last Wednesday for, unfortunately, a short period of time, but we are all grateful that he came at all—I think, at the invitation of people like Congressman MICHAEL MCCAUL, chairman of the Homeland Security Committee in the House of Representatives. I think it is going to take all of our efforts working together to effect and implement the President's vision of border security, a goal we all share.

I think what we all were reminded of is that it is more complex than some people assume, and it is going to take a combination of approaches, including personnel. We need to plus-up the Border Patrol because it doesn't do you any good if you identify somebody illegally bringing a shipment of drugs or illegally entering the United States if you don't have a Border Patrol agent to stop them. Also, the very useful border infrastructure—fencing and walls, for example, in the Hidalgo County area—were actually implemented as a way to improve their levee system when the Rio Grande river floods. They have actually created a dual-use structure that actually satisfies the Border Patrol's need for physical infrastructure along with levee improvements in a win-win situation.

I believe that consulting with local officials and local stakeholders, we at the Federal level can come up with more of those win-win solutions. The point is that we have learned a lot, particularly in our military, about how to use technology to keep us safe—whether it is unmanned aerial vehicles or ground sensors or radars. Actually, they have several new aerostats, or balloons, up in the sky that are basically the eyes in the sky, or radar, which do a tremendous job helping to identify people illegally entering the United States and equipping the Border Patrol and law enforcement authorities with the sort of early notice they need in order to interdict people illegally entering the country.

I will close by saying that one of the always surprising things I learn when I go to the Rio Grande Valley and talk to the Border Patrol is this. I ask them: How many different countries are represented by the people whom you detain illegally entering the United States? Obviously, the majority of them come from our neighbors to the south, not as much from Mexico as you might suspect anymore, because the Mexican economy is doing better and people are finding more opportunities there. But right now, the majority of the flow of people illegally entering the United States is from Central America.

Unfortunately, the tragic situation there where mothers and fathers worry about their children—whether they are going to be killed by gangs or whether

they are going to be forced to join gangs—and somehow make the very painful and difficult choice of turning their children over to human smugglers to try to make their way up the backbone of Mexico and into the United States, to be deposited on our doorstep in the United States.

Last week when the congressional delegation was in McAllen, we went through the processing area where some of these immigrants from Central America were being processed. I asked a young boy there, who was in the process of being processed—through my regional director, because he spoke only Spanish—how old he was, and he said he was 6 years old. He wasn't unaccompanied in that trip from Central America, but his mother and father thought it was important enough to get him out of that ravaged part of the world, where the prospects are not very good, and to turn him over to a human smuggler to make his way up into the United States, only to find himself at a Border Patrol processing unit in McAllen, TX.

My point is that I also met a young man from India, and I asked him: How much did it cost you to get to the United States from India?

He said: About \$6,000.

I said: How did you get here?

He said: I took a plane from India.

He went through Moscow, he said, and ended up in Central America, where he worked his way up with the help of human smugglers into the United States.

I mention that only to point out that we have a vulnerability there where anybody determined enough or with enough money can find their way into the United States. We generally assume these people are economic migrants—in other words, looking for opportunity. We all understand that. Those same vulnerabilities create potential danger for our Nation and our local communities when people with unknown motives exploit those same vulnerabilities to come into the United States.

The last point I will make, again, to emphasize the global nature of illegal immigration into the United States is this. We saw that the Border Patrol has several rescue beacons in Brooks County, TX. This is about 70 miles from the U.S.-Mexico border. What happens is that the human smugglers will transport people into the United States and across the river. They will put them in stash houses, really in terrible conditions. As a matter of fact, we went to one of these stash houses. They found 18 migrants in the stash house waiting to be transported up the highway into the heartland of America.

One of the checkpoints there is at Falfurrias, about 70 miles away from the border. What happens is that the smugglers will have people packed into a van or some vehicle, and before they

get to the checkpoint, they will tell the immigrants to get out. If it is hot, they will give them a gallon jug—a milk jug—full of water and they will say: I will see you on the other side. They go around the checkpoint, out through the very difficult ranchland, and meet up on the north side, and then are transported off.

In Brooks County, TX, we went by a cemetery where a number of unknown and unnamed migrants have been buried because they have died due to exposure. Some of these immigrants coming from Central America come up through Mexico. You can imagine the conditions they have been exposed to, and in the heat of the summer, they have been kicked out of a car and told “meet us on the north side,” with a gallon jug of water, and some of them don't make it. Of course the smugglers don't care about people. You are just a commodity. You are just a paycheck. So they will leave stragglers behind. Many of the ranchers said they found as many as 100 different dead bodies on their property over an unspecified period of time.

But there is a rescue beacon that the Border Patrol has down there that is in three languages. It is in English, Spanish, and Chinese. You might ask, why in the world would you need Chinese written on a rescue beacon where somebody thinks “OK, I am not going to make it; I need help” and goes and presses the button on the rescue beacon—that you need English, Spanish, and Chinese. Well, because they have had Chinese immigrants come through that border region, as well, like the young man from India whom I mentioned earlier. And we have had people from Cuba and from literally all around the world, including some nations that are hosts to terrorist organizations.

This is not only an economic situation. This is not only a law enforcement problem when it comes to drug interdiction. It is a humanitarian crisis, as well. But it is also a national security issue, I think all the leaders of the intelligence community will concede, given the fact that people from 60 different countries have been detained coming across the southwestern border just in the last year by the McAllen sector of the Border Patrol.

We have a lot of work to do. I hope we will be able to work with the President and this administration and in a bipartisan way to come up with the tools we need in order to secure our border. We need to enforce our immigration laws. Of course, 40 percent of illegal immigration in this country occurs not from people entering the country illegally, it is from people entering legally and overstaying their visa. We may not catch up with them until they commit a serious crime and they are arrested by local law enforcement. I think this is what causes so many peo-

ple to be angry at the Federal Government for not enforcing our laws. And many of our colleagues, me included, would like to do more to fix our broken immigration system generally, but until we regain the public's confidence that we are actually serious about securing our border and enforcing our laws, I don't believe we can have that conversation. I don't believe we are going to be successful, which I would like to see us be.

I think the first thing we need to do is to work with the administration in order to accomplish the goal of securing the border. Again, in the matter of political will, we know how to do it. We just need to have the desire to get it done. And then once we have regained the public's confidence that the Federal Government is once again living up to its responsibilities, then I think we can have that more expansive conversation about what our immigration system should look like.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

NATIONAL PARK SYSTEM

Mr. BLUNT. Mr. President, I want to talk a few minutes about the challenges so many of our Cabinet members face trying to restore our infrastructure, to maintain our park system, and to create the public-private partnerships the President mentioned earlier this week in his vision for infrastructure reform.

Certainly Governor Perry, whose nomination we are debating right now, will have many opportunities in Energy to do that, in the research components of Energy and the partnership components that can be there.

We just confirmed a new Secretary of Interior, RYAN ZINKE. One of our great assets as a nation is the Federal park system. We are now entering the second hundred years of that Federal park system, and that second hundred years is going to be defined by partnerships in ways the first hundred years weren't.

The park system is a great way to enjoy the blessings we have and the rich geography, the scenic beauty—some of these parks really reflect the great challenges people faced as they settled the country—and also there are historic parks that reflect the history. Sometimes our parks do both of those things.

I think all of my colleagues are aware of the Gateway Arch in St. Louis, one of the most visited national parks, the Jefferson National Expansion Memorial there celebrating President Jefferson, celebrating the Louisiana Purchase in 1803, and really celebrating that long movement as people moved west—eventually really west and really northwest, Mr. President, where you live in Alaska. But the Gateway Arch is visited often. It opened in 1967, and so now we are 50

years into that particular part of our system. The original park itself needed a lot of restoration, but 50 years later, you look at that park and you look at how it has been used and decide how it could be better used.

What most of my colleagues probably aren't aware of is that right now, it is the biggest investment the National Park Service is making in the system at this moment, trying to connect the Gateway Arch to the Old Courthouse in St. Louis, the Federal courthouse where the Dred Scott case was tried—they are trying to connect that park to the rest of the city in ways that—when it was built, it was separated by an interstate highway, so you would go see the park, but you wouldn't get to the rest of the national park side there very often.

Rethinking that is important, but what is maybe even more important is this is the biggest park project in the history of the country where private donors provided more of the money than the government did. This is not easily done. If for 100 years you have been doing something one way, it is not easy to immediately begin to say: We are going to do it another way from now on.

If you are in charge, like Secretary Jewell was put in charge of this project—and by the way, I think she has done a good job, as has her regional director, understanding that if you are going to do things differently, they have to be different.

It would be great if the city and private donors—the city even voted a tax just for this project, to provide millions of dollars that the project would be spending. Of course, I think initially the Park Service would think: Isn't that great? We now get this money from private donors, and we now get this money from a city tax, in addition to a portion of the money we are still getting appropriated by the Congress, and we will just spend it the way we have always spent it, as if we had no partners. But that didn't work out very well at all. The partners in the project actually wanted to be partners in the project.

As we look at the next hundred years of this great National Park System, I think we have to understand that for that to work and for that to work in a new way, we have to treat it differently. We are seeing that in St. Louis. We are seeing the three different groups come together in ways that have provided the funding. But, frankly, they also need to be at the table when you talk about how you are going to spend the funding.

We changed the law in Congress just a couple of years ago so that private money, if it is being held by the Federal Government, as it has been on that project, if there is any interest to be earned, if there is any benefit from that money, it also goes to the project rather than going into general revenue.

The goal here would be to do everything we can, if we are going to have a different park system for the next hundred years, to really encourage the next group of people to step up and say: We want to provide—as in the case in St. Louis, MO—more than half of the money, but we would like to have some input on how that is going to be used and how this is going to meet the needs of the community.

But also everybody who visits there, as they connect with the community uniquely in that St. Louis park—Missouri has a great park system. I think we are rated as one of the top four park systems in the country, our State system. In fact, right now we are looking at one of those State parks at Ste. Genevieve, which was a part of our State that was first settled by French settlers. The number of buildings there dating right back to the turn of the 19th century—1801, 1804—is reflective of how French settlers built buildings, which is different from how other settlers did.

There is a lot to learn about how we come together as a people in so many of our parks, as well. So when Secretary Zinke takes that job, one of the new opportunities is to build on what is already started in places like St. Louis and figure out how we can have those kinds of partnerships when the President talks about infrastructure expansion and how we are going to look for new ways to do that. As you look at new ways to do that, you have to really be willing to think of how you approach this in a way that encourages partners to be part of it.

Clearly, infrastructure—one of the great benefits of where we are located is where we are located. We have an ocean on two sides. We have a river that runs up the middle of the country, that connects the country in unique ways to all the water travel of the world. We have these coasts on each side that are beneficial to this if we connect ourselves in the right ways.

So the President's view that the road system, the airport system, the port system all need to work in a way that links us up to be better competitors and links us up in a way that allows us to create economic opportunities and better jobs for families is important.

So that kind of partnership, the partnership the park system is in—I think we are seeing the mold established, the model established for how that would work in St. Louis right now at the Arch. In the next couple of years, that project will be completed. It will be different than it was 50 years ago because people want to see things differently than they did 50 years ago.

With Secretary Perry, who should be confirmed today—I think clearly will be confirmed today—his opportunities at Energy to look for partners who add to what we can do there in ways we haven't thought of before—just like we

use research money now, take that research money in health research and research money in ag research to bring other people into this discussion that creates opportunities for who we can be.

As we move slowly and in a way that has really made it difficult to take advantage of this new administration, we are apparently going to be able to confirm two nominees to the Cabinet today. But we are still way behind, by any measure, the history of the country in working with a new administration to let them take responsibility. There are going to be 500, 1,000 nominees—I think there are about 1,000 Deputy Secretaries and Under Secretaries who come once we are done with the Cabinet. I hope we can all find a way to get this done, with an understanding that whether or not you agree with the election, the election was held and the new administration has the responsibility for government. It is the job of the Senate and the Senate alone to be sure that those Cabinet officers and the people who support those Cabinet officers and departments are put in place early, as well.

Looking at the park system, looking at partnership, and looking at how important it is that we are willing to do things in a different way is something we ought to be thinking about in this week that we confirm the Secretary of Commerce, the Secretary of Interior, and, later today, the Secretary of Energy.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Ms. CANTWELL. Mr. President, I come to the floor to speak on the nomination of Rick Perry, Governor of Texas, to be the Secretary of Energy. I just heard my colleague talking a little bit about the nomination process and hearings and the Cabinet. I want to emphasize that we have never seen a Cabinet quite like this—with their connections to the private sector, their financial holdings, a variety of other things.

The American people deserve for us to do a good job of digging into the backgrounds of the various nominees so that the people know who exactly the President has chosen to run these important government agencies. We are going to continue this process both for Cabinet-level nominees and also those nominated to serve in sub-Cabinet positions.

I am here today to speak about the nominee to serve as Secretary of Energy—Governor Rick Perry of Texas.

Most people probably remember Governor Perry for his famous quip during a Presidential debate during which he announced he wanted to get rid of three agencies, but could not remember that the Department of Energy was one of them.

So he became famous for forgetting that he wanted to abolish the Department of Energy. In some ways, this allowed everyone to focus on exactly how important the Department of Energy is to our Nation. The Department's vital missions not only help us with the R&D of the future, but also with our national security. The national laboratories that are overseen by the Department drive our leadership in a global economy. They are based on innovation and play a vital role across the Nation for people who rely on affordable and efficient energy to heat their homes, run their appliances, and connect to the internet.

The Department of Energy safeguards our nuclear arsenal. It also is responsible for cleaning up the waste generated by our nuclear weapons complex facilities that helped us win World War II and the cold war. The Department also plays a key role in protecting our energy infrastructure from cyber attacks. It also makes important contributions to our understanding of climate science, enabling the collection and management of data needed to understand our changing environment and is a major driver of innovation.

Before Mr. PERRY was even nominated, the transition team was already targeting Department of Energy climate scientists. The transition team sought a list of those Department employees and contractors that had worked on climate change issues during the Obama Administration. This came across as an attempt to try to shut down those climate scientists and target them in a Trump Administration.

Silencing scientists is outrageous. We need an Energy Secretary who is not only going to protect the scientists who work at DOE no matter what their responsibility is but who is also going to make sure we use that important data for research and for mitigating the impacts of climate change on our coastal communities and pristine areas. Climate change is already producing significant impacts in the State of Washington and throughout the West. We need scientists working on this issue to get our States and local governments the best data and information possible.

As I previously mentioned, the Department of Energy is also an important driver of innovation. There is so much happening in the areas of smart buildings and modernizing our grid and resiliency and energy efficiency.

The thing that concerned me most about Governor Perry was his unwillingness to commit wholeheartedly to

preserving the Electricity Office and the Office of Energy Efficiency and Renewable Energy within the Department. We need these offices and their R&D so that the U.S. can continue to create jobs in our growing energy economy.

Continued aggressive research and development is necessary if we are going to become more energy efficient and consumers are going to have access to reliable and affordable electricity. We need a Secretary who is going to emphatically push the Trump administration in the proper direction. That is exactly what we wanted to hear from Governor Perry in the Energy committee. Four members of the committee asked about his commitment to these programs. Unfortunately, the nominee dodged the questions. I followed up with Governor Perry after his confirmation hearing, and he still failed to provide a commitment to fight for these important programs. So I regret that I will not be able to support this nominee.

We need to make sure that the United States will continue to support the R&D, the scientists, the investments in electric grid modernization, and the investments in cyber security that are going to help make our Nation safe and our economy strong. I urge my colleagues to oppose this nomination, and I hope that we can move forward on making sure that we have an aggressive energy strategy for the future.

With that, I see my colleague from Washington. I would like to yield some time to her.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I thank my colleague from Washington State, who has made a really important case. I want to be here today to add my opinion, as well, because over the past 2 months we have heard a lot about President Trump's plan to drain the swamp, which is to reject special interests and the corporate elite and, instead, fight for workers across our country.

There are a whole lot of claims, a whole lot of promises—all great. Fighting for workers is what this Congress should be doing, but the President's actions speak a lot louder than his words. I find it telling that we are here again debating yet another Cabinet nominee sent over from the White House—this time Gov. Rick Perry—whose interests have been more closely aligned with those of Big Oil and corporations rather than advancing our country's energy challenges or fighting for the working families we represent.

So let me be clear. If confirmed to head up the Department of Energy, Governor Perry would join the ranks of other unqualified candidates chosen by this President to lead critically important agencies with very specific and complex functions. It is a big job. I be-

lieve that getting the top spot at the Department of Energy—or anywhere else in the President's Cabinet—should not simply be a prize for demonstrating loyalty during an election.

Getting the job should be borne of a solid understanding of the agency, a respect for the tens of thousands of workers they would lead, and, most importantly, a commitment to putting families across the country first. So as a voice from my home State of Washington, where DOE's presence is extremely important, I will vote no on Governor Perry's nomination. I urge my colleagues to do the same.

Washington State is home to the Hanford nuclear reservation near the Tri-Cities. Nearly 75 years ago, this region underwent a dramatic transformation, practically overnight and under top-secret conditions, to help the United States win World War II and later the Cold War.

Families and workers in this region of our State sacrificed immensely for the good of our country and the safety of our world. To this day, there is a massive environmental impact in the Tri-Cities created by decades of nuclear weapons production. Now this cleanup effort is vital, not only to the health and safety of families and workers and the economy in Central Washington but also for communities along the Columbia River.

As I have told anyone elected as President, whether Democrat or Republican, it is the Federal Government's moral and legal obligation and responsibility to clean up Hanford. I know that is not an easy feat, but it is essential. It requires a very deep understanding of a very large and complex cleanup project and a great deal of respect for the workers who show up each day to make progress on this massive project. I remain deeply concerned that Governor Perry and this administration fail to grasp what is at stake.

I am also concerned that they don't get the importance of another national asset not far from Hanford, the Pacific Northwest National Laboratory. For more than 50 years, the men and women at PNNL have been on the forefront of scientific discovery. It was originally created to support research and development at Hanford, but PNNL has become DOE's premiere chemistry, environmental sciences, and data analytics national lab, tackling some of our Nation's most complex and urgent challenges.

PNNL is a leader in atmospheric research, nuclear detection and non-proliferation, and the Nation's electric grid. Its researchers have taken on everything from high-performance computing to advanced biofuels to analyzing lunar samples from NASA. These are critically important functions that advance our Nation.

I have worked hard with the entire Washington State congressional delegation, not to mention a whole host of

leaders at the local and State level, to support this vital research and development hub and its incredible workforce. Just like the workers at Hanford, they also deserve leaders in this administration who respect and value their work. So, if President Trump were truly looking out for workers across our country, he would take this nomination to the Energy Department very seriously.

I understand Governor Perry gave his word during his confirmation hearing that he would work with us and even come to Washington State to visit Hanford and PNNL. If he is confirmed by the Senate, you can bet I will hold him to that because one thing I have learned in the short 40-plus days of this administration is that we do get a lot of words. But it is the action that truly matters.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, I thank my colleague for coming to the floor and for her statement on this important issue. She and I are partners in making sure that Hanford waste is cleaned up. We so much want to continue to make progress on this important issue for our State. Having dealt with previous Energy Secretaries, we know that it is always a fight to make sure that Hanford gets the priority it deserves, so I thank her for that.

I want to resume my comments about the key functions the Department of Energy performs and why it is vitally important that the agency succeeds in its missions, rather than be dismantled by a President who may not understand the significance of the work the Department does.

I am speaking specifically about the Department of Energy's programs to enhance our energy efficiency, promote renewable energy innovation, mobilize, modernize and bolster the security of our electricity grid, and continue to make significant advancements in science. I have spoken to Governor Perry on a couple of occasions, but, as I mentioned earlier, I failed to hear him commit to these essential DOE programs.

Our Nation's energy sector is undergoing an unbelievable transformation from fossil fuels. These changes are giving consumers more choice and lower energy bills and producing a more robust job-creation environment.

There are now 2.2 million Americans who work in the energy efficiency industry alone. In fact, energy efficiency accounted for 14 percent of all new jobs created in this country last year. That is an incredible number. We need to continue making investments in smart cars and smart buildings and homes of the future and how they are going to be integrated to reduce energy use and lower bills.

We just had a hearing this morning in the Commerce Committee and

talked about broadband and white space and the continued development of the mobile economy and how we need to continue to take advantage of those advancements, particularly in rural communities.

The solar power workforce is also growing at a rapid rate. Last year, 1 out of every 50 new jobs in the United States was from solar power. The solar industry now employs more people than the oil and gas extraction or coal mining industries. These are important economic sectors.

In the last administration, the Energy Department's Quadrennial Energy Review estimated that 1.5 million new energy jobs will need to be filled, many of which will be in emerging energy technologies that will help define our clean energy economy. There are approximately 60,000 people in my home State of Washington who are employed in the clean energy sector. In fact, clean energy employment is growing twice as fast as the overall job rate in the State of Washington.

We have made too much progress, we have come too far in continuing to advance these important technologies to reverse course now. These advancements are going to help drive more savings and efficiency for consumers and businesses so they can be competitive. We must have leadership at the Department of Energy making sure that progress continues.

I take Governor Perry at his word that he has now been fully briefed and he no longer believes the Department of Energy should be abolished. But his testimony raised questions about whether he will fight to protect the Department's essential programs from ideologues in a Trump administration that want to defund and eliminate these programs.

To better understand these challenges, let's briefly review the history. Just before the President was elected, the transition team's energy group sent a memo outlining 14 energy and environmental initiatives the new administration would be pushing. The memo pointed out that the Trump administration was going to eliminate and rescind and relax several Obama administration initiatives that are important to energy efficiency, important to reducing greenhouse gases, and require agencies to take the costs associated with climate into account. Shortly afterwards, the transition team sent an unprecedented questionnaire to the Energy Department, targeting scientists and civil servants who worked on these issues and asked the Obama administration to identify them.

The morning of Governor Perry's hearing, we awoke to news that the President's team was working on a proposal to eliminate the Office of Energy Efficiency and Renewable Energy and the Office of Electricity. So all those jobs I previously mentioned that are

key in my State, key in the United States, and, I guarantee you, key to the U.S. economy's competitiveness in the future, would be at risk. Driving down the cost of electricity and keeping our businesses competitive is key to our Nation's economic strategy. I know that as a Senator who comes from a State with very affordable electricity. It has built our economy over and over and over and over again.

If you think about how our manufacturers have to compete in a global economy and look at where some of the manufacturing has gone or where our competition exists, these issues of cost-effective and efficient energy are key to our competitiveness as a nation.

We have seen in the State of California unbelievable results from energy efficiency. It is far cheaper to save a kilowatt of energy than it is to produce one, and this key factor is what has made California the leader in our Nation in energy efficiency and helped California businesses to be competitive. So we do not want to eliminate the Office of Energy Efficiency or the Office of Electricity.

As I said earlier, we tried to get Governor Perry to take a solid stance on these issues and commit wholeheartedly to fighting any attempt to do away with these important offices, but he failed to make a commitment.

During the President's very first hour in office, the administration announced it was going to eliminate the Obama administration's climate action plan. This plan even included a program started by President George H.W. Bush—the Global Climate Research Initiative to assess and predict the impacts of climate change in the future.

This is not a partisan issue. President George W. Bush called on Congress to enact energy efficiency legislation, which he subsequently signed into law, and based on bipartisan energy legislation passed in 2005 and 2007, we improved lighting efficiency by 70 percent and increased fuel efficiency standards for automobiles. So I don't understand why the Trump administration is apparently so hostile to energy efficiency.

The Energy Department's energy efficiency programs are expected to save American consumers \$2 trillion on their utility bills by 2030 and reduce carbon emissions by 7.3 billion tons over the same period. That is equivalent to taking 1.6 billion cars off the road. The fact that businesses could save \$2 trillion by reducing their utility bills in the future is something we should all be passionate about. Our manufacturing base needs to remain competitive.

In addition, the Bush administration worked to get the United States and China—the two biggest greenhouse gas emitters—to work together on clean energy solutions. President Bush also chose in his State of the Union Address

to be an advocate for energy efficiency, electric vehicles, biofuels, R&D, and a clean energy economy. I now appreciate even more now how much he advocated for those programs. It seems strange now to see a new Republican administration that seems so single-mindedly against these important energy advancements that are going to help our economy.

The Department of Energy also plays an essential role in protecting the electric grid from cyber and physical attacks. The Office of Electricity plays a very key role for our Nation, and, as we know, there is a full-throated debate about what cyber security attacks can do to the United States of America.

These issues about how some regime could undermine our U.S. democracy are critical. We need to address it, and we need to be aggressive as a nation about it.

The Office of Electricity plays a key role, and we want the Department of Energy to be aggressive in asserting its leadership on cyber security. If you are not committed to the Office of Electricity, if you are not committed to these vital programs, how are you going to be committed to protecting us on cyber security?

It should not have been difficult for Governor Perry to speak more urgently about these programs or to say he disagreed with the administration's reported desire to cut them. For instance, he spoke eloquently about energy diversification and pointed us to his record as Governor. But, as I looked back at his record, I noticed that he tried to add 11 new coal plants, 8 of which were subsequently canceled after a court overturned his executive order expediting the coal permitting process. This is the kind of leadership we cannot afford at the Department of Energy. That is not about holding on to the past; we need a plan for the future.

Finally, I want to mention President Trump's recent Executive order regarding the National Security Council. While it is within the discretion of the President to structure his National Security Council as he sees fit, the Secretary of Energy is a member of the National Security Council by virtue of statute. The President's Executive order removed the Secretary of Energy from the principals committee and what under the Obama administration was called the senior interagency forum for considering policy issues that affect the national security interests of the United States.

I can guarantee you that energy is an issue of national security. We need leadership out of the Department of Energy to be strategic on electricity, transmission, and cyber security.

The Department of Energy's technical expertise is vast and is not limited to the implementation of the Iran deal. The Department plays a key role on nuclear security issues.

I take the Governor at his word that he will come to Hanford, that he will look for funding to make sure that cleanup happens, and I take him at his word that he does want to work with Members of Congress.

Unfortunately, his unwillingness to commit to critical offices at the Department that are responsible for important scientific research, giving our government and our communities more data and information about climate science, making the investments we need in our electricity grid of the future, is something that concerns me about his nomination. I cannot support Governor Perry.

I know so much will get boiled down to this sound bite of him being the nominee of an agency that he said he wanted to abolish and then, at the same time, could not even remember the agency. I guarantee you, the Energy Department is a vital, functioning program not just for today's energy needs, but as the quadrennial review said, for our future energy needs.

So we could have an Energy Secretary who is going to help us with the transformation, protecting us on cyber security, making sure our businesses reap the benefits of greater energy efficiency, and, when it comes to the electricity grid of the future, making sure we plan for those 1.5 million jobs that are going to be needed. But those aren't the commitments we have had from Governor Perry.

I hope my colleagues will recognize that this nomination is not the direction the Department of Energy needs to go in and oppose Governor Perry for the Department of Energy.

Madam President, I yield the floor.

The PRESIDING OFFICER (Mrs. FISCHER). The Senator from Hawaii.

Ms. HIRONO. Madam President, as recently as 2006, Hawaii relied on imported fuel for 92 percent of our energy needs. This was bad for our economy and bad for our environment, and it needed to change. Today, Hawaii has the most ambitious renewable energy goals in the country, and we are working toward becoming 100 percent energy self-sufficient for electricity by 2045. In order to meet this ambitious goal, we are investing in a renewable energy future. It means cleaner air and water to enjoy, and it is driving a lot of local innovation. Let me give you a few examples.

Last Friday, I attended a blessing for a new biofuel project in Maui's central valley. Pacific Biodiesel, run by Bob and Kelly King, is repurposing 115 acres of land previously used for commercial sugar cultivation in order to test the energy potential of different sunflower varieties for biofuels. If they are successful, this project could grow to provide hundreds of jobs on the island and help Hawaii on its path to energy self-sufficiency.

Bob and Kelly got their start in repurposing used cooking oil. They

have grown their company to run the Nation's first commercially viable biodiesel distillery on Hawaii Island, and they employ 80 people. Along the way, they have received support and funding through the Hawaii Military Biofuels Crop Program, which has allowed them to experiment, learn from their mistakes, and, ultimately, succeed.

Yesterday, I met with Naveen Sikka, the founder and CEO of TerViva, which is a startup that grows pongamia trees that produce an oil seed that can be used for biofuels. In working with Hawaii's Energy Excelsior, TerViva is already growing pongamia trees on 200 acres on Oahu and is looking to expand its operations across the State.

TerViva and Pacific Biodiesel are working together to explore how to help Hawaii achieve its renewable energy goals.

In 2015, I met with Global Algae Innovations, a company that is pioneering the production of algae for use in biofuels on Kauai. Funding from the Department of Energy, or DOE, has been instrumental in its research. Support from the Department is vital in helping them and other algae biofuel companies finish scaling up commercial production at competitive prices.

These stories provide a compelling counternarrative to the President's belief that we should prioritize fossil fuel extraction over renewable energy development. These stories also demonstrate the role government can play in encouraging energy innovation.

During the Obama administration, our country made significant progress in confronting the challenge of climate change, investing in clean energy research and development, and growing our renewable energy economy. Unfortunately, by nominating Rick Perry to serve as Secretary of Energy, the President is sending a clear signal. Instead of continuing the progress we have made, he wants to take us backward.

During his confirmation hearing, Governor Perry insisted that he believed in an "all of the above" energy strategy. So far, it does not seem that the President shares his commitment.

During the transition, a disturbing report leaked in the media that outlined the President's plans to make dramatic funding cuts at the Department of Energy. This extreme plan included eliminating the DOE's Office of Energy Efficiency & Renewable Energy, which focuses on the transition to American energy generation that is clean, affordable, and secure, not to mention sustainable. The plan would eliminate the DOE's Office of Electricity Delivery and Energy Reliability, which ensures the Nation's energy delivery system is secure, resilient, and reliable. This office works to strengthen the resiliency of the electric grid. The plan would also eliminate the DOE's Office of Fossil Energy,

which focuses on technology to reduce carbon dioxide emissions.

It is hard to see how it would be possible to pursue an “all of the above” energy strategy if so much of the Department’s “all of the above” capabilities are eliminated.

I asked Governor Perry, during his confirmation hearing, whether he supported those proposed cuts and program eliminations within the Department that he was nominated to head. His response was telling. Governor Perry said: “Well, Senator, maybe they’ll [meaning the Trump administration] have the same experience I had and forget that they said that.”

Remember, Governor Perry had originally said that the Department of Energy should be eliminated. Governor Perry’s “oops” answer got a laugh at the hearing, but it failed to convince me that he has the willingness and fortitude to stand up to the Trump White House on its energy policies.

I also asked Governor Perry if Hawaii could count on his support in our efforts to become energy independent and a leader in the clean energy economy. Again, Governor Perry said yes, but in the same transition memo, the Trump White House proposed eliminating the DOE’s Office of Energy Efficiency & Renewable Energy entirely, as I mentioned before. It is unclear how Governor Perry could keep his commitment to the State of Hawaii and to me if the entire office that is responsible for renewable energy is eliminated.

Many of my constituents share my concerns about Governor Perry. Charlotte from Wailuku wrote to me:

Please do not confirm Rick Perry for US Secretary of Energy. He is not a visionary leader. In Hawaii, we have committed to being 100% carbon emission free by 2045.

Rick Perry is not the person who can help provide innovation, funding or the tools needed to make this happen.

I share Charlotte’s concerns. We have made so much progress over the past 8 years in embracing a clean and renewable energy future, and Governor Perry and the Trump administration will work to reverse this progress and take us backward.

I urge my colleagues to oppose this nomination.

I yield the floor.

Mr. LEAHY. Madam President, I want to explain my opposition to the nominations of Ryan Zinke to be Secretary of the Interior and Rick Perry to be the Secretary of Energy. I have closely reviewed their records, testimony, and responses to questions for the record.

CONFIRMATION OF RYAN ZINKE

Madam President, the Secretary of the Interior is one of the most important jobs in the Federal Government and has a far reach when it comes to coordinating our Federal policy in the 50 States and U.S. Territories for our public lands, parks, and cherished nat-

ural resources. The Secretary and the Department of Interior are tasked with using sound science to manage and sustain America’s lands, water, wildlife, and energy resources, while honoring our Nation’s vital obligations and responsibilities to tribal nations. The Secretary of Interior also coordinates Federal assistance to the Freely Associated States of the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau under the Compacts of Free Association. There are few Cabinet positions with such a wide range of management and organization.

Any nominee for this position should be selected for their commitment to protecting our precious resources, as well as their dedication to uphold and enforce our environmental laws.

After reviewing Mr. Zinke’s record, there is little doubt that he is dedicated to public service and that he has a strong connection to the outdoors. However, the Secretary of the Interior has a great responsibility as the leading steward of our majestic public lands, the champion of our great tribal nations, and the manager and defender of our diverse wildlife. I fear that Mr. Zinke may not be fully prepared to set aside some of his personal views on the management of our resources and consider the views of all Americans as we debate critical natural resources issues.

I enjoyed learning that Mr. Zinke is an admirer of President Teddy Roosevelt, a point that has been repeated countless times, and I was pleased that he agrees that, yes, President Roosevelt did get it right when he placed millions of acres of lands under Federal protection. However, I hope that Mr. Zinke will not only study the work that President Roosevelt did to instill a conservation ethic in this country, but will look more broadly at other individuals whose steadfast commitment and dedication to conservation and historic preservation have left their mark in Vermont and across the country.

For instance, Laurance Rockefeller made significant contributions to the American conservation movement that had a lasting impact on the American landscape. The Marsh-Billings-Rockefeller National Historical Park in Woodstock, VT, honors not only Rockefeller’s dedication to conservation, but is also the first national park to tell the story of conservation history and the evolving nature of land stewardship in America. Conservation of the environment and recreational development was a passion to which he dedicated his life. In addition to his work in Vermont, he was instrumental in the creation and development of the Grand Teton National Park in Wyoming and the Virgin Islands National Park on the island of St. John. These three national parks could not be more different, but they are each spectacular

pieces of our natural heritage. This heritage that would not exist today and be available for the public to enjoy, had it not been for the vital work of Laurance Rockefeller and the Federal investments that have been made in these important public lands.

I hope Mr. Zinke will also study and hopefully visit the Appalachian National Scenic Trail, which carves its way not only through Vermont, but 13 other States as well. This trail is an amazing footpath for the people that traverses over 2,100 miles through wild forests, towns, valleys, and mountaintops, and connects a myriad of through-hikers and day hikers to our scenic landscape. All of them are able to enjoy the important Federal investments in this trail, which is maintained by the countless hours of work done every year by devoted volunteers like the Green Mountain Club in Vermont.

Work to build and maintain the Appalachian Trail is not static, nor is it complete. There continue to be important investments needed through the Land and Water Conservation Fund, LWCF, to acquire land and conservation easements to safeguard the trail. There is much needed trail maintenance that should be included as part of any infrastructure bill the Senate considers. This work is shovel-ready and will have a considerable impact in supporting our outdoor economy on which Vermont is so dependent.

Mr. Zinke should also seek out expertise and guidance from the past Secretaries of the Interior who have dedicated their lives to this work. I hope he will study the exit memo that Secretary Jewell prepared on the Department’s Record of Progress and the moral imperative the Department has to positively impact our American economy, our rural communities and cities, and ultimately, the well-being of our planet.

As Secretary of Interior, Mr. Zinke will oversee a number of ongoing debates concerning our fragile public lands, the protection of endangered species, and how we respond to climate change. I know that there is no single solution that can answer the different land management issues facing each region of our country. Many stakeholders are constantly engaging the Interior Department and the Senate with a wide variety of views on how we should protect, access, and use our natural resources. In Vermont, we are deeply concerned about the pressure being placed on our natural resources from rapid growth and climate change.

I heard from hundreds of Vermonters concerned about Mr. Zinke’s nomination and worried that our environmental standards and laws will not be enforced for our lands, air, water, and threatened species under his leadership. His record has shown an opposition to policies that protect valuable

rivers and streams from polluting coal runoff and a willingness to weaken historic laws such as President Teddy Roosevelt's Antiquities Act. He even authored a bill that sought to obstruct efforts by the Department of the Interior to review and modernize management of our Federal energy resources and ensure that taxpayers are fairly compensated for their sale. Taxpayers deserve a Secretary of the Interior who will work to support the protection of our shared Federal resources 100 percent of the time, not one who will actively work to weaken or dismantle the powers of protection invested in this Department.

Based on that record, I voted against his nomination. Nonetheless, now that Mr. Zinke is the Secretary, I want him to know that I am committed to working closely with him on a variety of issues that are important to Vermonters and all Americans. I will work with him to foster consensus not only in New England, but throughout the country. As the Vice Chairman of the Appropriations Committee and a member of the Interior Appropriations Subcommittee, I am committed to working with him to ensure that we protect our Federal lands and continue the important conservation ethic of Teddy Roosevelt to permanently protect our beautiful and fragile natural resources, while also addressing new challenges posed by climate change.

Madam President, with respect to the nomination of Rick Perry to be the Secretary of the Department of Energy, hundreds of Vermonters have written to me in opposition. They were concerned that under his leadership we will halt the forward progress we have made towards a responsible energy strategy for the future of our country. Not only did Governor Perry make headlines for famously proposing to abolish the Department of Energy, he lacks a background or any true experience on the complex scientific and technical issues in the Department of Energy's portfolio. This agency must be focused on addressing our energy and environmental challenges through transformative science and technology solutions; yet Mr. Perry expedited the permitting of coal-fired electric generating plants and filed suit challenging the Environmental Protection Agency's finding that greenhouse gases significantly endanger public health. How can we trust him to lead the Energy Department?

I was pleased that, during his confirmation hearing, Governor Perry apologized for suggesting that the entire Department of Energy should be abolished. However, he has yet to say that he will fight to maintain important offices within the Department, such as the Office of Electricity and the Office of Energy Efficiency and Renewable Energy. I find it hard to see how we can pursue an "all-of-the-

above" energy strategy called for by the administration if so much of the Department's capabilities are targeted for elimination. By supporting research around wind, solar, and efficiency, offering loan guarantees for innovative demonstration projects, and providing expertise and support to the private sector in commercializing new research we can create American jobs and grow the national economy. Conversely, if we turn our back on the future, we are ceding these important and fast growing fields of research and production of renewable energy technologies to China, the European Union, and other countries at a critical time. That would be a monumental mistake to haunt our economy for many years.

Earlier today, I had the chance to talk to a Vermont company that is closely watching the work of the Energy Department to advance America's clean energy revolution. Northern Power Systems in Barre, VT, has been designing and developing wind turbines for almost 40 years and offers support services for energy generation needs around the world. Last year, they received an award for their increase in exports, but rather than selling to an international market they would rather see their sales here in the U.S. take off so that they can create more American jobs to manufacture American-made wind turbines. Turbines that should be installed here to utilize this reliable, abundant, and free resource to lower energy costs for Americans.

It is troubling that Mr. Perry has taken such an aggressive stance against the Department of Energy and dismissed large parts of its mission. I hope that he will devote himself to learning everything he can about the diverse work of the Department and surround himself with some of the best public servants and technical experts he can find.

The last Secretary of Energy, Dr. Ernest Moniz, prepared two documents that I am hopeful Mr. Perry will study closely. First, the Quadrennial Energy Review provides a broad review of federal energy policy in the context of economic, environmental, occupational, security, and health and safety priorities. The Department also prepared an extensive suite of analyses to accompany the Quadrennial Energy Review that I know would serve Mr. Perry well as he tries to understand the wide array of issues that will come before him at the Department.

I would also recommend that he review the exit memo Secretary Moniz prepared, which highlights the responsibilities and opportunities for the Department's enduring service to the Nation as our leading science, technology, and innovation agency. The Department has an extraordinary span of responsibilities from energy and the environment, to cyber security, science and national security, and it must col-

laborate with other agencies like the Defense Department and our intelligence community.

I remain committed to supporting and protecting the essential mission of the Department of Energy in order to move us forward with 21st century jobs and make needed investments in our electricity grid, clean energy, and energy efficiency that will save American consumers and businesses money.

Mr. REED. Madam President, I am strongly opposed to the nomination of Rick Perry to be the Secretary of Energy.

While Governor Perry has a long record of public service, he is the wrong choice to lead the Department of Energy. He does not possess the technical expertise or necessary qualifications. Moreover, his past statements calling for the elimination of the Department and questioning the science behind climate change, coupled with his reported lack of understanding about the scope of the Department's responsibilities, call into question his ability to lead an agency that is so critical to our national and economic security.

What Governor Perry learned during this confirmation process is that the Secretary of Energy not only oversees our country's energy initiatives and strategies, but is also the steward of our nation's nuclear weapons stockpile. The National Nuclear Security Administration, or NNSA, a part of the Department of Energy, ensures the safety, security, and effectiveness of our nuclear weapons. The NNSA brings together exceptionally dedicated men and women from our Armed Forces to work alongside some of our best scientists and engineers to provide expert advice in nuclear nonproliferation and counterterrorism. The Secretary of Energy must understand their work and advise the President on our nuclear arsenal capabilities and national security issues. Governor Perry has no experience in these areas and is not qualified to lead the agency tasked with maintaining our nuclear deterrent.

The Department of Energy also protects our Nation's security by strengthening the electrical grid's resilience in the face of natural disaster and cyber attacks. Its Office of Electricity works with other Federal agencies, State and local governments, and utilities to protect the electrical grid; yet the Trump administration has reportedly proposed eliminating this office, something which Governor Perry has not sought to dispel.

The Department of Energy leads the country and the world in renewable energy generation and energy efficiency. For my home State of Rhode Island, renewable energy from the wind, sun, and ocean is not just a path to local energy production, but also a source of well-paying jobs ranging from steelworkers to scientists. Last year, Rhode Island

became the first State to build an offshore wind farm, off the coast of Block Island, proving that offshore wind can be a viable renewable energy source for the United States.

This technological feat could not have been accomplished without the science, engineering, and policy research supported by the Office of Renewable Energy and Energy Efficiency. This office drives the research in wind, solar, geothermal, and ocean energy that has made affordable renewable energy a reality. However, Governor Perry, in his written responses, refused to comment on reports that the administration would cut funding, or even worse, eliminate this vital department. Failure to invest in this department and its research risks our future as an energy-producing nation.

We need a Secretary of Energy who also can effectively manage the Office of Science and the National Laboratories, programs that have made the United States a global leader in scientific advancement since the Manhattan project. The National Laboratory system hosts equipment far beyond the capabilities of most universities or companies—such as massive particle accelerators, powerful supercomputers, and high-temperature laser ignition facilities—that are vital to expanding our knowledge base and technological advancement.

The future of many of these energy science programs in the new administration is of great concern to the scientific community. The same budget recommendations that would eliminate the Office of Electricity also showed plans to cut supercomputing research, even as China is making large investments to become the world leader in this area. Advanced computing is vital to national defense and economic competitiveness. Shortsighted budget cuts here, or in any of our basic research programs, threaten our Nation's future security and prosperity. Governor Perry has not pledged to protect or prioritize any of these programs.

The Department of Energy's leadership in atmospheric science and climate change is also threatened. The Trump administration has gone beyond merely ignoring the threat of climate change; it has proposed cutting off funding to the critical programs that monitor our planet. It has also cast doubt that climate data will be accessible and available to the public and other researchers. We have already seen an unprecedented attempt by the Trump transition team to collect the names of scientists who study the consequences of carbon dioxide emissions. It appears that, for the first time in the history of the agency, its scientists are worried that honestly reporting their findings may be a career-ending decision.

This is an alarming assault on the integrity of American science. The Sec-

retary of Energy must be someone who understands science and will protect the government scientists who work in the national interest. The Secretary must understand and be able to present to the President the overwhelming scientific consensus that the climate is changing and that human activities are responsible. All Governor Perry committed to do in this and other areas is to learn more about the science.

This is not sufficient.

We have been fortunate that recent occupants of this post were not learning basic science on the job. Both Presidents Bush and Obama filled this post with experts possessing a deep understanding of science and technological issues. President Bush appointed Dr. Samuel Bodman, who served as a member of MIT's faculty before moving into business and government. President Obama appointed a Nobel prize winner in physics, Dr. Steven Chu, and a MIT physicist, Dr. Ernest Moniz. The result is that, for the past 12 years, the Department of Energy has been well equipped to respond to challenges in national security, energy, and science.

We need a Secretary of Energy who can build on that legacy. We need a Secretary of Energy who has the technical expertise to oversee our Nation's nuclear stockpile, the integrity to protect basic science from political attacks, and the willingness to fight for a secure grid and renewable energy technology. I am not convinced that Governor Perry has those qualifications.

For these reasons, I cannot support his nomination. I urge my colleagues to join me in voting no.

Mr. CARDIN. Madam President, I will vote against confirming former Texas Governor Rick Perry as Secretary of Energy. There are too many policies he promoted while he was governor that cause concern. He refuses to accept scientific consensus regarding human causes of climate change. His support for clean energy and energy efficiency seems tenuous, at best, and he is in lock-step with the Trump administration's desire to boost fossil fuel production at the expense of human health and the environment.

Governor Perry, while campaigning for the Republican nomination for President in 2012, proposed abolishing the agency he has now been nominated to run. I appreciate his candor and honesty in repudiating that position and acknowledging that he really didn't understand the Department of Energy's mission at the time. He has served our Nation and Texas as an Air Force pilot, a member of the Texas House of Representatives, the Texas Agriculture Commissioner, and the Lieutenant Governor and Governor of Texas.

A key part of DOE's mission has been to promote clean and advanced energy technologies, via grants for research and development, and through the

work of 17 national laboratories. In response to growing global demand for clean energy solutions, DOE under the leadership of Secretaries Steven Chu and Ernest Moniz launched initiatives to expand the global reach of DOE's clean and advanced energy missions.

In 2009, then-Energy Secretary Chu announced that he would host the first Clean Energy Ministerial, CEM, to bring together ministers with responsibility for clean energy technologies from the world's major economies and ministers from a select number of smaller countries that are leading in various areas of clean energy.

The CEM is a high-level global forum to promote policies and programs that advance clean energy technology, to share lessons learned and best practices, and to encourage the transition to a global clean energy economy. Previous CEMs have yielded remarkable national pledges from both the United States and foreign governments to develop and deploy clean energy technologies which in the aggregate have played a significant role in improving the global market competitiveness of clean and renewable energy technologies.

DOE also serves as the linchpin of the U.S. pledge to Mission Innovation, a global initiative involving 20 nations aimed at doubling public clean energy research and development.

The program, spearheaded by President Barack Obama and French President Francois Hollande with private sector support from Bill Gates via the Breakthrough Energy Coalition. The current U.S. Government investment portfolio of more than \$5 billion spans the full range of research and development activities—from basic research to demonstration activities, RD&D. The U.S. Government investment portfolio includes programs at 11 agencies, with the largest investment at DOE. These programs address a broad suite of low carbon technologies, including end-use energy efficiency, renewable energy, nuclear energy, electric grid technologies, carbon capture and storage, advanced transportation systems, and fuels.

At DOE, these programs are implemented through a number of mechanisms including cost-shared projects with the private sector research and development activities at the National Laboratories, grants to universities, and support for collaborative research centers targeted to key energy technology frontiers. The next planned phase for Mission Innovation, as envisioned by former Energy Secretary Moniz, was developing an international clean energy consortia, based on the principle of sharing institutional and technological resources to deploy shared energy solutions across international boundaries. The goal was to bring countries of all sizes together to develop, produce, and deploy clean energy solutions, with our 17 National

Research Laboratories at the center of this results-oriented partnership.

Unfortunately, all of this investment and America's ability to lead and profit from the clean energy revolution is in jeopardy. There is no credible reason to believe that former Governor Perry or President Trump appreciate the U.S. interest in growing clean energy research and cooperation. President Trump deliberately ignores the significant growth of solar energy in the U.S. Human health, the environment, and America's global competitiveness will suffer as a result of this backwards ideological outlook on U.S. energy research, development, and production.

There were significant investments in wind energy in west Texas while Mr. Perry was Governor, but he also tried to fast-track 11 new coal-fired power plants in the State, a plan the courts ultimately scrapped.

During Mr. Perry's two unsuccessful runs for the Republican Presidential nomination in 2012 and 2016, he consistently recited popular tropes coined by climate change denialists. For instance, in his book, "Fed Up" former Governor Perry called the science behind climate change a "contrived, phony mess." During his 2012 campaign, former Governor Perry accused climate scientists of manipulating data in order to receive funding for their projects. While he was Governor, his administration deleted all references to climate change from a report about sea level rise in Galveston Bay.

I am also concerned that, during the Perry administration, Texas dropped from 11th down to 27th in the American Council for an Energy Efficient Economy's ranking of State energy efficiency policies. Under his watch, Texas filed suit in 2012 challenging the U.S. Environmental Protection Agency's finding that greenhouse gases significantly endanger public health.

Under his watch, Texas sued EPA a dozen times between 2008 and 2011.

According to press reports, the Trump administration may eliminate several DOE offices, including the Office of Electricity and the Office of Energy Efficiency and Renewable Energy.

Former Governor Perry was asked about these reports during his confirmation hearing but didn't commit to fighting for the offices or the vital programs they administer.

Former Governor Perry was also an active member of the Outer Continental Shelf Governors Coalition, OCSGC. While the OCSGC supports offshore wind development, its primary purpose is to promote oil and gas production on OCS lands, including the mid-Atlantic, and expand revenue sharing for interested States. So States to the south of Maryland may push for OCS oil and gas production and reap increased benefits from it at the expense of all taxpayers. But if there is an oil spill that hits Maryland's coastline and

enters the Chesapeake Bay, it will be our fishing and tourism industries that suffer.

For all of these reasons, I will vote against confirming former Governor Rick Perry as Secretary of Energy.

Mr. VAN HOLLEN. Madam President, I oppose the nomination of Governor Rick Perry to be Secretary of the Department of Energy, a Department that he called for eliminating in 2011. After briefings on the Department's mission and programs, Governor Perry came to "regret" that position, but his short education on his prospective job is not enough to prepare him for its complexity and importance.

The Department of Energy is a home of innovation and, critically, the Federal agency that manages the safety and reliability of our nuclear arsenal. The last two Secretaries of Energy were physicists.

According to the Dallas Morning News: "In all of the department's missions, science is front and center. But during his 14 years as governor, Perry built a questionable record when it comes to science. He has a pattern of supporting offbeat medical theories while dismissing the established science on climate change. And his record of using public funds to boost technology and research in Texas is littered with poor management and allegations of cronyism."

In one example, a 2010 Dallas Morning News investigation discovered mismanagement and political influence in the Texas Emerging Technology Fund, which Governor Perry established to provide funding to high-tech startups. The Dallas Morning News reported that the fund awarded more than \$16 million to companies with connections to large campaign donors. A company in which an old college friend and donor invested received \$2.75 million. Another company, where an investor had given more than \$400,000 to Governor Perry's campaigns, received \$1.5 million. A company founded by a former Perry appointee got \$4.5 million.

The Governor, the Lieutenant Governor, and the Texas House Speaker made the Emerging Technology Fund's decisions based on input from an advisory committee that operated in secret and did not take minutes. Its recommendations to the Governor were not public. This unusual decision-making process, with ultimate power vested in elected officials rather than technical experts, is deeply troubling. As Secretary of Energy, Governor Perry would be charged with managing a number of grant and loan programs aimed at developing the next generation of energy technologies.

Governor Perry has also failed to commit to funding for ARPA-E and the Office of Energy Efficiency and Renewable Energy. These programs are essential to ensuring that the United States is a leader in the 21st century energy

economy and confronts the critical challenge of climate change.

I am deeply concerned by Governor Perry's limited experience with our Nation's nuclear program. While he did advocate a low-level nuclear waste repository in his State, he has no experience with nuclear weapons. His inexperience is particularly problematic when the President he would serve has also appeared confused by issues surrounding the nuclear triad and has inaccurately said that the United States has "fallen behind on nuclear weapons capacity."

The United States is engaged in a \$1 trillion program to refurbish our nuclear weapons systems, a process that should be tightly controlled. We should be reducing, not expanding, the number of nuclear weapons in the world. President Trump has questioned the New START Treaty, a critical tool to decrease nuclear weapons in both the United States and Russia. He glibly and irresponsibly called for "an arms race," even though the United States and Russia already control 95 percent of the world's nuclear weapons and each have enough to destroy the world many times over.

The Secretary of Energy needs to have a clear vision to manage our nuclear arsenal and ensure that the President fully understands our capabilities and their implications for national security and international peace. There is nothing in Governor Perry's record or testimony that indicates that he is prepared for this job.

Governor Perry may have considered the Department of Energy insignificant enough to forget during his Presidential run, but its mission is essential to the safety and security of the American people. Between our national labs and research and loan programs, it fosters greater economic competitiveness and discovers new technologies to drive energy independence and solutions to climate change. I do not believe that Governor Perry is prepared to manage the Department and provide thoughtful counsel to the President, and thus I must vote against his nomination today.

THE PRESIDING OFFICER (Mr. SASSE). The Senator from Georgia.

THE ATTORNEY GENERAL

Mr. PERDUE. Mr. President, I rise today to speak in defense of a dear colleague of ours who is now the Attorney General of our Nation, Jeff Sessions. He is my friend. More importantly, he is a former colleague of this very body. He is a man of integrity. He is a man of principle. I trust him, and I take him at his word.

Furthermore, he has repeatedly said just today that he will, in fact, recuse himself if and when it becomes appropriate. In my opinion, it is not appropriate right now, but if it ever were to become appropriate, he has said, without hesitation, that he would.

I have really never witnessed anything quite like this in my brief time here in the Senate. The last 2 years have been very interesting, but never have I seen the hypocrisy that we see going on around this one issue.

It is increasingly clear that the minority party is singularly focused on sabotaging this new administration at every turn, and today is no exception. They have exercised procedural rules in the Senate time and again, beyond the intent of the Founders' design, in order to stop President Trump from even getting his team in place—his very Cabinet. Our President today, as we stand here in this well, cannot have a staff meeting because he doesn't have all of his Cabinet members in place.

As for the Cabinet members who have been confirmed, the minority party seems equally fixated on finding any red herring they can ultimately find to undermine the individual's character. We have literally reached the point where Members of this body are slandering former colleagues for having and taking the same opportunities afforded to them.

This morning, my colleague, the senior Senator from Missouri, tweeted that she had never, "EVER" met with or taken a call from the Russian Ambassador. But her own Twitter account proved that she has at least twice in the last 4 years.

Thirty Members of this body, as a matter of fact, met with a Russian Ambassador and Ambassadors from other nations in 2015 for a sales pitch on President Obama's deal with Iran. Many of them, including the senior Senator from Missouri, were open supporters at that time of candidates in the President's race.

In the process of this hypocrisy, the minority party is prohibiting us from taking action on legislation that would solve many of the problems that have manifested themselves over the previous 8 years.

Make no mistake, Russia is a traditional rival whose actions pose a definite threat to global security and even our own security here at home. Their actions over the last 8 years have helped destabilize Eastern Europe and the Middle East. It was the inaction and refusal to lead of the past administration—a policy that the minority party followed hook, line, and sinker—that created a power vacuum around the world and allowed this Russian resurgence.

I have said this repeatedly, and I am going to continue to do so. Until there is definite proof that Russians changed a single vote from Hillary Clinton to Donald Trump, I will be focused on one thing; that is, doing exactly what the American people sent us here to do. I encourage my colleagues to do the same, which is to not engage in political theater for the sake of partisan politics, but to work together to get America back to work.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

TEXAS INDEPENDENCE DAY

Mr. CRUZ. Mr. President, I rise today to recognize Texas Independence Day.

One hundred eighty-one years ago, 59 delegates met in Independence Hall at Washington-on-the-Brazos to risk everything to make freedom a reality for generations of Texans to come.

Today, I continue on a tradition started by the late Senator John Tower and carried on by Members of the Texas delegation to read the words of a 26-year-old Lieutenant Colonel, William Barret Travis, who at the time was under siege by the forces of Antonio Lopez de Santa Anna.

On February 24, 1836, Travis penned the following immortal letter:

To the People of Texas & All Americans in the World—Fellow Citizens & compatriots—

I am besieged, by a thousand or more of the Mexicans under Santa Anna—I have sustained a continual Bombardment & cannonade for 24 hours & have not lost a man—The enemy has demanded a surrender at discretion, otherwise, the garrison are to be put to the sword, if the fort is taken—I have answered the demand with a cannon shot, & our flag still waves proudly from the walls—I shall never surrender or retreat. Then, I call on you in the name of Liberty, of patriotism & of everything dear to the American character, to come to our aid, with all dispatch—The enemy is receiving reinforcements daily & will no doubt increase to three or four thousand in four or five days. If this call is neglected, I am determined to sustain myself as long as possible & die like a soldier who never forgets what is due to his own honor & that of his country—Victory or Death.

Signed:

William Barret Travis.

That same love of "life, liberty, and property of the people" that spurred the Texans at the Alamo and throughout the revolution still lives in each Texan today.

I think it is particularly appropriate that right now this body will be confirming former Texas Gov. Rick Perry to be the Secretary of Energy. That is fitting to the spirit of freedom and independence of Texans.

Texans fought for it, they died for it, and we owe it to their sacrifice to carry the torch of freedom for future generations, and we will.

To all Texans: Happy Independence Day.

The PRESIDING OFFICER. The Senate is reminded that it is a violation of rule XIX of the Standing Rules of the Senate to impute to another Senator or Senators any conduct or motive unworthy or unbecoming of a Senator.

The Senator from Florida.

REMEMBERING DOUG COE

Mr. NELSON. Mr. President, America lost one of our best friends, well-known to us in the Washington, DC, area.

Doug Coe, a disciple of a fellow named Abraham Vereide, over a half century ago came from Oregon to min-

ister the Gospel to the Government of the United States. He has been doing that for over a half a century.

Doug, well-known to us in the Congress for so many years, always was bringing other people to the fore, and he always stood in the back. He encouraged so many of us to have fellowship together, to meet with each other, especially to have a meal together, to enjoy each other, and to do this in the Spirit of the Lord, and particularly the Spirit of Jesus. Because of that, he made so many friends all over the world.

This was a man whose religion brought people together across religions, not dividing us, as is so often the case. In Doug's spirituality, he could bring people of all faiths together in unity and understanding through the teachings of Jesus of Nazareth.

I have just come from the cemetery where Doug has been laid to rest. He is so well-known around here in the spirit of President Eisenhower's suddenly calling up a couple of his friends in the Senate and saying: Please come down here and visit with me; this is the loneliest house in America. That started the annual Prayer Breakfast, and, of course, that Prayer Breakfast has been held ever since, once a year, with the President, the Congress, the President's Cabinet, the Vice President, the Joint Chiefs, the diplomatic corps. Now over 150 nations attend that annual National Prayer Breakfast. It is really an international Prayer Breakfast.

Just this past one that was held in the first week of February indeed had a couple of heads of state, including His Majesty King Abdallah of Jordan. You wonder, how could a Muslim, who traces his roots all the way back—his lineage—to the Prophet Mohammed come to a group celebrating a Prayer Breakfast that generally identifies with the Christian faith? Well, that is the unique unity of all of these Prayer Breakfasts that are handled and held all over the world.

The Abrahamic faiths coming from the original single God, from which the seed of Abraham had not only the Jewish religion, the Muslim religion, and the Christian religion—in that, Doug Coe found unity. So all of these years he spent organizing the National Prayer Breakfast.

Doug lived through this last one. He wasn't able to attend, but he was holding court over in Northern Virginia as so many of the international guests came to Washington for that annual celebration.

We just laid Doug to rest today. Tomorrow, there will be a memorial service for him at a huge megachurch to try to accommodate the size of the audience that will be there out in Northern Virginia.

When this Senator first came to Congress many, many years ago, Doug Coe was the one who came to me and said:

What I want you to do is I want you to get two Democrats and two Republicans, and I want you all to come together each week—breakfast or lunch—meet faithfully, read the Scriptures, enjoy each other's company, and then pray together.

We did that faithfully for 10 of the 12 years I was in the Congress. One of our Members was elected to the Senate at the time, and therefore he arranged for us to have one of the hideaways. As a matter of fact, it was Senator Mark Hatfield's hideaway that we would meet in and have the luncheon so that if we had to go vote, we were close to the Senate Chamber for him or close to the House Chamber for us.

Over the years, what has happened is these little groups that meet in the House on Thursday morning and the Senate on Wednesday morning, faithfully, they have gone across the globe and started other Prayer Breakfasts. That is why there are over 150 nations that now come annually to the National Prayer Breakfast. That is all because of our friend Doug Coe.

Doug Coe was never up front speaking. It was the President and a guest speaker who was not a religious person. This year, we made an exception. The Senate invited the Senate Chaplain Barry Black to give the main address, other than the President's address. You never saw Doug Coe at the dais. Doug was always quietly in the background meeting, extending the hand of friendship, extending his love, representing the values he spoke.

The Good Book tells us a lot of stories about those values. It also indicates that as someone put it in the street language of today, I would rather see a sermon than hear one any day.

By the example Doug Coe lived, he taught us how to live. God bless you, Doug Coe. You have done so much for so many.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

REMEMBERING SHERIFF RALPH E. OGDEN

Mr. FLAKE. Mr. President, I rise with a heavy heart to mark the passing of a pillar of the Arizona law enforcement community. When people think of the Old West, they often picture a Stetson-wearing lawman sitting astride his horse, keeping watch over his community.

For generations of residents in Southwestern Arizona, that lawman was Yuma County Sheriff Ralph Ogden. With his towering frame and trademark mustache, Sheriff Ogden looked every bit the part. Despite having an

imposing physical presence, Sheriff Ogden was a kind, compassionate man, beloved by his deputies and celebrated by his community.

After 4 years of distinguished service in the U.S. Marine Corps, Ralph Ogden began his 42-year law enforcement career as a dispatcher and a jailer in Parker, AZ. A dedicated public servant, he would eventually serve as chief deputy for 12 years. Ralph would go on to be elected to five consecutive terms as sheriff, with his 20-year tenure the longest ever in Yuma county history.

Sheriff Ogden always understood the importance of getting to know the community he served. He encouraged his employees to get involved in charities, religious groups, and service organizations. He valued teamwork. He recognized that no one can succeed on their own. This philosophy of always having some other person's back was something he carried with him throughout his time in the sheriff's office, and it was reflected in the way he treated those around him.

I was fortunate to get to know Ralph over the last few years and learned a lot of what I know about the border and about law enforcement from that great man.

Sheriff Ogden was known to write personal birthday and anniversary cards for each of his employees, just to show that he valued their service and their friendship and to show they were important to him.

When asked about the benefits of serving law enforcement, Sheriff Ogden said that when you go home tired and beat after a long day, you sleep well knowing that you did some good. Sheriff Ralph Ogden did a lot of good. I know he is resting well.

I yield back my time.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. CORNYN. Mr. President, I ask unanimous consent that at 1:35 p.m. all but 10 minutes of postcloture time, equally divided in the usual form, be considered expired on Executive Calendar No. 9, the nomination of Rick Perry to be Secretary of Energy, and that following the use or yielding back of time, the Senate vote on the nomination with no intervening action or debate.

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

Mr. CORNYN. Mr. President, let me just say briefly, I couldn't be happier that my friend, the former Governor of the State of Texas, Rick Perry, will be confirmed here shortly as the next Energy Secretary.

I know, personally, as do 28 million Texans, that Rick Perry has dedicated his life to public service. He is best known perhaps for serving our State as Governor for a record 14 years. Before that, he served in the Air Force. He served as a State representative in the Texas Legislature. He was elected as our Agriculture commissioner, then served as Lieutenant Governor. As you can tell, the man was born to lead.

During his governorship, Texas became known throughout the country as the economic engine that could pull the train of the U.S. economy and could weather even the toughest national economic downturn. Under Governor Perry's leadership, the State promoted cutting-edge innovation and sensible regulation in order to foster an "all of the above" energy strategy that revolutionized the Texas energy landscape and the Texas economy. The State became not just an oil and gas powerhouse but the top wind-producing State in the country. We really do believe in an "all of the above" strategy when it comes to energy.

In short, Rick Perry created an environment where all energy producers could not just succeed but really prosper, and that continues to serve the people of our State well.

Texans still benefit from policies that continue to create more energy options for families across our State. Put it another way, Governor Perry has a very strong track record when it comes to promoting energy in a way that makes everybody better off. I have no doubt Governor Perry will take to the rest of the country these same principles that led to the Texas success story, opening America to a new energy renaissance.

I look forward to voting to confirm him in just a few minutes.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

CALLING FOR THE APPOINTMENT OF A SPECIAL COUNSEL

Mr. BLUMENTHAL. Mr. President, in the minutes remaining before this vote, I want to briefly call attention to an impending constitutional crisis we are facing in this Chamber and in this country as a result of recent revelations coming to our attention, literally within the last 24 hours, about contacts between now-Attorney General Jeff Sessions, our former colleague, and the Russian Ambassador.

Nearly 2 months ago, my Judiciary colleagues and I were told by then-Senator Sessions—and the Presiding Officer is on the Judiciary Committee. We were told in no uncertain terms that he "did not have communications with the Russians," and we took him at his word.

Last night, we learned that Senator Sessions' statement was inaccurate. These inaccurate, possibly intentionally false, statements misled us.

They misled me, personally, and I feel they failed to provide the whole truth about his communications with and ties to the Russians, likely on behalf of the Trump campaign. These contacts were in the midst of an unprecedented attack on our democracy, an act of cyber warfare against our democratic institution that not only violated our law but subverted our electoral process.

The potentially false statements on this topic by then-Senator Sessions were not only deeply relevant and critically important in their own right, but they leave us with the question: What else is missing or misleading in that testimony, and the consequential questions about his fitness to lead the Department of Justice must be answered.

Unless Attorney General Sessions can provide a credible explanation, his resignation will be necessary. Senator Sessions' false statements heighten my deep concern about credible allegations that the Trump campaign, the transition team, and the administration officials have colluded with the Russian Government, not only in actions prior to the election but possibly since then in what may amount to a coverup. Unless the whole truth is uncovered—and if there is a coverup, truly the adage will be fulfilled that the coverup is as bad as the crime. The only way to deter Russian aggression and continued cyber attacks on our democracy is to uncover the truth and deter this kind of aggression in the future.

At the time of his meetings with the Russian Ambassador, Senator Sessions was chairman of the Trump campaign's National Security Advisory Committee. Ambassador Kislyak is, of course, the same individual whose repeated covert contacts with former LTG Michael Flynn, President Trump failed to disclose both to the American public and to his own Vice President. General Flynn's failure to make those disclosures led to his own termination as National Security Advisor.

Contacts between these two men would raise concerns under any circumstances, but Senator Sessions' decision to, in effect, conceal them makes them even more troubling. I use that word with regret because I sat in the committee hearing as he answered those questions, and, personally, I can reach no other conclusion than to say he must have intended to conceal them and hide them from us as committee members.

The Attorney General, who is the most important law enforcement official in our country, must be held to an even higher standard. The sudden disclosure that he met repeatedly with the Russian Ambassador after denying under oath any such contact, gives us all the more reason—indeed compelling evidence—that a special counsel is necessary, and necessary now, to inves-

tigate Russian ties and contacts with the Trump campaign.

I have called for such a special counsel or prosecutor for weeks now and led a letter with more than 10 of my colleagues asking that Attorney General Sessions designate such a special prosecutor.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent to speak 2 more minutes.

The PRESIDING OFFICER. Is there objection?

Ms. MURKOWSKI. Mr. President, I reserve the right to object.

I want to make sure we do have locked in at 1:45 a vote on confirmation of Rick Perry to be Secretary of Energy.

The PRESIDING OFFICER. We do.

Ms. MURKOWSKI. As long as I still have about a minute prior to that vote, I have no objection.

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

Mr. BLUMENTHAL. I will end my remarks within a minute.

In short, over the past weeks, I have called repeatedly for a special counsel. My view is that now-Attorney General Sessions must be brought back before the Judiciary Committee and provide an explanation. The lack of a credible explanation makes his resignation necessary, and his denial of contacts raises serious and troubling questions about the process that led to his confirmation. Absent swift action by a special counsel, evidence of this troubling conduct will be at high risk of concealment by the very agency, the Department of Justice, entrusted by the American people to seek and uncover the truth. An impartial, objective, comprehensive, and thorough investigation by a special prosecutor is unquestionably necessary now, and I hope we will have bipartisan support for it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, as we near the vote on the nomination of Governor Rick Perry to be our next Secretary of Energy, I want to again reiterate my support for his confirmation.

As I mentioned earlier, Governor Perry has devoted his life to public service. During his 14 years as Governor of Texas, he championed an "all of the above" energy strategy, and led his State to tremendous economic growth. He was a good steward of the environment as he worked to find ways to grow the economy and worked toward achieving major reductions in emission levels in the State of Texas.

As I said this morning, Governor Perry is a principled leader. He will set a good direction for the Department of Energy. I am confident he will pursue scientific discovery, promote innova-

tion, be a good steward of our nuclear weapons stockpile, and make progress on the cleanup of our legacy sites, which we recognize are very important. He will help us build the infrastructure we need to become a global energy superpower and partner with States, like my State of Alaska, that suffer from very high energy costs.

He has a strong record. Governor Perry gets results. He is a competent manager and I think a proven leader. I am pleased to be able to support his confirmation. I know Members from both sides of the aisle agree. I think he will be a good addition to our new President's Cabinet, and I would urge that all Members support his nomination.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, speaking in opposition to the Perry nomination, I would say this: We need an Energy Secretary for the 21st century, one who will help protect us by fighting for an electricity grid that will make our entire Internet economy more reliable and safe from cyber attacks. We need someone who is invested in an energy efficiency strategy that will save our businesses money and make them competitive.

The last two Presidents made energy efficiency a key priority—President Bush by advocating for plug-in vehicles and energy efficiency legislation and President Obama, who made a major investment in the smart grid and made energy efficiency and creating clean energy jobs a top priority for the Nation.

Governor Perry has not committed to those same principles, to move us forward into the 21st century energy economy. We don't want this part of our economy to be left behind to our international competitors.

I encourage my colleagues to oppose his nomination.

The PRESIDING OFFICER. All time is expired.

The question is, Will the Senate advise and consent to the Perry nomination?

Mr. GRASSLEY. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Georgia (Mr. ISAKSON).

The PRESIDING OFFICER (Mr. KENNEDY). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 62, nays 37, as follows:

[Rollcall Vote No. 79 Ex.]

YEAS—62

Alexander	Flake	Perdue
Barrasso	Gardner	Portman
Blunt	Graham	Risch
Boozman	Grassley	Roberts
Burr	Hatch	Rounds
Capito	Heitkamp	Rubio
Carper	Heller	Sasse
Cassidy	Hoeven	Scott
Cochran	Inhofe	Shelby
Collins	Johnson	Stabenow
Corker	Kennedy	Strange
Cornyn	King	Sullivan
Cortez Masto	Lankford	Tester
Cotton	Lee	Thune
Crapo	Manchin	Tillis
Cruz	McCain	Toomey
Daines	McCaskey	Udall
Donnelly	McConnell	Warner
Enzi	Moran	Wicker
Ernst	Murkowski	Young
Fischer	Paul	

NAYS—37

Baldwin	Gillibrand	Nelson
Bennet	Harris	Peters
Blumenthal	Hassan	Reed
Booker	Heinrich	Sanders
Brown	Hirono	Schatz
Cantwell	Kaine	Schumer
Cardin	Klobuchar	Shaheen
Casey	Leahy	Van Hollen
Coons	Markey	Warren
Duckworth	Menendez	Whitehouse
Durbin	Merkley	Wyden
Feinstein	Murphy	
Franken	Murray	

NOT VOTING—1

Isakson

The nomination was confirmed.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Mr. President, I move to reconsider the vote on the nomination, and I move to table the motion to reconsider.

The PRESIDING OFFICER. The question is on agreeing to the motion to table.

The motion was agreed to.

The PRESIDING OFFICER. The majority leader.

DISAPPROVING A RULE SUBMITTED BY THE DEPARTMENT OF DEFENSE, THE GENERAL SERVICES ADMINISTRATION, AND THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION—MOTION TO PROCEED

Mr. MCCONNELL. Mr. President, I move to proceed to H.J. Res. 37 and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Georgia (Mr. ISAKSON).

Mr. DURBIN. I announce that the Senator from Vermont (Mr. LEAHY) and the Senator from Hawaii (Mr. SCHATZ) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 51, nays 46, as follows:

[Rollcall Vote No. 80 Leg.]

YEAS—51

Alexander	Fischer	Paul
Barrasso	Flake	Perdue
Blunt	Gardner	Portman
Boozman	Graham	Risch
Burr	Grassley	Roberts
Capito	Hatch	Rounds
Cassidy	Heller	Rubio
Cochran	Hoeven	Sasse
Collins	Inhofe	Scott
Corker	Johnson	Shelby
Cornyn	Kennedy	Strange
Cotton	Lankford	Sullivan
Crapo	Lee	Thune
Cruz	McCain	Tillis
Daines	McConnell	Toomey
Enzi	Moran	Wicker
Ernst	Murkowski	Young

NAYS—46

Baldwin	Gillibrand	Nelson
Bennet	Harris	Peters
Blumenthal	Hassan	Reed
Booker	Heinrich	Sanders
Brown	Heitkamp	Schumer
Cantwell	Hirono	Shaheen
Cardin	Kaine	Stabenow
Casey	King	Tester
Coons	Klobuchar	Udall
Cortez Masto	Manchin	Van Hollen
Donnelly	Markey	Warner
Duckworth	McCaskey	Warren
Durbin	Menendez	Whitehouse
Feinstein	Merkley	Wyden
Franken	Murphy	
	Murray	

NOT VOTING—3

Isakson Leahy Schatz

The motion was agreed to.

LEGISLATIVE SESSION

DISAPPROVING A RULE SUBMITTED BY THE DEPARTMENT OF DEFENSE, THE GENERAL SERVICES ADMINISTRATION, AND THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

The PRESIDING OFFICER. The clerk will report the joint resolution.

The senior assistant legislative clerk read as follows:

A joint resolution (H.J. Res. 37), disapproving the rule submitted by the Department of Defense, the General Services Administration, and the National Aeronautics and Space Administration relating to the Federal Acquisition Regulation.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. JOHNSON. Mr. President, I rise today to ask my colleagues to support H.J. Res. 37, a resolution disapproving of the Federal Acquisition Regulation issued by the Department of Defense, the General Services Administration, and the National Aeronautics and Space Administration.

As is the case in so many of these rules and regulations, it has a really nice name. It sounds really good—the fair pay and safe workplaces rule—but the bottom line is, because of the sub-

stance of this rule, it has become commonly known as “the blacklisting rule.” Had it been up to me, I would have called it “the blackmailing rule.” Let me explain why.

It requires contractors and subcontractors submitting bids on Federal Government contracts to disclose any proven or alleged violations within the last 3 years of 14 different labor laws, plus “equivalent State laws.”

Now, that may sound reasonable, but it is not. And it is entirely unnecessary. Any competent purchasing manager—again, I come from the private sector, and there are a lot of competent purchasing managers—could readily obtain the information required by this regulation. And, of course, any competent purchasing manager should also always be evaluating the qualifications, integrity, and the past performance record of any kind of potential suppliers.

This rule also has the very real potential of subjecting perfectly innocent contractors to blackmail and extortion tactics during union contract negotiations.

In case anyone thinks I am overstating this threat, listen carefully to the following quote from one union describing an “ideal message” their union president should convey to a general manager of a business negotiating a union contract:

Putting it plainly: unless you settle this strike within the next few days, and the union withdraws its charges—

Those would be those allegations; unless the union withdraws those charges—

you are likely to be marked as a “repeat labor law offender,” one of the highest categories of wrongdoing under the President’s Order. Check this out with your hotshot legal team.

This union message goes on:

Counting all of its divisions, this corporation has federal contracts in the hundreds of millions. Do you really want to jeopardize this pot of gold to save a few hundred thousand dollars to the union contract?

This is the kind of negotiating tactic that illustrates exactly how this regulation would be used as a form of federally sanctioned blackmail. There would be no due process for contractors wrongly accused. There would be no way for them to defend themselves or avoid being blacklisted.

As if the blackmail potential of the rule isn’t bad enough, the Obama administration admitted that the final rule would cost at least \$398 million to comply with every single year. And except for the benefit that extortion leverage provides to unions, I can think of no financial benefit to taxpayers or our economy—and neither could the Obama administration, as they were unable to quantify any financial benefit for this rule in their regulatory filings.

In addition to the \$398 million annual regulatory cost, the agencies themselves detailed the following regulatory burdens:

The rule will affect over 24,000 contractors. Industry estimates are even higher.

The rule imposes costly reporting requirements on small businesses that many simply cannot bear.

And it also reduces the availability and increases the price of much needed supplies and services, including to our military.

Others have pointed out even more problems with the rule. For example, it does not define what the “equivalent State laws” are that have been included in the disclosure requirement. Also, the definition of a violation that is reportable is incredibly broad. It is not limited to government contracts and includes pending and other nonfinal disputes—in other words, mere allegations of wrongdoing.

This, in particular, is a slippery slope. For example, in fiscal year 2016, the National Labor Relations Board received over 21,000 unfair labor practice charges, but more than half of those were withdrawn or dismissed, and less than 6 percent resulted in a formal complaint by the NLRB. Also in fiscal year 2016, the Equal Employment Opportunity Commission received over 91,000 complaints but issued a “determination of reasonable cause” in only 3,113—about 3.4 percent of those—and filed enforcement suits in only 114—about 0.1 percent of the 91,000 complaints that were filed.

Various studies report that it costs \$2 trillion per year to comply with Federal Government regulations. That is \$14,800 per family per year. Of course, no one writes a check for \$14,800. Instead, those costs are realized in reduced opportunities, higher prices to consumers, and stagnated wages and benefits for hard-working Americans.

Economic growth is the primary component of a solution for many of our country's problems, yet Washington continues to stifle growth by adding layer upon layer of regulation. The blacklisting rule is just one harmful example.

Fortunately, last October, the U.S. District Court for the Eastern District of Texas issued a nationwide preliminary injunction the day before this rule was set to go into effect. The judge issuing the order noted there was merit to the claims that this rule violates statute, exceeds Executive authority, and is unconstitutional. The court found that letting this rule go into effect would cause “irreparable harm.” But the case is still pending. Until we act to decisively repeal this rule, a significant burden hangs over our country's contractors and suppliers.

Through the use of the Congressional Review Act, we have the opportunity to reduce that regulatory burden and

repair a small portion of the damage done by President Obama's regulatory overreach.

We owe it to the American people and American businesses to start providing them with regulatory relief.

I urge my colleagues to vote yes to disapprove and repeal this very harmful, very costly, and completely unnecessary rule.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, I thank the Chair.

RUSSIA AND THE PRESIDENT'S ADDRESS TO CONGRESS

Mr. President, on Tuesday night, along with my colleagues, I listened to the President of the United States address the joint session of Congress. As the ranking Democrat on the Senate Foreign Relations Committee, I was particularly interested to hear what the President would be saying about American foreign policy.

I heard him say during the speech that American foreign policy would be based on the respect of the sovereign rights of nations, which is something that I strongly believe in. I then thought I would hear the President talk about one of our greatest challenges from a country that is not respecting the sovereign rights of the United States of America, that country being Russia. But the President didn't mention Russia at all in his State of the Union address, which really surprised me.

When we look at Russia's most recent conduct and know what they did in regard to their attack on the U.S. democratic election system, it is beyond dispute that they wanted to interfere with our free elections, they wanted to affect the credibility of our democratic election system, and they wanted to influence the outcome of the election. That is pretty clear from the evidence that we have seen to date. Yet the President did not mention that at all—a country that had attacked us as recently as just a few months ago. There was no mention in the President's State of the Union address.

It wasn't an isolated attack by Russia on the United States. We knew that before that, when we saw Russia's influence in regard to Montenegro's elections and how they tried to impact their parliamentary elections to influence Montenegro's decision to join NATO. We know that Russia is attempting to influence the elections in Western Europe.

So we have a country that is trying to bring down our democratic system of government by using our democratic system of government, and the way that we conduct open elections, to compromise our system.

But that is not the only thing Russia has done that is contrary to the U.S. national security and our foreign pol-

icy objectives. We know that they have physically incurred into other countries. They have physically incurred into Ukraine. Today, Russia has annexed Crimea—something we will never recognize. Crimea is part of Ukraine. Russia is continuing to support the separatists in the eastern part of Ukraine, compromising Ukraine's sovereignty.

The President did not mention that in his State of the Union address.

We know that Russia is in Georgia, in Moldova, and other sovereign countries; once again, no mention of that.

And then Russia is very much engaged in the Middle East. We know that Russia's footprint in the Middle East is growing. They have their military presence in Syria, backing the Assad regime, facilitating Iran's participation in Syria.

We also know that the type of conduct that has been conducted under Russian support, where civilians have been targeted, humanitarian convoys have been attacked, amounts to war crimes—a situation where Russia has culpability; yet, we don't hear anything about that.

So we have a role. Congress has a role to play in making sure that we protect our national security interests.

First and foremost, we have to know what is going on. We have to know what Russia was doing. We have to know what Russia's intentions were when they compromised our cyber security and used that information to try to influence our elections. We have to know what Russia's intentions are all about regarding the contacts they have made with Americans in their effort to influence this campaign. We have to understand what Russia's intentions are as they relate to democratic countries.

We saw in General Flynn's case that a contact was made, and as a result of not coming forward with that, General Flynn has left the Trump administration. And then we find out yesterday that the Attorney General, as a U.S. Senator, had contact with the Russian Ambassador, and that information was not made available during the confirmation process.

The timing of that meeting in Senator Sessions' office is concerning. It is concerning because it was right at the time that Russia was the most active in trying to get information that they could use to influence our elections. So this is an important aspect for us to understand.

We need to understand why that meeting took place and what was involved in that meeting. There have been calls by Members on both sides of the aisle that we get that type of information.

But I will add one more dimension to this: Why was the Russian Ambassador interested in meeting with Senator Sessions during the campaign period?

Was this part of an overall strategy by Russia to try to influence the election? We need to get the answers to that.

The only way we are going to be able to get a complete account of what has happened by Russia's attack on the United States is by setting up an independent commission. Russia may not have used MiGs to attack America. They may have used a mouse. But it was an attack. And when we were attacked on 9/11, Congress did right thing—they set up an independent special commission to understand what happened, how we were so vulnerable to an attack, so that we could take steps to protect ourselves from future attacks and hold those responsible accountable. That was a bipartisan effort by the Congress of the United States, setting up an independent commission, a commission where the members could devote their entire full time to the assignment, because that is how serious being attacked is. There was no limit on their jurisdiction. They could go where the facts led. They could give a report to the American people so there would be credibility that we, the policymakers, are going to have independent information in order to act to protect the national security of the people of this country. That is what that independent commission meant. That independent commission met. They made many recommendations on eliminating a lot of the stovepiping of intelligence information and combining agencies together. Congress acted on those recommendations. As a result, we are safer today than we were prior to 9/11.

We need to be safer tomorrow than we are today from the attacks of Russia. The only way we are going to be able to get that objective information with the credibility so that we can act in the best interests for the people of this Nation is to have a nonpartisan, independent commission take a look at what Russia was doing, get all the facts, find ways and recommendations to make us safer, give the credibility to the American people, and then Congress needs to act in order to protect our national security. I know we have some committees looking at this. I know the Senate Intelligence Committee is doing some very important work. I support that.

We have our responsibilities in Congress to take steps within the jurisdictions of our committees. I am for the Senate Foreign Relations Committee looking into what Russia was doing in order that we can protect the jurisdiction of our committee to do a better job in our bilateral relationship with Russia, or what Russia is doing in Europe or in other parts of the world that affects our national security under the jurisdiction of the Senate Foreign Relations Committee. We need to do that work. The Intelligence Committee needs to do their work. Armed Services

needs to do their work. Judiciary needs to do their work.

But we need one central investigation that includes the broad jurisdiction that can get to answer why the Russian Ambassador may have wanted to see a U.S. Senator who was active in one of the campaigns that close to the elections, that has an opportunity to understand why Russia was so active in their cyber attacks in America, getting so much information, so much political information, why Russia was trying to understand our election system. There is no evidence that they tried to manipulate individual votes. That didn't happen—at least we don't believe that happened—but we know they were looking into how we do that. Was that for some future use? We need to understand that to protect our democratic system of government. That is what an independent commission will allow us to be able to receive.

I urge my colleagues to respond to the national security challenge of Russia, and let's establish an independent commission.

There are other things we need to do. There are two bills I filed with my Republican colleagues to make it clear that it is not going to be business as usual with Russia. There are going to be consequences to what they have done to the United States and our national security interests.

One bill that I filed, of which Senator GRAHAM is the principal sponsor, is to make sure that Congress carries out its responsibility of oversight in regard to our bilateral relationship with Russia. It is the Russia Review Act, which would require the President of the United States to submit to Congress for review any attempt to eliminate or modify the current sanctions against Russia. He would be required to submit that to the Congress of the United States, hopefully working with us and consulting with us before he makes decisions but giving us an opportunity to weigh in before that decision could take effect.

For my colleagues who remember the Iran nuclear agreement, it sounds very familiar. Senator CORKER and I, Senator MENENDEZ, Senator KAINE, and others worked on the Iran Nuclear Agreement Review Act. It passed nearly unanimously in the Congress. It required a President to submit that agreement to us before it could take effect. It made the negotiations much more transparent. As a result, I believe we had a stronger agreement, but we also had a more open process, and Congress had a chance to carry out its responsibility. In a similar vein, it is important that we pass the Russia Review Act so that we can carry out our responsibilities, preventing the President from taking unilateral action without consulting with us. This is bipartisan; we have Democrats and Republicans working on this. I hope we will be able to pass this bill in a timely way.

The third bill I want to bring to my colleagues' attention as it relates to Russia's activities in the United States is legislation that I have filed with Senator MCCAIN and many others. We have a large number of Democrats and Republicans who have cosponsored this bill that would increase the sanctions against Russia because of their attack against us. It would expand the options for imposing sanctions to different sectors that could affect Russia's energy, that could affect the ability of Russia to finance their sovereign debt, that could affect Russia's ability to privatize their industries by making it clear that we are not going to allow Americans or companies to help finance these activities because in reality they are financing activities against our interests, such as the cyber attacks, as we saw last fall.

This legislation is comprehensive. It deals more than just with sanctions; it deals with another major problem that we have found. Through NATO and U.S. leadership, we have made it clear that we will defend the countries of NATO, and we have deployed troops to make it clear to Russia that they better not try to compromise the territorial integrity of the member states.

This initiative has been well received by Europe and has countered Russia's attempts to cause a fracture within the European community. We need a similar initiative on democracy, a democracy initiative, because not only is there a threat against Europe from their geographical boundaries, there is a threat against Europe in regard to their democratic institutions. We know that. We saw that here in America. It is being challenged in Europe. So this democratic initiative would allow us to participate in strengthening the democratic institutions in Europe so that we don't allow Russia to use the democratic institutions to try to bring down the democratic institutions.

There is another part of this legislation which I think is extremely important. We are all getting to better understand the tactics being used by Russia, this fake news—inventing news and then using the social media to make it look like it is the hottest news in town. We know they are good at that. We also know they are very good at propaganda, and they go in directions that we, prior to this election, thought we would never see in our own country. We are now seeing it more frequently. Part of this legislation is for us to develop a capacity to be able to counter this propaganda and fake news so that Russia's deployment of it will not compromise our national security.

I think all three bills will be considered shortly and favorably by this body—setting up an independent review commission; requiring the President to submit any changes in the Russian sanctions to the Congress for review before they could take effect; and

strengthening our sanctions regime against Russia for its conduct, including strengthening our commitment to democratic institutions and fighting this new cycle of fake news.

I also listened to the President during the State of the Union Address when he said that our foreign policy calls for a direct, robust, and meaningful engagement with the world. That is another statement I happen to agree with. And then I thought about what I had heard a little earlier that day: that the President's budget was going to have about a 30- to 35-percent cut—it wasn't exactly clear, but it was a large number—to the State Department.

I said: How are you going to have a robust and meaningful engagement in the world if you cut our diplomacy budget, you cut our development assistance budget? This is how we keep the world safe. This is how we get our goals accomplished globally.

We have had so many hearings in our committee where there is a much greater need. We need to do more in Africa in promoting democracy. We need to do more in the Middle East in promoting good governance and inclusive governance so we don't have to have as many wars. We need to do things in our own hemisphere. We heard today in a hearing what is happening in Venezuela. There is a lot of work for America to do. A 30-percent cut? Is that a more direct, robust, and meaningful engagement within the world? It didn't sound that way to me. I was concerned about that and how we are going to be able to gauge.

It was Secretary Mattis who said: If you don't give the Secretary of State the resources, you better give me more soldiers.

And they are more expensive. We have the best fighting force in the world, and we are going to support our fighting force. The way we show respect for our soldiers is to use them only as a matter of last resort. Diplomacy is critically important for America's national security.

A strong, credible Office of the President is equally important if we are going to be able to be the type of country that influences our values globally, and the President of the United States has put that at risk. That is why I am reintroducing my resolution to try to avoid a constitutional crisis. I introduced it before President Trump took the oath of office, and I am introducing it again to avoid a constitutional crisis. It deals with the emoluments clause of the Constitution of the United States.

Every modern President of the United States prior to President Trump, in order to avoid conflict, in order to do what is ethically right and to comply with the Constitution of the United States—the emoluments clause—has either divested their financial holdings or has set up a blind

trust. Some have done both. That is the way that the ethics officers tell us you can comply with not just the Constitution but with the highest ethical standards so that there are no real conflicts and you don't have any perceived conflicts, which can be just as damaging to the credibility of a public office holder.

President Trump, by not divesting, by not setting up a blind trust, has put the Office of the Presidency, our country, in a compromising position.

Let me give some specific examples, if I might. I will mention three countries. I could mention more.

Saudi Arabia. Very interesting country, Saudi Arabia. In August 2015, the Trump organization filed eight separate business companies to do business in Saudi Arabia. As we all know, the President's Executive order that was originally issued that excluded immigrants from seven Muslim countries from visas did not include the Kingdom of Saudi Arabia even though, as we all know, many of the participants in the 9/11 attack against the United States originated from the country of Saudi Arabia. President Trump has vast business interests in Saudi Arabia.

Let me quote President Trump:

Saudi Arabia, I get along with all of them. They buy apartments from me. They spend \$40 million, \$50 million. Am I supposed to dislike them? I like them very much.

It is not a question, Mr. President, of whether they like you or they don't like you; under our Constitution, they cannot give you any favor. If they give you a business favor, that is an emolument and violates the Constitution of the United States and violates your oath of office.

In regard to Turkey, Turkey has two large-scale developments in the country that are under the Trump organization. The Trump organization has a partnership with a luxury furniture company, Dorya International, to build pieces to be sold under the Trump Home Collection brand and a multi-million-dollar branding deal with the Dogan Group—the Dogan Group is run by one of the most politically influential families in Turkey—for a two-tower complex in Istanbul. According to President Trump's May 2016 financial disclosure, he received as much as \$1 million in royalties from the first venture and as much as \$5 million from the second venture.

Because President Trump has not properly divested himself from his business, he will presumably continue to receive royalties from both ventures, and these business arrangements are not unknown to Turkey's leadership. President Erdogan presided over the opening ceremonies of Trump Towers, Istanbul.

Shortly after the election, President Trump held a phone call with President Erdogan in which he praised his business partners. There are substantial

business interests known by the Turkish Government that Mr. Trump has in their country. Mr. Erdogan is not shy about talking about and using the Trump Towers. He has bragged about it. We have a lot of foreign policy decisionmaking that affects Turkey. We need to know that when the President is making those decisions, it is America's interest which is at the front and center, not the Trump Organization's interests that are affecting those decisions. That is why we have the emoluments clause, that is why we believe in avoiding conflicts, and that is why President Trump needs to divest of his interest or set up a blind trust.

I will mention one other country, if I might. That country is China. For a decade, the Trump organization has been trying to get a trademark of its brand in China. I am going to quote from Mr. Trump on February 7, 2011, when he wrote to the American Ambassador in China. This is what Mr. Trump said: "I spent hundreds of thousands of dollars in legal fees to secure my own name and globally recognized brand for Chinese individuals who seek to trade off my reputation."

For 10 years he was fighting to get that trademark protection. It was granted on February 14, 2017, a few weeks after President Trump took the oath of office, shortly after President Trump stated that he would support the One China policy, something the Government of China strongly wanted him to say.

We don't know connections. We can't draw connections. We don't know that. That is why the emoluments clause is in the Constitution, so you cannot accept any favors from another country. It is against our Constitution. Yet we have concerns as to whether the President is acting under that interest. That is just wrong and it needs to stop. What the President has done is established a circumstance where there is an appearance of conflict, where it looks like foreign governments are trying to influence his decisions.

He has affected America's standing to advance good governance and corruption. I want to underscore that point. He is compromising America's moral authority on the values we hold so dear. Our Western democratic values are being compromised because leaders of autocratic countries, corrupt leaders, can say: If it is all right for the President of the United States to keep his business holdings while he is President, what is wrong with me having an interest in some of our entities here? It takes away our effective ability to use diplomacy to solve problems or advance our goals. We are being compromised. The current arrangement is simply inadequate.

President Trump announced he is going to let his two adult sons handle his businesses, but he still maintains his financial interests. He gives a couple of different other things he is going

to do. I will just go over one or two of them.

He says he is going to donate the profits from his foreign hotels to charities. That sounds good.

Let me just quote from Steve Carvell, a professor at the Cornell University School of Hotel Administration, who said:

It's a monumental task to constantly run this down. Even if the company is trying its hardest and making its very best effort, it will be difficult to fulfill that goal.

Let's get serious about this. The arrangements he set out will not solve the conflict. It will not comply with the Constitution of the United States. The Office of Government Ethics said on the President's proposal it is "wholly inadequate." That is the Office of Government Ethics. They go on to say: "The plan the [President] has announced doesn't meet the standards that the best of his nominees are meeting and that every President in the last four decades has met."

I am a lawyer but would not claim to be a constitutional expert. Let me quote, if I might, from constitutional experts. Richard Painter, Norm Eisen and Laurence Tribe have written a comprehensive study of the constitutional provisions, concluding that "since emoluments are properly defined as including 'profit' from any employment, as well as 'salary,' it is clear that even remuneration fairly earned in commerce can qualify."

Richard Painter, the chief ethics officer for President George W. Bush, stated it in a blunter fashion. He said:

This is a for-profit hotel. [Trump] is making profits over dealing with foreign governments. Same with the loans from foreign government-owned banks. Those are for a for-profit business. That is prohibited under the Emoluments Clause of the Constitution.

Let me just conclude with this. This is not about any one person. This is about the Office of the President. This is about our constitutional form of government that depends upon the Office of the President being respected. It is bigger than any one person. The Framers of our Constitution went on to say: We recognize it. We know the faults of men. That is why we set up the Constitution, to protect against the frailties of individuals.

This is about the Office of the President of the United States, not about any one person who may occupy it 4 to 8 years. We need to protect the Office of the President, and that is why we need to act now to avoid this constitutional crisis of the President of the United States, who has put our Nation at risk because of his personal conflicts and because of his violation of the Constitution of the United States.

I call upon President Trump to live up to the values of the Constitution. Give the American people the transparency they deserve and completely sever his relationship with the Trump

Organization before we are embroiled in an ethical and constitutional crisis that will not serve the best interests of the President, Congress or the American people.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CASIDY). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

NOMINATION OF NEIL GORSUCH

Mr. HATCH. Mr. President, in a little more than 2 weeks, the Judiciary Committee will open its hearing on the nomination of Judge Neil Gorsuch for the U.S. Supreme Court. This is the 14th Supreme Court confirmation process in which I have participated. Over that time, while some things have changed, others have stayed the same.

The conflict over judicial appointments, especially to the Supreme Court, remains at its core a conflict over the proper role of judges in our system of government. The two sides of this conflict want two very different kinds of judges. Some of my colleagues, joined by their liberal allies, instead want judges who owe their fidelity to a particular political agenda.

For them, the judiciary is simply a backup plan for achieving political objectives. If the legislative branch does not deliver, they go to the executive—as they often did in the previous administration. If that does not work, they figure that the courts offer a second or third bite at the political apple.

This vision is fundamentally inconsistent with the way our system of government was destined, designed, and intended to be. Instead, the Framers devised the role of the judiciary on the wisdom of Montesquieu, who posited:

Were the power of judging joined with the legislative, the life and liberty of the subject would be exposed to arbitrary control. . . . Were it joined to the executive power, the judge might behave [as] an oppressor.

That was Montesquieu. Reflecting this wisdom, the Constitution endows the judge with the role of saying what the law is, rather than what he wishes the law would be.

Alexander Hamilton rightly observed: The people's liberty cannot be endangered by the judiciary "so long as the judiciary remains truly distinct from both the legislature and the executive."

The stakes in this conflict over judicial power are really enormous. The choice determines whether the people or unelected judges will govern the country and define the culture. Our system of government and the liberty it makes possible allow only one answer. The confirmation process allows us to determine which kind of judge Neil Gorsuch is and which kind of Justice he will be.

The dynamics of the confirmation process often reveal what kind of judge Senators and interest groups really seek. Those who want political judges, for example, use a variety of strategies to determine how a judicial nominee, especially to the Supreme Court, will rule on issues and cases they care about. In fact, most of the time it seems that the policy consequences of how a judge will rule is the only thing that some Senators and advocates really care about.

For example, when President Bush nominated Chief Justice John Roberts in 2005, one Democratic member of the Judiciary Committee said that the real question was this: "Whose side is Judge Roberts really on, on the really important issues of our time?"

Another Democratic Senator said: "Before we vote, it is important to know where Judge Roberts stands on key issues."

Another said that she needed to know whether "Judge Roberts will stand with us and with our families or be on the side of major special interests."

Now, something is seriously wrong when the confirmation process for a Supreme Court nominee sounds more like an election campaign for a Senator or a Senate seat. Unfortunately, the same thing is happening again today regarding Judge Gorsuch. If a corporation won a case before him on the Tenth Circuit, for example, those groups claim that he is a champion of corporate interests, no matter the legal grounds of the decision, the facts, or anything else.

If another decision's result does not sufficiently advance the feminist agenda, they say that he is anti-woman. This radical approach seems to say that judges are free to decide every case based on the political popularity of the result and, therefore, that the judge personally intends every outcome. These advocates do not distinguish between the commands of the law and the personal preferences of the judge.

In this view, statutes and the Constitution mean whatever judges want them to mean, making unelected, unaccountable, lifetime appointees the master of the people. Political judges take away from the people the power to govern themselves and undermine their liberty. Using political or theological litmus tests in the quest for such political judges, demanding that they take sides and insisting that they make commitments to certain policy agendas before even taking office, poses a similar threat to the independence and impartiality of the judiciary.

There is nothing mainstream about political judges and nothing mainstream in the tactics used to appoint them. In contrast, impartial judges are consistent with the principles on which our system of government is based and

the independence that judges must have. When Judge Gorsuch took his seat on the U.S. Court of Appeals for the Tenth Circuit in 2006, he took the oath required by title 28, section 453, of the United States Code. He pledged to administer justice without respect to persons and to faithfully and impartially discharge his judiciary duties.

Now, I want to suggest that my colleagues try an experiment. Ask your constituents whether judges should make up their mind on a case before hearing all of the evidence and arguments. Ask whether judges should take positions on issues before those issues even come before them in court.

I know what Utahns would say. The ABA Model Code of Judicial Conduct, for example, twice states this principle:

A judge shall not, in connection with cases, controversies, or issues that are likely to come before the court, make pledges, promises, or commitments that are inconsistent with the impartial performance of the adjudicative [functions and] duties of judicial office.

State codes of judicial conduct include the same commonsense protection for judicial impartiality. The California code, for example, prohibits statements, whether public or not, that “commit the judge with respect to cases, controversies, or issues that are likely to come before the courts.”

Now, this has been the consistent practice of judicial nominees before the Judiciary Committee. Elena Kagan came before the Judiciary Committee in June 2010, after being nominated by President Obama to replace Justice John Paul Stevens. On June 29, 2010, she said that it would not be appropriate for her to comment on an issue that could come before the Court.

Samuel Alito—Justice Alito—came before the committee in January 2006, after being nominated by President Bush to replace Justice Sandra Day O'Connor. On January 11, 2006, he said:

But the line I have to draw, and I think every nominee, including Justice Ginsburg, has drawn, is to say that when it comes to something that realistically could come before the Court, they can't answer about how they would decide that question. That would be a disservice to the judicial process.

Ruth Bader Ginsburg. Justice Ginsburg appeared before the Judiciary Committee in July 1993, nominated by President Clinton to replace Justice Byron White. On July 20, 1993, she said this: “A judge sworn to decide impartially can offer no forecasts, no hints, for that would show not only disregard for the specifics of the particular case, it would display disdain for the entire judicial process.”

Antonin Scalia came before the committee in August 1986, after being nominated by President Reagan to replace Justice William Rehnquist. On August 5, 1986, he said that taking positions in a hearing on issues that could come before him was not just a slippery slope

but, in his words, a precipice. He said: “I just cannot do it, and I think the only way to be sure that I am not impairing my ability to be impartial in future cases . . . is simply to respectfully decline to give an opinion.”

Let me reach even further back. Justice Abe Fortas came before the Judiciary Committee in July 1968, after being nominated by President Johnson to replace Chief Justice Earl Warren. The committee sent the nomination to the full Senate and said these words in its report:

To require a Justice to state his views on legal questions or to discuss his past decisions before the committee would threaten the independence of the judiciary and the integrity of the judicial system itself. It would also impinge on the constitutional doctrine of separation of powers among the three branches of Government as required by the Constitution.

Judge Thurgood Marshall came before the committee in July 1967, nominated by President Johnson to replace Justice Tom Clark. The committee sent the nomination to the full Senate and its report noted that the nominee had said he would “wisely and forthrightly decline to give a judicial opinion on hypothetical questions.”

Just 2 years earlier, when the committee reported the nomination of Abe Fortas to be an Associate Justice, its report said: “We have always felt it would be unfair to ask any nominee for any judicial office to give a legal opinion on the basis of a hypothetical question.”

I think the point is obvious. Every nominee, of either party, for decades has taken the same position, and it is the right position. It reflects a commitment to judicial independence, to impartiality, and to the integrity of the judicial branch of government.

If my Democratic colleagues and their liberal allies believe that Justices Kagan, Alito, Ginsburg, Scalia, Fortas, and Marshall were all wrong, they should say so. If they believe that judges should prejudge cases by committing to particular outcomes, then they should make that case. If they believe that the oath of judicial office and code of judicial conduct are all misguided, then, it seems to me, they should be upfront about it. I, for one, believe that judges should be impartial, that they should follow the law, and that they should stay within their designated role.

America needs impartial, not political, judges. I don't care which party you are in. If you are an attorney, you have to appreciate judges who are impartial, especially if you are an honest attorney.

We need judges who will follow, rather than lead, the law. The Constitution, after all, is the primary way that the American people set rules for government, and that includes—God bless it—the judicial branch. The Constitution cannot control judges if judges control the Constitution.

Yesterday the Judiciary Committee received a letter signed by more than 30 prominent members of the Supreme Court bar. In combination, they have argued more than 500 cases before the U.S. Supreme Court. Though they hold different political and legal views, they are united in strongly supporting Judge Gorsuch's nomination. They write that he is fair-minded, principled, and “has the unusual combination of character, dedication, and intellect that would make him an asset to our Nation's highest court.”

Mr. President, I ask unanimous consent that this letter be printed in the RECORD at the conclusion of my remarks.

I believe the record demonstrates that Judge Neil Gorsuch is an impartial judge and will, when confirmed, be an impartial Supreme Court Justice. He will take the law as he finds it and apply it “without respect to persons,” just as the oath commands. With him on the bench, the law—made by the people's elected representatives—will determine winners and losers. In doing so, he will be exactly the kind of Justice America needs.

Judge Gorsuch has a tremendous reputation on the Tenth Circuit Court of Appeals, supported by Democrats and Republicans alike. Judge Gorsuch is a brilliant lawyer and an even more brilliant judge.

He is a person of impeccable reputation and integrity. He is exactly the type of person you would want deciding your case if you had a case before the Supreme Court. He is exactly the type of person whom other judges could emulate and follow, so he is exactly the type of person we want on the Supreme Court.

I have heard some ugly rumors that some of my colleagues in this body might, because of political concerns and political pressure, want to vote against Judge Gorsuch. I would caution them not to do that.

I think Judge Gorsuch will basically please almost everyone in this body over the years that he serves as a Supreme Court Justice. He is a really fine man. He is a fine family man. He is a very fine lawyer and a fantastic court of appeals judge.

He will make a great Justice on the U.S. Supreme Court. So I urge my colleagues on both sides to vote for him and help us fill this void so that the Court can continue to act as the Court should.

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

MARCH 1, 2017.

Hon. CHARLES E. GRASSLEY,
Chairman, Committee on the Judiciary,
U.S. Senate, Washington, DC.

Hon. DIANNE FEINSTEIN,
Ranking Member, Committee on the Judiciary,
U.S. Senate, Washington, DC.

DEAR CHAIRMAN GRASSLEY AND RANKING MEMBER FEINSTEIN: We write to express our

strong support for Judge Neil Gorsuch's nomination to be an Associate Justice of the Supreme Court of the United States. The undersigned are members of the Supreme Court bar with substantial experience before the Court. Collectively, we have argued more than 500 cases before the Court. Many of us, moreover, worked with Judge Gorsuch (or litigated against him) when he was in private practice; served alongside him in the Justice Department; or have appeared before him in the Court of Appeals. We hold a broad range of political, policy, and jurisprudential views. But we are unified in offering our support of Judge Gorsuch's nomination.

Fairminded, dedicated, smart, and unfailingly polite, Judge Gorsuch is someone all of us would be pleased to appear before. He is principled in his approach to the law, but also keenly aware of practical consequences. He is a thoroughly kind and decent person. Respectful of colleagues and counsel alike, Judge Gorsuch has the unusual combination of character, dedication, and intellect that would make him an asset to our Nation's highest court.

We hope this information will be of assistance to the Committee in its consideration of Judge Gorsuch's nomination. We thank you for your time and attention, and urge you to support his confirmation.

Very truly yours,

Lisa Blatt, Richard P. Bress, Michael A. Carvin, John P. Elwood, Roy Englert, Miguel A. Estrada, Mark Evans, H. Bartow Farr, III, David C. Frederick, Dan Himmelfarb, William M. Jay, Peter D. Keisler, Michael K. Kellogg, Jeffrey A. Lamken, Christopher Landau, Maureen E. Mahoney, Ronald Mann, Roman Martinez, Deanne E. Maynard, Matthew D. McGill, Eric D. Miller, Glen D. Nager, Aaron M. Panner, Mark A. Perry, Carter G. Phillips, Richard H. Seamon, Stephen M. Shapiro, Mark T. Stancil, Kathleen M. Sullivan, Amir C. Tayrani, Christopher J. Wright.

Mr. HATCH. I yield the floor.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

CALLING FOR AN INDEPENDENT, BIPARTISAN COMMISSION

Mr. DURBIN. Mr. President, the highlight of the week, of course, is President Trump's speech to the joint session of Congress, the first major public speech he has given since his inauguration. The Chamber of the House of Representatives was filled with Members of both the House and Senate, the Supreme Court Justices, the Cabinet, and many other dignitaries for the speech. It went for about 60 minutes, which is reasonable under Presidential standards. Many have gone much longer, and I listened carefully to the statement by the new President to really glean his priorities, in terms of his administration and what he hopes to see happen in this country.

There were many issues that he touched on, but there was one he didn't. He didn't say a word—not one word—about the Russian intervention in our last Presidential campaign. This is not speculation. It is a reality that 17 different U.S. intelligence agencies have told us that Vladimir Putin and the Russian Government were attempting to subvert and undermine our Presidential election. To our knowledge, that has never happened at any time in the history of the United States. It is the first time a sovereign nation has tried to literally launch a cyber invasion of the United States of America to try to change the outcome of the most important electoral choice under the Constitution—the choice of President of the United States. It is a major issue. It is one President Trump cannot ignore.

During the course of that speech, he never once mentioned the word "Russia." He never raised this issue as to whether it was worthy of investigation. He described it as a ruse. He has dismissed it and basically has paid no attention to it whatsoever and wants the rest of America to forget it as well.

That is not going to happen because the investigation about this Russian cyber invasion continues. We know the Federal Bureau of Investigation is deep into an investigation. I don't know what it will find. I don't know if they will find any complicity with anyone in the United States, anyone in the Trump campaign. It is only after we have an independent, complete, and credible investigation that we may know the facts.

We also have an investigation underway by many of our intelligence agencies, which are looking at the involvement of the Russians trying to change the outcome of our election. Those investigations are underway.

One element came up last night that has changed the conversation in Washington about this whole issue. Even before last night's news, we knew Attorney General Jeff Sessions needed to recuse himself from any Justice Department investigation into Russia's efforts to influence the 2016 election in support of the Trump campaign.

The Department of Justice standard for recusal—that is, the removal of the Attorney General from an investigation—is pretty clear. It requires recusal by someone who has "a personal or political relationship with any person or organization substantially involved in the conduct that is the subject of the investigation."

The Department of Justice regulations define "political relationship" to include service as a principal adviser to a candidate or campaign organization. Well, that certainly covers Attorney General Jeff Sessions and the Trump campaign. Attorney General Sessions was named in March 2016 as chairman of then-Candidate Trump's National

Security Advisory Committee. Steve Bannon, formerly of Breitbart News and now a close adviser to the President, described Jeff Sessions to the Washington Post as follows: "Throughout the campaign, Sessions has been the fiercest, most dedicated, and most loyal promoter in Congress of Trump's agenda, and has played a critical role as the clearinghouse for policy and philosophy to undergird the implementation of that agenda."

Attorney General Sessions close relationship with the Trump campaign creates a compelling basis for his recusal from any investigation of Russian involvement in that campaign.

So far, to this day, to this moment, Jeff Sessions has refused to recuse himself from this investigation. He refused when I asked him about it during the course of the hearing, and he has refused since he was named Attorney General. Now it is clear that his unwillingness to recuse himself is no longer tenable or acceptable or even explainable.

Last night, the Washington Post reported that then-Senator Jeff Sessions spoke with Russian Ambassador Sergey Kislyak twice during the Presidential campaign—in July at a Heritage Foundation event near the Republican National Convention and in September in a private conversation in the Senator's office. These communications came as a great surprise because until last night, Attorney General Sessions did not disclose them.

During his hearing in January, in preparation to become Attorney General, Jeff Sessions, then Senator, was asked by Senator AL FRANKEN of Minnesota: "If there is any evidence that anyone affiliated with the Trump campaign communicated with the Russian government in the course of this campaign, what would you do?"

Jeff Sessions' answer under oath included this statement: "I did not have communications with the Russians."

Senator PATRICK LEAHY of Vermont also asked Attorney General Sessions in writing: "Have you been in contact with anyone connected to any part of the Russian government about the 2016 election, either before or after election day?" Attorney General Sessions' response was "No."

It is hard to understand why Attorney General Sessions has not been more forthcoming and upfront with Congress and the American people about communications which we now know in fact did take place. If he thinks there was nothing wrong with these communications, why would he conceal them? It is deeply troubling.

The reality is, the Attorney General has compromised his credibility when it comes to investigating Russia's cyber invasion of America's election. His recusal is no longer an option, it is a necessity.

People say: Oh, of course, a Democratic Senator is saying that the Republican Attorney General should recuse himself. This morning, it has been reported that a number of top Republicans in Congress have called for the Attorney General's recusal, including House Majority Leader KEVIN MCCARTHY and House Oversight Chairman JASON CHAFFETZ.

It is imperative that career Justice Department professionals be allowed to follow the facts in this investigation to discover the truth. We may need a special counsel, but these steps alone are not sufficient. I believe we need an independent, bipartisan commission, led by Americans of unimpeachable integrity, to get to the bottom and get to the facts on this attack on our democracy.

I know the Senate Select Committee on Intelligence is also conducting an investigation. The House Permanent Select Committee on Intelligence, which, incidentally, is chaired by Representative DEVIN NUNES, who served on the executive committee of President Trump's transition team, agreed to the parameters of an investigation yesterday.

The Intelligence Committees cannot, by their very nature, provide the transparency and accountability that an independent commission would bring to this issue, and the chairmen of those two committees—House and Senate—have already raised serious questions about their own impartiality by calling on the media organizations at the behest of the White House to challenge news stories on this issue.

How could you possibly maintain objectivity if the elements of an investigation are compromised before the investigation even starts?

I am particularly concerned that Chairman NUNES has already publicly expressed views of the outcome of his committee's investigation before it has even started. That is not a professional, honest, or credible way to approach this.

We need an independent, bipartisan commission to get to the truth, and that may include taking a hard look at the Attorney General's communications with the Russians and at his refusal to disclose those communications. We also need to point out the obvious, which is that when it comes to investigating Russia's involvement in helping the Trump campaign, we have to follow the money, and that includes reviewing President Trump's tax returns, which, unlike any other Presidential candidate in modern times, he has refused to share with the American people.

Yesterday, Senators STABENOW, WYDEN, and a number of my colleagues sent a letter to the chairman of the Finance Committee, Senator ORRIN HATCH, of Utah, urging him to allow committee members to review the

President's tax returns in a closed executive session. That is something the chairman of the Senate Finance Committee has the authority to do. The letter pointed out that this oversight is essential given the media reports about Russia as well as the possible unconstitutional emoluments being accepted by President Trump's vast business empire.

I support this request from my colleagues. It is imperative that President Trump level with the American people about his business's foreign entanglements, especially those involving Russia.

This issue is not going away. I urge my colleagues on both sides of the aisle to join me in pursuing all of the facts about last year's Russian attack on our democracy.

It was just a few weeks ago that the President's National Security Advisor, General Flynn, resigned. Do you remember why? He misrepresented to the Vice President and the American people conversations which he had had with the Russians. He ended up giving up his position as the No. 1 person in national security in the White House.

Now questions have been raised about the credibility of the Attorney General—the No. 1 person in the Trump administration when it comes to the administration of justice. What is the issue? It is the same issue as with General Flynn—conversations with the Russians which were not disclosed to the American public.

This is an issue that is going to continue to be in the forefront, as it should be, until we can bring the facts to the American people. The only way to reach that point is by having the Attorney General recuse himself from any investigation, appointing as a special prosecutor—or someone in that capacity—someone who is credible who can pursue this matter and then initiating an independent, bipartisan investigation by a national commission with credible chairs who have no political agenda and care enough for the United States to view this invasion by Russia as absolutely unacceptable.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mrs. CAPITO). Without objection, it is so ordered.

CONGRATULATING SENATOR COCHRAN

Mr. WICKER. Madam President, earlier today, during his opening remarks, the distinguished majority leader paid tribute to my senior Senator, THAD COCHRAN, upon the occasion of his becoming the 10th longest serving Senator in the history of our Republic.

If you think about this—I just checked with the cloakroom—the Senate first convened in March of 1789 in New York City. In the 228 years of the United States Senate, THAD COCHRAN, of Mississippi, now becomes the 10th longest serving Senator in history. Quite a milestone.

I was chairing a subcommittee hearing this morning and was not able to be on the floor during the majority leader's remarks, and so I take a moment to now pay tribute to Senator COCHRAN at this milestone in his career and in the history of the Senate.

Most Senators do not know Senator COCHRAN and I were born in the same small town. We are both natives of Pontotoc, MS. We are alumni of the same university. We are both Ole Miss Rebels. We also share the same political lineage in Mississippi of being early pioneers in the development of the Republican Party. I was the first Republican Member of the House of Representatives in my congressional district, the First District of Mississippi, back in 1994. Senator COCHRAN blazed an even more significant trail by becoming the first popularly elected Republican Senator from Mississippi back in 1978—in over a century. He succeeded former President pro tempore Jim Eastland, of Mississippi.

I have been able to watch him and be somewhat of a teammate over the decades, and I just want to pay tribute to THAD COCHRAN as being a trailblazer for quite some time. This is a milestone, and it is a testament to the proven record that Senator COCHRAN has built over 38 years in this Chamber. He served for 6 years in the House prior to that, so he has been around a long time. He has always been a good public servant. He has always been a strong American. He has always been a good member of the troop.

He is chairman of the Appropriations Committee, and a lot of funds are distributed through that committee. He is part of the team, and his committee is part of the team. Again, a lot of our colleagues do not realize this, but we set budget numbers—the House and Senate. We come to an agreement, and we set those spending levels. Then the Appropriations Committee, under the leadership of THAD COCHRAN, does the hard work of figuring out how to abide by those budget caps, and they do it year in and year out. With leadership like Senator THAD COCHRAN's, usually, the numbers are crunched, and they make it work on a bipartisan basis. Many of the votes in the Appropriations Committee last year, under the leadership of Chairman COCHRAN, were unanimous votes or virtually unanimous votes.

At the same time, he has been able to, within the constraints of those budget caps, take care of the needs of our country and certainly the needs of our State of Mississippi at some very

dark moments in the history of our State. Hurricane Katrina—the worst natural disaster in recorded history ever to hit the North American Continent—was visited upon our State, and we were certainly fortunate to have the leadership of Senator THAD COCHRAN, and I was glad to be his partner in that regard. After Deepwater Horizon, the entire gulf coast region—and in fact the entire Nation—benefited from the leadership of Senator COCHRAN.

He makes us proud, and he has made us proud for years and years now. He was called by someone the “quiet persuader,” and that nickname has stuck and has been appropriate for quite some time. Throughout his time in Congress, indeed, THAD COCHRAN has been the quiet persuader. Not a lot of demagoguery, not a lot of arm-waving, not a lot of rhetoric comes from this desk in front of me—but leadership and resolve and taking care of business on behalf of the United States of America.

Before he was a Congressman, THAD COCHRAN was a successful young lawyer, and before that, he was a member of the Navy. He served our country well. Before that, he was perhaps the most outstanding law student with perhaps the highest grade point average ever in the history of the “Ole Miss” law school. So he has made us proud in so many ways.

Although I was not able to be on the floor at the moment when Senator MCCONNELL made this recognition, I did want to come, now that I have a moment or two, and add my words of encouragement and congratulations to THAD COCHRAN, but also my words of appreciation on behalf of a grateful State and a grateful Nation for the many ways in which THAD COCHRAN has made us a better and a stronger country.

Thank you, Madam President.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. BLUNT). Without objection, it is so ordered.

TRIBUTE TO JOYCE MCCOMBS

Mr. SULLIVAN. Mr. President, I have been coming to the floor for the past several weeks to highlight my State and the great people who live in it. As the Presiding Officer and everybody in this room and those watching on TV probably know, Alaska is a breathtaking place. In fact, there is no place like it in the world—mountain ranges that seem to go on for eternity, salmon-filled waters and rivers, streams, massive glaciers. People save up their whole lives to come to visit my State. We welcome them. We want them all to come.

As I have also been saying, it is the people who make Alaska truly special, the Alaskans, people throughout my State banding together to form warm communities in cold climates. In Alaska, where the conditions are often extreme, we depend on each other—communities do—sometimes even for survival.

Today I would like to recognize Joyce McCombs, the director of the community library in Delta Junction, AK, as the Alaskan of the Week. On March 9, Joyce will be celebrating 30 years as the library director—30. She was also recently named by the Alaska Library Association the Audrey P. Kolb Public Library Service Award winner and received the Public Library Roundtable Certificate of Appreciation for her “significant, innovative activities” to improve her library. That award is named after Audrey Kolb, who is a legend in the library world in Alaska, and Joyce has that award as well as our award.

Delta Junction, where she lives, is a beautiful community of about 1,000 residents, surrounded by 3 spectacular mountain ranges. The community is about 150 miles from Fairbanks, in Alaska’s interior. It gets cold there in the winter. As a matter of fact, this morning in Delta Junction, it was 26 below zero. And it is home to Fort Greely, which is the cornerstone of our Nation’s entire missile defense system, protected by 300 brave soldiers, part of the Alaskan National Guard.

For many in Delta Junction, the library—recognized by the Library Journal as one of the best in the State—is the place where people converge and find warmth and community. It is open 6 days a week, and it only closes when it gets below 40 below zero. They are tough people in Delta Junction.

Joyce, with the support of so many in Delta Junction, including Fort Greely, which supports the library, has made sure that this library stays one of the best in the State and in the country. In her words, Delta’s library is the “community living room.” In a small town like Delta Junction, such spaces are rare and, indeed, special. Joyce brings all sorts of services and learning to the library, including bands, authors, cooking classes—“what the community wants and needs,” she said. Sometimes those needs entail sitting someplace warm and reading a book. Sometimes it means Skyping a spouse who might be serving overseas in Afghanistan or Iraq or applying for a job or getting the right form to file their tax returns. Joyce said: “We’re open 6 days a week serving everybody from nursery schools to nursing homes.”

One Delta resident told Joyce on Facebook:

Your assistance to the literary education of now two generations of children has been an invaluable contribution to our community that will be paying dividends for years

to come. This statewide honor is only a larger recognition of what we already know here in Delta—that you are a great librarian.

After 30 years as the director of the library, Joyce still loves her job, saying she learns something every day from her patrons. Thankfully for all of us, she has no plans to leave.

Congratulations on your award, Joyce. Happy birthday to your grandson, Trek. And thank you—and to the many librarians across our State and across our Nation—for your efforts to provide a warm learning space for all Alaskans and all Americans.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

THE CHABAD ORGANIZATION

Mr. HATCH. Mr. President, with all the division and conflict in politics today, it would take something truly compelling to unite all 100 Senators, including Republicans and Democrats, conservatives and liberals. Well, it has happened. This week I sent to Secretary of State Rex Tillerson a letter, signed by all 100 Senators, asking that it be conveyed to Russian President Vladimir Putin. The letter supports the decades-long quest by Agudas Chasidei Chabad of the United States to recover from Russia its collection of sacred religious texts and manuscripts.

Chabad was established in the 18th century in Russia and is today the largest Hasidic Jewish organization in the world. The organization’s past leaders, or rebbes, accumulated this collection of sacred texts, which includes a library and an archive and is central to Chabad’s religious life. The Soviets took control of the library in 1920 and in 1927 arrested the sixth rebbe and sentenced him to death. He was allowed to leave Russia later that year but had to leave the library behind. In 1933, the sixth rebbe and the archive moved to Poland.

In 1940, after both Nazi Germany and the Soviet Union invaded Poland, the sixth rebbe fled to the United States without the archive. It was confiscated, first by the Nazis and then by the Soviets. Chabad has since worked

to reclaim both the library and the archive.

It is important to place the letter we sent this week in its full context because this is only the latest in a long series of actions by all three branches of the U.S. Government to support Chabad's quest. Members of Congress, for example, began calling for the return of these works in the 1930s. Just weeks before the Soviet Union dissolved on Christmas Day 1991, both President Mikhail Gorbachev and a state arbitration panel ordered that the library be returned to Chabad. On January 24, 1992, the Commission on Security and Cooperation in Europe wrote President Boris Yeltsin, urging him to carry out the court's order and return the collection.

Unfortunately, both President Gorbachev's directive and the court's order were effectively nullified when the Russian Federation replaced the Soviet Union. Within a few months, however, the U.S. State Department expressed "strong support" for returning the full collection to Chabad. On May 31, 1992, all 100 Senators signed a letter to President Boris Yeltsin urging the collection's "quick release."

On February 20, 2005, all 100 Senators signed a letter to President Putin, again urging that the collection be returned to Chabad. The letter said this: "The religious texts that Chabad seeks to retrieve consist of rare and irreplaceable books, archives and manuscripts on Chabad philosophy, Jewish religious law, prayer and tradition. . . . We urge you to return these sacred religious texts, archives, and manuscripts to Chabad, which would be a significant example of your government's commitment to justice, human rights, and religious freedom."

Chabad filed suit against Russia in Federal court. During this litigation, the United States filed statements of interest reiterating its "strong support" for returning the collection to Chabad. On July 30, 2010, the U.S. District Court for the District of Columbia ordered Russia to return both the library and the archive to Chabad.

I am truly grateful to all of my colleagues for your support of Chabad and their effort to recover this important component of their religious life. As striking as this unity is, I hope my colleagues also see it as part of a much longer story of extraordinary faith and commitment in the face of loss and persecution. I hope and pray that such efforts will be successful and that Russia will respond favorably to Chabad's request. It would indeed be a demonstration of their commitment to justice, human rights, and religious freedom.

I ask unanimous consent that the text of the 1992, 2005, and 2017 Senate letters to which I referred be printed in the RECORD.

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

U.S. SENATE,

Washington, DC, May 31, 1992.

Hon. BORIS YELTSIN,
President of the Russian Republic,
Moscow, Russia.

DEAR MR. PRESIDENT: We understand that you have personally committed yourself to secure the return of the Lubavitch texts, and we appreciate your having taken a stand on behalf of an act of justice.

When the Senate was in recess, the U.S. State Department issued a statement (copy attached), with which we now wish to associate ourselves. In particular, it is our hope and expectation that you will fulfill your commitment decisively through the quick release of the Schneerson-Agudas Chabad collection.

Thank you for your attention to this important matter.

U.S. SENATE,

Washington, DC, February 24, 2005.

Hon. VLADIMIR PUTIN,
President, Russian Federation.

DEAR MR. PRESIDENT: We, the undersigned members of the United States Senate, respectfully request your assistance in returning the Schneerson collection from the Russian State Library and the Russian State Military Archive, to its rightful owners in the United States: Agudas Chasidei Chabad of United States (hereafter referred to as "Chabad").

The religious texts that Chabad seeks to retrieve consist of rare and irreplaceable books, archives and manuscripts on Chabad philosophy, Jewish religious law, prayer and tradition. The first portion of the Schneerson collection was seized by the former USSR around the time of the Bolshevik revolution and placed in the Russian State Library, where it remains to this day.

The second portion of the Schneerson collection is in storage at the Russian State Military Archive. It had been assumed that this portion of the collection had been destroyed or captured by Nazi Germany during the holocaust and Nazi occupation of Warsaw, Poland in World War II. Chabad recently learned that the Soviet Army captured this portion of the Schneerson collection from the Nazis and transferred it to the Russian State Military Archive.

Chabad has worked tirelessly to secure the release of these texts, archives, and manuscripts that comprise the sacred heritage of an entire community. On May 31, 1992, the entire United States Senate collectively appealed to then-President Boris Yeltsin to honor his own commitment to return the Schneerson collection. A copy of this appeal is enclosed. Since 1992, however, a mere eight volumes have been released.

We urge you to return these sacred religious texts, archives, and manuscripts to Chabad, which would be a significant example of your government's commitment to justice, human rights, and religious freedom.

U.S. SENATE,

Washington, DC, February 27, 2017.

President, VLADIMIR PUTIN,
Russian Federation,
Moscow, Russia.

DEAR MR. PRESIDENT: We are writing respectfully to reaffirm our support and request for the return of the Schneerson collection of sacred texts from the Russian State Library and the Russian State Military Archive to its rightful owners, Agudas

Chasidei Chabad of United States ("Chabad").

On May 31, 1992, all one hundred members of the United States Senate appealed to then-President Boris Yeltsin to honor Russia's commitment to return the collection to Chabad. On February 24, 2005, all one hundred members of the United States Senate again signed an appeal for your assistance in returning the collection. Copies of these letters are attached hereto. Since 1992, eight volumes of the collection have been returned to Chabad. We hereby respectfully request your assistance in seeing the return of the entire collection.

Thank you for your attention to this important matter.

REMEMBERING BERTA CACERES

Mr. LEAHY. Mr. President, I want to call the Senate's attention to the fact that it has now been 1 year since the assassination of Berta Caceres, a renowned indigenous Honduran environmental activist who devoted her life—and ultimately lost her life—defending the land, water, and other natural resources of the Lenca people.

After an initial attempt by the Honduran police and even some high-ranking officials to falsely portray the murder as a crime of passion, which is a not uncommon ploy to cover up official complicity in such cases, eight men have been arrested, including one active-duty and two retired military officers.

Although Honduran officials have denied any government involvement in Ms. Caceres's murder and downplayed the arrest of Major Mariano Diaz who was promptly discharged from the army, there are reasons to be skeptical.

Diaz, a decorated special forces veteran, was appointed chief of army intelligence in 2015, and at the time of the murder he was reportedly on track for promotion to lieutenant colonel. Another suspect, Lieutenant Douglas Giovanni Bustillo, reportedly joined the military on the same day as Diaz. They served together and apparently remained in contact after Bustillo retired in 2008.

It is particularly noteworthy and troubling that, according to press reports, both Diaz and Bustillo may have received military training from the United States.

A third suspect, Sergeant Henry Javier Hernandez, was a former special forces sniper who had worked under the command of Diaz. He may also have worked as an informant for military intelligence after leaving the army in 2013.

According to press reports, First Sergeant Rodrigo Cruz, a former army officer who deserted after Caceres's death and remains in hiding, said the Honduran military high command gave a hit list with the names and photographs of activists to eliminate to the commander of the Xatruch multi-agency taskforce, to which Cruz's unit

belonged, and that Caceres's name was on the list. It sounds a lot like the death squads in El Salvador in the 1980s.

Five civilians with no known military record have also been arrested. They include Sergio Rodriguez, a manager for the Agua Zarca hydroelectric dam that Berta Caceres had long opposed.

That project is being led by Desarrollos Energeticos SA, Desa, with international financing and the strong backing of the Honduran Government. According to press reports, the company's president, Roberto David Castillo Mejia, is a former military intelligence officer, and its secretary, Roberto Pacheco Reyes, is a former justice minister. Desa employed former Lieutenant Bustillo as head of security between 2013 and 2015.

Ms. Caceres had reported multiple death threats linked to her campaign against the dam, including several from Desa employees. The Honduran Government largely ignored her requests for protection, and Desa continues to deny any involvement in the murder.

It is inconceivable to anyone who knows Honduras that this outrageous crime was carried out by these individuals without orders from above. The question is whether the investigation will identify the intellectual authors, which almost never happens in Honduras. In fact, as Global Witness, the U.S. Department of State, and others have documented, there have been scores of killings of environmental activists in Honduras that have never been credibly investigated and for which no one has been punished.

I have no doubt that one of the reasons this case has progressed at all is because U.S. law enforcement experts, supported by the U.S. Embassy, have assisted in the investigation, and because of the efforts of Honduran Attorney General Oscar Fernando Chincilla.

However, as I have said before, in Honduras where impunity is the norm, a case of such domestic and international importance should also be the subject of a parallel independent investigation. The obvious entities to convene such an inquiry are the Inter-American Commission on Human Rights and the Mission to Support the Fight against Corruption and Impunity in Honduras, MACCIH; yet the Honduran Government continues to reject such an inquiry.

The United States and Honduras have a troubled history; yet we and the Honduran people share many interests. We want to continue to help Honduras address the deeply rooted poverty, inequality, violence, and impunity that have caused so much suffering and hardship and contributed to the migration of tens of thousands of Hondurans, including children, to the United States.

But for this Senator, that requires solving the Berta Caceres case and undertaking credible investigations and prosecutions of the shocking number of assassinations of other social activists, journalists, and human rights defenders in recent years. It means Honduran officials publicly affirming and defending the legitimate role of such activists, who in the past have been ignored, threatened, and treated as legitimate targets. Only then will it be clear that the Honduran Government is committed to justice and that our assistance will achieve lasting results.

The Department of State needs to thoroughly and transparently investigate whether Major Diaz and Lieutenant Bustillo were in fact trained by the United States. If so, the Congress and the Honduran people deserve to know how they were selected, what training they received, and any steps taken to improve the process of screening potential trainees and to monitor the conduct of those who have received U.S. training.

Finally, as I have said before, as long as the Agua Zarca project and others like it continue over the objections of indigenous people whose livelihoods and cultures are intrinsically linked to the rivers that are impacted, the confrontations and violence will continue. The Honduran Government, like other governments in that region, needs to change its way of doing business in areas where the rights and interests of indigenous people have long been violated and ignored.

Given the shameful history of the Agua Zarca project it should be cancelled. Other hydroelectric and extractive projects in indigenous territories should be reconsidered by the Honduran Government and allowed to proceed only after a transparent process based on the free, prior, informed consent of affected communities.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

RULES OF PROCEDURE

Mr. RISCH. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship's rules for the 115th Congress be printed in the RECORD.

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

SENATE COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP COMMITTEE RULES—115TH CONGRESS

JURISDICTION

Per Rule XXV(1) of the Standing Rules of the Senate:

(1) Committee on Small Business and Entrepreneurship to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the Small Business Administration;

(2) Any proposed legislation reported by such committee which relates to matters

other than the functions of the Small Business Administration shall, at the request of the chairman of any standing committee having jurisdiction over the subject matter extraneous to the functions of the Small Business Administration, be considered and reported by such standing committee prior to its consideration by the Senate; and likewise measures reported by other committees directly relating to the Small Business Administration shall, at the request of the Chair of the Committee on Small Business and Entrepreneurship, be referred to the Committee on Small Business and Entrepreneurship for its consideration of any portion of the measure dealing with the Small Business Administration and be reported by this committee prior to its consideration by the Senate.

(3) Such committee shall also study and survey by means of research and investigation all problems of American small business enterprises, and report thereon from time to time.

RULES OF PROCEDURE

GENERAL

All applicable provisions of the Standing Rules of the Senate, the Senate Resolutions, and the Legislative Reorganization Acts of 1946 and of 1970 (as amended), shall govern the Committee.

MEETINGS

(a) The regular meeting day of the Committee shall be the first Thursday of each month unless otherwise directed by the Chair. All other meetings may be called by the Chair as he or she deems necessary, on 5 business days notice where practicable. If at least three Members of the Committee desire the Chair to call a special meeting, they may file in the office of the Committee a written request therefor, addressed to the Chair. Immediately thereafter, the Clerk of the Committee shall notify the Chair of such request. If, within 3 calendar days after the filing of such request, the Chair fails to call the requested special meeting, which is to be held within 7 calendar days after the filing of such request, a majority of the Committee Members may file in the Office of the Committee their written notice that a special Committee meeting will be held, specifying the date, hour and place thereof, and the Committee shall meet at that time and place. Immediately upon the filing of such notice, the Clerk of the Committee shall notify all Committee Members that such special meeting will be held and inform them of its date, hour and place. If the Chair is not present at any regular, additional or special meeting, such member of the Committee as the Chair shall designate shall preside. For any meeting or hearing of the Committee, the Ranking Member may delegate to any Minority Member the authority to serve as Ranking Member, and that Minority Member shall be afforded all the rights and responsibilities of the Ranking Member for the duration of that meeting or hearing. Notice of any designation shall be provided to the Chief Clerk as early as practicable.

(b) It shall not be in order for the Committee to consider any amendment in the first degree proposed to any measure under consideration by the Committee unless an electronic copy of such amendment has been delivered to the Clerk of the Committee at least 2 business days prior to the meeting. Following receipt of all amendments, the Clerk shall disseminate the amendments to all Members of the Committee. This subsection may be waived by agreement of the Chair and Ranking Member or by a majority vote of the members of the Committee.

QUORUMS

(a)(1) A majority of the Members of the Committee shall constitute a quorum for reporting any legislative measure or nomination.

(2) One-third of the Members of the Committee shall constitute a quorum for the transaction of routine business, provided that one Minority Member is present. The term "routine business" includes, but is not limited to, the consideration of legislation pending before the Committee and any amendments thereto, and voting on such amendments, and steps in an investigation including, but not limited to, authorizing the issuance of a subpoena.

(3) In hearings, whether in public or closed session, a quorum for the asking of testimony, including sworn testimony, shall consist of one Member of the Committee.

(b) Proxies will be permitted in voting upon the business of the Committee. A Member who is unable to attend a business meeting may submit a proxy vote on any matter, in writing, or through oral or written personal instructions to a Member of the Committee or staff. Proxies shall in no case be counted for establishing a quorum.

NOMINATIONS

In considering a nomination, the Committee shall conduct an investigation or review of the nominee's experience, qualifications, suitability, and integrity to serve in the position to which he or she has been nominated. In any hearings on the nomination, the nominee shall be called to testify under oath on all matters relating to his or her nomination for office. To aid in such investigation or review, each nominee may be required to submit a sworn detailed statement including biographical, financial, policy, and other information which the Committee may request. The Committee may specify which items in such statement are to be received on a confidential basis.

HEARINGS, SUBPOENAS, & LEGAL COUNSEL

(a)(1) The Chair of the Committee may initiate a hearing of the Committee on his or her authority or upon his or her approval of a request by any Member of the Committee. If such request is by the Ranking Member, a decision shall be communicated to the Ranking Member within 7 business days. Written notice of all hearings, including the title, a description of the hearing, and a tentative witness list shall be given at least 5 business days in advance, where practicable, to all Members of the Committee.

(2) Hearings of the Committee shall not be scheduled outside the District of Columbia unless specifically authorized by the Chair and the Ranking Minority Member or by consent of a majority of the Committee. Such consent may be given informally, without a meeting, but must be in writing.

(b)(1) Any Member of the Committee shall be empowered to administer the oath to any witness testifying as to fact.

(2) The Chair and Ranking Member shall be empowered to call an equal number of witnesses to a Committee hearing. Subject to Senate Standing Rule 26(4)(d), such number shall exclude any Administration witness unless such witness would be the sole hearing witness, in which case the Ranking Member shall be entitled to invite one witness. The preceding two sentences shall not apply when a witness appears as the nominee. Interrogation of witnesses at hearings shall be conducted on behalf of the Committee by Members of the Committee or such Committee staff as is authorized by the Chair or Ranking Minority Member.

(3) Witnesses appearing before the Committee shall file with the Clerk of the Committee a written statement of the prepared testimony at least two business days in advance of the hearing at which the witness is to appear unless this requirement is waived by the Chair and the Ranking Minority Member.

(c) Any witness summoned to a public or closed hearing may be accompanied by counsel of his or her own choosing, who shall be permitted while the witness is testifying to advise the witness of his or her legal rights. Failure to obtain counsel will not excuse the witness from appearing and testifying.

(d) Subpoenas for the attendance of witnesses or the production of memoranda, documents, records, and other materials may be authorized by the Chair with the consent of the Ranking Minority Member or by the consent of a majority of the Members of the Committee. Such consent may be given informally, without a meeting, but must be in writing. The Chair may subpoena attendance or production without the consent of the Ranking Minority Member when the Chair has not received notification from the Ranking Minority Member of disapproval of the subpoena within 72 hours of being notified of the intended subpoena, excluding Saturdays, Sundays, and holidays. Subpoenas shall be issued by the Chair or by the Member of the Committee designated by him or her. A subpoena for the attendance of a witness shall state briefly the purpose of the hearing and the matter or matters to which the witness is expected to testify. A subpoena for the production of memoranda, documents, records, and other materials shall identify the papers or materials required to be produced with as much particularity as is practicable.

(e) The Chair shall rule on any objections or assertions of privilege as to testimony or evidence in response to subpoenas or questions of Committee Members and staff in hearings.

(f) Testimony may be submitted to the formal record for a period not less than two weeks following a hearing or roundtable, unless otherwise agreed to by the Chair and Ranking Member.

CONFIDENTIAL INFORMATION

(a) No confidential testimony taken by, or confidential material presented to, the Committee in executive session, or any report of the proceedings of a closed hearing, or confidential testimony or material submitted pursuant to a subpoena, shall be made public, either in whole or in part or by way of summary, unless authorized by a majority of the Members. Other confidential material or testimony submitted to the Committee may be disclosed if authorized by the Chair with the consent of the Ranking Member.

(b) Persons asserting confidentiality of documents or materials submitted to the Committee offices shall clearly designate them as such on their face. Designation of submissions as confidential does not prevent their use in furtherance of Committee business.

MEDIA & BROADCASTING

(a) At the discretion of the Chair, public meetings of the Committee may be televised, broadcasted, or recorded in whole or in part by a member of the Senate Press Gallery or an employee of the Senate. Any such person wishing to televise, broadcast, or record a Committee meeting must request approval of the Chair by submitting a written request to the Committee Office by 5 p.m. the day before the meeting. Notice of televised or

broadcasted hearings shall be provided to the Ranking Minority Member as soon as practicable.

(b) During public meetings of the Committee, any person using a camera, microphone, or other electronic equipment may not position or use the equipment in a way that interferes with the seating, vision, or hearing of Committee members or staff on the dais, or with the orderly process of the meeting.

SUBCOMMITTEES

The Committee shall not have standing subcommittees.

AMENDMENT OF RULES

The foregoing rules may be added to, modified or amended; provided, however, that not less than a majority of the entire Membership so determined at a regular meeting with due notice, or at a meeting specifically called for that purpose.

75TH ANNIVERSARY OF THE SINKING OF THE USS "HOUSTON"

Mr. CRUZ. Mr. President, yesterday marked the 75th anniversary of the sinking of the USS *Houston* (CA-30), the "flagship" of the U.S. Asiatic Fleet, which fought bravely against the Imperial Japanese Navy Battle Fleet. During an engagement on March 1, 1942, the USS *Houston* and the Australian cruiser HMAS *Perth* were sunk at the Battle of Sunda Strait, suffering a combined loss of nearly 1,000 servicemen; the surviving sailors and marines became prisoners of war. After the war, it was revealed that they had been sent to Japan and then transferred to the mainland and used as slave labor for construction of the Thai-Burma Railway. Only 266 men from the *Houston's* complement of 1,008 and 214 of the *Perth's* complement of 681 returned home after the war.

The news of this horrific loss hit the Lone Star state hard, but with typical Texan gusto and determination, it prompted a mass recruiting drive for volunteers to replace the lost crew. On Memorial Day 1942, a crowd of nearly 200,000 witnessed 1,000 "Houston Volunteers" inducted into the Navy. An accompanying bond drive raised over \$85 million, enough to pay for a new cruiser and an aircraft carrier, the USS *San Jacinto*. This historic event speaks to the American spirit and grit as well as our enduring alliance with Australia.

In honor of this occasion, we remember the brave men of Texas, and all of those from the Greatest Generation, who gave so much to preserve freedom in the Pacific and fight for America. They fought for country and liberty in the face of impossible odds. These sailors, soldiers, and marines represent America's unbeatable determination.

REMEMBERING EDWARD "ED" GARVEY

Ms. BALDWIN. Mr. President, today I wish to honor the life of my friend Edward "Ed" Garvey. Ed spent his lifetime fighting for equality, justice, and

fairness for all Wisconsinites and Americans and did so with passion, joy, and a great Irish wit.

Ed was born in 1940 in Burlington, WI, to Edward and June Garvey. His legacy of leadership and service began at a young age. He emerged as a young leader in Wisconsin through Badger Boys State and as student body president at the University of Wisconsin-Madison.

Ed's lifelong commitment to social justice and racial equality began in college. As a member of the Student Non-Violent Coordinating Council, Ed traveled to the South to join the African American civil rights movement. Following 2 years serving our Nation in the Army, Ed attended the University of Wisconsin Law School, graduating in 1969.

Thereafter, Ed joined the Minneapolis law firm Lindquist and Vennum and worked for the newly formed National Football League Players Association—NFLPA. For 12 years, Ed fought for labor rights for NFL players and workers, first as the NFLPA's attorney and eventually as its first executive director. He won greater freedom and economic fairness for the players, securing a fair share of profits for players who at the time needed second jobs to supplement their \$35,000 salaries.

Ed was never shy or deferential. He spoke truth to power and challenged the system anywhere he found an injustice. He loved a good fight, and he took great pleasure in the battles, but he was always respectful and driven by the progressive values that guided him. In moments of the greatest conflict, Ed would often use humor to disarm others while making a point. Even his greatest adversaries appreciated his principled positions and enjoyed his wit and intellect.

After more than a decade with the NFL, Ed returned home and was named Wisconsin Deputy Attorney General, where he took on big polluters and fought for environmental protections. He ran for the Senate twice, and in his bid for Governor in 1998, Ed not only fought for campaign finance reform, he led by example because he has always been deeply committed to changing a system where powerful interests have too much influence over public policy. While Ed came up short in his campaigns, he never gave up his fight for the "little guy" as a respected lawyer and as a leading progressive voice in our State.

Ed understood how important it is to pass on to the next generation our proud, progressive tradition in Wisconsin. He founded "Fighting Bob Fest" to honor the legacy of former progressive Wisconsin Governor and U.S. Senator Robert "Fighting Bob" LaFollette. Each year, Ed brought progressives together from across the country to share this tradition and give people a voice.

Ed's list of accomplishments and successes is long and has one thing common: He was committed to something bigger than he was. If you asked him, he would say his greatest accomplishment was his family. He spent more than five wonderful decades filled with adventures with his wife, Betty, and their three daughters, Pam, Kathleen, and Lizzy. In recent years, his four grandchildren were his greatest joy. I know that their wonderful memories of him will stay with them always.

I feel so privileged to have known and worked with Ed since my early years in public service. Ed lived his life and pursued his work with persistence and purpose. He loved Wisconsin and stood up for people from different walks of life because he wanted to make a difference in people's lives.

Perhaps most important, Ed inspired generations of young people to enter politics and law, to engage in our democracy, to let their voices be heard, and to never be intimidated by those of wealth, power, and privilege. I am a better person for having fought with him in support of a more progressive Wisconsin, and I am honored to work to continue his important legacy. "Forward!"

ADDITIONAL STATEMENTS

TRIBUTE TO CHARLES EDWARD GRAY

• Mr. DAINES. Mr. President, today I wish to recognize 17-year-old Charles Edward Gray for his service to his community. Charles is a member of the Montana Area Council of the Boy Scouts of America, Troop 214, out of Helena, MT.

On November 16, 2016, Charles was awarded the rank of Eagle Scout at his Eagle board review. Charles' Eagle Scout Service Project involved the planning, building, and installation of three wheelchair ramps at the YMCA Camp Child where children and families grow, learn new skills, and have fun in Montana's outdoors. He made the ramps out of treated lumber and composite planks and installed them at the camp's main lodge and in the girls' and boys' respective shower houses. The installation of these ramps will provide access to those with disabilities for many years to come, making Camp Child a more inclusive place.

Charles is a shining example of what it means to be a local servant leader and is using his skills to better his own community. Charles, thank you for rising to the challenge of serving Montana. I look forward to seeing what great things await your future.●

TRIBUTE TO TY LANTIS

• Mr. DAINES. Mr. President, this week, I have the distinct honor of rec-

ognizing Ty Lantis, a distinguished Montana craftsman with deep roots along the Yellowstone Valley. Ty grew up not too far from where the Powder River joins the Yellowstone River. During his adolescent years, Ty's family operated a saw mill south of Terry. He grew up building barns, garages, sheds, and many other structures. It is no surprise that Ty learned to make good use of his own talents and Montana's abundance of trees in order to become a successful homebuilder.

Shortly after graduating from Terry High School in Prairie County, Ty moved west along the Yellowstone Valley and started building homes in the Billings area. He helped build his first home when he was 19 years old. After a few more years of honing his craft, Ty teamed up with Greg Schmidt, and they launched their own company in 2003. Ty's Montana work ethic helped him to discover, develop, and deploy his talents in a way that literally helped to build a better community. In recent years, his company's craftsmanship has been honored in the Billings Parade of Homes, selected as the "Builder of the Year" in Billings, and recognized by the Yellowstone Valley People's Choice Award for homebuilding. In 2013, Ty's company built the house for the St. Jude Dream Home Giveaway, with the proceeds of this effort going to benefit children's medical research. The following year Ty served as the president of the Home Builders Association in Billings.

Despite the positive recognition from the community and from others in his industry, Ty remains a humble man who doesn't seek the attention that comes with a job well done. Ty prefers to go about his business and do quality work, but ultimately the quality of Ty's work speaks for itself. Today is my chance to say a simple thank you to Ty for the work he has done and will continue to do to build a Montana that is a treasure to all of us.●

TRIBUTE TO KIMBERLY LAWSON

• Mr. SANDERS. Mr. President, I wish to pay tribute to a dear friend and tireless champion of justice for working people, Kimberly Lawson. Kim's dedication to workers and their families spanned more than 30 years.

A proud daughter of northwest Indiana—Gary—and the industrial working class, Kim grew up witnessing firsthand the destruction of the industrial Midwest as corporate greed destroyed the steel industry and manufacturing jobs and decimated good-paying union jobs that built the middle class. Daughter of a union factory worker, Kim attended Purdue University, where she met the love of her life, Will Kohr.

Upon graduation, Kim began her long career in the labor movement, moving

to California in 1986 to work as a journalist and an organizer with Cesar Chavez and the United Farm Workers Union, UFW.

Kim and Will moved to Upper Jay, NY, where their daughter Emma was born and raised. Six, often seven days a week, Kim, an International Representative for the fiercely independent and democratic United Radio, Electrical and Machine Workers of America, UE, would drive hours in every direction from her family's cabin in Upper Jay, NY, to help workers, often against great odds, form their own unions and bargain contracts.

For two decades, Kim has done the hardest and some of the most important work anyone can do. Because of her, thousands of people have gained the courage to stand up and speak for themselves and for what is right. Because of her, many, many thousands of people, in Vermont and across the country, live measurably better lives.

Kim Lawson led the effort to successfully organize workers at workplaces in Vermont, including U.S. Citizenship and Immigration Services, Counseling Services of Addison County, Champlain Valley Office of Economic Opportunity, NHVAC, Berlin Health and Rehabilitation Center, Hunger Mountain Co-op, City Market Co-op, Northeast Kingdom Community Action, and the University of Vermont; and in New Hampshire, Grafton County New Hampshire Nursing Home and Public Employees, and the National Visa Center; and in New York, Adirondack Community Action Program. At a time when the wages and living standards of most people were under attack, Kim helped people organize collectively for a better life.

Kim was also a founder of the Vermont Workers Center and for years staffed the Workers Rights Hotline which, free of charge, has helped many thousands of workers learn and protect their rights under the law. She has trained, mentored, and led countless young organizers and workers who, inspired by her quiet, steadfast and relentless example, carry on her pursuit of justice.

In whatever task she set for herself, Kim worked with her whole heart and a deep sense of solidarity for her fellow humanity. I ask my colleagues to join me in honoring Kimberly Lawson for her tireless work on behalf of our communities and citizens.●

TRIBUTE TO ROBERT "BOB" G. SMITH

● Mr. SCOTT. Mr. President, I would like to congratulate and honor Robert "Bob" G. Smith, CEO of Goodwill Industries of Lower South Carolina—GWILSC—for 35 years of serving our great State.

Bob's dedication and passion has been a true testament to GWILSC's mission to "helping people reach their

full potential through the dignity and power of work." He has inspired and instilled confidence by promoting essential job training programs that have encouraged individuals to meet their goals.

His service has touched many people all over the South Carolina community, and his initiative to orchestrate a collaborative environment has helped to expand services that has transformed lives.

For more than three decades, Bob has worked tirelessly to serve others, and his contributions will continue to live on in the generations of South Carolinians he has been able to positively impact, and we are grateful for everything Bob has done to assist our communities. Therefore, I would like to recognize Robert "Bob" G. Smith for epitomizing the very best of the Palmetto State.●

MESSAGES FROM THE HOUSE

At 10:22 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill and joint resolution, in which it requests the concurrence of the Senate:

H.R. 998. An act to provide for the establishment of a process for the review of rules and sets of rules, and for other purposes.

H.J. Res. 83. Joint resolution disapproving the rule submitted by the Department of Labor relating to "Clarification of Employer's Continuing Obligation to Make and Maintain an Accurate Record of Each Recordable Injury and Illness".

The message also announced that pursuant to 22 U.S.C. 6913, and the order of the House of January 3, 2017, the Speaker appoints the following Members of the House of Representatives to the Congressional-Executive Commission on the People's Republic of China: Mr. WALZ of Minnesota and Ms. KAPTUR of Ohio.

The message further announced that pursuant to 22 U.S.C. 276d and the order of the House of January 3, 2017, the Speaker appoints the following Members of the House of Representatives to the Canada-United States Interparliamentary Group: Mr. HIGGINS of New York, Ms. SLAUGHTER of New York, Mr. MEEKS of New York, Mr. LARSEN of Washington, and Mr. DEFAZIO of Oregon.

The message also announced that pursuant to 44 U.S.C. 2702, the Minority Leader reappoints the following individual on the part of the House of Representatives to the Advisory Committee on the Records of Congress: Mr. John A. Lawrence of Washington, DC.

At 4:00 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1004. An act to amend chapter 3 of title 5, United States Code, to require the publication of information relating to pending agency regulatory actions, and for other purposes.

H.R. 1009. An act to amend title 44, United States Code, to require the Administrator of the Office of Information and Regulatory Affairs to review regulations, and for other purposes.

MEASURES REFERRED

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

H.R. 998. An act to provide for the establishment of a process for the review of rules and sets of rules, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 1004. An act to amend chapter 3 of title 5, United States Code, to require the publication of information relating to pending agency regulatory actions, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 1009. An act to amend title 44, United States Code, to require the Administrator of the Office of Information and Regulatory Affairs to review regulations, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communication was laid before the Senate, together with accompanying papers, reports, and documents, and was referred as indicated:

EC-925. A communication from the Acting Commissioner of Social Security, transmitting, pursuant to law, a report relative to the awarding of a sole-source contract to obtain wage information from payroll data providers for the Supplemental Security Income and Social Security Disability Insurance programs; to the Committee on Finance.

EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted:

By Mr. HATCH for the Committee on Finance.

*Seema Verma, of Indiana, to be Administrator of the Centers for Medicare and Medicaid Services.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. PORTMAN (for himself, Mrs. FISCHER, and Mr. BURR):

S. 489. A bill to amend the Employee Retirement Income Security Act of 1974 and the

Internal Revenue Code of 1986 with respect to participant votes on the suspension of benefits under multiemployer plans in critical and declining status; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DAINES (for himself, Mr. TESTER, and Mr. RISCH):

S. 490. A bill to reinstate and extend the deadline for commencement of construction of a hydroelectric project involving the Gibson Dam; to the Committee on Energy and Natural Resources.

By Mr. DAINES (for himself, Mr. TESTER, Mr. RISCH, and Mr. CRAPO):

S. 491. A bill to reinstate and extend the deadline for commencement of construction of a hydroelectric project involving Clark Canyon Dam; to the Committee on Energy and Natural Resources.

By Mr. CORNYN (for himself and Mr. CASEY):

S. 492. A bill to amend the Internal Revenue Code of 1986 to allow members of the Ready Reserve of a reserve component of the Armed Forces to make elective deferrals on the basis of their service to the Ready Reserve and on the basis of their other employment; to the Committee on Finance.

By Mr. RUBIO:

S. 493. A bill to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. GRASSLEY:

S. 494. A bill to improve transparency regarding the activities of the American Red Cross; to the Committee on the Judiciary.

By Mr. SANDERS:

S. 495. A bill to provide incentives for investment in research and development for new medicines, to enhance access to new medicines, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. DUCKWORTH (for herself, Mr. DURBIN, Mr. YOUNG, and Mrs. CAPITO):

S. 496. A bill to repeal the rule issued by the Federal Highway Administration and the Federal Transit Administration entitled "Metropolitan Planning Organization Coordination and Planning Area Reform"; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. CANTWELL (for herself, Mr. GRASSLEY, Mr. BROWN, Mrs. GILLIBRAND, Mr. COONS, Mr. FRANKEN, Mr. TILLIS, Mr. MERKLEY, Mrs. ERNST, Mr. BLUNT, and Ms. KLOBUCHAR):

S. 497. A bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of certain lymphedema compression treatment items as items of durable medical equipment; to the Committee on Finance.

By Mr. WYDEN (for himself and Mr. PETERS):

S. 498. A bill to amend title 10, United States Code, to require the Secretary of Defense to use only human-based methods for training members of the Armed Forces in the treatment of severe combat injuries, and for other purposes; to the Committee on Armed Services.

By Mr. THUNE:

S. 499. A bill to amend the Food Security Act of 1985 to address needs in the agriculture sector by establishing a voluntary, short-term conserving use program for participating farmers, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. ROBERTS (for himself and Mrs. MCCASKILL):

S. 500. A bill to amend the Homeland Security Act of 2002 to make the Assistant Secretary of Homeland Security for Health Affairs responsible for coordinating the efforts of the Department of Homeland Security related to food, agriculture, and veterinary defense against terrorism, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

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

S. 501. A bill to amend the Wild and Scenic Rivers Act to designate certain segments of East Rosebud Creek in Carbon County, Montana, as components of the Wild and Scenic Rivers System; to the Committee on Energy and Natural Resources.

By Mr. FRANKEN (for himself and Ms. KLOBUCHAR):

S. 502. A bill to modify the boundary of Voyageurs National Park in the State of Minnesota, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. WYDEN (for himself, Mr. MENENDEZ, Mr. BOOKER, Ms. CANTWELL, Mr. BLUMENTHAL, and Mr. PETERS):

S. 503. A bill to require the Secretary of Agriculture to make publicly available certain regulatory records relating to the administration of the Animal Welfare Act and the Horse Protection Act, to amend the Internal Revenue Code of 1986 to provide for the use of an alternative depreciation system for taxpayers violating rules under the Animal Welfare Act and the Horse Protection Act, and for other purposes; to the Committee on Finance.

By Ms. HIRONO (for herself and Mr. DAINES):

S. 504. A bill to permanently authorize the Asia-Pacific Economic Cooperation Business Travel Card Program; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CASSIDY (for himself, Mr. BENNET, and Mr. YOUNG):

S. 505. A bill to amend the Internal Revenue Code of 1986 to provide for an energy equivalent of a gallon of diesel in the case of liquefied natural gas for purposes of the Inland Waterways Trust Fund financing rate; to the Committee on Finance.

By Mr. THUNE:

S. 506. A bill to require that the Federal Government procure from the private sector the goods and services necessary for the operations and management of certain Government agencies, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. TESTER:

S. 507. A bill to sustain economic development and recreational use of National Forest System land in the State of Montana, to add certain land to the National Wilderness Preservation System, to designate new areas for recreation, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. 508. A bill to provide for the conveyance of certain Federal land in the State of Oregon, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BARRASSO (for himself, Mr. ENZI, Ms. MURKOWSKI, and Mr. RISCH):

S. 509. A bill to improve the control and management of invasive species that threat-

en and harm Federal land under the jurisdiction of the Secretary of Agriculture and the Secretary of the Interior, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BLUMENTHAL (for himself, Ms. BALDWIN, Mr. MARKEY, Mr. WYDEN, Mr. BROWN, Mr. WHITEHOUSE, Ms. HIRONO, Mr. COONS, Ms. WARREN, Mr. SCHATZ, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Mr. SANDERS, Mr. VAN HOLLEN, Mr. CARDIN, Mr. Kaine, Mr. BENNET, Mr. TESTER, Mr. DURBIN, Ms. HASSAN, Mrs. MCCASKILL, Ms. KLOBUCHAR, Mr. FRANKEN, Ms. DUCKWORTH, Mrs. SHAHEEN, Mrs. MURRAY, Mr. BOOKER, Mr. MERKLEY, Mr. MURPHY, Mr. PETERS, Mr. UDALL, Ms. HARRIS, Mr. HEINRICH, Ms. CANTWELL, Mr. SCHUMER, Ms. CORTEZ MASTO, Mr. KING, Ms. STABENOW, Mr. MENENDEZ, Mr. LEAHY, and Mr. WARNER):

S. 510. A bill to protect a woman's right and ability to determine whether and when to bear a child or end a pregnancy by limiting restrictions on the provision of abortion services; to the Committee on the Judiciary.

By Mr. MANCHIN:

S. 511. A bill to provide for the sealing of records relating to Federal nonviolent criminal offenses related to substance use disorders, and for other purposes; to the Committee on the Judiciary.

By Mr. BARRASSO (for himself, Mr. WHITEHOUSE, Mr. INHOFE, Mr. BOOKER, Mr. CRAPO, Mrs. FISCHER, Mrs. CAPITO, and Mr. MANCHIN):

S. 512. A bill to modernize the regulation of nuclear energy; to the Committee on Environment and Public Works.

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. 513. A bill to designate the Frank and Jeanne Moore Wild Steelhead Special Management Area in the State of Oregon; to the Committee on Energy and Natural Resources.

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

S. 514. A bill to direct the Secretary of Veterans Affairs to carry out a pilot program to provide access to magnetic EEG/EKG-guided resonance therapy to veterans; to the Committee on Veterans' Affairs.

By Mr. CASEY (for himself, Mr. BROWN, and Mrs. MCCASKILL):

S. 515. A bill to require the Secretary of Labor to maintain a publicly available list of all employers that relocate a call center overseas, to make such companies ineligible for Federal grants or guaranteed loans, and to require disclosure of the physical location of business agents engaging in customer service communications, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. WARNER (for himself and Mr. GARDNER):

S. 516. A bill to provide grants to assist States in developing and implementing plans to address cybersecurity threats or vulnerabilities, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. FISCHER (for herself, Mr. DONNELLY, Mr. GRASSLEY, Mr. BLUNT, Mrs. MCCASKILL, Mrs. ERNST, Ms. HEITKAMP, Mr. HOEVEN, Mr. SASSE, Ms. BALDWIN, Mr. THUNE, Mr. ROBERTS, Ms. KLOBUCHAR, and Mr. DURBIN):

S. 517. A bill to amend the Clean Air Act with respect to the ethanol waiver for Reid

vapor pressure limitations under such Act; to the Committee on Environment and Public Works.

By Mr. WICKER (for himself, Ms. HEITKAMP, Mr. BOOZMAN, Mr. BARRASSO, Mr. CRAPO, Mr. FRANKEN, Ms. HIRONO, Ms. KLOBUCHAR, Mr. MANCHIN, Mr. RISCH, Mr. SCHATZ, and Mr. TESTER):

S. 518. A bill to amend the Federal Water Pollution Control Act to provide for technical assistance for small treatment works; to the Committee on Environment and Public Works.

By Mrs. GILLIBRAND (for herself and Mr. SCHUMER):

S. 519. A bill to amend the Safe Water Drinking Act to require the Administrator of the Environmental Protection Agency to establish maximum contaminant levels for certain contaminants, and for other purposes; to the Committee on Environment and Public Works.

By Mr. CASSIDY:

S. 520. A bill to amend title XIX of the Social Security Act to reform payment to States under the Medicaid program; to the Committee on Finance.

By Mr. TESTER (for himself, Mr. RISCH, Mrs. MURRAY, and Mrs. MCCASKILL):

S. 521. A bill to make the National Parks and Federal Recreational Lands Pass available at a discount to veterans; to the Committee on Energy and Natural Resources.

By Mr. TESTER:

S. 522. A bill to establish a 5-year ban on individuals appointed to Executive Schedule positions and Members of Congress engaging in lobbying activities at the Federal level; to the Committee on the Judiciary.

By Mr. MANCHIN (for himself, Ms. KLOBUCHAR, Ms. HEITKAMP, Mr. NELSON, Mr. KING, Mr. MURPHY, Ms. BALDWIN, Ms. WARREN, Ms. HASSAN, and Mrs. SHAHEEN):

S. 523. A bill to amend the Internal Revenue Code of 1986 to establish a stewardship fee on the production and importation of opioid pain relievers, and for other purposes; to the Committee on Finance.

By Mr. BOOZMAN (for himself, Mr. BROWN, Mr. COCHRAN, Mr. COTTON, Mr. ISAKSON, and Mr. WICKER):

S. 524. A bill to amend the Internal Revenue Code of 1986 to make permanent certain provisions of the Heartland, Habitat, Harvest, and Horticulture Act of 2008 relating to timber; to the Committee on Finance.

By Mrs. GILLIBRAND (for herself and Mr. SCHUMER):

S. 525. A bill to require the United States Postal Service to designate a single, unique ZIP code for particular communities; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. FISCHER (for herself, Mr. COONS, Mr. SCOTT, and Mrs. GILLIBRAND):

S. 526. A bill to amend the Small Business Act to provide for expanded participation in the microloan program, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. BLUNT:

S. 527. A bill to improve access to emergency medical services, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SASSE (for himself, Mr. ALEXANDER, Mr. CASSIDY, Mr. GRASSLEY, Mr. HELLER, Mr. LEE, Mr. MCCONNELL, Mr. PERDUE, Mr. ROBERTS, and Mr. INHOFE):

S.J. Res. 26. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Education relating to teacher preparation issues; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CASSIDY (for himself, Mr. HATCH, Mr. ISAKSON, and Mr. DAINES):

S.J. Res. 27. A joint resolution disapproving the rule submitted by the Department of Labor relating to "Clarification of Employer's Continuing Obligation to Make and Maintain an Accurate Record of Each Recordable Injury and Illness"; to the Committee on Health, Education, Labor, and Pensions.

By Mr. INHOFE (for himself, Mr. CORNYN, Mr. BARRASSO, Mr. JOHNSON, Mr. MORAN, and Mrs. FISCHER):

S.J. Res. 28. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Administrator of the Environmental Protection Agency relating to accidental release prevention requirements of risk management programs under the Clean Air Act; to the Committee on Environment and Public Works.

By Mr. DAINES (for himself, Mr. HATCH, Mr. KENNEDY, and Mr. BARRASSO):

S.J. Res. 29. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule of the Office of Natural Resources Revenue of the Department of the Interior relating to consolidated Federal oil and gas and Federal and Indian coal valuation reform; to the Committee on Energy and Natural Resources.

By Mr. PERDUE (for himself, Mr. BOOZMAN, and Mr. LEAHY):

S.J. Res. 30. A joint resolution providing for the reappointment of Steve Case as a citizen regent of the Board of Regents of the Smithsonian Institution; to the Committee on Rules and Administration.

By Mr. YOUNG:

S.J. Res. 31. A joint resolution to authorize the use of United States Armed Forces against al-Qaeda, the Taliban, the Islamic State of Iraq and Syria, successor organizations, and associated forces; to the Committee on Foreign Relations.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. MENENDEZ (for himself and Mr. GRAHAM):

S. Res. 78. A resolution expressing the sense of the Senate recognizing 3 years of Russian military aggression in Ukraine; to the Committee on Foreign Relations.

By Ms. COLLINS (for herself, Mr. REED, Mr. BLUMENTHAL, Mr. CARPER, Mr. COCHRAN, Mr. DURBIN, Mr. MARKEY, Mr. TILLIS, and Mrs. CAPITO):

S. Res. 79. A resolution designating March 2, 2017, as "Read Across America Day"; considered and agreed to.

By Mr. COONS (for himself and Mr. INHOFE):

S. Res. 80. A resolution designating March 3, 2017, as "World Wildlife Day"; considered and agreed to.

By Mr. ROBERTS (for himself, Ms. STABENOW, Mr. CRAPO, Mr. CARDIN, and Ms. KLOBUCHAR):

S. Con. Res. 7. A concurrent resolution expressing the sense of Congress that tax-exempt fraternal benefit societies have historically provided and continue to provide critical benefits to the people and communities of the United States; to the Committee on Finance.

By Mr. CARDIN (for himself, Mr. LEAHY, Mrs. MCCASKILL, Ms. WARREN, Mr. CARPER, Mrs. FEINSTEIN, Mrs. MURRAY, Mr. WYDEN, Mr. DURBIN, Mr. REED, Ms. STABENOW, Mr. BROWN, Mr. CASEY, Ms. KLOBUCHAR, Mr. WHITEHOUSE, Mr. UDALL, Mr. MERKLEY, Mr. BENNET, Mrs. GILLIBRAND, Mr. FRANKEN, Mr. COONS, Mr. BLUMENTHAL, Ms. BALDWIN, Mr. MURPHY, Ms. HIRONO, Mr. HEINRICH, Mr. MARKEY, Mr. BOOKER, Mr. PETERS, Mr. VAN HOLLEN, Ms. HARRIS, Ms. CORTEZ MASTO, and Ms. DUCKWORTH):

S. Con. Res. 8. A concurrent resolution clarifying any potential misunderstanding as to whether actions taken by President Donald J. Trump constitute a violation of the Emoluments Clause, and calling on President Trump to divest his interest in, and sever his relationship to, the Trump Organization; to the Committee on Homeland Security and Governmental Affairs.

ADDITIONAL COSPONSORS

S. 27

At the request of Mr. CARDIN, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 27, a bill to establish an independent commission to examine and report on the facts regarding the extent of Russian official and unofficial cyber operations and other attempts to interfere in the 2016 United States national election, and for other purposes.

S. 141

At the request of Mr. PETERS, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 141, a bill to improve understanding and forecasting of space weather events, and for other purposes.

S. 200

At the request of Mr. MARKEY, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 200, a bill to prohibit the conduct of a first-use nuclear strike absent a declaration of war by Congress.

S. 232

At the request of Mrs. FEINSTEIN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 232, a bill to terminate the EB-5 Visa Program and to reallocate the employment creation visas to the other employment-based visa classifications.

S. 236

At the request of Mr. WYDEN, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 236, a bill to amend the Internal Revenue Code of 1986 to reform taxation of alcoholic beverages.

S. 317

At the request of Mr. LANKFORD, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of

S. 317, a bill to provide taxpayers with an annual report disclosing the cost and performance of Government programs and areas of duplication among them, and for other purposes.

S. 341

At the request of Mr. GRAHAM, the names of the Senator from Ohio (Mr. PORTMAN) and the Senator from Illinois (Ms. DUCKWORTH) were added as cosponsors of S. 341, a bill to provide for congressional oversight of actions to waive, suspend, reduce, provide relief from, or otherwise limit the application of sanctions with respect to the Russian Federation, and for other purposes.

S. 356

At the request of Ms. STABENOW, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 356, a bill to amend title XXI of the Social Security Act to improve access to, and the delivery of, children's health services through school-based health centers, and for other purposes.

S. 372

At the request of Mr. PORTMAN, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 372, a bill to amend the Tariff Act of 1930 to ensure that merchandise arriving through the mail shall be subject to review by U.S. Customs and Border Protection and to require the provision of advance electronic information on shipments of mail to U.S. Customs and Border Protection and for other purposes.

S. 405

At the request of Mr. COONS, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 405, a bill to amend the Internal Revenue Code of 1986 and the Higher Education Act of 1965 to provide an exclusion from income for student loan forgiveness for students who have died or become disabled.

S. 407

At the request of Mr. CRAPO, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 407, a bill to amend the Internal Revenue Code of 1986 to permanently extend the railroad track maintenance credit.

S. 413

At the request of Mrs. CAPITO, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 413, a bill to amend title XVIII of the Social Security Act to prohibit prescription drug plan sponsors and MA-PD organizations under the Medicare program from retroactively reducing payment on clean claims submitted by pharmacies.

S. 445

At the request of Ms. COLLINS, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 445, a bill to amend title

XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 446

At the request of Mr. CORNYN, the names of the Senator from Idaho (Mr. RISCH), the Senator from Alabama (Mr. STRANGE), the Senator from Alabama (Mr. SHELBY) and the Senator from Alaska (Mr. SULLIVAN) were added as cosponsors of S. 446, a bill to allow reciprocity for the carrying of certain concealed firearms.

S. 455

At the request of Mr. TESTER, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 455, a bill to amend title XVIII of the Social Security Act to count resident time spent in a critical access hospital as resident time spent in a nonprovider setting for purposes of making Medicare direct and indirect graduate medical education payments.

S. 461

At the request of Mr. HEINRICH, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 461, a bill to allow Homeland Security Grant Program funds to be used to safeguard faith-based community centers across the United States, and for other purposes.

S. 469

At the request of Mr. SANDERS, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 469, a bill to amend the Federal Food, Drug, and Cosmetic Act to allow for the importation of affordable and safe drugs by wholesale distributors, pharmacies, and individuals.

S. 473

At the request of Mr. TESTER, the names of the Senator from Virginia (Mr. KAINE) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 473, a bill to amend title 38, United States Code, to make qualification requirements for entitlement to Post-9/11 Education Assistance more equitable, to improve support of veterans receiving such educational assistance, and for other purposes.

S. 487

At the request of Mr. CRAPO, the names of the Senator from Indiana (Mr. DONNELLY), the Senator from Minnesota (Mr. FRANKEN), the Senator from Kansas (Mr. MORAN), the Senator from Kansas (Mr. ROBERTS) and the Senator from South Dakota (Mr. THUNE) were added as cosponsors of S. 487, a bill to amend the Internal Revenue Code of 1986 to provide for an exclusion for assistance provided to participants in certain veterinary student loan repayment or forgiveness programs.

S.J. RES. 12

At the request of Mr. JOHNSON, the names of the Senator from Louisiana (Mr. KENNEDY), the Senator from South

Dakota (Mr. ROUNDS), the Senator from Alabama (Mr. STRANGE), the Senator from Kentucky (Mr. PAUL), the Senator from South Carolina (Mr. SCOTT), the Senator from Mississippi (Mr. WICKER), the Senator from Utah (Mr. LEE) and the Senator from Idaho (Mr. RISCH) were added as cosponsors of S.J. Res. 12, a joint resolution disapproving the rule submitted by the Department of Defense, the General Services Administration, and the National Aeronautics and Space Administration relating to the Federal Acquisition Regulation.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DAINES (for himself, Mr. TESTER, and Mr. RISCH):

S. 490. A bill to reinstate and extend the deadline for commencement of construction of a hydroelectric project involving the Gibson Dam; to the Committee on Energy and Natural Resources.

Mr. DAINES. Mr. President, Montana is the fifth largest producer of hydropower in the Nation, with 23 hydroelectric dams contributing one-third of all electricity production in Montana. The Gibson Dam project near Augusta, Montana will provide fifty to one hundred years of stable tax revenue for the state and local counties, reduce carbon emissions, create good-paying jobs, and will provide clean, reliable electricity to Montana. This bill would reinstate and provide a six-year extension of the Federal Energy Regulatory Commission license, allowing Montana to continue to be a leader in clean, hydropower electricity.

I thank Senators TESTER and RISCH for joining me on introducing this bill and I ask my colleagues to join me in supporting this bipartisan legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 490

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REINSTATEMENT AND EXTENSION OF TIME FOR FEDERAL ENERGY REGULATORY COMMISSION PROJECT INVOLVING GIBSON DAM.

Notwithstanding the time period specified in section 13 of the Federal Power Act (16 U.S.C. 806) that would otherwise apply to the Federal Energy Regulatory Commission project numbered 12478-003, the Federal Energy Regulatory Commission (referred to in this section as the "Commission") shall, at the request of the licensee for the project, after reasonable notice, and in accordance with the good faith, due diligence, and public interest requirements of, and the procedures of the Commission under, that section, reinstate the license and extend the time period during which the licensee is required to commence construction of the project for the 6-year period that begins on the date of enactment of this Act.

By Mr. DAINES (for himself, Mr. TESTER, Mr. RISCH, and Mr. CRAPO):

S. 491. A bill to reinstate and extend the deadline for commencement of construction of a hydroelectric project involving Clark Canyon Dam; to the Committee on Energy and Natural Resources.

Mr. DAINES. Mr. President, hydropower is a critical component of an all of the above energy portfolio that provides a reliable and affordable source of electricity for hard-working Montana families. Clark Canyon Dam hydropower project near Dillon, MT will power over 1,000 homes annually in the region, create good-paying jobs, reduce carbon dioxide emissions, and produce hundreds of thousands of dollars in tax revenue for Montana. This bill would reinstate and provide a 3-year contract extension of the Federal Energy Regulatory Commission license, allowing Montana to continue to be a leader in clean, hydropower electricity.

I thank Senators TESTER, RISCH and CRAPO for joining me on introducing this bill, and I ask my colleagues to join me in supporting this bipartisan legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 491

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXTENSION OF TIME FOR A FEDERAL ENERGY REGULATORY COMMISSION PROJECT INVOLVING CLARK CANYON DAM.

Notwithstanding the time period described in section 13 of the Federal Power Act (16 U.S.C. 806) that would otherwise apply to the Federal Energy Regulatory Commission project numbered 12429, the Federal Energy Regulatory Commission (referred to in this section as the "Commission") shall, at the request of the licensee for the project, and after reasonable notice and in accordance with the procedures of the Commission under that section, reinstate the license and extend the time period during which the licensee is required to commence construction of project works for the 3-year period beginning on the date of enactment of this Act.

By Mr. CORNYN (for himself and Mr. CASEY):

S. 492. A bill to amend the Internal Revenue Code of 1986 to allow members of the Ready Reserve of a reserve component of the Armed Forces to make elective deferrals on the basis of their service to the Ready Reserve and on the basis of their other employment; to the Committee on Finance.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 492

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Service-member Retirement Improvement Act".

SEC. 2. ELECTIVE DEFERRALS BY MEMBERS OF THE READY RESERVE OF A RESERVE COMPONENT OF THE ARMED FORCES.

(a) IN GENERAL.—Section 402(g) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

"(9) ELECTIVE DEFERRALS BY MEMBERS OF READY RESERVE.—

"(A) IN GENERAL.—In the case of a qualified ready reservist (other than a specified Federal employee ready reservist) for any taxable year, the limitations of subparagraphs (A) and (C) of paragraph (1) shall be applied separately with respect to—

"(i) elective deferrals of such qualified ready reservist with respect to the Thrift Savings Fund (as defined in section 7701(j)), and

"(ii) any other elective deferrals of such qualified ready reservist.

"(B) SPECIAL RULE FOR FEDERAL EMPLOYEES IN THE READY RESERVE NOT ELIGIBLE TO MAKE ELECTIVE DEFERRALS TO A PLAN OTHER THAN THE THRIFT SAVINGS PLAN.—In the case of a specified Federal employee ready reservist for any taxable year—

"(i) the applicable dollar amount in effect under paragraph (1)(B) for such taxable year shall be twice such amount (as determined without regard to this subclause), and

"(ii) for purposes of paragraph (1)(C), the applicable dollar amount under section 414(v)(2)(B)(i) (as otherwise determined for purposes of paragraph (1)(C)) shall be twice such amount (as determined without regard to this subclause).

"(C) DEFINITIONS.—For purposes of this paragraph—

"(i) QUALIFIED READY RESERVIST.—The term 'qualified ready reservist' means any individual for any taxable year if such individual received compensation for service as a member of the Ready Reserve of a reserve component (as defined in section 101 of title 37, United States Code) during such taxable year.

"(ii) SPECIFIED FEDERAL EMPLOYEE READY RESERVIST.—The term 'specified Federal employee ready reservist' means any individual for any taxable year if such individual—

"(I) is a qualified ready reservist for such taxable year,

"(II) would be eligible to make elective deferrals with respect to the Thrift Savings Fund (as defined in section 7701(j)) during such taxable year determined without regard to the service of such individual described in clause (i), and

"(III) is not eligible to make elective deferrals with respect to any plan other than such Thrift Savings Fund during such taxable year."

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

By Mr. WYDEN (for himself, Mr. MENENDEZ, Mr. BOOKER, Ms. CANTWELL, Mr. BLUMENTHAL, and Mr. PETERS):

S. 503. A bill to require the Secretary of Agriculture to make publicly available certain regulatory records relat-

ing to the administration of the Animal Welfare Act and the Horse Protection Act, to amend the Internal Revenue Code of 1986 to provide for the use of an alternative depreciation system for taxpayers violating rules under the Animal Welfare Act and the Horse Protection Act, and for other purposes; to the Committee on Finance.

Mr. WYDEN. Mr. President, today I am introducing the Animal Welfare Accountability and Transparency Act. This bill is a necessary step to restoring public information on animal cruelty that was removed from the U.S. Department of Agriculture's, USDA, Animal and Plant Health Inspection Service, APHIS, website under the Trump administration.

On February 3, 2017, APHIS removed information from its website related to oversight and enforcement of the Animal Welfare Act, AWA, and Horse Protection Act, HPA, including animal inspection and licensing reports for more than 9,000 licensed facilities that use animals—facilities like commercial dog breeding operators, animal research labs, roadside zoos, and horse show participants. Since 2009, APHIS has made this information public to increase transparency and hold violators of these animal cruelty laws accountable. This information is now hidden from the public and is only available through a Freedom of Information Act Request, which can take months and sometimes even years for an agency to respond.

The Animal Welfare Accountability and Transparency Act restores transparency by requiring APHIS to once again make AWA and HPA inspection reports accessible to the public. In my view, transparency is key when it comes to giving animal lovers and consumers information about whether their pets or the products they buy are the result of heartbreaking beginnings. These inspection reports also help law enforcement officials track and understand trends in animal welfare violations.

Preventing animal cruelty starts with getting facts out to consumers. By shedding light on AWA and HPA violations, the Animal Welfare Accountability and Transparency Act holds accountable puppy mill operators and other businesses that use animals for breeding, research, and testing.

To ensure that taxpayers are not paying for entities that violate animal welfare laws, the Animal Welfare Accountability and Transparency Act also prohibits businesses that are found to be in violation of the AWA or HPA from collecting certain tax benefits.

Under current tax and accounting rules, companies can write off the value of breeding and working animals on their taxes using accelerated depreciation, as if those animals are machinery. They keep that preferential and valuable tax benefit, even if they

violate animal cruelty laws. The Animal Welfare Accountability and Transparency Act puts an end to this practice and holds companies accountable for breaking the law by prohibiting businesses found to have violated AWA or HPA from claiming accelerated depreciation for tax purposes for five years.

The Animal Welfare Accountability and Transparency Act is a much needed step to restore transparency in animal cruelty and to hold companies accountable for violating the law.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 503

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Animal Welfare Accountability and Transparency Act".

SEC. 2. PUBLIC AVAILABILITY OF REGULATORY RECORDS.

Notwithstanding any other provision of law, not later than 90 days after the date of enactment of this Act, the Secretary of Agriculture (referred to in this section as the "Secretary") shall maintain and promptly make available to the public in an online searchable database in a machine-readable format on the website of the Department of Agriculture information relating to the administration of the Animal Welfare Act (7 U.S.C. 2131 et seq.) and the Horse Protection Act (15 U.S.C. 1821 et seq.), including—

(1) the entirety of each report of any inspection conducted, and record of any enforcement action taken, under—

(A) either of those Acts; or
(B) any regulation issued under those Acts;

(2) with respect to the Animal Welfare Act—

(A) the entirety of each annual report submitted by a research facility under section 13 of that Act (7 U.S.C. 2143); and

(B) the name, address, and license or registration number of each research facility, exhibitor, dealer, and other person or establishment—

(i) licensed by the Secretary under section 3 or 12 of that Act (7 U.S.C. 2133, 2142); or

(ii) registered with the Secretary under section 6 of that Act (7 U.S.C. 2136); and

(3) with respect to the Horse Protection Act, the name and address of—

(A) any person that is licensed to conduct any inspection under section 4(c) of that Act (15 U.S.C. 1823(c)); or

(B) any organization or association that is licensed by the Department of Agriculture to promote horses through—

(i) the showing, exhibiting, sale, auction, or registry of horses; or

(ii) the conduct of any activity that contributes to the advancement of horses.

SEC. 3. USE OF ALTERNATIVE DEPRECIATION SYSTEM FOR TAXPAYERS VIOLATING CERTAIN ANIMAL PROTECTION RULES.

(a) IN GENERAL.—Section 168(g)(1) of the Internal Revenue Code of 1986 is amended by striking "and" at the end of subparagraph (D), by inserting "and" at the end of subparagraph (E), and by inserting after subparagraph (E) the following new subparagraph:

"(F) any property placed in service by a disqualified taxpayer during an applicable period."

(b) DEFINITIONS.—Section 168(g) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

"(8) DISQUALIFIED TAXPAYER; APPLICABLE PERIOD.—For purposes of paragraph (1)(F)—

"(A) DISQUALIFIED TAXPAYER.—

"(i) IN GENERAL.—The term 'disqualified taxpayer' means any taxpayer if such taxpayer—

"(I) has been assessed a civil penalty under section 19(b) of the Animal Welfare Act (7 U.S.C. 2149(b)) or section 6(b) of the Horse Protection Act (15 U.S.C. 1825(b)) and either the period for seeking judicial review of the final agency action has lapsed or there has been a final judgment with respect to an appeal of such assessment, or

"(II) has been convicted under section 19(d) of the Animal Welfare Act (7 U.S.C. 2149(d)) or section 6(a) of the Horse Protection Act (15 U.S.C. 1825(a)) and there is a final judgment with respect to such conviction.

"(ii) AGGREGATION RULES.—All persons treated as a single employer under subsection (a) or (b) of section 52, or subsection (m) or (o) of section 414, shall be treated as one taxpayer for purposes of this subparagraph.

"(B) APPLICABLE PERIOD.—The term 'applicable period' means, with respect to any violation described in subparagraph (A), the 5-taxable year period beginning with the taxable year in which the period for seeking judicial review of a civil penalty described in subparagraph (A)(i) has lapsed or in which there has been a final judgment entered with respect to the violation, whichever is earlier."

(c) CONFORMING AMENDMENT.—The last sentence of section 179(d)(1) is amended by inserting "or any property placed in service by a disqualified taxpayer (as defined in section 168(g)(8)(A)) during an applicable period (as defined in section 168(g)(8)(B))" after "section 50(b)".

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service in taxable years beginning after the date of the enactment of this section.

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. 513. A bill to designate the Frank and Jeanne Moore Wild Steelhead Special Management Area in the State of Oregon; to the Committee on Energy and Natural Resources.

Mr. WYDEN. Mr. President, today I am reintroducing a bill honoring two Oregon legends—Frank and Jeanne Moore—who have spent their lives together on the North Umpqua River as fishers, stewards of the land, and hosts to visitors from across the world at the famous Steamboat Inn.

The North Umpqua River runs through the Umpqua National Forest in Southwest Oregon. The river is a destination for rafters and kayakers, and is home to some of the best steelhead runs in the world, making it a fly-fishing haven. Frank and Jeanne Moore founded the Steamboat Inn in 1957, and spent years introducing visitors to the beauty of the Umpqua National Forest and the North Umpqua

River. Frank, a decorated WWII veteran and a recent inductee into the Freshwater Fishing Hall of Fame, was the fishing guide for the Inn's visitors, and has now been fishing this river for 70 years. The Steamboat Inn's website paints a wonderful picture of how Frank and Jeanne welcomed visitors to the North Umpqua River:

"Each night, Jeanne Moore cooked evening meals for as many as sixty road construction crew members, who ate in shifts, before turning her attention to feeding her lodge guests. Frank pitched in, helped with the cooking, and also made a policy decision that would henceforth guide the Fisherman's Dinner: From then on, anglers could fish until the last light disappeared on the river. Dinner would be served one half hour after sunset!"

In the 1960's, the river and its tributaries experienced significant degradation, and Frank Moore has worked tirelessly ever since to rehabilitate the river and the steelhead populations. Frank served on the State of Oregon Fish and Wildlife Commission and has received the National Wildlife Federation Conservationist of the Year award and the Wild Steelhead Coalition Conservation Award. He works with his neighbors and local organizations to monitor the river, and just about everyone he comes across on his drives along the river knows his name and knows his work. Frank and Jeanne have opened their door to visitors and have taken great care of this Oregon treasure.

The Frank and Jeanne Moore Wild Steelhead Special Management Area will stand as a tribute to the Moore's and their dedication to protecting this special place in Oregon and preserving the hard work they've put in to ensure that Oregonians and visitors alike will have a healthy river, full of steelhead, to visit for decades to come.

It is my honor to reintroduce this bill today with my colleague from Oregon, Senator JEFF MERKLEY, on behalf of these extraordinary Oregonians.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 513

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Frank and Jeanne Moore Wild Steelhead Special Management Area Designation Act".

SEC. 2. FINDINGS.

Congress finds that—

(1) Frank Moore has committed his life to family, friends, his country, and fly fishing;

(2) Frank Moore is a World War II veteran who stormed the beaches of Normandy along with 150,000 troops during the D-Day Allied invasion and was awarded the Chevalier of the French Legion of Honor for his bravery;

(3) Frank Moore returned home after the war, started a family, and pursued his passion of fishing on the winding rivers in Oregon;

(4) as the proprietor of the Steamboat Inn along the North Umpqua River in Oregon for nearly 20 years, Frank Moore, along with his wife Jeanne, shared his love of fishing, the flowing river, and the great outdoors, with visitors from all over the United States and the world;

(5) Frank Moore has spent most of his life fishing the vast rivers of Oregon, during which time he has contributed significantly to efforts to conserve fish habitats and protect river health, including serving on the State of Oregon Fish and Wildlife Commission;

(6) Frank Moore has been recognized for his conservation work with the National Wildlife Federation Conservationist of the Year award, the Wild Steelhead Coalition Conservation Award, and his 2010 induction into the Fresh Water Fishing Hall of Fame; and

(7) in honor of the many accomplishments of Frank Moore, both on and off the river, approximately 99,653 acres of Forest Service land in the State of Oregon should be designated as the "Frank and Jeanne Moore Wild Steelhead Special Management Area".

SEC. 3. DEFINITIONS.

In this Act:

(1) MAP.—The term "Map" means the map entitled "Frank Moore Wild Steelhead Special Management Area Designation Act" and dated June 23, 2016.

(2) SECRETARY.—The term "Secretary" means the Secretary of Agriculture, acting through the Chief of the Forest Service.

(3) SPECIAL MANAGEMENT AREA.—The term "Special Management Area" means the Frank and Jeanne Moore Wild Steelhead Special Management Area designated by section 4(a).

(4) STATE.—The term "State" means the State of Oregon.

SEC. 4. FRANK AND JEANNE MOORE WILD STEELHEAD SPECIAL MANAGEMENT AREA, OREGON.

(a) DESIGNATION.—The approximately 99,653 acres of Forest Service land in the State, as generally depicted on the Map, is designated as the "Frank and Jeanne Moore Wild Steelhead Special Management Area".

(b) MAP; LEGAL DESCRIPTION.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall prepare a map and legal description of the Special Management Area.

(2) FORCE OF LAW.—The map and legal description prepared under paragraph (1) shall have the same force and effect as if included in this Act, except that the Secretary may correct clerical and typographical errors in the map and legal description.

(3) AVAILABILITY.—The map and legal description prepared under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Forest Service.

(c) ADMINISTRATION.—Subject to valid existing rights, the Special Management Area shall be administered by the Secretary—

(1) in accordance with all laws (including regulations) applicable to the National Forest System; and

(2) in a manner that—

(A) conserves and enhances the natural character, scientific use, and the botanical, recreational, ecological, fish and wildlife, scenic, drinking water, and cultural values of the Special Management Area;

(B) maintains and seeks to enhance the wild salmonid habitat of the Special Management Area;

(C) maintains or enhances the watershed as a thermal refuge for wild salmonids; and

(D) preserves opportunities for recreation, including primitive recreation.

(d) FISH AND WILDLIFE.—Nothing in this section affects the jurisdiction or responsibilities of the State with respect to fish and wildlife in the State.

(e) ADJACENT MANAGEMENT.—Nothing in this section—

(1) creates any protective perimeter or buffer zone around the Special Management Area; or

(2) modifies the applicable travel management plan for the Special Management Area.

(f) WILDFIRE MANAGEMENT.—Nothing in this section prohibits the Secretary, in cooperation with other Federal, State, and local agencies, as appropriate, from conducting wildland fire operations in the Special Management Area, consistent with the purposes of this Act, including the use of aircraft, machinery, mechanized equipment, fire breaks, backfires, and retardant.

(g) VEGETATION MANAGEMENT.—Nothing in this section prohibits the Secretary from conducting vegetation management projects within the Special Management Area in a manner consistent with—

(1) the purposes described in subsection (c); and

(2) the applicable forest plan.

(h) PROTECTION OF TRIBAL RIGHTS.—Nothing in this section diminishes any treaty rights of an Indian tribe.

(i) WITHDRAWAL.—Subject to valid existing rights, the Federal land within the boundaries of the Special Management Area river segments designated by subsection (a) is withdrawn from all forms of—

(1) entry, appropriation, or disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) disposition under all laws relating to mineral and geothermal leasing or mineral materials.

By Mr. DAINES (for himself, Mr. HATCH, Mr. KENNEDY, and Mr. BARRASSO):

S.J. Res. 29. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule of the Office of Natural Resources Revenue of the Department of the Interior relating to consolidated Federal oil and gas and Federal and Indian coal valuation reform; to the Committee on Energy and Natural Resources.

Mr. DAINES. Mr. President, as a fifth-generation Montanan and having spent 18 years in the private sector, I know how important it is to receive your fair share in any deal. However, the Office of Natural Resources Revenue Consolidated Federal oil and gas and Federal and Indian coal valuation reform rule does not protect the taxpayers' fair share of mineral royalties as finalized. The rule as finalized creates high uncertainty and, at worst, could cause many energy operators across the country to shut-in what is already very capital-intensive production, placing our Nation's energy and infrastructure security and good-pay-

ing energy jobs at risk. The rule could leave the taxpayer at a net loss in royalties. This resolution would halt implementation of the final ONRR valuation rule, a rule whose implementation is already postponed due to litigation, allowing the States and producers to work with the Department of the Interior to reform valuation in a common-sense way.

I thank Senators HATCH and KENNEDY for joining me on introducing this resolution, and I ask my colleagues to join me in supporting this legislation.

Mr. President, I ask unanimous consent that the text of the joint resolution be printed in the RECORD.

There being no objection, the text of the joint resolution was ordered to be printed in the RECORD, as follows:

S.J. RES. 29

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress disapproves the rule submitted by the Office of Natural Resources Revenue of the Department of the Interior relating to "Consolidated Federal Oil & Gas and Federal & Indian Coal Valuation Reform" (published at 81 Fed. Reg. 43337 (July 1, 2016)), and such rule shall have no force or effect.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 78—EXPRESSING THE SENSE OF THE SENATE RECOGNIZING 3 YEARS OF RUSSIAN MILITARY AGGRESSION IN UKRAINE

Mr. MENENDEZ (for himself and Mr. GRAHAM) submitted the following resolution; which was referred to the Committee on Foreign Relations.:

S. RES. 78

Whereas, according to conservative estimates from the United Nations, approximately 10,000 people have been killed, over 20,000 wounded, and nearly 2,000,000 internally displaced since the current conflict in Ukraine began in 2014;

Whereas, March 1, 2014, marks 3 years since the Government of the Russian Federation authorized military forces to illegally annex the Crimean region of Ukraine;

Whereas the Budapest Memorandum on Security Assurances signed by the Russian Federation in December 1994 provided security assurances against the threats or use of force against the territorial integrity or political independence of Ukraine;

Whereas the United States and other countries stated in a letter to the United Nations that the Russian annexation of Crimea in 2014 was a violation of Ukrainian sovereignty and territorial integrity and thus was a breach of the Budapest Memorandum;

Whereas, in September 2014, the Russian Federation signed the Minsk I Protocol, which called for an immediate ceasefire and effective monitoring by the Organization for Security and Co-operation in Europe (OSCE);

Whereas, in February 2015, the Russian Federation signed the Minsk II Protocol, which again called for an immediate ceasefire, the withdrawal of heavy weapons, and effective monitoring by the OSCE;

Whereas Russian, Ukrainian, and European representatives reaffirmed their commitment to the Minsk agreements at the 2017 Munich Security Conference;

Whereas Secretary of State Rex Tillerson recently stated that the United States expects “Russia to honor its commitments to the Minsk agreements and work to de-escalate violence in Ukraine”;

Whereas the Government of the Russian Federation, despite its commitments to these peace accords, continues to destabilize Ukraine through a variety of military and political maneuvers;

Whereas OSCE observers still do not have full, unimpeded access to the Ukrainian-Russian border;

Whereas the Government of the Russian Federation continues to supply weapons, equipment, and personnel to separatists intent on undermining the sovereignty of Ukraine and who recently relaunched a campaign of aggression in January 2017;

Whereas the Government of the Russian Federation has yet to withdraw its heavy weapons from Ukraine and continues its sabotage and subversion efforts;

Whereas Russian President Vladimir Putin signed an order recognizing passports issued by separatist rebels in Eastern Ukraine;

Whereas the Ukraine Freedom Support Act of 2014 (Public Law 113-272) authorized increased military and economic assistance for Ukraine;

Whereas the Government of the Russian Federation continues to engage in a campaign of disinformation about the conflict in both Ukraine and the West;

Whereas the defense minister of the Russian Federation recently announced the formation of “information warfare troops”;

Whereas the Government of the Russian Federation has mobilized up to 100,000 troops to Belarus’ border with Lithuania and Poland, reminiscent of actions taken at the Ukrainian border in 2014; and

Whereas it is long-standing policy of the United States Government not to recognize territorial changes effected by force alone: Now, therefore, be it

Resolved, That the Senate—

(1) condemns continued Russian military intervention in the sovereign state of Ukraine;

(2) calls on the Government of the Russian Federation to immediately cease all activity that seeks to normalize or recognize the Russian-backed rebel separatists in Eastern Ukraine;

(3) affirms that sanctions imposed on the Russian Federation for destabilizing the international order in Eastern Europe should not be lifted until the Russian Federation complies with all terms of the Minsk agreements and ceases its illegal attempts to annex Ukraine’s Crimea; and

(4) calls on the United States Government, United States allies in Europe, the United Nations, and international partners to continue to pressure the Government of the Russian Federation to uphold its international obligations.

SENATE RESOLUTION 79—DESIGNATING MARCH 2, 2017, AS “READ ACROSS AMERICA DAY”

Ms. COLLINS (for herself, Mr. REED, Mr. BLUMENTHAL, Mr. CARPER, Mr. COCHRAN, Mr. DURBIN, Mr. MARKEY, Mr. TILLIS, and Mrs. CAPITO) submitted the following resolution; which was considered and agreed to:

S. RES. 79

Whereas reading is a basic requirement for quality education and professional success and a source of pleasure throughout life;

Whereas the people of the United States must be able to read if the United States is to remain competitive in the global economy;

Whereas Congress has placed great emphasis on reading intervention and providing additional resources for reading assistance, including through the programs authorized under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) and through annual appropriations for library and literacy programs; and

Whereas more than 50 national organizations concerned about reading and education have joined with the National Education Association to designate March 2, the anniversary of the birth of Theodor Geisel (commonly known as “Dr. Seuss”), as a day to celebrate reading: Now, therefore, be it

Resolved, That the Senate—

(1) designates March 2, 2017, as “Read Across America Day”;

(2) honors—

(A) Theodor Geisel (commonly known as “Dr. Seuss”) for his success in encouraging children to discover the joy of reading; and

(B) the 20th anniversary of Read Across America Day; and

(3) encourages—

(A) parents to read with their children for at least 30 minutes on Read Across America Day in honor of the commitment of the Senate to building a country of readers; and

(B) the people of the United States to observe Read Across America Day with appropriate ceremonies and activities.

SENATE RESOLUTION 80—DESIGNATING MARCH 3, 2017, AS “WORLD WILDLIFE DAY”

Mr. COONS (for himself and Mr. INHOFE) submitted the following resolution; which was considered and agreed to:

S. RES. 80

Whereas wildlife has provided numerous economic, environmental, social, and cultural benefits during the course of human history and wildlife conservation will secure these gifts for future generations;

Whereas plant and animal species play an important role in the stability of diverse ecosystems around the world and the conservation of this biodiversity is critical to maintain the delicate balance of nature and keep complex ecosystems thriving;

Whereas observation of wild plants and animals in their natural habitat provides individuals with a more enriching world view and a greater appreciation of the wonders of the natural environment;

Whereas tens of millions of individuals in the United States strongly support the conservation of wildlife, both domestically and abroad, and wish to ensure the survival of species in the wild, such as rhinoceroses, tigers, elephants, pangolins, turtles, seahorses, sharks, ginseng, mahogany, and cacti;

Whereas the trafficking of wildlife, including timber and fish, comprises the fourth largest global illegal trade after narcotics, the counterfeiting of products and currency, and human trafficking and has become a major transnational organized crime with an estimated worth of as much as \$19,000,000,000 annually;

Whereas increased demand in Asia for high-value illegal wildlife products, particu-

larly elephant ivory and rhinoceros horns, has recently triggered substantial and rapid increases in poaching of these species, particularly in Africa;

Whereas trafficking of wildlife is a primary threat to many wildlife species, including elephants, rhinoceroses, tigers, pangolins, and sharks;

Whereas many different kinds of criminals, including some terrorist entities and rogue security personnel, often in collusion with corrupt government officials, are involved in wildlife poaching and the movement of ivory and rhinoceros horns across Africa;

Whereas wildlife poaching presents significant security and stability challenges for military and police forces in African nations that are often threatened by heavily armed poachers and the criminal and extremist allies of those poachers;

Whereas wildlife poaching negatively impacts local communities that rely on natural resources for economic development, including tourism;

Whereas penal and financial deterrents can improve the ability of African governments to reduce poaching and trafficking and enhance their capabilities of managing their resources;

Whereas assisting institutions in developing nations, including material, training, legal, and diplomatic support, can reduce illegal wildlife trade;

Whereas wildlife provides a multitude of benefits to all nations and wildlife crime has wide-ranging economic, environmental, and social impacts;

Whereas the African elephant population has declined by 27 percent in the last decade, primarily as a result of poaching, and only approximately 415,000 such elephants remain in Africa;

Whereas, from 2007 to 2012, the number of elephants killed in Kenya increased by more than 800 percent, from 47 to 387 elephants killed;

Whereas, as a result of poaching, forest elephant populations in Minkébé National Park in Gabon have declined by 78 to 81 percent;

Whereas the number of forest elephants in the Congo Basin in Central Africa declined by approximately ⅔ between 2002 and 2012, placing forest elephants on track for extinction in the next decade;

Whereas the number of rhinoceroses killed by poachers in South Africa—

(1) increased by more than 9,000 percent between 2007 and 2014, from 13 to more than 1,200 rhinoceroses killed; and

(2) was 1,175 in 2015;

Whereas fewer than 4,000 tigers remain in the wild throughout all of Asia;

Whereas pangolins are often referred to as the most trafficked mammal in the world;

Whereas all 8 pangolin species spanning Africa and Asia are faced with extinction because pangolin scales are sought after in the practice of traditional Chinese medicine and pangolin meat is considered a delicacy;

Whereas approximately 100,000,000 sharks are killed annually, often targeted solely for their fins, and unsustainable trade is the primary cause of serious population decline in several shark species, including scalloped hammerhead sharks, great hammerhead sharks, and oceanic whitetip sharks;

Whereas the United States is developing and implementing measures to address the criminal, financial, security, and environmental aspects of wildlife trafficking;

Whereas Congress has allocated specific resources to combat wildlife trafficking and address the threats posed by poaching and the illegal wildlife trade;

Whereas, in December 2013, the United Nations General Assembly proclaimed March 3 as World Wildlife Day to celebrate and raise awareness of the wild fauna and flora around the world;

Whereas March 3, 2017, represents the fourth annual celebration of World Wildlife Day;

Whereas, in 2017, the theme of World Wildlife Day is “Listen to the Young Voices”; and

Whereas, in 2017, World Wildlife Day commemorations will encourage young people, as the future leaders and decision makers of the world, to act at both local and global levels to protect wildlife and to rally together to address the ongoing overexploitation and illicit trafficking of wildlife: Now, therefore, be it

Resolved, That the Senate—

(1) designates March 3, 2017, as “World Wildlife Day”;

(2) supports raising awareness of the benefits that wildlife provides to people and the threats facing wildlife around the world;

(3) supports escalating the fight against wildlife crime, including wildlife trafficking;

(4) applauds the domestic and international efforts to escalate the fight against wildlife crime;

(5) commends the efforts of the United States to mobilize the entire Government in a coordinated, efficient, and effective manner for dramatic progress in the fight against wildlife crime; and

(6) encourages continued cooperation between the United States, international partners, local communities, nonprofit organizations, private industry, and other partner organizations in an effort to conserve and celebrate wildlife, preserving this precious resource for future generations.

SENATE CONCURRENT RESOLUTION 7—EXPRESSING THE SENSE OF CONGRESS THAT TAX-EXEMPT FRATERNAL BENEFIT SOCIETIES HAVE HISTORICALLY PROVIDED AND CONTINUE TO PROVIDE CRITICAL BENEFITS TO THE PEOPLE AND COMMUNITIES OF THE UNITED STATES

Mr. ROBERTS (for himself, Ms. STABENOW, Mr. CRAPO, Mr. CARDIN, and Ms. KLOBUCHAR) submitted the following concurrent resolution; which was referred to the Committee on Finance:

S. CON. RES. 7

Whereas the fraternal benefit societies of the United States are long-standing mutual aid organizations created more than a century ago to serve the needs of communities and provide for the payment of life, health, accident, and other benefits to their members;

Whereas fraternal benefit societies represent a successful, modern-day model under which individuals come together with a common purpose to collectively provide charitable and other beneficial activities for society;

Whereas fraternal benefit societies operate under a chapter system, creating a nationwide infrastructure, combined with local energy and knowledge, which positions fraternal benefit societies to most efficiently address unmet needs in communities, many of which the government cannot address;

Whereas the fraternal benefit society model represents one of the largest member-volunteer networks in the United States,

with close to 8,000,000 people of the United States belonging to nearly 25,000 local chapters across the country;

Whereas research has shown that the value of the work of fraternal benefit societies to society is more than \$3,800,000,000 per year, accounting for charitable giving, educational programs, and volunteer activities, as well as important social capital that strengthens the fabric, safety, and quality of life in thousands of local communities in the United States;

Whereas, in 1909, Congress recognized the value of fraternal benefit societies and exempted those organizations from taxation, as later codified in section 501(c)(8) of the Internal Revenue Code of 1986;

Whereas fraternal benefit societies have adapted since 1909 to better serve the evolving needs of their members and the public;

Whereas the efforts of fraternal benefit societies to help people of the United States save money and be financially secure relieves pressure on government safety net programs; and

Whereas Congress recognizes that fraternal benefit societies have served their original purpose for over a century, helping countless individuals, families, and communities through their fraternal member activities: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that—

(1) the fraternal benefit society model is a successful private sector economic and social support system that helps meet needs that would otherwise go unmet;

(2) the provision of payment for life, health, accident, or other benefits to the members of fraternal benefit societies in accordance with section 501(c)(8) of the Internal Revenue Code of 1986 is necessary to support the charitable and fraternal activities of the volunteer chapters within the communities of fraternal benefit societies;

(3) fraternal benefit societies have adapted since 1909 to better serve their members and the public; and

(4) the exemption from taxation under section 501(a) of the Internal Revenue Code of 1986 of fraternal benefit societies continues to generate significant returns to the United States, and the work of fraternal benefit societies should continue to be promoted.

SENATE CONCURRENT RESOLUTION 8—CLARIFYING ANY POTENTIAL MISUNDERSTANDING AS TO WHETHER ACTIONS TAKEN BY PRESIDENT DONALD J. TRUMP CONSTITUTE A VIOLATION OF THE EMOLUMENTS CLAUSE, AND CALLING ON PRESIDENT TRUMP TO DIVEST HIS INTEREST IN, AND SEVER HIS RELATIONSHIP TO, THE TRUMP ORGANIZATION

Mr. CARDIN (for himself, Mr. LEAHY, Mrs. MCCASKILL, Ms. WARREN, Mr. CARPER, Mrs. FEINSTEIN, Mrs. MURRAY, Mr. WYDEN, Mr. DURBIN, Mr. REED, Ms. STABENOW, Mr. BROWN, Mr. CASEY, Ms. KLOBUCHAR, Mr. WHITEHOUSE, Mr. UDALL, Mr. MERKLEY, Mr. BENNET, Mr. GILLIBRAND, Mr. FRANKEN, Mr. COONS, Mr. BLUMENTHAL, Ms. BALDWIN, Mr. MURPHY, Ms. HIRONO, Mr. HEINRICH, Mr. MARKEY, Mr. BOOKER, Mr. PETERS, Mr. VAN HOLLEN, Ms. HARRIS, Ms. CORTEZ

MASTO, and Ms. DUCKWORTH) submitted the following concurrent resolution; which was referred to the Committee on Homeland Security and Governmental Affairs:

S. CON. RES. 8

Whereas article I, section 9, clause 8 of the United States Constitution (commonly known as the “Emoluments Clause”) declares, “No title of Nobility shall be granted by the United States: And no Person holding any Office of Profit or Trust under them, shall, without the Consent of the Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State.”;

Whereas, according to the remarks of Governor Edmund Randolph at the 1787 Constitutional Convention, the Emoluments Clause “was thought proper, in order to exclude corruption and foreign influence, to prohibit any one in office from receiving or holding any emoluments from foreign states”;

Whereas the issue of foreign corruption greatly concerned the Founding Fathers of the United States, such that Alexander Hamilton in Federalist No. 22 wrote, “In republics, persons elevated from the mass of the community, by the suffrages of their fellow-citizens, to stations of great pre-eminence and power, may find compensations for betraying their trust, which, to any but minds animated and guided by superior virtue, may appear to exceed the proportion of interest they have in the common stock, and to overbalance the obligations of duty. Hence it is that history furnishes us with so many mortifying examples of the prevalence of foreign corruption in republican governments.”;

Whereas the President of the United States is the head of the executive branch of the Federal Government and is expected to have undivided loyalty to the United States, and clearly occupies an “office of profit or trust” within the meaning of article I, section 9, clause 8 of the Constitution, according to the Office of Legal Counsel of the Department of Justice;

Whereas the Office of Legal Counsel of the Department of Justice opined in 2009 that corporations owned or controlled by a foreign government are presumptively foreign states under the Emoluments Clause;

Whereas President Donald J. Trump has a business network, the Trump Organization, that has financial interests around the world and negotiates and concludes transactions with foreign states and entities that are extensions of foreign states;

Whereas the very nature of a “blind trust,” as defined by former White House Ethics Counsels Richard Painter and Norm Eisen in an opinion piece in the Washington Post entitled, “Trump’s ‘blind trust’ is neither blind nor trustworthy”, dated November 15, 2016, and the Congressional Research Service report “The Use of Blind Trusts By Federal Officials”, is such that the official will have no control over, will receive no communications about, and will have no knowledge of the identity of the specific assets held in the trust, and that the manager of the trust is independent of the owner;

Whereas on January 11, 2017, President-elect Donald J. Trump and his lawyers held a press conference to announce that he would be placing his assets in a trust and turning over management of the Trump Organization to his two adult sons, Donald Trump Jr. and Eric Trump, and executive Allen Weisselberg; that there will be no communication with President Trump and no new overseas business deals; that an ethics

advisor will be appointed to the management team to fully vet any new proposed domestic deals; and that the Trump Organization will donate any profits from any foreign governments that use Trump hotels to the Department of the Treasury;

Whereas this arrangement is not sufficient because of its utter lack of independent accountability and transparency, such that the director of the Office of Government Ethics has stated that “[t]he plan the [President] has announced doesn’t meet the standards that the best of his nominees are meeting and that every president in the last four decades have met”;

Whereas the director of the Office of Government Ethics has characterized the promise to limit President Trump’s direct communication about the Trump Organization as “wholly inadequate” because President Trump would still be well-aware of the specific assets held and could receive communications about and take actions to affect the value of those assets, especially when those running the business are his own children, whom Trump will see often;

Whereas the promise that no new overseas business deals will be agreed to by the Trump Organization fails to explain what constitutes a deal, and whether expansions to existing properties, licensing or permitting fee agreements, or loans from foreign banks like Deutsche Bank AG would qualify as “deals”;

Whereas the promise that the Trump Organization will donate profits from any foreign governments that use Trump hotels does not include Trump golf courses and other properties; does not explain whether the promise covers foreign government officials who register under their own names or third-party vendors hired by foreign governments to do business with the Trump Organization; does not explain whether foreign organizations signing tenant agreements with domestic Trump businesses, such as the Industrial and Commercial Bank of China, which is Trump Tower’s biggest tenant, qualifies; does not define what constitutes “profits”; does not address the fact that revenue received by a failing business still provides value to that business even if there is no net profit; and has no mechanism for the public to verify that the promise is being fulfilled;

Whereas President Trump’s lawyer claimed that “it would be impossible to find an institutional trustee that would be competent to run the Trump Organization” when there are dozens if not hundreds of highly qualified trustees who handle complicated business situations like the disposition of the Trump Organization;

Whereas, at the January 11, 2017, press conference, President-elect Trump’s lawyer implied that the only reason people have raised the Emoluments Clause is over “routine business transactions like paying for hotel rooms” and claimed that “[p]aying for a hotel room is not a gift or a present, and it has nothing to do with an office. It’s not an emolument.”;

Whereas a comprehensive study of the Emoluments Clause written by Richard Painter, Norman Eisen, and Lawrence Tribe, two of whom are former ethics counsels to past Presidents, has concluded that “since emoluments are properly defined as including ‘profit’ from any employment, as well as ‘salary,’ it is clear that even remuneration fairly earned in commerce can qualify”;

Whereas numerous legal and constitutional experts, including several former White House ethics counsels, have also made clear that the arrangement announced on January

11, 2017, in which the President fails to exit the ownership of his businesses through use of a blind trust or equivalent, will leave the President with a personal financial interest in businesses that collect foreign government payments and benefits, which raises both constitutional and public interest concerns;

Whereas Presidents Ronald Reagan, George H. W. Bush, William J. Clinton, and George W. Bush have set the precedent of using true blind trusts, in which their holdings were liquidated and placed in new investments unknown to them by an independent trustee who managed them free of familial bias;

Whereas the continued intermingling of the business of the Trump Organization and the work of government has the potential to constitute the foreign corruption so feared by the Founding Fathers and to betray the trust of America’s citizens;

Whereas, on January 20, 2017, President Trump swore an oath to preserve, protect, and defend the Constitution of the United States, the rights, privileges and limitations of which are defined and guarded by the Federal judiciary of the United States; and

Whereas Congress has an institutional, constitutional obligation to ensure that the President of the United States does not violate the Emoluments Clause of the Constitution, Federal law, or fundamental principles of ethics, and is discharging the obligations of office based on the national interest, not based on personal interest: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) finds the promised actions outlined by President Donald J. Trump at his January 11, 2017, press conference wholly inadequate and insufficient to ensure compliance with the Emoluments Clause of the United States Constitution;

(2) calls upon President Trump to follow the precedent established by prior Presidents and convert his assets to simple, conflict-free holdings, adopt blind trusts managed by an independent trustee with no relationship to Donald J. Trump or his businesses, or take other equivalent measures;

(3) calls upon President Trump not to use the powers or opportunities of his position as President of the United States for any purpose related to the Trump Organization; and

(4) regards, in the absence of express affirmative authorization by Congress, dealings that Donald J. Trump, as President of the United States, may have through his companies with foreign governments or entities owned or controlled by foreign governments as potential violations of the Emoluments Clause.

AUTHORITY FOR COMMITTEES TO MEET

Mr. RUBIO. Mr. President, I have five requests for committees to meet during today’s session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to Rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today’s session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate Thursday, March 2, 2017, at 9:30 a.m.

COMMITTEE ON FINANCE

The Committee on Finance is authorized to meet during the session of the Senate on Thursday, March 2, 2017, during the first scheduled vote on the Senate floor, tentatively scheduled for 10 a.m., in S-216, the President’s Room of the United States Capitol.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Thursday, March 2, 2017 at 10:30 a.m., to hold a hearing entitled “Venezuela: Options for U.S. Policy.”

SELECT COMMITTEE ON INTELLIGENCE

The Senate Select Committee on Intelligence is authorized to meet during the session of the 115th Congress of the U.S. Senate on Thursday, March 2, 2017 at 2 p.m., in room SH-219 of the Senate Hart Office Building to hold a closed hearing.

SUBCOMMITTEE ON COMMUNICATIONS, TECHNOLOGY, INNOVATION AND THE INTERNET

The Committee on Commerce, Science, and Transportation’s Communications, Technology, Innovation and the Internet Subcommittee is authorized to hold a meeting during the session of the Senate on Thursday, March 2, 2017, at 9:30 a.m., in room G50 of the Dirksen Senate Office Building, to hold a hearing titled “Exploring the Value of Spectrum to the U.S. Economy.”

APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the majority leader, pursuant to the provisions of S. Res. 64, adopted March 5, 2013, appoints the following Senators as members of the Senate National Security Working Group for the 115th Congress: JAMES RISCH of Idaho (Republican Administrative Co-Chairman), THAD COCHRAN of Mississippi (Republican Co-Chairman), LINDSEY GRAHAM of South Carolina (Republican Co-Chairman), MARCO RUBIO of Florida (Republican Co-Chairman), BOB CORKER of Tennessee, JOHN MCCAIN of Arizona, ROY BLUNT of Missouri, JAMES INHOFE of Oklahoma, and BEN SASSE of Nebraska.

The Chair, on behalf of the President pro tempore, and upon the recommendation of the majority leader, pursuant to 22 U.S.C. 2761, appoints the following Senator as chairman of the Senate Delegation to the British-American Interparliamentary Group Conference during the 115th Congress: the Honorable THAD COCHRAN of Mississippi.

The Chair, on behalf of the Democratic leader, pursuant to the provisions of Public Law 99-93, as amended by Public Law 99-151, appoints the following Senators as members of the United States Senate Caucus on International Narcotics Control: the Honorable DIANNE FEINSTEIN of California, the Honorable SHELDON WHITEHOUSE of

Rhode Island, and the Honorable HEIDI HEITKAMP of North Dakota.

READ ACROSS AMERICA DAY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 79, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 79) designating March 2, 2017, as "Read Across America Day."

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

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

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

The resolution (S. Res. 79) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

WORLD WILDLIFE DAY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 80, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 80) designating March 3, 2017, as "World Wildlife Day."

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

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

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

The resolution (S. Res. 80) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

ORDERS FOR MONDAY, MARCH 6, 2017

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 2 p.m., Monday, March 6; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be

reserved for their use later in the day, and morning business be closed; further, that following leader remarks, the Senate resume consideration of H.J. Res. 37; further, that the time until 6 p.m. be equally divided in the usual form; finally, that all debate time on H.J. Res. 37 expire at 6 p.m. Monday.

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

ORDER FOR ADJOURNMENT

Mr. MCCONNELL. If there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senator KLOBUCHAR.

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

The Senator from Minnesota.

CALLING FOR AN INDEPENDENT, NONPARTISAN COMMISSION

Ms. KLOBUCHAR. Mr. President, I rise today to express my deep concern about this administration's ties to the country of Russia. We are just 3 months into the 115th Congress, and I have come to the Senate floor multiple times to discuss inappropriate contact between Trump administration officials and the Russian Government. This is truly unprecedented.

Our Constitution was set up to guarantee that our democracy would be free of influence from foreign powers. For months, U.S. intelligence agencies have said that Russia used covert cyber attacks, espionage, and propaganda to try to undermine our democracy. Reports show it, and the facts prove it. As I learned from my trip at the end of the year with Senator MCCAIN and Senator GRAHAM to the Baltics, Georgia, and Ukraine, this is not unique to our country and our elections and our democracy. This is something that has gone on for years—where Russia shut down the internet in the little country of Estonia simply because they had the audacity to move a bronze statue to a public square in Lithuania where they invited members of the Ukrainian Parliament who were in exile from Crimea in Kiev and invited them to Lithuania to celebrate their 25th anniversary of independence from Russia, and then they attempted to hack into the computers of the members of the Parliament in Lithuania.

As Senator MARCO RUBIO noted, this is not just about one party or one candidate or even about one country; this is an assault on democracies across the world. Last month, we learned that the very day President Obama imposed sanctions on Russia, with unprecedented attacks on our democracy, General Flynn, a member of the Trump transition team, spoke to a senior Russian official regarding those sanctions.

The National Security Adviser, the person charged with the most sensitive matters of U.S. national security, then misled the Vice President of the United States and then, in turn, the American people. He resigned, as did the former chairman of the Trump campaign; he resigned.

Now we have learned that Attorney General Sessions met with the Russian Ambassador. Fine, Members meet with Ambassadors; we know that happens. But in fact, he met with the Russian Ambassador only 3 days after then-President Obama was at the G20 Summit. He was at the G20 Summit, and he met with Vladimir Putin himself. He told him to stop the cyber attacks, but he also told him that America was not going to back down from the sanctions. In fact, President Obama told the whole world that day in a press conference that we were not going to roll over and back down on the sanctions imposed against Russia because of their illegal invasion of Ukraine.

What happened 3 days later? Then-Senator Sessions, now our Attorney General, in fact, met with the Russian Ambassador.

Senator Sessions was then asked about contacts with the Russians from Trump officials during his hearing. I was there. I serve on the Judiciary Committee. Senator FRANKEN posed some of those questions, in addition to Senator LEAHY, who has noted that, at best, the answer was misleading.

That is why I feel so strongly that a press conference today is not enough and that Senator Sessions must come before the Judiciary Committee and answer under oath the questions that we now have.

What are those questions?

What was actually said at the meeting? Were sanctions discussed? Remember, 3 days—this meeting occurred 3 days after President Obama had said he would not roll back the sanctions. Were the sanctions discussed? Why did the Russian Ambassador, by the way, not meet with many other Members that day? We may not have a full accounting, but it appears that many of the Armed Services Committee members did not meet with the Russian Ambassador that day.

No. 2, what were the discussions with the Trump administration, then-campaign officials back in September, before that meeting occurred between Senator Sessions and the Russian Ambassador? What were the discussions leading into it? What were the discussions after the meeting? Those are things we truly need to know.

For weeks, Senator Sessions could have corrected the record—for weeks, during the time in which this Russian issue and the contact with the Trump administration were discussed thoroughly. For weeks, I have been calling on Senator Sessions, now Attorney General Sessions, to recuse himself from any investigation into Russia.

There are clear Department of Justice guidelines about conflicts of interest, and, as I have said for weeks, when you read those rules, there is a clear conflict of interest. Today, Attorney General Sessions agreed to a partial recusal. He recused himself on the part of the investigation that relates to the Presidential campaign. Well, the American people deserve a full recusal.

Think about it. The meeting between General Flynn and the Russian Ambassador took place after the campaign ended. The meeting that we just learned about today between the President's son-in-law and Russian officials happened after the campaign ended. We need a full recusal and an independent counsel to manage the investigation of contacts between the Russian Government, the Trump campaign, and the Trump administration.

I believe, as I have noted earlier, that Attorney General Sessions must come before the Senate Judiciary Committee under oath and answer these questions:

Were sanctions discussed? What were his discussions leading into that meeting with the Russian Ambassador? What were the discussions afterwards? And I am sure my other colleagues on the Judiciary Committee have many, many other questions.

I know when I asked about Russia at Senator Sessions' nomination hearing, I asked him very specifically if he had any reason to doubt the evidence put forward by our 17 intelligence agencies that there had, in fact, been an attempt by a foreign government, the country of Russia, to influence our election. He said he had no reason to doubt those findings. He had no reason to doubt those findings, so he clearly understood when you read that report how important this is—the \$200 million spent in propaganda by Russian TV, as well as the hacking, as well as the attempts to influence the election.

So we have these facts. We know that meeting took place just 3 days after the President, our then-President Obama, met with Vladimir Putin at the G20 Summit. We know that is a time when Putin was told by the President of the United States to stop undermining the U.S. election system with cyber attacks. This was back in September before the election even occurred. We saw Paul Manafort resign from the campaign over Russia. We saw General Flynn step down over his contacts with the Russian Ambassador, and then we have that meeting. To me this seems like a pattern, and I want to not only see the facts through the investigations that are ongoing but also hear from the Attorney General himself.

That is why I am calling for the Department of Justice inspector general to investigate the actions of the Attorney General and whether the ongoing investigation into the Trump campaign and administration contacts with the

Russian Government has been compromised in any way.

We know that Russia attempted to interfere with our election. Russia tries to undermine our democracy. This is not fake news. This is as real as it gets.

Aides and surrogates of this administration during the campaign and the transition were in contact with officials from a foreign government that was actively working to bring our democracy down. They were actively working to influence our elections. As Senator RUBIO has noted, one time it is one candidate and one political party, and the next time it will be the other candidate and the other political party, unless we all come together in a bipartisan fashion to get to the bottom of the facts.

So how do we do that beyond the recusal and the independent counsel and having Senator Sessions come back before the Judiciary Committee to thoroughly answer my questions and the questions of my colleagues? Well, the other way we do it is by having an independent commission. That is why I introduced, along with Senators CARDIN, LEAHY, FEINSTEIN, and CARPER, the bill that was announced by Senator CARDIN and me, with ADAM SCHIFF and ELIJAH CUMMINGS, that would create an independent, nonpartisan commission to uncover all the facts and make sure that future elections and political campaigns are safeguarded from foreign interference. Remember that this commission can go alongside the Intelligence Committee investigation—not to replace it but to be in addition to it—because this committee and experts appointed by this Congress from both sides of the aisle, just like the 9/11 Commission so successfully did, could actually not just uncover some facts that aren't known publicly, but, most importantly, they can make recommendations to make sure this doesn't happen again.

By the way, there are upcoming elections in Germany and in France, and getting that information out there doesn't just help our democracy, it also helps democracies in other parts of the world. We also need—and I touched on this earlier—an independent counsel, special prosecutor to look into all the contacts between the Trump administration and the campaign and have a full recusal.

What else can Congress do besides the independent commission? We have to make sure that the Intelligence Committee proceeds with its investigation. I am pleased that Senator BURR and Senator WARNER have come together and announced that they are going to do a full and thorough investigation. They will also be looking into the contacts with the campaign—incredibly important.

Now we have the issue of the sanctions. As I mentioned, the day that the

Obama administration was imposing additional sanctions on Russia—and the Trump campaign, through General Flynn, was actually meeting during this transition day with the Russian Ambassador to perhaps undermine those sanctions—I was with Senators MCCAIN and GRAHAM in Eastern Europe. As I noted, when we were in the Baltics, we heard and met with leaders—Prime Ministers and Presidents of these countries in Lithuania, Estonia, and Latvia, who have seen this movie before. We went to Ukraine. We went to Georgia. We heard from Ukraine—6,500 attempts to hack into their country's computer system alone, shutting down access in Estonia. Trolls, in a building in Moscow—nearly 1,000 people—who are now working and have been working to undermine democracies all around the world.

So this isn't just about defending our own democracy; it is about defending the world's democracies. It is about saying to a country that thinks they can just get us to roll over and say: Hey, you can influence our election. No, that is not right. That is why we worked for expanded sanctions; that is why we introduced on a bipartisan basis with Senator MCCAIN and Senator GRAHAM—and I was one of the original sponsors with Senator CARDIN and others—the Countering Russian Hostilities Act that would impose more sanctions on Russia. It would address cyber attacks, human rights violations, and its illegal annexation of land in Ukraine and Georgia.

Just this weekend, on Sunday afternoon, I met with my Ukrainian community. Hundreds of people showed up on a Sunday afternoon in Minnesota because they are so concerned about their friends and relatives and they so believe in our democracy. Right down the road from the Ukrainian Center, where we held our meeting and where I listened and answered questions from my constituents, is a deli called Kramarczuk's. It is owned by a Ukrainian immigrant family whose parents came over to our country having fled oppression, and they came over to our country and bought this deli. They put this beautiful mural across an entire wall, and it is a beautiful photo of our Statue of Liberty, that beacon of democracy.

Because of the Kramarczucs—they believe in our country. They believe in America. They believe in a country that is going to stand up for freedom of the press, that is going to stand up for freedom of religion, and that is going to stand up for them and their rights as immigrants to be citizens in this country. They believe in it because they have seen the worst of it. They have seen dictatorships, they have seen oppression, and they came to our country. They expect our country, as they serve their Ukrainian food to the people all over Minnesota in front of the big

mural of the Statue of Liberty—they believe that our country is going to stand up for democracy.

That was the message that Senator MCCAIN, Senator GRAHAM, and I brought to the people of Ukraine. We not only, of course, met with the President and their official leaders, but we also went right to the frontline. On New Year's Eve, we were in Eastern Ukraine on the sea—cold, snow coming down—with hundreds and hundreds of Ukrainian troops, hearing the stories of a mother who was so young, who had just lost her son a week before to a Russian separatist sniper. We heard the stories of the 10,000 people killed just as this conflict began, standing up for democracy, just as we have stood up for our democracy.

So when all of these discussions go on about recusals and about who should resign and what should happen,

let's remember what this is all about. This is about saving our democracy and making our democracy strong so we can continue to be the beacon that those Ukrainians put on their wall in their deli because they believe in this country so much. This isn't about partisan divides. This is simply about being a democracy and getting to the bottom of it. When something goes on and a foreign country is trying to influence things, you have to put your party aside. You have to say: You know what, I want to know what happened here. If I am a Democrat or Republican, I want to know what happened so it doesn't happen again. I want to be able to protect our citizens and our election system and our democracy. That is what this is about.

Thank you, Mr. President.

I yield the floor.

ADJOURNMENT UNTIL MONDAY,
MARCH 6, 2017, AT 2 P.M.

The PRESIDING OFFICER (Mr. YOUNG). Under the previous order, the Senate stands adjourned until 2 p.m. on Monday.

Thereupon, the Senate, at 6 p.m., adjourned until Monday, March 6, 2017, at 2 p.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 2, 2017:

DEPARTMENT OF HOUSING AND URBAN
DEVELOPMENT

BENJAMIN S. CARSON, SR., OF FLORIDA, TO BE SECRETARY OF HOUSING AND URBAN DEVELOPMENT.

DEPARTMENT OF ENERGY

JAMES RICHARD PERRY, OF TEXAS, TO BE SECRETARY OF ENERGY.

HOUSE OF REPRESENTATIVES—Thursday, March 2, 2017

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

PRAYER

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

God of the universe, we give You thanks for giving us another day. We ask Your blessing upon our Nation. Bless the work of the Members of the people's House. May they toil diligently to bring about solutions to the pressing issues of these times.

Bless all men and women across our country, especially those who work in service to others: police, firefighters, healthcare providers, teachers, those who work in local, State, and national government, and those men and women serving in our Armed Forces.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. RASKIN led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER

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

EQUALITY FOR AMERICAN CITIZENS LIVING IN PUERTO RICO

(Miss GONZÁLEZ-COLÓN of Puerto Rico asked and was given permission to address the House for 1 minute.)

Miss GONZÁLEZ-COLÓN of Puerto Rico. Mr. Speaker, I was elected to seek equality for 3.4 million American citizens living in Puerto Rico. I am the sole Representative for the island, and I represent more constituents in my sole district than anyone in this House.

I rise today to honor the 100th anniversary of the enactment of the Jones Act, which conferred American citizenship on Puerto Ricans on this day in 1917. Since then, more than 200,000 veterans have served proudly in the U.S. military, where they are equal in war but not in peace.

That is why I stand with the will of the people of Puerto Rico to incorporate to the United States as the 51st State of the Union, as requested in the 2012 plebiscite by 61 percent of the votes.

Let this House fulfill the promise that the United States of America is a nation of liberty and justice for all of us.

LET'S WORK TOGETHER TO FIX THE AFFORDABLE CARE ACT

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

Mrs. BUSTOS. Mr. Speaker, earlier this week, I welcomed Emily Carlson to the Capitol as my guest to President Trump's address to Congress.

Emily comes from a rural town called Abingdon, Illinois. She is the co-owner of a small family-owned business, and her husband, Kevin, is a farmer. Like a lot of hardworking Midwesterners, they don't want a handout; they just want a fair shot at success.

But 17 years ago, all of that was put at risk when Emily was diagnosed with multiple sclerosis, which is a chronic and expensive disease to treat, and she will have this the rest of her life. They could barely afford the most basic care for Emily because she was in the high-risk pool in the State of Illinois.

Too often the Carlsons literally had to vacillate between affording Emily's medication or going deeper into debt. However, since the passage of the Affordable Care Act, life has been much better for the Carlsons. Today their family of four has much better coverage, and it costs much less.

Mr. Speaker, President Trump's repeal wouldn't just undermine Emily's health; it would devastate their family's economic security, along with those of many families throughout our Nation. Instead, let's work together to keep what is working and fix what is not.

HONORING THE MEMORY OF ARMY SERGEANT ROBERT SHANE PUGH

(Mr. KELLY of Mississippi asked and was given permission to address the

House for 1 minute and to revise and extend his remarks.)

Mr. KELLY of Mississippi. Mr. Speaker, I am humbled today to rise in memory of Army Sergeant Robert Shane Pugh. He made the ultimate sacrifice while defending our Nation on March 2, 2005, during Operation Iraqi Freedom III.

He was assigned to the 1st Battalion, 155th Infantry Regiment, Mississippi Army National Guard, headquartered in McComb, Mississippi. Sergeant Pugh, a combat medic, was mortally wounded when an IED detonated near his vehicle near Iskandariya, Iraq, also wounding Sergeant First Class Ellis Martin.

Sergeant Pugh posthumously received the Silver Star, the third highest award for valor, as well as the Bronze Star, Purple Heart, and Mississippi Medal of Valor.

Sergeant Pugh's Silver Star citation reads: "Although in extreme pain, Sergeant Pugh directed treatment instructions to the members of his platoon for both himself and Sergeant First Class Martin. Sergeant Pugh passed away en route to the hospital; however, his courage and disregard for his own welfare resulted in saving the life of a fellow comrade who was severely wounded."

Sergeant Pugh's mother, Ms. Wilma Allen, said her son was her pride and joy, that he was happy, outstanding, and outgoing. Ms. Wilma said Sergeant Pugh would do anything for anyone.

In a fitting tribute to this brave and caring soldier, the National Guard Readiness Center in Morton, Mississippi, has been named in his honor.

Sergeant Pugh is survived by his parents, Glen and Wilma Pugh; his stepfather, Gary Allen; and his siblings, Tiffany Johnson, April Pearson, Jennifer Reed, Brad Allen, and Dale Allen.

Stand fast, Mississippi. Stand fast, Sergeant Pugh. Stand fast.

I have also honored fallen Mississippi soldiers Private Barry Wayne Mayo, Sergeant William Seth Ricketts, and Corporal Robert Taylor McDavid III this week.

COMMEMORATING THE 100TH ANNIVERSARY OF U.S. CITIZENSHIP FOR THE PEOPLE OF PUERTO RICO

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

Mrs. MURPHY of Florida. Mr. Speaker, a century ago today, a Federal law

granted U.S. citizenship to individuals born in Puerto Rico. Island residents have made countless contributions to this country in times of peace and war, serving with exceptional valor in our Armed Forces. The bonds between Puerto Rico and Florida are unbreakable. The State is home to over 1 million Puerto Ricans, with most living in central Florida.

Puerto Rico is going through difficult times, and I am determined to help the Island get back on its feet. The main reason Puerto Rico is struggling is because, as a territory, it is treated unequally under Federal law. I support equal treatment for Puerto Rico because I oppose second class citizenship.

Ultimately, I believe Puerto Rico should discard its territory status and become a State or a sovereign nation. The choice lies with the people of Puerto Rico. However, my personal hope is that they will choose statehood so that they have full voting rights and full equality.

Puerto Ricans have earned the right to become first class citizens of the Nation they have served with honor.

HONORING THE SERVICE OF PLACER COUNTY SHERIFF ED BONNER

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

Mr. LAMALFA. Mr. Speaker, I rise this morning to recognize the service, and now the retirement, of our good friend from Placer County, Sheriff Ed Bonner, after 42 years of dedicated service to northern California and Placer County and its sheriff's department.

Many would talk about creating a family atmosphere at work, but few truly achieve it. Ed Bonner made the families of his officers and his staff a priority. He is with them in the best of times and in the worst, from the joy of the births of their children, or marriages, to the family tragedies, which indeed have been felt by the deputies and the brothers and the sisters of Placer County.

In his 22-year career as a sheriff, he has earned the respect and admiration of Placer County and many others throughout the State of California.

He graduated from Cal Berkeley, and has earned the respect of so many. He had a bachelor of arts in criminology, and earned a master's degree in management science at Cal Poly, Pomona.

Before his law enforcement days, Ed Bonner was a gifted athlete who excelled at track and field, where he still holds multiple State high school records. At the University of California, he became the first 4-year letterman for track and field in the school's history.

After a distinguished career, which included serving as president of the California State Sheriffs' Association, Sheriff Bonner's skills as a law enforcement administrator will be greatly missed by all of us in the community.

Now is time, though, for a much-deserved retirement which he can spend with his loving wife, Jeannie, his family, and his friends.

It has been such a pleasure to work with him. Indeed, the rigors of travel from the East Coast to the West Coast don't allow me to spend the kind of time I would like to with a good friend like Ed Bonner, but I wish him the best. I know he will have a good time in retirement, and I will see him around.

WE NEED A BUDGET THAT SERVES THE AMERICAN PEOPLE

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

Ms. JACKSON LEE. Mr. Speaker, as we begin the process that comes as a responsibility of this House, and that is, overseeing the President's budget and designing a budget to serve the American people, I am raising the question of the baffling budget that seems to be emerging from the White House.

The plus-up and elimination of sequester on the defense spending may be worth considering. I, frankly, believe we should remove the sequester on discretionary spending. But what is being proposed is that the plus-up of \$54 billion will be taken out of the needs, the hearts, and minds of the American people.

The EPA will be gutted, so there will be no staff to oversee clean water and clean air, of which so many counties and cities, like Flint and my own community of Harris County, are in desperate need of.

What will happen to housing for senior citizens and young families?

Gutted because the Department of Housing and Urban Development will see a drastic cut. Or Health and Human Services that helps to sponsor federally qualified health clinics and the complete elimination of the Affordable Care Act, which will bust the budget. Medicaid, civil rights, and the prevention of hate crimes; the Justice Department gutted and, as well, as Attorney General Sessions has already done, not preventing voter fraud or voter discrimination.

Mr. Speaker, we need a budget that serves the American people. That is the kind of budget that I will be looking to support.

HONORING CARL LAMM ON HIS 90TH BIRTHDAY

(Mr. ROUZER asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. ROUZER. Mr. Speaker, I rise today to honor a North Carolina legend as he celebrates his 90th birthday this week. Mr. Carl Lamm, who many know as "the Voice of Johnston County," has been a pioneer of the country music radio scene since 1946.

"Mr. Carl," as he is known, has been a disc jockey and co-owner of WMPM-AM in Smithfield, North Carolina, since 1958, where he plays a lively mix of bluegrass, Southern gospel, and old-time country. His daily programming is revered by tens of thousands throughout Johnston County, North Carolina, and all across the Nation.

In the seven decades Carl has been on the air, he has brought some of the greatest musicians, top athletes, and national political figures into our homes and businesses through radio to discuss current events, politics, our Creator, and much more.

Mr. Carl has witnessed the evolution of radio from the glory days of the Grand Ole Opry to the digital age of the 21st century. To say that Mr. Carl Lamm is a radio legend is an understatement.

Carl Lamm, thank you for everything you have done for our State and for our country. Again, happy birthday.

EMPLOYEE APPRECIATION DAY

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

Mr. PRICE of North Carolina. Mr. Speaker, tomorrow, March 3, is Employee Appreciation Day; and since we won't be in session, I rise today to register my appreciation for the staff members who allow me to serve the people of the Fourth District of North Carolina.

The current political and media environment is not always an easy one for congressional staff to operate in, yet, every year, the staffers working in my North Carolina district offices help thousands of constituents navigate Federal agencies. They reach out to local businesses, governments, and other organizations, and help constituents access needed support.

In Washington, D.C., our office staff researches thousands of pieces of legislation. They help me communicate with hundreds of thousands of constituent communications, and help welcome constituents to Washington. And they join me in meetings with constituent groups and local and State representatives and universities and businesses—every imaginable group.

So the list of tasks is long, but all of them help ensure that the people of the Fourth District of North Carolina have a voice in the people's House. Simply put, these staff members that serve all of us represent the very best of public service. I and the people of North Carolina are grateful for their service.

Mr. Speaker, in recognition of their dedication and diligence, I would like to include in the CONGRESSIONAL RECORD the names of each of my staff currently employed in my office:

Nadia Alston, Katelynn Anderson, Sonia Barnes, Nora Blalock, Bayly Hassell, Asher Hildebrand, James Hunter, Lawrence Kluttz, Tracy Lovett, Sean Maxwell, Neel Mandavilli, Dave Russell, Samantha Schiffrin, Anna Tilghman, Justin Wein, Leigh Whitaker, and Robyn Winneberger.

I am grateful, Mr. Speaker, for the effort that these staff members continue to put forth and for the opportunity that Employee Appreciation Day gives me and others to honor their service.

HONORING THE 23RD ANNUAL VERA HOUSE WHITE RIBBON CAMPAIGN

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

Mr. KATKO. Mr. Speaker, I rise today to speak out against domestic violence and sexual abuse. As a former Federal prosecutor for 20 years, I have seen firsthand how domestic violence affects people of all ages, races, religions, and socioeconomic backgrounds.

According to the National Coalition Against Domestic Violence, nearly 20 people per minute are physically abused by an intimate partner. We must work together to end this abuse.

Central New York is home to Vera House, an organization that works to prevent and respond to domestic and sexual abuse. Yesterday, Vera House kicked off its 23rd Annual White Ribbon Campaign in central New York. This campaign raises awareness for the need to put an end to domestic violence and sexual abuse.

This month, thousands of central New Yorkers will be wearing a white ribbon like I have on today, or a white wristband, to stand in solidarity against domestic and sexual violence.

I urge my House colleagues to join me in wearing a white ribbon to demonstrate a personal pledge to work towards preventing violence against men, women, and children.

□ 0915

REGULATORY INTEGRITY ACT OF 2017

GENERAL LEAVE

Mr. MITCHELL. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous materials on H.R. 1004.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 156 and rule

XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 1004.

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

□ 0916

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1004) to amend chapter 3 of title 5, United States Code, to require the publication of information relating to pending agency regulatory actions, and for other purposes, with Mr. SIMPSON in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Michigan (Mr. MITCHELL) and the gentleman from Maryland (Mr. RASKIN) each will control 30 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. MITCHELL. Mr. Chairman, I yield myself such time as I may consume.

H.R. 1004 is sponsored by Representative TIM WALBERG, my colleague from Michigan. Cosponsors include Representative FARENTHOLD, Representative MEADOWS, Representative GOSAR, and myself.

I rise today in support of H.R. 1004, the Regulatory Integrity Act of 2017.

Every year, agencies promulgate thousands of new regulations and impose billions of dollars in regulatory costs on the American public. Those rules are conceived of, developed, written, and imposed by unelected agency officials—bureaucrats.

In return for the authority to issue regulations, Congress and the American people require two simple things from agencies. First, agencies must inform the public about their intended regulatory actions—early and accurately—to provide ample time for thoughtful feedback and consideration from the public. Second, we want the agencies to listen to what the public has to say about the proposed regulatory action.

Making sure the public has an opportunity to participate in this process is key. The public comment period is an essential part of upholding our democratic values. It ensures Americans have a voice heard in the Federal Government's regulatory process.

H.R. 1004 helps preserve and strengthen the integrity of the public comment process in several ways. First, the bill defines the parameters of how an agency should communicate when asking for and offering a proposal and asking for public feedback. H.R. 1004 requires the agency to identify itself in communications on the proposal. Imagine

that. We ask them to identify themselves. The agency must clearly state whether it is accepting comments or considering alternatives.

Most importantly, agency communications during this process must use a neutral, unbiased tone. This bill requires agencies to do only what you would expect them to do if the request for feedback was genuine and sincere. This bill will uphold the purpose and value of the notice and comment process enshrined in the Administrative Procedures Act.

When issuing new regulations, agencies must provide notice of the regulation and accept comments from the public before finalizing the regulation. Often, regulated entities, small businesses, and subject-matter experts can provide new insights and perspectives agency officials simply do not have and do not understand. The notice and comment period allows the public to provide valuable insight to the agencies to help them make better regulations, more effective regulations, and minimize the adverse impacts.

However, not every agency takes this opportunity to really listen to the public. Often, agencies develop a proposed regulation and assume it is the end of the story. In effect, agencies reduce the notice and comment process to checking the box.

A perfect example, unfortunately, is when EPA developed the waters of the United States rule, known as WOTUS. EPA's behavior during the notice and comment period indicated that the EPA had little interest in listening to the public. Quite the contrary.

EPA used Thunderclap, an online social media platform, to disseminate government-sourced messages through unaffiliated individuals to encourage the public to provide positive comments. They did not identify themselves and used a third party to source comments that would support their perspective. The goal was clearly to pad the administrative record with positive feedback rather than soliciting genuine input in an effort to measure the rule's effect on the public.

In fact, the Government Accountability Office found the EPA undertook a covert propaganda campaign by soliciting social media comments in support of their proposed rule. Let me say that again: a covert propaganda campaign.

GAO also told EPA to report this violation to the President and Congress because the agency's appropriations were not available for those prohibited purposes. They spent taxpayer money—our money—on something that was prohibited.

H.R. 1004, the Regulatory Integrity Act of 2017, seeks to shine a light on how agencies are communicating about pending regulatory actions. This bill simply tells agencies they need to keep

to the facts and avoid soliciting support when they ought to be soliciting comments.

H.R. 1004 also establishes transparency requirements for the agency in how it communicates to the public. The bill requires agencies to post on their website some basic information about each communication about a pending regulatory action. For each communication, the public will be able to see a copy of the communication, the intended audience, the method of communication, and the date it was issued—simple transparency expectations. Additionally, H.R. 1004 requires agencies to post information online about each of their regulatory actions.

Mr. Chairman, the Regulatory Integrity Act will bring integrity back to the rulemaking process with transparency and simple guidelines for effective and appropriate communication.

The Regulatory Integrity Act is a good, bipartisan bill. This bill received support in the previous Congress, and the House of Representatives passed the bill last Congress.

On February 14, 2017, the Committee on Oversight and Government Reform approved this bill without amendment.

I thank Congressman WALBERG for his leadership on this issue. I urge my colleagues to support this bill.

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

Mr. RASKIN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am delighted to be with my distinguished colleague from Michigan on this legislation, which is part of a package of bills brought forward by the majority, which we believe undermine the ability of Federal agencies to effectively promote the public interest.

To begin with, it is quite clear that this legislation is unnecessary. Current law already bans the use of agency funds for “publicity or propaganda purposes.” Current law also currently bars agency employees from grassroots lobbying campaign designed to pressure Members of Congress to support or to oppose agency proposals.

So, at the very least, all of this is duplicative, which wouldn’t be so bad just to add another level of red tape and legislation, except for this: If you look at the legislation, under Restriction, part 2, it says:

“Any public communication issued by an Executive agency that refers to a pending agency regulatory action, other than an impartial communication that requests comment on or provides information regarding the pending agency regulatory action, may not—

“(A) directly advocate, in support of or against the pending agency regulatory action, for the submission of information to form part of the record of review for the pending agency regulatory action. . . .”

So let’s parse that for a moment. What they are saying is that the agency may not directly advocate to the public: Please tell us whether you are for or against this regulation and why.

They are not trying to prevent a viewpoint-specific propaganda intervention by the agency. This would actually stifle the ability of the agency to solicit anybody’s point of view to go out on Facebook and ask, “What is your position about this,” and to use social media to solicit the public’s input.

So although the legislation masquerades as an attempt to promote government transparency, it actually radically undercuts government transparency and the ability of the agencies to solicit the widest possible input.

It also says that the agency may not appeal to the public or solicit a third party to undertake advocacy in support of or against the pending agency regulatory action.

Now, I would have no problem if what they were trying to do is simply restate the current ban on one-sided propaganda inquiries by an agency to get one side to come out and support or oppose an agency rulemaking, but that is already against the law.

What they are trying to do is to cut off the ability of the agency to solicit any public input on all sides of the issue.

Why would we place that kind of duct tape over the Administrative Procedure Act?

Well, one thought, if you look at this proposal in the context of everything else they have brought forward this week, they want to try to reduce everything to a cost-benefit analysis. That is, what would the cost to polluters be? What would the cost to the violators of the public interest be?

They never look at what the benefit to the public is of the regulations, and they want to do it behind closed doors and then prevent the agencies from going out and aggressively soliciting the input of the public on all sides of the issue.

So we don’t see what the need for this proposal is. We believe that it will have a severely chilling effect on the ability of agencies to do their job. They continually talk about one case, the WOTUS case, the waters of the United States case, where I cheerfully and readily admit that the agency went too far in terms of campaigning for its proposal. But they were called on that. The GAO already determined that they ran afoul of the prohibitions.

So they have one case which was dealt with completely legitimately within the law, and they have not cited another case.

I would gladly yield my time to my distinguished colleague from Michigan if he can invoke one other case where there was a problem or explain why the resolution of this problem was not suf-

ficient in this case, because I think everybody understood that the agency had gone too far. It was dealt with. The problem is over.

So now we have a so-called cure, which is far worse than the underlying disease because the so-called cure is going to stifle and chill the ability of every Federal agency in the United States Government to go out and aggressively solicit public input. That is what we want in the agency process.

Now, yesterday, they just voted to create a new roving supercommission that would pore through the rules of all the different Federal agencies and bring back a package and then ask us to give a thumbs up or a thumbs down so they can just more readily dismantle public regulation.

Let’s be very clear about it. We’re talking about regulation that protects clean air. They rejected an amendment that would carve out the Clean Air Act from that bill. We’re talking about regulation that protects clean water. We’re talking about regulation that protects the purity of our food and our drugs. We’re talking about regulations that advance our interests in a clean environment and reduces greenhouse gas emissions.

So it seems like they want to put the whole Federal regulatory process into a straitjacket, prevent the public from being involved, and prevent the agencies from going out and soliciting public input. That doesn’t sound like giving government back to the people. That sounds like giving government over to billionaires, special interests, and big corporate powers that have all the lobbyists in Washington and know how to get things done behind closed doors.

Mr. Chair, I invite my distinguished colleague from Michigan to address any of the questions I have if there are any examples that he can provide of problems that would yield the need for such a dramatic shutdown on the ability of agencies to solicit public input.

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

Mr. MITCHELL. Mr. Chairman, I yield such time as he may consume to the gentleman from Michigan (Mr. WALBERG), who is my colleague and good friend.

□ 0930

Mr. WALBERG. Mr. Chairman, I thank my colleague for leading this floor debate today.

Mr. Chairman, I rise today in support of my bipartisan bill, H.R. 1004, the Regulatory Integrity Act of 2017.

Regardless of the chatter that I believe simply confuses what we want to do in good government, this bill, H.R. 1004, is a good government transparency bill that is simple in nature and seeks to preserve the integrity of the regulatory process; specifically, the public comment period.

Whether it is EPA or the Department of Labor or any other agencies or departments, they have their purpose, but they have to follow the law. The public comment period is an essential part of upholding our democratic values because it ensures that Americans will have their voices heard in the Federal Government's regulatory process.

Agencies must take the comment period seriously. Unfortunately, we have seen instances where agencies seem to believe that the regulatory process is simply a perfunctory act that the agency must undertake in order to reach a prearranged outcome.

This became abundantly clear during the EPA's Waters of the U.S., or WOTUS, rulemaking process. During that process, Mr. Chairman, the EPA undertook a campaign to solicit support and artificially inflate the positive reaction to the WOTUS rule. The EPA used the skewed results as evidence of public support.

Mr. Chairman, I include in the RECORD two letters coming from the National Association of Home Builders and the Michigan Farm Bureau to attest to this problem.

NATIONAL ASSOCIATION OF
HOME BUILDERS,
Washington, DC, February 14, 2017.

Hon. TIMOTHY WALBERG,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE WALBERG: On behalf of the 140,000 members of the National Association of Home Builders (NAHB), I am writing to express NAHB's strong support for H.R. 1004, the Regulatory Integrity Act of 2017. This legislation would force agencies to follow an open and transparent federal regulatory rulemaking process by making all aspects of a rulemaking publicly available and preventing federal agencies from illegally influencing the public in order to generate support for a rulemaking.

Federal agencies are prohibited, by law, from engaging in lobbying, grassroots, and propaganda activities designed to advance a policy agenda. However, in recent rulemakings, the Environmental Protection Agency (EPA) has ignored these restrictions and used social media platforms to perpetuate propaganda campaigns that advance their rulemakings. These actions only support the notion that the agency is not interested in a transparent and fair rulemaking process.

An excellent example of this is when the EPA created a social media campaign on Twitter, Facebook, and YouTube to counter opposition to its "Waters of the US" rulemaking. The agency concealed the fact that its social media messages were coming from within the EPA and deceptively engaged in lobbying efforts designed to kill legislation that was not favorable to their proposed rulemaking. In December 2015, the Government Accountability Office released a report outlining how the EPA participated in covert propaganda and grassroots lobbying and condemned the agency for violating federal law. Federal agencies must respect and uphold the law, and the passage of H.R. 1004 will help to ensure that federal agencies are not lobbying against America's small businesses.

For these reasons, NAHB urges the House Oversight and Government Reform Com-

mittee to support H.R. 1004, the Regulatory Integrity Act of 2017, in order to bring transparency and neutrality to the regulatory process.

Thank you for giving consideration to our views.

Sincerely,

JAMES W. TOBIN III.

MICHIGAN FARM BUREAU,
Lansing, Michigan, February 13, 2017.

Hon. JASON CHAFFETZ,
Chairman, Committee on Oversight and Government Reform, House of Representatives,
Washington, DC.

Hon. ELLIJAH CUMMINGS,
Ranking Member, Committee on Oversight and Government Reform, House of Representatives,
Washington, DC.

DEAR CHAIRMAN CHAFFETZ AND RANKING MEMBER CUMMINGS: Michigan Farm Bureau strongly supports the Regulatory Integrity Act of 2017. The bill is a step in the right direction to hold government agencies accountable and for citizens to maintain trust in the government that serves them. Introduced by Rep. Tim Walberg, the bill is scheduled to come before the House Oversight and Government Reform Committee later this week.

Last year, we heard about an EPA grant being used to fund whatsupstream.com in the state of Washington. This initiative used the following billboard message: "Unregulated agriculture is putting our waterways at risk" to urge the public to contact state elected officials. In a similar campaign, GAO issued a legal opinion that EPA violated federal lobbying laws by funding advocacy efforts on the Waters of the United States (WOTUS) rule. Michigan farmers are frustrated when they read about federal agencies trying to sway the public in a way that promotes their own proposed rule before all stakeholders have had a chance to weigh in the rule's merits. These examples only undermine the trust our members place in the agencies meant to serve and protect our citizens.

We believe it is critical that Congress pass the Regulatory Integrity Act of 2017. We urge all members of the Committee to support this bill.

Sincerely,

JOHN KRAN,
Associate National Legislative Counsel.

Mr. WALBERG. The nonpartisan Government Accountability Office concluded the EPA overstepped and issued a report saying the EPA violated the law and undertook "covert propaganda" and grassroots lobbying during the process.

My bill simply seeks to preserve the spirit and purpose of the regulatory process by simply telling agencies that they need to keep to the facts and not solicit support when they ought to be soliciting constructive comments.

H.R. 1004 simply requires an agency to; one, identify itself as the source of information; two, clearly state whether the agency is accepting public comments or considering alternatives; and, three, and most importantly, speak about the regulations in a neutral, unbiased tone.

People need to have the confidence that the Federal agencies, regardless of whether it is a Republican or Democrat administration, are open to their insights as a constructive criticism.

H.R. 1004 will restore the integrity to our regulatory process by ensuring agencies are honestly asking for feedback, constructive criticism, and dialogue about how to improve upon the agency's existing thoughts, not advocating for a predetermined outcome.

Mr. Chairman, this is a bipartisan issue. This bill passed the House last Congress with bipartisan support. In fact, a similar version was offered by my colleague, Representative PETERSON from Minnesota, as an amendment to H.R. 5 earlier this year. That amendment was approved with strong bipartisan support.

So, once again, I urge my colleagues to support the Regulatory Integrity Act.

Mr. RASKIN. Mr. Chairman, I yield myself such time as I may consume.

Again, the advocates for the legislation returned to this one single case, which we all agree about. The GAO ruled that the EPA ran afoul of the prohibition on propaganda and on campaigning.

So the law worked there. The GAO blew the whistle on that. They shouldn't be coming out on one side of an issue and running a propaganda campaign. The government should not be engaged in propaganda. We all agree to that.

This legislation does something completely different. This legislation, rather than just saying a good day's work to the GAO for blowing the whistle, it says: Now we are going to tell all the Federal agencies and departments that have been out soliciting public input on all sides of issues, saying there is a regulation that has come up about clean air, about clean water, about food, about drugs, about the disposal of nuclear waste, about radioactive materials, and it tells them you can't do that anymore. You can't go out and solicit public input.

It places a complete chill on the ability of the government to go out and invite public participation in our government. Why? They keep returning to one case where the GAO blew the whistle where everybody agrees they were out of bounds.

A flag was thrown on the play, but now they want to use that in order to essentially impose a gag rule on Federal agencies across the land who are doing our work. The much reviled regulation that the agencies are engaged in is an attempt to flesh out the laws that we pass in this body because we don't want to be setting all of the particular rules about exactly how many pollutants can be in this water, in this stream, in this river, in this creek, and so on, because we are not scientific experts on how many pollutants can be put into the air here and there. So it is delegated to government agencies.

But when they go through the Administrative Procedure Act and they have a rule and comment process, they

should be able to go out and invite the public to participate.

Again, I invite my distinguished and thoughtful colleagues on the other side to cite one other case. Can they cite one case where the GAO did not blow the whistle? Can they cite some other litany of examples where there has been a real problem with government agencies being overzealous where it has not been corrected by the GAO?

The silence is deafening.

They have used the example of one problem that was caught, that was corrected, in order to try to demolish the ability of Federal agencies to go out and solicit the public's input.

To me, that is a familiar experience now, because I have been in the House of Representatives for just 2 months, and, in the committees I serve on, we continue to vote on bills where we have not had a single public hearing. We are not hearing from any of the groups.

I have a letter here objecting to this legislation that has been signed by the AFL-CIO, AFSCME, American Association for Justice, American Association of University Women, Americans for Financial Reform, Asbestos Disease Awareness Organization, Autistic Self Advocacy Network, BlueGreen Alliance, Center for Biological Diversity, Clean Water Action, Consumer Action, Consumer Federation of America, Consumers for Auto Reliability and Safety, Demand Progress, Earthjustice, Economic Policy Institute, Environment America, Environmental Working Group, Food & Water Watch, Greenpeace, Homeowners Against Deficient Dwellings, Institute for Agriculture and Trade Policy, International Union of United Automobile, Aerospace, and Agricultural Implement Workers, League of Conservation Voters, National Association of Consumer Advocates, and on and on and on.

I would like to have heard from these people in this process, but it seems like all we are getting from the other side is an attempt to have a curtain of darkness fall over all public process. We would like to have hearings. We want groups to be involved. But these people were not invited to testify. They didn't have a chance to opine on this.

Mr. Chair, in general, the problem here is that, rather than making government more transparent, we are making government more opaque. Rather than making government more open, we are making government more closed. Rather than reaching out to the public and inviting it into the rule-making process, we are shutting the door and closing the blinds on it.

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

Mr. MITCHELL. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, one thing is clear to me, even as a freshman: we need to correct the record here.

My colleague from the minority suggests that somehow, magically, the GAO just determined they were the police officer, they cried foul, they stopped them.

Let's be clear about this. First, the GAO intervened because they were asked to do so by Chairman INHOFE. They investigated after the chairman asked them to look into it because of the concerns; not in advance, not because they found it independently, but because it was such a significant and egregious action that the chairman of the committee said: We need to look at this. And they did so.

Second, it was after the fact. What they found was that it was so extraordinarily egregious, they actually cited them for inappropriately spending taxpayer money.

Now, let's talk about what they did. We talk about chilling communication. Knowingly, why would you put out something on a social media site such as Thunderclap sourcing messages, not identifying yourself, if for any other purpose but to create propaganda? Why would you do that?

H.R. 1004 simply requires—and I will repeat them, because the minority seems to have a problem understanding this—the agency identified itself in its communication on a proposal: hello, this is the EPA. We are talking about this problem.

They make clear they are accepting public comments for and against: What do you think about it; what are the problems; will this work? Imagine that concept.

They require that agencies provide feedback on the comments that is genuine and sincere and not have already written the final bill—as my colleagues says, the perfunctory process.

That is what it requires. I have a difficult time understanding how that chills input from the public. And to be absolutely blunt with you, if it chills a few bureaucrats from deciding what they think is best rather than what this body believes is best, or, frankly, what the courts believe is best, then we have achieved our objective here today.

So, again, I urge my colleagues to support this bill.

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

Mr. RASKIN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I think we are finally having some light here on the subject.

My distinguished colleague and fellow freshman from Michigan is most concerned about what did take place in the Waters of the United States case. He praises the GAO for responding to Senator INHOFE's inquiry.

We all agree that the GAO determined that the EPA ran afoul of existing prohibitions in law on propaganda, on taking a side in an issue. A flag was called on the play and the problem was dealt with.

If you find a kid shoplifting a candy bar, and you catch him, you remove him from the store, you tell him not to do it again. You don't then go pass a law saying that anybody under 18 cannot enter any commercial establishment in the country. The law worked in that specific case.

But, you see, they have taken a sledgehammer to a mosquito, and the mosquito was already killed. So now what they are busting up is the ability of agencies across the country simply to use the social media to go out and to solicit and invite public input into the rulemaking process. What are we afraid of?

Justice Brandeis said that sunshine is the great disinfectant. We want the public involved. We want the public's engagement.

So, again, I invite my thoughtful colleagues on the other side to cite one case of an agency doing this that was not dealt with by the GAO. I can cite you countless examples of cases where Federal agencies have gone online to invite public input in a completely objective and neutral way. Now we are creating a chill over that process because of this ban on soliciting advocacy from the public on either side of the issue.

So I simply don't get it, and I am puzzled why they continually talk about one case which was happily resolved under existing law.

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

□ 0945

Mr. MITCHELL. Mr. Chairman, I have no further speakers on the bill.

I reserve the balance of my time.

Mr. RASKIN. Mr. Chairman, I include in the RECORD several letters opposing the bill.

COALITION FOR
SENSIBLE SAFEGUARDS,
February 28, 2017.

Re House floor vote of H.R. 1004, the Regulatory Integrity Act.

DEAR REPRESENTATIVE: The Coalition for Sensible Safeguards (CSS), an alliance of over 150 labor, scientific, research, good government, faith, community, health, environmental, and public interest groups, strongly oppose H.R. 1004, the Regulatory Integrity Act.

The bill is a brazen attack on the public's right to know by micro-managing the type of information that agencies are allowed to communicate to all of us when taking actions to protect the public, our economy, and the environment. An open government that prioritizes democratic public participation requires agencies to be able to effectively convey information to the public and make agency policy positions clear to the public. This bill will make our government less open and less democratic and should therefore be rejected.

H.R. 1004 will significantly inhibit federal agencies' ability to engage and inform the public in a meaningful and transparent way regarding its work on important science-based rulemakings that will greatly benefit the public. As a result, the bill will lead to

decreased public awareness and participation in the rulemaking process in direct contradiction of the Administrative Procedure Act and agencies' authorizing statutes, which specifically provide for broad stakeholder engagement.

Substantial ambiguities in the bill threaten to create uncertainty and confusion among agencies about what public communications are permissible, and thus risks discouraging them from keeping the public apprised of the important work that they do on its behalf. In an era when agencies should be increasingly embracing innovative 21st century communications technologies needed to reach the public, including social media, H.R. 1004 sends exactly the wrong message.

The legislation strictly prohibits agencies from issuing "public communications" that "emphasize the importance" of a particular agency action unless the communication has the "clear purpose of informing the public of the substance or status" of the particular action. The legislation applies to a wide swath of regulatory actions including rulemakings, guidance, policy statements, directives and adjudications.

While H.R. 1004 assumes that the distinction between informing the public of an agency action and emphasizing the importance of that action is self-evident, in practice the distinction is anything but clear. As a result, agencies are likely to avoid any public communications that risk running afoul of this ambiguous prohibition, no matter how informative the communication might be for the public.

For example, various executive orders and statutes compel agencies to conduct cost-benefit analysis on their pending rulemakings, and thus to determine whether the rule's benefits outweigh its costs. As currently written, the Regulatory Integrity Act could potentially prohibit an agency from communicating the results of such an analysis when it concludes that a particular rule generates net benefits. After all, that conclusion is tantamount to declaring that the rule makes society better off on balance. Instead, the agency would likely be forced to simply share the basic information that they had conducted a cost-benefit analysis of the regulation without being able to share the further crucial information that the regulation's benefits exceeded the costs. Given that many of the bill's sponsors enthusiastically endorse the expanded use of cost-benefit analysis in the rulemaking process, these kinds of arbitrary prohibitions on communications concerning cost-benefit analysis seem especially peculiar.

Agencies would encounter this problematic scenario when deciding to share vital information, such as:

How many lives would be saved by a regulation;

How much property damage would be averted;

How much money consumers would save; and

Any of the other myriad public benefits that regulations are designed to provide.

The stark absence of any clear bright-lines in the legislation delineating what is and what is not prohibited public communications is sure to have a chilling effect on agencies, with the predictable result that agencies will be less willing to share crucial information with the public and that the public will be less informed about government activities.

H.R. 1004 also will severely impede, rather than enable, agency use of new communication technologies, most notably social media

platforms, to reach the public. Regulatory experts and scholars agree that agencies should be using social media forums and platforms.

Agencies will find it difficult, if not impossible, to communicate with the public through social media under H.R. 1004 since the bill prevents any usage of social media that both conveys information about a regulatory action but also promotes the importance of that action.

For example, the U.S. Department of Interior operates a Twitter and Instagram account that is very popular with the public because it regularly features photos of beautiful landscapes and wildlife from national parks across the United States. Under the Regulatory Integrity Act, the Department might be prohibited from posting such photos on Twitter and Instagram because they are not solely informational in nature and could be interpreted as promoting the importance of the department's work in environmental and wildlife preservation.

Enactment of H.R. 1004 will lead to less transparency in the government, make it more difficult for agencies to use new communication technologies popular with the public, and generally chill agency communications with the public on important matters due to the lack of any bright-line standards for agencies to follow.

We strongly urge you to oppose H.R. 1004, the Regulatory Integrity Act.

Sincerely,

ROBERT WEISSMAN,
President,
Public Citizen Chair.

LEAGUE OF CONSERVATION VOTERS,
Washington, DC, February 27, 2017.

Re Oppose H.R. 998, 1004, & 1009—Assaults on Environmental Safeguards in the Guise of "Regulatory Reform."

HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REPRESENTATIVE: On behalf of our millions of members, the League of Conservation Voters (LCV) works to turn environmental values into national, state, and local priorities. Each year, LCV publishes the National Environmental Scorecard, which details the voting records of members of Congress on environmental legislation. The Scorecard is distributed to LCV members, concerned voters nationwide, and the media.

LCV urges you to vote NO on H.R. 998, the SCRUB Act, H.R. 1004, the Regulatory Integrity Act, and H.R. 1009, the OIRA Insight, Reform, and Accountability Act. LCV joins our partners in the Coalition for Sensible Safeguards—an alliance of consumer, public health, labor, good government, environmental, and scientific groups—in strongly opposing this trio of extreme bills that have far-reaching and damaging consequences for vital public health and environmental safeguards.

H.R. 998, the SCRUB Act, would jeopardize critical environmental safeguards that have been in place for decades and would make it extremely difficult to develop new standards in response to threats to public health and the environment. This legislation creates a regulatory review commission that would disregard the public benefits of environmental safeguards and only consider the costs to industries. By creating a misguided "cut-go" system for safeguards, this bill would result in key public health protections being eliminated.

H.R. 1004, the Regulatory Integrity Act, would significantly hinder communications

between federal agencies and the public and would discourage agencies from using social media platforms. This legislation would reduce government transparency and would leave the public less informed about government activities. The vague guidelines about what public communications are allowed would result in agencies being less willing to share key information with the public.

H.R. 1009, the OIRA Insight, Reform, and Accountability Act, would endanger clean air and clean water protections by opening them up to more litigation. The bill would effectively rewrite dozens of laws in which Congress mandated that agencies prioritize public health, safety and the preservation of clean air and water over concerns about industry profits.

LCV urges you to REJECT H.R. 998, 1004, & 1009 and will strongly consider including votes on these bills in the 2017 Scorecard.

Sincerely,

GENE KARPINSKI,
President.

GOOD MORNING EVERYONE: I am writing to express the opposition of the American Association for Justice (AAJ) to the three anti regulation bills that will be voted on on the House floor this week. The Searching for and Cutting Regulations that are Unnecessarily Burdensome Act of 2017 (SCRUB Act); The Regulatory Integrity Act of 2017; and the OIRA Insight, Reform, and Accountability Act all impede the ability of federal agencies to appropriately protect the health, safety and well-being of the American public. As a result, we urge your boss to vote NO on all three bills. See below and attached for additional information on each bill. Please let us know if you have any questions or concerns.

SARAH ROONEY,
Director of Regulatory Affairs,
American Association for Justice.

H.R. 998, THE SCRUB ACT

The SCRUB Act would establish a new regulatory review commission charged with identifying duplicative and/or redundant regulations to repeal. In addition, the bill provides for a blanket percentage reduction in the cumulative regulatory cost to industry without adequately considering the benefits bestowed upon the public by these same regulations. Under the severe SCRUB Act regulatory cost considerations, targeted regulations could be repealed even when the benefits of these rules are significant, appreciated by the public, and far outweigh the costs.

The SCRUB Act also contains entirely ineffective cut-go provisions. Under the bill's cut-go provisions, an agency would be required to remove an existing regulation of equal or greater cost from its cut-go list before it can issue a new regulation. As a result of these provisions, agencies will be unable to respond to any emerging hazard with any new public regulatory protections or guidance.

H.R. 1004, THE REGULATORY INTEGRITY ACT OF 2017

The Regulatory Integrity Act of 2017 significantly limits the types of communications federal agencies can have with the public regarding pending regulatory actions and prohibits agencies from soliciting support for its regulatory actions. These inappropriately restrictive provisions have two goals: stymieing important public protections and preventing the public from knowing about the positive impact pending regulations may provide.

H.R. 1009, THE OIRA INSIGHT, REFORM, AND ACCOUNTABILITY ACT

Lastly, the OIRA Insight, Reform, and Accountability Act creates yet another duplicative and unnecessary commission to provide for the repeal of regulations, while also providing for numerous additional hurdles in the regulatory review process. It would codify the numerous burdensome regulatory review requirements and make them subject to judicial review which would provide for extensive challenge and delay of important protections. More concerning, this bill would severely damage the impact of dozens of Congressionally passed public interest laws that require agencies to prioritize public health and safety and protecting the environment and instead focus on cost to industry. It also would make federal agency science much more vulnerable to judicial review. Lastly, the bill would effectively undermine Congressionally chartered independent agencies by putting them under the influence of the Office of the President.

Mr. RASKIN. Mr. Chairman, I thank my colleague for his thoughtful presentation and thank the Chair for his indulgence.

I yield back the balance of my time.

Mr. MITCHELL. Mr. Chairman, I will make my statement brief. As you know, I believe in a little bit of brevity around here. Let me suggest that we have talked at length on the content of the bill and the intent of the bill. Let me suggest that my colleague may have used the wrong example or analogy because we all know, where there is one mosquito, there is more. Where there is one, there is more. At this point in time, this bill says we are going to take care of his mosquitoes. With all due respect, I ask my colleagues to support the bill, as I believe it puts the transparency required in rulemaking that will require agencies to disclose they are asking for comments and who is making the comment. It is one more step in getting the government accountable to the people rather than accountable to itself.

Mr. Chairman, I urge adoption of the bill, and I yield back the balance of my time.

The CHAIR. All time for general debate has expired.

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

The text of the bill is as follows:

H.R. 1004

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Regulatory Integrity Act of 2017”.

SEC. 2. PUBLICATION OF INFORMATION RELATING TO PENDING REGULATORY ACTIONS.

(a) **AMENDMENT.**—Chapter 3 of title 5, United States Code, is amended by inserting after section 306 the following new section:

“§ 307. Information regarding pending agency regulatory action

“(a) **DEFINITIONS.**—In this section:

“(1) **AGENCY REGULATORY ACTION.**—The term ‘agency regulatory action’ means guid-

ance, policy statement, directive, rule making, or adjudication issued by an Executive agency.

“(2) **PUBLIC COMMUNICATION.**—The term ‘public communication’—

“(A) means any method (including written, oral, or electronic) of disseminating information to the public, including an agency statement (written or verbal), blog, video, audio recording, or other social media message; and

“(B) does not include a notice published in the Federal Register pursuant to section 553 or any requirement to publish pursuant to this section.

“(3) **RULE MAKING.**—The term ‘rule making’ has the meaning given that term under section 551.

“(b) **INFORMATION TO BE POSTED ONLINE.**—

“(1) **REQUIREMENT.**—The head of each Executive agency shall make publicly available in a searchable format in a prominent location either on the website of the Executive agency or in the rule making docket on Regulations.gov the following information:

“(A) **PENDING AGENCY REGULATORY ACTION.**—A list of each pending agency regulatory action and with regard to each such action—

“(i) the date on which the Executive agency first began to develop or consider the agency regulatory action;

“(ii) the status of the agency regulatory action;

“(iii) an estimate of the date of upon which the agency regulatory action will be final and in effect; and

“(iv) a brief description of the agency regulatory action.

“(B) **PUBLIC COMMUNICATION.**—For each pending agency regulatory action, a list of each public communication about the pending agency regulatory action issued by the Executive agency and with regard to each such communication—

“(i) the date of the communication;

“(ii) the intended audience of the communication;

“(iii) the method of communication; and

“(iv) a copy of the original communication.

“(2) **PERIOD.**—The head of each Executive agency shall publish the information required under paragraph (1)(A) not later than 24 hours after a public communication relating to a pending agency regulatory action is issued and shall maintain the public availability of such information not less than 5 years after the date on which the pending agency regulatory action is finalized.

“(c) **REQUIREMENTS FOR PUBLIC COMMUNICATIONS.**—

“(1) **IN GENERAL.**—Any public communication issued by an Executive agency that refers to a pending agency regulatory action—

“(A) shall specify whether the Executive agency is considering alternatives;

“(B) shall specify whether the Executive agency is accepting or will be accepting comments; and

“(C) shall expressly disclose that the Executive agency is the source of the information to the intended recipients.

“(2) **RESTRICTION.**—Any public communication issued by an Executive agency that refers to a pending agency regulatory action, other than an impartial communication that requests comment on or provides information regarding the pending agency regulatory action, may not—

“(A) directly advocate, in support of or against the pending agency regulatory action, for the submission of information to form part of the record of review for the pending agency regulatory action;

“(B) appeal to the public, or solicit a third party, to undertake advocacy in support of or against the pending agency regulatory action; or

“(C) be directly or indirectly for publicity or propaganda purposes within the United States unless otherwise authorized by law.

“(d) **REPORTING.**—

“(1) **IN GENERAL.**—Not later than January 15 of each year, the head of an Executive agency that communicated about a pending agency regulatory action during the previous fiscal year shall submit to each committee of Congress with jurisdiction over the activities of the Executive agency a report indicating—

“(A) the number pending agency regulatory actions the Executive agency issued public communications about during that fiscal year;

“(B) the average number of public communications issued by the Executive agency for each pending agency regulatory action during that fiscal year;

“(C) the 5 pending agency regulatory actions with the highest number of public communications issued by the Executive agency in that fiscal year; and

“(D) a copy of each public communication for the pending agency regulatory actions identified in subparagraph (C).

“(2) **AVAILABILITY OF REPORTS.**—The head of an Executive agency that is required to submit a report under paragraph (1) shall make the report publicly available in a searchable format in a prominent location on the website of the Executive agency.”.

(b) **TECHNICAL AND CONFORMING AMENDMENT.**—The table of sections for chapter 3 of title 5, United States Code, is amended by adding after the item relating to section 306 the following new item:

“307. Information regarding pending agency regulatory action.”.

The CHAIR. No amendment to the bill shall be in order except those printed in part A of House Report 115–21. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MS. JACKSON LEE

The CHAIR. It is now in order to consider amendment No. 1 printed in part A of House Report 115–21.

Ms. JACKSON LEE. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, after line 17, insert the following new paragraph (and redesignate subsequent paragraphs accordingly):

“(2) **PROPAGANDA; PUBLICITY; ADVOCACY.**—The terms ‘propaganda’, ‘publicity’, and ‘advocacy’ mean information, statements, or claims (or using such information, statement, or claim, as applicable) that—

“(A) are not widely accepted in the scientific community; or

“(B) are beliefs or assertions that are unsupported by science or empirical data.”.

The CHAIR. Pursuant to House Resolution 156, the gentlewoman from

Texas (Ms. JACKSON LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Ms. JACKSON LEE. I yield myself such time as I may consume.

Mr. Chairman, I thank the Chair and the managers of the bill, in this instance Mr. RASKIN and his collaborator, the Republican manager as well. I thank them for their very thoughtful discussion. I also want to indicate that this regulation does have a perspective of excessiveness on a matter that can be confined to instructions to the agencies that have the responsibility of implementing the laws that we pass here in the United States Congress.

My amendment improves the present underlying bill by making clear that communication of information statements or claims that are generally accepted by the scientific community or supported by empirical data is not restricted by this bill.

H.R. 1004 directs each Federal agency to make information regarding their regulatory actions publicly available in a searchable format on a prominent website. That information would have to include the date a regulation was considered, its current status, an estimate of when the regulation will be final, and a brief description of the regulation. In addition, agencies will be required to track the details of all public communications about pending regulatory actions.

But it further provides that:

"Any public communication issued by an Executive agency that refers to a pending agency regulatory action, other than an impartial communication that requests comment on or provides information regarding the pending agency regulatory action," among other things, "may not—be directly or indirectly for publicity or propaganda purposes within the United States."

I want to make sure that if an agency is telling the truth, then that agency is not going to be charged, as was said by Mr. RASKIN, using a sledgehammer, that they can't make those communications. Take, for example, someone claiming that global warming is a hoax, but, if you read the facts, you will find out that a landmark 2013 study assessed 4,000 peer-reviewed papers by 10,000 climate scientists that gave an opinion on the cause of climate change. It showed 97 percent of the authors attributed climate change to manmade causes. That may be a simple statement made by an agency based on science and empirical study. That should not be prohibited.

The Jackson Lee amendment will protect Federal agency employees who might otherwise be ostracized, marginalized, discriminated against, wrongfully terminated or mistreated, or the whole regulation process imploded for statements made even

though the statement is externally valid, logical, rooted in fact, or supported by empirical data, although contrary to an administration's political agenda. I want this to be straight up. I want these agency representatives to do what is right, so I ask my colleagues to support the Jackson Lee amendment.

Mr. Chair, I wish to thank the Chair and Ranking Member of the Rules Committee for making the Jackson Lee Amendment in order.

I also wish to thank Chairman CHAFFETZ and Ranking Member CUMMINGS for their work in bringing the legislation before us to the floor.

Mr. Chair, thank you for this opportunity to explain the Jackson Lee Amendment to H.R. 1004.

The Jackson Lee Amendment improves H.R. 1004 by making clear that Communication of information, statements or claims that are generally accepted by the scientific community or supported by empirical data is not restricted by the bill.

H.R. 1004 directs each federal agency to make information regarding their regulatory actions publicly available in a searchable format on a prominent website.

That information would have to include the date a regulation was considered, its current status, an estimate of when the regulation would be final, and a brief description of the regulation.

In addition, agencies would be required to track the details of all public communications about pending regulatory actions.

H.R. 1004 further provides that "any public communication issued by an Executive agency that refers to a pending agency regulatory action, other than an impartial communication that requests comment on or provides information regarding the pending agency regulatory action, among other things, may not "be directly or indirectly used for publicity or propaganda purposes within the United States unless otherwise authorized by law."

Thus, in addition to requiring each federal agency to make information regarding regulatory action publicly available and accessible online, H.R. 1004 places restrictions on the type and quality of communications agencies may make.

This vague phrase—"publicity or propaganda purposes"—creates substantial uncertainty and confusion as to what public communications are permissible, and risks discouraging agencies from keeping the public apprised of the important work they do on its behalf.

The Jackson Lee Amendment will protect federal agency employees who might otherwise be ostracized, marginalized, discriminated against, wrongfully terminated, or mistreated for statements made even though the statement is externally valid, logical, rooted in fact, or supported by empirical data, although contrary to an administration's political agenda.

Under the Jackson Lee Amendment, for example, a communication that human activity is a major contributor to climate change is not propaganda because it is an assertion supported by an overwhelming consensus of the scientific community.

On the other hand, a claim that there is 'widespread voter fraud' in presidential elections could be considered propaganda, because there is no reliable and statistically significant empirical data to support such a claim.

Federal agencies' ability to engage and inform the public in a meaningful and transparent way regarding their work on important science-based rulemakings that will greatly benefit the public is a public good that we must nurture and protect.

While propaganda may corrupt information or ideas by an interested party in a tendentious way in order to encourage particular attitudes and responses, information, supported by facts or empirical evidence, on the other hand, does not.

The Jackson Lee Amendment safeguards the legitimacy and transparency of communications issued by federal agencies, ensuring that the information disseminated to the public is accurate and reliable.

I urge my colleagues to preserve the bedrock principles of empirical research, scientific method, and free inquiry that are indispensable to free societies by voting for the Jackson Lee Amendment.

[From cnbc.com, February 17, 2017]

MURRAY ENERGY CEO CLAIMS GLOBAL WARMING IS A HOAX, SAYS 4,000 SCIENTISTS TELL HIM SO

(By Tom DiChristopher)

Murray Energy Chairman and CEO Robert Murray on Friday claimed global warming is a hoax and repeated a debunked claim that the phenomenon cannot exist because the Earth's surface is cooling.

Murray appeared on CNBC's "Squawk Box" to discuss Republicans' rollback of an Obama-era rule that would have restricted coal mining near waterways. President Donald Trump signed the measure on Thursday in front of Murray and a group of Murray Energy workers.

Murray Energy is the country's largest coal miner. Many of its mines are in Appalachia, a region that would suffer some of the biggest impacts of the rule. Murray also successfully sued to delay implementation of the Clean Power Plan, which would regulate planet-warming carbon emissions from power plants.

Asked about the economic analysis behind President Barack Obama's energy regulations, Murray said, "There's no scientific analysis either. I have 4,000 scientists that tell me global warming is a hoax. The Earth has cooled for 20 years."

It was not immediately clear who the 4,000 scientists Murray referenced are.

Asked for clarification, a spokesperson for Murray Energy sent links to the Manhattan Declaration on Climate Change, which says "human-caused climate change is not a global crisis," and the Global Warming Petition Project, a list of science degree holders who don't think humans cause climate change.

Murray's claim that there is no scientific analysis behind climate change is not true.

A landmark 2013 study assessed 4,000 peer-reviewed papers by 10,000 climate scientists that gave an opinion on the cause of climate change. It showed 97 percent of the authors attributed climate change to manmade causes.

His second claim that Earth is cooling is also false.

Temperatures were the warmest on record last year, according to NASA and the National Oceanic and Atmospheric Administration. It was the third year in a row global average temperatures set a record.

"The planet's average surface temperature has risen about 2.0 degrees Fahrenheit (1.1 degrees Celsius) since the late 19th century," a change driven largely by increased carbon dioxide and other human-made emissions into the atmosphere," NASA and NOAA said.

Climate change skeptics sometimes point to cool land temperatures to dispute global warming. Scientists have repeatedly noted that water covers 70 percent of the Earth's surface, so it is highly misleading to cast temperatures on land as a representation of global-scale temperatures.

Land also heats and cools more quickly than the ocean. The Weather Channel noted while debunking a recent Breitbart News article that was widely found to have cherry-picked data to cast doubt on climate change.

Ms. JACKSON LEE. Mr. Chairman, I reserve the balance of my time.

Mr. FARENTHOLD. Mr. Chairman, I claim the time in opposition to the amendment.

The CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. FARENTHOLD. Mr. Chairman, I appreciate my colleague from Texas seeking to make this better, but I am going to have to oppose this amendment. It is confusing, unnecessary, and overly restrictive on agencies. This amendment would create a single definition of three different words: propaganda, publicity, and advocacy. Those are different words. Under this amendment, publicity, advocacy, and propaganda would mean making a statement not widely accepted by the scientific community. Are we going to create a test of two out of three dentists agree? It is going to be difficult to do. I mean, it could be anything. Is it propaganda for me to say I love my wife? I only know a couple of scientists, there is not going to be a broad, general consensus in the scientific community about that, but it is certainly not propaganda. It is a statement of my feeling.

Publicity and propaganda and advocacy are different words. They don't mean the same thing, and they certainly don't have the definition my friend from Texas is suggesting. Check out the dictionary. You can do it on your smartphone. These definitions that are proposed in this amendment are unworkable. I urge my colleagues to oppose this amendment.

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

Ms. JACKSON LEE. Mr. Chairman, I have no doubt that my good friend from Texas loves his wife. I would also suggest to him that there might be a number of individuals who are experts that would be able to confirm that, certainly those who are around him, and they might be able to say that that is not propaganda or publicity, and, therefore, his statement stands.

But when you are talking about thousands upon thousands of executive agency staff, servants of the United States Government wanting to do what is right, and you come down with this massive, oppressive document that says here is what you have to do, but

don't do propaganda and don't do publicity, there should be a determination or a standard that says if it is based in fact, you have no problem, that is information that you can disseminate in order to edify those who may be wanting to comment by edifying the particular regulatory scheme or structure that you are putting forward for comment.

Why should my friends on the other side be afraid of good, strong information to make the input valuable so that if I am dealing with a clean air regulation that I am able to hear from those who are for and against, but I can provide documentation, scientific documentation about the quality of air pollution, why this regulatory scheme is appropriate. I ask my colleagues, again, to support the Jackson Lee amendment.

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

Mr. FARENTHOLD. Mr. Chairman, I come back to the purpose of this bill: we want our regulatory agencies to be neutral. They propose a rule, they have done the research, and they have done the science. They wouldn't be proposing it if they didn't believe that it needed to be done. Where they crossed the line is using taxpayer money to go out and promote and advocate for it. The idea behind public comments, the whole thought behind public input is to get a diversity of ideas, but, if the solicitations seeking that comment are biased, or if the agency is advocating it, it potentially suppresses the other side. We want to get both sides of the matter.

Let's look at the actual definition of propaganda. I googled it while Ms. JACKSON LEE was just speaking. Propaganda is information, especially of a biased or misleading nature used to promote a particular cause or point of view. Advocacy is another one that has a definition. It is public statements for or a recommendation of a particular cause or policy. So those definitions basically say you are pushing a point of view. We don't want to limit those.

The definition and the purpose behind this legislation is to make our agencies fair about seeking comment and fair about listening to those comments. We don't want the agencies going into this with preconceived notions and advocating it. We want the public comment to work the way the public comment is supposed to work. The scientific community, whether they are for it or against it, can weigh in in those public comments, and the public and the agency will know what their consensus is based on the fair comments fairly solicited. So again, I urge opposition to this amendment.

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

Ms. JACKSON LEE. How much time is remaining on both sides?

The CHAIR. The gentlewoman from Texas has 30 seconds remaining. The

gentleman from Texas has 1½ minutes remaining.

Ms. JACKSON LEE. Mr. Chairman, let me say to the gentleman that what we are suggesting is that propaganda can be confusing. I want truth and honesty, and I want our agencies to be able to reach out and to help the American people. Therefore, my amendment says that if by chance they say something but it has facts or empirical evidence, it is not propaganda, it is not publicity, they can go forward and protect our water, they can protect our health, they can protect our air. Why are we hiding on this floor?

I ask my colleagues to support the Jackson Lee amendment. It only makes this bill more refined as to how we can help the American people pass a regulatory scheme that enhances local communities and cities. That is why we need the Jackson Lee amendment.

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

Mr. FARENTHOLD. Mr. Chairman, in closing, the purpose of the underlying legislation here is to make sure we have a fair process and the Federal Government isn't pushing a point of view, it is listening to all sides. This amendment takes that away. For that reason, I urge opposition.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Texas (Ms. JACKSON LEE).

The question was taken; and the Chair announced that the yeas appeared to have it.

Ms. JACKSON LEE. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

AMENDMENT NO. 2 OFFERED BY MR.

FARENTHOLD

The Acting CHAIR (Mr. HULTGREN). It is now in order to consider amendment No. 2 printed in part A of House Report 115-21.

Mr. FARENTHOLD. Mr. Chairman, as the designee of the gentleman from Indiana (Mr. MESSER), I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, line 24, strike "and" and insert a semicolon.

Page 5, line 2, strike the period at the end and insert "and".

Page 5, after line 2, insert the following new clause:

"(v) if applicable, a list of agency regulatory actions issued by the Executive agency, or any other Executive agency, that duplicate or overlap with the agency regulatory action."

The Acting CHAIR. Pursuant to House Resolution 156, the gentleman from Texas (Mr. FARENTHOLD) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. FARENTHOLD. Mr. Chairman, this is a simple transparency measure that adds a disclosure requirement under the underlying bill. Understanding which regulations are duplicative or overlapping allows the public to be better informed as they participate in the rulemaking process. We want to know what is going on as members of the public. Too many times agencies develop regulations without consideration or coordination with other Federal agencies, State and local governments, or, in some cases, even the public. They issue proposed rules that are unnecessary, duplicative, or overcomplicated.

This simple amendment helps draw the public's attention to potential areas of concern while the rule is still in the proposed phase of rulemaking. I urge my colleagues to support this amendment.

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

Mr. RASKIN. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Maryland is recognized for 5 minutes.

Mr. RASKIN. Mr. Chairman, I do want to express my opposition to this amendment because it is perfectly duplicative, and it does nothing to cure the very serious deficiencies in the underlying bill. Executive Order 13563, which was issued by President Obama, requires each agency to "periodically review existing significant regulations to determine whether any such regulations should be modified, streamlined, expanded, or repealed, so as to make the agency's regulatory program more effective or less burdensome in achieving the regulatory objectives."

Because there is little doubt that this executive order covers the review and elimination of duplicative and overlapping regulatory actions, there is no need for the additional reporting requirements that this amendment would redundantly impose. More importantly, this amendment simply fails to address the profound flaws in the underlying bill. It fails to provide the bright lines for what an agency can communicate to the public safely within the stringent new guidelines. It fails to eliminate the unnecessarily burdensome and onerous requirements in the bill that seem to have no purpose but to reduce the amount of information agencies would be able to release to the public and invite from the public.

□ 1000

The amendment fails to eliminate the prohibition against agencies making public communications that directly advocate for or oppose the submission of public comments or expert analysis of a pending rule. The amend-

ment fails to remove the serious impediments this bill places in the way of agency use of social media platforms. Most importantly, the amendment does nothing to cure the serious chilling effect that the bill would have on agency communications and the negative effects that this imposition would have on the ability of agencies to educate millions of Americans about the costs and benefits of a particular regulation and to invite their input into the rulemaking process.

Because the amendment does nothing to improve the flaws of this bill and is duplicative of work that agencies are already required to do, I urge all Members to oppose this amendment.

I reserve the balance of my time.

Mr. FARENTHOLD. Mr. Chairman, I think my colleague across the aisle actually makes the case for me. The executive branch already requires that this work be done by the agencies.

Leaving behind the constitutional authority of this body to direct that happen in the nature of executive orders that can be changed by the next executive, this actually codifies a good part of the executive order that is already in place, so the agencies wouldn't have to do any work.

What this does add, however, to that executive order and why it is so important is it adds a transparency requirement. An agency is required to look to see what regulations are out there that may be duplicative under the executive order. This requires them to tell us about it. Why would they want to hide from the American people that they are creating a duplicative regulation?

This is a simple transparency amendment that improves the quality of the underlying bill, improves the amount of information accessible to the public, and holds executive branch agencies accountable to make sure they are not putting unnecessary and duplicative burdens on the American people.

I urge my colleagues to support this amendment.

I reserve the balance of my time.

Mr. RASKIN. Mr. Chairman, I rise only to note the remarkable irony of the gentleman making an argument for the reduction of duplicative regulations by adding another duplicative regulation.

I reserve the balance of my time.

Mr. FARENTHOLD. Mr. Chairman, we are simply codifying an executive order here, as the gentleman pointed out, but we are adding one more thing. We are adding transparency to it so the American people know what these alphabet soups of government agencies are up to and give us, as watchdogs in Congress, or private organizations or a member of the public with internet access the ability to see how the CFR is expanding and expanding with more and more duplicative Federal rules.

I yield back the balance of my time.

Mr. RASKIN. Mr. Chairman, this redundant and duplicative and, again,

chilling amendment will only add more red tape, divert the time of agency officials to produce more paperwork that is unnecessary, and point us right back to the central flaw of the legislation.

My distinguished opponents have mobilized all of one case to demonstrate the necessity of this legislation, and it was a case which was properly resolved by the GAO, and everybody agrees to it. So I understand the urge to get up and say we need more legislation to do what we have already been able to accomplish under existing law, I understand that everybody wants to make a point about the righteousness of legislative change, but sometimes we just don't need another law. The law works as it was. We don't need another law.

And again, I am just impressed by the irony of saying we need another law to eliminate excessive and redundant regulation when the current law already does it. It is almost like a caricature of what we do here in Congress.

I yield back the balance of my time.

Mr. MESSER. Mr. Chair, my amendment is simple.

It would require an executive agency to report any new rule or regulatory action that would duplicate or otherwise overlap with existing agency rules and regulations.

So much of government's excess is created by unelected officials who wield enormous influence over our everyday lives.

Last year, Federal agencies issued 18 rules and regulations for every one law that passed Congress.

That is a grand total of 3,853 regulations in 2016 alone. In 2015, Federal regulations cost the American economy nearly \$1.9 trillion —T, trillion dollars—in lost growth and productivity.

Think about that for a second. A \$1.9 trillion tax, a government burden on the American people. That means lost jobs, stagnant wages, and decreasing benefits for workers.

When the House passed the REINS Act in January, I offered an amendment to require at least 1 rule be overturned for every new rule finalized by the executive branch.

President Trump recently took that one step further by issuing an executive order which required at least 2 rules be overturned for every new rule.

My amendment builds on those initiatives by requiring any agency issuing a duplicative regulation to indicate as much when making the online disclosure required by the underlying bill.

The truth is, the federal government is all too often a fountain of unnecessary regulations.

And while some may debate the merits of any given regulation, few would agree the federal government should issue identical iterations of the same regulation multiple times over.

Mr. Speaker, it is past time we stop bureaucratic abuse and shift the balance of power from government back to the people, where it belongs.

That can start today by passing the Regulatory Integrity Act and putting our government on a path to reduce the amount of red tape that our businesses and the American people deal with every day.

Mr. Speaker, I would like to thank my colleague from Michigan for his hard work on this commonsense legislation.

I urge my colleagues to support my amendment and the underlying bill.

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

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

Mr. RASKIN. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

AMENDMENT NO. 3 OFFERED BY MS. JACKSON LEE

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part A of House Report 115–21.

Ms. JACKSON LEE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 8, after line 12, insert the following new subsection:

(c) APPLICABILITY.—Section 307 of title 5, United States Code, as added by subsection (a), does not apply to any communication that is protected under the First Amendment to the Constitution.

The Acting CHAIR. Pursuant to House Resolution 156, the gentlewoman from Texas (Ms. JACKSON LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE. Mr. Chairman, with all good intentions of the underlying bill, the Regulatory Integrity Act of 2017, which has a very distinguished name, I am really concerned, and my colleague should be concerned, of the chilling effect of this particular legislation. Let me tell you what the problem is.

My good friend from Texas Mr. FARENTHOLD, Congresswoman JACKSON LEE, and Professor RASKIN will not be bending over the shoulder of some hardworking public servant for the Federal Government trying to interpret what this new law means. Can I speak? Can I send information out? What a chilling effect. What a First Amendment violation this legislation might entail.

Take, for example, Chairman Pai of the FCC. He decided to publish the full text of proposals and regulations that the public would otherwise never see until after they had been finalized and approved. Suppose he was then charged with a violation of this bill? Chilling effect, undermining the public's ability to even understand what a very important agency such as the FCC is doing.

My amendment simply states that nothing in this bill shall be interpreted

to prohibit any communication that is protected under the First Amendment to the United States Constitution. For those of us who love the Constitution, that is the First Amendment, and it is a simple, simple statement. Your freedom of speech is protected because it enables people to obtain information from a diversity of sources, makes decisions, and communicates those decisions to the government.

Let me recite a 1927 case from Justice Louis Brandeis, *Whitney v. California*. There is a joy in reading it because he wrote and said: "Freedom to think as you will and to speak as you think are means indispensable to the discovery and spread of political truth."

The Framers of the Constitution knew, to quote Justice Brandeis: "that order cannot be secured merely through fear of punishment for its infraction; that it is hazardous to discourage thought, hope and imagination; that fear breeds repression; that repression breeds hate."

The question is: Some worker who is responsible for this, what will they think?

I ask my colleagues to support the Jackson Lee amendment that indicates the First Amendment will not be chilled.

Mr. Chair, I wish to thank the Chair and Ranking Member of the Rules Committee for making the Jackson Lee Amendment in order.

I also wish to thank Chairman CHAFFETZ and Ranking Member CUMMINGS for their work in bringing the legislation before us to the floor.

Mr. Chair, thank you for this opportunity to explain this Jackson Lee Amendment to H.R. 1004.

The Jackson Lee Amendment is simple and straightforward.

It simply states that "nothing in the bill shall be interpreted to prohibit any communication that is protected under the First Amendment to the U.S. Constitution."

The amendment is necessary because not only does H.R. 1004 direct that certain information be made publicly available by agencies regarding their regulatory actions, the legislation also imposes restrictions on the type and quality of communications that can be made by agencies and agency personnel.

Mr. Chair, it is useful to explain briefly why the First Amendment's protection of speech is central to the effective functioning of the American political system.

Freedom of speech and a vibrant and robust democracy are inextricably intertwined.

Freedom of speech enables people to obtain information from a diversity of sources, make decisions, and communicate those decisions to the government.

The First Amendment also provides American people with a "marketplace of ideas."

Rather than having the government establish and dictate the truth, freedom of speech enables the truth to emerge from diverse opinions.

In *Whitney v. California* (1927), Justice Louis Brandeis wrote that "freedom to think as

you will and to speak as you think are means indispensable to the discovery and spread of political truth."

Free speech facilitates democratic governance because it is only through talking that we encourage consensus and form a collective will.

Over the long run, free speech improves our public decision-making because just as we Americans generally believe in free markets in economic matters, we also generally believe in free markets when it comes to ideas, and this includes governmental affairs.

Freedom of speech strengthens public confidence in the American governmental system of checks and balances.

Speech is thus a means of empowering people, through which they learn, grow, and share; correct errors; and remedy violations of the public trust.

Mr. Chair, the framers of the Constitution knew, to quote Justice Brandeis again in *Whitney v. California*:

that order cannot be secured merely through fear of punishment for its infraction;

that it is hazardous to discourage thought, hope and imagination;

that fear breeds repression;

that repression breeds hate;

that hate menaces stable government[.]

Free societies like the United States accept that openness fosters resiliency and that free debate dissipates more hate than it stirs.

Not only does freedom of speech serve the ends of democracy, it is also an indelible part of human personality and human dignity.

In the words of Justice Thurgood Marshall in the 1974 case *Procunier v. Martinez*:

The First Amendment serves not only the needs of the polity but also those of the human spirit—a spirit that demands self-expression.

Freedom of speech is intimately connected to the human desire to think, imagine, create, wonder, inquire, and believe.

While freedom of speech is not unlimited, the American tradition is to view such limits with caution and skepticism and to embrace freedom of speech as a transcendent constitutional value.

In *Branzburg v. Hayes*, 408 U.S. 665 (1972), Justice Douglas reminded us that:

effective self-government cannot succeed unless the people are immersed in a steady, robust, unimpeded, and uncensored flow of opinion and reporting which are continuously subjected to critique, rebuttal, and re-examination.

In other words, Mr. Chair, freedom of speech is fundamental to the American identity and psyche.

And that is why I have proposed the Jackson Lee Amendment to ensure that nothing in H.R. 1004 shall be interpreted to prohibit any communication that is protected under the precious First Amendment to the U.S. Constitution.

I urge my colleagues to support the Jackson Lee amendment.

I reserve the balance of my time.

Mr. FARENTHOLD. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. FARENTHOLD. Mr. Chairman, this amendment is unnecessary and

confusing. As I am sure my colleague from Texas (Ms. JACKSON LEE) knows, the Constitution is the supreme law of the land.

The First Amendment applies to everybody in this country. We couldn't write a law that infringes upon the First Amendment and have it withstand scrutiny by the Supreme Court or under the Constitution, and I certainly wouldn't support a law that did this.

The underlying legislation is designed to stop public agencies from using your taxpayer dollars and my taxpayer dollars for promoting one side of an issue. It is not designed to chill any Federal employees of First Amendment rights.

In fact, the Supreme Court, in 1994, in *Waters v. Churchill*, held that public employees do have a right to free speech. We are not going to be leaning over people's necks seeing what they are putting on their personal Twitter accounts, but we are going to say that, if you are a government agency spending taxpayer dollars to promote a point of view on something before your agency, that is a no-no. That is what this underlying legislation does.

Ms. JACKSON LEE's amendment is simply unnecessary because we can't suppress the First Amendment rights even if we want to. And we do not—I say do not—ever want to violate the Constitution and interfere with people's First Amendment rights. And, listen, I agree with the underlying intent of my colleague's amendment. Simply, we can't do it.

Unfortunately, this amendment is not only unnecessary, it could be harmful. If we say First Amendment protections apply in this law, are we going to have to go out and in every law we pass, put in something that says the First Amendment applies? Come on. We already know the First Amendment applies because the Constitution is the supreme law of the land.

So it creates unnecessary confusion that could ultimately harm people's First Amendment rights. Can you see the lawsuits? Well, Congress didn't say in there it protected my First Amendment right. So we would have to go and rewrite every law on the books.

The Constitution is there and it works. It is an unnecessary amendment. So I hope my clarification that the First Amendment applies assuages the concerns of the gentlewoman from Texas and she withdraws the amendment. If she doesn't, however, I am going to have to oppose it as unnecessary and potentially confusing to the entire body of law of this country.

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

Ms. JACKSON LEE. Mr. Chair, how much time is remaining?

The ACTING CHAIR. The gentlewoman from Texas has 2½ minutes re-

maining. The gentleman from Texas has 2½ minutes remaining.

Ms. JACKSON LEE. Well, let me say this.

Mr. Chair, first of all, before I yield to the gentleman from the great State of Maryland, the reason why we need my amendment is because this deals with speech. This regulatory bill deals with speech, what you can say and what you cannot say.

So this is not a reflection that we need this in every legislative initiative. I would love for it to be there. But this is a bill that deals with what our agencies can say. And if the Chairman of the FCC put out all of these proposals specifically so that the public could see, just think if this bill unclarified what the protection of the First Amendment reiterated, his speech would be chilled.

I am delighted to yield 30 seconds to the distinguished gentleman from Maryland (Mr. RASKIN).

Mr. RASKIN. Mr. Chair, a regime of fear has descended on the Federal workforce, and I have got 88,000 Federal employees in my district.

If they insist on this legislation—unnecessary, redundant, confusing, and chilling—at the very least, we must pass the gentlewoman's amendment to say that it does not trench on the First Amendment rights of our citizens who are simply exercising in a viewpoint-neutral, in a content-neutral way the determination of the agencies to solicit public input.

You say you support on your side the input of the public. You say you support the intent of the amendment. Let's accept the amendment, and let's all embrace the First Amendment together.

Mr. FARENTHOLD. I would just like to point out that Commissioner Pai's release of that information would not be prohibited under this bill. It is not advocacy. It is releasing facts. So it would not be prohibited.

Again, the First Amendment already applies to every law that we make in this body and every law we have made. The Constitution trumps what we do here.

So, with that, I continue to argue that this amendment is unnecessary and potentially confusing, and I reserve the balance of my time.

Ms. JACKSON LEE. Again, Mr. Chair, can the Chair tell us the time remaining.

The ACTING CHAIR. The gentlewoman from Texas has 1¼ minutes remaining. The gentleman from Texas has 2 minutes remaining.

Ms. JACKSON LEE. Mr. Chair, let me indicate that the gentleman just argued my point. Clarity is what we need. My amendment provides clarity.

Again, what does this bill do? This bill tells Federal employees about their speech: what level of speech, containing speech, how much speech, what

they can say, what is propaganda, what is publicity. Therefore, I think it is important to avoid the chilling effect on public servants who are doing the task on behalf of the American people.

Being the American people's defendant, I believe that we should, in fact, have this language. In *Branzburg v. Hayes*, Justice Douglas reminded us that an effective self-government cannot succeed unless the people are immersed in a steady, robust, unimpeded, and uncensored flow of opinion and reporting which are continuously subjected to critique, rebuttal, and reexamination. That is the protection of the First Amendment.

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

Mr. FARENTHOLD. Mr. Chair, I think the utmost clarity is in the First Amendment. I am going to read it here.

"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press, or the right of the people to peaceably assemble, and to petition the Government for a redress of grievances."

□ 1015

That applies to everything we do, every law we make. This amendment is unnecessary, and I urge opposition.

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

Ms. JACKSON LEE. Mr. Chair, I am prepared to close, and I yield myself the balance of my time.

Let me reemphasize: Clarity in the First Amendment cannot be a bad thing. This bill kills speech. Let's clarify that that speech is protected by the First Amendment to not chill the hard work of our hardworking Federal employees trying to provide for the safety and security of the American people.

I ask my colleagues to support the Jackson Lee amendment, and I yield back the balance of my time.

Mr. FARENTHOLD. Mr. Chair, at the risk of sounding repetitious, the First Amendment applies to all we do in this body. This amendment is unnecessary.

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

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. JACKSON LEE. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Texas will be postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part A of House Report 115—

21 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Ms. JACKSON LEE of Texas.

Amendment No. 2 by Mr. FARENTHOLD of Texas.

Amendment No. 3 by Ms. JACKSON LEE of Texas.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 OFFERED BY MS. JACKSON LEE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 180, noes 234, not voting 15, as follows:

[Roll No. 122]

AYES—180

Adams	Engel	Lujan Grisham,
Aguilar	Eshoo	M.
Barragán	Español	Luján, Ben Ray
Bass	Esty	Lynch
Beatty	Evans	Maloney,
Bera	Foster	Carolyn B.
Beyer	Frankel (FL)	Maloney, Sean
Bishop (GA)	Fudge	Matsui
Blumenauer	Gabbard	McCollum
Blunt Rochester	Garamendi	McEachin
Bonamici	Gonzalez (TX)	McNerney
Brady (PA)	Gottheimer	Meeks
Brownley (CA)	Green, Al	Meng
Bustos	Green, Gene	Moore
Butterfield	Grijalva	Moulton
Capuano	Gutiérrez	Murphy (FL)
Carbajal	Hanabusa	Napolitano
Cárdenas	Hastings	Neal
Carson (IN)	Heck	Nolan
Cartwright	Higgins (NY)	Norcross
Castor (FL)	Himes	O'Halleran
Castro (TX)	Hoyer	O'Rourke
Ciilline	Huffman	Pallone
Clark (MA)	Jackson Lee	Panetta
Clarke (NY)	Jayapal	Pascarell
Clay	Jeffries	Payne
Cleaver	Kaptur	Pelosi
Clyburn	Keating	Perlmutter
Cohen	Kelly (IL)	Peters
Connolly	Kennedy	Pingree
Conyers	Khanna	Pocan
Correa	Kihuen	Polis
Courtney	Kildee	Price (NC)
Crist	Kilmer	Quigley
Crowley	Kind	Raskin
Cuellar	Krishnamoorthi	Rice (NY)
Cummings	Kuster (NH)	Richmond
Davis (CA)	Langevin	Rosen
Davis, Danny	DeFazio	Roybal-Allard
DeFazio	Larson (WA)	Ruiz
DeGette	Larson (CT)	Ruppersberger
Delaney	Lawrence	Ryan (OH)
DeLauro	Lawson (FL)	Sánchez
DelBene	Lee	Sarbanes
Demings	Levin	Schakowsky
DeSaulnier	Lewis (GA)	Schiff
Deutch	Lieu, Ted	Schneider
Dingell	Lipinski	Schrader
Doggett	Loebach	Scott (VA)
Doyle, Michael	Lofgren	Serrano
F.	Lowenthal	Sewell (AL)
Ellison	Lowey	Shea-Porter

Sherman
Sinema
Sires
Slaughter
Smith (WA)
Soto
Speier
Suozi
Swalwell (CA)
Takano

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Cooper
Costa
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett

Boyle, Brendan
F.

Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez

NOES—234

Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem

NOT VOTING—15

Brown (MD)
Chu, Judy

Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

Johnson (GA)
Johnson, E. B.
Jordan
McGovern

Nadler
Rush
Scott, David
Taylor

Wittman
Young (AK)

□ 1038

Messrs. ABRAHAM, POSEY, THOMAS J. ROONEY of Florida, ROTHFUS, LUETKEMEYER, and WESTERMAN changed their vote from “aye” to “no.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. BROWN of Maryland. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted “yea” on rollcall No. 122.

AMENDMENT NO. 2 OFFERED BY MR. FARENTHOLD

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. FARENTHOLD) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 263, noes 145, not voting 21, as follows:

[Roll No. 123]

AYES—263

Abraham	Coffman	Gallagher
Aderholt	Cole	Gallego
Allen	Collins (GA)	Garrett
Amash	Collins (NY)	Gibbs
Amodei	Comer	Gohmert
Arrington	Conaway	Gonzalez (TX)
Babin	Cook	Goodlatte
Bacon	Cooper	Gosar
Banks (IN)	Correa	Gottheimer
Barletta	Costa	Gowdy
Barr	Costello (PA)	Granger
Barton	Cramer	Graves (GA)
Bera	Crawford	Graves (LA)
Bergman	Crist	Graves (MO)
Biggs	Cuellar	Green, Gene
Bilirakis	Culberson	Griffith
Bishop (GA)	Curbelo (FL)	Grothman
Bishop (MI)	Davidson	Guthrie
Bishop (UT)	Davis, Rodney	Gutiérrez
Black	Delaney	Harper
Blackburn	Denham	Harris
Blum	Dent	Hartzler
Bost	DeSantis	Hensarling
Brady (TX)	DesJarlais	Herrera Beutler
Brat	Diaz-Balart	Hice, Jody B.
Bridenstine	Donovan	Higgins (LA)
Brooks (IN)	Duffy	Hill
Brownley (CA)	Duncan (SC)	Himes
Buchanan	Duncan (TN)	Holding
Bucshon	Dunn	Hollingsworth
Budd	Emmer	Huizenga
Burgess	Farenthold	Hultgren
Bustos	Faso	Hunter
Byrne	Ferguson	Hurd
Calvert	Fleischmann	Issa
Carbajal	Flores	Jenkins (KS)
Carter (GA)	Fortenberry	Jenkins (WV)
Carter (TX)	Foxy	Johnson (LA)
Chabot	Franks (AZ)	Johnson (OH)
Chaffetz	Frelinghuysen	Johnson, Sam
Cheney	Gabbard	Jones
	Gaetz	Joyce (OH)

Katko	Mullin	Scott, Austin	Tsongas	Visclosky	Welch	Kilmer	Nolan	Shea-Porter
Kelly (MS)	Murphy (FL)	Sensenbrenner	Vargas	Wasserman	Wilson (FL)	Krishnamoorthi	Norcross	Sherman
Kelly (PA)	Murphy (PA)	Sessions	Veasey	Schultz	Yarmuth	Kuster (NH)	O'Halleran	Sinema
Kihuen	Newhouse	Shimkus	Velázquez	Watson Coleman		Langevin	O'Rourke	Sires
Kind	Noem	Shuster				Larsen (WA)	Pallone	Slaughter
King (IA)	Nolan	Simpson				Larson (CT)	Panetta	Smith (WA)
King (NY)	Nunes	Sinema				Lawrence	Pascrell	Soto
Kinzinger	O'Halleran	Smith (MO)	Bass	Jordan	Rush	Lawson (FL)	Payne	Speier
Knight	O'Rourke	Smith (NE)	Boyle, Brendan F.	Keating	Scott, David	Lee	Pelosi	Suozi
Kuster (NH)	Olson	Smith (NJ)	Brooks (AL)	Marchant	Taylor	Levin	Perlmutter	Swalwell (CA)
Kustoff (TN)	Palazzo	Smith (TX)	Comstock	McGovern	Waters, Maxine	Lewis (GA)	Peters	Takano
Labrador	Palmer	Smucker	Fitzpatrick	Nadler	Wittman	Lieu, Ted	Pingree	Thompson (CA)
LaHood	Paulsen	Stefanik	Hudson	Rice (NY)	Young (AK)	Lipinski	Pocan	Thompson (MS)
LaMalfa	Pearce	Stewart	Johnson, E. B.	Rogers (KY)		Loebach	Polis	Tiberi
Lamborn	Perry	Stivers				Lofgren	Price (NC)	Titus
Lance	Peters	Suozi				Lowenthal	Quigley	Tonko
Latta	Peterson	Tenney				Lowe	Raskin	Torres
Lewis (MN)	Pittenger	Thompson (PA)				Lujan Grisham, M.	Rice (NY)	Tsongas
Lieu, Ted	Poliquin	Thornberry				Luján, Ben Ray	Richmond	Upton
Lipinski	Posey	Tiberi				Lynch	Rosen	Vargas
LoBiondo	Ratcliffe	Tipton				Maloney, Sean	Roybal-Allard	Veasey
Loebach	Reed	Trott				Matsui	Ruiz	Vela
Long	Reichert	Turner				McCollum	Ruppersberger	Velázquez
Loudermilk	Renacci	Upton				McEachin	Ryan (OH)	Visclosky
Love	Rice (SC)	Valadao				McGovern	Sánchez	Walz
Lucas	Roby	Vela				McNerney	Schakowsky	Wasserman
Luetkemeyer	Roe (TN)	Wagner				Meeks	Schiff	Schultz
MacArthur	Rogers (AL)	Walberg				Meng	Schneider	Waters, Maxine
Marino	Rokita	Waldeen				Moore	Schrader	Watson Coleman
Marshall	Rooney, Francis	Walker				Moulton	Scott (VA)	Welch
Massie	Rooney, Thomas J.	Walorski				Murphy (FL)	Scott, David	Wilson (FL)
Mast	Ros-Lehtinen	Walters, Mimi				Napolitano	Serrano	Yarmuth
McCarthy	Rosen	Walz				Neal	Sewell (AL)	
McCaul	Roskam	Weber (TX)						
McClintock	Ross	Webster (FL)						
McHenry	Rothfus	Wenstrup						
McKinley	Rouzer	Westerman						
McMorris	Royce (CA)	Williams						
Rodgers	Ruiz	Wilson (SC)						
McSally	Russell	Womack						
Meadows	Rutherford	Woodall						
Meehan	Sanford	Yoder						
Messer	Scalise	Yoho						
Mitchell	Schneider	Young (IA)						
Moolenaar	Schrader	Zeldin						
Mooney (WV)	Schweikert							
Moulton								

NOES—145

Adams	Espallat
Aguilar	Esty
Barragán	Evans
Beatty	Foster
Beyer	Frankel (FL)
Blumenauer	Fudge
Blunt Rochester	Garamendi
Bonamici	Green, Al
Brady (PA)	Grijalva
Brown (MD)	Hanabusa
Butterfield	Hastings
Capuano	Heck
Cárdenas	Higgins (NY)
Carson (IN)	Hoyer
Cartwright	Huffman
Castor (FL)	Jackson Lee
Castro (TX)	Jayapal
Chu, Judy	Jeffries
Cicilline	Johnson (GA)
Clark (MA)	Kaptur
Clarke (NY)	Kelly (IL)
Clay	Kennedy
Cleaver	Khanna
Clyburn	Kildee
Cohen	Kilmer
Connolly	Krishnamoorthi
Conyers	Langevin
Courtney	Larsen (WA)
Crowley	Larson (CT)
Cummings	Lawrence
Davis (CA)	Lawson (FL)
Davis, Danny	Lee
DeFazio	Levin
DeGette	Lewis (GA)
DeLauro	Lofgren
DeBene	Lowenthal
Demings	Lowey
DeSaulnier	Lujan Grisham, M.
Deutch	Luján, Ben Ray
Dingell	Lynch
Doggett	Maloney, Carolyn B.
Doyle, Michael F.	Maloney, Sean
Ellison	Matsui
Engel	McCollum
Eshoo	

McEachin	McNerney
Meeks	Meng
Moore	Napolitano
Neal	Norcross
Pallone	Panetta
Pascarell	Payne
Pelosi	Perlmutter
Pingree	Pocan
Polis	Price (NC)
Quigley	Raskin
Richmond	Rohrabacher
Roybal-Allard	Ruppersberger
Ryan (OH)	Sánchez
Sarbanes	Schakowsky
Schiff	Scott (VA)
Serrano	Sewell (AL)
Shea-Porter	Sherman
Sires	Slaughter
Smith (WA)	Soto
Speier	Swalwell (CA)
Takano	Thompson (CA)
Thompson (MS)	Titus
Tonko	Torres

NOT VOTING—21

Jordan	Rush
Keating	Scott, David
Marchant	Taylor
McGovern	Waters, Maxine
Nadler	Wittman
Poe (TX)	Young (AK)
Rice (NY)	
Rogers (KY)	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1043

Mr. HIMES changed his vote from
“no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced
as above recorded.

Stated for:

Mr. FITZPATRICK. Mr. Speaker, I was un-
avoidably detained. Had I been present, I
would have voted “yea” on rollcall No. 123.

AMENDMENT NO. 3 OFFERED BY MS. JACKSON

LEE

The Acting CHAIR. The unfinished
business is the demand for a recorded
vote on the amendment offered by the
gentlewoman from Texas (Ms. JACKSON
LEE) on which further proceedings were
postponed and on which the noes pre-
vailed by voice vote.

The Clerk will redesignate the
amendment.

The Clerk redesignated the amend-
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-
minute vote.

The vote was taken by electronic de-
vice, and there were—ayes 189, noes 232,
not voting 8, as follows:

[Roll No. 124]

AYES—189

Adams	Cohen	Frankel (FL)
Aguilar	Connolly	Fudge
Barragán	Conyers	Gabbard
Beatty	Correa	Galleo
Bera	Costa	Garamendi
Beyer	Courtney	Gonzalez (TX)
Bishop (GA)	Crist	Gottheimer
Blumenauer	Crowley	Green, Al
Blunt Rochester	Cuellar	Green, Gene
Bonamici	Cummings	Grijalva
Boyle, Brendan F.	Davis (CA)	Gutiérrez
Brady (PA)	Davis, Danny	Hanabusa
Brown (MD)	DeFazio	Hastings
Brownley (CA)	DeGette	Heck
Bustos	Delaney	Higgins (NY)
Butterfield	DeLauro	Himes
Capuano	DeBene	Hollingsworth
Carbajal	Demings	Hoyer
Cárdenas	DeSaulnier	Huffman
Carson (IN)	Deutch	Jackson Lee
Cartwright	Dingell	Jayapal
Castor (FL)	Doggett	Jeffries
Castro (TX)	Doyle, Michael F.	Johnson (GA)
Chu, Judy	Duncan (TN)	Jones
Cicilline	Engel	Kaptur
Clark (MA)	Eshoo	Keating
Clarke (NY)	Espallat	Kelly (IL)
Clay	Esty	Kennedy
Cleaver	Evans	Khanna
Clyburn	Foster	Kihuen

Abraham	Dunovan
Aderholt	Duffy
Allen	Duncan (SC)
Amash	Dunn
Amodei	Ellison
Arrington	Emmer
Babin	Farenthold
Bacon	Faso
Banks (IN)	Ferguson
Barletta	Fitzpatrick
Barr	Fleischmann
Barton	Flores
Bergman	Fortenberry
Biggs	Fox
Bilirakis	Franks (AZ)
Bishop (MI)	Frelinghuysen
Bishop (UT)	Gaetz
Black	Gallagher
Blackburn	Garrett
Blum	Gibbs
Bost	Gohmert
Brady (TX)	Goodlatte
Brat	Gosar
Bridenstine	Gowdy
Brooks (AL)	Granger
Brooks (IN)	Graves (GA)
Buchanan	Graves (LA)
Buck	Graves (MO)
Bucshon	Griffith
Budd	Grothman
Burgess	Guthrie
Byrne	Harper
Calvert	Harris
Carter (GA)	Hartzer
Carter (TX)	Hensarling
Chabot	Herrera Beutler
Chaffetz	Hice, Jody B.
Cheney	Higgins (LA)
Coffman	Hill
Cole	Holding
Collins (GA)	Huizenga
Collins (NY)	Hultgren
Comer	Hunter
Comstock	Hurd
Conaway	Issa
Cook	Jenkins (KS)
Cooper	Jenkins (WV)
Costello (PA)	Johnson (LA)
Cramer	Johnson (OH)
Crawford	Johnson, Sam
Culberson	Joyce (OH)
Curbelo (FL)	Katko
Davidson	Kelly (MS)
Davis, Rodney	Kelly (PA)
Denham	Kind
Dent	King (IA)
DeSantis	King (NY)
DesJarlais	Kinzing
Diaz-Balart	Knight

NOES—232

Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Fox
MacArthur
Maloney, Carolyn B.
Marchant
Marino
Marshall
Massie
Mast
McCarthy
Gosar
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)

Rogers (AL)	Sessions	Walberg
Rogers (KY)	Shinkus	Walden
Rohrabacher	Shuster	Walker
Rokita	Simpson	Walorski
Rooney, Francis	Smith (MO)	Walters, Mimi
Rooney, Thomas J.	Smith (NE)	Weber (TX)
Ros-Lehtinen	Smith (NJ)	Webster (FL)
Roskam	Smith (TX)	Wenstrup
Ross	Smucker	Westerman
Rothfus	Stefanik	Williams
Rouzer	Stewart	Wilson (SC)
Royce (CA)	Stivers	Womack
Russell	Tenney	Woodall
Rutherford	Thompson (PA)	Yoder
Sanford	Thornberry	Yoho
Scalise	Tipton	Young (AK)
Schweikert	Trott	Young (IA)
Scott, Austin	Turner	Zeldin
Sensenbrenner	Valadao	
	Wagner	

NOT VOTING—8

Bass	Jordan	Taylor
Hudson	Nadler	Wittman
Johnson, E. B.	Rush	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1050

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, during rollcall vote No. 124, on H.R. 1004, I mistakenly recorded my vote as “no” when I should have voted “yes.”

The Acting CHAIR (Mr. FLEISCHMANN). There being no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HULTGREN) having assumed the chair, Mr. FLEISCHMANN, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1004) to amend chapter 3 of title 5, United States Code, to require the publication of information relating to pending agency regulatory actions, and for other purposes, and, pursuant to House Resolution 156, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

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

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

MOTION TO RECOMMIT

Ms. JAYAPAL. Mr. Speaker, I have a motion to recommit at the desk.

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

Ms. JAYAPAL. Mr. Speaker, I am opposed.

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

The Clerk read as follows:

Ms. Jayapal moves to recommit the bill H.R. 1004 to the Committee on Oversight and Government Reform with instructions to report the same back to the House forthwith with the following amendments:

Page 6, line 13, after “Executive agency” insert the following: “or the President of the United States”.

Page 6, line 17, after “regulatory action,” insert the following: “or that refers to a business in which the President has an equity interest.”.

Page 7, line 1, after “regulatory action” insert the following: “or business”.

Mr. FARENTHOLD. Mr. Speaker, I reserve a point of order against the motion.

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

The gentlewoman from Washington is recognized for 5 minutes.

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

Simply put, Mr. Speaker, this amendment restricts the President from making public statements to promote his own business interests in the same way that the bill restricts statements by agencies on pending rules. If we intend to hold agencies accountable for their statements, we should certainly be willing to hold the President of the United States to those same standards. Donald Trump’s enormous web of business interests and conflicts of interest make it clear that it is necessary to explicitly expand this restriction to the President.

It is deeply disturbing, Mr. Speaker, that the President has refused to release his tax returns or create a blind trust for the proceeds of his assets. Numerous U.S. Presidents have placed their financial holdings into a blind trust that is managed by a trustee without any input from the President. This allows for the President to minimize any conflicts of interest and any suggestion that the Presidency of the United States is being used for his own personal profits.

This President, however, has avoided those calls for him to sell his assets or place them into a blind trust. Instead, documents obtained through public records requests show that President Trump has moved the assets over, just in name, to his son and a longtime employee, but that Trump himself, the President of the United States, is the sole beneficiary of all of those trusts.

In other words, there is no wall erected between his businesses and his Presidency, and anyone who wants to buy influence can simply do so openly. His entire Presidency can be seen as a promotion of his business interests and be used by domestic and foreign governments to curry favor and produce benefit to his personal empire.

Trump Tower in D.C. is one example of this. The building, which is leased to

him by the Federal Government, stipulates in its lease that “any elected official of the Government of the United States” may not derive any benefit from that agreement. At 12:01 p.m. on Inauguration Day, Trump was in violation of this clause. That lease should be terminated effective immediately.

Just last week, the Kuwaiti Embassy held its annual event to celebrate the country’s national day at the President’s D.C. hotel. The event was initially scheduled to take place at the Four Seasons, and, in fact, a “save the date” went out with the Four Seasons location. But Kuwait canceled that reservation just a few days after the election, and moved the event to the President’s hotel after that happened.

These are not isolated instances. They constitute a pattern of conflicts of interest every time a foreign government holds a reception or rents a room at a Trump property, a problem so important to this country that it was put into the Emoluments Clause of the Constitution of the United States of America.

The American people should also be deeply concerned about conflicts of interest at the President’s Mar-a-Lago resort. On January 1, 2017, just 2 months after the election of Donald Trump, the exclusive resort doubled its membership initiation fee from \$100,000 to \$200,000. When Trump took Japanese Prime Minister Shinzo Abe there, it created even more free publicity for the resort as several social media posts were made throughout the weekend.

Conducting government affairs in public settings not only has serious national security concerns, but indicates that anyone who wants to be a member of the club will have access to the President of the United States, and the President will personally profit off of their membership.

Mr. Speaker, the American people have a right to know what the entire web of conflicts of interest are, but we have yet to get this information because we have not received—we have yet to get any information from this President, his tax returns, or any of the documents that help us to ensure that he is complying with the Constitution of the United States of America, that document that he swore to uphold and protect, so that we can make sure that he is not using the highest office of this land to profit.

□ 1100

The American people have the right to demand that this President put their interests first rather than his own business interests.

I urge all of my colleagues to pass this motion to recommitment and demand that we uphold our Constitution, protect this democracy and the duty of this President to work not for the business interests, but for we the people.

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

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

Mr. FARENTHOLD. Mr. Speaker, I withdraw my point of order.

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

Mr. FARENTHOLD. Mr. Speaker, I claim the time in opposition.

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

Mr. FARENTHOLD. Mr. Speaker, as a great supporter of transparency, this bill is designed to promote transparency in executive branch agencies.

Unfortunately, I think the motion to recommit would actually be violative of the Constitution. The President and the executive branch agencies we are seeking to regulate under this law are creations of Congress administered by the executive branch.

The Presidency is created by the Constitution, and it is my belief that it would be unconstitutional to pass this motion to recommit. For that reason alone, I urge my colleagues to oppose it.

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

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

There was no objection.

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

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

RECORDED VOTE

Ms. JAYAPAL. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 189, noes 232, not voting 8, as follows:

[Roll No. 125]

AYES—189

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

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

NOES—232

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

Newhouse	Ros-Lehtinen	Tiberi
Noem	Roskam	Tipton
Nunes	Ross	Trott
Olson	Rothfus	Turner
Palazzo	Rouzer	Upton
Palmer	Royce (CA)	Valadao
Paulsen	Russell	Wagner
Pearce	Rutherford	Walberg
Perry	Sanford	Walden
Peterson	Scalise	Walker
Pittenger	Schweikert	Walorski
Poe (TX)	Scott, Austin	Walters, Mimi
Poliquin	Sensenbrenner	Weber (TX)
Posey	Sessions	Webster (FL)
Ratcliffe	Shimkus	Wenstrup
Reed	Shuster	Westerman
Reichert	Simpson	Williams
Renacci	Smith (MO)	Wilson (SC)
Rice (SC)	Smith (NE)	Womack
Roby	Smith (NJ)	Woodall
Roe (TN)	Smith (TX)	Yoder
Rogers (AL)	Smucker	Yoho
Rogers (KY)	Stefanik	Young (AK)
Rohrabacher	Stewart	Young (IA)
Rokita	Stivers	Zeldin
Rooney, Francis	Tenney	
Rooney, Thomas	Thompson (PA)	
J.	Thornberry	

NOT VOTING—8

Crist	Nadler	Taylor
Hudson	Pelosi	Wittman
Jordan	Rush	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1107

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. HUDSON. Mr. Speaker, on rollcall No. 109 through 113, 118, 119, 122, 124, and 125, I was unable to cast my vote in person due to an unexpected illness. Had I been present, I would have voted "nay."

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

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

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 246, noes 176, not voting 7, as follows:

[Roll No. 126]

AYES—246

Abraham	Blum	Cole
Aderholt	Bost	Collins (GA)
Allen	Brady (TX)	Collins (NY)
Amash	Brat	Comer
Amodei	Bridenstine	Comstock
Arrington	Brooks (AL)	Conaway
Babin	Brooks (IN)	Cook
Bacon	Buchanan	Cooper
Banks (IN)	Buck	Correa
Barletta	Bucshon	Costa
Barr	Budd	Costello (PA)
Barton	Burgess	Cramer
Bergman	Byrne	Crawford
Biggs	Calvert	Crist
Bilirakis	Carter (GA)	Cuellar
Bishop (GA)	Carter (TX)	Culberson
Bishop (MI)	Chabot	Curbelo (FL)
Bishop (UT)	Chaffetz	Davidson
Black	Cheney	Davis, Rodney
Blackburn	Coffman	Denham

Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gottheimer
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Gutiérrez
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)

King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCauley
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (FL)
Murphy (PA)
Newhouse
Noem
Nunes
O'Halleran
Olson
Palazzo
Palmer
Panetta
Paulsen
Pearce
Perry
Peterson
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Rohy
Roe (TN)

Rogers (AL)
Rogers (KY)
Rokita
Rooney, Francis
Rooney, Thomas
J.
Ros-Lehtinen
Rosen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Scalise
Schradler
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Tennet
Thompson (PA)
Thornberry
Tiberti
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebach
Lofgren
Lowenthal
Lowey
Lujan Grisham,
M.
Luján, Ben Ray
Lynch
Maloney,
Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Napolitano

Neal
Nolan
Norcross
O'Rourke
Pallone
Pascarella
Payne
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rohrabacher
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sanchez
Sarbanes
Schakowsky
Schiff
Schneider
Scott (VA)
Scott, David
Serrano
Sewell (AL)

Shea-Porter
Sherman
Sires
Slaughter
Smith (WA)
Soto
Speier
Suozi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—7

Hudson
Jordan
Nadler

Pelosi
Rush
Taylor

Wittman

□ 1114

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. HUDSON. Mr. Speaker, on rollcall No. 114 through 117, 120, 121, 123, and 126, I was unable to cast my vote in person due to an unexpected illness. Had I been present, I would have voted "Yea."

Mr. WITTMAN. Mr. Speaker, I missed votes on Thursday, March 2, 2017. Had I been present, I would have voted "Nay" on rollcall No. 122, "Yea" on rollcall No. 123, "nay" on rollcall No. 124, "nay" on rollcall No. 125 and "Yea" on rollcall 126.

LEGISLATIVE PROGRAM

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

Mr. HOYER. Mr. Speaker, I rise for the purpose of inquiring of the majority leader the schedule for the week to come, and I yield to the gentleman from California (Mr. McCARTHY), the majority leader and my friend.

Mr. McCARTHY. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, on Monday, no votes are expected in the House.

On Tuesday, the House will meet at noon for morning-hour and 2 p.m. for legislative business. Votes will be postponed until 6:30.

On Wednesday and Thursday, the House will meet at 10 a.m. for morning-hour and noon for legislative business.

On Friday, the House will meet at 9 a.m. for legislative business. Last votes of the week are expected no later than 3 p.m.

Mr. Speaker, the House will consider a number of suspensions next week, a

complete list of which will be announced by close of business tomorrow.

In addition, the House will consider several reform bills straight from our Better Way agenda:

First, the Fairness in Class Action Litigation and Further Asbestos Claim Transparency Act, sponsored by Chairman BOB GOODLATTE, which ensures that only similarly injured parties can be in the same class for purposes of a class action suit, as well as requires public disclosure of reports on the receipt and disposition of claims for injuries based on exposure to asbestos.

Next, H.R. 725, the Innocent Party Protection Act, sponsored by Representative KEN BUCK, which establishes a uniform standard for determining whether a defendant has been fraudulently joined to a lawsuit.

And third, H.R. 720, the Lawsuit Abuse Reduction Act, sponsored by Chairman LAMAR SMITH, which restores accountability to our legal system by penalizing lawyers for filing baseless lawsuits.

Our Federal litigation system is plagued with broken rules that unnecessarily harm American businesses and consumers. With these measures, we will follow through on our pledge to take on trial lawyers and crack down on lawsuit abuse through meaningful litigation reform.

Finally, Mr. Speaker, the House will consider the Fiscal Year 2017 Department of Defense Appropriations bill, sponsored by Chairman RODNEY FRELINGHUYSEN.

Mr. HOYER. I thank the gentleman for that information.

The gentleman mentions the Defense Appropriations bill is going to be brought forward. It is my understanding that the text was just introduced this morning. Is that accurate?

Mr. McCARTHY. Yes.

Mr. HOYER. Do you know when it will be marked up?

I yield to the gentleman from California.

Mr. McCARTHY. I thank the gentleman for yielding.

We passed this bill last year, working together with others. You will see the bill reposted, and we will vote on it next week.

Mr. HOYER. Is the majority leader not aware of whether there will be a markup on the bill or will it come directly to the floor through the Rules Committee?

Mr. McCARTHY. It will come straight to the floor.

Mr. HOYER. The gentleman just indicated that this will be the bill that we passed last year.

Mr. McCARTHY. This bill reflects the 2017 NDAA, which passed with 375 votes in the House and 92 votes in the Senate.

Mr. HOYER. So I am correct, then, that the bill will be the same bill that we passed last year? Is that accurate?

NOES—176

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

Clyburn
Cohen
Connolly
Conyers
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael
F.
Ellison
Engel
Eshoo
Español
Esty
Evans
Foster
Frankel (FL)
Fudge

Gabbard
Gallego
Garamendi
Gonzalez (TX)
Green, Al
Green, Gene
Grijalva
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)

Mr. MCCARTHY. It is not the exact same, but it reflects the work of the NDAA. It is a bipartisan agreement. It is also—you will find as soon as it is posted to read all the way through it—a reflection of the 2017 NDAA bill.

Mr. HOYER. The majority leader may not know, and I certainly understand that. We will see what differences might exist. If there are any substantive changes in the bill, we would hope that it would be subjected to a hearing or at least a markup.

But the gentleman believes there is no substantive change. Is that accurate?

Mr. MCCARTHY. That is very accurate. This is a bipartisan, bicameral agreement based upon the 2017 NDAA bill, which, if you watched, had 375 votes in the House, 92 in the Senate.

As you know as well as I do, and we have talked many times together about this, we cannot continue to have our military continue further with just the CR. If you have a continuing resolution, you now are saying that you have to fund what was last year. You can't go through with what the future needs without putting together the appropriations process. And this is what we are going through right now.

Mr. HOYER. I thank the majority leader for that observation.

I agree with the majority leader that subjecting the Defense Appropriations or any other appropriation is not a tenable or appropriate policy to pursue.

The gentleman knows we were for an omnibus being passed in 2016, as an omnibus was passed in 2015, which, therefore, gives the administrators of any agency or Secretaries of any agency the opportunity to have the ability to plan over a period of time longer than months.

So I certainly agree. But very frankly, I want to tell the majority leader, on our side of the aisle we are very, very concerned that privilege will be accorded to the defense bill.

Can the majority leader tell me whether or not we intend to adopt and pass, in the regular order, individual bills—the Labor-Health bill, the Interior bill, the Agriculture bill, et cetera, et cetera—in a similar manner? That means considering them on their merits discretely, separately, individually.

I yield to the gentleman from California.

Mr. MCCARTHY. I thank the gentleman for yielding.

The gentleman knows we are working, in part, under the continuing resolution short-term; but it is my intention, once we pass the FY 2017 defense bill, I will keep Members updated on the further floor schedule of appropriations bills. It would be my goal to continue to pass the rest of the appropriations bills.

Mr. HOYER. I appreciate that, Mr. Leader, if that is your goal; and I hope that, in fact, we can pursue that goal.

Very frankly, we believe that the scenario is being set up to take care of the defense bill.

I voted for the defense bill. I was one of those people. I intend to vote for the defense bill next week when it comes to the floor, if, in fact, as the gentleman represents, it is substantively the same as the bill that we have already adopted.

What I am concerned about and what Members on my side of the aisle are very concerned about is that the remaining nondefense discretionary spending bills will be substantially altered from that which we would have passed in December of last year in the 2017.

Of course, we were 4 months late doing that—or 3 months late, at least: October, November, and December. But I am hopeful, Mr. Leader, that those bills will, in fact, be considered discretely so that the American public can see us vote on those bills and on the priorities that are incorporated in those bills.

Mr. Leader, it appears that the majority has stalled somewhat in their efforts in a path forward on repeal of the ACA. President Trump's address on Tuesday, it seems to me, didn't offer many details. He does say, however, that everybody is going to be covered—everybody—with better health care, cheaper. If that bill comes to the floor, I am going to vote for it, Mr. Leader. I want you to know that. Health care for everybody—quality, accessible, affordable, and cheaper.

Now, as the majority leader knows, the budget resolution that was passed this year set a deadline of January 27 for committees to report legislation repealing the law. It is now March 2, and there are reports, Mr. Leader, that Republicans have a draft bill that perhaps is located in H-157, that it is not being posted, and that Republicans have been told they can view it in H-157.

I don't know that I have the room number correct, and I am not sure that the information that I have is correct, but I will tell you that MICHAEL BURGESS, or Dr. BURGESS, on your side of the aisle said this. He said it yesterday: People need to have access to this document—apparently his presumption was he did not have access to the document or he believed others should; not only Members of our side of the aisle, but also the public—and if there are problems, let's talk through them. It's been a long time in the works. Most of the pieces that are in there, people have seen in the past, but it does need to be an open process.

Mr. Leader, let me repeat that. It does need to be an open process, according to Dr. BURGESS.

GUS BILIRAKIS says: We're not having a hearing or anything. We're not having a hearing or anything. But there'll be a place for us to view it, the draft.

PAUL RYAN, the Speaker, said, 3 days ago: We're going through the com-

mittee process. We're doing this step by step. We're having public hearings. We're having committee work on legislation. This is how the legislative process is supposed to be designed. We are not hatching some bill in a back room—perhaps H-157; he didn't say that, I said it—and plopping it on the American people's front door.

Mr. Leader, you and I both were here when the Affordable Care Act was passed. There was a lot of talk about the Affordable Care Act and how it was passed in the dark of night. That was baloney, of course. We had 79 bipartisan hearings and markups over the 2 years that we considered the Affordable Care Act. House Members spent nearly 100 hours in hearings, heard from 181 witnesses from both sides of the aisle, considered 239 amendments—both Democratic and Republican—and accepted 121 amendments.

The original House bill was posted online 30 days before the first committee began their markup and more than 100 days before the committee introduced their merged bill in the House. House Democrats posted the House bill—that was the final process—online 72 hours before the bill was brought to the floor, consistent with our rules.

Now, to my understanding, the Ways and Means Committee has been told this bill is going to be marked up on Wednesday. There will not have been a single hearing, there will not have been a single witness, and Members cannot, on our side of the aisle—as I understand it—see the bill today.

I don't know where all my Tea Party friends are who demanded full consideration and that everybody read the bill. I don't see them out on the lawn. I don't see them out on the plaza. I don't see them out on the sidewalk as they were when we were considering the bill and we had those 181 witnesses, the 100 hours of hearings that they thought weren't sufficient.

□ 1130

I don't know whether they will think that having a markup next Wednesday when the bill has not even been made available to Democratic Members of the House. Apparently, Republican Members have to go to a room to see it, and the public clearly has no idea of what that bill is.

Mr. Leader, I hope you will tell me that I am wrong, that there will be hearings consistent with what Speaker RYAN said 3 days ago. I hope you will tell me, yes, we are going to honor what Speaker RYAN said, that we are going to have those hearings, we are going to have witnesses, and we are going to consider amendments.

All of us understand that this is one of the biggest issues confronting the American people. We have had hundreds of thousands of people showing up at town meetings saying how concerned they are, yet, if my information

is correct, Mr. Leader, they will have no opportunity to talk to the Committee on Ways and Means.

I am further informed, and I hope the majority leader says this is wrong, that the markup will occur before the Congressional Budget Office has the opportunity to say how much it is going to cost. All this weeping and gnashing of teeth about balanced budgets and fiscal responsibility, a bill that affects 18 percent of the gross domestic product, and the critical need for people to have access to affordable, quality health care, not one of them will have an opportunity to know how much this repeal will cost.

Again, Mr. Leader, I hope you are going to be able to tell me, no, Mr. Whip, we are going to have hearings, we understand how important this issue is, how much interest there is in this country, and we are going to give time for serious consideration, and we are going to have witnesses come before those hearings; and then after the witnesses, we are going to have a markup after substantial debate and consideration is allowed on both sides of the aisle.

I now yield to the majority leader with the hopes that he will be able to give me some degree of confidence that PAUL RYAN, our Speaker, was correct, that we are going to follow regular order and make a transparent consideration of this piece of legislation.

I yield to my friend.

Mr. MCCARTHY. I thank the gentleman for yielding. I always look forward to your quotes.

Mr. HOYER. I have some more.

Mr. MCCARTHY. Now you have gone beyond. You now bring in rumors. I give you credit there. You have been here quite some time, much longer than I. I agree with you, this is a very big issue. That is why, for the last 6 years, we have had hearings because all those hearings you reported, I would have wished you would have listened during those hearings. I would have wished you would have been able to do a healthcare bill that actually works. The essence of what the ACA did, it was about exchanges and the expansion of Medicaid.

So my dear friend here tells me that was a big success. What do you tell all those people across this country? In fact, one-third of every county in this country now only has one health insurer. Humana just announced they are pulling out. Because you love quotes so much, let me read what the CEO of Aetna says: ObamaCare is failing. It has entered a "death spiral."

With Humana pulling out, that gives 16 counties in Tennessee that have no one to care for them. The expansion of Medicaid—I know you are concerned about the budget, as am I—says within this 10-year window, in the tenth year, it will cost us \$1 trillion. You know as well as I do that that is about the exact

amount of money we spend for all discretionary spending in government today. We watched the ACA create 23 CO-OPs. They were provided more than \$2 billion. Eighteen of those 23 have collapsed.

So, yes, for the last 6 years, we have been holding hearings, we have been listening to the public, and we have been working on this bill. Yes, we will go regular order. We will have a markup in committee. When the bill comes out of committee, we will take that markup, we will go to the Committee on the Budget because it is reconciliation, and we will bring that bill to the floor, just as the rules state we will do that. We have waited 6 years to do this, just as we moved one last year to the President as well, and he vetoed it.

We cannot sit and wait for this failure to continue any longer. The health of this country deserves something much better. That is why we have been spending our time, that is why we have been working on it, and that is why we have been listening. We have had the wisdom to listen, but now I promise you we will have the courage to lead.

Mr. HOYER. I thank the gentleman for his comment. It is, therefore, extraordinarily sad that we have spent 6 years with only one option that the majority would pursue: repeal. Not fix, not make it work better, not ensure that people can afford their care, not make sure that insurance companies had the competence to stay in the market because the market was destabilized for all of its lifetime to date by the Republicans saying all we are going to do is repeal.

The gentleman talks about the cost. The gentleman cannot tell me some 4 days before he suggests passing a piece of legislation that will affect 18 percent of our gross domestic product what it will cost. Why? Because he has no score from the CBO. He can tell me all he wants about 6 years of waiting and listening. He has no score on this bill. My judgment is he will have no score when he marks it up. By the way, he will give no access, contrary to Speaker RYAN saying that we are going to go regular order. I reject, with all due respect, Mr. Majority Leader, the fact that we had a hearing a year ago or 2 years ago or 3 years ago, that the opinion that was given at those times by various witnesses who differed on their conclusions, that we can apply that to the bill that you have introduced now.

I don't know what the bill you have introduced is. I don't know whether you have introduced it or somebody else has introduced it. I don't even know whether it exists. I told the gentleman what I am told. He has not disabused me of any of the assertions I made. He has not disabused me that it is not available publicly. He has not disabused me of the fact that we can't see it. He has not disabused me of Dr. BURGESS saying it ought to be seen by

everybody and considered, it should not be in a secret room someplace that people have to go to, like it is a secret document. We have to go down to the Capitol Visitor Center in the secure facilities of the Permanent Select Committee on Intelligence to see secret documents. Surely that is not the standard that we are giving to a bill that will have such, in my view, catastrophic effect on individuals, on jobs, and on businesses.

Mr. Speaker, I want to tell the majority leader that I do not accept the proposition that a hearing over 6 years about repeal only—and I am not sure how many hearings there were. Maybe the majority leader knows. But I know for a fact that proponents of the bill were very difficult to get on the list of witnesses that we wanted to testify at some of those hearings. The American people, the Tea Party, all those people for and against who came to these town meetings should really lament. And, frankly, I think that the Speaker's representation is not being followed. The assertion that it was done last year, the year before, we have a lot of new Members in this Congress who weren't here. Frankly, when we have bills introduced in Congress, we usually have hearings on them. That is the regular order.

Now, we haven't been following regular order on all these congressional review acts, Mr. Leader, so maybe the precedent nowadays is forget about hearings because most of the bills that we have considered during this Congress have not had hearings. The ramifications of the repeal of these rules no one knows. There were no hearings on those. Frankly, we didn't have hearings on those year after year after year in the past. So, Mr. Leader, it appears that the representation you are making is we know all about this, we don't need hearings, we have been talking about this stuff forever, we are just going to act. The courage, I would suggest to my friend, the courage would be to expose these to full and fair and open debate. That would be the courage.

Now, Mr. Leader, unless you want to respond to that, I will move on to a different subject.

Mr. MCCARTHY. Well, I would only like to end with this: I was here at the same time. I know you have your history, and I have the history that I remember. I remember seeing the Speaker at that time, now your leader, say we need to pass the bill to find out what is in it. I remember being here late that night. I remember a lot of people, citizens around this building complaining. You know what? The saddest part of all that, their fears became true. They didn't get to keep the doctor or the health plan that they were promised. The premiums they were told would go down \$2,500, that didn't happen. They now find that they don't

have the care that they were promised. We have spent our time.

You did make a statement that there are a lot of new people in this building. I would argue that is a reason why there are a lot of new people in this building, the ACA and the way you carried it out. That is why we did not do that. You stipulated a little earlier, trying to state about a 3-day rule. That wasn't your rule. That is a rule we instituted and changed when we became the majority, Mr. Speaker.

So we will have regular order. We will have regular order. We will take it through committee, we will have it open for debate, and we will bring it to the floor because we promised the American people, and we will keep our promise, just as the President, as you heard just this week, talked about the reform. We will protect preexisting conditions. We will make sure those who are 26 or younger can stay on their parents' plan. The bans or lifetime limits, we will protect those like we have always said we would. We will create a healthcare bill that actually empowers the individual, not more government. We will actually lower the premiums. That is the difference between us. We can have those debates, and I welcome them, because I think history will show your hearings and our hearings. But, at the end of the day, I want the history to show who actually did a better job of providing health care to the American people at a lower cost.

Mr. HOYER. Mr. Leader, you can be assured that history will show that. Can I see the bill today?

Mr. MCCARTHY. You are not on that committee, so you can look at it when we mark it up.

Mr. HOYER. In other words, they will mark it up before anybody in the public, including a Member of the House of Representatives—

Mr. MCCARTHY. No.

Mr. HOYER. Before then, we cannot see it.

Mr. MCCARTHY. If the gentleman yields, I will answer his question.

Mr. HOYER. Is that what the gentleman is telling me?

I yield to my friend.

Mr. MCCARTHY. It is similar to every other bill we move. They will post it before they mark it up so everybody can see it and debate it.

Mr. HOYER. Mr. Leader, reclaiming my time, that is not regular order. I have been here a long time. You have been here a long time. That is not regular order. Regular order is you introduce a bill, you go up to this desk, and you put a bill in. We don't follow that very much, but that is regular order. It is then printed. It is referred to a committee. The public can see it as soon as it is printed. It goes to the committee. They establish a hearing. The witnesses then come before the committee and testify as to its positive and negative aspects. The committee then

schedules a markup. It may even be the same day after the hearing, I get that. And then they mark it up. But the bill has been given to the public and to Members, invariably under regular order, substantially before that happens.

You are telling me, as I understand it, Mr. Leader, I cannot see the bill today, 5 days before it is scheduled to be marked up. Is that accurate?

I yield to my friend.

Mr. MCCARTHY. Have you seen a scheduled markup? I didn't have it in my list. I don't announce markups, but apparently this is another rumor you may have heard.

Mr. HOYER. Is the leader telling me that he does not know personally whether a markup is scheduled on the Affordable Care Act repeal next week?

I yield to my friend.

□ 1145

Mr. MCCARTHY. I thank the gentleman for asking. That is a question to the chairman. I simply provide you the schedule for next week.

Mr. HOYER. I thank the gentleman, but that was not my question, whether the chairman of the committee knows. Maybe the gentleman does not know, in which case he can say no.

My question is: Does the gentleman know whether a markup is scheduled for next week in the Ways and Means Committee on the repeal of the Affordable Care Act?

I yield to my friend.

Mr. MCCARTHY. I thank the gentleman for yielding.

That is an action of the committees, and they will list as soon as they are prepared to do their markups.

Mr. HOYER. Mr. Speaker, I don't know whether that is a "yes" or a "no" or "I don't intend to tell you," but it certainly does not tell me whether the majority leader knows that.

I would suggest to the chairman of the committee, though, Mr. Speaker, that the majority leader ought to be informed of what the committee is doing on such an important issue.

I am just informed that while the majority leader may not know, The Hill newspaper knows and says: ObamaCare reconciliation markup on track for next week.

They, perhaps, heard the same rumor I have heard, Mr. Leader.

Mr. MCCARTHY. Will the gentleman yield for one moment?

The gentleman understands that this is coming through reconciliation, and reconciliation is created through committee, not by submitting a bill. So this is regular order.

I thank the gentleman for his concern, and I thank the gentleman for the last 6 years that we have had concerns about this. I will provide the gentleman with a number of hearings. In Energy and Commerce this year alone, they have had hearings and they have

had votes on markups on improvements and changes to our healthcare system. If the gentleman would like, I will provide those to him at a later date.

But when it comes to reconciliation, committees will move that. When it goes through the committees, it will then go to the Budget Committee, and then it will come to the floor. That is regular order, and that is what we are following.

Mr. HOYER. I ask you: Do you expect the Budget Committee to have a hearing on it?

I yield to my friend.

Mr. MCCARTHY. I expect to follow regular order. When a bill goes through Energy and Commerce and a bill comes through Ways and Means, it will then go for markup inside the Budget Committee, and then come to the floor.

Mr. HOYER. I thank the gentleman.

I will close on this subject, unless the majority leader would like to make a comment. He does know I like quotes.

Mr. Leader, you said the following:

This bill is being pushed through because the majority in the Congress refuse to listen to the people.

You said that on March 2, 2010. You were referring, of course, to us Democrats who refused to listen to the American people, because your presumption was the American people was not for the proposition we were promoting.

There were two candidates for President who got major votes in this election. One was Hillary Clinton, who said: I want to keep the Affordable Care Act. And one was Donald Trump, who said: I want to get rid of the Affordable Care Act. Although, he has said then and now that he wants to have everybody covered at a cheaper price with assured benefits. As I said, we would support a bill like that.

Of those two candidates that were running, one got 65 million votes and one got 62 million votes. Now, the one who got 62 million votes won the election. Why? Because of the electoral college. He is the legitimate elected President of the United States. I do not question that at all. But it ought to give some degree of humility that he got 3 million less votes than the person that espoused policies other than those espoused by President Trump. It ought to give some pause to let the American people into the process and testify.

I will tell the gentleman that what the Republican Party is recommending in repeal of the ACA will have very substantial consequences. You may think they are positive, I may think they are negative, but I hope neither one of us think that that won't have very substantial consequences for our country. In that context, we ought to have allowed, and we ought to allow, the people of this country to testify on those consequences.

Again, I will move on, unless the gentleman wants to make an additional comment.

I yield to my friend.

Mr. McCARTHY. I thank the gentleman for yielding.

I just didn't know that 4 months later we were still going to litigate who won the election. It has always been the electoral college.

I know the gentleman likes to make a lot of quotes, but I think if you take my quote and you look at the date and you want to go back in time and you look at the polling, I think my quote is right. I think the American people were at that exact same position.

You talk about consequences. The ACA has a tremendous amount of consequences on the American public, and, unfortunately, they haven't been positive. Some have, but the majority have not. That is why a number of people today, one-third of this Nation of the counties, 1,022, only have one healthcare provider.

I listened to our President just this week right down this well. I know you haven't commented about that or quoted anything he said there, but I listened to other people who commented about that, people who are on different sides of the aisle who I know did not vote for him.

Mr. Speaker, Van Jones, I know the man well. He and I philosophically disagree. But he said that night, listening to President Trump, that he became America's President.

So I just say to my friend across the aisle, Mr. Speaker, that I think 4 months is long enough to decide who won the race, and we don't have to come back to this. If we really want this country to come together, I don't think that type of questioning on this floor is productive. I think it is time to come together as one Nation and start solving these problems, but not try to bring back up and litigate who really won the election.

Mr. HOYER. There are so many comments I could make in response to that.

No one today on this floor is questioning the legitimacy of President Trump's Presidency—period. What I said was that more people voted for the candidate who wanted to keep the ACA than voted for the candidate who wanted to repeal the ACA.

Secondly, if the gentleman refers to the polls of his quote in 2010, then I can refer to the polls today, which show that the majority of respondents believe that the ACA should be retained until and unless an acceptable replacement is provided.

The gentleman talks about 6 years. Not once in those 6 years, not once, has the majority party offered a comprehensive replacement for the Affordable Care Act. They have talked about it.

By the way, on the 26-year-olds and on the preexisting conditions, the repeal bills didn't say we were going to keep the preexisting conditions or the

26 age or the lifetime limits or the annual limits or the drug discounts for senior citizens. It didn't say any of that. It said repeal the ACA.

So the polling data today, Mr. Speaker, is that more people want to keep the ACA prior to the consideration and adoption of a replacement than want to repeal it. I agree with you, that is a change from 2010. And the reason it is a change is because they are now looking at it very carefully. They are figuring out what, in fact, it has done for them and their families and for their children who had preexisting conditions and for their access to affordable health care, and they are saying: We are taking a second look.

They do not now reflect that poll to which the gentleman referred that is now 7 years old and, very frankly, last year's poll. Now they look at it differently.

I yield to my friend.

Mr. McCARTHY. Mr. Speaker, if I could just tell my friend, when I refer to a poll, I mean the main poll of election day. If I look at what happened on 2010 and I look at what took place in this last election, you are correct, one side campaigned on repealing and replacing ObamaCare. This is only the third time since World War II that the American public entrusted that to a Republican Party who have a majority in the House, a majority in the Senate, and the Presidency.

So, yes, that is the poll I was looking at; the same as what transpired in 2010. That was the cornerstone and the foundation of what people said in that last election.

We are moving forward on that our promise. We have been working on this for more than 6 years with hearings, townhalls, and listening. We are going through reconciliation, the regular order. So the committees will mark up, send it in to the Committee on Budget, where they will do a markup, and then it will come to the floor.

I thank the gentleman for his concern.

Mr. HOYER. Well, I think that is some degree of clarity in terms of the markup, and no hearing, no witnesses, and I presume no CBO score to tell us how much that legislation is going to cost.

Now, Mr. Leader, two things. One is certainly less global and impactful, but, nevertheless, important. I am sure the gentleman met with the Governors when they were in town, as I did. They met on a bipartisan basis. I met with a lot of the Republican Governors and Democratic Governors together.

They are very concerned, as you know, not only about the ACA—which we talked about, which they have great concerns of the impact on their States, Republicans and Democrats, of the repeal of the Medicaid expansion, in particular, the impact it will have on them and their people—but they also

are very concerned about the Marketplace Fairness Act.

That is simply, frankly, trying to protect small businesses so that they can compete, the local mom and pop store can compete with the online vendors so that everybody would have to pay the sales tax, whatever the State sales tax is. That bill, I believe, enjoys the majority support in this House. I think it has enjoyed the majority support since it passed the Senate pretty handedly.

Does the gentleman know whether or not that bill is going to be considered at any point in time in the near term?

I yield to my friend.

Mr. McCARTHY. I thank the gentleman for yielding.

Yes, Mr. Speaker, we did meet with a bipartisan group of Governors, and that was one of the discussions as well. It is not scheduled at this time, but we will continue to work on that in committee. Our hope is to be able to find a solution in committee and be able to move that forward.

Mr. HOYER. Lastly, Mr. Speaker, I want to say to my friend, the majority leader, that I look forward to working with him. I see that he recently observed that the attorney general ought to recuse himself in dealing with issues of the relationship between the administration during the course of the campaign and Russia, which the intelligence community has said interfered in America's election.

All of us ought to be concerned about that—a foreign government interfering in our democracy; particularly, a government that is hostile to our interests; particularly, a government led by Mr. Putin, who has committed international crimes, who, contrary to international law, invaded Crimea, still holds Crimea inconsistent with international law, and has been sanctioned. Hopefully, those sanctions will stay in place.

I agree with the gentleman that, at the very least, the attorney general ought to recuse himself. I have asked him to step down.

But we need to have, Mr. Speaker, an independent bipartisan commission with subpoena power, similar to the 9/11 Commission, for the security of our country and, yes, for the confidence building for our President to see what, in fact, were the relationships between his campaign and Russia and to what extent Russia involved itself in trying to impact on the elections of the United States.

I don't have anything further to say. Unless the gentleman wants to say something, I will yield back.

I yield to my friend.

Mr. McCARTHY. I thank the gentleman for yielding.

This is a matter for investigation by the House Intelligence Committee. For years, we have investigated Putin's hostile international actions.

Just so the gentleman does know, Mr. Speaker, this week, Chairman NUNES and Ranking Member SCHIFF approved the scope of their committee's inquiry into Russia's measures of targeting in the 2016 election. I support this bipartisan investigation. I have great faith that the committee will fully investigate all of the evidence and follow the facts wherever they lead.

I know the gentleman, Mr. Speaker, made comments in regards to the attorney general. Attorney General Sessions stated this morning that whenever it is appropriate, he will recuse himself. I agree with those remarks.

As far as the ongoing investigation into Russia, I would, again, direct my friend to the bipartisan effort that is underway in the House Intelligence Committee.

□ 1200

Mr. HOYER. I thank the majority leader for his comments.

Let me say that I was very disappointed to learn that Mr. NUNES, at the request of the administration, talked to members of the press before the investigations have occurred, before they have heard a single witness, to say that he really thought this was not a matter that really needed careful consideration. That is not a quote. I characterized what I read his comment to mean to the press.

In addition, I understand the Department of Homeland Security was also requested, and the FBI, to talk to the press to tamp down interest in those. The American people need to be very concerned about these issues. Every Member of this Congress, a separate and coequal branch of the Government of the United States, ought to be very concerned about that.

The Bible says that the truth will set us free. And the truth will give us confidence. And the truth should be known by the American people.

The problem I have with the Intelligence Committee is that the Intelligence Committee—most of the information they gather is not available to the public. I don't know what they will do moving forward.

But we found in the 9/11 Commission a perfect example of a commission equally divided with two extraordinarily respected co-chairs that got to the bottom and made significant recommendations, most of which—almost all of which—were adopted in a bipartisan fashion by this Congress.

So, Mr. Speaker, I would hope that we would pursue that not in lieu of the Intelligence Committee—not in lieu of the Intelligence Committee—but in addition to.

Benghazi, we had seven committees, and you thought on your side of the aisle that wasn't enough, so you spent some \$4 million on an additional special committee to find exactly the same conclusion.

So, in this case I do not oppose the work of the Intelligence Committee, but I certainly believe the American people would expect and would want a similar bipartisan commission as they saw work on the 9/11 tragedy to give them the confidence that Russia is not in any way undermining the independence of our government or undermining the democracy that we hold so dear.

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

ADJOURNMENT FROM THURSDAY, MARCH 2, 2017, TO MONDAY, MARCH 6, 2017

Mr. MCCARTHY. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 4 p.m. on Monday, March 6, 2017.

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

There was no objection.

CELEBRATING THE 105TH ANNIVERSARY OF THE GRAND CANYON STATE

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

Mr. BIGGS. Mr. Speaker, on February 14, my home State of Arizona celebrated its 105th year as a member of the United States. The Grand Canyon State is an incredible State to raise a family in, to live in, and to play in.

There is so much to love about Arizona. We have over 300 days of sunshine. We enjoy the cool pines of Flagstaff; the rustic and historic towns of Prescott, Show Low, and Tombstone, which give perspective into Arizona's first days as a State; and we greatly benefit from the agricultural city and county of Yuma.

Arizona's lakes, mountains, forests, and skies provide countless activities throughout the year for natives and visitors alike. Arizona also enthusiastically hosts spring training, Super Bowls, college football playoff games, and the Waste Management Open, which many call "The Greatest Show on Grass."

Most of all, I love the people of Arizona. Arizonans are diverse, patriotic, and fiercely independent people. They bring so much talent and potential to our communities. I am deeply honored to serve my constituents in Chandler, Gilbert, Mesa, Sun Lakes, and Queen Creek.

After a long week in Washington, I cannot wait to step off the plane into the fresh, free Arizona air. It is the greatest State in the Union, and I will always be proud to call Arizona my home.

Happy birthday, State 48.

ATTORNEY GENERAL JEFF SESSIONS AND RUSSIA

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

Ms. KAPTUR. Mr. Speaker, I rise today after news that the Attorney General, Jeff Sessions, lied under oath about his multiple contacts with higher level officials from the Russian Government.

The American people deserve full answers from the FBI on the ever-growing list of Trump administration officials with reckless and dangerous ties to Russia. The 2016 attack by Russia on U.S. democratic institutions, election systems, and political parties represents an international crime against liberty.

We still don't know the full extent of Russia's attacks. Thus, it is essential that the FBI, which reports to the Attorney General, be absolutely free of any political pressure. Congress must empower an independent investigatory, bipartisan commission to discover the truth. And the administration must appoint a special prosecutor free of political influence by the executive branch.

Any investigation must be empowered to thoroughly probe Russia's actions against our Nation's elections and must unearth any individuals who aided and abetted Russia in furtherance of its nefarious objectives. Without question, it is essential that our FBI and Justice Department be absolutely free of any political influence by the Attorney General.

The American people are owed the truth, the whole truth, and nothing but the truth. Toward restoring integrity, the Attorney General should resign in view of his misleading answers about Russia during his Senate confirmation hearing.

Truth will out.

COMPREHENSIVE EVERGLADES RESTORATION PLAN

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

Mr. MAST. Mr. Speaker, I rise today in support of including Everglades restoration in the President's infrastructure plan for America.

The Comprehensive Everglades Restoration Plan is the most ambitious ecosystem restoration ever attempted and represents the ultimate infrastructure package for Florida, but many critical projects designed to add harmful Lake Okeechobee discharges and algal blooms into my community are far behind where they should be and becoming far more costly by the delay in full funding.

The President has touted his record of building world-class projects ahead of schedule and under budget; so I am calling on him to create an Everglades restoration infrastructure task force,

secure the full funding, and accelerate the CERP projects to completion.

Mr. Speaker, my constituents have waited long enough to realize the massive benefits of Everglades restoration. Now let's seize this moment and put this President and this Congress to work to finish the job.

UNDERSTAND THE LEGAL MARIJUANA INDUSTRY

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

Ms. TITUS. Mr. Speaker, earlier this week, Attorney General Sessions stated we won't be a better, healthier Nation if marijuana is sold at every corner grocery store. His Justice Department also signaled that it would raid a marijuana industry convention being held on tribal lands in my State of Nevada.

While it is pretty clear that the Attorney General has some other problems to worry about now, I would note that his statement and his department's actions demonstrate a complete lack of understanding of the legal marijuana industry.

The industry, which is highly regulated in States that have chosen to legalize marijuana, does, indeed, face challenges in banking, taxes, advertising, security, and working with veterans. These need to be addressed by Congress.

But in the meantime, I invite Mr. Sessions: Come to Nevada. Meet with members of the industry. Find out how it really works before you make rash decisions about enforcement that will counter the votes of many people across this country.

TRIBUTE TO ROBERT AND MEGAN TRINKLEY AND MISSION FIRST HOUSING GROUP VOLUNTEERS AND SUPPORTERS

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

Mr. MEEHAN. Mr. Speaker, I rise today to pay tribute to Robert and Megan Trinkley and the many supporters and volunteers of the Mission First Housing Group, which places homeless veterans in need in safe, affordable, and sustainable housing.

Last Friday evening, I had the great pleasure to be present at the third annual Homes for Heroes fundraising event in Delaware County, Pennsylvania. I joined the Trinkleys and iconic radio personality and Vietnam veteran John DeBella and hundreds of community supporters who were all committed to quality housing for our vets.

The Homes for Heroes event was founded in 2015 as a way for the Trinkleys to honor the memory of Megan's late father, a United States

Air Force veteran. Homes for Heroes raised more than \$40,000 last year and surpassed that number this year.

Mr. Speaker, on any given night, some 40,000 of our veterans are homeless, and that is too many. But thanks to the work of Robert and Megan Trinkley and all of those who have supported Homes for Heroes, some three dozen veterans right now in our region sleep in safe, affordable housing.

I am grateful for their efforts, and I applaud them for their service to the homeless veterans to assure that no hero he is left behind.

CELEBRATING WOMEN HELPING WOMEN

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

Ms. GABBARD. Mr. Speaker, as we kick off Women's History Month, I want to recognize Women Helping Women, celebrating 40 years of service to the people in my district of Maui County.

Since its founding in 1977, Women Helping Women has been an indispensable source of strength and support for survivors of domestic violence in Maui County, many of whom have fled courageously away from life-threatening situations with nothing more than the clothes on their backs, a few dollars in their pockets, and the desire to live without fear. Many of these women flee with young children and have no one to turn to and nowhere to go.

Each year, this organization serves more than 1,500 women, men, and children on the Islands of Maui and Lanai through a variety of programs, projects, and activities focused on direct intervention, shelter, advocacy, education, empowerment, and prevention.

Mahalo to Women Helping Women, and congratulations on reaching this 40th anniversary year.

EXPRESSING GRATITUDE TO SHERIFF'S DEPUTY WES HARPER

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

Mr. HOLLINGSWORTH. Mr. Speaker, I rise today to recognize the actions of Clark County, Indiana, Sheriff's Deputy Wes Harper.

On the evening of February 21, Deputy Harper was dispatched to a call for an unconscious person. While en route, Deputy Harper's dispatcher advised him that this individual was, in fact, a 9-month-old child, and it was possible that the child had drowned.

Wasting no time, Deputy Harper arrived on scene, scooped the infant up into his arms, and dove back into the patrol vehicle with an ambulance still minutes away. As his fellow officer

drove to Kosair Children's Hospital, Deputy Harper provided CPR to the unconscious infant. As they pulled into the hospital, the infant regained consciousness and began to breathe on its own. The infant was released from the hospital the following day.

When asked about how this call had affected his mindset for the rest of his shift, Deputy Harper was, as he always is, humble and expressed how glad and thankful he was that the young child would be all right.

Deputy Wes Harper's quick thinking and selfless action speak volumes of the training of Clark County's first responders, as well as their devotion to Hoosiers all the way across Clark County. His actions are a prime example of the high standards and traditions of law enforcement officers everywhere across this country.

Mr. Speaker, on behalf of Indiana's Ninth District, I would like to express our gratitude to Clark County Sheriff's Deputy Wes Harper for his lifesaving actions.

RECOGNIZING NATIONAL COLORECTAL CANCER AWARENESS MONTH

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

Mr. PAYNE. Mr. Speaker, I rise today to recognize March 2017 as National Colorectal Cancer Awareness Month.

This month offers us an opportunity to raise awareness about colorectal cancer and to recommit to taking action against this disease. Colorectal cancer is one of the most preventable forms of cancer, yet it remains the second leading cause of cancer death among men and women, combined, in the United States.

This year, more than 130,000 individuals in the United States will be diagnosed with colorectal cancer. Approximately 50,000 more will die from it. Too often, individuals are forced to forego screening because of high insurance costs. In order to get more people screened and save lives, we need to break down the financial barriers to treatment.

Last month, I joined the Congressman CHARLIE DENT and LEONARD LANCE to introduce the Removing Barriers to Colorectal Cancer Screening Act. Our bill eliminates colonoscopy cost-sharing for Medicare patients so that every patient has access to this lifesaving treatment.

Mr. Speaker, we cannot let cost stand in the way of care. I urge Congress to quickly advance this legislation. Patients are counting on it.

□ 1215

EMPLOYEES UNDER
INVESTIGATION

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

Mr. GOHMERT. Mr. Speaker, something that has not gotten nearly enough attention in the media concerns security. We know that there were people working—Imran Awan, Abid Awan, Jamal Awan, Hina Alvi, Natalia Sova—and I have heard that one of these has fled back to Pakistan since being investigated.

They worked on Democratic computer systems. And although we have been told, “Well, they couldn’t get into the SCIF and get into the classified section,” they had access to congressional computers. I am told that if you can get access to one Congress Member’s Outlook program, you can easily hack into many others.

This has got to be investigated. It appears to be a major crime and a major breach of trust in the House.

I hope my friends across the aisle that use these people will step forward and help us plug the hole.

SMASH VECTOR-BORNE DISEASES

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

Mr. SOTO. Mr. Speaker, I rise today to ask my colleagues to help smash Zika and other vector-borne diseases.

It is my privilege to reintroduce the bipartisan Strengthening Mosquito Abatement for Safety and Health Act, or SMASH Act. H.R. 1310 has over 14 cosponsors already, both Democrats and Republicans, coming together to tackle this great challenge.

As we saw last year, in Florida, Puerto Rico, across Latin America, and beyond, mosquito-borne diseases are constantly evolving and can quickly have new and devastating consequences. We thought we knew Zika, but then it changed. So we have to stay a step ahead.

That is what the SMASH Act does. It keeps us ahead of perennial threats like Zika, West Nile, and other diseases by expanding programs for mosquito-borne and vector-borne disease surveillance and control.

Investing and fighting all these diseases together will protect the health of countless Americans and save us money down the road.

The scientists and public health experts at the Centers for Disease Control in my home State know the tools they need. Colleagues, let’s get together and give it to them.

REFUGEES WANT TO LIVE IN
PEACE

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

Mr. VEASEY. Mr. Speaker, it has been a little more than a day since our President addressed this body for the first time. Many of us hoped that President Trump would finally lay out a positive vision for America. Instead, the address flamed the fears about immigrants and refugees.

I invited Syrian refugee Bothina Matar as my guest to the joint session to show our President that, despite false claims, refugees approved through our vigorous vetting program simply want to live in peace.

After speaking with Bothina about her family’s experience in Syria and at a Jordanian refugee camp, it is clear that our refugee program is successfully completing its mission.

After Bothina and her family were first referred as potential candidates for resettlement, they endured a rigorous 18-month-long vetting process. Only then was the family offered the opportunity to seek refuge in Dallas and put on the path to self-sufficiency.

Our country is welcoming, and it is a place that, despite what the President and House Republicans claim, we can both protect the American people and extend our hand to the most vulnerable amongst us.

COMMUNICATION FROM CHAIR OF
COMMITTEE ON TRANSPORTATION
AND INFRASTRUCTURE

The SPEAKER pro tempore laid before the House the following communication from the Chair of the Committee on Transportation and Infrastructure; which was read and, without objection, referred to the Committee on Appropriations:

COMMITTEE ON TRANSPORTATION AND
INFRASTRUCTURE, HOUSE OF REPRESENTATIVES,

Washington, DC, March 1, 2017.

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

DEAR MR. SPEAKER: On February 28, 2017, pursuant to section 3307 of Title 40, United

States Code, the Committee on Transportation and Infrastructure met in open session to consider eight resolutions provided by the General Services Administration at the request of the Department of Veterans Affairs (VA). The Committee has authorized these leases to be executed pursuant to GSA’s leasing authority in accordance with the provisions of the Public Buildings Act.

The Committee continues to work to reduce the cost of federal property and leases. The eight resolutions considered are part of the VA’s Construction, Long Range Capital Plan and include consolidations and relocation of existing space to improve the VA’s delivery of healthcare.

I have enclosed copies of the resolutions adopted by the Committee on Transportation and Infrastructure on February 28, 2017.

Sincerely,

BILL SHUSTER,
Chairman.

Enclosures.

COMMITTEE RESOLUTION

LEASE—U.S. DEPARTMENT OF VETERANS
AFFAIRS, NEW PORT RICHEY, FLORIDA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, a lease of up to 114,000 net usable square feet of space, and 770 parking spaces, for the Department of Veterans Affairs for a Community Based Outpatient Clinic in New Port Richey, Florida to replace and consolidate five existing leases at a proposed unserviced annual cost of \$3,876,000 for a lease term of up to 20 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, to the maximum extent practicable, the lease contract(s) shall include a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if it is determined that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, an explanatory statement shall be provided to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the design of the outpatient clinic shall be consistent with the U.S. Department of Veterans Affairs’ Community Based Outpatient Clinic Prototype Proposed Layouts.

GSA

PBS

**PROSPECTUS – LEASE
U.S. DEPARTMENT OF VETERANS AFFAIRS
NEW PORT RICHEY, FL**

Prospectus Number: PFL-01-VA17

Congressional District: 12

Executive Summary

The U.S. General Services Administration (GSA) proposes a consolidated outpatient clinic lease of approximately 114,000 net usable square feet (NUSF) for the U.S. Department of Veterans Affairs (VA). This action will consolidate five separate outpatient facilities in New Port Richey, Florida.

The lease will provide continued services for the New Port Richey veteran community and provide the necessary expansion services to meet current and projected health care service delivery gaps in the market.

Description

Occupant:	Veterans Affairs
Current NUSF	53,565
Estimated Maximum NUSF:	114,000
Expansion/Reduction NUSF:	60,435 (expansion)
Estimated Maximum RSF:	153,900
Expiration Dates of Current Lease(s):	9/30/2018, 12/31/2018, 11/18/2018, 4/7/2019, 6/30/2019.
Proposed Maximum Leasing Authority:	Up to 20 years
Delineated Area:	<u>North:</u> State Route 52 (starting at Highway 19 and extending east to Suncoast Parkway (Route 589)) <u>South:</u> Pasco County Line (starting at Suncoast Parkway (Route 589) and extending west to Highway 19) <u>East:</u> Suncoast Parkway (Route 589) (starting at State Route 52 and extending south to the Pasco County Line) <u>West:</u> Highway 19 (starting at the Pasco County Line and extending north to State Road 52)
Number of Official Parking Spaces:	770
Scoring:	Operating Lease
Current Total Annual Cost:	\$1,453,820 (leases effective 10/1/1998, 1/1/2009, 11/19/2008, 4/8/2009, 7/1/2016)

GSA

PBS

**PROSPECTUS – LEASE
U.S. DEPARTMENT OF VETERANS AFFAIRS
NEW PORT RICHEY, FL**

Prospectus Number: PFL-01-VA17

Congressional District: 12

Current Total Unserved Annual Cost:	\$922,484
Estimated Unserved Rental Rate ¹ :	\$34.00 per NUSF
Estimated Total Unserved Annual Cost ² :	\$3,876,000

Justification

A new lease 114,000 NUSF lease in New Port Richey will replace and consolidate the five existing leases in the New Port Richey market including the 38,219 NUSF Port Richey Specialty Outpatient Clinic; the 792 NUSF Port Richey Eye Clinic; the 5,276 NUSF Port Richey Mental Health Clinic; the 6,078 NUSF Port Richey Home-Based Primary Care facility; and the 3,200 NUSF Port Richey Dental Clinic.

The current space in these facilities is insufficient to meet the projected needs of the veteran community. Space limitations and an increase in workload limit veterans' access to services in a timely manner. Additionally, the existing locations have safety and security deficiencies.

The new facility will enhance VA outpatient services by closing space and utilization gaps identified in the Strategic Capital Investment Planning process and will provide a single location in the New Port Richey area to serve the outpatient care needs of veterans and their families. The new lease will allow VA to expand its current Primary Care, Mental Health, Specialty Care, Eye Clinic, Home Based Primary Care, and Dental services to veterans in a right-sized, state-of-the-art, energy efficient health care facility.

The expansion of those services, particularly Mental Health services, would support VA's targeted goal of eliminating veteran homelessness. Compared to the current configuration of five existing clinics, the consolidation into a single facility would generate operational efficiencies and economies of scale and improve veteran satisfaction by offering needed clinical services at one centralized location. The consolidated lease will also provide economies of scale and overall operating efficiencies resulting in significant cost savings in utilities, transportation, general supply procurement and a reduction of outsourced staffing.

¹ This estimate is for fiscal year 2018 and may be escalated by 2.0 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is unserved and excludes all operating expenses, whether paid by the lessor or directly by the Government.

² New leases may contain an escalation clause to provide for annual changes in real estate taxes and operating costs.

GSA

PBS

**PROSPECTUS – LEASE
U.S. DEPARTMENT OF VETERANS AFFAIRS
NEW PORT RICHEY, FL**

Prospectus Number: PFL-01-VA17

Congressional District: 12

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required net usable area.

Interim Leasing

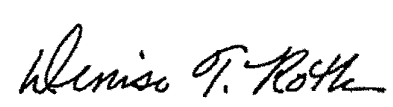
The Government will execute such interim leasing actions as are necessary to ensure continued housing prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on December 21, 2016

Recommended: 

Commissioner, Public Buildings ServiceApproved: 

Administrator, General Services Administration

COMMITTEE RESOLUTION

LEASE—U.S. DEPARTMENT OF VETERANS
AFFAIRS, OAHU, HAWAII

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, a lease of up to 66,000 net usable square feet of space, and 528 parking spaces, for the Department of Veterans Affairs for a Health Care Center in Oahu, Hawaii at a proposed unserviced annual cost of \$3,392,400 for a lease term of up to 20 years, a prospectus for

which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, to the maximum extent practicable, the lease contract(s) shall include a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the delineated area of the procurement is identical to the delineated area included in the prospectus, *except*

that, if it is determined that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, an explanatory statement shall be provided to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the design of the outpatient clinic shall be consistent with the U.S. Department of Veterans Affairs' Community Based Outpatient Clinic Prototype Proposed Layouts.

GSA

PBS

**PROSPECTUS – LEASE
U.S. DEPARTMENT OF VETERANS AFFAIRS
OAHU, HI**

Prospectus Number: PHI-01-VA17

Congressional District: 1, 2

Executive Summary

The U.S. General Services Administration (GSA) proposes an outpatient clinic lease of approximately 66,000 net usable square feet (NUSF) for the U.S. Department of Veterans Affairs (VA), in Oahu, HI. The lease will enable the VA Pacific Island Health Care System to more efficiently provide services to veterans located on the island.

Description

Occupant:	Veterans Affairs
Current NUSF	0
Estimated Maximum NUSF:	66,000
Estimated Maximum RSF:	89,100
Proposed Maximum Leasing Authority:	Up to 20 years
Delineated Area:	<u>North:</u> Queen Liliuokalani Fwy (starting at Kalaeloa Blvd, extending northeast to Fort Weaver Rd) <u>East:</u> Fort Weaver Rd (starting at Queen Liliuokalani Fwy and extending south to Geiger Rd) <u>South:</u> Geiger Rd (starting at Fort Weaver Rd and extending to Roosevelt Ave); Roosevelt Ave (starting at Geiger Rd and extending west to Boxer Rd); Malakole St (starting near Saratoga St and extending west to Kalaeloa Blvd) <u>West:</u> Kalaeloa Blvd (starting at Malakole St extending northeast to Queen Liliuokalani Fwy)
Number of Official Parking Spaces:	528
Scoring:	Operating Lease
Current Total Annual Rent:	N/A
Current Total Unserved Annual Rent:	N/A
Estimated Unserved Rental Rate ¹ :	\$51.40 per NUSF
Estimated Total Unserved Annual Cost ² :	\$3,392,400

¹ This estimate is for fiscal year 2018 and may be escalated by 2.0 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is unserved and excludes all operating expenses, whether paid by the lessor or directly by the Government.

GSA

PBS

**PROSPECTUS – LEASE
U.S. DEPARTMENT OF VETERANS AFFAIRS
OAHU, HI**

Prospectus Number: PHI-01-VA17
Congressional District: 1, 2

Justification

Veterans currently access services at the VA operated Spark M. Matsunaga Medical Center (located at the Tripler Army Medical Center), which is an oversubscribed multi-specialty clinic treating over 25,000 Veterans annually. It is inconveniently located with regard to the Ewa Plain/Leeward, central, and north shore areas of Oahu and space constraints prevent the expansion of services. Further, services at the existing facility are compressed and utilization gaps continue to increase without additional clinical space.

The proposed lease will address utilization and space gaps at the current facility and will support major VA initiatives identified by the VA Secretary including: improve veterans' mental health, veterans' experience and veterans' access to health care; enable 21st century benefits; and establish strong VA management infrastructure and integrated operating model and health informatics. It will address the need to provide ongoing primary care, mental health and specialty care services to veterans residing on the island.

Consolidation of functions enables the VA Pacific Island Health Care System to more efficiently provide services to veterans and improves access to care for veterans by reducing wait and drive times and enables VA to meet all current and projected demand for services. Additionally, the proposed lease will facilitate the education and empowerment of minority and woman veterans through outreach, education, and monitoring of the provision of VA benefits and services. The Ewa Plain/Leeward, central, and north shore areas of Oahu contain many minority and woman veterans that will be served through specified and tailored programs.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required net usable area.

² New leases may contain an escalation clause to provide for annual changes in real estate taxes and operating costs.

GSAPBS

PROSPECTUS – LEASE
U.S. DEPARTMENT OF VETERANS AFFAIRS
OAHU, HI

Prospectus Number: PHI-01-VA17

Congressional District: 1, 2

Interim Leasing

The Government will execute such interim leasing actions as are necessary to ensure continued housing prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on December 21, 2016

Recommended: 

Commissioner, Public Buildings ServiceApproved: 

Administrator, General Services Administration

COMMITTEE RESOLUTION

LEASE—U.S. DEPARTMENT OF VETERANS
AFFAIRS, PHOENIX, ARIZONA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, a lease of up to 203,000 net usable square feet of space, and 1,370 parking spaces, for the Department of Veterans Affairs for a Community Based Outpatient Clinic in Phoenix, Arizona at a proposed unserviced annual cost of \$6,353,900 for a lease term of up to 20 years,

a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, to the maximum extent practicable, the lease contract(s) shall include a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the delineated area of the procurement is identical to the delineated area included in the prospectus, *except*

that, if it is determined that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, an explanatory statement shall be provided to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the design of the outpatient clinic shall be consistent with the U.S. Department of Veterans Affairs' Community Based Outpatient Clinic Prototype Proposed Layouts.

GSA

PBS

**PROSPECTUS – LEASE
U.S. DEPARTMENT OF VETERANS AFFAIRS
PHOENIX, AZ**

Prospectus Number: PAZ-01-VA17

Congressional District: 7, 9

Executive Summary

The U.S. General Services Administration (GSA) proposes an outpatient clinic lease of approximately 203,000 net usable square feet (NUSF) for the U.S. Department of Veterans Affairs (VA), located in Phoenix, Arizona.

Veterans are currently serviced at the Carl T. Hayden VA Medical Center (VAMC). The lease will provide continued services for the Phoenix veterans community as well as provide a critical expansion of services to meet current and projected health care service needs for the veteran community.

Description

Occupant:	Veterans Affairs
Current NUSF	0
Estimated Maximum NUSF:	203,000
Estimated Maximum RSF:	274,050
Proposed Maximum Leasing Authority:	Up to 20 years
Delineated Area:	<u>North:</u> Glendale Ave/ E Lincoln Drive (starting at N 35 th Ave and extending east to N 32 nd St) <u>East:</u> 32 nd St (starting at E Lincoln Drive and extending south to the Phoenix Sky Harbor International Airport) <u>South:</u> Phoenix Sky Harbor International Airport extending west along Buckeye Rd to S 35 th Ave <u>West:</u> 35 th Ave (starting at W Buckeye Rd and extending north to W Glendale Ave)
Number of Official Parking Spaces:	1,370
Scoring:	Operating Lease
Current Total Unserviced Annual Cost:	\$0
Estimated Unserviced Rental Rate ¹ :	\$31.30 per NUSF
Estimated Total Unserviced Annual Cost ² :	\$6,353,900

¹ This estimate is for fiscal year 2018 and may be escalated by 2.0 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is unserviced and excludes all operating expenses, whether paid by the lessor or directly by the Government.

GSA

PBS

**PROSPECTUS – LEASE
U.S. DEPARTMENT OF VETERANS AFFAIRS
PHOENIX, AZ**

Prospectus Number: PAZ-01-VA17
Congressional District: 7, 9

Justification

The 203,000 net usable square feet (NUSF) clinic will enhance VA outpatient services by closing wait times, workload, and space gaps as identified in the Strategic Capital Investment Planning process and providing primary care exam room configuration in accordance with the Patient Aligned Care Team model to meet projected demand for services.

Clinical services provided at this location include but are not limited to Primary Care, Mental Health, Medical and Surgical Specialties, and associated ancillary services. Veterans are currently treated at the VAMC. The VAMC lacks sufficient space to accommodate the functions critical to meeting the current and projected clinical workload demand. The new location will provide state-of-the-art clinical space and a more functional and effective health care environment for veterans, veterans' families and medical staff.

Furthermore, close proximity to the VAMC and the university affiliate may allow for efficiencies in education, recruitment, and research.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required net usable area.

Interim Leasing

The Government will execute such interim leasing actions as are necessary to ensure continued housing prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

² New leases may contain an escalation clause to provide for annual changes in real estate taxes and operating costs.

GSA

PBS

**PROSPECTUS – LEASE
U.S. DEPARTMENT OF VETERANS AFFAIRS
PHOENIX, AZ**

Prospectus Number: PAZ-01-VA17
Congressional District: 7, 9

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on December 21, 2016

Recommended: _____



Commissioner, Public Buildings Service

Approved: _____



Administrator, General Services Administration

COMMITTEE RESOLUTION

LEASE—U.S. DEPARTMENT OF VETERANS
AFFAIRS, PONCE, PUERTO RICO

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, a lease of up to 114,300 net usable square feet of space, and 915 parking spaces, for the Department of Veterans Affairs for a Community Based Outpatient Clinic in Ponce, Puerto Rico to replace the existing Ponce Outpatient Clinic at a proposed unserviced annual cost of \$5,436,108 for a lease term of up

to 20 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, to the maximum extent practicable, the lease contract(s) shall include a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the delineated area of the procurement is identical to the delineated area included in the prospectus, *except*

that, if it is determined that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, an explanatory statement shall be provided to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the design of the outpatient clinic shall be consistent with the U.S. Department of Veterans Affairs' Community Based Outpatient Clinic Prototype Proposed Layouts.

GSA

PBS

**PROSPECTUS – LEASE
U.S. DEPARTMENT OF VETERANS AFFAIRS
PONCE, PR**

Prospectus Number: PPR-01-VA17

Executive Summary

The U.S. General Services Administration (GSA) proposes an outpatient clinic lease of approximately 114,300 net usable square feet (NUSF) for the U.S. Department of Veterans Affairs (VA), to replace the clinic currently located in a 56,550 NUSF building that is unable to meet VA's space needs in Ponce, PR.

The lease will provide continued services for the Ponce veteran community and provide the necessary expansion services to meet current and projected health care service delivery gaps in the market.

Description

Occupant:	Veterans Affairs
Current NUSF	56,550
Estimated Maximum NUSF:	114,300
Expansion/Reduction NUSF:	57,750 (expansion)
Estimated Maximum RSF:	154,305
Expiration Dates of Current Lease(s):	2/27/2020
Proposed Maximum Leasing Authority:	Up to 20 years
Delineated Area:	<u>North:</u> State Road 10 (starting next to the "Parque Ceremonial Tibes" and continuing to State Road 14) and State Road 14 (continuing to the eastern boundary of city of Ponce) <u>South:</u> Coast line (starting at "Rio Matilde" and extending to the eastern boundary of the city of Ponce) <u>East:</u> Eastern boundary of the city of Ponce (starting at State Road 14 and extending south to the coast line) <u>West:</u> State Road 503 (starting at State Road 10 and continuing to State Road 133), then State Road 133 (extending west to State Road 123 (south)), then State Road 123 (extending south to State Road 163), then State Road 163 (extending west to State Road 9), then State Road 9 (extending south to PR Highway 2) and then "Rio Matilde" south to the coast line
Number of Official Parking Spaces:	915
Scoring:	Operating Lease

GSA

PBS

**PROSPECTUS – LEASE
U.S. DEPARTMENT OF VETERANS AFFAIRS
PONCE, PR**

Prospectus Number: PPR-01-VA17

Current Total Annual Cost:	\$1,325,597 (leases effective 2/28/2000)
Current Total Unserviced Annual Cost:	\$1,213,582
Estimated Unserviced Rental Rate ¹ :	\$47.56 per NUSF
Estimated Total Unserviced Annual Cost ² :	\$5,436,108

Justification

The proposed 114,300 NUSF facility will provide expanded outpatient services to address utilization and space gaps in the southwestern, south and southeast regions of Puerto Rico that were identified through the Strategic Capital Investment Planning (SCIP) process. At 56,550 NUSF, the current Ponce Outpatient Clinic does not provide sufficient space, parking, or the medical technology to meet the projected needs of the veteran community.

Several programs currently provided at the Ponce Outpatient Clinic have both workload and space gaps identified by the Strategic Capital Investment Planning (SCIP) process. To address these gaps, the replacement Ponce Outpatient Clinic lease will include all current services: Primary Care; Mental Health Clinic; Physical Medicine and Rehabilitation (PMR); Surgery; Laboratory; Pharmacy; Radiology; Audiology; Eye Clinic; Prosthetics; Sterile Processing and Distribution (SPD); and Acquisition and Material Management Service (AMMS). The replacement clinic will also enhance and expand the following programs: Women's Care, Audiology and Speech Pathology, and Home Care. Finally, the replacement clinic will also add several programs: Chemotherapy, Gastroenterology, Day Hospital, Mental Health Program, Imaging Center, and MRI suite.

Although the proposed services in the replacement clinic are currently offered in San Juan, this is a one- to two-hour drive for some veterans. Locating and expanding programs in Ponce will afford medical care to the underserved catchment areas of Ponce, Mayaguez, and Guayama and improve access to veterans in these areas.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will

¹ This estimate is for fiscal year 2018 and may be escalated by 2.0 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is unserviced and excludes all operating expenses, whether paid by the lessor or directly by the Government.

² New leases may contain an escalation clause to provide for annual changes in real estate taxes and operating costs.

GSAPBS

**PROSPECTUS – LEASE
U.S. DEPARTMENT OF VETERANS AFFAIRS
PONCE, PR**

Prospectus Number: PPR-01-VA17

constitute approval to make appropriations to lease space in a facility that will yield the required net usable area.

Interim Leasing

The Government will execute such interim leasing actions as are necessary to ensure continued housing prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on December 21, 2016

Recommended: _____



Commissioner, Public Buildings Service

Approved: _____



Administrator, General Services Administration

COMMITTEE RESOLUTION

LEASE—U.S. DEPARTMENT OF VETERANS
AFFAIRS, REDDING, CALIFORNIA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, a lease of up to 77,000 net usable square feet of space, and 520 parking spaces, for the Department of Veterans Affairs for a Community Based Outpatient Clinic in Redding, California to replace and consolidate two existing leases for the existing Redding Community Based Outpatient Clinic at a proposed unserviced annual cost of \$3,343,340 for

a lease term of up to 20 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, to the maximum extent practicable, the lease contract(s) shall include a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the delineated area of the procurement is identical to the delin-

eated area included in the prospectus, *except that*, if it is determined that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, an explanatory statement shall be provided to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the design of the outpatient clinic shall be consistent with the U.S. Department of Veterans Affairs' Community Based Outpatient Clinic Prototype Proposed Layouts.

GSA

PBS

**PROSPECTUS – LEASE
U.S. DEPARTMENT OF VETERANS AFFAIRS
REDDING, CA**

Prospectus Number: PCA-01-VA17
Congressional District: 1

Executive Summary

The U.S. General Services Administration (GSA) proposes a consolidated outpatient clinic lease of approximately 77,000 net usable square feet (NUSF) for the U.S. Department of Veterans Affairs (VA). This action will consolidate two existing leases totaling 48,293 NUSF in Redding, CA.

The lease will provide continued services for the Redding veteran community and provide the necessary expansion services to meet current and projected health care service delivery gaps in the market.

Description

Occupant:	Veterans Affairs
Current NUSF	50,165
Estimated Maximum NUSF:	77,000
Expansion/Reduction NUSF:	26,835 (expansion)
Estimated Maximum RSF:	103,950
Expiration Dates of Current Lease(s):	10/31/2016, 2/28/2022
Proposed Maximum Leasing Authority:	Up to 20 years
Delineated Area:	<u>North:</u> Route 299 / Eureka Way (starting at Buenaventura Blvd and extending east to Market St), then South Market Street (extending northeast to Lake Blvd East), then Lake Blvd East (extending east to Old Oregon Trail) <u>South:</u> Ox Yoke Rd/Riverside Ave (starting at Eastside Rd and extending east to Airport Rd) <u>East:</u> Old Oregon Trail / Airport Rd (starting at Lake Blvd East and extending south to Riverside Ave) <u>West:</u> Bonaventure Blvd (starting at Route 299 / Eureka Way and extending south to Route 273) and then Route 273 / S. Market St / Eastside Rd (extending south to Ox Yoke Rd)
Number of Official Parking Spaces:	520
Scoring:	Operating Lease

GSA

PBS

**PROSPECTUS – LEASE
U.S. DEPARTMENT OF VETERANS AFFAIRS
REDDING, CA**

Prospectus Number: PCA-01-VA17
Congressional District: 1

Current Total Annual Cost:	\$1,096,328 (leases effective 11/1/1996, 3/1/2012)
Current Total Unserviced Annual Cost:	\$604,500
Estimated Unserviced Rental Rate ¹ :	\$43.42 per NUSF
Estimated Total Unserviced Annual Cost ² :	\$3,343,340

Justification

The 77,000 NUSF facility will address utilization, space, and wait time gaps through the consolidation and expansion of two expiring leases into a new state-of-the-art leased outpatient clinic. The new consolidated lease will provide space for a second x-ray unit, mammography, and will accommodate 17 additional mental health providers. The proposed project will also provide the clinical space necessary to accommodate projected workload demands and improve access for veterans.

The consolidated outpatient clinic will allow for growth in Primary Care, Mental Health, and Specialty Care for the following services: Laboratory and Pathology, Audiology, Cardiology, Gastroenterology, Neurology, Endocrinology, Dermatology, Infectious Diseases, Pulmonary Medicine, Homeless Services, Mental Health, Primary Care, Urgent Care Radiology, Ear-Nose-Throat ENT, General Surgery, Obstetrics and Gynecology, Orthopedics, Podiatry, and Urology. The new leased facility will add telemedicine exam rooms to provide specialty services in Allergy and Immunology, Nephrology, and Rheumatology.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required net usable area.

¹ This estimate is for fiscal year 2018 and may be escalated by 2.0 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is unserviced and excludes all operating expenses, whether paid by the lessor or directly by the Government.

² New leases may contain an escalation clause to provide for annual changes in real estate taxes and operating costs.

GSA

PBS

**PROSPECTUS – LEASE
U.S. DEPARTMENT OF VETERANS AFFAIRS
REDDING, CA**

Prospectus Number: PCA-01-VA17
Congressional District: 1

Interim Leasing

The Government will execute such interim leasing actions as are necessary to ensure continued housing prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on December 21, 2016

Recommended: _____



Commissioner, Public Buildings Service

Approved: _____



Administrator, General Services Administration

COMMITTEE RESOLUTION

LEASE—U.S. DEPARTMENT OF VETERANS
AFFAIRS, SAN DIEGO, CALIFORNIA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, a lease of up to 99,986 net usable square feet of space, and 675 parking spaces, for the Department of Veterans Affairs for a Community Based Outpatient Clinic in San Diego, California to replace and consolidate two existing outpatient facilities in San Diego at a proposed unserviced annual cost of \$4,049,433 for a lease term of up to 20 years, a pro-

spectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, to the maximum extent practicable, the lease contract(s) shall include a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the delineated area of the procurement is identical to the delineated area included in the prospectus, *except*

that, if it is determined that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, an explanatory statement shall be provided to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the design of the outpatient clinic shall be consistent with the U.S. Department of Veterans Affairs' Community Based Outpatient Clinic Prototype Proposed Layouts.

GSA

PBS

PROSPECTUS – LEASE
U.S. DEPARTMENT OF VETERANS AFFAIRS
SAN DIEGO, CA

Prospectus Number: PCA-01-VA17

Congressional District: 53

Executive Summary

The General Services Administration (GSA) proposes a consolidated outpatient clinic lease of approximately 99,986 net usable square feet (NUSF) for the U.S. Department of Veterans Affairs (VA), merging the two existing separate outpatient facilities in San Diego, California.

The lease will provide continued services for the San Diego veteran community and provide the necessary expansion services to meet current and projected health care service delivery gaps in the market.

Description

Occupant:	Veterans Affairs
Current NUSF	53,473
Estimated Maximum NUSF:	99,986
Expansion/Reduction NUSF:	46,513 (expansion)
Estimated Maximum RSF:	134,981
Expiration Dates of Current Lease(s):	12/31/2022, 9/20/2022
Proposed Maximum Leasing Authority:	Up to 20 years
Delineated Area:	<u>North:</u> Navajo Rd (starting at Hwy. 125 and extending east to Lake Murray Blvd), then Lake Murray Blvd (extending south to Beaver Lake Dr), then Beaver Lake Dr (extending west to Cowles Mtn Blvd), then Cowles Mtn Blvd (extending south to Lake Adlon Dr), then Lake Adlon Dr (extending west to Coral Lake Ave), then Coral Lake Ave (extending south to Lake Andrita Ave), then Lake Andrita Ave (extending west to Twin Lake Dr), then Twin Lake Dr (extending south to Jackson Dr), then Jackson Dr (extending west to Golfcrest Dr), then Golfcrest Dr (extending north to Tuxedo Rd), then Tuxedo Rd (extending east to Volclay Dr), then Volclay Dr (extending north to Santar Ave), then Santar Ave (extending northeast to Jennite Dr), then Jennite Dr (extending north to Ruane St), then Ruane St (extending west to Golfcrest Dr), then Golfcrest Dr (extending north to Mission Gorge Rd), then Mission

GSA

PBS

**PROSPECTUS – LEASE
U.S. DEPARTMENT OF VETERANS AFFAIRS
SAN DIEGO, CA**

Prospectus Number: PCA-01-VA17

Congressional District: 53

Gorge Rd (extending west to Jackson Dr), then Jackson Dr (extending south to Doreen Rd), then Doreen Rd (extending south to Hillandale Dr), then Hillandale Dr (extending south to Deep Valley Rd), then Deep Valley Rd (extending west to Deerfield St), then Deerfield St (extending north to Mission Gorge Rd), then Mission Gorge Rd (extending west to Friars Rd), then Friars Rd (extending west to I-15), then I-15 (extending north to Aero Dr), and then Aero Dr (extending west to Hwy. 163)

South: I-8 (starting at Hwy 163 and extending east to I-805); then I-805 (extending south to El Cajon Blvd), then El Cajon Blvd (extending east to Hwy 125)

East: Hwy 125 (starting at I-8 / El Cajon Blvd and extending north to Navajo Rd)

West: Hwy 163 (starting at I-805 and extending south to I-8).

Parking Spaces:

675

Scoring:

Operating Lease

Current Total Annual Cost:

\$1,956,614 (Leases Effective: 10/1/2013, 10/1/2012)

Current Total Unserved Annual Cost:

\$1,050,744

Estimated Unserved Rental Rate¹:

\$40.50 per NUSF

Estimated Total Unserved Annual

\$4,049,433

Cost²:**Justification**

¹ This estimate is for fiscal year 2018 and may be escalated by 2.0 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is unserved and excludes all operating expenses, whether paid by the lessor or directly by the Government.

² New leases may contain an escalation clause to provide for annual changes in real estate taxes and operating costs.

GSA

PBS

**PROSPECTUS – LEASE
U.S. DEPARTMENT OF VETERANS AFFAIRS
SAN DIEGO, CA**

Prospectus Number: PCA-01-VA17

Congressional District: 53

A new 99,986 NUSF lease in San Diego will replace and consolidate the two existing leases in the San Diego/Mission Valley market including the 43,473 NUSF Mission Valley Clinic, the 10,000 NUSF Mission George Clinic.

The current space in these facilities is insufficient to meet the projected needs of the veteran community and cannot address the growing need for Women's Health, Blind Services, or Dental and Ambulatory Surgery. The facilities have poorly configured space and numerous deficiencies are currently present at the existing clinics.

A new, single lease consolidating the existing locations will create economies of scale and overall operating efficiencies that will yield significant cost savings as well as the ability to expand services to a greater number of Veterans.

The new facility will enhance VA outpatient services by integrating care delivery (Primary, Mental Health, Specialty Care and Ancillary Services) as well as expand services for Women's Health, Audiology, Blind Rehabilitation and Eye Clinic Services.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required net usable area.

Interim Leasing

The Government will execute such interim leasing actions as are necessary to ensure continued housing prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

GSA

PBS

PROSPECTUS – LEASE
U.S. DEPARTMENT OF VETERANS AFFAIRS
SAN DIEGO, CA

Prospectus Number: PCA-01-VA17
Congressional District: 53

Certification of Need

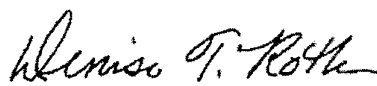
The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on December 21, 2016

Recommended: _____


Commissioner, Public Buildings Service

Approved: _____


Administrator, General Services Administration

COMMITTEE RESOLUTION

LEASE—U.S. DEPARTMENT OF VETERANS
AFFAIRS, SAN ANTONIO, TEXAS

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, a lease of up to 190,800 net usable square feet of space, and 1,526 parking spaces, for the Department of Veterans Affairs for a Community Based Outpatient Clinic in San Antonio, Texas to replace and consolidate seven separate outpatient facilities in San Antonio at a proposed unserviced annual cost of \$5,519,844 for a lease term of up to 20 years, a pro-

spectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, to the maximum extent practicable, the lease contract(s) shall include a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the delineated area of the procurement is identical to the delineated area included in the prospectus, *except*

that, if it is determined that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, an explanatory statement shall be provided to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the design of the outpatient clinic shall be consistent with the U.S. Department of Veterans Affairs' Community Based Outpatient Clinic Prototype Proposed Layouts.

GSA

PBS

**PROSPECTUS – LEASE
U.S. DEPARTMENT OF VETERANS AFFAIRS
SAN ANTONIO, TX**

Prospectus Number: PTX-01-VA17
Congressional District: 20, 23

Executive Summary

The U.S. General Services Administration (GSA) proposes a consolidated outpatient clinic lease of approximately 190,800 net usable square feet (NUSF) for the U.S. Department of Veterans Affairs (VA). This action will consolidate VA operations that are currently located in seven separate outpatient facilities in San Antonio, TX.

The lease will provide continued services for the San Antonio veteran community and provide the necessary expansion services to meet current and projected health care service delivery gaps in the market.

Description

Occupant:	Veterans Affairs
Current NUSF	110,203
Estimated Maximum NUSF:	190,800
Expansion/Reduction NUSF:	80,597 (expansion)
Estimated Maximum RSF:	257,580
Expiration Dates of Current Lease(s):	5/2/2021, 6/21/2021, 6/21/2021, 8/4/2019, 12/31/2018, 12/31/2016, 12/31/2016
Proposed Maximum Leasing Authority:	Up to 20 years
Delineated Area:	<u>North:</u> Starting at North Loop 1604 W at the intersection with FM 1560 (East) and Bandera (16), proceed eastbound on 1604 to McDermott Hwy (I-10)). <u>South:</u> Take McDermott Hwy southbound to Huebner Rd. Continue southwest on Huebner Rd to Bandera Rd. Proceed south on Bandera (16) to NW I-410. <u>East:</u> Take NW I-410 westbound to TX-151. Take TX-151 north and continue to the intersection with W Loop 1604 N (North). <u>West:</u> Follow 1604 N northbound to the intersection with FM 1560 and Bandera Rd.
Parking Spaces:	1,526
Scoring:	Operating Lease
Current Total Annual Cost:	\$2,151,854 (leases effective 5/3/2011, 6/22/2011, 6/22/2011, 12/27/1999, 5/29/2009, 5/17/2011, 2/7/2006)
Current Total Unserved Annual Cost:	\$1,551,501

GSA

PBS

**PROSPECTUS – LEASE
U.S. DEPARTMENT OF VETERANS AFFAIRS
SAN ANTONIO, TX**

Prospectus Number: PTX-01-VA17

Congressional District: 20, 23

Estimated Unserviced Rental Rate ¹ :	\$28.93 per NUSF
Estimated Total Unserviced Annual Cost ² :	\$5,519,844

Justification

A new 190,800 NUSF lease would replace and consolidate seven existing leases in the San Antonio market including the Frank Tejeda Outpatient Clinic (FTOPC), three annex leases, and three specialty care clinic leases, as well as one contract clinic, which currently occupy approximately 110,203 NUSF of space.

The current space in these facilities is insufficient to meet the projected needs of the veteran community. The existing clinics are operating at full capacity, cannot accommodate the projected workload increase of 20,000 primary care clinic stops by 2019, and cannot be expanded. Several of the leased facilities contain environmental issues including air quality concerns, which have been reported to the U.S. Department of Labor - Occupational Safety and Hazard Administration by VA employees. Due to the term structure of the leases, VA is responsible for maintenance costs and has spent a significant amount to remediate existing mold. These conditions are expected to worsen and will require additional investment to prevent impacts to veteran and employee health.

The new facility will establish a centralized location for delivery of coordinated health care and reduce utilization and space gaps in primary care, mental health, and specialty care as well as consolidate medical-surgical specialties, diagnostics services, dental, eye, women's health, radiology, and pharmacy. Overall operating efficiencies generated from the proposed consolidation would produce significant cost savings as well as the ability to meet the increases in projected workload.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required net usable area.

¹ This estimate is for fiscal year 2018 and may be escalated by 2.0 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is unserviced and excludes all operating expenses, whether paid by the lessor or directly by the Government.

² New leases may contain an escalation clause to provide for annual changes in real estate taxes and operating costs.

GSA

PBS

PROSPECTUS – LEASE
U.S. DEPARTMENT OF VETERANS AFFAIRS
SAN ANTONIO, TX

Prospectus Number: PTX-01-VA17

Congressional District: 20, 23

Interim Leasing

The Government will execute such interim leasing actions as are necessary to ensure continued housing prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on December 21, 2016

Recommended: Commissioner, Public Buildings ServiceApproved: Administrator, General Services Administration

COMMITTEE RESOLUTIONS

LEASE—U.S. DEPARTMENT OF VETERANS
AFFAIRS, TULSA, OKLAHOMA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, a lease of up to 140,000 net usable square feet of space, and 945 parking spaces, for the Department of Veterans Affairs for a Community Based Outpatient Clinic in Tulsa, Oklahoma to replace and consolidate two existing leases in Tulsa at a proposed unserviced annual cost of \$4,634,000 for a lease term of up

to 20 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, to the maximum extent practicable, the lease contract(s) shall include a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the delineated area of the procurement is identical to the delineated area included in the prospectus, *except*

that, if it is determined that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, an explanatory statement shall be provided to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the design of the outpatient clinic shall be consistent with the U.S. Department of Veterans Affairs' Community Based Outpatient Clinic Prototype Proposed Layouts.

GSA

PBS

**PROSPECTUS -- LEASE
U.S. DEPARTMENT OF VETERANS AFFAIRS
TULSA, OK**

Prospectus Number: POK-01-VA17
Congressional District: 1

Executive Summary

The U.S. General Services Administration (GSA) proposes a consolidated outpatient clinic lease of approximately 140,000 net usable square feet (NUSF) for the U.S. Department of Veterans Affairs (VA) merging two separate outpatient facilities in Tulsa, Oklahoma.

The lease will provide continued services for the Tulsa veteran community and provide the necessary expansion services to meet current and projected health care service delivery gaps in the market.

Description

Occupant:	Veterans Affairs
Current NUSF	63,908
Estimated Maximum NUSF:	140,000
Expansion/Reduction NUSF:	72,332 (expansion)
Estimated Maximum RSF:	189,000
Expiration Dates of Current Lease(s):	11/26/2020, 12/31/2020
Proposed Maximum Leasing Authority:	Up to 20 years
Delineated Area:	<u>North:</u> I-244 (starting at Hwy 412 junction and extending east to N 129th Ave) <u>South:</u> E 91st St (starting at S Lewis Ave and extending east to S Garnett Rd) <u>East:</u> N 129th Ave (starting at I-244 junction and extending south to W Albany St / E 61st St), then W Albany St / E 61st St (extending west to S Garnett Rd), then S Garnett Rd (extending south to E 91st St) <u>West:</u> E 91st St (starting at S Lewis Ave and extending west to Riverside Pkwy), then Riverside Pkwy / Riverside Dr (extending north to I-44), then I-44 (extending west to Hwy 75), then Hwy 75 (extending north to I-244), then I-244 (extending north to Hwy 412)
Parking Spaces:	945
Scoring:	Operating Lease

GSA

PBS

**PROSPECTUS – LEASE
U.S. DEPARTMENT OF VETERANS AFFAIRS
TULSA, OK**

Prospectus Number: POK-01-VA17

Congressional District: 1

Current Total Annual Cost:	\$911,182 (leases effective 11/27/2000, 1/1/2006)
Current Total Unserviced Annual Cost:	\$742,486
Estimated Unserviced Rental Rate ¹ :	\$33.10 per NUSF
Estimated Total Unserviced Annual Cost ² :	\$4,634,000

Justification

A new 140,000 NUSF lease would replace and consolidate two existing leases in the Tulsa market including the existing Tulsa Outpatient Clinic and Tulsa Behavioral Medicine Clinic that currently occupy approximately 63,908 NUSF of space.

The increase in workload in recent years and the implementation of the Uniform Services Package for Mental Health Services has rendered the existing space too small to provide adequate services. Additional space is not available at either location and both have existing deficiencies. This lack of space and functional obsolescence, along with the projected workload increases, exacerbates patient wait times, and decreases overall Veteran satisfaction.

The new facility will establish a centralized location for delivery of coordinated health care and reduce utilization and space gaps in primary care, mental health, and specialty care as well as consolidate medical-surgical specialties, diagnostics services, dental, eye, women's health, radiology, and pharmacy.

The new facility will enhance VA outpatient services by closing wait time, utilization, and space gaps, specifically for Mental Health and Medical and Surgical Specialties, as identified in the Strategic Capital Investment Planning (SCIP) process. This project will allow VA to provide timely access to Primary Care (including women's health), Imaging, Specialty Clinical Services (including Cardiology, Neurology, Gastroenterology, Pulmonology, Urology), General Mental Health, as well as Specialty Mental Health (including Substance Abuse, Smoking Cessation, and PTSD).

Resolutions of Approval

¹ This estimate is for fiscal year 2018 and may be escalated by 2.0 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is unserviced and excludes all operating expenses, whether paid by the lessor or directly by the Government.

² New leases may contain an escalation clause to provide for annual changes in real estate taxes and operating costs.

GSA

PBS

**PROSPECTUS – LEASE
U.S. DEPARTMENT OF VETERANS AFFAIRS
TULSA, OK**

Prospectus Number: POK-01-VA17
Congressional District: 1

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required net usable area.

Interim Leasing

The Government will execute such interim leasing actions as are necessary to ensure continued housing prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on December 21, 2016

Recommended: _____


Commissioner, Public Buildings Service

Approved: _____


Administrator, General Services Administration

There was no objection.

STATEHOOD FOR THE DISTRICT OF COLUMBIA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentlewoman from the District of Columbia (Ms. NORTON) is recognized for 60 minutes as the designee of the minority leader.

Ms. NORTON. Mr. Speaker, I come to the House this afternoon because a very significant event occurred yesterday in the Senate.

The Mayor of the District of Columbia, the city council chair, a statehood representative, a statehood senator all came to the Capitol to deliver a petition from the residents of the District of Columbia. Residents voted 85 percent strong that the District of Columbia become the 51st State. At the same time, I introduced the bill to bring that about.

This afternoon I want to discuss why the residents of this city would want to become a State. I find that Members of Congress are almost entirely ignorant of the status of the District of Columbia, and, frankly, I cannot really blame them.

Members of Congress have no reason to be concerned about the District and its 670,000 residents. That is my concern. Candidly, I wish Members of Congress would not be concerned at all. There are a number of ways in which the Congress could leave the city alone.

Statehood is, of course, the ultimate reason and way; and it is the only way that the residents of this city can become equal to the residents represented by my colleagues. This is indeed, as we come now full throttle into the 21st century, in the name of democracy and of American values, why statehood for the District of Columbia simply must come.

On this House floor, the residents of the District of Columbia have no vote and, of course, they have no senators whatsoever.

What do they give to their country?

Let us begin with something very tangible. The residents of this city are number one per capita in the federal taxes they pay to support the United States of America. Let us translate that into a comparison to the taxes my colleagues pay. The residents of this city pay more in federal taxes than the residents of 22 States, and this city is not yet a State.

When a matter comes to this floor, every Member can vote on that matter, even when that matter involves uniquely the District of Columbia—every Member can vote on that matter, except the Member who represents the District of Columbia.

The Committee on Oversight and Government Reform, where the Member representing the District can vote,

just voted to eliminate a District law. Imagine that. In the United States of America, the Congress of the United States, unaccountable to the residents of the city of Washington, D.C., on local matters can overturn a bill. They have done so in committee on an admittedly controversial bill.

I don't expect every State and city to agree with the District of Columbia on matters affecting our city. The DC Death with Dignity bill would allow people to take their own lives with a drug in their possession administered by themselves. In order to do so, two doctors have to have found that the resident does not have more than six months to live, among other requirements.

A third of those who choose this option in the United States never use the drug.

How do I know that?

Because six States already have death with dignity laws. That means 24 Republican Members of this House represent States that have death with dignity laws yet the Committee on Oversight and Government Reform under Chairman CHAFFETZ just voted to keep the District from doing what six States already allow.

This bill was introduced as a so-called disapproval resolution. Such a resolution requires an actual vote in the House and the Senate. It was introduced very late and taken up very late because I believe that the Oversight and Government Reform Committee and the Speaker of the House didn't want to bring that bill to the floor because there are six States that have precisely this kind of law and because there are 24 Republican Members who would be implicated and would be caught in a matter of supreme hypocrisy if they voted against the very same bill for the District of Columbia.

Yesterday, the Mayor of the city, Mayor Muriel Bowser, and council chair Philip Mendelson came to the Senate, who hosted us, to deliver a petition to become the 51st State. This is a procedure that is allowed under our Constitution.

It is a procedure that was used in Tennessee where all the prerequisites for statehood have to be fulfilled, the boundaries, et cetera; and you simply present a petition. That is how Tennessee and a number of other States became States.

I am very grateful to Senator TOM CARPER for hosting us in the Senate where we have no representation. Senator CARPER of Delaware is a champion of statehood. He has introduced this bill for years now and did so again in the Senate.

It is not unusual for Democrats in the Senate to support D.C. statehood. The four top Democratic leaders are among those who cosponsored the bill last year. I expect that to be the same this year because Senator TOM CARPER

introduced the bill in the Senate yesterday, even as I introduced the bill in the House at the same time.

I want to just say, once again, how faithful and true to his own principles Senator CARPER has been in supporting D.C. statehood and stepping out front to introduce the bill.

You might ask: What chance, with a Republican House, Senate, and President, do you have of getting D.C. statehood? Why would you bother?

No matter who sat in the White House today—and Hillary Clinton was a strong champion of statehood—we are about where we would have been. The work really isn't in the Presidency. The work is in the Congress and, even more so, in the District of Columbia.

The District of Columbia has to itself get this shameful record out of having residents who have served in every war, including the war that created the United States of America, paying taxes beyond those paid by other residents. This is on us, and we recognize it.

I think you will see a social media campaign informing the American people of what they do not now know because they wouldn't tolerate it if they did.

□ 1230

It was very difficult, until the age of social media, to get such word out without a massive advertising campaign. All we need to do now is use the existing social media, and I think we can change this shameful situation.

I am very encouraged by what has happened. Yesterday, 116 Democrats joined me as original cosponsors. An original cosponsor is a Member who stands with the sponsor on equal footing to introduce the bill. That already beats the record we set for last year when we had 93 original cosponsors in the 114th Congress. By the end of that Congress, 72 percent of House Democrats were cosponsors of the bill, and we could have gotten many more than that but for the logistics and the timing involved.

Our goal is to improve our chances for statehood every year; one way to do that is to get more cosponsors every year, and we are meeting that goal.

Why are we pursuing statehood? It is not out of hubris. It is not that we want to be like Delaware and New York. It is because it is the only way to become full and equal citizens of the United States, and because we have tried everything else.

Without statehood, Members will continue to bring our matters to the House floor for unaccountable Members to vote on them. Without statehood, we won't have the right to vote on this House floor. We won't have the right to vote in the Senate.

We have tried short of statehood. I pay tribute to former Representative Tom Davis, who, in the majority, sponsored a bill with me to get a House

vote, only a House vote for the District of Columbia. This was a very important effort strongly supported by the residents of the District of Columbia to say: look, you don't give us statehood, let us get there gradually, give us the House vote.

Tom Davis saw that Utah did not have the House vote because their missionaries were not counted by the census, and they had expected an additional House Representative. The Governor of the State and the State legislature supported the action and most States have used similar bipartisan action to come into the Union.

This, of course, would have been only a House vote; one for very Republican Utah, one for Democratic D.C. This bill was passed in the House—thank you, Utah—and was passed in the Senate.

And the only reason the District of Columbia does not have a vote, as I speak, is because the National Rifle Association was able to place an amendment on the bill that, in the event D.C. got a vote, would have eliminated all of our gun laws, each and every one. A big city without gun laws, of course, is open territory, and we were left with the woeful and shameful option of giving up our vote, a vote we could have had.

We also have tried, short of statehood, to get budget autonomy.

Imagine bringing our budget, raised in the District of Columbia, \$7 billion, and asking Members who don't know anything about it to vote on it. That is what the residents of the District of Columbia have to do.

I pay tribute to the former Republican chairman of the House committee of jurisdiction, Oversight and Government Reform, DARRELL ISSA, who held a hearing when he chaired the committee on D.C.'s local matters, including its local budget.

Upon hearing the testimony about this district's financial conditions, its reserves, its growth among the best of the Nation, upon hearing in testimony from the Mayor, the city council, the chief financial officer, despite meeting those marks, then-Chairman DARRELL ISSA supported budget autonomy for the District of Columbia, and worked tirelessly for this goal during his chairmanship of the Oversight and Government Reform Committee.

So I am not here to say that there is no sense of a necessity to have something done, as you see that in former Chairman DARRELL ISSA's actions.

For that matter, Chairman JASON CHAFFETZ, last week, called for the District of Columbia to be made a part of Maryland in order that it would get Senators and Representatives. He wasn't joking. He wasn't making fun of us.

There has long been a small group of Republicans who acknowledge the shame of having almost 700,000 Americans without representation in the

House and the Senate. And one of the easier ways to get it, they think, is to retrocede, that is the word, because the District was created out of Maryland and Virginia. Virginia itself cast off, the District of Columbia because it was afraid Congress would abolish slavery. So the notion is, go back to Maryland.

My first notion or response is: Have you asked Maryland? In other words, you don't decide to reconfigure a State with a big city, and Maryland has only one big city, because you are fulfilling one value without fulfilling the other value, which is to make sure you have the permission of that State.

Now, Maryland has been a very friendly State to the District of Columbia. But the District is not asking Maryland to become a part of its State. We want to become the 51st State of the United States of America, and it would probably be easier to do that than to become a part of Maryland.

Now, we also are not insisting that there is nothing else that will do. We have asked for legislative autonomy.

Why should our legislation have to lay over here for 30 days, or 60 days? They must be legislative days, so that often means 6 months, 9 months, to give the Congress time to see whether the Congress wants to overturn legislation it had nothing to do with and knows nothing about.

The fact is that the legislative autonomy provision is virtually never used. Instead, the Congress tries to add amendments to the District's budget, a sneaky, easy way, they think, to overturn a law. So they keep legislative autonomy on the books inconveniencing the District and never use it.

They fear budget autonomy because they wouldn't have anything to attach matters to like overturning our gun laws. They regularly try to do that on appropriations.

So what you have is a kind of invitation for Members to interfere with somebody else's district, my district, instead of attending to your own business. People did not send my colleagues here to attend to the business of the District of Columbia, and we intend to call them out every time they interfere.

So, yes, we are struggling for the components of statehood, even before we achieve statehood, knowing how difficult and what a high climb that is.

Madam Speaker, could I inquire how much time I have remaining.

The SPEAKER pro tempore (Ms. TENNEY). The gentlewoman from the District of Columbia has 11 minutes remaining.

Ms. NORTON. Madam Speaker, if there is such a thing as earning statehood, and of course there is not, let me indicate the ways in which the District of Columbia has, indeed, earned statehood.

Our economy is one of the strongest in the United States. It is a \$12.5 bil-

lion budget total. That is a budget larger than 12 States represented in this House by my colleagues.

How many of my colleagues can boast a \$2 billion surplus the way the District of Columbia can? That would be, of course, the envy of most States.

Our city has a per capita income higher than that of any State. We are not asking for any handouts. Our total personal income is higher than that of seven States. Our per capita personal consumption expenditures are higher than those of any States.

This is a prosperous district, that would bring luster to the United States as the 51st State. Its growth rate is third highest in the Nation; 1,000 new people coming to live in the Nation's Capital every single month.

As to our population, the population of the District of Columbia, is in the league with the population of seven States. We have a greater population than Vermont and Wyoming.

And, if you look at the seven States that have one Representative, as the District of Columbia does, then you will see that we are all about the same. Yet, those seven States that are about the same in population as the District of Columbia, each has one Representative and two Senators, while we are unrepresented in the Senate of the United States.

I don't even want to speak, but I must, about perhaps the most poignant reason why the District should have statehood. The residents of this city have fought and died in every war, including the war that created our country itself.

I remember coming to the floor on those occasions where we have voted whether or not to go to war, and on each of those occasions, residents of the District of Columbia have gone. I remember the purple fingers in Iraq and Afghanistan that signified that our country had given them the vote, while the very members of the armed services from the District of Columbia who had served came back to the District of Columbia without a vote themselves.

Is that an irony that this body can even stand any longer? Fought and died in all the great wars of the 20th century, and we remember especially Vietnam, when there were more District of Columbia casualties than from 10 States of the Union.

I don't want to go into the technicalities of congressional power, but Congress has the authority to make our city a State because of its Article IV, section 3 power to admit new States to the Union. When you combine that with Congress' Article I, section 8, clause 17 power over the seat of the Federal Government, which is what the District is, it is an accident, an accident of history that the District does not have the same votes as other Americans.

□ 1245

It is a slander to think that those who went to war on the slogan of “no taxation without representation” would leave any residents of our city without representation.

There was a march by Revolutionary War veterans when the Capitol was in Philadelphia that frightened, frankly, the Framers. So they thought: Well, you can’t have a separate State, and it can’t be part of a State, and we don’t know what to do, so let’s just make it a district. But they never believed that it would be a district without any rights, and that is exactly what it became.

Indeed, the District was carved out of Maryland and Virginia, but for the 10-year period of transition the citizens of the new district did not lose the votes in the Senate and the House. Only in 1801, when the District became the Nation’s Capital under the Congress of the United States did we lose Senate representation and representation in the House.

Enormous change has occurred in our city in the 216 years since we became the Capital. I am a third-generation Washingtonian. My great-grandfather was a runaway slave from Virginia, so my own family has seen 150 years of those changes. This is no longer a sleepy Southern city where I went to segregated schools—segregated by the Congress of the United States, indeed, because it had the sole authority to do it. In fact, today, it is one of the most cosmopolitan cities in the United States, a city that people are flocking to for residence.

Everything about the District of Columbia has changed except its status and the status of its residents as second class citizens in their own country. We are sick and tired of being voyeurs of democracy. That is why the District of Columbia gave itself budget autonomy, although the Congress did appropriate a budget. Thank you for nothing. That is why the city voted 85 percent for statehood for itself. The citizens of the District are simply not going to sit still with the status quo. They are not going to sit on their second class citizenship.

So I come to the floor after we have brought our petition to the Congress to become the 51st State. I come to the floor the day after I have introduced the bill to put the Congress on notice: Be ready. Be ready for a campaign by the residents of the District of Columbia and our allies throughout the United States to be treated fairly, or as Frederick Douglass said, “not as aliens.”

We can decide to get rid of this anomaly as we have so many others that deprived citizens of the right to vote, whether they were slaves or women. We have gotten rid of those. Statehood does not require a constitutional amendment. All it takes is the

conscience of the House of Representatives and the Senate of the United States.

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

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. JORDAN (at the request of Mr. MCCARTHY) for today on account of personal reasons.

BILL PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on March 01, 2017, she presented to the President of the United States, for his approval, the following bill:

H.R. 609. To designate the Department of Veterans Affairs health care center in Center Township, Butler County, Pennsylvania, as the “Abie Abraham VA Clinic.”

ADJOURNMENT

Ms. NORTON. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o’clock and 49 minutes p.m.), under its previous order, the House adjourned until Monday, March 6, 2017, at 4 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker’s table and referred as follows:

681. A letter from the Assistant General Counsel for Regulatory Affairs, Office of the General Counsel, Consumer Product Safety Commission, transmitting the Commission’s final rule — Safety Standard for Sling Carriers [Docket No.: CPSC-2014-0018] received February 28, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

682. A letter from the Bureau of Legislative Affairs, Department of State, transmitting a Report to Congress on Gifts Given by the United States to Foreign Individuals for Fiscal Year 2016, pursuant to 22 U.S.C.A. 2694; to the Committee on Foreign Affairs.

683. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. ACT 21-621, “Constitution and Boundaries for the State of Washington, D.C. Approval Resolution of 2016”, pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

684. A letter from the Auditor, Office of the District of Columbia Auditor, transmitting a report entitled “Planning, Buying, and Implementing New Information Technology: A Case Study of the D.C. Business Center”, pursuant to Public Law 93-198, Sec. 455(d); (87 Stat. 803); to the Committee on Oversight and Government Reform.

685. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, Office of Sustainable Fisheries, Na-

tional Oceanic and Atmospheric Administration, transmitting the Administration’s final specifications — Pacific Island Fisheries; 2016-17 Annual Catch Limit and Accountability Measures; Main Hawaiian Islands Deep 7 Bottomfish [Docket No.: 160811726-6999-02] (RIN: 0648-XE809) received March 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

686. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration’s temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Exchange of Flatfish in the Bering Sea and Aleutian Islands Management Area [Docket No.: 150916863-6211-02] (RIN: 0648-XE880) received March 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

687. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration’s temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Shortraker Rockfish in the Western Regulatory Area of the Gulf of Alaska [Docket No.: 150818742-6210-02] (RIN: 0648-XE894) received March 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

688. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration’s temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Several Groundfish Species in the Bering Sea and Aleutian Islands Management Area [Docket No.: 150916863-6211-02] (RIN: 0648-XE925) received March 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

689. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration’s temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Big Skate in the Central Regulatory Area of the Gulf of Alaska [Docket No.: 150818742-6210-02] (RIN: 0648-XE922) received March 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. JOHNSON of Georgia (for himself, Mr. CONYERS, Mr. KAPTUR, Mr. SERRANO, Ms. SCHAKOWSKY, Mr. ELLISON, Ms. LEE, Mrs. DAVIS of California, Ms. SPEIER, Ms. MOORE, Ms. MCCOLLUM, Mr. LIPINSKI, Mrs. DINGELL, Mr. POCAN, Ms. NORTON, Mrs. NAPOLITANO, Ms. BONAMICI, Ms. DELAURO, Mr. GUTIÉRREZ, Mr. CICILLINE, Ms. PINGREE, Mr. BLUMENAUER, Mr. RUSH, Mr. TONKO, and Mr. GRIJALVA):

H.R. 1299. A bill to suspend United States security assistance with Honduras until such time as human rights violations by Honduran security forces cease and their perpetrators are brought to justice; to the Committee on Foreign Affairs, and in addition to

the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCKINLEY (for himself and Mr. GENE GREEN of Texas):

H.R. 1300. A bill to require the Secretary of Labor to maintain a publicly available list of all employers that relocate a call center overseas, to make such companies ineligible for Federal grants or guaranteed loans, and to require disclosure of the physical location of business agents engaging in customer service communications, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Armed Services, Oversight and Government Reform, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FRELINGHUYSEN:

H.R. 1301. A bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2017, and for other purposes; to the Committee on Appropriations, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MCSALLY (for herself, Mr. LANCE, Mr. MCCAUL, Mr. KATKO, Mr. VELA, Mr. HIGGINS of Louisiana, Mr. RATCLIFFE, Mr. RUTHERFORD, Mr. HURD, and Mr. LOUDERMILK):

H.R. 1302. A bill to require an exercise related to terrorist and foreign fighter travel, and for other purposes; to the Committee on Homeland Security.

By Mr. PASCRELL (for himself, Mr. BRAT, Mr. KHANNA, and Mr. GOSAR):

H.R. 1303. A bill to amend the Immigration and Nationality Act to reform and reduce fraud and abuse in certain visa programs for aliens working temporarily in the United States, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROE of Tennessee (for himself and Mr. WALBERG):

H.R. 1304. A bill to amend the Employee Retirement Income Security Act of 1974, the Public Health Service Act, and the Internal Revenue Code of 1986 to exclude from the definition of health insurance coverage certain medical stop-loss insurance obtained by certain plan sponsors of group health plans; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POE of Texas (for himself, Mr. MASSIE, Mr. DUNCAN of South Carolina, Mr. LUTKEMEYER, Mr. MARCHANT, Mr. OLSON, Mr. BISHOP of Michigan, and Ms. JENKINS of Kansas):

H.R. 1305. A bill to make participation in the American Community Survey voluntary, except with respect to certain basic questions, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. DEFAZIO (for himself and Mr. WALDEN):

H.R. 1306. A bill to provide for the conveyance of certain Federal land in the State of Oregon, and for other purposes; to the Committee on Natural Resources.

By Mr. DEFAZIO (for himself and Mr. COHEN):

H.R. 1307. A bill to amend the Patient Protection and Affordable Care Act to establish a public health insurance option; to the Committee on Energy and Commerce.

By Mr. DEFAZIO:

H.R. 1308. A bill to designate the Frank and Jeanne Moore Wild Steelhead Special Management Area in the State of Oregon; to the Committee on Natural Resources.

By Mr. KATKO (for himself, Mr. MCCAUL, Mr. KEATING, and Mr. KING of New York):

H.R. 1309. A bill to streamline the office and term of the Administrator of the Transportation Security Administration, and for other purposes; to the Committee on Homeland Security.

By Mr. SOTO (for himself, Mr. CURBELO of Florida, Ms. CASTOR of Florida, Mr. GAETZ, Mr. CRIST, Mrs. DEMINGS, Mr. DEUTCH, Ms. FRANKEL of Florida, Mr. HASTINGS, Mr. LAWSON of Florida, Mrs. MURPHY of Florida, Mr. PERLMUTTER, Ms. WASSERMAN SCHULTZ, and Ms. WILSON of Florida):

H.R. 1310. A bill to support programs for mosquito-borne and other vector-borne disease surveillance and control; to the Committee on Energy and Commerce.

By Mr. SMITH of Nebraska (for himself, Mr. LOEBSACK, Mr. RODNEY DAVIS of Illinois, Mr. KING of Iowa, Mr. KINZINGER, Mr. CRAMER, Mr. PETERSON, Mr. POCAN, Mr. CARTWRIGHT, and Mr. WALZ):

H.R. 1311. A bill to amend the Clean Air Act with respect to the ethanol waiver for Reid vapor pressure limitations under such Act; to the Committee on Energy and Commerce.

By Mr. POLIQUIN (for himself and Mr. VARGAS):

H.R. 1312. A bill to amend the Small Business Investment Incentive Act of 1980 to require an annual review by the Securities and Exchange Commission of the annual government-business forum on capital formation that is held pursuant to such Act; to the Committee on Financial Services.

By Ms. FOXX (for herself and Mr. WALBERG):

H.R. 1313. A bill to clarify rules relating to nondiscriminatory workplace wellness programs; to the Committee on Education and the Workforce, and in addition to the Committees on Energy and Commerce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GOODLATTE (for himself, Mr. ROTHFUS, Mr. DUNCAN of South Carolina, Mr. YOHO, Mr. SESSIONS, Mr. WEBER of Texas, Mrs. BLACK, Mr. ROE of Tennessee, Mr. PEARCE, Mr. MASSIE, Mr. SENSENBRENNER, Mr. GOSAR, Mr. SMITH of Texas, Mr. BRAT, Mr. CULBERSON, Mr. COLLINS of Georgia, Ms. FOXX, Mr. ROHRABACHER, Mr. RICE of South Carolina, Mr. BRADY of Texas, Mr. FARENTHOLD, Mr. GOHMERT, Mr. LABRADOR, Mr. MCCLINTOCK, Mr. OLSON, Mr. LAMALFA, Mr. FRANKS of Arizona, Mr. BRIDENSTINE, Mr. BROOKS of Alabama, Mr. MCCAUL, Mr. LAMBORN, Mr. JORDAN, Mr. POSEY, Mr. PALAZZO,

Mr. BARTON, Mr. JODY B. HICE of Georgia, Mr. DENT, Mr. SAM JOHNSON of Texas, Mr. BABIN, Mr. WESTERMAN, Mr. FRANCIS ROONEY of Florida, Mr. POE of Texas, Mr. CHAFFETZ, Mr. HARRIS, Mr. MARCHANT, Mr. VALADAO, Mr. HOLDING, Mr. ZELDIN, Mr. DESANTIS, Mr. MURPHY of Pennsylvania, Mr. HENSARLING, Mr. CARTER of Texas, Mr. PITTINGER, Mr. MEADOWS, Mr. COLE, Mr. STEWART, Mr. BISHOP of Utah, Mr. SCHWEIKERT, Mr. FASO, Ms. GRANGER, and Mr. WILLIAMS):

H.R. 1314. A bill to repeal the renewable fuel program of the Environmental Protection Agency; to the Committee on Energy and Commerce.

By Mr. GOODLATTE (for himself, Mr. WELCH, Mr. WOMACK, Mr. COSTA, Mr. FRANKS of Arizona, Mr. LAMALFA, Mr. BRIDENSTINE, Mr. BROOKS of Alabama, Mr. POSEY, Mr. DENT, Mr. PITTINGER, Mr. MEADOWS, Mr. DEFAZIO, Mr. ROTHFUS, Mrs. COMSTOCK, Mr. GOSAR, Mr. CHAFFETZ, Mr. HARRIS, Mr. ROE of Tennessee, Mr. SENSENBRENNER, Mr. COLE, Mr. POE of Texas, Mr. LOUDERMILK, Mr. ZELDIN, Mr. PEARCE, Mr. WESTERMAN, Mr. CRAWFORD, Mr. COOPER, Mr. MCCAUL, Mr. ALLEN, Mr. BISHOP of Utah, Mr. RICHMOND, Mr. SCHWEIKERT, Mr. AMODEI, Mr. FARENTHOLD, Mr. SESSIONS, Mr. FLEISCHMANN, Mr. BABIN, Mr. GAETZ, Mr. JONES, Mr. WILLIAMS, Mr. BILIRAKIS, and Mr. AUSTIN SCOTT of Georgia):

H.R. 1315. A bill to amend the Clean Air Act to eliminate certain requirements under the renewable fuel program, to prohibit the Administrator of the Environmental Protection Agency from approving the introduction into commerce of gasoline that contains greater than 10-volume-percent ethanol, and for other purposes; to the Committee on Energy and Commerce.

By Mr. COLLINS of Georgia (for himself, Mr. LOEBSACK, Mr. CARTER of Georgia, Mr. DUNCAN of Tennessee, Mrs. McMORRIS RODGERS, Mr. BLUM, Mr. SARBANES, and Mr. BABIN):

H.R. 1316. A bill to amend title XVIII of the Social Security Act to provide for pharmacy benefits manager standards under the Medicare prescription drug program and Medicare Advantage program to further transparency of payment methodologies to pharmacies, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Armed Services, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SAM JOHNSON of Texas (for himself, Mr. BABIN, Mr. WALZ, Mr. HILL, Ms. GRANGER, Mr. LOBIONDO, Mr. SESSIONS, Mr. ROUZER, Ms. SINEMA, Mr. BYRNE, Mr. KING of New York, Mr. CURBELO of Florida, and Mr. YOHO):

H.R. 1317. A bill to amend the Internal Revenue Code of 1986 to allow members of the Ready Reserve of a reserve component of the Armed Forces to make elective deferrals on the basis of their service to the Ready Reserve and on the basis of their other employment; to the Committee on Ways and Means.

By Ms. HERRERA BEUTLER (for herself, Mr. CONYERS, Mr. COSTELLO of Pennsylvania, and Ms. DEGETTE):

H.R. 1318. A bill to support States in their work to save and sustain the health of mothers during pregnancy, childbirth, and in the postpartum period, to eliminate disparities in maternal health outcomes for pregnancy-related and pregnancy-associated deaths, to identify solutions to improve health care quality and health outcomes for mothers, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MARCHANT (for himself, Mr. THORBERRY, and Mr. CRAWFORD):

H.R. 1319. A bill to amend title XXVII of the Public Health Service Act to permit cooperative governing of public entity health benefits through local governments in secondary States; to the Committee on Energy and Commerce.

By Mr. KINZINGER (for himself and Mr. MICHAEL F. DOYLE of Pennsylvania):

H.R. 1320. A bill to amend the Omnibus Budget Reconciliation Act of 1990 related to Nuclear Regulatory Commission user fees and annual charges, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BROWN of Maryland:

H.R. 1321. A bill to amend the National Housing Act to require the Secretary of Housing and Urban Development to issue guidance to reduce up-front premiums for FHA-insured mortgages if the capital ratio of the Mutual Mortgage Insurance Fund exceeds the statutory limit, and for other purposes; to the Committee on Financial Services.

By Ms. JUDY CHU of California (for herself, Ms. ADAMS, Mr. AGUILAR, Mrs. BEATTY, Mr. BERA, Mr. BEYER, Mr. BLUMENAUER, Ms. BONAMICI, Mr. BRADY of Pennsylvania, Ms. BROWNLEY of California, Mrs. BUSTOS, Mr. CARBAJAL, Mr. CÁRDENAS, Mr. CICILLINE, Ms. CLARK of Massachusetts, Ms. CLARKE of New York, Mr. COHEN, Mr. DANNY K. DAVIS of Illinois, Mr. DEFAZIO, Ms. DEGETTE, Ms. DELAURO, Mr. DEUTCH, Mr. DOGGETT, Mr. ELLISON, Mr. ENGEL, Mr. EVANS, Mr. FOSTER, Ms. FRANKEL of Florida, Ms. FUDGE, Mr. GALLEGO, Mr. GARAMENDI, Mr. GRIJALVA, Mr. GUTIÉRREZ, Ms. HANABUSA, Mr. HASTINGS, Mr. HECK, Mr. HIGGINS of New York, Mr. HIMES, Ms. NORTON, Mr. HUFFMAN, Ms. JACKSON LEE, Ms. JAYAPAL, Mr. KEATING, Ms. KELLY of Illinois, Mr. KENNEDY, Mr. KIHUEN, Mr. KILDEE, Mr. KRISHNAMOORTHY, Mr. LARSEN of Washington, Mrs. LAWRENCE, Ms. LEE, Mr. LEVIN, Mr. TED LIEU of California, Mr. LOWENTHAL, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. SEAN PATRICK MALONEY of New York, Ms. MCCOLLUM, Ms. KUSTER of New Hampshire, Mr. MCNERNEY, Mr. MEEKS, Mr. MOULTON, Mr. NADLER, Mrs. NAPOLITANO, Mr. NORCROSS, Mr. O'ROURKE, Mr. PAYNE, Mr. PETERS, Ms. PINGREE, Mr. POCAN, Mr. PRICE of North Carolina, Mr. QUIGLEY, Miss RICE of New York, Mr. RICHMOND, Ms. ROSEN, Mr. RUSH, Mr. RYAN of Ohio, Ms. SÁNCHEZ, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. DAVID SCOTT of Georgia, Mr. SERRANO, Ms. SINEMA, Ms. SLAUGHTER, Mr. SMITH of Washington, Mr. SOTO, Ms. SPEIER, Mr. TAKANO, Ms. TITUS, Mr. TONKO, Mrs. TORRES, Ms. TSONGAS, Mr. VARGAS, Mr. VEASEY, Ms. VELÁZQUEZ, Mr. WALZ, Ms. WASSERMAN SCHULTZ, Mrs. WATSON COLEMAN, Mr. WELCH, Mr.

YARMUTH, Ms. DELBENE, Mr. CONNOLLY, and Mrs. DAVIS of California):

H.R. 1322. A bill to protect a woman's right and ability to determine whether and when to bear a child or end a pregnancy by limiting restrictions on the provision of abortion services; to the Committee on Energy and Commerce.

By Mr. COLLINS of New York (for himself and Mr. FLORES):

H.R. 1323. A bill to amend title XIX of the Social Security Act to reduce unnecessary emergency room visits under the Medicaid program; to the Committee on Energy and Commerce.

By Mr. MCNERNEY:

H.R. 1324. A bill to amend the Communications Act of 1934 to provide for the establishment of cybersecurity standards for certain radio frequency equipment; to the Committee on Energy and Commerce.

By Mr. BUCSHON:

H.R. 1325. A bill to amend title XIX of the Social Security Act to provide States with flexibility with respect to providing premium assistance under the Medicaid program; to the Committee on Energy and Commerce.

By Mr. SCHRADER (for himself and Mr. WELCH):

H.R. 1326. A bill to direct the Secretary of Defense to submit to Congress a certain study by the Defense Business Board regarding potential cost savings in the Department of Defense and to provide for expedited consideration of legislation to implement such cost savings; to the Committee on Armed Services, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. THOMPSON of Mississippi:

H.R. 1327. A bill to improve transparency regarding the activities of the American Red Cross, and for other purposes; to the Committee on Foreign Affairs.

By Mr. BOST (for himself and Ms. ESTY):

H.R. 1328. A bill to amend title 38, United States Code, to provide for annual cost-of-living adjustments to be made automatically by law each year in the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of certain service-connected disabled veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BOST (for himself and Ms. ESTY):

H.R. 1329. A bill to increase, effective as of December 1, 2017, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, to amend title 38, United States Code, to improve the United States Court of Appeals for Veterans Claims, to improve the processing of claims by the Secretary of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. AMODEI:

H.R. 1330. A bill to improve the control and management of invasive species that threaten and harm Federal land under the jurisdiction of the Secretary of Agriculture and the Secretary of the Interior, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for

consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BANKS of Indiana:

H.R. 1331. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to provide educational and vocational counseling for veterans on campuses of institutions of higher learning, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. BONAMICI (for herself and Ms. STEFANIK):

H.R. 1332. A bill to amend the Richard B. Russell National School Lunch Act to improve the child and adult care food program, and for other purposes; to the Committee on Education and the Workforce.

By Mr. CARTER of Georgia:

H.R. 1333. A bill to amend title XIX of the Social Security Act to allow States more flexibility with respect to using contractors to make eligibility determinations on behalf of the State Medicaid plan; to the Committee on Energy and Commerce.

By Mr. CARTER of Georgia (for himself, Mr. WEBER of Texas, Mr. BROOKS

of Alabama, Mr. MCCLINTOCK, Mr. GOSAR, Mr. HARRIS, Mr. PALAZZO, Mr. ROHRBACHER, Mr. JODY B. HICE of Georgia, Mr. BISHOP of Michigan, Mr. ROUZER, Mr. GOHMERT, Mr. BURGESS, Mr. OLSON, Mr. DESJARLAIS, Mr. KING of Iowa, Mr. BABIN, Mr. AUSTIN SCOTT of Georgia, Mr. YOHIO, and Mr. SMITH of Texas):

H.R. 1334. A bill to amend the Immigration and Nationality Act to require U.S. Immigration and Customs Enforcement, upon the request of a law enforcement official, to make a prompt determination of whether to issue a detainer in the case of an alien arrested for a violation of Federal, State, or local law; to the Committee on the Judiciary.

By Ms. CLARKE of New York:

H.R. 1335. A bill to direct the Federal Communications Commission to issue rules to secure communications networks against cyber risks, and for other purposes; to the Committee on Energy and Commerce.

By Mr. CRAMER (for himself and Mr. MULLIN):

H.R. 1336. A bill to amend title XIX of the Social Security Act to provide States with flexibility in providing choice of coverage through managed care under Medicaid; to the Committee on Energy and Commerce.

By Mr. CRAMER (for himself, Mr. BLUMENAUER, Mr. TIBERI, Mr. PAULSEN, and Mrs. NOEM):

H.R. 1337. A bill to amend the Internal Revenue Code of 1986 to expand tax-free distributions from individual retirement accounts to include rollovers for charitable life-income plans for charitable purposes; to the Committee on Ways and Means.

By Mr. DESJARLAIS (for himself, Mr. BARR, Mrs. BLACK, Mrs. BLACKBURN, Mr. COMER, Mr. DUNCAN of Tennessee, Mr. FLEISCHMANN, Mr. GUTHRIE, Mr. ROE of Tennessee, and Mr. ROGERS of Kentucky):

H.R. 1338. A bill to amend the Horse Protection Act to provide increased protection for horses participating in shows, exhibitions, or sales, and for other purposes; to the Committee on Energy and Commerce.

By Mr. DUNCAN of Tennessee (for himself, Mr. DUNCAN of South Carolina, and Mr. SESSIONS):

H.R. 1339. A bill to require that the Federal Government procure from the private sector the goods and services necessary for the operations and management of certain Government agencies, and for other purposes; to the

Committee on Oversight and Government Reform.

By Mr. ENGEL:

H.R. 1340. A bill to require the Federal Communications Commission to establish an Interagency Communications Security Committee, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GOSAR (for himself, Mr. AMODEI, Mr. BABIN, Mr. BARLETTA, Mr. BROOKS of Alabama, Ms. BROWNLEY of California, Mr. CAPUANO, Mrs. COMSTOCK, Mr. COOPER, Mr. DUNCAN of South Carolina, Mr. DUNCAN of Tennessee, Miss GONZÁLEZ-COLÓN of Puerto Rico, Mr. JONES, Mr. LAMALFA, Mr. LAMBORN, Mr. NEWHOUSE, Mr. PEARCE, Mr. ROSKAM, Ms. SINEMA, Mr. WEBER of Texas, Mr. YOHIO, and Mr. GOHMERT):

H.R. 1341. A bill to amend the Federal Election Campaign Act of 1971 to prohibit the acceptance by political committees of online contributions from certain unverified sources, and for other purposes; to the Committee on House Administration.

By Mr. HARRIS (for himself, Mr. ABRAHAM, Mr. ADERHOLT, Mr. BABIN, Mr. BERGMAN, Mr. BIGGS, Mr. CONAWAY, Mr. DESJARLAIS, Mr. DUNCAN of South Carolina, Mr. FRANKS of Arizona, Mr. GIBBS, Mr. GOHMERT, Mr. GOSAR, Mr. GROTHMAN, Mr. JODY B. HICE of Georgia, Mr. JONES, Mr. KELLY of Mississippi, Mr. KING of Iowa, Mr. LAMALFA, Mr. PITTENGER, Mr. RICE of South Carolina, Mr. ROKITA, Mr. SANFORD, Mr. SMITH of Texas, Mr. WILSON of South Carolina, Mr. YOHIO, and Mr. LAMBORN):

H.R. 1342. A bill to prohibit any institution of higher education that receives a Federal research and development grant and does not comply with a lawful request for information or detainment of an alien made by any officer or employee of the Federal Government who is charged with enforcement of the immigration laws from receiving indirect cost reimbursement funding, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HULTGREN (for himself, Mr. DELANEY, Mr. STIVERS, Ms. SINEMA, Mr. HIGGINS of New York, and Mr. MACARTHUR):

H.R. 1343. A bill to direct the Securities and Exchange Commission to revise its rules so as to increase the threshold amount for requiring issuers to provide certain disclosures relating to compensatory benefit plans; to the Committee on Financial Services.

By Mr. KILMER (for himself and Mrs. COMSTOCK):

H.R. 1344. A bill to provide grants to assist States in developing and implementing plans to address cybersecurity threats or vulnerabilities, and for other purposes; to the Committee on Homeland Security, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LANGEVIN (for himself, Mr. PRICE of North Carolina, Ms. CLARK of Massachusetts, and Ms. BASS):

H.R. 1345. A bill to amend the Fair Credit Reporting Act to create protected credit reports for minors and protect the credit of minors, and for other purposes; to the Committee on Financial Services.

By Mr. LIPINSKI (for himself, Mr. LEWIS of Minnesota, Ms. ESTY, Mr. HULTGREN, Ms. NORTON, Mr. RODNEY DAVIS of Illinois, Mr. WEBSTER of Florida, Mr. NOLAN, Mrs. WALORSKI, Mr. COSTA, Mr. CHAFFETZ, Mr. QUIGLEY, and Mr. DENHAM):

H.R. 1346. A bill to repeal the rule issued by the Federal Highway Administration and the Federal Transit Administration entitled "Metropolitan Planning Organization Coordination and Planning Area Reform"; to the Committee on Transportation and Infrastructure.

By Mr. LOUDERMILK (for himself, Mr. KATKO, Mr. KEATING, Mr. HURD, Ms. SINEMA, Mr. RATCLIFFE, and Ms. MCSALLY):

H.R. 1347. A bill to authorize the Secretary of Homeland Security to provide counter-radicalization training to Department of Homeland Security representatives at State and local fusion centers, and for other purposes; to the Committee on Homeland Security.

By Mr. SEAN PATRICK MALONEY of New York:

H.R. 1348. A bill to require the Director of the Centers for Disease Control and Prevention to complete a study on the human health implications of per- and polyfluoroalkyl substances (PFAS) contamination in drinking water; to the Committee on Energy and Commerce.

By Mr. MCCLINTOCK (for himself, Mr. HUNTER, Mr. WESTERMAN, and Mr. PEARCE):

H.R. 1349. A bill to amend the Wilderness Act to ensure that the use of bicycles, wheelchairs, strollers, and game carts is not prohibited in Wilderness Areas, and for other purposes; to the Committee on Natural Resources.

By Mr. NOLAN:

H.R. 1350. A bill to modify the boundary of Voyageurs National Park in the State of Minnesota, and for other purposes; to the Committee on Natural Resources.

By Mr. PERRY (for himself and Mr. MCCAUL):

H.R. 1351. A bill to amend title 49, United States Code, to direct the Administrator of the Transportation Security Administration (TSA) to make certain improvements in managing TSA's employee misconduct, and for other purposes; to the Committee on Homeland Security.

By Mr. RENACCI (for himself, Mr. MEEHAN, Mr. BUCSHON, Mr. KILMER, Mr. WEBSTER of Florida, and Mr. TIBERI):

H.R. 1352. A bill to encourage States to engage more TANF recipients in activities leading to employment and self-sufficiency, and to simplify State administration of TANF work requirements; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Miss RICE of New York (for herself, Mrs. WATSON COLEMAN, Mr. KEATING, and Mr. KATKO):

H.R. 1353. A bill to amend the Homeland Security Act of 2002 to require certain addi-

tional information to be submitted to Congress regarding the strategic 5-year technology investment plan of the Transportation Security Administration; to the Committee on Homeland Security.

By Mr. THOMAS J. ROONEY of Florida (for himself and Mr. RYAN of Ohio):

H.R. 1354. A bill to increase the penalties for fentanyl trafficking; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCHWEIKERT:

H.R. 1355. A bill to amend the Clean Air Act to give States the option of monitoring covered criteria air pollutants in designated areas by greatly increasing the number of air quality sensors in exchange for greater regulatory flexibility in the methods of monitoring, and for other purposes; to the Committee on Energy and Commerce.

By Ms. SPEIER (for herself, Ms. SHEA-

PORTER, Mr. WELCH, Ms. KAPTUR, Mr. JEFFRIES, Mrs. WATSON COLEMAN, Mr. NADLER, Mr. NORCROSS, Mr. RASKIN, Mr. THOMPSON of California, Ms. MATSUI, Mr. CASTRO of Texas, Mr. HIMES, Ms. MAXINE WATERS of California, Mr. MCNERNEY, Mr. JONES, Mr. QUIGLEY, Ms. CASTOR of Florida, Mr. NOLAN, Mr. KEATING, Ms. JUDY CHU of California, Mr. EVANS, Ms. LEE, Mr. DEUTCH, Mr. SIREN, Ms. JACKSON LEE, Mr. SWALWELL of California, Mr. COHEN, Mr. DESAULNIER, Mr. CARSON of Indiana, Ms. PINGREE, Mr. HASTINGS, Mr. BLUMENAUER, and Mr. LARSEN of Washington):

H.R. 1356. A bill to amend the Internal Revenue Code of 1986 to permit disclosure of tax return information to the Permanent Select Committee on Intelligence of the House of Representatives and to the Select Committee on Intelligence of the Senate; to the Committee on Ways and Means.

By Ms. STEFANIK (for herself and Mr. THOMPSON of California):

H.R. 1357. A bill to provide for the issuance of a semipostal to benefit programs that combat invasive species; to the Committee on Oversight and Government Reform, and in addition to the Committees on Natural Resources, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TONKO (for himself, Ms. TSON-

GAS, Mr. LOWENTHAL, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LIPINSKI, Mr. CONNOLLY, Mr. KILMER, Mr. GRIJALVA, Mr. GALLEGO, Mr. SOTO, Ms. LEE, Mr. NADLER, Mr. DESAULNIER, Mr. RYAN of Ohio, Mrs. NAPOLITANO, Ms. NORTON, Ms. SLAUGHTER, Ms. CLARK of Massachusetts, Mr. CONYERS, Mr. LEWIS of Georgia, Ms. WILSON of Florida, Mr. BEYER, Ms. LOFGREN, Mr. BLUMENAUER, Ms. MOORE, Mr. RUSH, Ms. MENG, Ms. ROSEN, Mr. KEATING, Mr. QUIGLEY, Mr. TED LIEU of California, Mr. MCGOVERN, Mr. RASKIN, Mr. TAKANO, Mr. CICILLINE, Ms. SCHAKOWSKY, Mr. CARTWRIGHT, Mr. MOULTON, Mr. KENNEDY, Mr. ENGEL, Mr. NEAL, Mr. PASCRELL, Mr. BEN RAY LUJÁN of New Mexico, Mr. POCAN, Ms. BONAMICI, Ms. SPEIER, Ms. JUDY CHU of California, Mrs. LAWRENCE, Ms. KAPTUR, Mr. BUTTERFIELD, Ms. MATSUI, Mr.

MCNERNEY, Mr. PERLMUTTER, Mrs. WATSON COLEMAN, Mr. PALLONE, Ms. MCCOLLUM, Ms. JACKSON LEE, Ms. HANABUSA, Mr. CLEAVER, Mr. POLIS, Mr. SWALWELL of California, Mr. KHANNA, Mr. LANGEVIN, Ms. BROWNLEY of California, Mr. FOSTER, Mr. DANNY K. DAVIS of Illinois, Mr. CRIST, Mrs. DINGELL, Ms. ESTY, Mr. CUMMINGS, Mr. GARAMENDI, Mr. HUFFMAN, Mr. BERA, Ms. SANCHEZ, Mr. SCOTT of Virginia, Mr. MEEKS, and Ms. WASSERMAN SCHULTZ):

H.R. 1358. A bill to protect scientific integrity in Federal research and policymaking, and for other purposes; to the Committee on Science, Space, and Technology.

By Mrs. WALORSKI (for herself and Miss RICE of New York):

H.R. 1359. A bill to provide for the reconsideration of claims for disability compensation for veterans who were the subjects of experiments by the Department of Defense during World War II that were conducted to assess the effects of mustard gas or lewisite on people, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WILLIAMS (for himself, Mr. CUELLAR, and Mr. BARR):

H.R. 1360. A bill to exempt small seller financiers from certain licensing requirements; to the Committee on Financial Services.

By Mr. ZELDIN (for himself, Mr. LARSON of Connecticut, Mr. JOYCE of Ohio, Mr. LATTI, Mr. RENACCI, Mr. TIBERI, Mr. LOEBACK, Mr. ELLISON, Mrs. BLACKBURN, Ms. DELBENE, Mr. HIGGINS of New York, Mr. YOUNG of Iowa, Mr. BLUMENAUER, Ms. KAPTUR, Ms. ROS-LEHTINEN, Mrs. McMORRIS RODGERS, Mr. LANCE, Mrs. BLACK, Mr. CROWLEY, and Ms. DELAURO):

H.R. 1361. A bill to amend title XVIII of the Social Security Act to provide for the non-application of Medicare competitive acquisition rates to complex rehabilitative wheelchairs and accessories; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. THOMPSON of California (for himself, Ms. STEFANIK, Mrs. MIMI WALTERS of California, Mr. EVANS, Mr. DONOVAN, Ms. NORTON, Ms. JENKINS of Kansas, Ms. WASSERMAN SCHULTZ, Ms. JACKSON LEE, Mrs. BUSTOS, Mr. HUFFMAN, Mr. DELANEY, Mr. KHANNA, Ms. SPEIER, Mr. SWALWELL of California, Mr. PANNETTA, Ms. TSONGAS, Mrs. NAPOLITANO, Mr. CORREA, Ms. DELBENE, Ms. DELAURO, Ms. MCCOLLUM, Mrs. DINGELL, Ms. BONAMICI, Ms. BORDALLO, Ms. TITUS, Ms. PINGREE, Mrs. RADEWAGEN, Ms. LEE, Mr. DESAULNIER, Ms. VELÁZQUEZ, Mr. LARSEN of Washington, Ms. ROSEN, Ms. SANCHEZ, Mr. COHEN, Mr. ENGEL, Mr. TAKANO, Mr. MCGOVERN, Mr. POCAN, Ms. SLAUGHTER, Mr. CICILLINE, Mr. SIREN, Mr. NADLER, Mr. GARAMENDI, Mr. BLUMENAUER, Ms. SINEMA, Mr. COSTA, Mr. JOHNSON of Georgia, Ms. CLARKE of New York, Mr. SOTO, Ms. ADAMS, Mr. MCNERNEY,

Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. MOORE, Mrs. COMSTOCK, and Mr. PETERS):

H. Res. 164. A resolution supporting the goals and ideals of National Women's History Month; to the Committee on Oversight and Government Reform.

By Mr. WILSON of South Carolina:

H. Res. 165. A resolution expressing the sense of the House of Representatives with respect to polio; to the Committee on Energy and Commerce, and in addition to the Committees on Foreign Affairs, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. AMODEI (for himself and Mr. WELCH):

H. Res. 166. A resolution expressing the sense of the House of Representatives that the United States postal facility network is an asset of significant value and the United States Postal Service should take appropriate measures to maintain, modernize and fully utilize the existing post office network for economic growth; to the Committee on Oversight and Government Reform.

By Mr. CARTWRIGHT (for himself and Ms. NORTON):

H. Res. 167. A resolution supporting the designation of the week of February 26 to March 4, 2017, as "National Spinal CSF Leak Awareness Week"; to the Committee on Energy and Commerce.

By Mr. RODNEY DAVIS of Illinois (for himself and Mrs. DAVIS of California):

H. Res. 168. A resolution encouraging people in the United States to recognize March 2, 2017, as Read Across America Day; to the Committee on Education and the Workforce.

By Mr. NEAL (for himself, Mr. KENNEDY, Ms. PINGREE, Mr. WELCH, Ms. CLARK of Massachusetts, Mr. LARSON of Connecticut, Mr. POLIQUIN, Mr. KEATING, Mr. COURTNEY, Mr. LYNCH, Ms. KUSTER of New Hampshire, Ms. DELAURO, Mr. MOULTON, Ms. SHEAPORTER, Mr. MCGOVERN, Mr. CICILLINE, Mr. CAPUANO, Ms. ESTY, and Mr. HIMES):

H. Res. 169. A resolution congratulating the New England Patriots on their victory in Super Bowl LI; to the Committee on Oversight and Government Reform.

By Ms. STEFANIK (for herself and Mr. THOMPSON of California):

H. Res. 170. A resolution expressing the commitment of the House of Representatives to work to combat the nationwide problem of invasive species threatening native ecosystems; to the Committee on Natural Resources, and in addition to the Committees on Agriculture, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. JOHNSON of Georgia:

H.R. 1299.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 3: Congress shall have the power to regulate commerce with foreign nations; Article I, section 8, clause 18: Congress shall have the power to make all laws which shall be necessary and proper for carrying into execution the foregoing powers.

By Mr. MCKINLEY:

H.R. 1300.

Congress has the power to enact this legislation pursuant to the following:

According to Article I, Section 8, Clause 3 of the Constitution: The Congress shall have power to enact this legislation to regulate commerce with foreign nations, and among the several states, and with the Indian tribes.

By Mr. FRELINGHUYSEN:

H.R. 1301.

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states: "No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law" In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides: "The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States" Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

By Ms. MCSALLY:

H.R. 1302.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof

By Mr. PASCRELL:

H.R. 1303.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 1

By Mr. ROE of Tennessee:

H.R. 1304.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, paragraph 3 of the U.S. Constitution

By Mr. POE of Texas:

H.R. 1305.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of section 8 of article I of the Constitution which states that Congress has the power "to make all laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. DEFazio:

H.R. 1306.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress)

By Mr. DEFAZIO:

H.R. 1307.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress)

By Mr. DEFAZIO:

H.R. 1308.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress)

By Mr. KATKO:

H.R. 1309.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.

By Mr. SOTO:

H.R. 1310.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, of the United States Constitution.

By Mr. SMITH of Nebraska:

H.R. 1311.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution, specifically Clause 3 (related to regulation of commerce among the several states).

By Mr. POLIQUIN:

H.R. 1312.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes:" as enumerated in Article 1, Section 8 of the United States Constitution.

By Ms. FOXX:

H.R. 1313.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States

By Mr. GOODLATTE:

H.R. 1314.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 3. Since the federal government has extended Article I, Section 8, Clause 3 (the commerce clause) beyond its intended boundaries, it follows that efforts to rein in excessive federal government encroachment in this area can be justified by Article I, Section 8, Clause 3.

By Mr. GOODLATTE:

H.R. 1315.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 3. Since the federal government has extended Article I, Section 8, Clause 3 (the commerce clause) beyond its intended boundaries, it follows that efforts to rein in excessive federal government encroachment in this area can be justified by Article I, Section 8, Clause 3.

By Mr. COLLINS of Georgia:

H.R. 1316.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority in which this bill rests is the power of Congress to regulate

commerce as enumerated in Article I, Section 8, Clause 3, as applied to healthcare.

By Mr. SAM JOHNSON of Texas:

H.R. 1317.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Ms. HERRERA BEUTLER:

H.R. 1318.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. MARCHANT:

H.R. 1319.

Congress has the power to enact this legislation pursuant to the following:

1. The power to regulate commerce among several states as enumerated in Article I, Section 8, Clause 3 of the United States Constitution.

2. to provide for the general welfare of the United States as enumerated in Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. KINZINGER:

H.R. 1320.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. BROWN of Maryland:

H.R. 1321.

Congress has the power to enact this legislation pursuant to the following:

Commerce Clause (Art. 1, Sec. 8, Cl. 3) Necessary and Proper Clause (Art. 1, Sec. 8, Cl. 18)

By Ms. JUDY CHU of California:

H.R. 1322.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article 1 of the United States Constitution

By Mr. COLLINS of New York:

H.R. 1323.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Mr. MCNERNEY:

H.R. 1324.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States grants Congress the authority to enact this bill

By Mr. BUCSHON:

H.R. 1325.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the United States Constitution

By Mr. SCHRADER:

H.R. 1326.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under:

U.S. Const. art. 1, §1;

U.S. Const. art. 1, §8, cl. 13;

U.S. Const. art. 1, §8, cl. 14; and

U.S. Const. art. 1, §8, cl. 18.

By Mr. THOMPSON of Mississippi:

H.R. 1327.

Congress has the power to enact this legislation pursuant to the following:

The U.S. Constitution, including Article I, section 8

By Mr. BOST:

H.R. 1328.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Mr. BOST:

H.R. 1329.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Mr. AMODEI:

H.R. 1330.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, Section 8 of the United States Constitution, specifically clause 1 (relating to providing for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, Section 3, Clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mr. BANKS of Indiana:

H.R. 1331.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution

By Ms. BONAMICI:

H.R. 1332.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article I of the Constitution

By Mr. CARTER of Georgia:

H.R. 1333.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. CARTER of Georgia:

H.R. 1334.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Ms. CLARKE of New York:

H.R. 1335.

Congress has the power to enact this legislation pursuant to the following:

the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. CRAMER:

H.R. 1336.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 (the Spending Clause) of the United States Constitution states that "The Congress shall have Power to lay and collect Taxes, Duties, Imposts, and Excises, to pay for Debts and provide for the common defense and general welfare of the United States.

By Mr. CRAMER:

H.R. 1337.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, which states "The Congress shall have Power To lay and collect Taxes," and Article I, Section 7, which states "All Bills for raising Revenue shall originate in the House of Representatives."

By Mr. DESJARLAIS:

H.R. 1338.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3. Congress shall have Power to regulate Commerce with Foreign Nations, and among the several states, and with Indian Tribes.

By Mr. DUNCAN of Tennessee:

H.R. 1339.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8—this bill regulates Commerce among the several states.

Amendment V—the bill assures that citizens' liberty and property (their businesses and livelihood) are not deprived, that the government does not take property (market share, potential for profit and livelihood) without just compensation.

Amendment X—Nothing in the Constitution authorizes the Federal government to do anything other than those things enumerated (coin money, enter into treaties, conduct a Census — — which are inherently governmental). Thus, under Amendment X, the right to carry out commercial activities is reserved to the people.

By Mr. ENGEL:

H.R. 1340.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. Art. I §8.

By Mr. GOSAR:

H.R. 1341.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18, the Necessary and Proper Clause

In 2011, the United States District Court for the District of Columbia held in *Bluman v. FEC* that "It is fundamental to the definition of our national political community that foreign citizens do not have a constitutional right to participate in, and thus may be excluded from, activities of democratic self-government." Bluman specifically addressed and prohibited political campaign contributions to U.S. elections. In 2012, the United States Supreme Court affirmed, holding that the prohibition in 2 U.S.C. 441 (e) on campaign contributions by any "foreign national" was narrowly tailored to achieve a compelling government interest. Given that the Stop Foreign Donations Affecting Our Elections Act supplements the intent of these rulings and the 1966 law that banned such contributions, it is both within the scope of Congress's power and is thus constitutional.

By Mr. HARRIS:

H.R. 1342.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 4 of the United States Constitution which grants Congress the authority to establish a uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States.

By Mr. HULTGREN:

H.R. 1343.

Congress has the power to enact this legislation pursuant to the following:

Section 8, Clause 3: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

Section 8, Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, in any Department or Officer thereof.

By Mr. KILMER:

H.R. 1344.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to Article I, Section 8 of the United States Constitution.

By Mr. LANGEVIN:

H.R. 1345.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. LIPINSKI:

H.R. 1346.

Congress has the power to enact this legislation pursuant to the following:

Article one, section 8, clause 18, United States Constitution

By Mr. LOUDERMILK:

H.R. 1347.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. SEAN PATRICK MALONEY of New York:

H.R. 1348.

Congress has the power to enact this legislation pursuant to the following:

Art. I, Sec. 8

By Mr. MCCLINTOCK:

H.R. 1349.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2 (the Property Clause), which confers on Congress the power to make all needful Rules and Regulations respecting the property belonging to the United States.

By Mr. NOLAN:

H.R. 1350.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2 of the Constitution provides that Congress shall have the Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States.

By Mr. PERRY:

H.R. 1351.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. RENACCI:

H.R. 1352.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, to "provide for the common Defence and general Welfare of the United States."

By Miss RICE of New York:

H.R. 1353.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. THOMAS J. ROONEY of Florida:

H.R. 1354.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 8 of the Constitution, Congress has the power "to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or any Department or Officer thereof."

By Mr. SCHWEIKERT:

H.R. 1355.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, of the United States Constitution

By Ms. SPEIER:

H.R. 1356.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8 of the United States Constitution.

By Ms. STEFANK:

H.R. 1357.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution

By Mr. TONKO:

H.R. 1358.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts, and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mrs. WALORSKI:

H.R. 1359.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 U.S. Constitution

By Mr. WILLIAMS:

H.R. 1360.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 ("To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes")

By Mr. ZELDIN:

H.R. 1361.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 20: Mr. FOSTER and Mr. RICHMOND.

H.R. 38: Mr. SMITH of Nebraska, Mr. MURPHY of Pennsylvania, Mr. MCCAUL, Mr. FLORES, and Mr. BERGMAN.

H.R. 154: Mr. SMITH of Washington.

H.R. 165: Mr. DANNY K. DAVIS of Illinois.

H.R. 184: Ms. ROSEN.

H.R. 187: Ms. LOFGREN and Mr. MEEKS.

H.R. 367: Mr. HUNTER, Mr. BERGMAN, and Mr. ALLEN.

H.R. 453: Mr. PAULSEN.

H.R. 525: Mrs. HARTZLER.

H.R. 532: Ms. TSONGAS, Mr. SCHNEIDER, and Ms. GABBARD.

H.R. 539: Mr. WENSTRUP.

H.R. 545: Mr. COLE, Mr. ROUZER, and Mr. COLLINS of New York.

H.R. 553: Mr. MCCLINTOCK, Mr. WILSON of South Carolina, Mr. ROKITA, Mr. KELLY of Pennsylvania, and Mrs. COMSTOCK.

H.R. 586: Mr. WITTMAN.

H.R. 625: Mr. PAYNE, Mrs. DEMINGS, Mr. RICHMOND, Ms. JACKSON LEE, Ms. BARRAGAN, Mr. VALADAO, Mr. DENHAM, Mr. KNIGHT, Mr. CURBELO of Florida, and Mr. ISSA.

H.R. 627: Mrs. CAROLYN B. MALONEY of New York.

H.R. 639: Mr. HARRIS.

H.R. 696: Mr. PALLONE and Mr. COHEN.

H.R. 706: Mr. ROKITA.

H.R. 721: Ms. MATSUI, Mr. PALAZZO, Mrs. COMSTOCK, Mr. SCOTT of Virginia, Mr. KILMER, Mr. LOWENTHAL, Mr. CURBELO of Florida, Mr. STIVERS, Mr. PRICE of North Carolina, Mr. RUSH, Mr. WESTERMAN, Mr. MESSER, Mr. HULTGREN, Mr. PITTINGER, Mr. DUNCAN of South Carolina, Mr. KELLY of Pennsylvania, and Mr. BRENDAN F. BOYLE of Pennsylvania.

H.R. 747: Mr. LOBIONDO and Mr. LARSON of Connecticut.

H.R. 772: Ms. TENNEY, Mr. BUCK, and Mr. GALLAGHER.

H.R. 781: Mr. BRAT.

H.R. 804: Ms. NORTON.

H.R. 807: Mr. LANCE, Mr. GRAVES of Missouri, Mr. NUNES, Mr. HUNTER, and Mr. DEFAZIO.

H.R. 812: Mr. EVANS.

H.R. 816: Ms. TSONGAS.

H.R. 820: Ms. ROYBAL-ALLARD, Mr. GRIJALVA, Mr. WALZ, Ms. DEGETTE, Mr. CHABOT, Ms. BROWNLEY of California, and Mr. LOBIONDO.

H.R. 838: Mr. CAPUANO.

H.R. 839: Mr. CAPUANO.

H.R. 846: Ms. SHEA-PORTER, Mr. BRIDENSTINE, Mrs. DAVIS of California, Mr. COOPER, Mr. CALVERT, and Ms. TITUS.

H.R. 849: Mr. O'ROURKE.

H.R. 854: Mr. FRANCIS ROONEY of Florida.

H.R. 895: Mr. DESANTIS.

H.R. 926: Mr. PANETTA.

H.R. 953: Mr. NEWHOUSE, Mr. LUETKEMEYER, Mr. ROKITA, Mr. BANKS of Indiana, and Mr. CRAMER.

H.R. 968: Mr. KENNEDY, Mrs. BEATTY, Mr. HASTINGS, and Ms. NORTON.

H.R. 970: Ms. JACKSON LEE.

H.R. 972: Mr. MCGOVERN, Mr. EVANS, and Mr. BLUMENAUER.

H.R. 1001: Mr. WELCH and Mrs. BEATTY.

H.R. 1005: Mr. BISHOP of Utah and Mr. SUOZZI.

H.R. 1037: Mr. LANGEVIN.

H.R. 1038: Mr. ALLEN.

H.R. 1049: Mr. BRADY of Pennsylvania.

H.R. 1069: Mr. HASTINGS.

H.R. 1094: Mr. YARMUTH, Mr. RICHMOND, Ms. MOORE, and Mrs. DINGELL.

H.R. 1096: Mr. JOHNSON of Louisiana and Mr. GOSAR.

H.R. 1101: Mr. HENSARLING, Mr. WILSON of South Carolina, Mr. WEBER of Texas, Mr. PITTENGER, Mr. FLORES, Mr. CHABOT, Mr. ROUZER, and Mr. HUNTER.

H.R. 1127: Ms. CASTOR of Florida.

H.R. 1148: Mr. MOONEY of West Virginia, Mr. TONKO, Mr. WENSTRUP, Mr. HUDSON, Mr. O'ROURKE, and Mr. MEEHAN.

H.R. 1158: Mr. HIGGINS of New York.

H.R. 1159: Mr. AMODEI, Ms. BONAMICI, Mr. DELANEY, Mr. DEUTCH, Mr. GENE GREEN of Texas, Mr. HASTINGS, Mr. KING of New York, Mr. LAMBORN, Mr. MOULTON, Mr. PERLMUTTER, Mr. RENACCI, Miss RICE of New York, Mr. ROHRBACHER, Ms. ROS-LEHTINEN, Ms. STEFANIK, Mrs. WALORSKI, Ms. WASSERMAN SCHULTZ, Mr. WEBER of Texas, and Mr. SWALWELL of California.

H.R. 1186: Mrs. DINGELL.

H.R. 1259: Mr. HIGGINS of Louisiana, Mr. DESANTIS, and Mr. ROYCE of California.

H.R. 1276: Ms. MICHELLE LUJAN GRISHAM of New Mexico and Ms. ROYBAL-ALLARD.

H.R. 1284: Mr. MARSHALL.

H.J. Res. 31: Mr. KILMER.

H.J. Res. 59: Mr. WESTERMAN.

H.J. Res. 73: Mr. STEWART, Mr. ROE of Tennessee, Mr. CARTER of Texas, and Mr. SESSIONS.

H.J. Res. 75: Ms. JACKSON LEE.

H. Con. Res. 13: Mr. BARTON.

H. Con. Res. 24: Mr. NEAL, Mr. WELCH, Mr. HIGGINS of New York, Ms. TSONGAS, Mr. CONNOLLY, Mr. COURTNEY, Mr. PASCRELL, Mr. RUPPERSBERGER, Mr. LYNCH, Mr. LARSON of Connecticut, Mr. POCAN, and Mr. CAPUANO.

H. Res. 28: Mr. VEASEY, Ms. TSONGAS, Mr. SMITH of New Jersey, Mr. CORREA, Mr. SHUSTER, and Mr. MACARTHUR.

H. Res. 69: Mr. TONKO.

H. Res. 84: Mr. YARMUTH.

H. Res. 92: Mr. KENNEDY, Mr. CASTRO of Texas, Mr. DUNCAN of South Carolina, and Mr. LARSEN of Washington.

H. Res. 130: Mr. COHEN and Mr. PERLMUTTER.

H. Res. 135: Mr. BYRNE, Mr. HUIZENGA, and Mr. MITCHELL.

H. Res. 140: Ms. JACKSON LEE.

H. Res. 142: Mr. YOUNG of Iowa, Ms. MOORE, Mr. COHEN, and Mr. PASCRELL.

H. Res. 152: Mr. BANKS of Indiana.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. FRELINGHUYSEN

H.R. 1301, making appropriations for the Department of Defense for the fiscal year ending September 30, 2017, and for other purposes, does not contain any congressional earmark, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

EXTENSIONS OF REMARKS

RECOGNIZING THE SERVICE OF
DR. SUDIP BOSE

HON. K. MICHAEL CONAWAY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 2, 2017

Mr. CONAWAY. Mr. Speaker, I rise today to recognize Dr. Sudip Bose for his service to our country and our nation's veterans. On the afternoon of March 2, 2004, al-Qaeda insurgents launched coordinated attacks on innocent civilians who were observing the Muslim holiday, the Day of Ashura. These bombings killed over 178 and injured another 500 people. Dr. Bose, a Captain in the United States Army deployed in Baghdad at the time, was serving as the only emergency physician at the scene of the massacre. Captain Bose and his team of medics from the First Cavalry Division provided immediate medical attention to the injured while simultaneously under attack from the chaotic crowd. For his actions that day, Dr. Bose was awarded the Combat Medical Badge.

Dr. Bose went on to serve one of the longest continuous combat tours by a military physician since World War II. During this tour, he saved countless lives, was selected as the physician to treat Saddam Hussein following his capture, and served as a shining example to his peers. For these efforts, Dr. Bose was awarded the Bronze Star and promoted to the rank of Major.

After his time in the Army, Dr. Bose continued serving his country by establishing The Battle Continues, a nonprofit that advocates and mobilizes resources for military veterans. Through The Battle Continues, Dr. Bose has used his experiences and knowledge to educate the public on the medical struggles veterans face when coming home. In addition, this organization assists in connecting veterans with physicians that can best address their specific medical needs at no cost to the veteran.

Looking ahead, Dr. Bose wants to continue to be a strong advocate for public health and veterans issues. Though March 2, 2004 was a tragic day, I am honored to recognize the anniversary of the actions of Dr. Bose and his team. I thank him for his service to our country.

IN HONOR OF JOSEPH DIGENOVA

HON. PATRICK J. TIBERI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 2, 2017

Mr. TIBERI. Mr. Speaker, I rise today to recognize my friend and neighbor, the Honorable Joseph DiGenova.

Delaware, Ohio Councilman Joseph DiGenova has dedicated his life to quietly, but

profoundly, serving his nation and community. As a young man, he answered his nation's call, risking life and limb in service during the Vietnam War. Upon completing his military commitment, Joe returned home and devoted the next several decades to advocating for youth, veterans, local schools, and countless civic projects.

For decades, he and his beloved wife, Vonie, invested themselves in their local school district, creating new programs and fighting for improved facilities. Of special note, Joe co-founded a Youth-in-Government program that has introduced students to local and state governance for more than twenty years. Further, they have campaigned actively for land acquisitions, levy and bond issues, and athletics boosters. As a result of his unwavering support for local schools and students, Joe received the 2014 Friend of the District Award from the Delaware City Schools.

Knowing the value and challenges of military service firsthand, Joe selflessly sought new ways for central Ohio to honor its truest patriots. He led the charge toward a permanent veteran memorial to recognize veterans from every era of our history. In addition, he partnered with the American Legion, Veterans of Foreign Wars and the Vietnam Veterans Association to help fellow veterans receive the recognition, care and benefits they so richly deserve.

Joe's tireless work ethic and humble attitude garnered him the highest admiration of his neighbors. They saw fit to elect him to public office repeatedly for more than twenty-five years. As a city Councilman in Delaware, he spearheaded efforts to modernize infrastructure and spur the local economy. The resurgence of a vibrant downtown area is in no small measure a reflection of his dedication to making Delaware a great place to live, work and raise a family.

Joe has long maintained an eye on what the future will bring to Delaware. Today, Joe and Vonie can look fondly on all he has accomplished. I am confident that his impact will be lasting and his efforts cherished for generations to come.

I am deeply proud to recognize my dear friend and fellow Italian-American for his lasting friendship and innumerable contributions to central Ohio. It is with great pride that today I recognize, on behalf of the residents of Ohio's 12th Congressional District, the Honorable Joseph DiGenova.

HONORING OFFICER MICHAEL JOYCE, JR. UPON HIS RETIREMENT AFTER 27 YEARS OF SERVICE TO THE UNION POLICE DEPARTMENT

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 2, 2017

Mr. LUETKEMEYER. Mr. Speaker, I rise today to honor a constituent of mine, Police Officer Michael Joyce, Jr. on his retirement after 27 years of service to the Union Police Department on January 4, 2017.

Officer Joyce joined the Union Police Department in June 1989. He became a full-time officer by December of that year and was promoted to sergeant less than three years later. During his years on the force, Officer Joyce served as a field training officer, supervisor, bailiff, and City Hall security officer. Additionally, he has fulfilled a myriad of capacities including zoning enforcement, evidence cataloging/transport, video documentation, neighborhood watch, and scheduling among others. The knowledge and experience that Officer Joyce brought to the police force and the community was an invaluable asset.

Officer Joyce is known as a man of faith, integrity, compassion, and humor. As an active member of his community he has volunteered many hours to various organizations. He has served on the board of directors with the Franklin County Children and Families Community Resource Board, participated in Shop with a Cop, raised thousands of dollars for the Kops and Kids Canned Food Drive, and volunteered at Missouri Child Identification and Protection Program events. Officer Joyce also serves as an elder at Trinity Presbyterian Church. Throughout his life Officer Joyce has served as a role model and mentor to many, especially through his involvement with local schools, organizations, and clubs.

The Crisis Intervention Team (CIT) training program was created in part through Office Joyce's hard work. This program equips first responders with the necessary training to assist individuals that are dealing with mental health crises. Officer Joyce served as one of his department's first CIT officers and also held the position of Franklin County CIT Council Co-Chairman and CIT Training Chairman.

With this retirement Officer Joyce will now be able to spend more time with his lovely wife of 42 years, Jennifer. He will also enjoy more time with his children Hannah, Ethan, Noah, Warren, Faith, Connor, Moriah, and Naomi, as well as his nine grandchildren. As police officers and their families know, the most notable and award-worthy actions are often unseen by the general public and will never be awarded by anyone but God. Officer Joyce truly exemplifies the scripture that states, "Blessed are the peacemakers, for

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

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

they shall be called sons of God." (Matthew 5:9)

I ask you to join me in recognizing Officer Michael Joyce, Number 731, on his retirement. The commitment he has shown to the Union Police Department and to his community for 27 years is a commendable accomplishment.

PERSONAL EXPLANATION

HON. BETO O'ROURKE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 2, 2017

Mr. O'ROURKE. Mr. Speaker, during the roll call votes on Wednesday, March 1, 2017, I was absent due to my attendance and participation in a joint House and Senate Veterans Affairs Committee to discuss the legislative priorities of the Veterans of Foreign Wars (VFW).

Had I been present, on roll call number 115, I would have voted No.

On roll call number 116, I would have voted No.

HONORING COLONEL BENTLEY NETTLES

HON. BILL FLORES

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 2, 2017

Mr. FLORES. Mr. Speaker, I rise today to honor Colonel Bentley Nettles, who is retiring after more than 30 years of service to our country in the United States Army.

Colonel Nettles served for 31 years as a commissioned officer in the United States Army, where he served peacekeeping tours of duty in Bosnia, and combat tours in Afghanistan and Iraq. In this capacity, Colonel Nettles served as Infantry Officer, Judge Advocate Officer, Information Operations Officer and Red Team Leader. He also served for 28 years in the Texas Army National Guard, where he was activated for support operations in response to hurricanes, wildfires, floods, and border security.

Over his military career, Colonel Nettles has been awarded 24 awards and badges. Such recognition includes: three Bronze Stars, the Purple Heart, and the Combat Action Badge. In keeping with the spirit of the Warrior Ethos, he was awarded the Combat Action Badge, which provides special recognition to Soldiers who personally engage the enemy, or are engaged by the enemy during combat operations. Colonel Nettles has also been awarded the Legion of Merit, one of the United States Military's most prestigious awards. The medal is awarded for exceptionally meritorious conduct in the performance of outstanding services and achievements.

Mr. Speaker, our Nation's history is grounded in the efforts of our men and women who have served in uniform. We must continue to honor them after they have left the armed services by making sure that they have the access they need to educational, health, and career services. Colonel Nettles truly believes

this; and so in 2014 I awarded Colonel Nettles the TX-17 Congressional Veterans Commendation. He received this recognition because beyond the medals and the stars, the pins and the ribbons, Colonel Nettles understands the meaning of giving back. He is a founding member and active supporter of the local Wounded Warriors chapter, which has raised tens of thousands of dollars to support our heroes wounded in the line of duty. He is also the Vice Chairman of Brazos Valley Cares, which works to provide financial support for veterans and their families.

I am also proud to call Colonel Nettles a fellow Former Student of Texas A&M University. He earned his bachelor's degree in business management and has embraced what it means to be an Aggie, especially the core values of excellence and selfless-service. In addition to his significant military service, Colonel Nettles has kept his ties to the university and given back to the Aggie community. Through a large financial gift, he has helped ensure that Texas A&M maintains its global footprint and continues to influence students around the world.

Today, I have requested that a United States flag be flown over the United States Capitol to honor the many contributions of Colonel Bentley Nettles. As I close, I urge all Americans to continue praying for our country during these difficult times, for our military men and women who protect us from external threats, and for our first responders who protect us here at home.

HONORING THE COMMUNITY AMBULANCE FOR 30 YEARS OF SERVICE

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 2, 2017

Mr. LUETKEMEYER. Mr. Speaker, I rise today to honor the COMM-Unity Ambulance. This volunteer ambulance service will be celebrating 30 years of service on March 18, 2017.

On April 27, 1987, COMM-Unity Ambulance began meeting the needs of residents of Cole, Osage, Miller, and Maries counties. This nonprofit organization was originally dispatched from the Saint Elizabeth Care Center with a team of four nurses, four EMT's, and dedicated first responders who were committed to serving their community. The Meta Fire Department housed this organization prior to the completion of its building on May 19, 1988. By October 9, 1989, the volunteer ambulance service had grown to 16 EMT's, four nurses, and 19 first responders. In 1994, a necessary expansion to the building was completed and included a second ambulance bay, meeting/training room, and office.

I ask you to join me in recognizing the COMM-Unity Ambulance and their 30 years of dedicated service to the communities of Cole, Osage, Miller, and Maries counties. The commitment they have shown to the individuals in the counties they serve is a commendable accomplishment.

MOURNING THE PASSING OF CECIL BOSWELL, WWII VETERAN

HON. DOUG COLLINS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 2, 2017

Mr. COLLINS of Georgia. Mr. Speaker, I rise today to recognize the impressive and meaningful life of Cecil Boswell, a World War II Veteran from Gainesville, Georgia who sadly passed away on Sunday, February 19th at the age of 99.

Cecil has long been a resident of Gainesville, and will forever be remembered as a hero by his neighbors, his friends, and all those who looked up to him in our corner of Georgia. Having been part of the second wave invading Normandy on D-Day, Cecil exemplified the bravery, courage, and selflessness it takes to serve one's country, and these traits followed him throughout his life, allowing him to touch the lives of all those who had the opportunity to sit and speak with him.

Northeast Georgia is home to thousands of men and women who have diligently and passionately served the United States. As a chaplain in the U.S. Air Force Reserve, I feel strongly about our nation's need to meet its obligations to our service members, veterans, and their families, and to support the Americans who have sacrificed much for our freedom and way of life. I am proud of the relationship northeast Georgia has with our nation's bravest citizens, and Cecil Boswell was an important member of the veteran community back home, as well as the Gainesville community as a whole.

He often told of his time fighting in World War II to his friends at the Big Bear Cafe, where he ate breakfast and lunch almost daily. Cecil also walked in each Memorial Day parade along the square, donning his Army uniform as he waved to the crowds. It wasn't until last year's Memorial Day parade that he decided to ride in a car instead of walk, a testament to his unwavering strength and dedication.

Gainesville is better for the time Cecil Boswell gave it, and I am sure the life he led and the stories he told will live on for years to come. Northeast Georgia is blessed to have known Cecil Boswell, and he will be dearly missed.

HONORING STACEY BRESSLER

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 2, 2017

Mr. THOMPSON of California. Mr. Speaker, I rise today to honor Stacey Bressler, whom the St. Helena Chamber of Commerce has named the 2017 Citizen of the Year. This award recognizes individuals in our community who foster community spirit through their volunteer efforts, and Ms. Bressler exemplifies this mission.

Ms. Bressler is involved in the leadership and day-to-day work of many of our community organizations. Before moving to St. Helena in 1999, Ms. Bressler earned a B.A. in

Graphic Design and an M.S. in Library Science. She worked for twenty years in high technology sales and marketing as the Vice President of Business Development for CommerceNet, as well as in sales and marketing positions with Hewlett-Packard, NeXT and Apple Computer, Inc. Ms. Bressler now uses her management and logistics talents in running Bressler Vineyards and serving important community organizations.

Ms. Bressler serves on the Board of Directors for the St. Helena Farmers Market, where she educates community members on the health benefits of eating locally-grown food and donates produce to the St. Helena Food Bank. She also sits on the Board of the St. Helena Hospital Foundation where she raises funds to provide high-quality medical care to those in need. Through her service on the Board of Directors for Planned Parenthood Shasta, Ms. Bressler helps provide necessary and caring services to women and families. Ms. Bressler is also the current President of the Board of Directors for Friends of the Cameo Cinema, which maintains and preserves one of the oldest continuously running single-screen theaters in America.

Mr. Speaker, Ms. Stacey Bressler is a hard-working leader and volunteer in our community. The St. Helena Chamber of Commerce has recognized her contribution to the health and vitality of our people and economy. Therefore, it is fitting and proper that we honor her here today and congratulate her on this well-deserved award.

**HONORING DR. ALOIS KERTZ FOR
RECEIVING THE MISSOURI DAIRY
HALL OF HONORS' MERITORIOUS
SERVICE AWARD**

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 2, 2017

Mr. LUETKEMEYER. Mr. Speaker, I rise today to honor Dr. Alois Kertz on receiving the Missouri Dairy Hall of Honors' Meritorious Service Award.

Dr. Alois Kertz was born and raised in Bloomsdale, Missouri as one of six children to Andrew and Mathilda Kertz. He became passionate about the dairy industry through his time growing up on the family dairy farm. Dr. Kertz would go on to graduate from the University of Missouri with a bachelor's degree in Dairy Husbandry in 1967 and a master's degree in Dairy Cattle Nutrition in 1968. He then earned a Ph.D. in Animal Nutrition from Cornell University in 1973. Between earning his master's degree and his Ph.D., Dr. Kertz faithfully served in the United States Army as a Nutrition Research Officer in Natick, Massachusetts and then as a Platoon Leader/Food Supply Manager in Thailand during the Vietnam War. He earned the Army Commendation Medal for Meritorious Service in 1969 through 1970 for his dedicated service to our country.

From 1973 to 1975, Dr. Kertz was employed as a dairy nutritionist at Ralston Purina Company. He then worked for Purina Mills as the manager of dairy and ruminant research from 1975 until 1991, at which point, Dr. Kertz be-

came the director of dairy applied research, nutritional consulting program, and technical services at Purina Mills. Dr. Kertz founded ANDHIL, LLC in 2001 as a tribute to his father's dairy herd through which, Dr. Kertz advises clientele from a variety of private companies, agencies, research institutions, dairy organizations, and publications. Throughout the years, Dr. Kertz has also traveled the world to places like Spain, Italy, South Korea, and Brazil to serve as an on-farm consultant and trainer. In the process of those travels he has become a world renowned leader and researcher in the dairy industry.

Dr. Kertz's work has been published in over thirty scientific journal articles. Additionally, he has written numerous articles and has presented to dairy producer groups here in the United States and around the world. He is an active member of the American Dairy Science Association, American Society of Animal Science, American Association for the Advancement of Science, American Society for Nutrition, Dairy Calf and Heifer Association, the American Registry of Professional Animal Scientists, and serves as a charter member/diplomat of the American College of Animal Nutrition. Recently, Dr. Kertz's expertise has been utilized by the Masaka Diocese in Uganda to start a dairy cow program that is designed to help families in their community get out of poverty.

Dr. Kertz's lovely wife Molly and their four children, Julia, Emily, Nicholas, and Mary are thrilled that his years of hard work are being rewarded with this well-deserved honor. Dr. Kertz has always been known as an incredibly faithful, patient, and generous man. He is a devout Christian and active in the St. Vincent de Paul Society and Mary Queen of Peace Parish in Webster Groves, Missouri.

I ask you to join me in recognizing Dr. Alois Kertz on this well-deserved award that honors his lifetime of service to the dairy industry.

JONES ACT ANNIVERSARY

HON. JENNIFFER GONZÁLEZ-COLÓN

OF PUERTO RICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 2, 2017

Miss GONZÁLEZ-COLÓN of Puerto Rico. Mr. Speaker, I was elected to seek equality for the 3.4 million American citizens living in Puerto Rico. I am the sole elected representative for the island and I represent more constituents in my sole district than anyone in this House.

I rise today to honor the one hundredth anniversary of the enactment of the Jones Act which conferred American citizenship on Puerto Ricans, on this day in 1917.

Since then, more than 211,000 veterans have served proudly in the U.S. military where they are equal in war but not in peace.

In battle, the sacrifice, blood, and life of Puerto Ricans is equal to that of other Americans, but in peace, at home, Puerto Ricans are second class citizen, unless they move to the States, which more and more are choosing to do because of the disadvantages they face at home.

In addition to the defense of the United States, Puerto Ricans have contributed to our

country in many other ways: Puerto Ricans have served as U.S. astronauts, entertainers, athletes, Supreme Court Justices, and even members of Congress.

From the Borinqueneers of the 65th Infantry Regiment to actors and entertainers of all types, the people of Puerto Rico have been making important contributions to the United States in every field you can imagine for over one hundred years.

Mr. Speaker, as we recognize this important milestone, I urge my colleagues to take time to reflect on how decisions made in this chamber effect our fellow American citizens in Puerto Rico.

For too long, the U.S. has treated Puerto Ricans as second-class citizens. The unequal treatment Puerto Rico receives under most federal programs is a primary cause of the economic and fiscal crisis the island currently faces.

Only by treating the residents of Puerto Rico as it does residents of the 50 states will the promises made by the U.S. government to Puerto Ricans one hundred years ago this day be fulfilled.

That's why I stand with the will of the People of Puerto Rico, to be incorporated to the United States, as the 51st State of the Union, as requested in the 2012 local Plebiscite by 61 percent of voters.

Let this House fulfill the promise that the United States of America is a nation of liberty and justice, for all of us.

IN RECOGNITION OF THE MID-ATLANTIC REGIONAL GANG INVESTIGATORS NETWORK 25TH ANNIVERSARY

HON. JOHN K. DELANEY

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 2, 2017

Mr. DELANEY. Mr. Speaker, I rise to recognize the 25th Anniversary of the Mid-Atlantic Regional Gang Investigators Network. MARGIN is a group of federal, state, and local law enforcement professionals, representing agencies throughout Maryland, Virginia, and Washington, D.C. who work together to promote officer and public safety by providing relevant gang information to law enforcement officers.

What started as an informal group of gang investigators, has turned into monthly meetings where MARGIN participants gather to exchange information on current investigations, gang structure, membership, and new trends and patterns. MARGIN helps our law enforcement successfully tackle the increasingly complex world of gang violence and keep our region safe. On behalf of my constituents, I'd like to thank the entire MARGIN membership for the work that they do to protect Marylanders.

CONGRATULATING MR. AND MRS. BRADLEY AND KATHERINE MORROW UPON THE BIRTH OF THEIR SON, FINNEGAN FOX MORROW

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 2, 2017

Mr. LUETKEMEYER. Mr. Speaker, I rise today to honor constituents of mine, Mr. and Mrs. Bradley and Katherine Morrow, on the birth of their son, Finnegan Fox Morrow. Bradley and Katherine are residents of Jefferson City, Missouri and welcome their new son into their family along with older brother Bennett.

Bradley and Katherine were married on September 15, 2012 and Finnegan was born on September 14, 2016, which made for a wonderful 4th wedding anniversary present. Bradley works for Division of Professional Registration with the State of Missouri and Katherine is a marketing designer for a Jefferson City magazine.

Many family members have been excited to welcome Finnegan, including maternal grandparents Milton and Cherie Barr, paternal grandparents Sally, Michael and Elizabeth Morrow, and paternal great-grandparent Joseph Morrow.

I ask you to join me in congratulating the Morrow family on this new addition to their family.

RECOGNIZING THE RETIREMENT OF SHERIFF EDWARD N. BONNER

HON. DOUG LaMALFA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 2, 2017

Mr. LaMALFA. Mr. Speaker, I rise today to recognize the retirement of Placer County Sheriff Ed Bonner after 42 dedicated years of service to Northern California with the Placer County Sheriff's Department.

I have been fortunate enough to call Ed a friend for some time, and I know firsthand that he has long been considered one of the most respected members of the community since becoming Sheriff in 1995. What truly makes him special is the praise and admiration he receives from his peers. According to those who have worked for him, he set a high standard for taking care of his own and is a man of great integrity and honor. In his 22 year career as Sheriff, he has earned the respect and admiration of Placer County and many others throughout the state of California.

Many talk about creating a family atmosphere at work, but few truly achieve it. As Sheriff, Ed Bonner made the families of his officers and staff a priority. He is with them from the best of times to the worst, from the births of their children to family tragedies. Ed cares about all of those who he worked with, and it showed. Under Ed Bonner's leadership, he made the Placer County Sheriff's office a close knit family and that is a rare achievement.

Ed has earned many professional certificates related to law enforcement, proof that he

is truly dedicated to his craft, and he furthers that knowledge by teaching classes at Sierra College and the California Command College. He graduated from California, Berkeley with a Bachelor of Arts in Criminology in 1973, then returned to school to earn a Master's Degree in Management Science at Cal Poly, Pomona, in 1992. Before his law enforcement days, Ed Bonner was a gifted athlete who excelled at track and field, where he still holds multiple state high school records and was inducted into the Del Oro High School Athletics Hall of Fame in 2010. At the University of California, he became the first four year letterman for track and field in the school's history.

As an elected official and an outstanding community member, Ed Bonner is active in all things Placer County. He and his family are very active in the Loomis community, as well as the entire county. He helped found and lead Explorer Post 901, a co-ed youth program teaching vocational skills with an emphasis on law enforcement. He is the liaison between Scout Troop 12, where he achieved the rank of Eagle Scout in 1965, and their chartering organization, the Loomis Lions Club. He also serves on advisory boards including Sutter Health, PRIDE Industries and the Boys and Girls Club of Auburn.

After a distinguished career which included serving as President of the California State Sheriff's Association in 2008, Sheriff Bonner's skills as a law enforcement administrator will be greatly missed by his community. His resume as a law enforcement officer is extensive, but more impressive is Ed Bonner as a man, a husband and a father. While the community he has protected for 42 years could not possibly replace his experience, it is now time for a much deserved retirement which he can spend with his loving family, his wife, Jeanne, his two adult sons, Andrew and Matthew, his daughter-in-law Holly and grandson Mason. It has been a pleasure to work with Sheriff Bonner during my time in public office and I would like to wish him a peaceful and happy retirement as he moves on to embark on a new journey in life.

I thank him for his friendship and service.

CELEBRATING THE 100TH ANNIVERSARY OF THE ROTARY CLUB OF BROWNSVILLE

HON. FILEMON VELA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 2, 2017

Mr. VELA. Mr. Speaker, I rise today to honor the Rotary Club of Brownsville for their 100th year of service.

Located in South Texas, the Rotary Club of Brownsville was founded in 1916. Since its formation, the club has lived up to its promise of service above self. For 100 years, its members have dedicated time, money and energy to helping those who need it most.

The accomplishments of the Rotary Club include opening the city's first hospital, Mercy Hospital, in 1923; forming a Boy Scout troop; funding the Brownsville Endowment for Teaching Excellence Program; and establishing an Adoption Awareness program. Their achieve-

ments have extended beyond the region as this club joined Rotary members throughout the world to fund the Polio Plus Project, a \$120 million effort to wipe the disease from the face of the earth.

The Rotary Club of Brownsville has made a lasting, positive impact in our community, and they will continue to play a critical role in the development of South Texas. I rise today to congratulate them for their century of success.

IN HONOR OF THE 15TH ANNIVERSARY OF THE RAVENSWOOD FAMILY HEALTH CENTER

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 2, 2017

Ms. SPEIER. Mr. Speaker, I rise to honor the awe-inspiring Ravenswood Family Health Center upon the 15th Anniversary of its founding. This clinic is a key provider of quality affordable, integrated healthcare services in the southern cities of my district. Sixteen thousand residents are served annually by its newly-opened, state-of-the-art facility located in the beautiful city of East Palo Alto.

Ravenswood opened as South County Community Clinic in 2000 with 13 employees. It currently has a staff of 182 full and part-time employees and contractors. It employs 25 full or part-time medical providers including physicians, nurse practitioners and physician assistants, and nurses, six full and part-time dentists, and four behavioral health providers. Seventy-one percent of the clinic's patients are served in their native language, including Spanish and Tongan. Ninety-seven percent of the patients are ethnic minorities.

The center's goal is to provide culturally-competent, sensitive primary and preventive care offering dignity to all patients. Often, the ability of a healthcare provider to do his or her job depends upon knowing how the patient's culture will influence the provider's recommendations. It is essential that the whole patient be treated with respect and offered dignity so that their illness or life situation can be competently assessed.

The clinic offers a comprehensive scope of care including family practice, adult medicine, teen health, prenatal health, dentistry, women's health, integrated behavioral health, optometry, pharmacy, mammography, ultrasound, x-ray, lab, and health education. Ravenswood partners with Stanford's adult and children's hospitals, the San Mateo County Medical Center and clinics, and Sutter Health.

As of 2014, 98 percent of the clinic's patients lived at or below 200 percent of the federal poverty level, which for a family of four is about \$24,300. Forty percent of its patients were uninsured, and 51 percent had Medi-Cal coverage. Our community counts on the Ravenswood Family Health Center to provide care to our most vulnerable residents, and 39 percent of the clinic's patients were children. Five percent of patients were homeless and, also as of 2014, 63 of those patients were children. Nearly 25 percent of all East Palo Alto residents are patients, as are nearly 18 percent of all residents of Belle Haven.

The Ravenswood Family Health Clinic provides valuable training opportunities for young physicians and allied professionals, and an opportunity to practice cutting-edge community healthcare, most notably chronic disease management, in part through grants from the federal government. While many in America struggle to pay for prescription drugs, the advent of the Affordable Care Act coupled with the clinic's discount pharmacy provides affordable prescriptions to both the insured and the uninsured.

The vision of the Ravenswood Family Health Center is also one of stressing control over one's destiny. The vision is: Educated, engaged and empowered patients actively managing their health and becoming advocates for healthy living within their family and the community, inspiring others to value that good health is true wealth.

Not surprisingly, philanthropic support of the Ravenswood Family Health Center has been enormous, with tens of millions donated through its capital and operating campaigns. Much of this philanthropic support is due to the outstanding staff led by the clinic's energetic and visionary Chief Executive Officer, Luisa Buada. From its earliest days, Luisa Buada has assembled a team to take on big goals.

Starting in trailers with a limited number of services, her team has a stellar record of both expanding services and taking on new challenges. To build on the old saying, it takes a village to take care of the health needs of a community and Luisa has assembled her staff village so that no member of the clinic's community goes without access to needed healthcare services. The clinic's board of directors has steadfastly supported the dream of being more than just a community clinic and to instead become a beacon of hope and advanced medicine. Luisa, her staff, and the board have succeeded.

Mr. Speaker, when the history of our era is written it will be noted that America engaged in a decade or more of debate about how best to provide Americans affordable, quality healthcare. What history will not reveal, but what is true, is that the riddle was answered at the Ravenswood Family Health Center. After fifteen years it is a stunning success. Despite its relative youth, the entire organization is very much an adult institution, with adult responsibilities, and an impact that touches and improves the lives of tens of thousands. We wish the staff and patients of the Ravenswood Family Health Center a long and healthy future.

HONORING SOROPTIMIST
INTERNATIONAL OF ST. HELENA

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 2, 2017

Mr. THOMPSON of California. Mr. Speaker, I rise today to honor Soroptimist International of St. Helena, the recipient of the St. Helena Chamber of Commerce Non-profit of the Year Award.

Founded in 1921 in Oakland, California, Soroptimist International is a worldwide volunteer

service organization for women who work to improve the lives of other women and girls in local communities and throughout the world. The organization seeks equality, peace, and international goodwill for women. Over 95,000 members in more than 125 countries and territories worldwide contribute time and financial support to community-based and international projects.

The St. Helena Chapter of Soroptimist International was founded in 1954. Since then, the chapter has raised and distributed more than a million dollars in local scholarships and grants. This money was entirely raised by volunteers, many of whom also work full-time. Their fundraising has helped send numerous St. Helena students to college and summer camps, as well as educational trips to national parks and Washington, D.C.

The organization also provides support and stability to single parents in our community with education and career opportunities. Dozens of mothers throughout the Napa County region have been able to return to school or complete vocational training with the help of Soroptimist professional grants.

Mr. Speaker, Soroptimist International of St. Helena has worked to make our community and our world a more equitable place for over five decades. Therefore, it is fitting and proper that we honor the organization here today and congratulate the group on this well-deserved accolade.

RECOGNIZING THE LIFE OF FALL-
EN MISSISSIPPI SOLDIER SER-
GEANT (SGT) ROBERT SHANE
PUGH

HON. TRENT KELLY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 2, 2017

Mr. KELLY of Mississippi. Mr. Speaker, today I rise in memory of Army Sergeant (SGT) Robert Shane Pugh who paid the ultimate sacrifice while defending our nation on March 3, 2005, during Operation Iraqi Freedom III. SGT Pugh was a combat medic with the Mississippi Army National Guard's 155th Brigade Combat Team. He was mortally wounded when an improvised explosive device detonated near his vehicle in Iskandariyah, Iraq also wounding Sergeant First Class Ellis Martin. SGT Pugh posthumously received the Silver Star, the third-highest decoration for valor in combat, as well as the Bronze Star, Purple Heart, and Mississippi Medal of Valor.

SGT Pugh's Silver Star citation states, "Although in extreme pain, Sergeant Pugh directed treatment instructions to the members of his platoon for both himself and Sergeant First Class Martin. He remained calm and continued to give instructions until the medical evacuation helicopter arrived. Sergeant Pugh passed away on route to the hospital; however his courage and disregard for his own welfare resulted in saving the life of a fellow comrade who was severely wounded."

SGT Pugh was assigned to the 1st Battalion, 155th Infantry Regiment, Mississippi Army National Guard, headquartered in

McComb, Mississippi. He enlisted in the Army in 1999 because he wanted to be a combat medic. In the civilian world, SGT Pugh was a licensed paramedic and worked as a phlebotomist for United Blood Services in Meridian.

SGT Pugh's mother, Wilma Allen, said her son was her pride and joy. "I am very proud of him. He was happy, outstanding, and outgoing. He would do anything for anybody," said his mother.

In a fitting tribute to this brave and caring soldier, the National Guard Readiness Center in Morton has been named in his honor.

SGT Pugh is survived by his parents, Glen and Wilma Pugh, his stepfather, Gary Allen, and his siblings Tiffany Johnson, April Pearson, Jennifer Reed, Brad Allen, and Dale Allen.

PERSONAL EXPLANATION

HON. LUIS V. GUTIÉRREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 2, 2017

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent in the House chamber for roll call votes 116 and 121 on Wednesday, March 1, 2017. Had I been present, I would have voted Nay on roll call votes 116 and 121.

HONORING THE LIFE OF ED
GARVEY

HON. MARK POCAN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 2, 2017

Mr. POCAN. Mr. Speaker, I rise today to honor the life of Ed Garvey, a progressive icon in Wisconsin who founded the Fighting Bob Festival, championed the underdog and fought the good fight for equality, justice and true representative democracy.

Ed Garvey's unwavering support of working people was evident in his career as a labor attorney, including early years as executive director of the National Football League Players' Association. Before that he was a civil rights crusader as president of the National Student Association, who in the 1960s traveled south with the Student Nonviolent Coordinating Committee.

In his legal work, his advocacy, his writings and speeches, Ed championed progressive causes from women's rights to environmental protection to LGBT rights to protecting voting access and getting big money out of politics. He sought, in founding Fighting Bob Fest, to bring together groups from diverse walks of life that shared in common our values and beliefs, so we could all see we are more alike than different. Bob Fest always offered the chance to talk, debate, socialize, argue and, at the end of the day, join together to take on the powers-that-be.

He united progressive causes with a populist bent, a dry wit and a rabble-rousing spirit. He laid out an admirable path for all of us who believe in fighting for the underdog and staying involved in our democracy as informed and vocal citizens.

Ed Garvey kept the spirit of Fightin' Bob LaFollette alive and passed it along so generations of Wisconsinites will continue to honor that Wisconsin legacy.

Mr. Speaker, it is with great honor that I recognize the life of Mr. Ed Garvey today.

FAREWELL TO MICHAEL L.
HARRISON

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 2, 2017

Mr. BRADY of Pennsylvania. Mr. Speaker, please allow me to note the retirement of my Chief Counsel on my House Administration Committee staff, Michael L. Harrison. After 32 years of service to the House of Representatives, half of them with the Committee, Mike has decided to close out his Capitol Hill career in favor of other pursuits in the Sunshine State. His staff colleagues and I will greatly miss him, his experience and especially his clever sense of humor, which enlivened many meetings and discussions.

Mike first appeared in these precincts in 1980 as an undergraduate intern for one of his home-state senators. To this day, he often refers to the Senate as the Upper Chamber. I'm told that as a teenager, Mike harbored plans to study law and eventually run for a seat. He was reportedly the only resident of his college dormitory with a mail subscription to the Congressional Record.

While working as a Senate intern, Mike had lots of spare time which he put to good use. He explored the Capitol and the capital city thoroughly. Among his other discoveries during the winter of 1980, Mike was fortunate to find another intern, whose good looks and willingness to take a chance led to their eventual marriage which endures to this day. Everybody who knows his wife, Laurie, agrees that she is a saint with a great sense of humor of her own.

Following law school in St. Louis, Mike returned to Washington in pursuit of a career not as a senator but on the staff. Mike served three House committees, one joint committee, and three individual Members. He worked on budget-process, reconciliation, campaign-finance reform and on a measure to clarify when a President can use the pocket veto. At the House Administration Committee, Mike worked on sundry legislation and oversight of the Government Publishing Office, the U.S. Capitol Police, the Architect of the Capitol and the Library of Congress.

Mike, an ardent Democrat by birth, worked in the majority and, to his chagrin, the minority. But whether in the majority or minority, Mike sought every day to serve the interests and uphold the traditions of this institution and its members. We need more like him, Mr. Speaker, and must find ways to attract and retain them.

While Mike's thoughts will undoubtedly turn elsewhere in the years ahead, I will not be surprised if his name appears once again on the list of Congressional Record subscribers. I urge all Members to join me in wishing Mike Harrison a long, healthy and prosperous retirement.

HONORING THE CLIF FAMILY
WINERY

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 2, 2017

Mr. THOMPSON of California. Mr. Speaker, I rise today to honor the Clif Family Winery, the recipient of the St. Helena Chamber of Commerce 2017 Business of the Year Award. The St. Helena Chamber of Commerce awards businesses dedicated to outstanding customer service, environmentally conscious practices, and commitment to giving back to the local community.

Gary Erickson and Kit Crawford, the founders and owners of Clif Bar & Co., started the Clif Family Winery in 2004. Their winery focuses on making environmentally-sustainable, high-quality wines while increasing awareness of organic and sustainable farming.

Clif Family Winery operates a popular tasting room and regularly hosts community functions. In the past year, Clif has held numerous fundraising events for local community groups, including the St. Helena Food Pantry, the St. Helena Public School Foundation, the Napa Bike Coalition, the Napa Valley Land Trust, and the Soroptimist Sunrise Club. For the past four years, Clif has held its signature Sip & Support event, which brings together citizens and community partners for an evening of socializing and learning about volunteer opportunities. Each event features a Clif Family Winery community partner to connect local non-profits with the communities they serve.

The winery embodies what we value in our Napa Valley. It not only produces high-quality wines, but also brings together the people who make our community stronger. The Clif Family Winery provides good jobs, supports local businesses and resources whenever possible, and gives back to our community and important social causes.

Mr. Speaker, the Clif Family Winery exemplifies socially responsible and community-focused business practices. Therefore, it is fitting and proper that we honor Clif Family Winery here today and congratulate the winery on this well-deserved accolade.

RECOGNIZING THE LIFE OF FALL-
EN MISSISSIPPI SOLDIER PRI-
VATE (PV2) BARRY WAYNE MAYO

HON. TRENT KELLY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 2, 2017

Mr. KELLY of Mississippi. Mr. Speaker, today I rise in memory of U.S. Army Private (PV2) Barry Wayne Mayo who paid the ultimate sacrifice while defending our nation March 5, 2007, during Operation Iraqi Freedom III. PV2 Mayo lost his life when an improvised explosive device detonated near his unit in Baqubah, Iraq. Also killed were Specialist Blake Harris and Specialist Ryan D. Russell.

PV2 Mayo, an Ecu native, was assigned to the 2nd Battalion, 82nd Field Artillery, 3rd Brigade, 1st Cavalry Division, Fort Hood, Texas.

PV2 Mayo attended North Pontotoc High School and one semester at Northeast Mississippi Community College prior to enlisting in the Army.

During the procession from the Tupelo Regional Airport to the United Funeral Home in New Albany, dozens of people lined highway overpasses, waved flags and saluted the convoy.

PV2 Mayo's was just 21-years-old when he died. His devotion to our nation will always be remembered.

HONORING MARCH 2017 AS
NATIONAL EYE DONOR MONTH

HON. NYDIA M. VELÁZQUEZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 2, 2017

Ms. VELÁZQUEZ. Mr. Speaker, I rise to honor March 2017 as National Eye Donor Month. This is a month dedicated to promoting awareness of the need to register as an eye donor, recognize donors as well as their families, and celebrate the lives of donor recipients.

Since President Ronald Reagan proclaimed the first National Eye Donor Month in 1983, the Eye Bank Association of America (EBAA) and each of its 86 member eye banks across the U.S., have designated March to recognize over one million corneal tissue recipients who have regained their sight. In 2015 alone, EBAA member eye banks recovered 118,752 corneas from 66,065 donors and provided 74,173 corneas for transplant in the U.S. and around the world. Also in 2015, my home state of New York provided 2,835 corneas for transplant and 715 for research and education by six eye banks statewide.

Eye banks have a special significance in the 7th Congressional District of New York, the Eye-Bank for Sight Restoration (EBSR) in my district was the first eye bank in the world. Since its inception in 1944 by Dr. Townley Paton, EBSR has given the gift of sight to over 63,000 men, women and children.

On this special occasion, I commend the Eye Bank Association of America and the eye banks across the country for their great work. I encourage my colleagues to support efforts that urge all Americans to give the gift of sight by registering to become eye, organ and tissue donors.

PERSONAL EXPLANATION

HON. JOHN K. DELANEY

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 2, 2017

Mr. DELANEY. Mr. Speaker, I was unable to cast my vote on roll call vote No. 121. Had I been present to vote on roll call vote No. 121, I would have voted "NO."

CELEBRATING THE LIFE AND LEGACY OF THE HON. ENI F. H. FALEOMAVAEGA

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 2, 2017

Ms. PELOSI. Mr. Speaker, I rise today to honor the memory of Congressman Eni F. H. Faleomavaega, American Samoa's longest serving Delegate to the House of Representatives.

Congressman Eni F. H. Faleomavaega was a patriot and a leader who personified the highest ideals of our nation.

Eni dedicated his entire life to service. He was a proud Army veteran, and long before he held elected office, he worked as a staffer, including a time in the office of San Francisco Congressman Phil Burton.

For 26 years, Congressman Faleomavaega brought outspoken and effective leadership for American Samoa to the House of Representatives.

Eni was a relentless champion for the rights and advancement of his constituents. His life and leadership powerfully spotlighted the immense contributions of Americans from U.S. territories. May it comfort his family and friends that so many join in their sorrow at the passing of this extraordinary man.

HONORING JAMES ALLEN ADAMS

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 2, 2017

Mr. THOMPSON of California. Mr. Speaker, I rise today to honor James "Jimmy" Allen Adams, whom the St. Helena Chamber of Commerce has named Employee of the Year in its annual Community Service Awards. This award recognizes individuals in our community who embody the industry and innovation which makes them exceptional employees. Mr. Adams is highly deserving of this award.

Mr. Adams has been a remarkable employee with Sunshine Foods for 12 years. He is a respected and well-liked coworker and an indispensable employee. Mr. Adams is a Navy Veteran, partner to Jim Villanueva for the past 23 years and the owner of two miniature schnauzer dogs.

Outside of his work with Sunshine Foods, Mr. Adams is a member of the Bay Area Stage Theater Group the On the Fringe acting group. He enjoys gardening and auditioning for different acting roles. He recently worked on the new Selena Gomez Netflix television show, 13 Reasons Why.

Mr. Speaker, Mr. Jimmy Adams is a diligent, hardworking employee in our business community and the St. Helena Chamber of Commerce has rightly recognized his great contributions. Therefore, it is fitting and proper that we honor him here today and congratulate him on this well-deserved award.

RECOGNIZING THE LIFE OF FALLEN MISSISSIPPI SOLDIER ARMY CORPORAL (CPL) ROBERT TAYLOR McDAVID, III

HON. TRENT KELLY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 2, 2017

Mr. KELLY of Mississippi. Mr. Speaker, today I rise in memory of Army Corporal (CPL) Robert Taylor McDavid, III who paid the ultimate sacrifice while defending our nation on March 10, 2008, during Operation Iraqi Freedom III. CPL McDavid died from wounds he sustained when a suicide bomber detonated an explosive device. Also killed were Staff Sergeant Ernesto G. Cimarrusti, Staff Sergeant David D. Julian, Sergeant First Class Shawn M. Suzch and Corporal Scott A. McIntosh. The soldiers were killed while on patrol in central Baghdad. Three other soldiers and an Iraqi interpreter were injured in the explosion.

CPL McDavid was assigned to the 1st Battalion, 64th Armor Regiment, 2nd Brigade Combat Team, 3rd Infantry Division, Fort Stewart, Georgia. He enlisted in the Army in 2005 and was deployed to Iraq two years later.

CPL McDavid attended Starkville Academy and Starkville High School. He earned his associate's degree in accounting from Northeast Mississippi Community College. He also attended Mississippi State University.

CPL McDavid was described by his wife, Tiffany, as a true American hero. Prior to his funeral, hundreds of residents lined Starkville's Main Street to pay tribute to one of their own. His funeral was on the same day as the fifth anniversary of the U.S. war in Iraq. CPL McDavid's devotion to protecting the freedoms we all enjoy will always be remembered.

PERSONAL EXPLANATION

HON. AL GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 2, 2017

Mr. AL GREEN of Texas. Mr. Speaker, I missed the following votes:

Motion on Ordering the Previous Question on the Rule. Had I been present, I would have voted NO on this motion; H. Res. 156, Rule providing for consideration of both H.R. 1004 and H.R. 1009. Had I been present, I would have voted NO on this motion.

THE INTRODUCTION OF THE RFS REFORM ACT OF 2017

HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 2, 2017

Mr. GOODLATTE. Mr. Speaker, I rise today to introduce legislation to provide relief from an onerous mandate that has been placed upon the backs of the American people for

over 10 years. The mandate I'm referring to is none other than the Renewable Fuel Standard (RFS), a mandate requiring that increasingly larger volumes of corn-based ethanol be blended into our gasoline. The RFS mandates that 36 billion gallons of renewable fuels be part of our nation's fuel supply by 2022.

After 10 years, it is clear that the federal government's ethanol mandate is not working, and Congress must have a serious conversation about continued market-distorting ethanol promotion. One of the big drivers of ethanol prices and supply is an artificial market created by the federal government.

The federal government's creation of an artificial market for the ethanol industry has quite frankly resulted in a domino effect that is hurting consumers. This year over 35 percent of the U.S. corn crop will be used for ethanol production. With increasing food and feed stocks being diverted into fuel, we are seeing volatility in the marketplace which negatively impacts livestock and food producers.

While the RFS is causing instability in food prices, it has not provided its intended relief for consumers at the pump. It is a known fact that ethanol-blended gasoline has a lower energy density than that of traditional gasoline. Therefore, Americans are forced to buy more fuel to make up the difference. In fact, some studies show that drivers in the U.S. pay at least \$10 billion more each year because of the RFS. The RFS is causing unintended and negative consequences for American consumers, energy producers, livestock farmers, and food manufacturers and retailers. It is clear that the RFS needs fundamental reform. That's why I am introducing legislation to accomplish this task, and I am pleased to have the support of Reps. COSTA, WELCH, and WOMACK in introducing this bipartisan bill.

The RFS Reform Act will eliminate the corn-based ethanol requirements, cap the amount of ethanol that can be blended into conventional gasoline at 10 percent, require the EPA to set cellulosic biofuel levels that reflect industry production levels, and decrease the total volume of renewable fuel that must be contained in gasoline sold or introduced into commerce for years 2017 through 2022.

The RFS Reform Act has the support of a broad range of agriculture producers, consumer groups, energy manufacturing, retailers, environmental, and taxpayer organizations. I am a proponent of renewable fuels when they compete fairly in the marketplace, but the current policy needs fundamental reform. I ask my colleagues to support meaningful reform of the current status quo and advance this bipartisan legislation.

RECOGNIZING THE LIFE OF FALLEN MISSISSIPPI SOLDIER ARMY STAFF SERGEANT (SSG) WILLIAM S. RICKETTS

HON. TRENT KELLY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 2, 2017

Mr. KELLY of Mississippi. Mr. Speaker, today I rise in memory of Army Staff Sergeant (SSG) William "Seth" Ricketts who paid the

ultimate sacrifice while defending our nation on February 27, 2010, during Operation Enduring Freedom III. SSG Ricketts was killed by a sniper when his unit was ambushed by insurgents at Bala Murghab, Afghanistan. Before SSG Ricketts was fatally injured, he was assisting a fellow soldier who was wounded during the attack.

Bill Ricketts, SSG Ricketts's father, says his son followed in the footsteps of his great-grandfather, grandfather, and uncles who all served in the military. When terrorists attacked our country on September 11, 2001, SSG Ricketts joined the Army the next day. At the time of his death, SSG Ricketts was assigned to Company B, Battalion, 508th Parachute Regiment, 4th Brigade Combat Team, 82nd Airborne Division, Fort Bragg, NC.

More than 3,000 people attended his funeral held in Corinth. Bill Ricketts says people lined the streets to pay their respects all along the two-and-a-half mile procession. It was led by members of the Patriot Guard Riders.

SSG Ricketts is survived by his wife, Rosie Jones Ricketts and his sons, Aiden, Cullen, and Seth Wesson. He is also survived by his parents, Bill and Sandi Ricketts and his siblings, Benjamin Ricketts and Tiffany Ricketts Sneed.

IN HONOR OF THE PREGNANCY
ASSISTANCE CENTER NORTH

HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 2, 2017

Mr. BRADY of Texas. Mr. Speaker, today I honor the Pregnancy Assistance Center North (PACN) for more than three decades of dedicated work to empower women and men to choose life-affirming healthcare options, address health issues for medically underserved women, and build healthy families in the northern Houston suburbs.

In January of 1986, a small group banded together with the common goal of helping families struggling with unplanned pregnancies. Members of this group poured out their compassion on those families, and demonstrated their willingness to serve by donating tools for education, support, and resources to the new ministry.

PACN served its first clients in February of 1987. These families were welcomed into donated office space and later, Sunday school classrooms of partnering churches. From that early network of eight churches, support has now grown to include over seventy-five church partners and nearly one-thousand financial supporters.

The organization, which started with just \$100, now operates two full-service medical clinics totaling almost 15,000 square feet and provides top-notch well-woman care on an annual budget of just over \$1.25 million, all without a single tax-payer dollar.

In its early years, PACN served just 360 clients each year. Today, an average of 7,000 clients visit the clinics annually, receiving pregnancy tests, ultrasounds, STI testing and treatment, women's health exams, post-abortion support, and material assistance for those who choose to give birth and raise their children.

By placing their focus on empowerment through education, PACN's education and counseling programs provide clients with the tools they need to break free from past decisions, chart a new path for their lives, and begin building strong family legacies.

Each week, over 130 volunteers give their time to PACN. They are the backbone of this organization, each one possessing their own story of why they choose to invest in The Cause for Life. Their assistance to this organization's mission cannot be overstated.

I am proud to recognize PACN's mission to bring about positive change in northern Houston by providing a community of support, which allows women and men to confidently choose life.

IN RECOGNITION OF CRONIG'S
MARKET

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 2, 2017

Mr. KEATING. Mr. Speaker, I rise today in recognition of Cronig's Market on Martha's Vineyard, which on March 10th will be celebrating its 100th Anniversary.

The Cronig Brothers grocery store was opened in 1917 by the four Cronig Brothers, Sam, Ed, Theodore or "Tebby", and Henry Cronig, first generation immigrants from Lithuania. Sam Cronig, the oldest son of ten siblings, came to the United States in 1904 and arrived on Martha's Vineyard in 1905 to work on a farm in Eastville. He soon moved on to work for several established grocery stores up until 1917, when he and his three brothers opened the Cronig Brothers grocery store.

Though the store experienced the trials and tribulations of a small retail business of that era, by 1923, the Cronigs had 51 employees on their payroll. Through the early years of business, it has been referred to as Cronig Bros. Public Market, The Public Market and Vineyard Haven Public Market. It continued its rapid expansion from a store front to occupying an entire building by 1940.

1957 marked the end of an era. Sam Cronig retired and handed over operational control to his sons, Robert and David Cronig. A decade later, Jeffrey and Donald Cronig had also joined the store. Robert and David then went on to add a second supermarket to the growing business, eventually handing over management to Steve Bernier in 1986.

Today, Cronig's has expanded to three locations, the larger Down-Island Cronig's, the cozy Up-Island Cronig's, and Healthy Additions, a two floor health food and supplement store. A pillar in the Martha's Vineyard community, Cronig's has remained committed to its customers by providing fresh, local ingredients and has led the way with several eco-friendly initiatives.

Mr. Speaker, I am proud to recognize Cronig's Market on this joyous occasion. I ask that my colleagues join me in commemorating the Market's centennial year and look forward to a future of continued prosperity.

INTRODUCTION OF THE RENEWABLE FUEL STANDARD ELIMINATION ACT

HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 2, 2017

Mr. GOODLATTE. Mr. Speaker, I rise today to introduce legislation to eliminate a well-intentioned, but deeply flawed, policy that has negatively impacted every family and business in the country. The policy I'm referring to is none other than the Renewable Fuel Standard (RFS), a mandate requiring that increasingly larger volumes of corn-based ethanol be blended into our gasoline. The RFS mandates that 36 billion gallons of renewable fuels be part of our nation's fuel supply by 2022.

Since the implementation of the RFS, Americans have seen increased costs at the grocery store, larger bills on their restaurant receipts, and higher prices at the gas pump. Corn is used in 75 percent of the food we buy, yet a great deal of corn is now being diverted from food products and into the gasoline tank. It's no surprise that ethanol has caused instability in the corn market. As for fuel, ethanol-blended gasoline has a lower energy density than that of traditional gasoline; therefore, Americans are forced to buy more fuel to make up the difference. In fact, some studies show that drivers in the U.S. pay at least \$10 billion more each year because of the RFS.

Unfortunately, the high cost of the RFS is not limited to food and gasoline. Ethanol is known to be harmful to the small engines found in lawn mowers and leaf blowers and even motorcycles and all-terrain-vehicles. As a result, owners of these devices are forced to spend more to repair the damage caused by the ethanol-infused gasoline that they were forced to buy.

So, what benefits do Americans in your district and mine receive for all of these extra costs? There are certainly few benefits of an environmental nature. Environmental groups have expressed concerns about the impact of the RFS on the air we breathe and have stated that the conversion of high volumes of land into corn fields is detrimental to the environment. In fact, I can find no benefit to the hard working Americans who are paying the cost of the RFS.

It is time for Congress to recognize that this policy has failed and remove this mandate from the backs of the American people. That is why I am introducing the Renewable Fuel Standard Elimination Act, which will totally eliminate the RFS. Washington has created this artificial demand for ethanol that is distorting the market, and it is our responsibility to provide relief from its unintended consequences. This legislation is a common sense solution to ensure that renewable fuels compete fairly in the marketplace and avoid causing unintended and negative consequences for American consumers, livestock farmers, and food manufacturers. I hope my colleagues will join me in working to reverse this policy by supporting this legislation in the 115th Congress.

SENATE—Monday, March 6, 2017

The Senate met at 2 p.m. and was called to order by the Honorable TODD YOUNG, a Senator from the State of Indiana.

PRAYER

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

Let us pray.

God of grace and truth, the center of our lives, hallowed be Your Name. Lord, help us to live in a way that will bring glory to You. May people see our passion for You and desire to know You more fully.

Continue to guide our lawmakers. Protect them in their work and lead them away from those things that bring dishonor. Surround them with the shield of Your protection and presence.

O God, support us all the day long, until the shadows lengthen and the evening comes, and the busy world lies hushed and the fever of life is over and our work is done. Then in Your mercy give us a safe lodging and a holy rest and peace at last.

We pray in Your powerful Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The bill clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, March 6, 2017.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TODD YOUNG, a Senator from the State of Indiana, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mr. YOUNG thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

CONGRESSIONAL REVIEW ACT RESOLUTIONS

Mr. McCONNELL. Mr. President, regulations aren't issued in a vacuum. They have real economic consequences that can harm the middle class. They can kill jobs, raise prices, depress wages, and lower opportunities. Yet the Obama administration went on a regulatory rampage at a time when we should have been looking to do just the opposite.

On its way out the door, the previous administration continued to push through more of these job-killing, partisan regulations against the advice of Congress, State and local officials, and policy experts. Fortunately, we now have the opportunity to provide relief from some of these costly, duplicative rules using the tools provided by the Congressional Review Act, or CRA.

We only have a short window of opportunity to use these CRA tools, however, which is why we have been working quickly to provide relief. The Senate has already advanced several proposals that repeal harmful regulations. Together with the new administration, we have embarked on what one national paper most recently called "the most ambitious rollback since Reagan."

Three CRA resolutions have already become law, and we look forward to passing even more this week. In fact, we will have an opportunity to send the President another resolution as soon as this evening.

The proposal before us would block another duplicative, unnecessary eleventh hour regulation that hurts American businesses. This one is called the "blacklisting rule." Apparently, the last administration thought it would be a good idea to prevent American businesses from earning government contracts based on allegations, not facts. Unsurprisingly, Federal courts have blocked the rule because of its questionable legality. Now we have the opportunity to provide permanent relief.

Of course, we all agree that companies should be held accountable and that workers' rights should be protected. Current law already provides the tools to do just that. But the blacklisting rule isn't really about helping employers or workers. It is about empowering the powerful—like union bosses and entrenched bureaucrats—and it would actually make a system designed to protect workers even less efficient. More important for the American people, it would cost taxpayers hundreds of millions, generate millions of hours of paperwork, and, of

course, threaten jobs. So, of course, it is time to move past this regulation.

I want to thank my colleague Senator JOHNSON, chairman of the Homeland Security and Governmental Affairs Committee, for working with the House to advance this resolution and protect the American people. I look forward to its final passage tonight.

After we take that vote, the Senate will continue working to advance even more regulatory relief measures to help get our country back on track.

REPEALING AND REPLACING OBAMACARE

Mr. McCONNELL. Mr. President, another important area where Congress is working to provide relief is ObamaCare.

In election after election, the American people have called for an end to ObamaCare. In the last election, they made their voices clear one more time. They elected a President and a Congress dedicated to bringing relief from this partisan law, and we are determined to do right by our constituents by doing just that.

Nearly 7 years after being signed into law, I continue to hear from Kentuckians who aren't sure how they can continue to manage under ObamaCare's broken promises. Take this Kentuckian from Morehead who wrote to my office earlier this year:

Prior to Obamacare, I had a manageable monthly healthcare premium that had enough coverage for myself with a reasonable deductible. Since Obamacare has been enforced, or should I say forced upon the American people, my premiums have increased each year significantly.

Now, under ObamaCare, this Kentuckian says keeping his same coverage for 2017 means facing a 300-percent increase in his premiums as compared to the plan he had before the broken law was implemented. "The general cost of healthcare has skyrocketed," he writes, and as a result "small business owners and [the] working middle class are suffering."

Unfortunately, his story is like so many others all across the country. Americans were promised that costs would go down. Americans were promised that choice would go up. Americans were promised that they could keep their healthcare plan. None of that was true—not a single one of those things.

Americans need relief. They deserve a new direction. That is why we are taking action to repeal and replace ObamaCare with healthcare solutions that can actually work for the American people.

As our efforts to move beyond ObamaCare continue, Senators came together last week for another important conversation on the way forward when it comes to our Nation's healthcare policies. I also had the opportunity to visit the White House and discuss the ways in which the administration and Congress can continue working together to bring relief from ObamaCare.

The House will keep working this week, as well, to move forward with legislation—under a new President who will actually sign it—that can finally help us pursue smarter healthcare solutions in place of this failed partisan experiment. We know the task before us is daunting, but, of course, it is just as necessary.

So I thank the Speaker for his continued leadership on this issue, along with each of our colleagues who have been working literally around the clock on repeal and replace efforts. Let's keep working this week so that we can bring Americans much needed relief from ObamaCare as soon as possible.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

CALLING FOR THE APPOINTMENT OF A SPECIAL PROSECUTOR

Mr. SCHUMER. Mr. President, I rise this afternoon on a few matters: first, Russia and the continuing investigation into Russian interference in our election and the ties between the Trump campaign, transition team, and Russia.

The events of this weekend, which included another troubling, baseless tweet from the President, highlight and, in fact, strengthen the argument for a special prosecutor to conduct the investigation. And the American people agree. A CNN/ORC poll this morning showed that about two-thirds of Americans think a special prosecutor should conduct the investigation—67 percent of the Independents and even 43 percent of the Republicans. The trend line suggests these numbers will continue to grow.

So my Republican colleagues should understand that what they know in their hearts is the right thing to do. Do

a strong, impartial investigation and get to the bottom of this. That is where the American people want them to go. The American people disagree with President Trump and want a thorough and impartial investigation—even 43 percent of Republicans. They are right.

A special prosecutor is the best way to ensure that an investigation proceeds impartially for several reasons.

First, by Department of Justice guidelines that are set up for this purpose, a special counsel is not subject to day-to-day supervision by the Attorney General—now recused—or anyone else at the Justice Department. That means the special prosecutor would have much greater latitude in whom he can subpoena, which questions he can ask, and how to conduct the investigation. Second, the prosecutor can only be removed for good cause, such as misconduct, not to quash the investigation. So there is an insularity there. He or she is protected if they are moving forward on the investigation. Third, there is built in congressional oversight. Congress is notified whenever a special counsel is appointed, removed, or finished with the investigation. Last, the special counsel has the independence to prosecute not only the subject of an investigation but anyone who attempts to interfere.

This is the right way to go. Let me quote Attorney General Jeff Sessions on this issue. Here is what he once said: "The appropriate response when the subject matter is public and it arises in a highly-charged political atmosphere is for the Attorney General to appoint a Special Counsel of great public stature and indisputable independence to assure the public the matter will be handled without partisanship."

If there were ever a case that fit exactly what then-Senator, now-Attorney General Sessions called for, this is it.

This week, the Senate Judiciary Committee is going to have a hearing on the nomination of Mr. Rosenstein to serve as the Deputy Attorney General. During that hearing, Mr. Rosenstein should commit to naming a special prosecutor to look into the Trump campaign's ties to Russia. Mr. Rosenstein, by reputation, is a fair man. He is a career prosecutor. Now that the Attorney General has recused himself, Mr. Rosenstein, pending confirmation, will have the duty to appoint a special prosecutor. If he will not appoint a special prosecutor, he will need a darn good reason. It is hard for me to see one right now.

Whether Mr. Rosenstein will appoint a special prosecutor will be front and center tomorrow at the Judiciary Committee's hearing and far and away the most important question he needs to answer. As I mentioned last week, if, pending confirmation, Mr. Rosenstein

delays or refuses to appoint a special prosecutor, Congress should consider reviving a narrower version of the independent counsel law.

Also, we should make sure, certain, that the investigation has not been interfered with thus far. I sent a letter today to the inspector general of the Department of Justice, Michael Horowitz, which was made public today, urging him to open an immediate investigation to determine if anyone has interfered with this investigation up to now, either attempting to influence the direction of the investigation or those conducting it.

The Attorney General should have recused himself on day one. I asked him to do it almost 3 weeks ago, on February 14. We need to know if he or anyone else has meddled in this investigation in any way. His misleading statements to the Judiciary Committee about his meetings with the Russian Ambassador only add suspicion.

Attorney General Sessions has been in charge of this investigation for 3 weeks. We need to know if he or anyone else did anything in that time to hinder the investigation because it is absolutely critical that we protect the integrity of this investigation. That means ensuring that it is completely independent going forward and that nothing has already occurred that could compromise it. The good news is, the inspector general can take this investigation on his own and go forward with what we asked for in the letter on his own. I would urge him to do so.

TRAVEL BAN

Mr. SCHUMER. Mr. President, the second issue I would like to discuss is the travel ban, the recently issued Executive order on immigrants and refugees. Now that we have the details, it is clear that while the administration has made some very minor changes, it has done nothing to alter the core thrust of the order, which I believe is terribly misguided and does nothing to address the core concerns of the Ninth Circuit Court of Appeals, which ruled the original order was potentially unconstitutional.

Moreover, we know that the administration delayed its announcement and implementation so President Trump could bask in the aftermath of his joint address. That should be all the proof Americans need to know that this Executive order has everything to do with optics and nothing to do with national security. If national security were at stake, it should not have been delayed a single day.

The truth is, there is very little new or improved about this Executive order. It is barely a fresh coat of paint on the same car that doesn't drive. It is still a travel ban. It is still a refugee ban. It still makes us less safe, not

safer, according to not just me but to Republicans like Senator McCAIN. It still attempts to turn innocent immigrants and refugees into scapegoats and still does not do the things that would actually make us safer, like going after lone wolves and closing the loopholes in the Visa Waiver Program.

The new Executive order is still mean-spirited, misguided, and, in my judgment, goes against what America is all about, being a country that accepts and cherishes immigrants, not disdains them. I fully expect the President's new Executive order will have the same uphill climb in the courts that the previous version had.

AFFORDABLE CARE ACT

Mr. SCHUMER. Mr. President, finally, on the Affordable Care Act. My Republican friends have repeated the mantra for 7 years, "Repeal and replace, repeal and replace." It turns out, during those 7 years, they never came up with a coherent plan to replace the Affordable Care Act. It was all slogans, no policy.

Now they are scrambling to come up with something. The problem is, every draft, every leaked detail or outline or list of principles we have seen is tied together by one common thread: It will raise costs on average Americans and cut back on their benefits. Average Americans, under the Republican plan, will pay more and get less.

No wonder they are hiding the plan somewhere in a basement room, even as they are scheduling markups on the bill for a week from now. They don't want the folks to see it until the very last minute; just rush it through. I don't blame them. It is going to be very hard for Republicans to be proud of this plan, which hurts average Americans, raising their costs and taking away benefits.

It is the absolute height of hypocrisy to be hiding this plan. My Republican colleagues complained bitterly, day after day, week after week, month after month, about not having enough time to read the Affordable Care Act when it was being debated. At the time, my friend, the distinguished majority leader, said:

Americans want us to slow down, and Congress is putting its foot on the accelerator. Americans want to know what this bill would mean for them, and Congress won't let them read it before a vote . . . [on a] piece of legislation that will affect one of the most significant aspects of their lives. Americans [he continued] have concerns about what they're hearing, and they are being told to shut up, sit down, and take the health care we give you.

By keeping their replacement bill under lock and key, only a week before potentially voting on it, the Republicans are engaging in enormous hypocrisy—exactly what the majority leader complained about only a few years ago. Their mantra in past years was always

"read the bill." Now they will not even let us glance at it. Why are they hiding it? I think I know why. They are not very proud of it. They know it is not going to work.

They are being pushed blindly forward by their ideologues and their incessant campaign promises. The American people ought to know how Republicans plan to drastically reshape this Nation's health care policy. I suspect Americans will not like it much. I suspect it will raise costs and cut benefits. I suspect far fewer Americans will get coverage. I suspect their plan will put the insurance companies back in charge.

Whatever it does or doesn't do, the American people and their representatives in Congress, after 7 long years of slogans, ought to know the true face of "replace."

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

DISAPPROVING A RULE SUBMITTED BY THE DEPARTMENT OF DEFENSE, THE GENERAL SERVICES ADMINISTRATION, AND THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.J. Res. 37, which the clerk will report.

The bill clerk read as follows:

A joint resolution (H.J. Res. 37) disapproving the rule submitted by the Department of Defense, the General Services Administration, and the National Aeronautics and Space Administration relating to the Federal Acquisition Regulation.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 6 p.m. will be equally divided in the usual form.

The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I am pleased to be here with a number of my colleagues to oppose H.J. Res. 37.

As it has just been announced, we will vote on it later today. I am glad to be joined by so many of my colleagues to fight against efforts to limit the application of the Fair Pay and Safe Workplaces Executive order.

As a member of the Armed Services Committee, I fought to ensure that harmful provisions in the National Defense Authorization Act for fiscal year 2017 seeking to limit the applicability of this Executive order to DOD were stripped from the final bill signed into law in December, and I continue to feel strongly that we must do everything possible to defend American workers. That is what this issue concerns.

In 2014, President Obama issued a critical Executive order, the Fair Pay and Safe Workplaces Executive order. Then, last summer, after thorough analysis and due diligence by the Department of Defense and several other agencies, he implemented what is known as the fair pay and safe workplaces rule. That rule requires companies doing business with the Federal Government to disclose when they violate any of 14 laws. The list of laws include some that are very familiar to all of us, like the Americans with Disabilities Act, the Family and Medical Leave Act, and the Civil Rights Act. This list includes some other laws that may be somewhat more obscure, but those laws have been around for decades. They are well known in the workplace, and they are designed to protect veterans, women, and people with disabilities from harmful, debilitating discrimination.

There is no requirement that companies disclose trivial allegations; rather, the rule requires disclosures of violations that rise to a determination by a court or administrative body of an actual violation or serious pending administrative proceeding by an agency. Companies would know of such violations.

Most companies play by the rules; all they need to do is check a box confirming they are in compliance. For those companies with compliance issues, the contracting agency would take information about those violations into consideration in the procurement process, and the contracting agency would then try to work with the company to make sure that it comes into compliance with the law. This Executive order is not about exclusion or about blackballing; in fact, it is about including and working with companies to bring them into compliance so they obey the law, knowing what the rules are, and wanting everybody to play by the same rules—not having an unfair advantage.

This rule is not about blackballing or blacklisting companies. It is about ensuring that, if they want to do business with the Federal Government, they follow the law and provide a safe and equitable workplace, protecting American workers—veterans, women, and

people with disabilities—who may be victims of harmful, debilitating discrimination.

The rule is an effort to make Federal resources go to companies that are complying with the law or that are coming into compliance with Federal law. The reason behind it is to protect American workers, but it is also about creating a level playing field for all contractors and making sure there is a relationship of trust with contractors because we need partners who can be trusted to carry out the Federal Government's important work, especially in the area of building our defense weapons.

Companies that violate the law are creating an unlevel playing field, forcing law-abiding companies into unfair competition, potentially raising their costs. They skirt the law, saving dollars, presenting low-ball offers, based on noncompliance, cutting corners by, in effect, ducking their legal obligations. If they are hired, they are also at risk of providing poor performance because a company that violates the law and disregards its obligation is much more likely to disregard its moral as well as its legal duties in complying with the contract.

It is not just about saving dollars. It is about workers. Every year, tens of thousands of American workers are denied overtime wages, they are unlawfully victims of discrimination in hiring and pay, they have their health and safety put at risk by Federal contractors when they do cut corners, or they are denied basic workplace protections. That is another reason we need this rule, this Executive order, protecting workers and creating a level playing field.

Some have called the fair pay rule one of the most important advances for workers in years, and it is. According to one assessment, one in five Americans are employed by companies that do business with the Federal Government. Ensuring that those one in five workers are protected helps countless Americans. It helps them in those workplaces, and it also sets a model for workplaces elsewhere.

It is basic, simple transparency that enables the American people to know who executive agencies task with the work, using taxpayer dollars. So requiring companies to disclose—and this rule is about disclosure—compliance records is something that many States, including Connecticut, already have in place through responsible bidder programs that use self-reporting to improve contractor quality by identifying companies with records of violating workplace laws, among other things.

President Trump was rightly praised by many of my colleagues in calling for a “level playing field” for businesses in his speech before us, in Congress, last week, and he has been lauded for saying we need to deliver “better wages

for Americans.” Yet here we are, just weeks into the administration and this new Congress, and we are seeing what the real priorities unfortunately are. Once we put aside the rhetoric, actions are what matter, and these actions truly demoralize and destroy law-abiding companies' chances to compete fairly, and they decimate rights of workers to safe and fair workplaces.

I am troubled that rolling back this Executive order which I fought to achieve in the NDAA is so high a priority for the new administration and my colleagues here. Many organizations opposed this effort, and I am proud to join them in trying to forestall this rollback—the Easterseals organization, Paralyzed Veterans of America, VetsFirst, Vietnam Veterans of America, and many others who rightly fear that this course of action will do damaging injustice to our veterans and constituents with disabilities. It will also do potential damage to countless other workers involved in doing the people's work, such as performing contracts for the Federal Government funded with taxpayer dollars—our dollars—that can be used in discriminatory and unfair ways if this resolution is approved.

I urge my colleagues to vote against H.J. Res. 37 later today and protect the fair pay and safe workplaces rule. For the sake of our constituents—women, veterans, workers with disabilities, and businesses of America—we must reject this assault on fairness and common sense.

Thank you, Mr. President.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

AFFORDABLE HOUSING TAX CREDIT

Ms. CANTWELL. Mr. President, I come to the floor this afternoon to talk about the affordable housing crisis in the United States of America and to talk about the reintroduction of legislation from last Congress that is going to be reintroduced by me, Senator HATCH, Senator WYDEN, Senator HELLER, Senator SCHUMER, Senator MURKOWSKI, and the Acting President pro tempore—Senator YOUNG—and several other of our colleagues.

The reason we are introducing this important legislation is to say that we need to increase the tax credit for affordable housing in the United States. We are saying this because we know from reports and statistics that we have a housing crisis in the United States of America, and unless we increase the affordable housing tax cred-

it, we are not going to see much more new supply. That is because 90 percent of the affordable housing that is built in the United States of America is built with a tax credit.

Today, we are also releasing a report that is showing that the demand for affordable housing is exploding and construction is definitely not keeping pace. We are showing that seniors and veterans are at a greater risk for homelessness and that about a 60-percent increase in the need for affordable housing is being driven by Americans who are paying more than 50 percent of their income in rent, making it an unaffordable situation.

We are introducing this important legislation that, we hope, will build 400,000 additional affordable housing units across the United States and that will also help create additional jobs.

This is an issue that we are sending to the Finance Committee before, and I would hope my colleagues on the Finance Committee would take swift action. I say that because the report found three key factors. One is an increase of 9 million renters since 2005. That is a huge increase since 2005. How did we get there?

Over 7 million Americans lost their homes due to foreclosure in the economic crisis. As a result, home ownership rates have been at their lowest levels since the mid-1960s. Over the last 10 years, we have seen the largest gain in the number of renters in any 10-year period of time on record. That is right. We increased the number of renters in this last 10-year period of time more than at any other time on the books.

It kind of makes sense if you think about it. If the economic crisis caused you to downsize, and you were in a home and you could no longer afford it, you would put pressure on the rental market. For those already in the rental market, it pushed many of them out of market-based rates and into solutions that were less affordable. As we all know, in major cities and urban areas across our country, it caused an actual homelessness crisis, as well, as many people could no longer even afford basic rent.

The affordable housing crisis is exploding all over the country, and we face pressures from all sides. Demand for rental housing has increased by 21 percent, but we are building units at the lowest rate since 1970. It does not take more than basic economics to see that, with demand so high and supply so low, we need to do something if we are going to make a dent in this problem. If we do not increase the Low-Income Housing Tax Credit, then, by the year 2025, we are going to have 15 million Americans who are spending more than half of their income on rent, and this is truly unacceptable.

Our report shows that in the last decade the total number of Americans who have faced this extreme housing problem—that is, paying more than half of

their incomes in rent—ballooned by 60 percent, and that has put a lot of pressure on many of our States. For my home State, the affordability crisis is actually getting worse than the national average. Since 2000, median rents have risen by 7.6 percent, which is 2.5 percent higher than in the rest of the country. As I said, it is all of those people coming from the foreclosure market into the rental market. On average, there is about a 3.5-percent increase in rents across the United States. In addition, there are 16 percent fewer affordable rental homes available in Washington State compared to the U.S. average. Overall, 400,000 Washingtonians are paying more than half of their monthly incomes in rent.

We saw these numbers, and we saw specifically how seniors and veterans and homelessness are also driving the increase in demand. Senior unaffordability, which is the term given to people who are paying more than half of their incomes in rent, rose by 30 percent. With the veteran unaffordability, which is the number of the veterans who are returning and being part of the housing market, we will see an increase of over 500,000 veterans who need affordable housing.

I think the Acting President pro tempore knows well that in his home State there are people who are trying to provide solutions in small towns and urban areas for our veterans so that they can have affordable places to live. The report also shows that doing nothing is going to continue to exacerbate the problem. We will see another 25-percent increase in unaffordability. That is just unacceptable.

To help solve the problem of affordable housing, my colleague, the chairman of the Finance Committee, and I are reintroducing the bipartisan Affordable Housing Credit Improvement Act to strengthen and expand the Low-Income Housing Tax Credit.

Under this provision, the expanded tax credit would help create and preserve 1.3 million affordable homes over a 10-year period of time, which would be an increase of 400,000 new units nationwide. According to the National Association of Home Builders, annual LIHTC development—this is the overall appropriation—supports approximately 95,700 jobs and \$9.1 billion in wages. Investing in the low-income housing tax credit, which gives our citizens more affordable housing, is good for them, but it is also good for our economy. Enacting the proposal would create an additional 450,000 jobs over the next 10 years and would support the construction of these important units.

Mr. President, I ask unanimous consent to have printed in the RECORD a letter from the National Association of Home Builders that talks about the economic benefit of the Low-Income Housing Tax Credit and this particular

proposal, with their estimates of increased Federal revenue of \$11.4 billion, State and local revenue of \$5.6 billion, and a total of 452,000 jobs being created in that 10-year period of time.

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

NATIONAL ASSOCIATION OF
HOME BUILDERS,
Washington, DC, November 11, 2016.

Hon. MARIA CANTWELL,
U.S. Senate,
Washington, DC.

DEAR SENATOR CANTWELL: As requested by your staff, the Economics Group of the National Association of Home Builders (NAHB) has provided the economic impacts of multifamily construction as part of a review of S. 3237, the Affordable Housing Credit Improvement Act of 2016.

Our estimate relies on both internal NAHB data as well as data provided to us by external sources. Estimates of per-unit revenue and employment impacts have been calculated using NAHB's home building and remodeling economic impact model.

INCREASE IN TAX REVENUE PER MULTIFAMILY RENTAL
UNIT BUILT

[In 2014 dollars]

Federal	28,375
State and Local	14,008
Total	42,383

To complete the estimate, NAHB used the existing estimate that enacting S. 3237 would result in 400,000 additional low-income housing tax credit (LIHTC) units developed over ten years.

In total, NAHB estimates that the new 400,000 units would result in 452,000 jobs as well as a gross increase in federal revenues of \$11.4 billion, and state and local revenues of \$5.6 billion, over ten years.

TEN-YEAR EFFECTS

[Revenue expressed in 2014 dollars]

Federal Revenue	11.4 billion
State and Local Revenue	5.6 billion
Jobs	452,000

I hope this information is useful for you. For additional information, please contact David Logan, Director of Tax Policy Analysis at DLogan@nahb.org or 202.266.8448.

Sincerely,

ROBERT DIETZ, PH.D.,
Chief Economist, National
Association of Home Builders.

Ms. CANTWELL. Mr. President, I enter that into the RECORD because it is so important for our colleagues not to get stymied over the next several months, as we discuss proposals for economic development and for infrastructure across the United States, and not take action on this issue because we do not know how we can afford it. What we cannot afford is the rising number of Americans who no longer can afford rent or home ownership. What we need to do is to make sure that there is a roof over their heads and that they can be productive parts of our economy.

Since its creation over the last 30 years, this tax credit has financed nearly 2.9 million homes across the United States, leveraging more than \$100 billion in private sector investment. That is what I like most—a little bit of the tax credit going a long way to leverage the private sector into making investments in affordable housing. Between 1986 and 2013, more than 13 million people have lived in homes that have been financed by this tax credit.

I hope my colleagues will take a look at this legislation that we are introducing today and help us support it. The crisis is real across America. Our report shows the crisis is only going to be exacerbated because of demographics and demand. The best way out of this problem is for us to make an investment that only we can make, as 90 percent of the affordable homes are built with the tax credit. Without increasing the tax credit by 50 percent, we are just writing our own statistics for a very, very dire situation across the United States of America.

I see communities in my State that look like and reflect pictures that I have seen from the Great Depression. I know the recession hit us hard, but we have to climb out of this homelessness problem by making an investment in the affordable housing tax credit. It is a bipartisan success. I hope we can make its expansion a bipartisan solution that we all can get behind.

I thank the Acting President pro tempore.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mrs. ERNST). Without objection, it is so ordered.

OPIOID EPIDEMIC

Mr. PORTMAN. Madam President, this is the 32nd time I have come to the floor in the last year to talk about an issue that unfortunately is getting worse—not better—and that is the epidemic of opioids; that would be heroin, prescription drugs, and now, more recently, synthetic heroin, also known as fentanyl or U-4 or carfentanil.

Every single day we are now losing 144 Americans to drug overdoses. Think about that, every single day, 144 people. By the way, that means, during the time it takes to give these remarks, which will be about 12 minutes, on average, we are losing another American to this opioid epidemic.

It is an issue that is now so serious that it has overtaken car accidents or even homicides from gun violence as the No. 1 accidental cause of death in our country.

It is easy to get discouraged because we see these statistics. We hear about the overdoses. We hear about the deaths. We hear about the difficulty for people to get out of the grips of this addiction. The relapse rate is high. It is an issue that is affecting every single community in this Chamber. By the way, it is affecting our inner cities, it is affecting our suburbs, it is affecting our rural areas and every group of Americans out there. No one is immune from this, and it knows no ZIP Code.

Yet today I want to talk a little about some of the reasons for hope and some of the models of success out there because this Congress, to its credit in the last year, has actually gotten much more serious about this issue. We passed two pieces of legislation to help; particularly, to provide better prevention and education to keep people from getting into the funnel of addiction and then, second, to help in terms of providing the resources: the treatment, the recovery. The longer term recovery, in particular, it is the first time Congress has stepped up on that.

We also need to do a better job ensuring that our law enforcement and our other first responders have what they need to save lives and to be able to reverse the effects of overdoses through this miracle drug called naloxone or Narcan. It is part of the legislation that has not just been passed but is beginning to be implemented.

Fortunately, in my own State of Ohio—although we have one of the worst addiction problems in the country—we also have a lot of really compassionate people who have stepped forward and are taking advantage of these resources, including not only resources from Washington now but also from State and local governments and from so many nonprofits out there. They are taking advantage of that to provide better treatment, better recovery, and better prevention. As a result, they are saving lives.

On Saturday, I visited a group called Clean Acres in Wilmington, OH. It is a farm that provides recovery housing for men. These are men who are struggling with addiction. They work on the farm. They provide each other support, and it has been very successful for a lot of them.

I met a guy named Dan, who told me how Clean Acres is helping him get his life back. For over a decade, he was a heroin addict. He shot up every morning until one day, he was actually at work, and he passed out. He was digging a ditch, and he passed out.

He was rushed to the hospital. The doctors discovered he had a very serious infection related to his intravenous drug use. He required emergency, life-saving surgery right then.

The doctors told him he might not wake up. He did wake up after that surgery, and there before him were his

three kids. He hadn't seen them in 5 years because—in so many cases you hear this and as Dan said this—the drugs became everything. He said, not his family, not his relationships, not his friends, not his work—the drugs became everything. These three kids had come to his bedside because they thought it might have been his deathbed, he said.

He saw these three kids, whom he hadn't seen in 5 years. He said that even after having experienced this near-death operation and having his three kids there, the first thought that came to his mind was: Where can I get another hit? Where can I get another hit? But then, in the situation he was in, he prayed, and he said his prayer was: "Lord, help me get out of here." "Help me get out of here," meaning, "help me get out of this situation."

He made a decision. He was going to try treatment again. He had tried treatment before. So many recovering addicts and addicts I talk to around my State have been in and out of treatment programs, detox treatment. It hasn't worked.

He decided this time he was not just going to get into treatment, but he was going to try something different, which was not to go back to the old neighborhood, not to go back to his old friends, but instead to try longer term recovery. That is how he ended up at Clean Acres. That is this farm where he and other men live together. They work, but they support each other to try to keep their lives on track after their treatment is over. It doesn't provide the treatment, but it does provide them with the meetings they need to be able to have that support around them in order to keep clean.

As one of the men at Clean Acres told me, it is hard to go through treatment. It is much harder to stay clean after treatment.

So Dan is healing himself. He is working at the farm. He plans to go into construction. He has big plans now. That is the hope. That is the opportunity for people to get their lives back on track whom I see every day when I talk to the people in my home State of Ohio.

Last week, I was also at Racing for Recovery, outside of Toledo, OH. I met with Todd Crandell. He has been in recovery from addiction for about 20 years. He is now giving back in a huge way.

I met with parents who had lost children to addiction. They come to Todd's organization, Racing for Recovery. They find support there, and they help other parents to work through this.

I met law enforcement officers there who are working with this recovery facility to try to ensure that the people whom they are locking up aren't going to just get right back into the revolving door again, back in and out of prison, back committing crimes. The No. 1

cause of crime in the State of Ohio is this addiction; people who, again, put the drug first ahead of everything, including their own sense and their own conscience, their own sense of what is moral and right, and instead they are committing burglaries and fraud and shoplifting—anything they can do to get the funds they need to continue their addiction.

I met Jessica at Racing for Recovery. She has been clean for 9 months. Before she sought help, she overdosed for 3 days in a row. She said her life was saved by the police; specifically, a program by the Lucas County Police Department called the Drug Abuse Response Team, DART. I am really impressed with DART and what they are doing. It is now being copied in other communities around Ohio and around the country. DART is being proactive. They got her engaged in treatment and recovery. She is now in sober housing. Todd, Jessica, and others there told me this: Look, you have to have this longer term recovery because that is what works.

A couple of weeks ago, during the State work period, I held a roundtable discussion in Fremont, OH, where I met Matt Bell. Matt is an amazing guy—a charismatic, young guy. He said that for him the gateway drug was marijuana and alcohol in high school. He ended up overdosing on heroin three times. He was convicted of 13 felonies, and he went to detox 28 times. Now he is clean and preventing new addictions from taking place by working nonstop to raise public awareness about the dangers of drug use. He goes around to the schools, and he doesn't just talk to kids who are juniors and seniors. He talks to middle schoolers because he knows he has to go younger and younger to get kids to think about their own futures, about the fact that addiction can happen in one use sometimes, and it is something that can ruin their lives. Thank God for Todd and thank God for Matt, because guys like that are out there every day giving back and they are saving lives.

So I want to thank all these compassionate people I have met—Clean Acres, Racing for Recovery, the Lucas County DART team, and Team Recovery. They are doing the hard work. They are in the trenches trying to actually turn the tide on this growing addiction problem we have. Again, I want to tell them that help is on the way.

Last year Congress did pass the 21st Century Cures Act and authorized funding for States—\$500 million this year and \$500 million for next year—to fight this epidemic. Another step we took, which I think was probably the biggest step we have taken in a couple of decades in this area, was the passage of the Comprehensive Addiction and Recovery Act, or the CARA Act. Those who know about CARA know that it is a new approach on treatment, recovery, and prevention. If you don't know

about it, look it up and check it out. Be sure that the groups in your town, wherever you live, know about the fact that they can apply for grant money to be able to help on these recovery services that I am talking about, many of which do not have the funding to be able to be successful without the increases in rehab. Be sure they know about the fact that if you have a fire department in your community that is strapped for cash and cannot afford the Narcan to provide the Narcan treatments, there is an opportunity to apply for grants there, too, to be able to save lives from overdoses. Narcan is not the answer. The answer is to get into treatment. But Narcan is saving lives, and, therefore, it is necessary today. So let people know that is around and is available now.

Sadly, the situation is not getting better, even with these new efforts that are finally being implemented by the new administration. They started at the end of the Obama administration with a couple of programs, and now we have a couple more programs coming on line. Within the next few months, we expect the rest of the programs to be fully implemented. They are absolutely necessary, but they are pushing up against something new, which is, I hate to say, even more dangerous than heroin, and that is this synthetic heroin that is coming into our communities. It is like a poison coming into our communities by the U.S. mail system, if you can believe it.

The experts tell us that most of this fentanyl or carfentanil is being made in laboratories overseas, mostly in China, and it has been coming through the mail system. Why? Because the traffickers don't want to use other private carriers—UPS or FedEx or others—because they require that there be advanced digital information on where the package is from, what is in it, and where it is going. Guess what. We don't require that in the mail system. So the bad guys choose to send it through the mail system instead. That certainly is something the Federal Government should address.

So we have introduced legislation called the STOP Act. It is very simple. It says that if you want to send something to the United States of America, it has to say where it is from—what place in China—what is in the package, where it is going, and it can only go to the place they say it is going. That gives our law enforcement a new tool they are desperate to have because they are not able to look at millions of packages. But they can look at hundreds and this helps them to ferret out those packages that look most suspicious.

By the way, this new stuff, fentanyl and carfentanil, is incredibly powerful and incredibly dangerous. It is believed to be 30 to 50 times more powerful than heroin. Think about that. I was in Day-

ton, OH, a week before last and was meeting with the law enforcement task force there. They told me the sad story about a little girl, 14 years old, who was told by her friends: You ought to snort this stuff; it is called heroin. She did. It was fentanyl, and she dropped dead. She overdosed and died immediately because it was so powerful. Even a few flakes of it, they say, can kill you.

According to the Cleveland medical examiner of Cleveland, OH, this past month of February, which is the shortest month in the year, was also the deadliest month in Northeast Ohio for fentanyl and heroin. In other words, what they are seeing is not just more overdoses but more deaths because of fentanyl being mixed with heroin or sometimes fentanyl in its pure form. In just 28 days this February, 60 Clevelanders died from overdoses in one month. This is one city in America. There are another seven cases that are undergoing tests, but they are suspected to be the result of heroin and fentanyl overdoses.

What is driving the growth of this epidemic is the increasing use of fentanyl. Drug traffickers are lacing other drugs with it. I was told by the DART task force in Toledo that they are actually putting fentanyl in marijuana now, and people are showing up in the emergency room and overdosing on marijuana because it is sprinkled with fentanyl. It is more addictive. So the traffickers like it. It is more deadly. So we need to fight back. The Drug Enforcement Administration says it takes 2 milligrams of fentanyl to kill you. That is about the same as a pinch of salt. Many heroin users don't realize that the heroin they buy on the street may contain these new incredibly powerful synthetic drugs. So part of the message has to be what one father told me, which is: You are playing Russian roulette every time you use these drugs because you don't know what is in it. If there is fentanyl in it, there is a good chance you won't just overdose, but you will end up as one of these statistics we talked about earlier.

In Lorain, OH, last Monday, a 29-year-old man drove off the road and nearly hit a tree. When police arrived they found him unconscious from an overdose, with a baby in the backseat—a baby in the backseat. It took several doses of this Narcan and naloxone to reverse the effects of the overdose. Ordinarily, it would take only one dose, but with fentanyl-laced heroin it takes more. When police went to his home, a child answered the door and said: Mommy is sleeping, and we can't wake her up. Again, this is the guy that overdosed in the car. They take the kid home and another kid says: Mommy won't wake up. They find out the mother is also unconscious from a heroin overdose that she had in front of her four children. According to police,

the couple thought they were using heroin, but tests confirm that it was laced with fentanyl.

This is an opportunity for us in the Congress to pass legislation that will help to be able to stop some of this poison from coming into our communities. At a minimum, it will raise the price, because some of this fentanyl, I am told, is less expensive than even the things that are less powerful, like heroin.

Fentanyl took the life of Erin Jarvis of Troy, OH. Erin was a prom queen. Erin was very popular. She was active in student government. She was captain of her soccer team. She got good grades. She got into Ohio University, a great school.

She had multiple knee injuries from playing soccer, which required surgery. She was prescribed Percocet. She became addicted. At Ohio University, her friend introduced her to a drug that was stronger and cheaper and easier to get. Of course, that was heroin. This story I have heard so many times. There is the overprescribing, sometimes because of an accident and an injury, and, then, somebody becomes addicted and turns to heroin because it is cheaper and easier to get. Erin began disappearing for days at a time, stealing from her family. Her mom Kelly started missing jewelry, credit cards, and even a TV set. When her sister got her wisdom teeth taken out, she stole her sister's Percocet. By the way, she never should have gotten Percocet for her wisdom teeth, in my view.

Erin finally got help. She went to rehab. She decided she wanted to become a nurse and help others struggling with addiction. After receiving treatment, she moved back in with her mom. But she relapsed, and she died. She died at the age of 24 with this promising life ahead of her. Her last words to her mom were these: I love you. The next day Kelly watched her daughter get taken out of their home in a body bag.

Tests showed that Erin died of an overdose of heroin laced with fentanyl. According to the coroner, she hadn't used the full injection. There was a lot left in the needle. He said: I suspect that what was in that syringe was not what she thought it was—exactly.

Families who have loved ones struggling with addiction are worried about the poison pouring into the streets, and you can see why. As deadly as heroin is, this stuff is even worse.

To keep this poison off the streets, Senator KLOBUCHAR, Senator RUBIO, Senator HASSAN, and I have introduced bipartisan legislation, the Synthetic Trafficking and Overdose Prevention Act, or the STOP Act, which would require the Postal Service to require this simple information that would give our law enforcement the ability to target these packages of fentanyl.

Based on expert testimony in hearings we have had hearings before the

Senate Homeland Security and Governmental Affairs Committee, it would make it easier for them to detect those packages. That is what law enforcement is asking for. We should provide it to them. There is a bill in the House that is identical to ours, introduced by Congressman PAT TIBERI of Ohio and Congressman RICHARD NEAL of Massachusetts.

This is not the silver bullet, as I said. It is not the solution. No one has that silver bullet, but it would take away a key tool of drug traffickers and restrict the supply of these drugs, raising their price and making it harder to get. With the threat of this synthetic heroin and this poison coming into our communities every day, we need to act and act now.

So I would urge my colleagues to let their constituents know about the help that is on the way. Tell them about what is going on with the Cures Act and CARA legislation. Put it on your website so they know they can get help with treatment and recovery that was not previously out there. Our law enforcement, first responders, and firefighters can get the help they need to be able to get the training and have the funds for Narcan to save lives. We can do much better in terms of prevention and education. Some of this grant money is directed toward letting people know the connection between prescription drugs and heroin and between fentanyl and heroin.

Finally, to my colleagues, please join us in pushing back against these new poisons coming into our communities by cosponsoring the STOP Act and by requiring that this basic information be provided. With more cosponsors, I think our leadership will be much more likely to take this to the floor. Once it gets to the floor, it can be passed because people know that in their communities all over this country this epidemic must be stopped.

Thank you, Madam President.

The PRESIDING OFFICER. The Senator from Massachusetts.

Ms. WARREN. Madam President, I ask unanimous consent to speak for up to 15 minutes.

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

Ms. WARREN. Madam President, the 115th Congress has now been in session for 2 months. Republicans control the House of Representatives, the Senate, and the White House. So what have they done so far with that power? Have they passed legislation to create jobs or increase wages for middle-class families? No. Have they proposed any plan to put Americans back to work fixing our roads, bridges, and other crumbling infrastructure? No. Have they done anything at all to help seniors who are struggling with high drug prices and other expenses? Not even close.

During his campaign, President Trump said over and over that he

would stand up for workers. But so far, Republicans haven't voted on a single piece of legislation to help working families put food on the table, send their kids to college, or save a little money for retirement. No, they haven't helped families, but they have been busy.

With no hearings and barely any debate, Republicans have found a new tool, one that has been used successfully only once before in history, under the Congressional Review Act. They have used it to kill basic protections for workers. No wonder they haven't wanted any headlines about the actual work they are getting done.

Senate Republicans want to repeal the Fair Pay and Safe Workplaces Executive order. So instead of creating jobs or raising wages, they are trying to make it easier for companies that get big-time, taxpayer-funded government contracts to steal wages from their employees and injure their workers without admitting responsibility.

The American people spend around \$500 billion every year on private companies that provide goods and services to the government. Those companies do everything from building battleships and fighter jets to serving snacks at national parks. It is big business. It is estimated that as many as one in five American workers works for a company with at least one Federal contract.

With so much taxpayer money on the line, it really matters that contractors are using it responsibly. While many contractors are good employers, others cut corners on safety or squeeze their workers on wages and benefits just to keep their corporate profits going up, and they break Federal labor laws to do so. Here are just two examples.

VT Halter Marine is a company that builds ships for the Navy. They have received \$680 million in Federal contracts since 2009—taxpayer dollars that were supposed to be used to create good, safe jobs. Instead, VT Halter took a lot of shortcuts on worker safety, and now they have killed or injured multiple workers at their shipyards in Mississippi.

In 2012, a worker died after the lid of a 20-pound cast iron pot containing abrasive ship-cleaning liquid came loose and sheared away his face. Investigations showed that VT Halter had ignored safety requirements to show employees how to safely handle these pots.

In 2014, a crane collapsed at VT Halter, injuring five workers, including a crane operator, who lost part of his skull, is now blind, and requires 24-hour nursing care. That employee had repeatedly told his supervisors that the sensors on his crane were broken, but VT Halter kept him working, and now he is blind and needs full-time nursing care.

The list goes on and on. Each time, VT Halter ignored the law, workers got

hurt or killed, and the company got a slap on the wrist and another top-dollar defense contract courtesy of the American taxpayer.

Contractors that cannot meet basic safety standards should not get a single dollar of taxpayer money, and the Fair Pay and Safe Workplaces Executive order was the first step in making sure that this was the case.

Other Federal contractors have found other ways to take advantage of their workers and to boost profits. Federal contractors have been caught stealing wages from hundreds of thousands of workers. Right here in the Senate, the men and women who prepare the food in the cafeteria have had their wages stolen by the contractor that employs them. The Department of Labor just found out that hundreds of these hard-working employees together were owed more than \$1 million in back wages. This case was right under our noses. There are countless more all across the country where the very companies that receive taxpayer money from the government are taking shortcuts, breaking the law, cheating their employees out of hard-earned wages, and driving working families into poverty.

Republicans in the House of Representatives have called this rule “a solution in search of a problem,” saying it would “only hurt workers and small businesses,” as if the deaths of those working for Federal contractors or the thefts of their wages was just business as usual and they didn't care. That position is parroted by the chamber of commerce, which calls the rule “burdensome” and “unwarranted.”

My Republican colleagues and their buddies in the giant corporations that rely on huge Federal contracts to keep profits high want the American people to believe that by making it easier for companies that mistreat their workers to profit off of taxpayer dollars, somehow they are helping workers. That is just nuts.

Here is what the rule does: When a company wants a contract from the government that is worth more than \$500,000, it has to disclose any judgments against it for violating labor laws for the preceding 3 years. The order also asks the Secretary of Labor to work with other agencies to come up with standards for assessing whether labor violations are serious, repeated, or willful.

If you are a company that does right by your workers, this rule will not affect you—not one bit. If you pay your workers fairly and keep them safe on the job, you won't even notice the new rule. It also does not stop companies from getting contracts if they have had just a few violations but have taken steps to remedy the problem, and it does not add one bit to the burden on smaller companies that bid on smaller contracts—again, not one bit.

So who gets hit by this rule? Who is it who is complaining? Who are the Republicans trying to protect? Massive corporations that repeatedly cut corners that put their employees' lives at risk or that steal their wages. This rule keeps the big corporations that are the biggest labor violators from getting the biggest contracts.

Once again, this debate is about whom Congress actually works for. Does Washington work for the taxpayers, who want to see their hard-earned money spent responsibly? Do we work for the hard-working Americans, who want to be paid what they are promised and not have to put their lives at risk for a paycheck? Do we work for giant contractors that rake in enormous tax dollars and cannot even follow basic safety rules for American workers?

I came to Washington to stand with the men and women who go to work every day to build roads and bridges, to help communities recover from natural disasters, and to provide healthcare to our veterans. I think that is what we are here for. But the Republican majority wants to stand up for giant corporations that put workers at risk. They want to stand up against good, safe, well-paying jobs. That is their priority in the new Congress. If they succeed, it will be the American taxpayers and the American workers who quite literally pay the price.

I yield the floor.

The PRESIDING OFFICER (Mr. MORAN). The Senator from Hawaii.

Mr. SCHATZ. Mr. President, yesterday the New York Times published a story about the nearly 100 Federal protections this administration has attacked. The article highlighted a few of the outcomes of these attacks. For example, telecommunication companies are no longer required to take reasonable measures to protect the Social Security numbers of their customers, and people with severe, disabling mental health issues are now able to buy guns—but do not worry because refugees from war-torn countries like Sudan won't be coming into our country anytime soon. Today, in about an hour, Republicans are going after yet another protection. This time, it is one that protects Americans who work for Federal contractors.

Up until a few years ago, companies that cut corners and saved money by treating their employees badly held a competitive advantage over law-abiding companies in competing for Federal contracts, so President Obama put a policy in place to take away that advantage. In 2015, he put a new protection in place so that the companies that had histories of unsafe working conditions would have to report those histories when they applied for Federal contracts. The idea here is pretty simple: If you want to work for the Federal Government, you need to follow

the law, and if you do not, the government has a right to know so that the companies that cut corners do not have a competitive advantage by being able to bid more cheaply over those who play by the rules.

Republicans often claim to be in favor of leveling the playing field for businesses. After all, that was the rationale that was used last month when they voted so that coal companies were no longer responsible for cleaning up their own messes and oil companies could hide payments to foreign governments. Both of those actions were taken in the supposed spirit of caring about the ability of companies to compete. Business competition was placed above the rights of communities to clean air and clean water or the right of American consumers to know they are not supporting a dictator when they fill up at the fuel tank.

But now, when it comes to safe workplaces and pay discrimination, suddenly, having companies compete on a level playing field is not the priority. This just does not make sense to me. This policy was good for workers, good for taxpayers, and good for companies that play by the rules. We should all agree that companies that have good safety and wage records should not be placed at a competitive disadvantage, but the Republicans are giving Federal contractors a green light for pay discrimination and unsafe working conditions. That is the only signal we send by taking away this policy from the previous administration. This is yet another example of the empty words of an administration that claims to care about empowering women in the workplace.

Last week, the President signed two Executive orders that were designed to appear to promote women in the workplace, but when you look beyond the photo-op and the actual orders, they do not do a thing for women in the workplace. They do not put one Federal dollar toward advancing gender equality and gender equity. Now the Republicans are putting a bill on the floor and eventually on the President's desk that will make it easier for companies that discriminate against women in the workplace to get Federal dollars.

If this administration and if this Congress really care about making sure women do not face bias and discrimination, if they really care about businesses being able to compete on a level playing field, then why attack this protection?

I urge my colleagues to do the right thing and vote to keep the fair pay and safe workplaces protection in place.

I yield the floor.

Mr. VAN HOLLEN. Mr. President, over the years, Congress has enacted laws to make workplaces safer and fairer and to raise wages for American workers. These laws protect American workers. These laws make America

more productive. And these laws help to preserve good, safe, middle-class jobs.

The Fair Labor Standards Act introduced the 40-hour workweek, established a national minimum wage, and guaranteed time-and-a-half for overtime. The Occupational Safety and Health Act ensures that employers keep the workplace free from hazards like toxic chemicals, excessive noise levels, mechanical dangers, or unsanitary conditions. The Civil Rights Act of 1964 prohibits discrimination by employers because of race, color, religion, sex, or national origin. The American with Disabilities Act prohibits unjustified discrimination based on disability. The Rehabilitation Act of 1973 requires affirmative action to employ qualified individuals with disabilities. The Age Discrimination in Employment Act forbids employment discrimination against older workers. The Vietnam Era Veterans' Readjustment Assistance Act requires equal opportunity and affirmative action for veterans. The Equal Pay Act addressed wage disparities based on gender. The Family and Medical Leave Act requires covered employers to provide employees job-protected unpaid leave for qualified medical and family reasons. The Davis-Bacon Act requires paying the local prevailing wages on public works projects. And the National Labor Relations Act protects the rights of private sector employees to organize into trade unions, engage in collective bargaining for better terms and work conditions, and take collective action including strike if necessary. These laws are already on the books. It is already against the law for Federal contractors to violate them. The obligation to comply with basic workplace protections applies to employers, whether they are government contractors or not and that obligation will remain in force regardless of what Congress does on the rule today.

At issue today is a rule that simply requires contractors to share information about their history of compliance with workplace protections in the last 3 years before getting a Federal contract. The rule does not impose any new compliance obligations on government contractors.

It has long been a tenet of Federal Government contracting that it is better to contract with responsible contractors that abide by the law, including labor laws. It also furthers economy and efficiency. Many studies find a strong correlation between labor law compliance and performance. One study found that from 2005 to 2009, one quarter of the companies that committed the top workplace violations and later received Federal contracts had significant performance problems on their contracts. It is not surprising that employers that abide by the law also do a better job on their contracts.

In the mid-1990s, however, the Government Accountability Office, then known as the General Accounting Office, found that the Government had awarded Federal contracts worth more than \$60 billion to companies that had violated the National Labor Relations Act or the Occupational Safety and Health Act. More than 10 years later, the GAO found that the pattern continued. GAO found that almost two-thirds of the largest wage-and-hour violations and almost 40 percent of the largest workplace health-and-safety penalties issued between 2005 and 2009 were made against companies that went on to receive new Government contracts. Between 2007 and 2012, 49 Federal contractors responsible for large violations of Federal labor laws were forced to pay more than \$91 million in back wages.

To help address this problem, in August of last year, the Department of Defense, the General Services Administration, and NASA jointly issued the rule that we are talking about today. The rule amended the Federal Acquisition Regulation to implement Executive Order 13,673 on Fair Pay and Safe Workplaces. That Executive order was designed to increase efficiency and cost savings in Federal contracting by increasing contractor compliance with labor laws. At the same time last August, the Department of Labor issued guidance to help Federal agencies implement the Executive Order and the rule.

The rule also prohibited companies with contracts larger than \$1 million from denying employees who are the victims of sexual assault, sexual harassment, or discrimination their day in court by forcing them to arbitrate these claims.

The rule helps to provide a level playing field for businesses that play by the rules. By requiring disclosure of violations, it encourages contractors to pay fair wages and provide safe workplaces. The rule helps to ensure that the government awards Federal contracts and the taxpayer dollars that fund them to responsible employers that comply with workplace safety laws, antidiscrimination laws, sexual harassment laws, and minimum wage and overtime laws. Without the rule, millions of taxpayer dollars would go to businesses that break these laws.

After my home State of Maryland implemented a living wage standard for contractors, the average number of bids for State contracts actually increased by nearly 30 percent. Nearly half of contractors interviewed by the State government said that the new standards encouraged them to bid, because the standards leveled the playing field.

Under the Federal rule, prospective contractors report the information themselves. The vast majority of contractors adhere to labor laws. If a prospective contractor does not have any violations, it simply checks a box.

Companies that do business with the government employ one in five Americans, so this rule improves the lives of millions of workers.

In September of last year, Donald Trump delivered a speech on jobs at the New York Economic Club. In that speech, Mr. Trump advocated what he called "a new policy of Americanism." "Under this American System," Mr. Trump said, "every policy decision we make must pass a simple test: Does it create more jobs and better wages for Americans?" The rule at issue today passes that test. It helps to create better wages for Americans. And repealing the rule would flunk the test that Mr. Trump laid out last year. Nonetheless, once again the Republican majority seeks to employ the blunt instrument of the Congressional Review Act to repeal that rule today.

Some critics label the Fair Pay rule as a "blacklisting" rule. But the rule does not require a contracting officer to deny any contract based on a history of labor violations. The rule simply provides information to contracting officers to help them make decisions that about whether a contractor is responsible. The goal of the rule is to encourage companies to come into compliance—not to bar them.

Enacting this Congressional Review Act disapproval resolution could effectively stop any new rules on the disclosure of labor law violations or the consideration of labor law violations as a requirement for Federal procurement contracts. Enacting this resolution will send the wrong message to companies who are tempted to skirt the law. And enacting this resolution will make it more likely that Federal dollars once again go to law-breaking contractors.

This resolution goes in the wrong direction, and thus I oppose it.

Mr. SCHATZ. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. FRANKEN. Mr. President, I ask unanimous consent to speak for up to 10 minutes or 15 minutes.

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

Mr. FRANKEN. Mr. President, I rise today to discuss the effort by my Republican colleagues, including the President, to dismantle the Fair Pay and Safe Workplaces Executive order and roll back protections for workers.

For too long, many workers in this country have been subject to dangerous working conditions, wage theft, discrimination, and harassment. While most companies follow the law and play by the rules, a few have cut cor-

ners at the expense of workers' rights and safety and have factored in paying penalties as just another cost of doing business. That is not fair for workers, and it is not fair for the businesses that play by the rules. It is time we put a stop to it.

We certainly should not be spending taxpayers' dollars to pay Federal contractors who violate—and sometimes repeatedly violate—Federal labor laws. Repeated violations by Federal contractors is a serious problem.

According to a 2013 HELP Committee staff report, 49 government contractors accounted for 1,776 Federal labor law violations. We are talking about things like an unsafe workplace, discriminating against workers, or failing to pay workers what they earned. Understand when I talk about unsafe workplaces, I am talking about fatalities. But despite these widespread violations, these companies continue to receive taxpayer-funded Federal contracts worth \$81 billion a year.

My colleagues may have seen a recent Politico Magazine report on VT Halter. VT Halter is a major Navy shipbuilder, but its safety track record is deeply concerning. In 2009, two workers were killed and five others injured—some severely—when an explosion occurred at a VT Halter shipyard. A month later, they received an \$87 million Federal contract. About 6 months after the explosion, VT Halter settled charges relating to the explosion, admitting that they had willfully violated at least 12 Occupational Safety and Health Administration—or OSHA—workplace safety rules to prevent incidents like this from occurring—an incident in which two workers died. They willfully violated—willfully; that is willfully violated.

That explosion wasn't VT Halter's only incident. In 2009, a worker fell to his death at another VT Halter shipyard where there were no handrails or fall protections. In 2012, the company was fined by OSHA after a worker at a VT Halter shipyard was killed when the lid on a pressurized pot exploded. They were fined again in 2014 for violating crane safety rules after two cranes tipped over, injuring five workers, including one 63-year-old worker who now has the mental capacity of a child.

It doesn't make sense to keep rewarding companies like this with lucrative contracts when they repeatedly—and, again, willfully—disregard basic safety protections.

To address this problem, in 2014 President Obama issued an Executive order that essentially says that if you have repeatedly broken our labor laws, the Federal Government will need to examine a company's compliance record on labor law violations before awarding large taxpayer-funded government contracts. Companies with poor track records will need to prove

they are taking action to make sure that these types of egregious labor law violations don't happen again.

In addition to cracking down on repeat violators who bid for Federal contracts, the President's Executive order also includes two other important provisions that I support: a requirement that companies give workers a pay stub each pay period and a provision to make sure workers are able to access justice if they have been wronged.

As the Presiding Officer may know, employers are required, under the Fair Labor Standards Act, to accurately report the number of hours an employee works and their pay. But, surprisingly, employers are not always required to give this information to an employee on a pay stub each pay period. This matters. This matters because when a bad actor cheats its employees by undercounting hours or underpaying wages, it is a lot harder for an employee to recover damages if they don't get a pay stub.

It is often low-income workers who work variable shifts who are most easily exploited in these cases. For example, last year, a group of janitors in the Twin Cities won hundreds of thousands of dollars of back pay because their employer had miscounted their hours. And because most of them weren't given pay stubs, it took them much longer to discover that they had been underpaid. One of their key demands, in addition to being paid fairly, was that they start getting pay stubs to ensure they don't get cheated again. This seems to me like a sensible thing to ask.

Let's be clear. Most employers already give their employees pay stubs, so this requirement isn't a big change for them, but it makes a big difference for the workers who are most vulnerable to wage theft. And because this provision has already been implemented, repealing it will have real and obvious consequences for working families.

The fair pay and safe workplaces rule also took an important step toward protecting workers' fundamental rights by banning the use of forced arbitration in cases of discrimination or sexual assault and harassment. As we have seen in a multitude of contexts in recent years, corporate America is increasingly preventing its employees or customers from accessing the court, relying instead on forced arbitration to avoid accountability when people seek justice for being cheated or mistreated. And some of the most egregious cases we have heard are from workers whose rights have been viciously violated and whose cases were forced into the dark.

I have made it a priority during my time in the Senate to combat the widespread and harmful use of forced arbitration. In fact, the forced arbitration regulations within the fair pay and safe workplaces rule build on an effort that I successfully championed 8 years ago.

I first became interested in the issue after learning that major Department of Defense contractors charged with performing vital national security functions were using arbitration to sweep cases of sexual assault and harassment under the rug. I heard stories of women who were assaulted or subjected to hostile working conditions while employed by a DOD contractor. And when those women sought justice for the actions—or inactions—of their employers, they were forced into secret arbitration where none of the traditional safeguards of a public court of law apply. As a result, countless other victims were left in the dark about the women's cases, and the contractors were shielded from accountability, both from the courts and from the public eye.

So in 2009, I introduced an amendment to the Department of Defense Appropriations Act that prevented certain DOD contractors from forcing their employees to arbitrate claims of discrimination or sexual assault and harassment. The amendment passed with bipartisan support. In the years since, it continues to be passed on a bipartisan basis as a part of the Defense appropriations process each year, most recently in December of 2014.

Now, it is unclear to me what has changed in the years since we passed my amendment that would make my Republican colleagues shift course. But what is clear is that now is not the time to roll back these critical protections for our workers.

According to the Equal Employment Opportunity Commission, at least 25 percent of American women say they have experienced sexual harassment in the workplace. And recent high profile revelations about abuse—for example, former Fox News chairman Roger Ailes' abuse of his employees, as well as the allegations of sex bias at Kay and Sterling Jewelers—demonstrate that we are far from addressing this issue on a broader scale. So I urge my Republican colleagues to reconsider their support for this resolution. I urge them to not force vulnerable women who have been wronged into the dark and into forced arbitration.

Blocking the fair pay and safe workplaces rule is just wrongheaded. A vote to repeal this rule is a vote to support giving taxpayer dollars to companies that break the law, it is a vote to help employers who cheat their employees out of fair pay, and it is a vote to take away workers' fundamental rights to access to the court.

I urge a "no" vote, and I thank the Presiding Officer for the generous window of 10 to 15 minutes.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator has been recognized for 13½ minutes.

Mr. FRANKEN. Wow, I kind of hit it right on the nail. Am I out of order

now saying that? No? Good. That means I have another minute and a half.

I thank the Presiding Officer.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. BROWN. Mr. President, I ask unanimous consent to speak for up to 10 minutes on this resolution.

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

Mr. BROWN. Mr. President, Americans are working longer and Americans are working harder than ever before, with less and less to show for it.

Over the last 40 years, GDP has gone up, corporate profits have gone up, executive salaries have gone up—all because American workers are more productive. Again, GDP is up, corporate salaries are up, corporate profits are up, executive salaries are up—all because of the productivity of American workers. Unfortunately—tragically—a big problem in our society is that workers don't share in the economic growth they have created for their companies.

On Friday, at the John Glenn School in Columbus, I rolled out a plan to do something about it. Instead of working to raise wages, the Senate is debating a measure to give large corporations even more ability, more leeway, more opportunity to shortchange American workers. It is as simple as that. One in five Americans works in a company that does some business with the American Government. We are talking about a rule that affects companies employing as much as one-fifth of the workforce. These workers deserve to be paid what they earn. They deserve safe workplaces, just as all American workers do.

Before this worker protection rule was put in place, nearly one-third of the companies in the United States with the worst safety and health violations were receiving taxpayer dollars in the form of Federal contracts. Federal dollars are going to these companies. They then turn around and hire workers in contract with the government and hire workers and cheat them and shortchange them. These corporations broke the law. They didn't pay their employees what they were owed or they broke health and safety rules. Yet they continue to rake in Federal dollars. That is unfair to workers. It is unfair to the good companies that play by the rules. It is unfair to those who are undercut, competitors that willfully and constantly follow the law. The good companies often are losing out. They are playing by the rules, yet lose out to the companies that aren't.

That is why the Obama administration put in place the Fair Pay and Safe Workplaces Executive order. If you want the privilege of doing business with American taxpayers, if you want a contract with the Federal government paid for by taxpayers, you must follow the law. It is as simple as that. That was yesterday. Also, yesterday the rule ensured that workers have accurate information about the hours they work, the overtime pay they can earn, the wages they are being paid—basic things that above-board companies are already doing anyway. That was yesterday.

Today this body is voting to undo that. Why would we want to roll back commonsense worker protections? Why would we reward companies that cheat their workers by giving them more taxpayer dollars? There is only one possible explanation: to make it easier for some big companies to cheat both their own workers and their competitors. When voters reject Washington, it is maneuvers like this they have in mind: Congress watering down rules that protect workers, that protect taxpayers, that let corporations that break the law off the hook.

The President came to Ohio a lot last year. He made a lot of big promises during his campaign. He is already facing a choice on issues like this one. Is he going to keep his promises to working families in Trumbull County, OH, Warren, Mansfield, Toledo, Springfield or is he going to sell them out in favor of the same old corporate billionaire agenda?

The President has come to a fork in the road. He can go down the fork where workers will do better in this administration—make better wages, have a safer workplace—or he can take the other fork in the road that undercuts wages, that shortchanges workers, that makes the workplace less safe. Unfortunately, the President and, I am afraid, this Senate have chosen that fork in the road, the one that undercuts workers and makes the workplace less safe.

I hope my colleagues will join me in rejecting this attempt to undercut American workers.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mrs. MURRAY. Mr. President, I ask unanimous consent to speak for 7 minutes.

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

TRAVEL BAN

Mrs. MURRAY. Mr. President, before I talk about the Republican's reckless

move tonight to roll back important worker protections, I do want to address the President's revised immigration Executive order that he signed just hours ago. He may have rearranged some words, but make no mistake, this is still a ban on Muslims. It still flies in the face of everything this country is about and what we stand for.

Slamming the door shut on refugees and immigrants, no questions asked, is un-American. Just like we saw in January, people across this country are already standing up and saying once again this is wrong, and we will not tolerate broad orders that target some of the most vulnerable people in the world.

I urge the President, if you truly want to keep our country safe, work with us, but we will not sit idly by as you continue to push a hateful agenda that betrays our American values.

Mr. President, I want to turn to the vote that is going to occur shortly here on the floor. I thank all of my colleagues who will be joining me this evening. When President Trump was running for office, he claimed he was going to be a President who fought for the middle class. He made a promise that he wasn't going to do what most Republicans have done in recent years and simply work for millionaires and billionaires. He was going to be different. He would be someone workers could count on.

We are just over a month into this Presidency, and it couldn't be clearer; President Trump is breaking that promise, whether it is his Cabinet picks or billionaires and Wall Street bankers and corporate CEOs or his rush to destroy our healthcare system and create chaos for families across our country or what Republicans have chosen to bring to the floor tonight: another effort that would hurt our workers, hurt the middle class, and hurt our economy.

Here is what I think we should be doing in Congress. We should be working on ways to boost economic security for more working families, and we should be helping our economy grow in the way that we know is strongest: from the middle out, not from the top down.

We have made some important progress over the last several years, but I think all of us on either side of the aisle agree there is a lot of work left to be done. That is certainly what has been clear to me as I have traveled across my home State of Washington, listening and meeting with workers and their families. Families are working hard. They are meeting their responsibilities, but far too many are still unable to get ahead.

Again, that is the topic we should be discussing tonight: how to support and empower more workers. Instead, we are here today because President Trump

and my Republican colleagues either simply are not getting that message or they are too busy focusing on what is best for the folks already at the top, because today Republicans are poised to roll back a rule which helps protect our workers from wage theft, from discrimination, from unsafe workplaces, and more.

I want to take just a few minutes to make very clear what is at stake for millions of working families if Republicans roll back this rule. Each year, far too many workers are deprived of overtime wages or they are denied basic workplace protections. They have endured illegal discrimination, and they face unwarranted health or safety risks. That is unacceptable, and it has to come to an end.

Last year, Democrats, working with the previous administration, pushed to finalize what is now known as the fair pay and safe workplaces rule. For far too long, the government has awarded billions of taxpayer dollars to companies that rob workers of their paychecks and fail to maintain safe working conditions. This rule helps to right that wrong. Under this rule, when a company applies for a Federal contract, they will need to be upfront about their safety, health, and labor violations over the past 3 years. That way, government agencies can consider an employer's record of providing workers with a safe workplace and paying workers what they have earned before they grant or renew a Federal contract. To be clear, this does not prevent companies from winning Federal contracts. It does not single out companies. It does not deny companies the right to be heard. It simply improves transparency and coordination so government agencies are aware of companies' violations and can work with them to make sure they come into compliance with essential labor laws.

Again, the emphasis on this is not punishment but on helping bring more and more companies into compliance with the law and zeroing in on violations that are, and I quote from the rule: "Serious, repeated, willful, or pervasive." Not only are these measures common sense, but they would have major benefits for our workers, our businesses and, by the way, our taxpayers. It would help hold the worst violators accountable.

American taxpayers should have the basic guarantee that their dollars are going to responsible contractors that will not steal from their workers or expose their workers to safety hazards. It would protect basic worker rights, and that, in turn, will help expand economic security for all working families, and it will level the playing field for businesses that do follow the law.

I think we can all agree that businesses shouldn't have to compete with bad actors that cut corners and put their workers' safety at risk or cheat their workers on their paychecks.

All of this, frankly, is pretty simple. When workers arrive on the job, they deserve to know they will be treated fairly, that they will be provided with a safe and healthy workplace, that their right to collective bargaining will be respected, and they will be paid all the wages they earned. Businesses that contract with the government should set an example when it comes to each of these concerns, and taxpayer dollars should only go to businesses that respect these fundamental worker protections.

As I said, time and again, families nationwide are sending a very clear message at marches, with phone calls and letters, online, and in their communities. They expect and are demanding that their representatives are truly committed to working for them. I, for one, am committed to standing with them. I know my colleagues are committed, and we are prepared to fight back.

Let's be clear, in rolling back these protections, President Trump and his party are yet again breaking their campaign promise to put our workers first. Workers will be hurt, wages will go down, rights will be undermined, lives will be put at risk. Tonight I am here to urge my Republican colleagues to drop this deeply harmful effort, reverse course, and stand with working families once and for all.

I yield the floor.

The PRESIDING OFFICER. The Democratic leader.

Mr. SCHUMER. Mr. President, first, I thank my colleague from Washington State who has been such a leader on issues like this, throughout this session of Congress and throughout her entire career.

I want to add a few comments on H.J. Res. 37, which I strongly oppose. More than one in five Americans is employed by a company that has at least one Federal contract. Unfortunately, every year tens of thousands of workers are denied overtime wages, not paid fairly because of their gender or age, or have health and safety put at risk by corner-cutting contractors. Those contractors who obey the rules are put at a disadvantage by those who cut corners, and that is what this proposal that President Obama put into effect was supposed to curb. That was the rule.

What do we find President Trump and our Republican colleagues doing? Once again, favoring the special interests, Big Business, over the working people. As my colleague from Massachusetts, Senator WARREN, just said: "This is a debate about whom Congress actually works for." The President tries to present himself as a populist favoring working people. That is in his speeches, but in all of his actions, just about every single one, when there is a special interest, a business interest at stake versus a worker interest, he sides with the special Big Business interests.

The President promised to be a champion for working people in his inaugural address. An hour later, he signed an Executive order making it harder for working people to get a mortgage. Last week, the President made a whole host of claims about what his government would do only 24 hours after releasing a budget blueprint that would take a meat ax to the Federal agencies he was talking about. He had this beautifully sympathetic moment about medical research, and his budget is going to slash it. He talked about education as a major issue in America. His budget will slash that.

Again, less than a week after another populist speech to Congress, the President is doing exactly the opposite of what he said he was going to do—stick up for working men and women—by signing this resolution. President Trump promised: I will deliver better wages for the working class. Well, President Trump, more than 300,000 workers have been victims of wage-related labor violations while working under Federal contracts during the last decade. Are you now going to sign a bill, President Trump, that would make it easier for recidivist Federal contractors to skirt wage standards and hurt their workers? It sounds like it to me. This administration's hypocrisy knows no end. It is not populist. It is not for the working people, not in what they do.

In his joint address to Congress, the President said, he would "ensure new parents have paid family leave." Now is he going to sign a bill that makes it easier for companies that violate family leave laws to win contracts from the Federal Government? If the President was true to his populist rhetoric, he would say this resolution is dead on arrival because it hurts the working people. But if past is prologue, he will not. He will think that his tough talk about standing up for the working class is enough to cloak a hard-right, pro-corporate, pro-elite agenda.

So I challenge the President: If Republicans pass this resolution, show some courage and veto it because you are not going to get away with constantly, constantly saying that you are in favor of working people and signing legislation that hurts them.

I yield the floor.

The PRESIDING OFFICER (Mr. LANKFORD). All time is expired.

Mrs. MURRAY. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The joint resolution was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. The joint resolution having been read the third

time, the question is, Shall the joint resolution pass?

The yeas and nays have been previously ordered.

The clerk will call the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Arizona (Mr. FLAKE), the Senator from Georgia, (Mr. ISAKSON), and the Senator from Alaska (Mr. SULLIVAN).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 49, nays 48, as follows:

[Rollcall Vote No. 81 Leg.]

YEAS—49

Alexander	Fischer	Perdue
Barrasso	Gardner	Portman
Blunt	Graham	Risch
Boozman	Grassley	Roberts
Burr	Hatch	Rounds
Capito	Heller	Rubio
Cassidy	Hoeven	Sasse
Cochran	Inhofe	Scott
Collins	Johnson	Shelby
Corker	Kennedy	Strange
Cornyn	Lankford	Thune
Cotton	Lee	Tillis
Crapo	McCain	Toomey
Cruz	McConnell	Wicker
Daines	Moran	Young
Enzi	Murkowski	
Ernst	Paul	

NAYS—48

Baldwin	Gillibrand	Murray
Bennet	Harris	Nelson
Blumenthal	Hassan	Peters
Booker	Heinrich	Reed
Brown	Heitkamp	Sanders
Cantwell	Hirono	Schatz
Cardin	Kaine	Schumer
Carper	King	Shaheen
Casey	Klobuchar	Stabenow
Coons	Leahy	Tester
Cortez Masto	Manchin	Udall
Donnelly	Markey	Van Hollen
Duckworth	McCaskill	Warner
Durbin	Menendez	Warren
Feinstein	Merkley	Whitehouse
Franken	Murphy	Wyden

NOT VOTING—3

Flake	Isakson	Sullivan

The joint resolution (H.J. Res. 37) was passed.

The PRESIDING OFFICER. The majority leader.

DISAPPROVING A RULE SUBMITTED BY THE DEPARTMENT OF THE INTERIOR

Mr. MCCONNELL. Mr. President, I move to proceed to H.J. Res. 44.

The PRESIDING OFFICER. The question is on agreeing to the motion to proceed.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the joint resolution.

The legislative clerk read as follows:

A joint resolution (H.J. Res. 44) disapproving the rule submitted by the Department of the Interior relating to Bureau of Land Management regulations that establish the procedures used to prepare, revise, or amend land use plans pursuant to the Federal Land Policy and Management Act of 1976.

The PRESIDING OFFICER. The Senator from Illinois.

TRAVEL BAN

Mr. DURBIN. Mr. President, earlier today, President Trump signed a new Executive order that bans travel to the United States from a new list of Muslim-majority countries and bans all refugees. This new Executive order includes some cosmetic changes, but these changes do not alter the fact that President Trump's travel ban is still unconstitutional and still inconsistent with the values of this Nation.

This Executive order plays directly into ISIS's argument that the United States is waging a war against a religion. The President's first travel ban was blocked by multiple Federal courts, and his latest, I hope, will face the same fate.

Let's consider how we have arrived at this point. During his first full week in office, President Trump signed his first Executive order that banned Muslims and refugees. This order resulted in chaos in airports across the country. Dozens of legal immigrants were detained, not because they did anything wrong or because they were any danger to our Nation. It was solely because of where they came from. There was an Iraqi immigrant who put himself and his family in harm's way by working with American troops as an interpreter, two disabled seniors—a husband and wife—and a 5-year-old child. These were people who were the victims of President Trump's first Executive order.

The order faced widespread resistance from the American people, the courts, and even from the administration itself. Acting Attorney General Sally Yates said the Justice Department could not in good conscience defend the President's Executive order. So the President fired her.

Now comes this new Executive order. We know that, over time, Ms. Yates was right. She stood for principle, and when multiple Federal courts blocked that Executive order, we understood that she appreciated the law, unlike those who crafted this terrible order.

Rather than repeal the Executive order or defend it in court, the Trump administration is trying to evade these legal challenges by issuing a new version but with some tweaks. The original Executive order banned travelers to the United States from seven Muslim-majority countries. The President heard the plea about this ban on Muslim travelers. He issued a new order today which does not ban travelers from seven Muslim-majority countries but from only six. This is still, nevertheless, an attack on religious freedom that risks alienating hundreds of millions of Muslims across the world.

Our focus should be on people with suspected links to terrorism. The President will have no resistance from this Congress—from either side of the aisle—if he goes after actual suspects

of terrorism, but this should be done regardless of the suspect's religion.

This order—the new one—still blocks refugees from coming to the United States for at least 120 days, and it cuts by more than 50 percent the number of refugees who will be settled in the United States this year. Turning away innocent people who are fleeing persecution, genocide, and terror is not the American way. It will not keep us safer. Sadly, it projects an image of America to the world that is totally inconsistent with where we have been as a Nation.

No matter what spin the White House puts on it, the President's new Executive order is still fatally flawed. Multiple statements from the President himself and from several of his advisers have made clear that his intention is to bar Muslims from entering the United States and to give priority to Christian refugees. This violates the Constitution's establishment clause and the equal protection clause. Tweaking the language of the ban cannot remedy the President's original unlawful intent.

During the Presidential campaign, the President issued the following statement:

Donald J. Trump is calling for a total and complete shutdown of Muslims entering the United States until our country's representatives can figure out what is going on.

When the President signed his original Executive order, his advisers made clear that it was intending to carry out this campaign promise. Listen to what former mayor of New York City—and one of the closest advisers to Donald Trump—Rudy Giuliani said:

I'll tell you the whole history of it: When President Trump first announced it, he said "Muslim ban." He called me up. He said, "Put a commission together. Show me the right way to do it legally."

Rudy Giuliani.

Now White House Adviser Stephen Miller has made it clear that his intention is to ban Muslims, and he says:

These are mostly minor, technical differences. Fundamentally, you are still going to have the same, basic policy outcome for the country.

Stephen Miller.

We are in the midst of the largest refugee crisis in the history of the world. More than 65 million people have been forcibly displaced from their homes. The brutal Syrian conflict—the epicenter of this crisis—has killed hundreds of thousands, injured more than a million, and displaced more than half of Syria's population. In some areas, children in this country—in the 21st century—are starving to death.

The conflict has forced more than 4.7 million refugees to flee Syria. Around 70 percent of all Syrian refugees are women and children. Half of the Syrian refugee children are not in school. Millions in and outside of Syria are in urgent need of humanitarian assistance.

We cannot forget the lessons of history. In 1939, the United States refused to let the SS St. Louis dock in our country, sending over 900 Jewish refugees back to Europe, where many died in concentration camps.

After that tragic moral failure in the United States—after we turned our back on Jewish refugees who were fleeing Hitler—the United States examined its conscience and came up with a new program. It came up with a new approach, and it was bipartisan. Since World War II, the American people have worked to set an example for the world by accepting refugees.

Listen to those who have been accepted and made a part of America—almost 400,000 Eastern Europeans after World War II, close to 400,000 Vietnamese refugees fleeing the Vietnam war, approximately 650,000 Cuban refugees after Castro came to power.

Let me note, parenthetically, that, of the four Hispanic U.S. Senators today, three can trace their roots to this Cuban migration to the United States, and their families were refugees. They sit on the floor of the Senate and represent some of our great States. Yet, with this President, he is asking them and all of us to ignore this history.

We have accepted more than 150,000 refugees from the former Yugoslavia. Over 100,000 Soviet Jews, who were escaping the persecution of their religion and looking for freedom, came to the United States. Many of these refugees were fleeing regimes that were hostile to our country. Some argued that spies and other hostile elements could be hidden among them.

Think about the hundreds of thousands who came from Communist-controlled Cuba into the United States. Were they subjected to extreme vetting? No. They were people who said: We have come here and are looking for freedom. We opened our doors, and they have made us a better country because of it. The United States was not frightened by the fearmongers when it came to these refugees joining us in the United States, and we shouldn't be today.

Let's be clear. Refugees who come into our country this day are the most carefully vetted and investigated of all of the travelers to the United States. Before refugees are admitted to the United States, they have to pass careful, rigorous security screenings. All of that screening takes place before they even set foot in America, and Syrian refugees undergo a new layer of enhanced review before they are allowed to come to America.

President Trump's own Department of Homeland Security has determined that his travel ban will not make us safer. Listen to this memo from the Department of Homeland Security's Office of Intelligence and Analysis in President Trump's administration:

Country of citizenship is unlikely to be a reliable indicator of potential terrorist activity. Since the beginning of the Syrian

conflict in March 2011, the foreign-born, primarily U.S.-based individuals who were inspired by a foreign terrorist organization to participate in terrorism-related activity were citizens of 26 different countries.

The Trump administration believes they have found—first seven—now six countries from where they will deny terrorists access to the United States, even those who have gone through the vetting to be considered refugees.

Listen to this. It is another memo from the same Department—the Department of Homeland Security's Office of Intelligence and Analysis—under President Trump:

Most foreign-born, U.S.-based violent extremists likely radicalized several years after their entry to the United States, limiting the ability of screening and vetting officials to prevent their entry because of national security concerns.

The point is that it is not likely a terrorist is going to stand in line for 2 years to become a refugee to the United States and go through all of the background checks and live in a refugee camp for that purpose. Those who ended up being involved in terrorist activities were converted after their having arrived in the United States, and they included in their ranks many who were born in the United States.

If we are serious—really serious—about protecting America, we should close the loopholes that make it too easy for foreign visitors and suspected terrorists to buy deadly weapons. Most people do not know, but we have not precluded—or stopped—those who are visiting the United States from buying weapons. Even if we have not checked them, there are no background checks when it comes to terrorism. We should focus on individuals who are engaged in suspicious behavior, not target entire Muslim countries or the entire refugee population.

It makes no sense. Even President Trump's Department of Homeland Security says as much, but this President is determined to go forward with his Muslim ban. He is determined to build walls at our borders. He is determined to instill fear in our hearts.

That is not how America works, and it is not how we will move forward. Let's not continue the cruelty and deception of blaming immigrants and refugees for our security and economic challenges. We should work together, in the spirit of post-World War II America, and set an example for the world in order to build a better America for all Americans, including new Americans—no matter the color of their skin, where their parents were born, or how they pray.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

Mr. DAINES. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

150TH ANNIVERSARY OF THE APPROPRIATIONS COMMITTEE

Mr. COCHRAN. Mr. President, I would like to bring attention to an important anniversary in the history of the U.S. Senate. Today marks the 150th anniversary of the creation of the Senate Committee on Appropriations.

In 1867, the Senate passed a resolution creating a standing committee on appropriations. The committee was founded to bring greater discipline to government spending by consolidating the control, management and oversight of federal expenditures.

The primary role of the Congress in appropriating taxpayer dollars is explicit in our Constitution. It is an important responsibility and must not be taken lightly.

The Appropriations Committee has served the American people by working together to make thoughtful decisions in the allocation of public funds. It is challenging work. Each year we consider a vast amount of input from public hearings, expert sources, our fellow Senators, and our constituents. We do our best to weigh competing priorities and make responsible recommendations.

The Appropriations Committee faces great pressures as discretionary spending is increasingly crowded out by mandatory spending and persistent deficits. It is more important than ever that the appropriations bills be brought before the Senate for careful consideration. I hope we can find a way to do that in the coming months and years.

As we mark the 150th anniversary of the Senate Committee on Appropriations, I look forward to working with my friend and vice chairman, the Senator from Vermont. I hope all Senators will work with us to enact appropriations bills that provide for a strong national defense and support our country's domestic and international priorities.

Mr. LEAHY. Mr. President, today we celebrate the 150th anniversary of the Senate Appropriations Committee. Established on March 6, 1867, its powers are rooted in article I, section 9 of our Constitution, which states, "No money shall be drawn from the treasury, but in consequence of appropriations made by law." The founders of our country recognized the power of the purse as

one of the most important tools Congress has to ensure our system of checks and balance and to conduct oversight of the Executive and Judicial branch, but it is much more than that. The Appropriations Committee is also where we translate the priorities of a nation into the realities of the people.

Our country is not a business, where we allocate resources only according to the bottom line. We do not invest in order to make a profit, or a one-for-one dollar in return. We invest in those areas where it is uniquely right for government to take the lead. We invest in the areas that make a difference in the everyday lives of Americans and that help build the foundations of our country and our economy—infrastructure, national security, our environment, education, health care. The Appropriations Committee is where we fund nutrition programs to ensure that children do not have to sit through class hungry and remain healthy so they can develop and grow. It is where we allocate the resources to clean our lakes and our streams and make investments in growing our communities and promoting jobs. It is where we invest in research to cure cancer. It is where we can define who we are as country.

I have been a member of this Committee for almost my entire tenure in the Senate, and just a few short months ago, I became vice chair. I am proud to serve on this committee, and I feel honored to join in the ranks of its leaders. Today I am glad to join you all in celebrating 150 years of an institution that is at the foundation of the Senate. I look forward to working with my friend Chairman COCHRAN in continuing the long and bipartisan history of the Appropriations Committee in the months and years ahead.

MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Ms. Ridgway, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session the Presiding Officer laid before the Senate a message from the President of the United States submitting a nomination which was referred to the Committee on Armed Services.

(The message received today is printed at the end of the Senate proceedings.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. TESTER (for himself, Ms. BALDWIN, Mr. BOOKER, Mr. BLUMENTHAL, Mr. COONS, Mr. DURBIN, Mr. FRANKEN, Mrs. GILLIBRAND, Ms. HEITKAMP, Mr. MARKEY, Ms. WARREN, and Mr. WHITEHOUSE):

S. 528. A bill to amend the Family and Medical Leave Act of 1993 to provide leave because of the death of a son or daughter; to the Committee on Health, Education, Labor, and Pensions.

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

S. 529. A bill to prohibit the use of eminent domain in carrying out certain projects; to the Committee on Energy and Natural Resources.

By Mr. MANCHIN:

S. 530. A bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to disclose to non-Department of Veterans Affairs health care providers certain medical records of veterans who receive health care from such providers; to the Committee on Veterans' Affairs.

By Mr. PAUL:

S. 531. A bill to amend the Intermodal Surface Transportation Efficiency Act of 1991 to designate a portion of the Edward T. Breathitt Parkway as Interstate Route I-169; to the Committee on Environment and Public Works.

By Mr. PAUL:

S. 532. A bill to prohibit the use of United States Government funds to provide assistance to Al Qaeda, Jabhat Fateh al-Sham, and the Islamic State of Iraq and the Levant (ISIL) and to countries supporting those organizations, and for other purposes; to the Committee on Foreign Relations.

By Mr. NELSON (for himself, Mr. SCHUMER, Mr. BLUMENTHAL, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Mr. MARKEY, Mr. MENENDEZ, Mr. MURPHY, Mr. REED, and Mr. WHITEHOUSE):

S. 533. A bill to modernize the Undetectable Firearms Act of 1988; to the Committee on the Judiciary.

By Mrs. FEINSTEIN (for herself, Ms. COLLINS, Mr. GRASSLEY, Mr. NELSON, Mr. FLAKE, Mr. DONNELLY, Mr. RUBIO, Mrs. MCCASKILL, Mrs. ERNST, Ms. KLOBUCHAR, Mrs. SHAHEEN, Mr. BLUMENTHAL, Ms. WARREN, Ms. HARRIS, Ms. CORTEZ MASTO, and Mr. YOUNG):

S. 534. A bill to prevent the sexual abuse of minors and amateur athletes by requiring the prompt reporting of sexual abuse to law enforcement authorities, and for other purposes; to the Committee on the Judiciary.

By Mr. THUNE:

S. 535. A bill to amend the Water Infrastructure Improvements for the Nation Act to make applicable to the State of South Dakota a provision relating to certain Bureau of Reclamation permit fees; to the Committee on Energy and Natural Resources.

By Mr. HATCH (for himself, Mr. INHOFE, Mr. ISAKSON, Mr. MCCONNELL, Ms. MURKOWSKI, Mr. PERDUE, Mr. ROBERTS, and Mr. SCOTT):

S.J. Res. 32. A joint resolution disapproving the rule submitted by the Department of Labor relating to savings arrangements established by States for non-governmental employees; to the Committee on Finance.

By Mr. HATCH (for himself, Mr. INHOFE, Mr. ISAKSON, Mr. MCCONNELL, Ms. MURKOWSKI, Mr. PERDUE, Mr. ROBERTS, and Mr. SCOTT):

S.J. Res. 33. A joint resolution disapproving the rule submitted by the Department of Labor relating to savings arrangements established by States for non-governmental employees; to the Committee on Finance.

ment of Labor relating to savings arrangements established by qualified State political subdivisions for non-governmental employees; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. MENENDEZ (for himself, Mr. BARRASSO, Mr. WHITEHOUSE, Mr. MURPHY, Mr. CASEY, Mrs. SHAHEEN, Mr. COONS, Mr. REED, Mr. RUBIO, Mr. BLUMENTHAL, Mr. DURBIN, Mr. WYDEN, Mr. COCHRAN, Mr. VAN HOLLEN, Mr. BENNET, Mr. CARPER, Mr. NELSON, Mr. JOHNSON, Mr. PETERS, Mr. BROWN, Mr. BOOKER, Mr. DONNELLY, Mr. PERDUE, and Mrs. GILLIBRAND):

S. Res. 81. A resolution recognizing the 196th anniversary of the independence of Greece and celebrating democracy in Greece and the United States; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 27

At the request of Mr. CARDIN, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 27, a bill to establish an independent commission to examine and report on the facts regarding the extent of Russian official and unofficial cyber operations and other attempts to interfere in the 2016 United States national election, and for other purposes.

S. 59

At the request of Mr. CRAPO, the names of the Senator from Kansas (Mr. ROBERTS), the Senator from Louisiana (Mr. KENNEDY) and the Senator from Montana (Mr. DAINES) were added as cosponsors of S. 59, a bill to provide that silencers be treated the same as long guns.

S. 198

At the request of Mr. RUBIO, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 198, a bill to require continued and enhanced annual reporting to Congress in the Annual Report on International Religious Freedom on anti-Semitic incidents in Europe, the safety and security of European Jewish communities, and the efforts of the United States to partner with European governments, the European Union, and civil society groups, to combat anti-Semitism, and for other purposes.

S. 220

At the request of Mr. SASSE, the name of the Senator from Louisiana (Mr. KENNEDY) was added as a cosponsor of S. 220, a bill to amend title 18, United States Code, to prohibit a health care practitioner from failing to exercise the proper degree of care in the case of a child who survives an abortion or attempted abortion.

S. 222

At the request of Mr. PAUL, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 222, a bill to repeal provisions of the Patient Protection and Affordable Care Act and provide private health insurance reform, and for other purposes.

S. 242

At the request of Mr. CASSIDY, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 242, a bill to amend title 38, United States Code, to permit veterans to grant access to their records in the databases of the Veterans Benefits Administration to certain designated congressional employees, and for other purposes.

S. 297

At the request of Ms. COLLINS, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 297, a bill to increase competition in the pharmaceutical industry.

S. 303

At the request of Mr. BOOKER, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 303, a bill to discontinue a Federal program that authorizes State and local law enforcement officers to investigate, apprehend, and detain aliens in accordance with a written agreement with the Director of U.S. Immigration and Customs Enforcement and to clarify that immigration enforcement is solely a function of the Federal Government.

S. 327

At the request of Mr. HELLER, the name of the Senator from Georgia (Mr. PERDUE) was added as a cosponsor of S. 327, a bill to direct the Securities and Exchange Commission to provide a safe harbor related to certain investment fund research reports, and for other purposes.

S. 339

At the request of Mr. NELSON, the names of the Senator from California (Mrs. FEINSTEIN), the Senator from Massachusetts (Mr. MARKEY) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. 339, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation, and for other purposes.

S. 352

At the request of Mr. CORKER, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 352, a bill to award a Congressional Gold Medal to Master Sergeant Rodrick "Roddie" Edmonds in recognition of his heroic actions during World War II.

S. 379

At the request of Mr. WHITEHOUSE, the names of the Senator from North Carolina (Mr. TILLIS) and the Senator

from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. 379, a bill to amend title II of the Social Security Act to eliminate the five month waiting period for disability insurance benefits under such title for individuals with amyotrophic lateral sclerosis.

S. 397

At the request of Mr. CORKER, his name was added as a cosponsor of S. 397, a bill to amend title XVIII of the Social Security Act to ensure fairness in Medicare hospital payments by establishing a floor for the area wage index applied with respect to certain hospitals.

S. 422

At the request of Mrs. GILLIBRAND, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 422, a bill to amend title 38, United States Code, to clarify presumptions relating to the exposure of certain veterans who served in the vicinity of the Republic of Vietnam, and for other purposes.

S. 444

At the request of Ms. HEITKAMP, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 444, a bill to amend the Investment Company Act of 1940 to expand the investor limitation for qualifying venture capital funds under an exemption from the definition of an investment company.

S. 446

At the request of Mr. CORNYN, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 446, a bill to allow reciprocity for the carrying of certain concealed firearms.

S. 462

At the request of Mr. HELLER, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 462, a bill to require the Securities and Exchange Commission to refund or credit certain excess payments made to the Commission.

S. 484

At the request of Mr. MENENDEZ, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of S. 484, a bill to amend the Investment Company Act of 1940 to terminate an exemption for companies located in Puerto Rico, the Virgin Islands, and any other possession of the United States.

S. 497

At the request of Ms. CANTWELL, the names of the Senator from Washington (Mrs. MURRAY), the Senator from Montana (Mr. TESTER) and the Senator from Florida (Mr. NELSON) were added as cosponsors of S. 497, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of certain lymphedema compression treatment items as items of durable medical equipment.

S. 512

At the request of Mr. BARRASSO, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 512, a bill to modernize the regulation of nuclear energy.

S. 523

At the request of Mr. MANCHIN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 523, a bill to amend the Internal Revenue Code of 1986 to establish a stewardship fee on the production and importation of opioid pain relievers, and for other purposes.

S. 526

At the request of Mrs. FISCHER, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 526, a bill to amend the Small Business Act to provide for expanded participation in the microloan program, and for other purposes.

S.J. RES. 26

At the request of Mr. SASSE, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S.J. Res. 26, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Education relating to teacher preparation issues.

S.J. RES. 27

At the request of Mr. CASSIDY, the names of the Senator from Texas (Mr. CORNYN) and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of S.J. Res. 27, a joint resolution disapproving the rule submitted by the Department of Labor relating to "Clarification of Employer's Continuing Obligation to Make and Maintain an Accurate Record of Each Recordable Injury and Illness".

S.J. RES. 29

At the request of Mr. DAINES, the names of the Senator from Wyoming (Mr. ENZI) and the Senator from Texas (Mr. CORNYN) were added as cosponsors of S.J. Res. 29, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule of the Office of Natural Resources Revenue of the Department of the Interior relating to consolidated Federal oil and gas and Federal and Indian coal valuation reform.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 81—RECOGNIZING THE 196TH ANNIVERSARY OF THE INDEPENDENCE OF GREECE AND CELEBRATING DEMOCRACY IN GREECE AND THE UNITED STATES

Mr. MENENDEZ (for himself, Mr. BARRASSO, Mr. WHITEHOUSE, Mr. MURPHY, Mr. CASEY, Mrs. SHAHEEN, Mr. COONS, Mr. REED, Mr. RUBIO, Mr.

BLUMENTHAL, Mr. DURBIN, Mr. WYDEN, Mr. COCHRAN, Mr. VAN HOLLEN, Mr. BENNET, Mr. CARPER, Mr. NELSON, Mr. JOHNSON, Mr. PETERS, Mr. BROWN, Mr. BOOKER, Mr. DONNELLY, Mr. PERDUE, and Mrs. GILLIBRAND) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 81

Whereas the people of ancient Greece developed the concept of democracy, in which the supreme power to govern was vested in the people;

Whereas the founding fathers of the United States, many of whom read Greek political philosophy in the original Greek language, drew heavily on the political experience and philosophy of ancient Greece in forming the representative democracy of the United States;

Whereas Petros Mavromichalis, the former Commander in Chief of Greece and a founder of the modern Greek state, said to the citizens of the United States in 1821, "It is in your land that liberty has fixed her abode and . . . in imitating you, we shall imitate our ancestors and be thought worthy of them if we succeed in resembling you.";

Whereas the Greek national anthem, the "Hymn to Liberty", includes the words, "most heartily was gladdened George Washington's brave land";

Whereas the people of the United States generously offered humanitarian assistance to the people of Greece during their struggle for independence;

Whereas Greece heroically resisted Axis forces at a crucial moment in World War II, forcing Adolf Hitler to change his timeline and delaying the attack on Russia;

Whereas Winston Churchill said, "if there had not been the virtue and courage of the Greeks, we do not know which the outcome of World War II would have been" and "no longer will we say that Greeks fight like heroes, but that heroes fight like Greeks";

Whereas hundreds of thousands of the people of Greece were killed during World War II;

Whereas Greece consistently allied with the United States in major international conflicts throughout the 20th century;

Whereas Greece is a strategic partner and ally of the United States in bringing political stability and economic development to the volatile Balkan region, having invested billions of dollars in the countries of the region and having contributed more than \$750,000,000 in development aid for the region;

Whereas the Government and people of Greece actively participate in peacekeeping and peace-building operations conducted by international organizations, including the United Nations, the North Atlantic Treaty Organization, the European Union, and the Organization for Security and Co-operation in Europe;

Whereas Greece received worldwide praise for its extraordinary handling during the 2004 Olympic Games of more than 14,000 athletes and more than 2,000,000 spectators and journalists, a feat the government and people of Greece handled efficiently, securely, and with hospitality;

Whereas Greece, located in a region where Christianity meets Islam and Judaism, maintains excellent relations with Muslim countries and Israel;

Whereas Greece remains an integral part of the European Union;

Whereas the Government of Greece has taken important steps in recent years to further cross-cultural understanding, rapprochement, and cooperation in various fields with Turkey, and has also improved its relations with other countries in the region, including Israel, thus enhancing the stability of the wider region;

Whereas the governments and people of Greece and the United States are at the forefront of efforts to advance freedom, democracy, peace, stability, and human rights;

Whereas those efforts and similar ideals have forged a close bond between the people of Greece and the United States; and

Whereas it is proper and desirable for the United States to celebrate March 25, 2017, Greek Independence Day, with the people of Greece and to reaffirm the democratic principles from which those two great countries were founded: Now, therefore, be it

Resolved, That the Senate—

(1) extends warm congratulations and best wishes to the people of Greece as they celebrate the 196th anniversary of the independence of Greece;

(2) expresses support for the principles of democratic governance to which the people of Greece are committed; and

(3) notes the important role that Greece has played in the wider European region and in the community of nations since gaining its independence 196 years ago.

APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to Public Law 94-304, as amended by Public Law 99-7, appoints the following Senators as members of the Commission on Security and Cooperation in Europe (Helsinki) during the 115th Congress: the Honorable JOHN BOOZMAN of Arkansas, the Honorable MARCO RUBIO of Florida, and the Honorable THOM TILLIS of North Carolina.

ORDERS FOR TUESDAY, MARCH 7, 2017

Mr. DAINES. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Tuesday, March 7; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, that following leader remarks, the Senate resume consideration of H.J. Res. 44; finally, that there be 8 hours of debate remaining on the reso-

lution, equally divided in the usual form.

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

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. DAINES. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:59 p.m., adjourned until Tuesday, March 7, 2017, at 10 a.m.

NOMINATIONS

Executive nomination received by the Senate:

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. HERBERT R. MCMASTER, JR.

HOUSE OF REPRESENTATIVES—Monday, March 6, 2017

The House met at 4 p.m. and was called to order by the Speaker pro tempore (Mr. HARRIS).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
March 6, 2017.

I hereby appoint the Honorable ANDY HARRIS to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

PRAYER

Reverend Gene Hemrick, St. Joseph's Catholic Church, Washington, D.C., offered the following prayer:

Lord God, as we approach the season of spring, please bless our Congress and country with fruitful planting resulting in a horn of plenty to nourish us and those who don't have it as well as us.

May our country and Congress continue to share its bountiful food with the starving in this world. Please grace them with the strength needed to shoulder this awesome responsibility.
Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

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

APPOINTMENT OF MEMBER TO BOARD OF VISITORS TO THE UNITED STATES MERCHANT MARINE ACADEMY

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to 46 U.S.C. 51312(b), and the order of the House of

January 3, 2017, of the following Member on the part of the House to the Board of Visitors to the United States Merchant Marine Academy:

Mr. SUOZZI, New York

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 2, 2017.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on March 2, 2017, at 1:07 p.m.:

Appointment:
Senate Delegation to the British-American Interparliamentary Group Conference during the One Hundred Fifteenth Congress.

With best wishes, I am
Sincerely,

KAREN L. HAAS.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 6, 2017.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on March 6, 2017, at 11:51 a.m.:

Appointment:
Senate Delegation to the British-American Interparliamentary Group Conference during the One Hundred Fifteenth Congress.
Senate National Security Working Group for the 115th Congress.

United States Caucus on International Narcotics Control.
With best wishes, I am
Sincerely,

KAREN L. HAAS.

ADJOURNMENT

The SPEAKER pro tempore. Without objection, the House stands adjourned until noon tomorrow for morning-hour debate.

There was no objection.

Thereupon (at 4 o'clock and 3 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, March 7, 2017, at noon for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

690. A letter from the Acting Under Secretary of Defense, Acquisition, Technology, and Logistics, Department of Defense, transmitting the National Defense Stockpile Fiscal Year 2018 Annual Materials Plan pursuant to Sec. 11(b) of the Strategic and Critical Materials Stock Piling Act, 50 U.S.C. 98h-2(b); to the Committee on Armed Services.

691. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to South Sudan that was declared in Executive Order 13664 of April 3, 2014, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec. 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

692. A letter from the Executive Secretary, Bureau of Legislative Affairs, Department of State, transmitting the Department's report on progress toward a negotiated solution of the Cyprus question covering the period of October 1, 2016, through November 30, 2016, pursuant to Sec. 620(c) of the Foreign Assistance Act of 1961, as amended, and in accordance with Sec. 1(a)(6) of Executive Order 13313; to the Committee on Foreign Affairs.

693. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. ACT 21-646, "At-Risk Tenant Protection Clarifying Temporary Amendment Act of 2016", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

694. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. ACT 21-654, "End Taxation Without Representation Amendment Act of 2016", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

695. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. ACT 21-653, "Risk-Based Capital Amendment Act of 2016", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

696. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. ACT 21-652, "Pesticide Education and Control Amendment Act of 2016", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

697. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. ACT 21-651, "Accountancy Practice Amendment Act of 2016", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the

Committee on Oversight and Government Reform.

698. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. ACT 21-650, "UDC DREAM Amendment Act of 2016", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

699. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. ACT 21-649, "Continuing Care Retirement Community Exemption Amendment Act of 2016", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

700. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. ACT 21-648, "Active Duty Pay Differential Amendment Act of 2016", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

701. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. ACT 21-647, "Professional Engineers Licensure and Regulation Clarification Amendment Act of 2016", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

702. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. ACT 21-645, "Four-unit Rental Housing Tenant Grandfathering Amendment Act of 2016", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

703. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; BAE Systems (Operations) Limited [Docket No.: FAA-2016-9186; Directorate Identifier 2015-NM-160-AD; Amendment 39-18799; AD 2017-04-04] (RIN: 2120-AA64) received March 2, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

704. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2016-6664; Directorate Identifier 2015-NM-177-AD; Amendment 39-18795; AD 2017-03-04] (RIN: 2120-AA64) received March 2, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

705. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2016-9305; Directorate Identifier 2016-NM-073-AD; Amendment 39-18804; AD 2017-04-09] (RIN: 2120-AA64) received March 2, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

706. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2016-9111; Directorate Identifier 2016-NM-132-AD; Amendment 39-18802; AD 2017-04-07] (RIN: 2120-AA64) received March 2, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

707. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Textron, Aviation Inc. (Type Certificate Previously Held by Cessna Aircraft Company) Airplanes [Docket No.: FAA-2017-0122; Directorate Identifier 2017-NM-010-AD; Amendment 39-18809; AD 2017-04-14] (RIN: 2120-AA64) received March 2, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

708. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (Embraer) Airplanes [Docket No.: FAA-2016-9049; Directorate Identifier 2016-NM-039-AD; Amendment 39-18807; AD 2017-04-12] (RIN: 2120-AA64) received March 2, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

709. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2016-5468; Directorate Identifier 2015-NM-021-AD; Amendment 39-18806; AD 2017-04-11] (RIN: 2120-AA64) received March 2, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

710. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2016-6426; Directorate Identifier 2016-NM-023-AD; Amendment 39-18791; AD 2017-02-12] (RIN: 2120-AA64) received March 2, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

711. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Gulfstream Aerospace Corporation Airplanes [Docket No.: FAA-2016-9191; Directorate Identifier 2016-NM-106-AD; Amendment 39-18796; AD 2017-04-01] (RIN: 2120-AA64) received March 2, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

712. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2016-9190; Directorate Identifier 2016-NM-087-AD; Amendment 39-18797; AD 2017-04-02] (RIN: 2120-AA64) received March 2, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

713. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2016-9066; Directorate Identifier 2014-NM-113-AD; Amendment 39-18800; AD 2017-04-05] (RIN: 2120-AA64) received March 2, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

714. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2013-0797; Directorate Identifier 2013-NM-007-AD; Amendment 39-18776; AD 2017-01-09] (RIN: 2120-AA64) received March 2, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

715. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace, Salem, OR [Docket No.: FAA-2016-6984; Airspace Docket No.: 16-ANM-5] received March 2, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

716. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31118; Amdt. No.: 3733] received March 2, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

717. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31116; Amdt. No.: 3731] received March 2, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mrs. RADEWAGEN:

H.R. 1362. A bill to name the Department of Veterans Affairs community-based outpatient clinic in Pago Pago, American Samoa, the Faleomavaega Eni Fa'aua'a Hunkin VA Clinic; to the Committee on Veterans' Affairs.

By Mr. SARBANES (for himself, Mr.

WITTMAN, Mr. CONNOLLY, Ms. PIN-

GREE, Ms. DELBENE, and Mr. LYNCH):

H.R. 1363. A bill to amend section 5542 of title 5, United States Code, to provide that any hours worked by Federal firefighters under a qualified trade-of-time arrangement shall be excluded for purposes of determinations relating to overtime pay; to the Committee on Oversight and Government Reform.

By Mr. JODY B. HICE of Georgia:

H.R. 1364. A bill to amend title 5, United States Code, to limit the use of official time for political activity and to exclude certain official time from eligibility as creditable service under CSRS and FERS, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. CORREA (for himself and Mr. THOMPSON of Mississippi):

H.R. 1365. A bill to amend the Homeland Security Act of 2002 to require certain acquisition innovation, and for other purposes; to the Committee on Homeland Security.

By Ms. VELÁZQUEZ (for herself, Mr. DUFFY, Mr. SERRANO, and Mr. MAC-ARTHUR):

H.R. 1366. A bill to amend the Investment Company Act of 1940 to terminate an exemption for companies located in Puerto Rico, the Virgin Islands, and any other possession of the United States; to the Committee on Financial Services.

By Mr. WENSTRUP:

H.R. 1367. A bill to improve the authority of the Secretary of Veterans Affairs to hire and retain physicians and other employees of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BLUMENAUER (for himself, Mrs. DAVIS of California, Mr. BEYER, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. GRIJALVA, Ms. ROYBAL-ALLARD, Mr. CONNOLLY, Mr. KEATING, Ms. LEE, Ms. SPEIER, Ms. SHEA-PORTER, Mr. CÁRDENAS, Mr. PETERS, Mr. CICILLINE, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. WELCH, Mr. MEEKS, Mr. POCAN, Ms. WASSERMAN SCHULTZ, Mr. DEUTCH, Ms. PINGREE, Mr. SCHRADER, Ms. TITUS, Mr. CRIST, Mr. SMITH of Washington, Mr. HUFFMAN, Mr. COHEN, Mr. LANGEVIN, Mr. QUIGLEY, Ms. SCHAKOWSKY, Mr. O'HALLERAN, Mr. TED LIEU of California, Ms. JACKSON LEE, and Mr. RASKIN):

H.R. 1368. A bill to require the Secretary of Agriculture to make publicly available certain regulatory records relating to the administration of the Animal Welfare Act and the Horse Protection Act, to amend the Internal Revenue Code of 1986 to provide for the use of an alternative depreciation system for taxpayers violating rules under the Animal Welfare Act and the Horse Protection Act, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Agriculture, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COLE:

H.R. 1369. A bill to amend the Indian Health Care Improvement Act to revise and extend that Act, and for other purposes; to the Committee on Natural Resources, and in addition to the Committees on Energy and Commerce, Ways and Means, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCCAUL:

H.R. 1370. A bill to amend the Homeland Security Act of 2002 to require the Secretary of Homeland Security to issue Department of Homeland Security-wide guidance and develop training programs as part of the Department of Homeland Security Blue Campaign, and for other purposes; to the Committee on Homeland Security, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. O'ROURKE:

H.R. 1371. A bill to amend title 38, United States Code, to authorize the Secretary of

Veterans Affairs to disclose to non-Department of Veterans Affairs health care providers certain medical records of veterans who receive health care from such providers; to the Committee on Veterans' Affairs.

By Mr. PAYNE (for himself and Mr. THOMPSON of Mississippi):

H.R. 1372. A bill to amend the Homeland Security Act of 2002 to ensure that the needs of children are considered in homeland security planning, and for other purposes; to the Committee on Homeland Security, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WOMACK (for himself, Mr. CRAWFORD, Mr. WESTERMAN, and Mr. HILL):

H.R. 1373. A bill to prohibit the use of eminent domain in carrying out certain projects; to the Committee on Natural Resources.

By Ms. MOORE:

H. Res. 171. A resolution expressing support for designation of the week beginning March 5, 2017, as "School Social Work Week"; to the Committee on Education and the Workforce.

By Mr. CICILLINE (for himself and Mr. ROSKAM):

H. Res. 172. A resolution expressing the sense of the House of Representatives that the Government of the Russian Federation, its officials, security services, and any person or entity within the Russian Federation or associated with the Russian Government, should not interfere, seek to influence, or engage in coercion designed to create an outcome in foreign elections; to the Committee on Foreign Affairs.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mrs. RADEWAGEN:

H.R. 1362.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. SARBANES:

H.R. 1363.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution under the General Welfare Clause.

By Mr. JODY B. HICE of Georgia:

H.R. 1364.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution states "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes."

Article I, Section 8, Clause 18 of the Constitution states "To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof."

By Mr. CORREA:

H.R. 1365.

Congress has the power to enact this legislation pursuant to the following:

(1) The U.S. Constitution including Article 1, Section 8.

By Ms. VELÁZQUEZ:

H.R. 1366.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power . . . to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. WENSTRUP:

H.R. 1367.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. BLUMENAUER:

H.R. 1368.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. COLE:

H.R. 1369.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the United States Constitution

By Mr. MCCAUL:

H.R. 1370.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 and Article I, Section 8, Clause 3

"To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof."

and

"To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

By Mr. O'ROURKE:

H.R. 1371.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18:

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. PAYNE:

H.R. 1372.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 Clause 3—Congress has the ability to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. WOMACK:

H.R. 1373.

Congress has the power to enact this legislation pursuant to the following:

Clause 3, Section 8, Article I of the Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 24: Mr. FORTENBERRY and Mr. RUTHERFORD.

H.R. 98: Ms. TSONGAS.

H.R. 113: Mr. LANCE.

H.R. 367: Ms. TENNEY, Mr. MCCAUL, and Mrs. BLACKBURN.

- H.R. 390: Mr. SCHIFF.
H.R. 392: Mr. CURBELO of Florida, Mr. SCHNEIDER, Mr. STIVERS, Mr. BISHOP of Utah, Mr. WEBER of Texas, Ms. MAXINE WATERS of California, Mr. THOMPSON of Pennsylvania, and Mr. YOHIO.
H.R. 421: Ms. MCSALLY.
H.R. 432: Mr. COURTNEY and Mr. HIGGINS of New York.
H.R. 448: Mr. O'HALLERAN.
H.R. 449: Mr. ALLEN and Mr. JOYCE of Ohio.
H.R. 544: Mr. RUTHERFORD.
H.R. 548: Mr. HENSARLING and Mr. FITZPATRICK.
H.R. 608: Mr. CONYERS.
H.R. 662: Mr. FORTENBERRY.
H.R. 674: Mr. WILSON of South Carolina, Mr. WEBER of Texas, Mr. PITTENGER, Mr. WITTMAN, and Mr. ROUZER.
H.R. 696: Mr. WELCH.
H.R. 721: Ms. LOFGREN, Mr. ABRAHAM, Mr. MARINO, Ms. FRANKEL of Florida, Mr. GOHMERT, Mr. YOUNG of Iowa, Mr. CULBERSON, Mr. EMMER, Mr. LARSEN of Washington, Mr. CHABOT, Mr. MICHAEL F. DOYLE of Pennsylvania, Ms. SÁNCHEZ, Mr. HUFFMAN, Mr. KILDEE, Mr. CRAMER, Mr. COLLINS of New York, Mr. YODER, Mr. HUIZENGA, Ms. ROYBAL-ALLARD, Mr. HASTINGS, Mr. SCHRADER, Mr. DEFazio, Ms. SEWELL of Alabama, Mrs. BUSTOS, Mr. HURD, Mr. BUTTERFIELD, Mr. SWALWELL of California, Mr. MOULTON, and Mr. BISHOP of Georgia.
H.R. 741: Mr. HENSARLING.
H.R. 757: Mr. KEATING, Ms. JACKSON LEE, Mr. BUTTERFIELD, and Ms. LOFGREN.
H.R. 769: Mr. DUNCAN of South Carolina.
H.R. 795: Mr. KINZINGER, Mr. BACON, Mr. ROE of Tennessee, Mr. O'HALLERAN, and Mr. TIPTON.
H.R. 804: Mr. THOMPSON of Mississippi, Mr. PASCRELL, Mr. CONYERS, Mr. RICHMOND, and Mr. VEASEY.
H.R. 899: Mr. ABRAHAM.
H.R. 905: Mr. LEWIS of Minnesota.
H.R. 918: Mr. ROYCE of California.
H.R. 1017: Mr. LOWENTHAL, Miss RICE of New York, Mr. GRIJALVA, and Mr. HENSARLING.
H.R. 1101: Mr. FERGUSON.
H.R. 1103: Mrs. DINGELL and Mr. EVANS.
H.R. 1112: Mr. BISHOP of Utah.
H.R. 1121: Mr. THOMAS J. ROONEY of Florida, Mr. THOMPSON of Pennsylvania, Mrs. HARTZLER, Mr. LAHOOD, Mr. JENKINS of West Virginia, and Mr. MAST.
H.R. 1143: Ms. MOORE, Mrs. DINGELL, Mr. EVANS, and Mr. GRIJALVA.
H.R. 1146: Ms. JACKSON LEE, Mr. RASKIN, and Ms. BARRAGÁN.
H.R. 1205: Mr. YARMUTH, Mrs. WATSON COLEMAN, and Mr. DENT.
H.R. 1246: Miss GONZÁLEZ-COLÓN of Puerto Rico.
H.R. 1259: Mr. PITTENGER, Mr. DAVIDSON, and Mrs. WALORSKI.
H.R. 1284: Mr. BLUMENAUER, Mr. DEFazio, and Mr. GRIJALVA.
H.R. 1299: Ms. SLAUGHTER and Ms. MAXINE WATERS of California.
H.R. 1309: Mr. FITZPATRICK.
H.R. 1310: Mr. GUTIÉRREZ and Ms. GABBARD.
H.R. 1317: Mr. COFFMAN.
H.R. 1322: Mr. KIND, Mrs. DEMINGS, Ms. LOFGREN, Mr. SWALWELL of California, and Mr. AL GREEN of Texas.
H.R. 1341: Mr. BUCK, Mr. WALKER, Mr. BRAT, Mr. DEFazio, and Ms. SHEA-PORTER.
H.J. Res. 31: Mr. AGUILAR.
H.J. Res. 59: Mr. AMODEI.
H. Con. Res. 16: Ms. JACKSON LEE.
H. Res. 145: Ms. KELLY of Illinois.

EXTENSIONS OF REMARKS

RECOGNIZING MS. KRISTEN WHITE
AS THE 2018 SANTA ROSA COUN-
TY TEACHER OF THE YEAR

HON. MATT GAETZ

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 6, 2017

Mr. GAETZ. Mr. Speaker, I rise to recognize Ms. Kristen White as the 2018 Santa Rosa County Teacher of the Year. Ms. Brown has a long history of serving the Santa Rosa County School District with exceptional passion and an unwavering commitment to helping her students.

In Northwest Florida, we are fortunate to have some of the best teachers in the Nation. It is recognized that the teaching profession is one of the most difficult yet rewarding professions in existence. Ms. White has exceptionally performed her teaching duties, while also striving to be an active and supportive member of her community.

Ms. White has served as an elementary reading and writing intervention teacher at East Milton Elementary and coordinates the Science, Technology, Engineering, Art, and Math (STEAM) Innovate Lab, which serves K–5 students. She also provides professional development to teachers, coordinates Discovery education assessments, and collects and interprets data for grade levels.

Previously she has served as a Kindergarten teacher and grade level chair. Her support and mentoring extends far beyond the walls of her classroom through her willingness to serve as a Professional Learning Community facilitator. I commend Ms. White for her steadfast willingness to serve those that matter most, the students and youth of our Nation.

For all of her admirable contributions, I am truly proud to have Ms. White as a constituent in Florida's First Congressional District.

Mr. Speaker, on behalf of the United States Congress, I am privileged to recognize Ms. Kristen White for her accomplishments and her commitment to excellence in the Santa Rosa County School District. I thank her for her service and wish her all the best for continued success.

RECOGNIZING LIEUTENANT COLO-
NEL STEVE "THIRSTY" SMITH
FOR REACHING 10,000 FLYING
HOURS IN A B-52 BOMBER

HON. MIKE JOHNSON

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 6, 2017

Mr. JOHNSON of Louisiana. Mr. Speaker, it is with great honor that I rise today to commend the achievements of Lieutenant Colonel Steve "Thirsty" Smith for making United

States Air Force history on March 3, 2017 by being the only currently serving member of the United States Air Force to reach 10,000 flying hours in a B-52 heavy bomber, officially labeled a B-52 Stratofortress, and contributing to the backbone of the manned strategic bomber force for the United States.

Lt. Colonel Smith joined the United States Air Force after graduating from the ROTC program at the University of Mississippi. He continued on to graduate navigation school at Mather Air Force Base in 1985 where he earned his wings and received his first assignment for the B-52.

As a navigator with the 93rd Bomb Squadron belonging to the 917th Wing at Barksdale Air Force Base in Louisiana, Lt. Colonel Smith has distinguished himself as one of our nation's most experienced navigators. He spent seven years on active duty before becoming a reservist for over 20 years. He has flown 10,000 B-52 hours and 1,819 B-52 sorties including 496 combat hours and 42 combat sorties over the span of four different wars; Operations Desert Storm, Enduring Freedom, Iraqi Freedom and Inherent Resolve. He was awarded the Air Medal in 1991 and the Aerial Achievement Medal in 2002 and 2004.

His expertise with the B-52 played an instrumental role in modernizing the aircraft with a targeting pod that provides greater accuracy leading to more successful missions. Additionally, he has been an inspiration to many young navigators as a flight instructor, teaching over 180 young weapons systems officers at Barksdale Air Force Base in the same aircraft.

Dating back to World War I, the 93rd Bomb Squadron has repeatedly distinguished itself in its contributions to the security of the United States during deployments around the world. This distinction has continued today with global demonstrations of strategic attack capabilities.

Lt. Colonel Smith is greatly regarded throughout the Air Force and Louisiana communities and is known as a humble man who has selflessly given back to the country he loves so dearly. He has earned widespread respect for his continued commitment to serve in defense of our great nation.

Mr. Speaker, on behalf of the United States Congress, it is my pleasure to join a grateful community in saluting his outstanding achievements. My wife Kelly and I thank Lt. Colonel Smith for his dedicated services and wish him all the best for continued success in what is an already remarkable career.

IN REMEMBRANCE OF THE
KHOJALY MASSACRE

HON. DONALD M. PAYNE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, March 6, 2017

Mr. PAYNE. Mr. Speaker, I rise today to honor all those lost in the Khojaly Massacre. On February 25, 1992, a little more than 25 years ago, over 600 people were brutally murdered in Khojaly, Azerbaijan. These were mostly elderly men, women, and children—innocent victims that should have never been part of such a heartbreaking tragedy. It is essential that we take the time every year to remember those who lost their lives during this horrific event in Azerbaijan. Their unwilling sacrifice continues to serve as a reminder to hold fast to the principles of democracy.

Azerbaijan is a strong partner of the United States in a strategically critical and compound region of the world. I ask my colleagues to join me and our Azerbaijani friends in commemorating the tragedy that occurred in the town of Khojaly.

HONORING SAM SCINTA FOR HIS
DEDICATED SERVICE TO THE
COMMUNITY

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 6, 2017

Mr. HIGGINS of New York. Mr. Speaker, today I rise to honor Mr. Sam Scinta, a dedicated volunteer for the Democratic Party and resident of Tonawanda, New York. Sam's tireless service is recognized today by his friends on the City of Tonawanda Democratic Committee. Sam has committed countless hours to further Democratic causes in our community and is most deserving of the City of Tonawanda Democratic Committee's Man of the Year Award.

Sam was raised in Buffalo, New York where he attended Public School 76 and Hutchinson Central High School. In 1954, he enlisted in the U.S. Navy. He is a Korean War Veteran and worked in aviation as a line captain and mechanic. He served in Kingsville, Texas, in a Patrol Squadron in San Diego, and in the Philippine Islands, until he was discharged in 1958.

In 1959, Sam began his career with the Erie Rail Road as a locomotive fireman and was promoted to locomotive engineer in 1966. When the Erie Rail Road merged with the Lackawanna Rail Road, he became active in the Brotherhood of Locomotive Firemen and Enginemen as an organizer, rising to the rank of Vice President, then Local Chairman. Following a union merge he became Local Chairman of the United Transportation Union. In

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

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

1976, he went to work for Con Rail after the North East Railroads merged, where he served as a locomotive engineer until his retirement in 1999.

Sam moved to Tonawanda in 1998 and following his retirement became active in the City of Tonawanda Democratic Committee and has served as Vice Chairman of the Committee for over a decade. One example of his dedication is Sam's command of the Smoothie Booth for the City Committee's fundraiser during Canal Fest since 2003. He constructs the booth, does the scheduling, works in the booth and is there from open to closing all 8 days. Each year, Sam puts in a long day at the Committee's annual picnic in August. Sam is also the proud custodian of the Committee's banner.

As a volunteer on Hillary Clinton's successful campaign for Senator in 2000, and at Congresswoman LOUISE SLAUGHTER's campaign headquarters in 2001, Sam worked tirelessly. In 2005 he hopped on board Legislator Michele Iannello's campaign. Following her victory, Sam went to work for Legislator Iannello in her district office for 2006 and 2007. In 2008, he went to work for the Erie County Board of Elections and retired again in June, 2016.

Sam is the loving father of Sam James Scinta and daughter-in-law Kerry, and a proud grandfather to Sam Jr. and Anthony. As a proud family man, while Sam's son was young, Sam coached and served as President of the Little League at Public School 81 in the 1970's.

Mr. Speaker, I honor Mr. Sam Scinta and his dedication to Democratic politics and our community. Sam's commitment and dependability are admirable and I am pleased to be able to recognize him today with the City of Tonawanda Democratic Committee as they present to him their Man of the Year Award.

PERSONAL EXPLANATION

HON. SCOTT TAYLOR

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 6, 2017

Mr. TAYLOR. Mr. Speaker, due to travel with President Trump, I was unable to attend votes. Had I been present, I would have voted nay on Roll Call No. 122, yea on Roll Call No. 123, nay on Roll Call No. 124, nay on Roll Call No. 125, and yea on Roll Call No. 126

IN RECOGNITION OF THE WHISNANTS

HON. MARK MEADOWS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 6, 2017

Mr. MEADOWS. Mr. Speaker, I rise today to recognize The Whisnants, a musical ensemble from Morganton, North Carolina. On behalf of the people of Western North Carolina, I would like to congratulate The Whisnants for nearly 50 years of the continued growth of their remarkable ministry.

This ministry began many years ago in 1970, when John and Betty Whisnant and

their family began singing gospel music in Morganton, North Carolina. The group has expanded over the years, with members coming and going, but they have always remained true to their mission. This family has asked God to use their ministry to touch more and more lives, and he has clearly used their music to do so. In the 47 years since they got their start, the Whisnants have performed across the nation and the world. The Whisnants have been recognized as leaders in gospel music, and their songs have frequently been awarded top accolades throughout their career.

As the family's ministry continues to grow and as new generations of Whisnants take new roles, they do so with my prayers and continued best wishes. The Whisnants have been extraordinary representatives of our community across our state and nation. On behalf of the people of Western North Carolina, it's my honor to recognize them on this important family milestone.

PERSONAL EXPLANATION

HON. ZOE LOFGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 6, 2017

Ms. LOFGREN. Mr. Speaker, I was unable to cast votes on Monday February 27, 2017 due to a family medical emergency. Had I been present I would have voted: Roll Call No. 100: YEA, Roll Call No. 101: NO, and Roll Call No. 102: YEA.

HONORING GAYLE SYPOSS FOR HER DEDICATED SERVICE TO THE COMMUNITY

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 6, 2017

Mr. HIGGINS of New York. Mr. Speaker, my hometown county Democratic committee gathered recently to honor the longtime chair of the City of Tonawanda Democratic committee, Gayle Syposs, to commemorate her service both to her community and to the Democratic Party.

A career public servant, Gayle has in the past served as an elected member of her hometown city council, as a civil servant and appointed public servant in county government, and at present once again serving her hometown as the Tonawanda City Clerk, where its elected leadership—be they Republican or Democratically affiliated—agree that her experience and institutional knowledge was critically important when the longtime incumbent city clerk retired in 2015.

But it is how Gayle came to public life that helps illustrate what is great about America, and about how committed people, working together, can be an effective voice for the communities they love.

In the 1970s, New York State government had plans to "improve" transportation in the city of Tonawanda—but the local community

didn't think much of it. The state wanted to change Niagara Street into a four lane highway, which would have turned this main thoroughfare adjacent to the city's waterfront parks into a dangerous highway totally not in keeping with the needs and wants of city residents, destroying the city's character in the process.

This ill-conceived action midwifed the birth of a great civic and political activist in Gayle Syposs. After reading a newspaper article detailing the number of old-growth trees destined to be removed to build this highway, Gayle formed a citizens' committee that successfully fought the state's top-down plan, preserving Niagara Street and the character of her hometown the right way, in a grassroots, bottom-up fashion, energizing and educating neighbors to join the fight.

Today, Niagara Street remains as it was, a low-speed thoroughfare adjacent to county and city parks, preserved, we hope, in perpetuity for the enjoyment of residents and families during each of Western New York's great four seasons. Gayle's activism spawned a career in public service and politics, leading her to 6 non-consecutive terms on the city council, and into greater governmental and political activism—something from which so many Western New York Democrats have benefited.

Indeed, while I have known Gayle for the better part of thirty years, I have come to benefit most directly since her city was included into my congressional district in 2012. In addition to being a steadfast supporter, Gayle has been a friend and an important link for me and for my staff to her local community—a service she has been kind enough to provide to me and to the people I work to serve.

Gayle is, as I mentioned, currently the chair of the city of Tonawanda's Democratic Committee, but that is only one of many titles she has held. While she has served as chair as long as many of us can remember, she also serves as Chair of the Erie County Association of Town Chairs, as Treasurer of the county Democratic party, and as a member of the New York State Democratic Committee.

A few weeks ago, Gayle was honored by our Erie County Democratic Committee as the 2017 recipient of the Joseph F. Crangle Legacy Award. Named for our legendary former county and state chairman, this award is the gold standard for local Democrats; it rightfully raises Gayle's name among the great leaders of our party.

But no one should imagine that earning this award will mean that Gayle will slow down anytime soon. Gayle will likely read this speech, reflect upon it for a few moments, and quickly move on to a call she recently received about a broken sidewalk, or pass along the résumé of a neighbor's college-aged grandson who is looking for an opportunity as he works his way through college. Gayle's dedication to her country, her community and, yes, her party, represent all that is great about Western New York, and I am thankful for the opportunity to honor her and to have the House take note of the many positive contributions she has made throughout our community.

HONORING MS. AILEEN CLARKE
HERNANDEZ

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 6, 2017

Ms. LEE. Mr. Speaker, I rise today to honor the extraordinary life of Aileen Clarke Hernandez. With her passing on February 13, 2017 in Irvine, California, I look to recognize her passion for women's equality, and the invaluable influence it has had on our nation.

Aileen was born in Brooklyn on May 23, 1926, to Charles Henry Clarke, and Ethel Louise Hall. Ms. Hernandez excelled in school and graduated magna cum laude from Howard University, where she was drawn into politics and worked with the NAACP. In 1951, she took an organizing job with the West Coast division of the International Ladies Garment Workers Union.

Her work with the Garment Workers Union brought her to California, and led to her involvement in California politics and government, where she eventually was appointed as the assistant chief of the Fair Employment Practices Division for the State.

In 1964, Clarke was appointed by President Lyndon B. Johnson, as the first woman to serve on the U.S. Equal Employment Opportunity Commission (EEOC), and in 1966, she left the commission to form her own consulting firm, Hernandez and Associates. Her firm worked to end racism, sexism and all forms of discrimination, and to establish standards for equity in government and corporations.

In 1970 she was appointed the second President of the National Organization for Women (NOW) where she was instrumental in organizing the national Women's Strike for Equality on August 26, 1970.

In 1973, Ms. Clarke took initiative and founded Black Women Organized for Action in San Francisco. In addition, Ms. Clarke was the Co-Chair and Founder with Marilyn Fowler, of the California Women's Agenda, a network and action alliance of over 600 organizations in California, and was chairwoman of the committee that led to the founding of the National Women's Political Caucus that worked to increase political power for women.

Aileen Clarke Hernandez was a leader and fought against discrimination for more than seven decades. She took it as her mission to ensure a voice for women of color in the women's movement and civil rights movement, and worked on behalf of all people seeking social justice. Her monumental efforts have guided our nation on the right trajectory toward a more just society.

On a personal note, I met Aileen in 1972 during Shirley Chisholm's groundbreaking presidential campaign. She became a mentor and helped shape my political views and guided my growing political involvement. I was constantly amazed at how she could build bridges between activists in the feminist movement, people of color, and the civil rights movement, in order to work together for positive change. I was proud to call Aileen my friend; I know that her legacy will live on, and her spirit will continue to guide us through the many challenges that we continue to face.

Today, California's 13th Congressional District honors Aileen Hernandez's memory and her lifetime of service working on behalf of social justice and equality. We join her loved ones in celebrating her incredible life with a promise to honor her tremendous legacy.

REMEMBERING MAJOR REID B.
NANNEN, UNITED STATES MA-
RINE CORPS

HON. DARIN LAHOOD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 6, 2017

Mr. LAHOOD. Mr. Speaker, today, I would like to honor United States Marine Corps Major Reid B. Nannen, who passed away Sunday, March 1, 2014, while training at TOPGUN NAS in Fallon, Nevada.

Reid attended Olympia High School where he was a two-year captain of the swim team, a section leader for the drum line, and an Illinois State Scholar. Reid then attended the University of Illinois where he participated in the Marching Illini Drum Line, and also served as commander of the NROTC Drill Team his senior year. After graduating, Reid married the love of his life, Sarah M. Simpson, on August 6, 2005, in Peoria, Illinois.

Reid was commissioned as a 2nd Lieutenant in May 2004. After completing The Basic School, Reid attended Naval Aviation Training and received his Wings of Gold in February 2007. He deployed to Afghanistan in support of Operation Enduring Freedom from May to December of 2010. Reid attended Tactical Air Control Party training in 2011 and proceeded to Camp Pendleton, California, for duty as a forward air controller. Reid deployed for the second time to Afghanistan from October of 2011 to May of 2012. Reid's valor and leadership led him to serve as a decorated hero receiving the Afghanistan Campaign Medal, Navy Unit Commendation, Navy Achievement Medal, and the Navy Commendation Medal and Air Medal.

In honor of Reid's sacrifice, it is my privilege to commemorate his service through the designation of the Major Reid B. Nannen Highway in Hopedale, Illinois. My prayers and thoughts go out to his wife, Sarah, and their four children, who have lost a loving husband and father. Our Nation is blessed to have servicemen like Captain Reid who have selflessly given their life in defense of our country and our freedom.

HONORING ST. PAUL'S EPISCOPAL
CATHEDRAL

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 6, 2017

Mr. HIGGINS of New York. Mr. Speaker, I rise today to honor the rich history of St Paul's Episcopal Cathedral, a long standing community pillar that is celebrating its 200th anniversary this year.

The Episcopal Cathedral was incorporated on February 10, 1817 in the city of Buffalo.

This building was Buffalo's first permanent house of worship and was consecrated on February 25, 1821.

A major milestone in the Church's history was the consecration of a new edifice. This building was designed by renowned architect Richard Upjohn and began a second period of growth for the Church.

St Paul's Cathedral flourished in the city until May 22, 1888 when it was tragically destroyed by a fire. Through perseverance and a strong commitment to the community, the restored St Paul's Cathedral was inaugurated just two years later.

The Church committed to remaining in the downtown community of Buffalo. Even with the hardships of the twentieth century around the country and in Buffalo, St Paul's Cathedral took advantage of every opportunity to grow and serve the community.

St Paul's Cathedral is where The Most Rev. Michael Bruce Curry, Presiding Bishop and Primate of The Episcopal Church, attended while he was going through Buffalo Public Schools.

Through different projects throughout the city of Buffalo, the people of St Paul's Cathedral have shown their commitment to social service and preserving their history.

Mr. Speaker, I honor a long standing institution in the city of Buffalo. I am proud to celebrate St Paul's Episcopal Cathedral's bicentennial and I wish the Church good fortune for many years to come.

INTRODUCTION OF THE ANIMAL
WELFARE ACCOUNTABILITY AND
TRANSPARENCY ACT

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, March 6, 2017

Mr. BLUMENAUER. Mr. Speaker, early last month, the U.S. Department of Agriculture (USDA) abruptly pulled animal welfare violation documents from its website. This database contained thousands of inspection reports and other information about violations of the Animal Welfare Act and the Horse Protection Act made by research laboratories, zoos, dog breeding operations, and other facilities. While the agency has begun to repost some of these documents, it has so far only restored a small fraction of the information that was taken down. In the meantime, consumers and animal welfare advocates lack the transparency needed to make informed decisions and hold violators accountable.

For the life of me, I can't understand why USDA would hide this vital information. Ensuring transparency under these laws is a no-brainer. Luckily, many of my colleagues feel the same. Today, I am pleased to introduce, with 34 of my colleagues, the Animal Welfare Accountability and Transparency Act. This bill would require USDA to repost this information on its website and would increase accountability for those who treat animals inhumanely.

Providing consumers with information about where their pets come from and how animals are treated is the least we can do to discourage people from violating the law. It is critical

that we ensure the standards set forth by Animal Welfare Act and the Horse Protection Act are upheld. This is why the Animal Welfare Accountability and Transparency Act would create an additional incentive to abide by these laws.

The bill would take away certain tax benefits for businesses that are found to be in violation of those laws. Under current tax rules, the costs of breeding and working animals are treated the same as machinery and equipment, and businesses may deduct these costs from their taxes over a specified period. The bill would prohibit businesses found to have violated the Animal Welfare Act or the Horse Protection Act from claiming these accelerated depreciation bonuses for tax purposes.

I am also happy to have worked with my colleague from Oregon, Senator RON WYDEN, who introduced a Senate version of this legislation late last week. This bill is a small step that this Congress can take quickly to show that we respond to animal abuse and that the federal government should be transparent with consumers. I call on my colleagues to support this bill so that we can send a strong message to animal abusers across this country that their horrendous actions will not be kept in the shadows.

IN RECOGNITION OF THE 90TH ANNIVERSARY OF THE SACRAMENTO MEMORIAL AUDITORIUM

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 6, 2017

Ms. MATSUI. Mr. Speaker, I rise today to recognize the 90th Anniversary of Sacramento's Memorial Auditorium. As the City of Sacramento celebrates one of its most valued and awe inspiring buildings, I ask all my colleagues to join me in honoring this historical piece of architecture in Sacramento.

The Memorial Auditorium, listed on the National Register of Historic Places since 1977, opened in 1927 and is dedicated as a tribute and memorial to those in our community who gave their lives to our country. The Memorial Auditorium has provided the venue for a variety of events including concerts, local graduations, competitions and gubernatorial inaugurations. The building has many unique architectural design elements and operational features.

In honor of this anniversary, the City of Sacramento is offering a viewing of the classic comedy and silent film "Steamboat Bill, Jr." accompanied by the local organist Dave Moreno live. This Buster Keaton film has special connection with the area, as it was filmed on the Sacramento River in 1927 the same year the Memorial Auditorium opened.

Mr. Speaker, as the City of Sacramento honors the 90th Anniversary of the Memorial Auditorium, I ask all my colleagues to join me in honoring this staple of the Sacramento area and all it has provided to the community.

HONORING DONALD R. WHITE

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 6, 2017

Ms. LEE. Mr. Speaker, I rise today to honor the extraordinary work of Donald R. White, who recently retired after 32 years of serving as Alameda County's Treasurer-Tax Collector. I recognize his exemplary work and the invaluable influence he had on our community in the County of Alameda.

Mr. White graduated from California State University, Hayward (now Cal State East Bay) where he earned a Bachelor of Science in Business Administration. He is a Certified Public Accountant, a member of the California Society of CPAs, and a member of the American Institute of CPAs. These qualifications helped him become the first African American auditor at Ernst and Young's San Francisco office and he later co-founded Adams, Grant, White & Co, a minority owned accounting firm that had offices in Washington, D.C., Oakland, and Fresno.

Donald began his work for Alameda County in 1985 when he made history as the first African American to be elected to the position of Treasurer-Tax Collector. As Alameda County's Treasurer, White oversaw billions of dollars in county funds, managed multiple departments, and supervised a staff of over 60 employees.

Mr. White is a trailblazer. He dedicated his career to serving and supporting his community, investing years with countless community service organizations. He has committed himself to numerous non-profit boards, including service on the Board of Trustees for the East Oakland Youth Development Center and on the Board of Directors and as chair of the Audit Committee of the Episcopal Diocese of California. He served as treasurer for the Alpha Gamma Boule Foundation and treasurer of the Black Elected Officials and Faith Based Leaders of the East Bay.

Over the years Mr. White has also committed his time and expertise to numerous professional organizations, including the California Association of County Treasurers and Tax Collectors, National Association of Securities Professionals, National Association of Black Accountants, and is an active member of the Oakland Chapter of the National Association for the Advancement of Colored People (NAACP).

Mr. White is an exemplary model of a positive community activist, promoter of equality, and role model for all. He has worked tirelessly as a public servant and committed himself to expanding and promoting diversity in every aspect of professional services for the county.

On a personal note, I had the privilege to be involved in Don's first campaign, when I organized an event for him with Congressman Harold Ford. Don was also a member of a business delegation that I led to Africa, and the group benefitted tremendously from his expertise and insights. More than anything, Don always lived up to his role as an exemplary public servant, and I am proud to call him my friend.

Today, on behalf of California's 13th Congressional District, I salute the long and suc-

cessful career of Donald R. White. I offer my congratulations and acknowledge the positive impact that he had on the communities of Alameda County.

PERSONAL EXPLANATION

HON. RODNEY DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 6, 2017

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, during the afternoon of Tuesday February 28, 2017, I was absent from the House due to a meeting at the White House with Vice President Mike Pence and my constituent and guest to the President's Address to the Joint Session of Congress, Elizabeth Snyder. I would like to reflect how I would have voted had I been present for legislative business.

Had I been present, I would have voted "aye" on Roll Call 105. I would have voted "nay" on Roll Call 106, Roll Call 107, and Roll Call 108.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, March 7, 2017 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MARCH 8

9:30 a.m.

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine the nomination of Elaine C. Duke, of Virginia, to be Deputy Secretary of Homeland Security.

SD-342

10 a.m.

Committee on Appropriations

Subcommittee on Transportation, Housing and Urban Development, and Related Agencies

To hold hearings to examine investing in America, focusing on funding our nation's transportation infrastructure needs.

SD-192

Committee on Commerce, Science, and Transportation
To hold an oversight hearing to examine the Federal Communications Commission.

SH-216

Committee on Environment and Public Works

To hold hearings to examine an original bill entitled, "Nuclear Energy Innovation and Modernization Act".

SD-406

10:30 a.m.

Committee on Appropriations

Subcommittee on Departments of Labor, Health and Human Services, and Education, and Related Agencies

To hold hearings to examine saving lives through medical research.

SD-138

2:15 p.m.

Committee on Indian Affairs

To hold an oversight hearing to examine Indian affairs priorities for the Trump Administration.

SD-628

2:30 p.m.

Committee on Armed Services

Subcommittee on Cybersecurity

To receive a closed briefing on cybersecurity from the Defense Science Board.

SVC-217

Committee on Armed Services

Subcommittee on Strategic Forces

To hold hearings to examine the global nuclear weapons environment.

SR-222

MARCH 9

9:30 a.m.

Committee on Armed Services

To hold hearings to examine U.S. Central Command and U.S. Africa Command.

SH-216

10 a.m.

Committee on Banking, Housing, and Urban Affairs

Business meeting to consider S. 327, to direct the Securities and Exchange

Commission to provide a safe harbor related to certain investment fund research reports, S. 444, to amend the Investment Company Act of 1940 to expand the investor limitation for qualifying venture capital funds under an exemption from the definition of an investment company, S. 462, to require the Securities and Exchange Commission to refund or credit certain excess payments made to the Commission, S. 484, to amend the Investment Company Act of 1940 to terminate an exemption for companies located in Puerto Rico, the Virgin Islands, and any other possession of the United States, and S. 488, to increase the threshold for disclosures required by the Securities and Exchange Commission relating to compensatory benefit plans.

SD-538

Committee on the Judiciary

Business meeting to consider S. 419, to require adequate reporting on the Public Safety Officers' Benefits program, and the nominations of Danny C. Reeves, of Kentucky, to be a Member of the United States Sentencing Commission for a term expiring October 31, 2019, and Charles R. Breyer, of California, to be a Member of the United States Sentencing Commission for a term expiring October 31, 2021.

SD-226

Committee on Veterans' Affairs

To hold a joint hearing with the House Committee on Veterans' Affairs to examine the legislative presentation of multiple veterans service organizations.

SD-G50

10:15 a.m.

Committee on Homeland Security and Governmental Affairs

Subcommittee on Regulatory Affairs and Federal Management

To hold hearings to examine agency use of science in the rulemaking process,

focusing on proposals for improving transparency and accountability.

SD-342

10:30 a.m.

Committee on Foreign Relations

Business meeting to consider the nomination of David Friedman, of New York, to be Ambassador to Israel; to be immediately followed by a hearing to examine resolving the conflict in Yemen, focusing on U.S. interests, risks, and policy.

SD-419

2 p.m.

Select Committee on Intelligence

To hold closed hearings to examine certain intelligence matters.

SH-219

MARCH 15

2:30 p.m.

Special Committee on Aging

To hold hearings to examine raising grandchildren in the opioid crisis and beyond.

SD-562

3:30 p.m.

Committee on Armed Services

Subcommittee on Airland

To hold hearings to examine all arms warfare in the 21st century.

SR-232A

MARCH 22

10 a.m.

Committee on Veterans' Affairs

To hold a joint hearing with the House Committee on Veterans' Affairs to examine the legislative presentation of multiple veterans service organizations.

SD-G50

SENATE—Tuesday, March 7, 2017

The Senate met at 10 a.m. and was called to order by the Honorable BEN SASSE, a Senator from the State of Nebraska.

PRAYER

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

Let us pray.

O Lord, in whose hands is the life of every living thing, we depend upon Your strength and might.

Manifest Yourself to our Senators, directing their steps and bringing them to Your chosen destination. Without Your leading, they will be like ships without rudders, but with You directing, they cannot fail to fulfill Your purposes. Take them in the direction that will enable them to positively affect the lives of the heavy laden, the sorrowful, and the suffering.

Fill their hearts with the deep compassion needed to enable Your Kingdom to come and Your will to be done on Earth as it is in Heaven. Lord, use them to hasten the coming of Your Kingdom of justice and truth.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, March 7, 2017.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BEN SASSE, a Senator from the State of Nebraska, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mr. SASSE thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

REPEALING AND REPLACING OBAMACARE

Mr. MCCONNELL. Mr. President, last night, the committees of jurisdiction in the House released a proposal to repeal ObamaCare and begin the process of replacing it with commonsense reforms to preserve access and lower costs. The plan builds upon the 2015 repeal bill, which was vetoed by President Obama. I am happy to hear the committees will begin consideration this week. I encourage every Member to review it because I hope to call it up when we receive it from the House.

It is clear to just about everyone that ObamaCare is failing. Costs are soaring. Choices are diminishing. Insurance markets are teetering.

It would be easy to sit back and watch this partisan law collapse under its own weight. Pass the buck to the next guy. That seems to be the Democrats' strategy.

Republicans think the middle class actually deserves better. In election after election, Americans have called for relief. In election after election, Americans have called for an end to this partisan law. We promised to do both things. We are.

The legislation the House introduced last night represents the next step along that path. It is the result of a long conversation with many voices, and it is supported by the one person who can actually sign a bill into law—the President of the United States.

I want to recognize everyone for their contributions and hard work. Given last night's announcement, I especially want to commend our colleagues in the House. The policy conversation that led to what we saw last night continues. The policy process moves forward today.

We have come a long way. We have a lot further to go, but we are making significant progress. Working arm in arm with the House and the new administration, we are going to keep our promise to the American people because ObamaCare is a direct attack on the middle class. We all know it. We all get letters and phone calls. We hear the heartbreak and the frustration nearly every day.

Consider this letter from one of my constituents in Goshen, who wrote about the ObamaCare plan available to his family:

I am extremely displeased with the limited choices available. While 16 plans are listed for me at the Healthcare.gov website, they are all inferior to my 2016 plan. Neither our primary care physician nor my rheumatologist is in network of any offered 2017 plan.

The cost is another problem. The 2017 plan that I will probably choose will have a 20% higher premium than my 2016 plan with a lower level of benefits.

Pay more; pay more for less. That is ObamaCare for you right there. Look, in so many different ways, we have seen the evidence for years that ObamaCare simply isn't working. This isn't a law that can be fixed. This isn't a law that can be saved. It has to be repealed and replaced. We promised the American people we would do that. We are going to keep our promise.

CONGRESSIONAL REVIEW ACT RESOLUTIONS

Mr. MCCONNELL. Mr. President, on another matter, for the past 8 years, Americans felt left behind by an economy that failed to live up to its potential, a job market that left too many behind, and a future that didn't seem to be as bright as it once had.

For too long, the previous administration pursued an agenda that put Washington's interests above the peoples' interests and regulations that too often followed ideology rather than facts. In fact, as we recently saw cited in a national paper, one study "estimates that the costs of complying with federal rules and regulations totaled nearly \$1.9 trillion in 2015."

Let me say that again. The costs of complying with regulations in America totaled nearly \$1.9 trillion in 2015, equal to about half the Federal budget.

Yet another study "estimates that regulation has shaved 0.8 percent off the U.S. annual growth rate"—a growth rate that was already too low to begin with.

You can see the effect that heavy-handed regulations can have on our Nation's economy. There is no question that some regulations are necessary and even beneficial to our country, but Washington should assess the real impact regulations will have before implementing them.

Undoing the damage of the past several years is going to take some time, but fortunately there are meaningful steps we have already begun taking to bring relief. Just last night we took another step by blocking a sweeping labor regulation that would have threatened American businesses, workers, and taxpayers at large.

Today we will keep working to dial back even more harmful regulations, like the one before us now—the so-called BLM planning 2.0 rule. Don't let the name fool you. This regulation has little to do with improving current policy. Instead, it really represents another power grab pushed through by

the Obama administration on its way out the door.

Like several other regulations we are working to address, this one adopts a top-down, one-size-fits-all approach. It shifts power away from State and local governments toward Washington bureaucrats, and it targets Western States specifically, jeopardizing their ability to manage the lands and resources that their local economies count on.

As Senator MURKOWSKI, chair of the Energy Committee, has pointed out, this regulation could negatively impact a range of activities like grazing, timber, energy, and mineral development and other important uses of public land that States like hers rely on. And, perhaps even more troubling, it would also limit input from local stakeholders who are the most familiar with these issues. That is why Senator MURKOWSKI has been fighting the BLM 2.0 regulation from the start and has introduced legislation under the Congressional Review Act to overturn it.

Later today, we will have the opportunity to vote on a similar resolution, which has already passed the House. It is another important step in our efforts to return power to the States and knock down barriers that keep our economy from growing.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

Mr. McCONNELL. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

CALLING FOR THE APPOINTMENT OF A SPECIAL PROSECUTOR

Mr. SCHUMER. Mr. President, this morning the Judiciary Committee will have a hearing on the nomination of Mr. Rod Rosenstein to serve as the Deputy Attorney General. During the

hearing, Mr. Rosenstein should commit to naming a special prosecutor to look into the Trump campaign's ties to Russia.

There is a strong legal rationale for a special prosecutor. A special prosecutor, by the Department of Justice rules, would be free of day-to-day supervision by anyone at the Department of Justice, would be free to follow the investigation where it leads, and would be subject to an increased level of congressional oversight. Moreover, it is the right thing to do to ensure that this investigation remains impartial, nonpartisan, and truly gets to the bottom of the matter. The bottom line is very simple. The special prosecutor can only be fired for cause, but a line person in the Justice Department could be fired at will. We saw that happen when President Trump didn't like what Sally Yates said about his Executive order. He simply fired her.

Mr. Rosenstein is a very fine man, an excellent, longtime prosecutor in the Justice Department, but this is when we call for a special prosecutor. It is not an aspersion against him in any way. We are worried the White House will not let an investigation within the Justice Department, without the insulation of a special prosecutor, go forward.

So if Mr. Rosenstein is unwilling to commit to naming a special prosecutor or says he needs to be confirmed, and in his position he can make an assessment, that is insufficient. The need for a special prosecutor is clear enough today to make that call.

Of course, we don't need to wait for Mr. Rosenstein. Mr. Boente, the Acting Deputy Attorney General, can make the call today, but if neither will commit to a special prosecutor, Congress will have to consider bringing back a narrower independent counsel law to see that this investigation is conducted properly.

TRUMPCARE

Mr. SCHUMER. Mr. President, on another matter, last night we saw the House Republicans plan to repeal and replace the Affordable Care Act. After 70 years of talking about the same thing over and over again, you would think the Republicans would have been able to come up with a better plan than this. This plan is a mess.

First, it will cost average Americans more money for their healthcare, while providing fewer benefits; second, it will cut taxes for the very wealthy, making average Americans pay more for their healthcare; third, it will raise premiums and costs for older Americans; and, fourth, it will remove the guarantee that ensures Americans with preexisting conditions can get coverage.

TrumpCare will make health insurance in America measurably worse in just about every way and leave more

Americans uninsured. It does, however, greatly benefit the very wealthy and special interests. Let's quickly look at each of the items I just mentioned.

First, TrumpCare will cost more and you will get less. By eliminating minimum coverage for healthcare plans and decreasing the availability of tax credits, the cost for average Americans will increase by at least \$1,000 annually. That is a huge increase, like a tax increase for average Americans who need healthcare. It cuts and caps Medicaid, which has expanded health insurance to over 20 million Americans, and affects poor people, as well as many elderly who are in nursing homes, as well as their children who might have to pay for their care with the kinds of cuts we are seeing.

The bill would greatly decrease coverage for maternity care, preventive screenings, mental health, opioid treatment, and more. With respect to women, TrumpCare would send us back to the Dark Ages. Gone are the protections for maternity care, mammograms, and more. Gone is all the funding next year for Planned Parenthood, where 2.5 million women a year get healthcare. The ACA finally made it the case that you no longer had to pay more for coverage just because you are a woman. TrumpCare rips that away, undoes the progress we made just a few years ago.

Second, TrumpCare would be a boon to the wealthy, while making working Americans pay more. The bill is a winning lottery ticket for wealthy Americans. It removes an investment tax and a surcharge on the wealthiest Americans, folks with incomes of above \$250,000 a year, saving them an average of \$200,000 a year, and it allows a tax break for insurance executives making over \$500,000 a year.

Third, TrumpCare will raise premiums and costs for older Americans. It would repeal the Affordable Care Act's premium subsidies and replace them with refundable tax credits that could be worth thousands of dollars less than what was provided under the ACA. Under this plan, a senior without Medicare might receive only \$4,000 a year in tax credits, an inadequate sum for someone of that age. One illness or a bad break, and the value of their tax credit would evaporate. It also allows insurers to charge older Americans more simply because of their age.

Finally, TrumpCare would remove the guarantee of coverage for Americans with preexisting conditions. TrumpCare is breathtakingly irresponsible. It shifts the costs and the burdens from the rich to the poor and middle class, from the government to the people, and raises premiums on older Americans. It seems designed to cover fewer Americans and make that coverage less affordable and less generous. It seems designed to make America sick again.

We don't even know how large a negative impact this bill will have because Republicans are irresponsibly rushing forward before this bill even receives a score from the Congressional Budget Office.

After years of howling at the Moon, at Democrats for rushing through the Affordable Care Act, the mantra they said over and over again on the floor here and in the House was "read the bill." Republicans are having committee votes 2 days after the bill is released.

No wonder they don't want anyone to know what is in the bill. They are rushing it through because it is very hard to defend what they have done, and the longer it is out there, the harder it is going to be for their colleagues, Republicans, to vote for it. Lawmakers will be voting blind, without a final analysis of how this bill will affect overall coverage and affordability. I know this affects a lot of my colleagues on the other side.

We have no knowledge of how this affects the deficit. It is removing a lot of the revenues for healthcare without replacing them. In all likelihood—we will see what CBO says—the deficit is going to go way up.

The President is already throwing his arms around this plan, and ultimately he and his party will bear the responsibility for its passage and implementation. At this time, I would like to remind President Trump that he said repeatedly in the campaign that he would expand treatment for Americans suffering from opioid addiction, but this mess of a replacement bill would rip treatment away from hundreds of thousands of Americans dealing with opioid addiction. President Trump said he would ensure Americans with pre-existing conditions would continue to have access to coverage, but this bill makes that harder in several ways. President Trump, in his campaign, said:

Everybody's got to be covered. . . . I am going to take care of everybody. I don't care if it's going to cost me votes or not. Everybody's going to be taken care of, much better than they're being taken care of now. . . . They can have their doctors. They can have their plans, they can have everything.

"They can have everything."

Well, if you read the bill the way it reduces funding for Medicaid and replaces the Affordable Care Act subsidies with much smaller tax credits, there is just no way this bill meets the President's standard.

Was the Affordable Care Act perfect? No. It could use some improvements, but Democrats spent a long time thinking about it and crafting the policy to achieve two very real and specific goals, expand coverage, lower costs.

TrumpCare will do the very opposite. If it has any one coherent positive goal, it is to limit the tax burdens on

the very wealthy, and in the process it will badly hurt millions of Americans and throw our healthcare system back into chaos.

If the final product out of the House looks anything like this draft, the Senate should consider it a moral duty to reject it.

I yield the floor.

DISAPPROVING A RULE SUBMITTED BY THE DEPARTMENT OF THE INTERIOR

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.J. Res. 44, which the clerk will report.

The senior assistant legislative clerk read as follows:

A joint resolution (H.J. Res. 44) disapproving the rule submitted by the Department of the Interior relating to Bureau of Land Management regulations that establish the procedures used to prepare, revise, or amend land use plans pursuant to the Federal Land Policy and Management Act of 1976.

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be 8 hours of debate equally divided in the usual form.

The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I am pleased the Senate is at the point we are this morning. Last night, we agreed to proceed to consideration of H.J. Res. 44, which will overturn the Bureau of Land Management's Planning 2.0 Rule. The House has considered this already. They passed this resolution on a strong bipartisan basis. It was a 48-vote margin. They did this just before the February recess, and so it is now in front of the Senate.

As the sponsor of the Senate version, I have come to the floor now to explain to colleagues why this BLM Planning 2.0 Rule is such a bad rule and to urge its nullification.

There are probably a lot of folks that are asking the question: BLM Planning 2.0, what is it? It is not just folks that are listening, it is colleagues here. What exactly is Planning 2.0 and what exactly does Planning 2.0 do? A lot of people are saying: I never heard of this one. Where did it come from? Based on that, I think a lot of context is in order as we begin this debate.

The Bureau of Land Management is a Federal agency that manages 245 million acres of land in 12 Western States, along with 700 million acres of Federal and non-Federal subsurface estate.

Congress has directed the BLM to manage those lands according to the Federal Land Policy and Management Act. That is too long to say. So we just refer to it as FLPMA. It serves as the agency's organic act. It mandates a multiple-use mission for BLM lands. I think it is important to always remember that. BLM is required to manage

under the concept of multiple use. It lays out a planning process for its mission. It establishes a special status relationship between the Federal Government and the States and the local governments that are affected by the agency's resource management plans.

I think it is important, as we are focusing on the BLM right now, that we remember that BLM lands are not national parks or wildlife refuges. They are not wild and scenic rivers or wilderness. BLM lands are working lands. They are valuable—not because they might contain a Mount Denali, like up north, or the Grand Canyon—but rather because these lands contain energy and minerals and they can be used. Again, this is the multiple-use concept. They can be used for grazing. They can be used for recreation and many other purposes.

They are valuable in this way and as such are a leading source of good jobs for families and communities all across the West. BLM's management of western lands has never been without controversy. That is part of the reason that the last administration decided to overhaul the regulations that guide the planning process. The stated goals from the administration were to create a better process that would increase transparency, increase public involvement, and reduce the amount of time it takes to develop a resource management plan.

So those clearly all sound like good ideas, good goals. Unfortunately, the reason we are here today seeking to overturn this planning 2.0 rule is that the BLM absolutely failed to achieve any of those three goals. Instead of greater transparency, BLM delivered a new process that ensures less transparency. Instead of expanding public participation, Western States are looking at fewer and weaker opportunities to influence the management of local lands.

Planning 2.0 also turns the relationship between federal, state, and the local governments on its head. It just really turns it upside down. What actually happens then is that it has effectively subverted FLPMA, shattering the special status arrangement that the West is supposed to have under the Federal law.

As a Senator from the State of Alaska when this rule came out, I looked critically at it and I have problems with many aspects of the rule. I know I am joined by nearly all of my western colleagues and many who are not from the West but who have taken the time to understand how our land management laws are supposed to work and who have looked critically at this rule.

The more my staff and I have unpacked the Planning 2.0 Rule, the less we like it and the greater is our conviction that this rule should be overturned through the Congressional Review Act. That is why we are here. I

could go on for quite some time, but for purposes of this statement, I will list this morning my four main criticisms, all of which compound each other and show why this rule must be repealed.

First of all, Planning 2.0 seeks to transition to a landscape-level approach for land management planning. It is not a bad concept on its own, really. I don't have any problem with BLM determining, for instance, where our solar resources are located, but to make that a defining measure and to make that a defining feature of a resource management plan is a bad idea.

It all but assures that new and revised plans will not have the level of detail or specificity that is needed to properly manage our local resources. It allows for planning areas to cross State lines without regard to the competing priorities of neighboring Governors. It does not ensure that existing State and local plans will be consistent. It is very obvious that BLM will deploy it as a mechanism to reduce or perhaps to eliminate many reasonable uses of Federal land that provide jobs and support communities all across the West.

The second criticism I have is that Planning 2.0 allows BLM officials to remove the decisionmaking authority from our field offices and our State directors, and it tends to centralize that power at BLM headquarters. So for those of us in the West, we are looking at a situation where effectively the management decisions of our land are being taken from those who are on the ground, people who really understand the conditions and are those who are most impacted by it. It shifts it back East to be decided by those who don't have that same local understanding, who might not really have any understanding as to the areas and why this is so important.

So centralizing power at BLM headquarters, in my view, is never the right direction. I am not suggesting that this is going to happen every time with every decision. However it could happen at any time, whenever a future administration decides that a decision needs to be made at the headquarters level rather than locally. So now, at a moment's notice—perhaps without even any notice at all—decisionmaking authority can be taken away from a Western State with expertise and effectively siloed here in Washington, DC. That is not the direction to be taken.

The third area of concern I have is that Planning 2.0 reduces the ability of western stakeholders to provide input into the land management process, as well as their stature within it. So, again, it compounds the fact that you are shifting decisionmaking authority back here to the East. By further limiting stakeholders' input, that is very problematic.

Now, the agency has talked a good game about public participation. But if

you read the rule, what it effectively does is just kind of front-load public input while cutting later opportunities for feedback. If left in place, Planning 2.0 would ensure BLM would be able to maximize its decisionmaking power while at the same time effectively sidelining input from Western States.

We previously were in a situation where western stakeholders had a seat on the stage before this rule, but under it they are really demoted. They are effectively demoted to a middle row in the mezzanine as part of a bigger crowd, but with no special status. I think it is important to keep that in context.

The fourth area of concern is that BLM 2.0 weakens and eliminates the requirements in FLPMA that require BLM to coordinate planning and resource uses with our States and local governments. Under this rule, BLM shifts the burden for making sure that resource management plans are consistent with State and local governments plans away from itself and onto the States and onto the local governments. That is not right.

The agency is also limiting the opportunities that those government have to identify and remedy deficiencies within and across plans wherever they may be found.

So here are a couple of examples this morning for the Senate, just to illustrate why so many of us are concerned about this and are opposed to Planning 2.0. You have to ask yourself: Is it fair and is it really what Congress intended, for a western stakeholder to have the same voice and influence over the management of their local lands as any other member of the general public from anywhere else, with no connection, no relationship to these areas?

To be more specific, should a small placer miner in Chicken, Alaska, or a cattle grazer in Nevada be relegated to the same status as a lawyer in, say, Vermont who has never visited either Chicken, Alaska, or rural Nevada? My answer to this is pretty easy. It is a simple no. But that is what awaits us under Planning 2.0.

So here is a real world example of what Planning 2.0 will mean on the ground. Last year, the BLM finalized a resource management plan for 6.5 million acres of eastern Interior Alaska. Much of that plan was developed in accordance with the principles of Planning 2.0. So what does it actually look like for us up there in Alaska, in the eastern Interior area?

The plan closes nearly three-quarters of the 40-mile district, where the only economic activity, really, is placer mining—small placer mining. They closed it to mineral entry. More than 1 million acres are withdrawn into what they call "areas of critical environmental concern". This is a land management tool that BLM has used more and more in recent years to sidestep

Congress's sole authority to designate Federal wilderness.

So the agency sought public comment, but it was limited public comment. Then it effectively ignored the comments that it did receive. Ultimately, very few Alaskans were able to participate in the development of the plan, and even fewer Alaskans are happy with the final outcome of the plan. As we expected and as we feared, the Planning 2.0 process was used to shut down a reasonable use of Federal land that the last administration just did not like. This was done even though it enjoys overwhelming support among local residents who really depend on it for their livelihood.

The Planning 2.0 process was also used to close off Federal lands to the public in violation of the "no more" clauses within ANILCA, or the Alaska National Interest Lands Conservation Act, even though there was no imminent threat or reason to do so. So, as colleagues are considering how they will cast their vote on this resolution of disapproval, I am sure, again, that many had not really focused on this Planning 2.0 before. Most of them would never be able to find Chicken, Alaska, on a map, and they are thinking: This is not going to impact me. I am not from the West.

But for those of us in the West, if you live in one of the 12 Western States that have BLM land, believe me, you are impacted. I would suggest that what we are seeing, starting in Alaska, is something that simply won't stay up there. If this rule is allowed to remain in place, you will see that move through all of our Western States.

BLM maintains and periodically revises dozens of resource management plans in its 12 Western states. So if Planning 2.0 stays on the books, I think what it will do is it will harm our Nation's energy producers. I think it will harm our mineral developers. I think it will harm those who rely on Federal lands for grazing. It will most certainly cost us jobs. It will cost us economic opportunity, and it will hurt the communities and the people of our Western States.

I would ask that you don't just take my word for this. Six counties from six different States have challenged this rule as impairing the informational and coordination rights of local governments. They believe that it violates FLPMA and that BLM has failed to properly evaluate the impact that it will have. I think they have a very strong case. This is a fatally flawed rule. Our best option is to overturn it while we have the ability to do so under the Congressional Review Act and to hold BLM accountable to the underlying statute and its multiple-use mission. If we can agree to do that today, we can then work with our new Secretary of the Interior, Ryan Zinke, to make genuine improvements to the

BLM land management planning process. I know that Secretary Zinke cares about our public lands. He understands these issues, and I think he is dedicated to ensuring that we get this right.

I would like to close by thanking the roughly 80 stakeholder groups that are supporting our disapproval resolution. I also thank the 17 Senators who are cosponsoring the Senate version of it. I thank the new administration, which has released a statement of policy in support of it. I also acknowledge and thank Representative CHENEY and Chairman BISHOP in the House, who led the resolution through the House with good bipartisan support a couple of weeks back.

It is now the Senate's turn to act on this. It is our turn to recognize why this rule deserves to be overturned. For the good of our Western States, let's send this disapproval resolution to the President's desk.

With that, I again urge the Senate to support House Joint Resolution 44.

I yield the floor.

The PRESIDING OFFICER (Ms. MURKOWSKI). The Senator from Washington.

Ms. CANTWELL. Madam President, I come to the floor to speak in opposition to this resolution. Many of my colleagues know that we have had discussions in the Senate on several Congressional Review Act resolutions. In principle, Congressional Review Act resolutions—besides repealing these existing Executive regulations—also have the unfortunate aspect to them that they negate an agency's ability to make new rules anytime soon in the same area. For example, if you like some of this rule but not all of it, by using the CRA, you are literally preventing the agency from moving forward on any improvements to the rule.

I always believe in the legislative process. Working with my colleague from Alaska or working with my colleagues from other areas, I think we have proved that we can resolve key issues. But passing this Congressional Review Act resolution on an issue so important as our public lands and negating the hard work that the executive branch did over a long period of time is something that my colleagues and I just have to say no to.

When it comes to public lands, we want transparency; we want sunshine. We want a bottom-up approach when it comes to land management, and we certainly want collaboration.

As was said earlier, the Bureau of Land Management manages about 245 million acres of public land. That is about 10 percent of the Nation and 30 percent of our Nation's minerals. So when it comes to this management, it is very important that they continue to follow a very good bottom-up process for land management.

I will read now from the actual requirements from the law that oversees

them, the Federal Land Policy and Management Act. They have to use and observe the principles of multiple use and sustained yield; consider present and potential uses of the public lands; weigh long-term benefits to the public against short-term benefits; consider the relative scarcity of the values; give priority to areas of critical environmental concern; provide for compliance with applicable pollution control laws, including State and Federal air, water, noise, or other pollution standards or implementation plans; and coordinate with Federal Departments and Agencies, State and local governments, and Indian Tribes.

So all of these things are part of what is already in existing law. The concept here is to make sure that we continue to have a transparent and open process that is bottom-up. And I certainly believe in a bottom-up process because our public lands must not be territories owned and operated, for example, for the sole benefit of the oil, gas, and mining industries, and we can't have polluters polluting in these areas and not have input from the various communities about their concerns on those issues.

For example, in 2001, the Bush administration proposed revisions to six land use plans in eastern Utah, and these plans were finalized in 2008 at the end of the Bush administration, with only limited opportunity for public involvement. All six plans were challenged in Federal court by several motorized recreation and conservation organizations.

It is now 2017, and these plans still remain tied up in litigation. That is why those in the off-road vehicle industry did not feel as though they had input at the very beginning stages of the process. In January the Obama administration negotiated a settlement, which is still pending in court, but this shows how, if there isn't meaningful public involvement, we are just going to hit a logjam. This is why I think it is so important for us to update this rule.

It has been a long time since the agency updated this rule; I think since 1983. That was the last time—over 30 years ago. I guarantee you, in those 30 years, we can come up with a better process for input from our constituents on important land use issues.

I know the new Interior Secretary likes to talk about Teddy Roosevelt, who once said: "The Nation behaves well if it treats the natural resources as assets which it must turn over to the next generation increased, and not impaired, in value."

Ensuring we are preserving and increasing the value of our public lands is exactly what is meant by this planning rule that the Bureau of Land Management put out. This rule wants to make sure that we have input from the local community.

I think it is important to note that this is not a rule that regulates any specific use on public lands. It does not restrict any particular activity. It simply updates the current law in saying that it is better to have input from local officials and to use that input from local officials to update the process in an earlier way.

I said to my staff: It is like us huddling and saying that we should write legislation and then me not coming back for 7 years and then letting them know I am on my way to the Senate floor to drop a bill. We would never do that, and the land plans in these communities shouldn't be done that way either.

Once a local Bureau of Land Management official starts to discuss a plan, there should be transparency. The local community should know exactly what that plan looks like before it is going to be finalized. It needs to encourage collaboration of the stakeholders or else—as the example I just gave in Utah—you are going to end up in litigation or an elongated process before such management plans can take place.

It seems to me that these are pretty reasonable goals: Have a bottom-up process that encourages discussion throughout the plan so that local communities are not caught off guard, and continue to emphasize the roles of State, local, and Tribal governments and cooperating agencies so that they can have input in the process as well.

Finally, I know that there are some who would like to claim that the BLM State director oversees the planning process in their specific State and that somehow that might change, but that is not the case.

Many organizations understand that there will continue to be a bottom-up process under the new rule. That is why so many sportsmen and outdoors groups—like the Outdoor Industry Association, the National Wildlife Federation, Trout Unlimited, the Theodore Roosevelt Conservation Partnership, the Nature Conservancy, the Wilderness Society, and the National Parks Conservation Association—all say: Do not overturn the rule that was implemented. These groups know that 30 years is too long of a period of time to have to wait to encourage public involvement and collaboration, that these issues are too important to try to turn back the clock and to try to exclude sportsmen and various interests of public access from the planning and use of our public lands.

I hope my colleagues will turn down this override of a very important project that has guaranteed public access, transparency, and sunshine in planning for our public lands.

MEDICAID

Madam President, I would like to come to the floor to discuss the proposed Medicaid changes that are part of what the House is proposing to the

Affordable Care Act. This is so important because, as many people know, Medicaid has been a bedrock of how individuals get access to healthcare in our country. And in many parts of our States—at least the State of Washington—Medicaid has been a lifeline in both rural communities and in urban areas and we have heard much from various people that it is actually helping to stabilize healthcare costs, so costs are not rising as fast and giving people access to care in the most serious situations where we are trying to fight opioids or are trying to find more efficiency in our healthcare system.

First of all, I think the House bill is literally a war on Medicaid. I say that because it is a capitation of healthcare costs.

The federal government, according to one budget analyst at the Center on Budget and Policy Priorities, would shift the cost to the States by more than \$500 billion over the next 10 years. That would mean that millions of people would lose coverage and be affected by this kind of repeal.

Now, many people have talked about how they might block-grant Medicaid. I also thought that was a horrible idea because, really, it just becomes nothing but a budget mechanism to reduce the Federal partnership that exists between the Federal Government and the States on Medicaid. But the House chose not to do exactly block-granting. They said, instead, that we are just going to have a budget cap at the Federal level on how much money they are going to spend on Medicaid and then work toward the repeal of Medicaid expansion. This is a very bad idea.

The actual per capita cut—I know my colleagues like to come out here and talk about a patient-centered relationship, which is exactly what getting off fee-for-service and going to managed care does. But a per capita cost is nothing but a budget mechanism to cap the Federal responsibility to Medicaid and cut costs and basically shift the pain onto the States.

I have been on various meeting tours in the State of Washington, talking to my constituents about this. In Seattle, Spokane, and Olympia. I met with hospitals, community clinics, women's health groups, local and State government officials, civic leaders, civil rights organizations, and I heard many things.

I basically heard hospitals say there is evidence that Medicaid is actually lowering the commercial insurance premiums because of less uncompensated care. And I heard a safety net hospital in Spokane tell me that the population is already 70 percent Medicaid and Medicare and that there is no way they can absorb this kind of a cut to the Medicaid program and it would just mean healthcare costs would rise in the future. I heard a hospital in Seattle tell me that this kind of attempt

is nothing but a budget trigger. It is not a reform of the system. It is simply a way to cut the budget.

What we believe is that Medicaid is a key part of our healthcare delivery system. The expansion has worked well and we should continue to move to ways to innovate Medicaid as a way to save costs.

Unfortunately, right now, many people misunderstand how important Medicaid is in the mental health and addiction area. Basically, when you take what we have tried to do to address the opioid epidemic, those individuals who are working through the bills that we just recently passed to try to help patients in the emergency room or who are in psychiatric care or who are trying to deal with this grave problem we have in the United States, getting rid of Medicaid for those individuals, you might as well roll back all the assistance we just provided as part of the CURES and other legislation. Why? Because these individuals will not be able to access the type of care they need without the support.

I do believe that what we need to do is innovate instead. There are many examples of innovation in our healthcare delivery system. One example, as I have mentioned on the floor several times, is going from nursing home care to community-based care.

Medicaid is going to equal long-term care. So many Americans are not going to be ready to deal with their long-term healthcare issues, and when they are not, they are going to use Medicaid for their long-term care.

We showed in the State of Washington over more than a decade's period of time that we could save \$2.7 billion by shifting our Medicaid population to community-based care instead of nursing home care. If we would do that same kind of innovation at the Federal level, we could achieve substantial savings instead of saving money by cutting.

The issue here is that innovation in our delivery system—innovation, not a budget cap—is what is going to help us with our healthcare needs for the future when it comes to the Medicaid population.

So I urge my colleagues to speak loudly against this proposal to try to cap Medicaid, to try to shift the burden to States and local providers, to county governments, to jails, to all of those individuals who are going to see that population when and if they don't have Medicaid coverage and instead work together on expanding the innovation in Medicaid and coming up with savings we need to take care of and to provide health insurance coverage to so many Americans.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. FLAKE). Without objection, it is so ordered.

NUCLEAR ENERGY INNOVATION AND MODERNIZATION ACT

Mr. BARRASSO. Mr. President, I rise today to speak about bipartisan legislation designed to strengthen our Nation's nuclear energy capacity. It is called the Nuclear Energy Innovation and Modernization Act. I am a strong supporter of American nuclear energy. It is a vital component of our "all of the above" American energy plan. My home State of Wyoming plays a key role in American nuclear energy supply. In Wyoming, we produce more uranium than any other State.

Nuclear energy is clean, safe, reliable, and affordable. It also provides a major boost to the economy. American nuclear plants provide thousands of jobs and millions of dollars in benefits to local communities. U.S. nuclear powerplants have run safely for decades, and many of them will serve our country for years and decades to come. But after decades of reliable power from our traditional nuclear powerplants, these nuclear powerplants are experiencing innovation with opportunities that are now taking shape in the nuclear industry. Increased private investment is occurring in nuclear energy, and it has led to improvements in safety, security, and in cost.

This is no longer a traditional nuclear industry. There are nuclear startups which are being backed by American entrepreneurs. Research and work are being done by Bill Gates, of all people. These folks envision fundamentally transforming nuclear energy technology. I believe the advances are exciting. The biggest challenges these innovators face, however, are the costs and delays from regulatory red tape. Many of these delays come from trying to navigate a regulatory system that was developed around one specific technology, which is water-cooled reactors. The traditional water-cooled reactors have powered our Navy and our electricity grid and have done it successfully for decades, but today's entrepreneurs are pursuing very different designs. They are using high-temperature gases, molten salts, and other high-tech materials to advance the safety, efficiency, and reliability of nuclear energy.

The nuclear regulatory system needs to be updated to enable this innovation. That is why I join with my colleagues in introducing the Nuclear Energy Innovation and Modernization Act. Cosponsors include Senators WHITEHOUSE, INHOFE, BOOKER, FISCHER, CAPITO, and MANCHIN. We come together having introduced S. 512. Our bipartisan bill seeks to modernize the Nuclear Regulatory Commission by

providing a flexible regulatory framework for licensing advanced nuclear reactors. The NRC needs a modern regulatory framework that is predictable and efficient. Reactor operators for both traditional and advanced reactors need timely decisionmaking from the Nuclear Regulatory Commission. At the same time, the Commission needs to maintain its ability to assess a variety of technologies and meet its mission of administering safety and security to the American people. Additionally, our legislation will update the Nuclear Regulatory Commission's fee recovery rules.

This measure is going to bring increased transparency and accountability to the NRC, while also improving the Commission's efficiency and timeliness.

This bill will also help to preserve the uranium producers who are essential to powering the technology. The Energy Information Administration reports that uranium production in 2016 was at its lowest level since way back in 2005. It is crucial that we restore our American uranium sector and preserve these important jobs.

Our bipartisan legislation is going to enable the development of innovative reactors with bold, new technologies. As a nation, we can either lead this technology revolution or we can defer to our competitors. China and Russia are already developing advanced technologies regardless of what we do here in the United States. America needs to be a leader of nuclear development. We need to create an environment where entrepreneurs can flourish. This is the way to create jobs here at home and revitalize our nuclear energy sector at the same time.

One way to enable innovation for advanced reactors is to provide a regulatory framework that is predictable and cost-effective and that maintains the NRC's safety and security mission. The bill we have introduced, the Nuclear Energy Innovation and Modernization Act, does all of this.

This broadly bipartisan bill will strengthen American energy independence and foster innovation and job creation. I thank Senators WHITEHOUSE, INHOFE, BOOKER, CRAPO, FISCHER, CAPITO, and MANCHIN for cosponsoring this legislation, and I urge its support.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

The Senator from Colorado.

Mr. GARDNER. Mr. President, I know the Presiding Officer is a fellow westerner, from a State that is im-

pacted by decisions made by our public lands management agencies, whether that is the Bureau of Land Management or the Forest Service. Both Colorado and Arizona, as well as Wyoming and Utah—all of our Western States—are greatly affected by decisions that are made in Washington, DC. In a conversation I had with the Presiding Officer from Arizona, we discussed the fact that 85 percent of the State of Arizona is managed by the Federal Government. Whether it is the State or a Tribal entity or the Federal Government, about 47 percent is being federally managed. In the State of Colorado, about half of our State is managed by a public entity. Whether that is the State or a Tribal entity or the Forest Service, BLM land, the Department of the Interior, roughly half of the State is managed by the Federal Government, the State government or others. In other words, it is not in private landownership. So that means that the decisions made by these public land management agencies have a significantly outsized impact on our States than it does on States say east of the Mississippi.

So today I come to the floor to talk about one of those decisions made by the Bureau of Land Management's planning 2.0 rule. The discussion we are having today is about whether we should approve a resolution of disapproval under the Congressional Review Act to stop the BLM 2.0 rule from going forward.

The Bureau of Land Management has over 245 million acres of public land. Almost all of those acres are west of the Mississippi River, predominantly in 12 States. The final BLM 2.0 rule is an example of how little Washington bureaucrats understand about the West and how little they understand about how the Federal Government and how Federal policymaking doesn't work when you try to take something they think of in Washington and put it on the people of the West.

It is the promulgation of this rule that actually led to my call for relocating the headquarters of the Bureau of Land Management out of Washington, DC, and to put it in a place like Grand Junction, CO, because I believe it is important that we have public land managers and decisions about our public lands being made by those who are directly affected by that public land being in their backyard. If you live in the State of Colorado or if you are a county commissioner on the Western Slope, some of those counties have over 90 percent of their county managed by the Federal Government. A decision made by that public land agency directly impacts them, not in a couple of weeks or months or next year but that very same day. To have somebody from Washington, DC, deciding a one-size-fits-all approach that is going to apply to a Western Slope county

commissioner is just absurd. So moving the BLM headquarters to a place like Colorado or Arizona would absolutely result in better policies that work on the ground for our Governors, landowners, county commissioners, farmers, ranchers, cattlemen, energy producers, sportsmen, and recreationalists because they would be nearest to the lands that the decisions being made are affecting.

I hope we can move this country away from this "Washington knows best" mentality. That is why this resolution of disapproval is so important, because that is exactly what it would do, which is to remove "Washington knows best" by stopping the BLM planning 2.0 rule.

As it stands, I don't believe this rule should move forward. I have committed to Coloradans, to county commissioners, and to the people of my State that I will always have the goal to put more Colorado in Washington and less Washington in Colorado. A county commissioner in western Colorado, from Dolores, Garfield, Grand, Gunnison, Hinsdale, Jackson, Mesa, Moffat, Montezuma, Montrose, or Rio Blanco County should have more say in decisions that are impacting their backyard on BLM lands than someone sitting behind a desk in New York City. They tell me that their ability to have an impact on their backyard lessens as a result of the BLM planning 2.0 rule. They believe they actually have less say under the new rule than somebody who doesn't live anywhere near their land or their State or their county or those BLM lands.

I believe that Colorado State and local leaders and local users should have a strong voice on local land management decisions. It is their backyard. Yes, it is public land, but the fact is they are the ones trying to make a living, trying to govern, trying to make decisions that are best for their constituents, and they should have a voice in those decisions.

I also firmly believe in managing our public lands under the multiple-use philosophy, which promotes recreation, grazing, and energy development with a balanced approach.

If the Congressional Review Act's resolution of disapproval on the BLM planning 2.0 rule is approved and signed into law, there will still be an opportunity to improve management and update policies at the Bureau of Land Management.

I think that is one of the areas of misinformation that we see about resolutions of disapproval. There are some who support the BLM planning 2.0 rule, and there are some who have supported other rules that this Chamber has voted to disapprove through the Congressional Review Act. Those people who support it sometimes get their facts wrong when they say things like: Well, if you repeal this rule, if you approve the resolution of disapproval,

then there is no way that you can actually rule in this area again or make a regulation that impacts this area of law again. That is simply not true. The truth is, when you use a resolution of disapproval, it simply says that we think this is the wrong rule that went forward through the executive branch agencies and we ought to use Congress—those people who understand the needs of their States better than a rulemaker in Washington, DC—to go forward with a new piece of legislation, a new authorization for a different rule. If we do that, then, we are going to have better policies because we have been able to account for every voice in the process, instead of leaving voices like those county commissioners, whom I talked about, out to dry.

I have told many recreationalists and sportsmen in Colorado that I am working with our Democratic colleagues and Secretary Zinke at the Department of the Interior on how we can move forward with the land management decisions and land use plans that take into account some of their concerns with this resolution of disapproval. There are updates and modifications that can be achieved, but they should all have stakeholder input. I don't believe that this planning rule 2.0 actually took into account all of the different stakeholders' views.

Working with some landowners cannot be at the expense of others. Right now, our cattlemen, farmers, ranchers, and county commissioners have severe concerns with BLM planning 2.0, and they feel as though they did not have a voice in the development of this rule.

I believe we can do better as elected officials and that we can give these local users' and landowners' interests a stronger voice in moving forward and that we can move forward together. So let's approve this resolution of disapproval that would claw back the BLM 2.0 rule. Let's make sure that local voices are given a place at the table. Let's make sure that county commissioners have influence over their area that is greater than somebody in New York City who doesn't live there. Let's make sure that we can protect the multiple-use philosophy of our public lands. Whether it is energy, recreation, or renewable energy, we have incredible opportunities on our public lands. But we can do better by working with Congress and taking into account every voice and making sure that we have a rule that is broadly supported instead of narrowly supported.

That is why I intend to support the Congressional Review Act resolution of disapproval today, and I hope that my colleagues will do the same, as we truly find a bipartisan solution to give the people of our States a greater say over policies that affect their own backyard.

Mr. President, thank you.

I yield the floor.

The PRESIDING OFFICER (Mr. CRUZ). The Senator from Washington.

TRUMP CARE

Mrs. MURRAY. Mr. President, I come to the floor to take a few minutes to address the deeply harmful bill House Republicans announced yesterday to be put in place, TrumpCare. Since the election, I have had constituent after constituent come up to me with tears in their eyes wondering what the future holds for their healthcare. They are worried about losing coverage, wondering how they are going to make ends meet if their premiums spike, and they are worried that without protections laid out in the Affordable Care Act, insurance companies will once again have more power to decide what kinds of care are and are not covered.

My constituents and people across the country were listening when President Trump said he would provide "insurance for everybody" that would be higher quality and lower cost. They heard Senate Republicans say it is important any new healthcare plan "do no harm." They even saw House Republicans reassure them that they wouldn't "pull the rug out" from under anyone on ObamaCare.

This legislation that has now been rolled out represents a broken promise to patients and families. It will leave them sicker, more vulnerable to the chaos Republicans are creating within our healthcare system, and less financially secure. Millions of people who only just gained Medicaid coverage will lose it. Premiums could increase as much as 30 percent for people who lose coverage because they are too sick to work or become unemployed. People struggling with mental illness and substance abuse disorders, including opioid addiction, which is ravaging States nationwide, may find their insurance no longer has to cover the treatment they need. Key public health programs that families across the country rely on would be slashed.

TrumpCare would be a disaster for our workers and our families, but let's be clear about whom it does work for: those at the top. TrumpCare not only harms the same workers and families Republicans promised to help, it does so in order to reduce the tax burden for the wealthiest and for the insurance companies. In fact, this bill even includes a payout for insurance company executives. This is the definition of taking our healthcare system backward.

I also want to make it clear what TrumpCare will mean specifically for women. As someone who has fought time after time to protect women's ability to make their own healthcare decisions, I can tell you, this bill is a wish list by and for the extreme politicians who insist on telling women what to do with their own bodies. It will defund Planned Parenthood. It will undermine key protections for women's

healthcare that were included in the Affordable Care Act. By slashing Medicaid, this bill will take coverage away from low-income women and women of color who disproportionately rely on Medicaid to get the care they need.

I cannot oppose this bill more strongly, and I am going to be doing everything I can to fight back against it. I know Senate Democrats are ready to do so as well, and I urge any Republican who is truly concerned about their constituent's health, their well-being, and their financial security, rather than just partisan politics, to do the right thing and join us.

I yield the floor.

The PRESIDING OFFICER. The majority whip.

REPEALING AND REPLACING OBAMACARE

Mr. CORNYN. Mr. President, yesterday the House of Representatives released a way forward to dismantle and replace ObamaCare, which will be to deliver on one of our biggest campaign promises made to the American people, not just in 2016 but in essentially every election since 2010.

We know ObamaCare has been an unmitigated disaster. Premiums on the ObamaCare exchanges are up by 25 percent. Millions of Americans have been kicked off their healthcare plans, and the economy has been saddled with billions of dollars in new regulations.

The fact is, ObamaCare has been one broken promise after another. President Obama and advocates of this law said if you wanted to keep your plan, you could keep it, but that didn't pan out. They said if you liked your doctor, you didn't have to find another one. That didn't turn out to be true either. They promised people across the country would have more coverage, more options, and better healthcare, all at a more affordable price. Well, that ended up not being true either.

The truth is, ObamaCare hasn't made healthcare more affordable for a lot of Americans. In fact, in Texas, if you have a gross income of \$24,000, you can end up spending up to 30 percent of your gross income just on healthcare costs. That is not affordable healthcare. That is unaffordable healthcare.

Clearly, ObamaCare is no gold standard. It is a failed piece of legislation, one that is full of empty promises and one we have to scrap and start over again. Now we have an opportunity to do better for the people we represent, who are counting on us to deliver, to repeal ObamaCare and replace it with options that work.

I believe the plan released last night is a major step in the right direction. Patients need better tools like health savings accounts. That way they have more control over their healthcare decisions, and we can keep the bureaucracy out of it. We need to break down the barriers that restrict choice and keep Americans choosing an insurance

plan that works for them and their families, and we need to empower employers, particularly small business owners, to provide their employees with the kind of affordable coverage that meets their needs.

To sum it up, we need to move healthcare decisions out of Washington and send them back to the States and back to patients and families and their doctors. That will only happen once we repeal ObamaCare and replace it with options that work for more affordable healthcare coverage that patients choose, not that the government mandates and punishes you if you don't buy it but freedom of choice at a better cost and meeting the needs of individual patients.

I am glad our colleagues in the House and our friends in the White House fully understand why this is such a priority and why we need to keep the promise we made. As soon as we can do that and deliver on that major promise to the American people—the sooner we do that, a whole lot of American families across the country will feel relief.

NOMINATIONS

Mr. President, this morning, the Senate Judiciary Committee considered the nominations of Rod Rosenstein and Rachel Brand as Deputy Attorney General and Associate Attorney General, respectively. Both of them are longtime, well-respected public servants. Mr. Rosenstein has spent his career serving the Justice Department and Presidents of both political parties. In fact, Mr. Rosenstein started in the George H.W. Bush Justice Department back in 1990, and he served every President since that time. He is a career public servant who has served in a bipartisan manner and has also been confirmed by the Senate. President Bush appointed him to be U.S. attorney and so did President Obama.

When the Obama administration needed a prosecutor of the utmost integrity to investigate national security leaks that looked highly political, they turned—you guessed it—to Rod Rosenstein. Put another way, if Rod Rosenstein is not an acceptable nominee, who is?

This morning in the Senate Judiciary Committee, I heard some of our colleagues suggest that Mr. Rosenstein needed to make a pledge to appoint a special counsel if he was confirmed as Deputy Attorney General. We had two of our Maryland colleagues extoll his credentials, and rightly so, and call him a person of the utmost integrity and professionalism. Yet they, in essence, wanted him to fire himself once he became Deputy Attorney General and appoint a special counsel to do the job he would be confirmed and nominated to do. He wisely declined to make that judgment, certainly before he has had access to the facts and the information needed.

I believe he will make a formidable Deputy Attorney General, but instead

of actually vetting the candidates on the merits of their impressive backgrounds and strong credentials, some used the hearing as an opportunity to air their various grievances on the current Attorney General, our former colleague Jeff Sessions. Over the weekend, some went so far as to threaten to block Mr. Rosenstein's nomination if he wouldn't agree to appoint a special counsel.

I hope my colleagues in this Chamber don't stonewall his nomination or use it as a platform to disparage Attorney General Sessions. The Attorney General made a decision to recuse himself from a further official role in looking into the allegations of Russian involvement in our election in 2016. I respect his decision. The fact is, we don't need another commission to study Russian involvement in the last election because we have a bipartisan Senate Intelligence Committee, chaired by Senator RICHARD BURR and the Vice Chair is MARK WARNER—a bipartisan Senate Select Committee that is doing a deep dive into the allegations, including gaining access to classified information which would be important to consider in reaching a conclusion.

Yesterday I was out at CIA Headquarters and saw four large binders' worth of classified material, which obviously I am not going to discuss, but it demonstrates that this investigation is already well underway. Members of the committee and our staff are already working with the intelligence community to get the information we need in order to reach an impartial and bipartisan conclusion.

The fact is, our Democratic friends have a short memory when it comes to the Obama Justice Department, one of the most politicalized Justice Departments in American history. Loretta Lynch, who privately met with President Bill Clinton while her Department was investigating his wife's email scandal, never recused herself from the matter.

Then there was Attorney General Holder. To my knowledge, he was the first Attorney General ever held in contempt of Congress because he refused to cooperate with our legitimate oversight responsibilities when it came to Operation Fast and Furious. Well, he never recused himself and never appointed a special counsel, even though I believe he should have. Compare Attorney General Sessions, who did what he believed was the right thing to do. He recused himself when there was even a suggestion he might not be able to be impartial. He made that commitment from the beginning, well before he was confirmed. He stood by that promise last week. Attorney General Sessions' integrity is intact, and he did the right thing, but Loretta Lynch didn't. Eric Holder didn't.

For our colleagues now to suggest that Attorney General Sessions not

only should recuse himself but he should resign is beyond outrageous. To suggest that the incoming Deputy Attorney General, Rod Rosenstein, should somehow abdicate the role he has been nominated for, and to which he will be confirmed, is to ask him to prejudge the case before he has even had a chance to look at the evidence.

All I am asking for is our colleagues to have a little perspective. These nominees are the right caliber of people with the exact expertise we need to make sure our Justice Department runs effectively and impartially follows the law of the land. These are the types of leaders you want to handle the big issues facing the Department of Justice.

I hope soon our colleagues on the other side of the aisle will turn their attention to doing what the American people sent them to do; that is, to consider legislation rather than dragging their feet and blocking the Trump administration from getting the team he has chosen to work with in various Cabinet positions and sub-Cabinet positions.

Hopefully, soon they will decide not to obstruct progress and grind this Chamber's business to a halt but rather will be partners with us, working together to try to build consensus where we can and move the country forward.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

The Senator from North Dakota.

Mr. HOEVEN. Mr. President, I ask unanimous consent to speak as in morning business.

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

Mr. HOEVEN. Mr. President, the Bureau of Land Management has a mission set by Congress; that is, to manage the Nation's public lands under the principles of multiple use and sustained yield, which means that public land should be open to everything, from hunting and grazing to energy development and other reasonable uses.

The BLM currently manages more than 246 million acres of land and 700 million acres of Federal and non-Federal subsurface estate. Much of these lands are in the West, where Federal acres coexist with private and State-owned land. In order to manage its resources effectively, BLM is required to provide resource management plans. This planning has typically been led by BLM's field offices, in coordination with State, local, and Tribal governments that provide local input on how best to manage the land and its unique

resources. However, in the final months of the last administration, the BLM sought to apply a top-down approach, essentially a one-size-fits-all, top-down approach to this resource management process. They termed it the planning 2.0 final rule.

The rule which was finalized in December changed how this planning is done and undermined the well-established process by limiting the ability of local input, public comment, and meaningful State consultation.

The final rule also pulled decision-making away from the regional BLM field offices and centralized it at BLM's headquarters in Washington, under the concept of "landscape-level planning," which lets Washington define new areas covering multiple States. The rule takes important decision-making away from local officials who know the land and understand the needs of their communities.

The BLM rule sought to ignore the multiple-use requirements established by Congress and diminishes the importance of energy development. The rule tilts the balance in favor of conservation and non-development and away from responsible energy development, as well as other uses, like grazing.

In a State like North Dakota, with a distinctive patchwork of underground Federal minerals and private or State surface ownership, this creates more uncertainty for energy producers and more difficulty for our ranchers. By repealing this rule, we are preserving our longstanding tradition of allowing multiple uses on Federal lands, while protecting the livelihoods of our ranchers, energy producers, and many others. That is why this resolution is supported by the North Dakota Stockmen's Association, along with the National Association of Counties, the National Association of State Departments of Agriculture, the Farm Bureau, the National Cattlemen's Beef Association, the Public Lands Council, and the U.S. Chamber of Commerce, just to name a few.

I am proud to be an original cosponsor of the CRA on the BLM planning 2.0 rule. I thank Chairman MURKOWSKI, the chairman of our Energy Committee, for her leadership on this important issue.

The House passed this CRA on February 7 in a bipartisan manner. I am hopeful the Senate will do so as well and send this bill to the President's desk this week.

Today's CRA ensures that State, local, and Tribal input and expertise should guide the management of our public lands. Let's stop the BLM's planning 2.0 rule and give the people who live and work in these communities a say on what happens in their hometowns. We can do that by voting for this CRA. I urge my colleagues to do so.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. DAINES. Mr. President, the people spoke loudly last fall. For too long, the Obama administration ignored the common sense of those who managed the lands and our natural resources. Now is the time for that power to be put back into the hands of the folks who know it best; that is, the people of Montana, not Washington, DC. And the Bureau of Land Management's Planning 2.0 rule is no different.

The resolution we are debating today, H.J. Res. 44, would block the implementation of a rule that would fundamentally change the land planning process at the BLM. It would be for the worst.

During the Obama administration's final days in office, they put through many midnight rules costing a total of \$157 billion, including this rule shift which was issued on December 12, 2016, which fundamentally changes the land planning process. The rule shifts the planning and decisionmaking away from those who know the land best, away from BLM regional field offices, and back to BLM Headquarters in Washington, DC. That is the exact opposite direction that land management should be going, and that is why this rule must go also.

This rule limits the voice of our local and State governments, and it strengthens the voice of folks who are living far away from the lands that are impacted.

Montana farmers, Montana ranchers, Montana miners, the Montana electric co-ops, Montana conservation districts, and Montana county commissioners have all expressed a concern for this rule and have urged congressional action. And there can't be a more commonsense list of Montanans than that list I just mentioned. In fact, even the western Governors are concerned. As recently as February 10, 2017, our own Governor of Montana, Steve Bullock, and Governor Dugaard from South Dakota urged Congress to direct BLM to reexamine the rule. "Governors are concerned that BLM's emphasis on landscape-scale planning may lead to a resulting emphasis on national objectives over state and local objectives." "Collectively, these changes severely limit the deference Governors were previously afforded with respect to RMP development." That is what our Governors are saying. I am quoting our Governors from the West.

There needs to be more balance in Federal land management. For the last 8 years, we have been out of balance. Oil and natural gas development on Federal lands dropped significantly under President Obama. In fact, for natural gas, we have seen an 18-percent decrease, while oil production on private and State lands doubled, versus the same on Federal land.

Montana has nearly 2 million acres of public land that are inaccessible to the

public. Our farmers and ranchers in Montana need a more balanced partnership with the Federal land managers. They deserve more input in the development of land management policies, not less. By the way, our Federal forests in Montana are in dire need of more active management.

So where do we go next? There is no disagreement that revisions need to be made. Let's take this rule back to the drawing board and do it right. Let's work with our new Secretary of the Department of the Interior, RYAN ZINKE, a Montanan, and President Trump to restore more western commonsense to land management.

I urge my colleagues to support H.J. Res. 44.

RECESS

Mr. DAINES. Mr. President, I ask unanimous consent that the Senate recess until 2:15 p.m. and that the time during the recess be charged equally to both sides on the joint resolution.

There being no objection, the Senate, at 12:35 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. FLAKE).

DISAPPROVING A RULE SUBMITTED BY THE DEPARTMENT OF THE INTERIOR—Continued

The PRESIDING OFFICER (Mr. PORTMAN). The Senator from Utah, the President pro tempore.

COMMEMORATING RARE DISEASE DAY

Mr. HATCH. Mr. President, I ask unanimous consent to engage Senator KLOBUCHAR in a colloquy to commemorate Rare Disease Day in order to discuss issues facing patients and the families of those who have been diagnosed with these types of conditions.

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

Mr. HATCH. Mr. President, as co-chairs of the Rare Disease Caucus, Senator KLOBUCHAR and I have worked hard to bring more hope to patients and their families who are coping with rare diseases on a daily basis.

Today 1 in 20 individuals worldwide is living with one or more of the more than 7,000 rare diseases, 95 percent of which do not have an effective treatment. While the incentives provided by the Orphan Drug Act, first championed by me in 1983, has led to the approval of nearly 600 orphan drugs, much more needs to be done.

Many patients living with rare diseases rely on the FDA to evaluate and approve treatment options for their conditions. That is why it is so important for the FDA to use its authority to accelerate the evaluation and approval of drugs for treating rare diseases and for Congress to ensure that proper incentives exist for research to discover and make affordable treatments and cures available for this community.

To address this issue, Congress passed the FDA Safety and Innovation Act of 2012, which refined and strengthened the tools available to FDA to accelerate the evaluation and approval of new drugs targeting unmet medical needs for rare conditions. I have been paying close attention to how this new authority translates into advances for patients suffering from conditions such as Duchenne muscular dystrophy, atypical hemolytic uremic syndrome, Bertrand-N-glycanase deficiency, and other rare diseases.

In light of these changes over the past few years, I ask my friend from Minnesota whether the current approval process is achieving its goals of safety and efficacy without hampering the development of new therapies.

Ms. KLOBUCHAR. I thank Senator HATCH for beginning this colloquy. I am so proud to be a cochair of the Rare Disease Caucus with him, and I share my colleague's concerns. I think there must be improvements that are made. I continue to be inspired by the families across my State, your State, and our country who work so hard to make it easier for kids to have access to drugs to treat their illnesses. Unfortunately, we haven't yet achieved all we can do for these families, and I have heard time and again about the emotional roller coaster that many of them have experienced when they interact with the Federal Government on new approaches for these rare disease conditions. Too often they are unaware when drugs are under review or confused about why experts or patients are not even consulted. The individuals suffering from these conditions and their families need greater clarity about the process for evaluating and approving these drugs, and they ought to be included and informed every step of the way.

It is critical that treatments that do exist for those with rare conditions be accessible and affordable. We must continue to protect the individuals from discrimination in insurance coverage and work to bring down costs. We have to ensure that incentives designed to spur the development and accessibility of treatments that the rare disease community desperately needs are not abused.

I ask Senator HATCH, as one with longstanding leadership on the bill that you passed that has helped so many people and saved lives, how can we focus on sharing this message with our colleagues and our constituents?

Mr. HATCH. I appreciate that question.

We must continue to urge the FDA to fully implement its relatively new authority. Every one of us in this body represents constituents who are battling rare diseases, and I urge the FDA to consider this flexibility as applied in reviewing all candidates' therapies.

I will continue to work closely with my Senate colleagues to ensure that

the FDA uses the tools, authorities, and resources required to provide patients and physicians with new treatment options. I have also contacted the FDA frequently during the past year to encourage the agency to listen to the voices of patients during the agency's evaluation process.

When the Senate considers the nomination for FDA Commissioner, I will continue to stress the importance of incorporating a balanced and flexible approach when weighing risks, benefits, and outcomes, especially when dealing with small patient populations with such rapidly progressing prognoses.

Patients with limited or no treatment options are depending on FDA to utilize the flexibility outlined in FDASIA. This law, which provides full and fair review of new drug therapies in a timely manner, gives hope to patients suffering from life threatening diseases and, of course, their families as well.

I ask Senator KLOBUCHAR, how can we move forward into the next user fee agreement?

Ms. KLOBUCHAR. Well, that is going to be very important and really an opportunity to make sure that this works for patients with rare diseases and their families. We know that affordability and accessibility remain paramount. We should also think about the burden that these conditions play and the critical role of the voice of the patient.

As you stated, Senator HATCH, more than 7,000 rare diseases exist, and the vast majority have no treatment. This is an extraordinary burden borne every day by Americans in every single State across the country. As we seek to continue making progress, including monitoring implementation of the advances in the bipartisan 21st Century Cures Act, we must ensure that rare disease treatments receive sufficient attention.

We also must encourage Federal agencies to better incorporate the patient's voice in their decisionmaking process. As I mentioned earlier, all too often as we rightly focus on evidence-based medicine, we can lose sight of the human experience of these and different therapies. What may seem simple in a lab may be overwhelming or difficult when applied to patients in real life situations—all the more so when children are involved. The FDA and all agencies should ensure that they have appropriate processes to seek and incorporate this vital input. The user fee agreement will be an opportunity for us to make this case.

I would like to thank Senator HATCH again for his time to discuss these issues that are very important to both of us. We look forward to engaging with our colleagues on these issues as we move forward to the implementation of the Cures Act, as well as the work on the Orphan Drugs Act, and as well as the user fee agreement.

Mr. HATCH. I thank my dear friend, the senior Senator from Minnesota, for her time with me today. It is very meaningful to me and, I think, to everybody who is concerned about this rare disease situation in our country.

This is just the start of our conversation for this Congress. There is so much left for us to do, and I am certain we will succeed as long as we stay together and work in a bipartisan way. So I thank my dear colleague for her words and support and the good leadership she provides in the Senate.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

REPUBLICAN HEALTHCARE BILL

Ms. STABENOW. Mr. President, I want to speak about the healthcare bill that has been laid out in the House now—introduced in the House of Representatives. I have great concern about the proposal as it relates to the people of Michigan, whom I represent, as well as to the people across the country. This proposal—or whatever passes—will be judged based on whether or not people pay more for their coverage, if they can find it, and whether they are going to be able to get the healthcare they need.

Healthcare is very personal. Despite the politics here in Congress and in the White House, healthcare is not political; it is very personal. Can you go to a doctor? Can you take your child to a doctor? Can your parents or grandparents get the nursing home care they need? Are you going to be able to find insurance after you have had a heart attack or cancer or if your child has juvenile diabetes and, therefore, has a preexisting condition?

I am deeply concerned after the initial look I have had, and we will continue to look at more and more of the details as they come out. This proposal is going to create chaos in the healthcare system. Frankly, I would say this is a mess. It is going to create a big mess as it relates to the families whom I represent and whom we all represent in our home States.

This was written in secret. We have all seen the stories of the Senator from the other side of the aisle who was running around trying to get a copy of what was going on. Everything was done in secret, and now that it is out, we find out that there is no cost attached to it. We do not know what the overall cost will be to taxpayers. We also do not know how many people are going to be able to get healthcare, who is going to be able to be covered.

What I have seen really falls in the category of creating a mess for families—higher costs for middle-class families, higher costs for poor families, but less coverage—such a deal. This is not the kind of deal that the people of Michigan want to have for themselves and their families.

To add insult to injury, it cuts taxes for the wealthiest Americans, while it

makes most Americans pay more. It makes seniors pay more, and we have heard people calling it the “age tax” or the “senior tax.” The reality is, in a number of different ways, in how we rate, which is based on age and other costs, seniors will pay more. It is my understanding that, in the middle of this, there is actually a sweetheart deal for the CEOs of big insurance companies that will give them pay raises. This whole thing is stunning to me, which is being put forward with a straight face.

On top of everything else, it removes the guarantee for preexisting conditions. It is very unclear what will happen to someone who has had a heart attack. I have a new, little, baby grandniece who has had two heart surgeries already, and there is another one that she will have to have in another year. While she is doing great—and my niece and nephew deserve incredible admiration for taking care of little Leighton—she is going to have a preexisting condition her whole life. She is going to have a reconstructed heart that is going to cause her various challenges. Without the current guarantees that we have that she gets with her insurance, her folks are going to have a hard time, and little Leighton is going to have a hard time her whole life.

When we look a little bit more into the details of all of this, we see, in fact, that this bill provides tax increases for millions of families. It repeals the tax credits in 2020 that help working families afford insurance. By the way, even though things do not happen immediately, in their knowing it is coming, the insurance companies are certainly going to find themselves making different kinds of decisions, and, certainly, families will make different kinds of decisions. I would expect the insurance system to be destabilized immediately. We are already seeing problems with insurance companies pulling out just based on the debate about repealing healthcare.

When we look at the tax credits—or help—for buying healthcare, it goes from helping those from low-, moderate-, and middle-income families being able to afford insurance to changing the whole thing. It is based on your age and your income. So the higher the age and the higher the income, the more taxpayer dollars you get, which makes no sense. A 55-year-old with a higher income will get more taxpayer funding than will a 30-year-old who is working a minimum wage job and has the toughest time in trying to find insurance that he can afford. This is not the set of values or perspectives that make sense for people in Michigan, as well as for people across the country.

While that 30-year-old who is working a minimum wage job is going to be paying more and hoping that he does not have a preexisting condition be-

cause he may not be able to find insurance at all, we see that there is a \$300 billion—with a “b”—tax cut for the wealthiest Americans. Picture this: Somebody in a minimum wage job who could very well see his health insurance go completely away will have that happen, while someone who makes more than \$3.7 million a year will save over \$200,000 a year. So \$200,000 a year is what he will get back now in the form of a tax cut, which is more than what most people make. Certainly, the majority of people in Michigan make less. They work very, very hard, but they make less than \$200,000.

Just to underscore, this is the first bill out of the gate here in which we are talking about any kind of tax cuts. We are already seeing Republicans cutting taxes for the wealthy while raising taxes on the middle class and raising their healthcare costs if they can find healthcare. These tax cuts are just the start. Wait until we get to tax reform, when we are going to see this whole debate happen again. My guess is that middle-income people are going to end up paying the bill—paying more—and the wealthy people are going to get another round of tax cuts.

To add insult to injury again, there are the sweetheart deals so that the CEOs of the biggest insurance companies can get pay raises—can get more money—while people will pay more if they work or are poor or middle class. There are tax cuts for prescription drug companies of \$30 billion, but the bill does nothing to lower the cost of prescription drugs. This, certainly, is not healthcare for the majority of Americans. This, certainly, is not healthcare for those who need to have access to affordable healthcare.

Then it is back to our seniors, who will pay more because of the changes in how healthcare costs will be rated. We will, essentially, see older people having twice the tax credit but five times more the cost. I am not sure exactly how it is being proposed for preexisting conditions. We are still working through that. I do know that the bill has a penalty. If you have health insurance and, for some reason, there is a crisis in your family and, for some reason, you cannot continue it and you drop that insurance and then you re-enroll again, there is a 30-percent late enrollment surcharge. You will be paying 30 percent more for your health insurance if you have a preexisting condition.

There are just two other items that are very important. I know that the distinguished Presiding Officer shares the concern about this as well, which is the fact that we have been able to create more access to healthcare by expanding Medicaid, which is critically important.

One of the great success stories in Michigan today is that 97 percent of our children in Michigan can now see a

doctor—97 percent. We do not want to go backward. Every child should have the ability to see a doctor—every mom, every dad, every grandpa, every grandma. Right now, in Michigan, 97 percent of children can see a doctor because of the work that we did on the Affordable Care Act, including in the expansion of Medicaid. This goes away. It takes a couple of years, but that goes away.

Instead, what is proposed, essentially, is a voucher, but it has been called a lot of names. There used to be folks talking about a block grant to the States. Now they call it “per capita.” Yet it is really simple. Just like there have been proposals by Republicans for years to have a voucher for Medicare, now this is, essentially, a voucher for Medicaid of X number of dollars. If you need more for your nursing home care, then you are on your own. There are X number of dollars for your child, for a family. If you have something happen and you get sick and you need surgery or if you have cancer and it goes above that voucher, you are on your own.

It completely changes Medicaid from an insurance system to a system of, essentially, a voucher. Millions and millions and millions of children, of families, of seniors—the majority of seniors in nursing homes get their coverage through Medicaid—and our moms, dads, grandpas, and grandmas, who right now get quality nursing home care because of Medicaid, will be severely impacted by this voucher that caps how much care they will be able to receive.

Finally, for over half of the population—for those of us who are women—we will see a return, essentially, to a woman being a preexisting condition. Essential services for women—maternity care, which I was at the front of the line in fighting for, and prenatal care—are not available in the majority of private plans a woman tries to buy without her paying more. You can get maternity care, but it is not viewed as basic. It may be basic to you, as a woman, but insurance companies say: Sure, we will cover maternity care, but you have to pay more. Forever, women have been paying more for their basic healthcare. Under the Affordable Care Act, that changed when we said: Do you know what? As a woman, you should not have to pay more for the basic care you need.

Now all of that goes away under the House proposal. Just to make sure that we see women’s healthcare taken away, Planned Parenthood is defunded. Yet 97 percent of what they do is basic care—mammograms, getting to see your doctor, OB/GYN, prenatal care, and all of the things you need for annual visits and so on. That is completely defunded.

I congratulate everyone who has been involved in the effort to make sure that birth control is affordable for women, and under the Affordable Care

Act, we have done that. This is an economic issue; this is not a frill for women or for men or for families or for those who have worked hard to make sure we can lower unintended pregnancies in this country.

The good news is that we are at a 30-year low in unintended pregnancies, a historic low in teen pregnancies, and at the lowest rate of abortions since 1973—1973. Why is that? That is because women have been able to get the healthcare they need. They have been able to get affordable birth control to be able to manage their healthcare, as well as seeing the economy improve. But we are seeing more and more where more information is being made available, costs for basic preventive care is down, and women having access to what they need in healthcare allows them to be in a situation where we are seeing these historic lows on unintended pregnancies, teen pregnancies, and abortions.

I know in Michigan we have a number of counties across Michigan, particularly in rural communities, where the Planned Parenthood clinic is the only provider of basic healthcare. It is the only provider for family planning and for cancer screenings and basic healthcare for women and for many men. It may be the only provider in the community. More than half of Planned Parenthood health centers are in rural and underserved communities. About one-third of all of the women living in those communities where Planned Parenthood is available find that this is the only healthcare provider available to them.

So support for women, preventive healthcare, and Planned Parenthood funding are cut completely in this bill. Access to maternity care, prenatal care, and other basic essential services is eliminated. If you want that, you can pay more as a woman.

On top of that, we are seeing essential services like mental health and substance abuse services and other basic comprehensive services that we said for the last several years should be available—healthcare above the neck as well as healthcare below the neck should be viewed as essential services for people across America. All of that goes away with this proposal.

So, in my judgment, this is a mess. It is going to create a mess, with more costs, less service, shifting taxpayer dollars to the wealthy, while asking the middle-class and low-income families to pay more. This is simply not a good deal.

I would welcome the opportunity to work with colleagues on something that makes sense. Let's put aside this whole effort of repeal. Let's focus on how we can bring costs down, including prescription drugs, and continue to move forward, but let's not go back. When 97 percent of the children in my State can see a doctor today, that is

worth keeping. That represents the best of our values. We can't go backward. The proposal we are seeing in the House would take us back to a place that would hurt the majority of Americans, and I strongly oppose it.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Mr. President, irrespective of how the Presidential election came out last November, we would be having a conversation about how to fix ObamaCare. There are many reasons for that, but most importantly is that it has just skyrocketed costs for people in this country. Premiums have gone through the roof, deductibles have increased, copays have increased, and out-of-pocket costs have become so extensive for people that even if they have coverage, they can't use their plans in many cases. So when our colleagues across the aisle talk about the recently rolled out proposal coming from the House—which they will be discussing and we eventually will be discussing—to try to drive down the costs for people in this country, that is what this debate is really all about.

You can say what you want, but the fact is that this year, 2017, premium increases are 25 percent in the exchanges—25 percent. In six States, the premium increases were 50 percent in the exchanges. I don't know how anybody—any family in this country—can keep up with those kinds of skyrocketing premiums. If you are buying your insurance on the individual market, the roof is blown off.

I talk to people in my State of South Dakota all the time who share with me the excessive amount that it now costs for them to cover themselves and their families. I talked to a lady in Sioux Falls recently, and she told me they are now paying \$22,000 a year for health insurance. That is not working. That is why what we had was an abysmal failure.

In terms of choices, the whole idea was that people were going to have options out there. In a third of the counties in America today—one-third of the counties in America today—people have one option, one insurer. It is pretty hard to get a competitive rate when you only have one option. There is a virtual monopoly in a third of the counties in America today.

So we have markets collapsing, insurers pulling out, and we saw that last fall Blue Cross Blue Shield pulled out of the individual market in South Dakota and left 8,000 people wondering how they are going to continue to cover themselves with health insurance. The markets are collapsing, choices are dwindling, and costs are skyrocketing.

The Senator from Michigan was just on the floor talking about how terrible things are going to be under the proposal that is being considered and dis-

cussed in the House of Representatives, but the fact is, things are terrible today, and that is why we are having this conversation. Eight in ten Americans think ObamaCare either ought to be repealed entirely or dramatically changed, significantly changed. By any estimation, by any objective measurement or metric, it has been a failure, and that is why we are having this conversation, and that conversation would have occurred irrespective of what happened in the Presidential election last fall.

So let's be clear about why we are here and why we are having this conversation and why we are coming up with a better solution for the American people that will drive down their costs, give them more choices, create more competition in the marketplace, and give them a higher and better quality of care because it restores the doctor-patient relationship, which is so important, not having the government intervening and being in the middle of all of that.

THE ECONOMY AND REGULATORY REFORM

Mr. President, we have a recovery that technically began almost 8 years ago, but for too many Americans, it still feels as if we are in a recession. Americans basically have not had a pay raise in 8 years. Since the recovery began in 2009, wage growth has averaged a paltry 0.25 percent a year—one quarter of 1 percent increase in pay per year since 2009. Well, imagine if you are a family and you are looking at everything that is going up in your lives, whether it is healthcare, which I just talked about, or the cost of education or the cost of energy or the cost of food, all of these things that continue to go up, and you are getting a 0.25-percent—one quarter of 1 percent—pay raise on an annual basis. It is pretty hard not to feel like you are starting to sink and your head is going to be below water before long.

Good jobs and opportunities for workers have been too few and too far between. Millions of Americans are working part time because they can't find full-time employment. Even as some economic markers have improved, our economy has stayed firmly stuck in the doldrums. Economic growth for 2016 averaged a dismal 1.6 percent, and there are few signs that things are improving.

By the way, the historical average going back to World War II is about 3.2 percent average growth in the economy. So last year we were at one-half of what the average had been going back all the way to World War II.

The nonpartisan Congressional Budget Office is projecting average growth for the next 10 years at just 2 percent—in other words, long-term economic stagnation.

The good news, though, is that we don't have to resign ourselves to the status quo. We can get our economy

going again. Republicans are committed to doing just that. To get our economy going again, we need to identify the reasons for the long-term stagnation we are experiencing.

A recent report from the Economic Innovation Group identified one important problem: a lack of what the organization calls “economic dynamism.” Economic dynamism, as the Economic Innovation Group defines it, refers to the rate at which new businesses are born and die.

In a dynamic economy, the rate of new business creation is high and significantly outstrips the rate of business deaths. But that hasn’t been the case in the United States lately. New business creation has significantly dropped over the past several years. Between 2009 and 2011, business death outstripped business birth.

While the numbers have since improved slightly, the recovery has been poor and far, as I mentioned before, from historical norms. The Economic Innovation Group notes that in 2012—the economy’s best year for business creation since the recession—it fell far short of its worst year prior to 2008. This is deeply concerning because new businesses have historically been responsible for a substantial part of the job creation in this country, not to mention a key source of innovation. When new businesses aren’t being created at a strong rate, workers face a whole host of problems.

“A less dynamic economy,” the Economic Innovation Group notes, “is one likely to feature fewer jobs, lower labor force participation, slack wage growth, and rising inequality—exactly what we see today.”

Well, American workers clearly need relief, and restoring economic dynamism is a key to providing it. We need to pave the way for new businesses and the jobs they create, and we need to ensure that current businesses, particularly small businesses, are able to thrive.

There are a number of ways we can do this. One big thing we can do is relieve the burden of excessive government regulations. Obviously some government regulations are important and necessary, but too many others are unnecessary and doing nothing but loading businesses down with compliance costs and paperwork hours. The more resources businesses spend complying with regulations, the less they have available for growth and innovation. Excessive regulations also prevent many new businesses from ever getting off the ground. Small startups simply don’t have the resources to hire individuals, let alone the consultants and lawyers to do the costly work of complying with the scores of government regulations.

Unfortunately, over the past 8 years, the Obama administration spent a lot of time imposing burdensome regula-

tions on American businesses. According to the American Action Forum, the Obama administration was responsible for implementing more than 675 major regulations that cost the economy more than \$800 billion. Given those numbers, it is no surprise that the Obama economy left businesses with fewer resources to dedicate to growing and creating jobs or that new business creation seriously dropped off during those years in the Obama administration.

Since the new Congress began in January, Republicans have been focused on repealing burdensome ObamaCare regulations using the Congressional Review Act. We have already used this law to repeal three Obama regulations, and this week we will use it to repeal at least two more, including the “blacklisting” rule, which imposes duplicative and unnecessary requirements for businesses bidding on Federal Government contracts, and the Bureau of Land Management methane rule, which curbs energy production on Federal lands by restricting drilling. This methane rule would cost jobs and deprive State and local governments of tax and royalty payments that they can use to address local priorities.

Another area of regulatory reform we need to address is ObamaCare, as I mentioned. Repealing the burdensome mandates and regulations this law has imposed on businesses will go a long way toward removing barriers to new businesses and spurring growth at existing businesses.

Another important thing we can do is remove unnecessary barriers that restrict access to capital. Both new and existing businesses rely on capital to help them innovate, expand, and create jobs.

In addition to removing burdensome regulations, tax reform needs to be a priority. Measures like allowing new businesses to deduct their startup costs and reducing rates for small businesses would spur new business creation and help small businesses thrive. Republicans plan to take up comprehensive tax reform later this year, and I look forward to that debate.

The American economy has always been known for being dynamic and innovative, and we need to make sure it stays that way. We need to free up the innovators and the job creators so that the next big idea isn’t buried by government regulations before it has a chance to see the light of day.

Sluggish economic growth doesn’t have to be the new normal. By removing burdensome government regulations and reforming our Tax Code, we can spur business creation and innovation. We can increase wages and opportunities for American workers, and we can put our economy on the path to long-term health, where that growth rate gets back to that more historic level that allows for better paying jobs

and higher wages for American families.

I look forward to working with my colleagues in both Houses of Congress to achieve these goals, and I am anxious for us to start passing bills that will put policies in place that are favorable to higher economic growth, better jobs, and better wages for the American people and their families.

I yield the floor.

Mr. BENNET. Mr. President, as we continue to debate H.J. Res. 44, a resolution of disapproval to nullify the BLM planning 2.0 rule, I would like to bring to the attention of my colleagues an editorial published last week in the Grand Junction Daily Sentinel. It outlines many of the reasons we should oppose the repeal of the BLM planning 2.0 rule.

I ask unanimous consent that the article be printed in the RECORD.

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

[From The Daily Sentinel, Mar. 1, 2017]

ALIGNING VALUES

Colorado’s biggest political guns are marching to the beat of the same drum, proclaiming the Centennial State is the perfect new location for the massive Outdoor Retailer Show which is leaving Salt Lake City over the extreme stance Utah’s political leaders have taken on public lands.

Democratic Gov. John Hickenlooper and U.S. Sens. Cory Gardner, a Republican, and Democrat Michael Bennet sent a joint letter Monday to the Outdoor Retailer Show hailing Colorado’s bipartisan commitment to maintaining and protecting public lands.

Considering that Utah is ground-zero for a movement to transfer management of public lands from the federal government to the states, it’s not hard for Colorado to claim that its values are more closely aligned with the outdoor industry, which relies on public lands for its livelihood.

Colorado could enhance that claim if Gardner and Bennet refuse to overturn the first major revision of the Bureau of Land Management’s land-use planning process in three decades.

Congress is seeking to overturn BLM’s Planning 2.0 initiative under the Congressional Review Act. The House has already voted to eliminate the rule. If the Senate follows suit, it will undo an effort to increase public involvement, improve transparency and promote science-based decision-making in public-lands planning.

Planning 2.0 is not without its critics. The Western Governors’ Association has asked Congress in a Feb. 10 letter to “direct the BLM to re-examine the final Planning 2.0 rule. Any revisions . . . should be crafted collaboratively with western states.”

But there can be no revisions if the rule is repealed under the CRA, which is a “nuclear bomb” of a legislative tool. The CRA would not only overturn the rule, but block future rulemakings that are “substantially the same” without prior approval from Congress.

That means the BLM would be stuck with an antiquated planning process, hobbling the agency in a way that reinforces all the negative perceptions that already exist regarding the way it manages public lands.

Sportsmen’s groups, the Pew Charitable Trusts, conservation groups and the Outdoor

Industry Association all support Planning 2.0. The WGA wants to keep it alive to improve it.

Public lands are the backbone of the outdoor industry, which contributes \$646 billion to the economy annually.

Gardner sponsored the Outdoor Recreation and Jobs Economic Impact Act, which was signed into law by the president last year. It requires the Bureau of Economic Analysis to calculate the economic impact of the outdoor recreation industry and requires the Commerce Department to provide Congress with a full evaluation of the outdoor recreation industry.

He obviously recognizes the importance of the outdoor recreation industry as a jobs creator and an economic engine. He should also understand that the industry equates killing the rule with hampering growth.

The Senate vote may have not any bearing on whether the Outdoor Retailer Show relocates to Colorado. But supporting 2.0 is a show of good faith that our senators get what's at stake.

Mr. VAN HOLLEN. Mr. President, I oppose today's resolution to overturn the Bureau of Land Management planning 2.0 rule.

The Bureau of Land Management is charged with ensuring responsible use of public lands, which requires extensive land use planning to balance priorities like recreation, conservation, and energy development. Planning 2.0 simply updates outdated planning processes that date back 30 years to provide greater community input and transparency. This is intended to create plans that work better for all users, including local communities. It is also meant to reduce the time it takes to complete the planning process.

Under the new rule, the public is involved in the planning process early to avoid costly and time-consuming disputes later. The rule allows for the use of current technology like geospatial data to allow for more science-based decisionmaking.

Developing planning 2.0 took 2 years and included consideration of more than 6,000 public comments. With today's resolution, we would abandon modernization that makes it easier for the public and State and local governments to be involved in the Federal planning process and revert to rules that were written in 1983.

A wide range of sportsmen groups, including the Izaak Walton League of America, the Theodore Roosevelt Conservation Partnership, and Trout Unlimited have asked us to preserve Planning 2.0. They write: "Stakeholders from across the multiple-use spectrum agreed that the previous BLM planning process could be improved. Under the outdated process, opportunities for public involvement were too few, and the public didn't learn about agency plans until they were already proposed."

If we pass this resolution today, BLM will have to go back to that outdated process and would be prohibited from proposing a rule that is substantially similar to planning 2.0. I urge my colleagues to vote against this resolution.

The PRESIDING OFFICER. The Senator from Hawaii.

TRUMPCARE

Mr. SCHATZ. Mr. President, last night the Republicans in the House revealed their plan to scrap the ACA and replace it with something much worse—TrumpCare. There are so many things that are wrong with this bill. A lot of us are still going through the 184 pages and all of its implications, so it is impossible to encapsulate all the difficulties in this legislation in one speech.

I am going to highlight eight problems with this bill to start. First of all, this bill is a complicated and rushed mess. Despite the fact that they had 7 years to work on their own plan, the Republicans cobbled together a bill that makes no sense. In an effort to make everyone in their caucus happy, they have made no one in their caucus happy. That is why we have seen conservative groups—from AEI to AFP, the Heritage Foundation, the Koch brothers—come out and express opposition to the legislation.

Second, this bill cuts Medicaid. They are going to use a phrase called block grants, but I want everyone to understand that is cutting Medicaid. That is a euphemism for cutting the resources for Medicaid. This cuts a program that helps more than 70 million Americans across the country get the healthcare they need. It means less care for pregnant moms, less care for families with loved ones in nursing homes. Nursing home benefits will be totally trashed, and all of these changes will reduce Medicaid to a level not seen before.

By the way, Medicare doesn't escape the ax. It is also in trouble if we enact the House legislation. TrumpCare will actually move up the date of insolvency of the Medicare trust fund by 3 years, to the year 2025. That is not 20, 30 years from now when they talk about the Social Security trust fund. That is quite soon to have Medicare be insolvent, and they are accelerating the date in which Medicare becomes insolvent.

Third, this bill hits the elderly with an age tax. Here is how the law currently works. It is basically a cap on the amount that an insurance company can charge a senior for healthcare. It says you cannot charge more than three times the amount you charge a young person for a senior citizen.

It is capped at three times what you charge for young people. This would increase the cap to five times the cost. If a young person's health insurance costs \$250, the maximum under the current law is \$750. Now you are talking five times \$250—\$1,250 per month.

This is an age tax. If there is any doubt about how difficult this is going to be for senior citizens, ask the AARP. They are a bipartisan, well-respected organization that works in every State. Seniors across the country need

to understand what this age tax is. You will pay more for health insurance if the law passes as it is.

Fourth, and this is a very important point. This is basically not a healthcare bill because if it were a healthcare bill, everybody knows it would require 60 votes. It would be enacting new legislation. This is a budget bill. All they can do, really, is cut taxes related to healthcare. This is a bill that cuts taxes for rich people.

How does it finance it? First of all, it finances—probably a lot of it by borrowing. The other portion of it is by cuts to Medicare and Medicaid. TrumpCare has special tax cuts that only benefit the highest earning households and another one that will go to insurance company executives who make more than half a million dollars a year.

You cannot make this stuff up. They are cutting taxes for insurance company executives who make more than half a million dollars each year, and they are financing it by cutting healthcare for the people we all represent.

Fifth, this bill will blow up the debt and the deficit. The crazy thing is, we don't actually know how much our debt and deficit will increase because Republicans are in such a hurry to rush this through without a formal CBO analysis. We have no idea how much this is going to cost—probably trillions, but they haven't even asked for a CBO score. They don't want to know how much this is going to blow up the debt and the deficit because all of the fiscal hawks will be found to be hypocrites who have been railing about deficits for all of their career. Yet this might be the biggest budget-busting piece of legislation in many, many years, and they don't want to know how much it costs because they have made a promise. They are going to go ahead and fulfill that promise no matter how ridiculous it is.

Sixth, this bill will trash mental health coverage. The ACA was a huge step forward for the mental health community because it required insurance companies to cover mental health and substance abuse disorders. We are in a moment when every State is struggling with an addiction crisis. What I don't know is why we would rip away these services when so many people are counting on it to break their addictions.

Seventh, this bill will defund Planned Parenthood because they can't help themselves in the U.S. House of Representatives. Planned Parenthood is a provider that offers healthcare to millions of women across the country, but this bill will stop low-income women from getting critical health services like breast cancer screenings from local clinics. Oftentimes, this would happen in communities where women have nowhere else to turn. Many community health centers don't have the

services women need or they have twice the wait times that a Planned Parenthood would have. For women waiting to find out if they have cancer, that is simply not an option.

Finally, this bill is too partisan. I think we can all agree that our approach to healthcare could use some improvements, and I am more than ready to work with my Republican colleagues to make healthcare better. That is not just a rhetorical flourish. I have tried to back that up with my legislative actions. I have worked with Senator HATCH on legislation to increase access to high-quality care in hard-to-reach regions. I have worked with Senator CASSIDY and many others on a bill to create a public health emergency fund. I have worked with Senators WICKER, COCHRAN, and THUNE on a telehealth bill.

We can work together on healthcare, but it requires three things: No. 1, good faith, and there is no good faith in this piece of legislation. No. 2, bipartisanship. This bill, I am quite sure, will get zero Democratic votes in the House or the Senate. No. 3, we need legislative hearings. We need to have a conversation in the light of day and let the American people weigh in. We need to figure out what it is that they are doing to the American healthcare system.

If they are so proud of their plan, why no hearings? If they are so proud of their plan, why not get at least a score from the Congressional Budget Office? If they are so proud of their plan, why do they lack the confidence that any Democrat will support it?

Look, we do have the opportunity to work together to improve healthcare, but this bill is basically a mess. It is worse than I thought. I think it is worse than a lot of people thought, especially given that they have been talking about this for 7 years. So one might think they would have had a really well-thought-through plan. This has all of the characteristics of something that was rushed out the door in about a 48-hour period.

I hope my colleagues will join me in opposing this very bad piece of legislation and give us some space and time to do this right and to do this in a bipartisan fashion.

I yield the floor.

I suggest the absence of a quorum.

THE PRESIDING OFFICER (Mr. HOEVEN). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MURPHY. Mr. President, I ask unanimous request that the order for the quorum call be rescinded.

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

Mr. MURPHY. Mr. President, TrumpCare is here, and you are going to hate it. This replacement for the Affordable Care Act has been 7 years in the making. On a cursory overview, it

appears that when you ask the question as to who gets hurt under the replacement plan, the answer is everyone, with the exception of insurance companies, drug companies, and the very wealthy.

I hope we are able to step back and take our time to analyze what this replacement plan is going to do to Americans who badly need healthcare, who believed Republicans when they told them that they were going to repeal the bill and replace it with something better, and who believed President Trump when he said that he was going to repeal the Affordable Care Act and replace it with something that was wonderful, that insured everybody who was insured under the Affordable Care Act and did it at lower costs.

I know that my colleagues who are well meaning in this Chamber cannot read this replacement plan and understand it to do anything but strip coverage away from millions of Americans and to drive up costs for millions of Americans. There is no credible way to look at this replacement plan without seeing the devastation that will be wrought.

I want to spend just a few minutes, now that we have had this plan to look at for 24 hours, talking about how dangerous it is and pleading with my Republican colleagues to take their time and, hopefully, decide instead to work with Democrats to try to strengthen the Affordable Care Act, fix what is not working as well, but preserve the parts that are working.

Here is what I mean when I say that everyone, with the exception of insurance companies, drug companies, and the superrich, is hurt by the GOP replacement plan. First, this idea that we are going to end the Medicaid expansion—that is what this replacement plan does. It says that in 2 years, effectively 2020, the Medicaid expansion will go away. That means in my State, 200,000 people will lose healthcare. Millions across the country will lose healthcare. They are, by and large, the poor and the lower middle class—largely women and children who can't get insurance other than through the Medicaid expansion—who will no longer be able to get it. Medicaid has been expanded in Democratic States, Republican States, blue States, red States. Letting Medicaid expansion hang around for 2 years is no solace to people who will jam into those years as much healthcare as they can get, but then be without it afterwards.

Even more insidious is the part of the GOP healthcare replacement plan that would turn Medicaid into a block grant after 2020. This has been talked about in conservative circles for a long time, but has been resisted, again, by Democrats and Republicans who understand what that means. It means Medicaid will eventually wither on the vine and will become a State responsibility. No

longer will the Federal Government help States pick up the costs for insuring the most vulnerable citizens.

Remember who Medicaid covers. Medicaid covers 60 percent of children with disabilities in this country. Of the tens of millions of kids living with disabilities, 6 out of 10 of them get their insurance from Medicaid. If Medicaid is turned into a block grant, let me just tell you, let me guarantee you that healthcare will end for millions of those kids. If it does not end, it will be dramatically scaled back because States cannot afford to pick up 60, 70, 80 percent eventually of the cost.

Thirty percent of non-elderly adults with disabilities are covered by Medicaid. Sixty-four percent of nursing home residents are covered by Medicaid. Two out of every three of our senior citizens who are living in nursing homes are covered by Medicaid. If you block-grant Medicaid, all of a sudden States will not be able to pick up those costs and will not be able to deliver healthcare to people in nursing homes. That is just the truth.

The Republican bill effectively ends coverage for 11 million people all across this country who are covered by the Medicaid expansion after 2 years, and then it jeopardizes care for tens of millions more by dramatically cutting the Medicaid Program and the Medicaid reimbursement to States. This is not a game; this is 11 million people.

Remember, it is not a guess because in 2020 you will be reverting back to the rules before the Affordable Care Act. Before the Affordable Care Act, 11 million fewer people were covered under Medicaid. Even if States maybe hang around and decide to front the billions of dollars necessary to cover a few million of those, you are still talking about 5, 6, 7, 8, 9 million people who will lose insurance—again, people who can't buy it anywhere else. This is people's lives we are playing with—as I mentioned, 200,000 in Connecticut alone.

Do you know who else gets hurt by this replacement plan? Older Americans. It seems that older Americans are really targeted in this plan because although the underlying Affordable Care Act says that you can't charge older Americans more than three times that of younger Americans, this replacement plan changes the rules. It allows insurance companies to jack up prices on older Americans. So a 60-year-old would have their premium go up by about one-quarter. That is roughly \$3,000, according to an AARP study. I don't know about the Presiding Officer, but a lot of adults getting ready to qualify for Medicare in Connecticut don't have \$3,000 sitting around.

But it gets worse. Because the premium support is so skimpy, under this plan, that same 60-year-old in Connecticut would have their premium support—their tax credit—cut in half,

from \$8,000 down to \$4,000. Do the math. That is a \$9,000 increase in healthcare costs for a 60-year-old resident in Connecticut. That is unaffordable. There is just no way for anybody to say that for that 60-year-old living in Connecticut or living in Nebraska or living in California, that is better healthcare. Nine thousand more dollars out of pocket for a 60-year-old is not better healthcare.

The claim is that this bill will cover people with preexisting conditions, but because there is no minimum benefit requirement, the plans don't have to cover anything that you need for your preexisting condition. So, yes, they can't technically charge someone with cancer more, but they don't have to cover chemotherapy. The Affordable Care Act says insurance has to be insurance. There has to be some minimum, basic level of benefits so that everybody knows that when they buy an insurance plan, they are basically getting coverage for maternity care, for cancer treatment, for mental illness. Because this legislation strips away any requirement that insurance be insurance, maybe you get insurance if you have cancer, but it may not cover anything you have.

Of course the cruelest piece of this bill says that if you lose insurance, you then get charged more. Republicans are right that in the Affordable Care Act as it exists today, there is a penalty if you don't buy insurance. Republicans just do their penalty differently. What this replacement plan says is that if you lose insurance and you try to get it later on, you will pay 30 percent more. I admit that there is a penalty in the underlying Affordable Care Act and there is a penalty in the Republican bill, but the problem is that under the existing Affordable Care Act, the help you get to buy insurance allows you to buy insurance. That is why 20 million people have insurance today. But because the tax credits are basically cut in half under this proposal, it will render healthcare unaffordable; thus, more people will have gaps in coverage; thus, more people will pay the penalty.

So in the end, this bill really does not provide protection for people with preexisting conditions because they are not going to be able to buy insurance in the first place. They are going to fall into that gap, and then they are going to have to pay more. Even if they do have insurance, it may not even cover what they need.

All of this is made harder to understand because it seems to be one big excuse to deliver a giant tax cut to the wealthy. The Joint Committee on Taxation estimates that this bill would cut taxes by \$600 billion for the wealthiest Americans. The Affordable Care Act was financed in part by a tax on unearned income for people making over \$250,000 a year. I live in a pretty wealthy State—Connecticut—but peo-

ple who are making \$250,000 and a whole lot of unearned income are not amongst the most needy in our society. The average tax cut under this bill would be \$200,000. Why? Because we are taxing so few people who are making such big amounts of money, the average tax cut would be \$200,000.

It is so hard to understand because when you do the sum total of parts that are moving under this replacement plan, it seems as if the biggest parts that are moving are care away from millions of poor people and the elderly and money going to the wealthiest 1 percent of Americans. That is not hyperbole; that is just how this bill works out.

The biggest net result of this bill from the status quo is that millions of people who are on Medicaid today in a few years won't have it—those are kids; those are the disabled; those are the elderly—and a handful of very wealthy Americans will make out with enormous tax cuts under this legislation.

I guess it is no secret that this bill was crafted behind closed doors. Seven years in the making, and this bill was hidden from public view until yesterday. Now House Republicans are saying they are going to give the American public 1 week to look at this. No estimate of the cost—they are going to ram it through as quickly as they can.

I held half a dozen townhalls in the summer of 2009, when the tea party tempest was at its highest, where people really wanted to talk to me about how upset they were with the way the healthcare debate was going. One of the refrains that I heard in those townhalls was that Democrats were ramming through the Affordable Care Act. Everybody heard it. Ramming through the Affordable Care Act. It was on FOX News every night. It was part of our townhalls regularly.

Well, let me tell you what happened in 2009. The House process spanned three committees: the Energy and Commerce Committee, the Ways and Means Committee, and the Education and Labor Committee. The House had 79 bipartisan hearings and markups on the health reform bill—79 bipartisan hearings and markups. House Members spent nearly 100 hours in hearings, heard from 181 witnesses, and considered 239 amendments and accepted 121. The HELP Committee had 14 bipartisan roundtables, 13 bipartisan hearings, and 20 bipartisan walkthroughs on health reform. The HELP Committee considered nearly 300 amendments and accepted 160 Republican amendments. The Finance Committee held a similar process. When the bill came to the floor, the Senate spent 25 consecutive days in session on health reform—the second longest consecutive session in history.

So don't tell me that the Affordable Care Act was rushed through when dur-

ing that time the HELP Committee considered 300 amendments, held dozens of hearings, and in 2017 there are going to be no committee meetings, no committee markups, no committee amendments, and barely a week for the public, for think tanks, for hospitals, for doctors, for patients to be able to consider the chaos that will be wrought if this healthcare plan goes through.

So I am on the floor today to plead with my Republican colleagues to step back from this potential debacle. This seems like it was written on the back of a napkin in order to rush something out into the public so that Republicans can claim they are fulfilling the promise they made, without thinking through the consequences.

Over and over again, I heard my Republican friends and President Trump say they are going to repeal the Affordable Care Act and replace it with something better. I heard the new Secretary of Health and Human Services say that no one was going to lose insurance, that costs were not going to go up, and that the insurance protections were going to be preserved. None of that will be true under the current plan under consideration. Everybody knows it, which is why it is being hidden from public view.

Politicians love praise. We love good press. So if Republicans thought this was a praiseworthy plan, they would not be hiding it. They would not be trying to rush it through. They would be celebrating an achievement they have been crowing about for years—replacing the Affordable Care Act with something that is better.

This is worse for everyone except for insurance companies, drug companies, and the superrich. The superrich get a big tax cut, and all of the fees that were levied on the insurance companies and drug companies that were used to pay for additional expansion go away.

Tucked inside here, there is even a very specific tax cut for insurance company CEOs. I mean, think about that. Tucked into this bill is a specific tax cut for a select group of individuals—insurance company CEOs. I represent a lot of those CEOs, but it does not make it right.

I hope we will find a way to work together to try to strengthen the Affordable Care Act and fix what is wrong. The plan that was unveiled yesterday—I understand not by the Senate but by the House—hurts everybody except for a select few. I think most of my colleagues know we can do better.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that at 3:45 p.m. today, there be 15 minutes of debate remaining on H.J. Res. 44, equally divided in the usual form.

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

DISCHARGE AND REFERRAL—S. 416

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be discharged from further consideration of S. 416 and the bill be referred to the Committee on Banking, Housing, and Urban Affairs.

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

Ms. MURKOWSKI. Mr. President, we are coming to the end of debate on the disapproval resolution for the BLM Planning 2.0 Rule. I would like to take just a few minutes to highlight the very broad support it has drawn here on Capitol Hill but really across the country.

Here in the Senate, I mentioned earlier that there is a total of 17 Members who have joined me in sponsoring our version of this resolution. That is nearly one-fifth of this Chamber. It includes every Republican from a Western State with BLM lands within its borders. These are Alaska, Arizona, Idaho, Nebraska, Utah, Wyoming, Colorado, Nevada, Montana, even Kentucky, and the State of the occupant of the Chair, North Dakota, and Oklahoma, so a very strong contingent of Members who are in support of this disapproval resolution.

Across the Capitol, the House of Representatives passed this resolution with bipartisan support a couple of weeks ago through the leadership of Representative CHENEY of Wyoming. This resolution wound up with 234 votes in the House. That is a pretty strong vote.

The reason why so many Members of the House and the Senate want to overturn BLM's planning 2.0 Rule is pretty simple. We know what it means for our Western States. We don't like the impacts that it will have and neither do a wide variety of elected officials and stakeholders back home.

In my State of Alaska, I have heard from the Alaska Municipal League, the Alaska Farm Bureau, and the Associated General Contractors of Alaska. The Greater Fairbanks Chamber of Commerce wrote to ask us to overturn the rule. The Alaska Chamber wrote in support of our resolution because they said BLM's planning process "has grown to be substantially lengthier, more confusing, and burdensome for stakeholders to engage in."

We have heard from our leaders in the Alaska State Legislature, State Senators Pete Kelly and John Coghill, who have asked for this rule to be nullified, as have several of our Alaska Native corporations, including CIRI, Olgoonik, and Calista Corporation. The Alaska chapter of the Safari Club opposes it because its landscape-level approach to land management planning has the potential to withdraw and lock up even more land in Alaska.

Alaska's energy, mineral, and timber producers are united in their opposi-

tion to this rule and in their support of our disapproval resolution. We have heard from the Resource Development Council, the Alaska Oil and Gas Association, the Alaska Forest Association, the Council of Alaska Producers, the Alaska Support Industry Alliance, the Fortymile Mining District, and the Alaska Miners Association, and they all oppose BLM's planning 2.0 Rule because it reduces economic opportunities for Alaskans—those who actually live near these BLM lands, who know the most about them, and who depend on them to provide for their families.

It is the same story in many other Western States, from Arizona and New Mexico to Washington and Oregon, to Montana and South Dakota. This rule affects all 12 BLM States, and those States just are not happy about it.

We have heard from about 80 groups so far that oppose that rule, and I ask unanimous consent that a copy of the list of supporters be printed in the RECORD.

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

S.J. RES. 15/H.J. RES. 44

STRONG SUPPORT FROM WESTERN
STAKEHOLDERS

NATIONAL STAKEHOLDERS

American Energy Alliance, American Exploration and Mining Association, American Farm Bureau Federation, American Petroleum Institute, Americans for Prosperity, American Sheep Industry Association, Association of National Grasslands, Independent Petroleum Association of America, National Association of Conservation Districts, National Association of Counties, National Association of State Departments of Agriculture, National Cattlemen's Beef Association, National Mining Association, National Water Resources Association, Public Lands Council, U.S. Chamber of Commerce, Western Energy Alliance.

STATE STAKEHOLDERS

Associated General Contractors of Alaska, Alaska Chamber of Commerce, Alaska Chapter, Safari Club International, Alaska Farm Bureau, Inc., Alaska Forest Association, Alaska Miners Association, Alaska Municipal League, Alaska Oil and Gas Association, Alaska Support Industry Alliance, Alaska Trucking Association, Calista Corporation, Cook Inlet Region, Inc., Council of Alaska Producers, Fortymile Mining District, Greater Fairbanks Chamber of Commerce, Members of the Alaska State Senate, Olgoonik Corporation, Resource Development Council.

Arizona Association of Counties, Arizona Cattle Growers Association, Arizona County Supervisors Association, Arizona Farm Bureau Federation, Arizona Mining Association, California Cattlemen's Association, California Farm Bureau Federation, California Wool Growers Association, Rural County Representatives of California, Colorado Cattlemen's Association, Colorado Farm Bureau, Colorado Wool Growers Association, Idaho Cattle Association, Idaho Farm Bureau Federation, Idaho Wool Growers Association, Montana Association of Counties, Montana Association of State Grazing Districts, Montana Electric Cooperatives' Association.

Montana Farm Bureau Federation, Montana Mining Association, Montana Petroleum Association, Montana Public Lands Council, Montana Stockgrowers Association, Montana Wool Growers Association, Eureka County, Nevada, Nevada Association of Conservation Districts, Nevada Association of Counties, Nevada Cattlemen's Association, Nevada Farm Bureau Federation, New Mexico Cattle Growers' Association, New Mexico Farm and Livestock Bureau, New Mexico Wool Grower, Inc., North Dakota Stockmen's Association, Association of Oregon Counties, Oregon Association of Conservation Districts, Oregon Cattlemen's Association.

Oregon Farm Bureau, South Dakota Cattlemen's Association, South Dakota Public Lands Council, Utah Association of Conservation Districts, Utah Association of Counties, Utah Cattlemen's Association, Utah Farm Bureau Federation, Utah Wool Growers Association, Washington Cattlemen's Association, Washington Farm Bureau Federation, Western Interstate Region of NACo, Governor Mead of Wyoming, Petroleum Association of Wyoming, Wyoming Association of Conservation Districts, Wyoming County Commissioners Association, Wyoming Farm Bureau, Wyoming Stock Growers Association, Wyoming Wool Growers Association.

Ms. MURKOWSKI. This list includes our Nation's energy and mineral producers, the people who keep our lights on, who provide fuel for our vehicles, and who construct everything from semiconductors to skyscrapers. The American Petroleum Institute, the Independent Petroleum Association of America, the Western Energy Alliance, the National Mining Association, and the American Exploration & Mining Association are all opposed to this rule, and so are many State groups, like the Arizona Mining Association, the Montana Electric Cooperatives' Association, and the Petroleum Association of Wyoming.

Joining them are many of our Nation's farmers and ranchers, the individuals who provide so much of our Nation's food supply, whether that is steak or whether that is milk or something else. The National Cattlemen's Beef Association and the American Sheep Industry Association have registered their opposition. The American Farm Bureau Federation opposes the rule and so do many of its State partners, including the Colorado Farm Bureau, the New Mexico Farm & Livestock Bureau, the Oregon Farm Bureau, and the Washington Farm Bureau.

Perhaps most critically, planning 2.0 has drawn strong opposition from local and State governments, the entities that are elected to represent all of the people, not just one specific interest. The National Association of Counties, the voice of county governments all across the country, sent a letter outlining their support for the disapproval resolution. Another group, the National Association of Conservation Districts, wrote that planning 2.0 should be repealed because it "skirts the Federal Land Policy and Management Act

and reduces the ability of local government involvement" while seeming "forced and blind to the many issues raised in the public comment period."

Again, this disapproval resolution has drawn strong support from a wide range of stakeholder groups—energy, mining, and grazing, America's farmers and ranchers, State officials, local counties, and conservation districts. Everything from the Alaska Trucking Association to the Public Lands Council and the U.S. Chamber of Commerce have all weighed in. At last count, more than 80 groups had asked us to repeal BLM's planning 2.0 Rule, and I am sure there are many others that are not included in that count.

We have heard such strong support because this is a misguided rule that will negatively impact our Western States. It subverts the special status relationship between the Federal Government and the States and local governments. It limits local involvement and local input. It opens the door for decisionmaking authority to be centralized at BLM's headquarters here in Washington, DC. It upends BLM's multiple-use mission by allowing the agency to pick and choose among preferred uses, while sidelining industries that provide good-paying jobs in our western communities.

I think there is broad agreement that planning 2.0 should be overturned. That is what we are here to do, and we will have that opportunity in just a few moments.

So I ask all Members of the Senate, including those who do not have BLM lands in their States, to consider the strong support this resolution of disapproval has drawn and to join us in passing it at 4 o'clock.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Ms. CANTWELL. Mr. President, we had a chance earlier today to talk about this Congressional Review Act resolution before us that I urge my colleagues to turn down. This resolution basically would negate a very important aspect of a rule that was put in place to help the public have more input on public lands.

The rule was pretty straightforward—common sense—to make sure that there was a lot of increased public input to bolster the decisionmaking process and to ensure that there are 21st century management policies in place.

There is nothing in this rule that was implemented in the last administration that erodes or takes away from

the States' and local governments' planning processes and the decision-making they do.

So it is very important to me that we continue to have the transparency and openness and sunshine in our public planning. I think one editorial from the Post-Register from Idaho said it best. So I will read from it.

Resource management planning. Sound boring? Maybe. But if you are a Westerner, it definitely shouldn't be.

Resource management planning (RMP) affects how you can or can't use the vast swaths of public lands outside your back door for things like hunting, camping, four-wheeling, hiking, fishing, and rock climbing—a lot of the things you probably love about being a Westerner.

With a new Republican presidential administration in power and the GOP-controlled Congress rubbing its hands together in delight, ready to implement part one of its grand scheme for public lands—cashing in on those resources—RMPs should get a whole lot more interesting to Westerners.

Since 2014, BLM officials have been toiling away, rebuilding the current rules for land use planning in a significant way for the first time since 1983. . . .

One important change is that Planning 2.0 would let the BLM take into account local impacts from the beginning.

Going on to read from the editorial:

The Republican-controlled House has already passed a resolution to strike Planning 2.0 from the books once and for all. The Senate will vote within days on whether or not they'll use the same sledgehammer—the Congressional Review Act (CRA). It's an especially diabolical weapon.

Once the CRA is used on Planning 2.0, it will be gone forever. It prevents future BLM rules for planning land use from being introduced if they are "substantially the same."

The utterly confounding part is why this rule is being picked on in the first place. . . .

Planning 2.0 actually mandates more local control, gives it more often and is a smarter, more elegant solution to sharing use of our public lands.

I couldn't say it better than that editorial. Local communities are watching. They want more sunshine. They want more input. They want a smoother process. They don't want lawsuits that take forever. They want us to work in a collaborative fashion, guaranteeing the public input of local governments, States, and our citizens in how we manage our Federal lands.

I urge my colleagues to turn down this resolution.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. STRANGE). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Ms. CANTWELL. Mr. President, I yield back the remaining time.

The PRESIDING OFFICER. All time is yielded back.

The joint resolution was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. The joint resolution having been read the third time, the question is, Shall the joint resolution pass?

Mr. WICKER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Georgia (Mr. ISAKSON).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 51, nays 48, as follows:

[Rollcall Vote No. 82 Leg.]

YEAS—51

Alexander	Fischer	Paul
Barrasso	Flake	Perdue
Blunt	Gardner	Portman
Boozman	Graham	Risch
Burr	Grassley	Roberts
Capito	Hatch	Rounds
Cassidy	Heller	Rubio
Cochran	Hoeven	Sasse
Collins	Inhofe	Scott
Corker	Johnson	Shelby
Cornyn	Kennedy	Strange
Cotton	Lankford	Sullivan
Crapo	Lee	Thune
Cruz	McCain	Tillis
Daines	McConnell	Toomey
Enzi	Moran	Wicker
Ernst	Murkowski	Young

NAYS—48

Baldwin	Gillibrand	Murray
Bennet	Harris	Nelson
Blumenthal	Hassan	Peters
Booker	Heinrich	Reed
Brown	Heitkamp	Sanders
Cantwell	Hirono	Schatz
Cardin	Kaine	Schumer
Carper	King	Shaheen
Casey	Klobuchar	Stabenow
Coons	Leahy	Tester
Cortez Masto	Manchin	Udall
Donnelly	Markey	Van Hollen
Duckworth	McCaskill	Warner
Durbin	Menendez	Warren
Feinstein	Merkley	Whitehouse
Franken	Murphy	Wyden

NOT VOTING—1

Isakson

The joint resolution (H.J. Res. 44) was passed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 18, Seema Verma, to be Administrator of the Centers for Medicare and Medicaid Services.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Seema Verma, of Indiana, to be Administrator of the Centers for Medicare and Medicaid Services.

CLOTURE MOTION

Mr. McCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Seema Verma, of Indiana, to be Administrator of the Centers for Medicare and Medicaid Services, Department of Health and Human Services.

Mitch McConnell, Steve Daines, John Cornyn, Tom Cotton, Bob Corker, John Boozman, John Hoeven, James Lankford, Roger F. Wicker, John Barasso, Lamar Alexander, Orrin G. Hatch, David Perdue, James M. Inhofe, Mike Rounds, Bill Cassidy, Thom Tillis.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the mandatory quorum call with respect to the nomination be waived.

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

LEGISLATIVE SESSION

Mr. McCONNELL. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE DEPARTMENT OF EDUCATION—MOTION TO PROCEED

Mr. McCONNELL. Mr. President, I move to proceed to H.J. Res. 58.

The PRESIDING OFFICER. The clerk will report the motion.

The bill clerk read as follows:

Motion to proceed to H.J. Res. 58, providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Education relating to teacher preparation issues.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE DEPARTMENT OF EDUCATION

The PRESIDING OFFICER. The clerk will report the joint resolution.

The bill clerk read as follows:

A joint resolution (H.J. Res. 58) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Education relating to teacher preparation issues.

The PRESIDING OFFICER (Mr. JOHNSON). The Senator from Nebraska.

Mr. SASSE. Mr. President, I rise in support of S.J. Res. 26, a resolution to disapprove the Obama administration Department of Education's regulation on teacher preparation issues. This resolution is simple. It overturns the last administration's overreach into scores of States and territories, into thousands of college and university teacher preparation programs, and into millions of American classrooms.

Last night, I drafted a fairly detailed statement on some of the problems deep inside this regulation, but I have decided to skip past most of that. Why? Because the problem with this regulation is actually much more basic than all of the substantive problems in the regulation. This regulation actually makes the assumption that bureaucrats in Washington, DC, are competent to micromanage teacher training programs in America. That is what this regulation ultimately does, and that is absurd.

So I would like to ask three questions of folks who plan to vote to defend this regulation. First, do you really think that bureaucrats in this city know better how to run teacher training programs than people who have spent most of their lives inside actual classrooms with actual future teachers and with students? How many of you have ever run a teacher training program? Has anyone in this body ever run a teacher training program? Because I have—almost. I have spent a lot of my life around these programs. As a kid, with my dad, who was a lifelong public schoolteacher and coach, and I have been in many of these classrooms with him when he was getting master's and continuing education programs; then with my wife who is also a public high school teacher; and then I was a college president at a university that had multiple teacher training programs. I know Keith Rohwer, and I know the other deans of education that have been at Midland University and at many other colleges and universities across Nebraska. Yet, even though I have been around a lot of these programs in some detail, I wouldn't possibly think I am ready to decree all the details inside those programs from thousands and thousands of miles away.

Question No. 2, has anyone actually read this regulation that folks are going to say they want to defend on this floor? Because I have been reading in it. I will not claim I have read it, but I have read in it. This is the 695 pages of the regulation itself. There is actually a lot of guidance material as well, but I didn't bring that because I didn't want to have both of my hands occupied. This is the 695 pages of the regulation we are talking about today, and it is actually really silly. If you read inside it, it is filled with enough specificity that if you tried to explain it to thoughtful, generally educated

Americans, I submit to you that you would blush. There is a level of detail and a level of specificity in this that we are not possibly competent to defend at the micro level.

Question No. 3, can the folks who think this is what Washington, DC, ought to be doing right now—please show me somewhere in this document, the Senate version of the Constitution—show me somewhere in this document where we are given the specific authority to micromanage local programs like this from here. Because, honestly—I mean this sincerely to my colleagues who plan to vote to defend this rule—I don't see how you can defend this document and think that this is conceivably our job from here. We are not competent to do this.

Now, a couple of qualifications are in order. Am I suggesting that all teacher training programs in America work well? Heavens, no. There are some that are fairly strong, and there are actually a lot that are really, really poor and weak, but having a good intention to make them better is not the same as actually having accomplished something that will make them better. Good intentions are not enough. For us in this body to act because we have compulsory governmental powers, we would need not merely good intentions, we would also need competence and authority. We have neither of those about teacher training programs.

Everyone in this body agrees that education is darn near the center of the future of our country. We all want and we need good teachers. Most of us can remember specific teachers who stood out because of her or his creative presentation, because of their unexpected humor, because of their charm and their compassion, because of their tireless drive, because of their inspired mentorship. None of us in this Chamber who has the privilege of serving our fellow country men and women regret or are unaware of the fact that the skills and the guidance and the abilities that we have are the function of the mentorship and the pedagogy of life-changing teachers early in our lives. We have benefited from and we need good, prepared teachers.

If we all agree teachers are critically important to our future, and since we all agree teacher training programs are important and we also agree that some of them aren't very good, the question would be, What would we do about that? What kind of debate should we have about why much education in America isn't good enough? Does anyone in this body sincerely believe that the big, pressing problem in American education is that there aren't enough rules like this coming out of bureaucracies in Washington, DC?

Because if you believe that, I would humbly suggest that you should go and meet with some of the ed school faculties back in your State and ask them

if you can read them these 695 pages so you can tell them that we have the answers. Read it to them, and then please come back and tell us in this body that they agree with you, that what we really need is more 700-page regulations from Washington, DC, micromanaging things as specific and local as teacher preparation programs.

Oh, and one more thing, which is actually kind of big. This regulation explicitly violates the plain language and the congressional intent of the Federal education law that was passed in this body last year. You will all recall that the Elementary and Secondary Education Act was passed in this Chamber with overwhelming bipartisan support last year. I think it got 83 votes. The act prohibits the Secretary of Education from prescribing "any aspect or parameter of a teacher, a principal, or other school leader evaluation system within a State or local education agency" or "indicators or specific measures of teacher, principal, or other school leader effectiveness or quality." There is nothing ambiguous about this language.

In addition, the Higher Education Act is clear that the levels of performance used by a State to assess teacher training programs "shall be determined solely by the State."

This rule overrides State authority over literally tens of thousands of discipline-specific teacher preparation programs across the Nation, burdening States with a federally defined and expensive mandate. Under this regulation, States would be required to create elaborate new data systems that would link K-12 teacher data to data on evaluations of teachers and administrators in particular schools and then on to the data back into the teacher preparation programs. This regulation's goal would be to measure the success of teacher preparation based largely on teachers' students' subsequent test scores, and it would all need to be backlinked in the data. This is data that is not currently gathered.

Rube Goldberg is smiling somewhere because this sounds like a bureaucrat's dream, a paperwork trail monitoring all the strengths and weaknesses of some vast machine spitting out layers and layers of new data over which Washington's experts could then postulate and tinker. Again, I have no doubt the bureaucrats who wrote these 700 eye-glazing pages—pages about rules, about data to be gathered that States are not currently gathering—I have no doubt the people who wrote this mean well. I also have no doubt the people who are going to defend this rule as somehow commonsensical—then why is it 700 pages—also mean well, but those good intentions don't change the fact that what they have actually done in this rule—what they have actually done—is build a much larger requirement set of paper trails, demanding

further burdens on our teachers, on our principals, and on the professors who are teaching teachers, and then require all of them to report back through new or expanded bureaucracies at the State level, though the States have not chosen to gather this data, and then pass this data on to a bureaucracy a couple of blocks from here.

These Rubik's Cubes of rules and data collection are not being done today, and supposedly we are going to make teacher preparation programs better by all of the specificity that comes from this rule.

The fact that these regulations will likely cost States millions of dollars to implement simply adds insult to injury. Let's be honest. Education is not some vast complex machine that just needs a little bit more tinkering from Washington-level intervention before it will be at utopia. It isn't true, and this rule is not an effective way to actually help the teachers who care so much that they are investing their lives in our kids.

Nebraska's parents and educators and locally elected school boards are better equipped and better positioned to tackle the most important educational challenges. They are better equipped and they are better intentioned, even than the smartest, the nicest, and the most well-meaning experts in Washington, DC. If you disagree, again, I humbly challenge you to go and try and read this rule to elementary and secondary school teachers in your State and to those who are running the programs that train them. Read the 695 pages to them and then report back to us that they actually share your view that the really big problem in American education is not enough 700-page rules from educational bureaucrats from DC.

Good intentions are not enough. Federal intervention and reforms should never make problems worse, and that is what this rule would do.

I urge my colleagues to reject this rule and to rededicate ourselves to the duties that really and fundamentally are ours, to the duties the Federal Government is exclusively and monopolistically empowered to carry out because it isn't this. We are not competent to displace the expertise of the district and the State level, and we should not be trying to regulate teacher training programs from Washington, DC. We are not competent to do this.

Thank you for your consideration.

I yield the floor.

Mrs. MURRAY. Mr. President, I come to the floor actually on behalf of students across the country, and for those who are so passionate about their education that they want to dedicate themselves to teaching, and to urge my colleagues to oppose this resolution and support strong and accountable teacher preparation in America today.

While this rule may not be the rule that any of us would have written on our own, it is important.

Let me say at the outset that there are many great teacher prep programs that exist around our country, and they are doing a great job preparing our teachers to succeed in the classroom, but there are also teacher preparation programs out there that are struggling and need support to help make sure they produce great teachers for our schools.

Now, as a former preschool teacher and as a mom, I know how important it is to have great teachers in our classrooms, and I understand how a good education, with an amazing teacher, can change a child's life. I am sure all of our colleagues think back on that one special teacher they had who shaped their mind and changed their life. They teach us not only how to read and write and do arithmetic, but good teachers teach us how to think critically, how to be creative, how to form an argument. I know I am not alone in saying that I owe much of what I have to the quality of the public education I received growing up, and I have spent my career fighting to make sure every child in America has the same opportunity I did.

Unfortunately, too many teaching students today are forced to take out huge amounts of student loans to afford continuing their education so they can realize their dream. They are willing to make this sacrifice. They don't complain. The very least we can do for those who want to become teachers is to make sure they are actually getting their money's worth when they make an investment in themselves.

That is what this rule does. It helps make sure students can make informed decisions about the quality and preparedness of their education.

Here are a few of the ways this rule does that—and I am hoping my colleagues will see that this shouldn't be controversial. This rule strengthens and streamlines reporting requirements of teacher prep programs to focus on employment placement and retention of graduates. It provides information from employers to future teacher candidates so they can make an informed decision about their education by choosing a school that improves the likelihood they will find employment after graduation. It makes sure that prospective teachers can access this information they need before they take out massive amounts of student debt.

When teacher programs are struggling, this rule helps States identify at-risk and low-performing programs so States can provide them the support they need to adapt or adjust their programs and help their teaching students succeed.

There is one more reason I would urge my colleagues to oppose this resolution today. Simply put, it would put

more power into the hands of Secretary DeVos, and many of us don't yet have the trust that she would use that power to promote the best interests of students in higher education. Secretary DeVos does not come from a higher education background. We don't know whether she supports providing information on teacher placement rates and retention rates before prospective teachers take out student loans. We have no idea what she would do if this rule went away, and I believe it would be too risky to find out.

By investing in our teachers, we are investing in our future generations. Our future teachers have the right to know whether they are receiving a quality education, and they deserve to know that before they take out massive amounts of student debt.

It helps to improve teacher prep program accountability and gives prospective teachers the information they need to make an accurate decision on which program is most likely to make them a successful teacher in the classroom.

It ensures that Secretary DeVos does not have more power to implement unknown policies that could hurt students and reduce the number of qualified great teachers in our public schools.

Without this rule and the information that it ensures, students will have a hard time finding a quality teacher prep program that will help them get a job after they graduate. I think that is simply wrong. We should be working to make sure teaching students have full access to information and options. This rule would give them less.

For all the future teachers out there, I urge my fellow Senators to vote against this CRA because every young adult deserves to know that the program they enroll in is actually preparing them to be a successful teacher in the classroom, and every student deserves to have an amazing teacher in every classroom.

EVERY STUDENT SUCCEEDS BILL

Finally, Mr. President, I wish to bring up one more thing that is very important to me—the bipartisan Every Student Succeeds Act—and a potential serious threat to it. It seems that Republicans are thinking about bringing to the floor another CRA that would eliminate the rule that provides States with flexibility and guidelines to create their State plans. I want to be very clear. I hope Republicans reconsider that approach.

The Every Student Succeeds Act is a critical part of our bipartisan education law. It is an important part of the civil rights protections it offers, as well as the assurances it made that every student would have an opportunity to succeed, no matter where they live or how they learn or how much money parents make. Jamming through that resolution would weaken

it, and it would be a major step toward turning our bipartisan law into another partisan fight.

Rolling back the Every Student Succeeds Act rule less than a month before States have to submit their plans to the Department of Education will cause chaos and confusion in the States, and it will hurt our students, our teachers, and our schools. It will also give Secretary DeVos greater control over that bipartisan Every Student Succeeds Act and give her the tools to implement her anti-public education agenda.

Secretary DeVos's lack of experience and expertise, as well as her damaging track record on school privatization, leaves her unqualified to implement this bipartisan law that governs public education and public schools without the important guardrails that rule ensures. Given her record and her comments, she would almost certainly push for measures that disregard key civil rights protections in the Every Student Succeeds Act and could allow unequal, unfair, and unreliable accountability for schools across the country.

The Every Student Succeeds Act rule is supported by Democrats and Republicans, by teachers and businesses, and by parents and communities. We should not go backward.

I urge my colleagues to reconsider moving forward with that resolution, which I understand they want to bring up later this week, and work with us to continue building on that bipartisan progress that we all worked toward for our students.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. Mr. President, I ask unanimous consent to speak as in morning business.

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

REPUBLICAN HEALTHCARE BILL

Mr. CASEY. Mr. President, I rise today to offer a few comments about the House Republican bill that was just unveiled yesterday. Those who have been promoting it or those who have been working on this issue for a couple of weeks are claiming it is a new healthcare plan or a new comprehensive healthcare proposal—in essence, by their argument, a replacement if the Affordable Care Act were repealed. I disagree. I don't believe in any way it is a plan. It might be a bill, but I think a better description of it in terms of its impact would be that it is a scheme, not a plan. It is a scheme that will roll back coverage gains from the Affordable Care Act, which is better known by a longer name: the Patient Protection and Affordable Care Act.

Kaiser—one of the great institutions that track healthcare data and healthcare policy—told us that there are 156 million Americans with em-

ployer-sponsored coverage. Those Americans didn't have much protection before the Patient Protection and Affordable Care Act with regard to pre-existing conditions or annual lifetime limits—a whole series of protections for people that were not there before that.

This scheme, as I am calling it, will not only roll back coverage gains in the Patient Protection and Affordable Care Act, in the process it will also devastate the Medicaid Program, leaving many of the most vulnerable Americans behind.

Another impact of this scheme will be to increase costs for middle-class families while cutting taxes for millionaires or multimillionaires as well as big corporations. It will raise the cost of care for older Americans and substantially cut funding for hospitals in rural communities.

How did we get there, and where are we going based upon the House Republican proposal? Last night the Republicans released their bill to "replace" the Affordable Care Act, and the House Energy and Commerce Committee and the House Ways and Means Committee will be marking up the bill tomorrow. I guess it doesn't require much reading to get to a markup tomorrow.

Usually when you introduce a bill, the bill is reviewed by Members of Congress. There is some public debate on it. There is some back-and-forth. And then a period of time later, maybe weeks, there is a markup. The committee engages in a thorough review of the bill, and the markup means they make changes. They add amendments or try to alter the bill in one way or another. That is a serious approach when you do this work of legislating on a serious issue.

Healthcare is about as serious and difficult an issue as there is. I think it should be accorded the serious review that the complexity and the consequence of this issue demand. This is not a serious proposal. It is a scheme, but it is also not a serious process that the House seems to be focused on right now. This process means the House will mark up this bill within I guess about 48 hours of it being unveiled, maybe less than 48 hours. That means there will not be a single hearing on the bill or getting the bill scored, which is a fancy Washington word for having someone tell us what it costs. There will be no thorough review, no serious review on such a monumental issue called healthcare and what happens to hundreds of millions of Americans.

At the same time, the markup will proceed with lightning speed, and there will not be any information on the record about an analysis of the bill that is thorough and serious, and of course we will not know how to pay for it and we will not have the score that will tell us how it will be paid for and what the cost will be.

It is hard to come up with the words, but the impact of this bill would be a disaster. If you are a millionaire and up, you are doing quite well under this bill. You are going to get a bonanza from this bill. You are going to have a great payday. If you are a child or you happen to be a senior or if you are a woman or if you are an individual with a disability or a chronic disease, you are out of luck. You are in big trouble. I would hope that those Americans would have the benefit of a serious review of a serious issue. If the bill is not serious, I guess they are going to ram it through. We will see what happens in the next couple of days.

There is one analysis that should be on the record. There are some that are hot off the presses. This is a report released today that I am looking at. It is about 2½ pages. They know the vote will take place soon in the committee—two committees, maybe in the House. This report by the Center on Budget and Policy Priorities is moving quickly to keep up with the fast pace at which the bill is proceeding. I won't read the whole report, and I won't enter the whole report into the RECORD; I am sure people can go online and look at it. Here is the title of the report: "House GOP Medicaid Provisions Would Shift \$370 billion in costs to states over a decade." It is written by Edwin Park, who has been writing about Medicaid for a long time. Few Americans know more about Medicaid than Edwin Park and people like him who study it. I will read the first sentence, which gives you the basics of it: "The new House Republican health plan would shift an estimated \$370 billion in Medicaid costs to states over the next ten years, effectively ending the Affordable Care Act's (ACA) Medicaid expansion for 11 million people while also harming tens of millions of additional seniors, people with disabilities, and children and parents who rely upon Medicaid today."

That is the opening line of this proposal, which I believe is a scheme. What does that mean for Medicaid?

One of the basic debates we will have here is what happens to Medicaid itself, and we will have a lot of debates about other aspects of the implications for the Affordable Care Act.

Here is what it means. It means that 70 million Americans who rely upon Medicaid—again, they are children in urban areas, children in rural areas, children in small towns who get their healthcare from Medicaid. It is a lot of individuals with disabilities, a lot of children with disabilities who benefit from Medicaid. It is also, of course, pregnant women, as well as seniors trying to get into nursing homes, because we know that a lot of seniors can't get into a nursing home unless they have the benefits of Medicaid. The idea in the bill on Medicaid that is objectionable, among other objections I have, is

a so-called per capita cap. This idea limits Federal contributions to a fixed amount. If the caps are not tied to overall increases in healthcare spending, the net effect is fewer healthcare dollars over time so they can afford the tax cuts they want to have as part of this scheme.

We have heard a lot around here about flexibility, that States want more flexibility when it comes to Medicaid. I will tell you what they don't want. They don't want a flexibility argument to be a scheme that results in cuts to those States, where the Federal Government says: Here is a block grant that may increase or may not, but good luck, States, as you balance your budgets.

Of course, Governors and State legislators balance their budgets, and they have very difficult choices to make—sometimes choices the Federal Government never makes. That is why some Republican Governors took advantage of the Medicaid expansion and expanded healthcare to a lot of people in their States. That is one of the reasons they are worried about—and some will oppose this idea of so-called per capita caps or block-granting of Medicaid or the like.

If we have a proposal to cut \$370 billion from the House, what does that mean for some of those groups that I just mentioned earlier? Well, we know that more than 45 percent of all the births in the United States of America are paid for by Medicaid, so that is a consequence for pregnant women and their children. One in five seniors receives Medicaid assistance by way of the benefit to someone trying to get into a nursing home. Medicaid also pays for home-based care for seniors and, of course, long-term care as well. What if you have a disability? Over one-third of the Nation's adults with disabilities who require extensive services and support are covered by Medicaid.

We know that in a State like mine—because we had a Republican Governor embrace the Medicaid expansion, and then we had a Democratic Governor embrace it and really develop it and bring it to where it is today—we have expansion of Medicaid that resulted in some 700,000—that is not an exact number, but it is approaching 700,000 Pennsylvanians gaining coverage through the Medicaid expansion. And 62 percent of Americans who gained coverage through the Medicaid expansion are working. So we are talking about a lot of families and a lot of individuals who are working and getting their healthcare through Medicaid. That opportunity presented itself because, in the Affordable Care Act, Medicaid was expanded.

There are lots of numbers we could talk about. I will give maybe two more. Medicaid is the primary payer for mental health and substance abuse treat-

ment. Medicaid expansion enabled 180,000 Pennsylvanians to receive these lifesaving services. If you are a Member of Congress and you have been going home and talking about the opioid crisis—and to say it is a crisis is a terrible understatement. It has devastated small towns and rural areas. It has devastated cities. It has destroyed families. We know how bad it is. Some of the numbers indicate it is getting worse, not leveling off. If you say you care about that and you supported the Comprehensive Addiction and Recovery Act as a Member of Congress and you supported the funding that was in the 21st Century Cures Act at the end of the year, and you say you are working toward help for communities devastated by the opioid crisis, it is OK to say that, but you can't then say: But I want to support the House Republican proposal on Medicaid, when Medicaid is the primary payer for these substance abuse treatment programs.

I mentioned before adults and children with disabilities. Medicaid covers 60 percent of children with disabilities. We know the range of that—ranging from autism to Down syndrome, to traumatic brain injury, and many other disabilities or circumstances that I have not mentioned. For a lot of people, this is real life. It is not some theory that gets kicked around Washington, often by people who have good healthcare coverage as they are talking about cutting healthcare for others. We have a lot of testimony from what we might want to call the real world.

One of the most compelling pieces of correspondence I received in my time in the Senate was from a mom about her son. Her name is Pam. She is from Coatesville, PA. That is in Southeastern Pennsylvania, within the range of suburban Philadelphia. She wrote to tell me how important Medicaid is to her family and to tell me about her 5-year-old son Rowan. She sent me a picture of Rowan with a firefighter's hat on. Of course, he is fascinated, as we all are, by the heroic work of firefighters. Her story—I will not go through her whole letter, but she got news a couple of years ago that many parents get in the course of the lives of their children. She got news in March of 2015 that her son Rowan was diagnosed with autism spectrum disorder. The diagnosis was made by a psychologist who worked for the Intermediate Unit—meaning the institution that works for the school districts and helps to provide special education. Rowan continued in the preschool program and daycare program before and after school, but then Pam goes on to say:

I was never able to find a daycare suitable for all of Rowan's needs. In late January of 2016, I applied for [Medical Assistance].

I will stop there for a moment to explain. Medical Assistance is the State share of the State end of the Medicare

Program. We call it Medical Assistance. Other States have a different name for it.

Pam said she applied for Medical Assistance:

After Rowan was awarded this assistance we were able to obtain wrap-around services, which included a Behavioral Specialist Consultant . . . and a Therapeutic Staff Support worker.

Pam goes on to say, and I am quoting her again:

Without Medical Assistance, I am confident that I could not work full time to support our family. . . . [We] would be bankrupt and my son would go without the therapies he needs.

These are the therapies I just mentioned. Then Pam goes on to say, urging me as one of her two Senators to focus on her son, focus on her family when we are casting votes and having debates about policies that relate to healthcare and Medicaid. Here is what Pam asked me to do as her Senator:

Please think of Rowan. . . . My 9-month-old Luna, who smiles and laughs at her brother, she will have to care for Rowan late in her life after we are gone. We are desperately in need of Rowan's Medical Assistance and would be devastated if we lost these benefits.

So said Pam about her son and about the importance of the Medical Assistance Program, which is known on the national level as Medicaid. I would hope that those in the House, as they are quickly marking up legislation that would have a huge impact on families like Pam's and many more—I would hope they would think of Rowan, think of his little sister Luna and what her challenges might be years from now when she would likely have to care for Rowan and answer some of Pam's questions.

There are a lot of questions that we have about policy and numbers and budget impacts, and they are all appropriate. But some of the most important questions we have to answer for those who are asking them are questions that our constituents are asking. And one of those is Pam. We have to be responsive to her concerns about her son and the challenges her son faces.

I hope, in the midst of debate, in the midst of very rapid consideration of a complicated subject on a bill that has been slapped together—in my judgment, too quickly—that Pam's concerns would be an uppermost priority in the minds of those who are working on this legislation.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER. (Mr. RUBIO). Without objection, it is so ordered.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that I be allowed to speak for up to 15 minutes as in morning business.

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

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, this is my "Time to Wake Up" speech No. 159. In giving these speeches, I have come to realize that some of my colleagues seem to have a hard time wrapping their heads around the basic understanding of climate change. Some of President Trump's Cabinet nominees seem to have the same problem.

They say the scientific community is split on the issue. It is not.

They say the climate has always been changing. Not like this, it hasn't.

They say we can't trust projections and complex computer models. But overall, they have actually been right.

And, of course, they have the notorious "I'm not a scientist" dodge. Well, if a colleague doesn't understand this, then perhaps he ought to trust the scientists at NOAA and at NASA, at our National Labs, and at universities in Rhode Island and across the country—the scientists whose job it is to understand this.

I must say, in addition to trusting the scientists, I also trust Rhode Island fishermen who see the changes in their traps and nets and our shoreline homeowners watching the sea steadily rising toward their homes. You don't need fancy computer models to see the ocean changes already taking place; you just need a thermometer to measure rising temperatures, basically a yardstick to measure sea level rise or a simple pH kit to measure the acidification of our oceans.

Let's look at ocean acidification. The oceans have absorbed about one-third of all the excess carbon dioxide produced by humans since the industrial revolution, around 600 gigatons' worth. When that carbon dioxide dissolves into the ocean, chemistry happens, and it makes the oceans more acidic.

Carbon dioxide reacts with water to form carbonic acid. Carbonic acid isn't stable in ocean water, so it breaks down into bicarbonate ions, a base, and hydrogen ions, an acid. The increase in acidic hydrogen ions is the crux of the chemistry of ocean acidification. More hydrogen ions lower the water's pH, and the lower the pH, the higher the acidity.

Regular viewers of my "Time to Wake Up" speeches or people who spent the night up with us while we objected to Administrator Pruitt's nomination may remember that I demonstrated this in a simple experiment on the Senate floor just a few weeks ago. I took the glass of water on my desk, and I used the carbon dioxide in my own breath. Blowing through an aquarium stone, I was able to show, with the help of a little pH dye, how easy it is to ac-

tually measure the effect of CO₂ on the acidity of water. With just a few breaths into the water, I was able to visibly make this glass of drinking water more acidic.

That little experiment is a microcosm of what is happening in our oceans right now, except, instead of bubbles blown through a straw, it is a transfer of excess CO₂ from the atmosphere into the surface waters of the ocean all around the globe.

Scientific observations confirm that what the laws of chemistry tell us should happen is actually happening. Massive carbon pollution resulting from burning fossil fuels is changing ocean acidity faster than ever in the past 50 million years.

Now, you start talking in big numbers, and it all goes into a blur—50 million years, compared to how long the human species has been on the planet, which is about 200,000 years. So 50 million years is, what, 250 times the length of time that our species has inhabited the Earth.

This chart shows measurements of carbon dioxide in the atmosphere taken at the Mauna Loa Observatory in Hawaii. That is the redline of climbing carbon dioxide in the atmosphere. And it shows carbon dioxide in the ocean, which is the green measure, which is also climbing in tandem with the rise of carbon dioxide in the atmosphere. Finally, it shows the pH of ocean water in the sea. Of course, as the chemistry would tell us, as the carbon dioxide goes up, the pH comes down, and the acidity rises; the water becomes more acidic.

We measure that surface seawater on the Earth's oceans has, since the industrial revolution, become roughly 30 percent more acidic. NOAA predicts that oceans will be 150 percent more acidic than now by the end of the century. Coastal States, like Rhode Island and Florida, will feel the hit.

Ocean acidification disrupts life in the sea when those loose hydrogen ions we talked about latch onto free carbonate ions. Usually that carbonate is plentiful in ocean water. Shell-forming marine creatures, like oysters and clams, use this loose carbonate to help form their shells. But if the carbonate they need is bound up by hydrogen ions, they can't get enough carbonate to build their shells.

We have even seen acidification scenarios in which shells start to dissolve in the water. Shellfish hatcheries on the west coast have already seen devastating losses of larval oysters due to acidic waters. When ocean pH fell too low, baby oysters couldn't form their shells, and they quickly died off. Dr. Julia Ekstrom, the lead researcher for Nature Climate Change's 2015 study on ocean acidification, told PBS that it has cost the Pacific Northwest oyster industry more than \$100 million and jeopardized thousands of jobs. Her research flagged 15 States where the

shellfish industry would be hardest hit, from Alaska to Florida, to my home State of Rhode Island.

Toward the bottom of the oceanic food web is the humble pteropod. Pteropods are sometimes called sea butterflies because their tiny snail foot has evolved into an oceanic wing. In 2014 NOAA found that more than half of pteropods sampled off the west coast were suffering from severely dissolved shells due to ocean acidification, and it is worsening.

This is a pteropod shell degrading over time in acidified water.

Of course, we are here in "Mammon Hall," where it feels laughable to care about anything that can't be monetized. We talk a good game here in the Senate about God's Earth and God's creation and God's creatures, but what we really care about is the money. So let's monetize this.

Who cares about this humble species? Salmon do. As the west coast loses its pteropods, that collapse reverberates up the food chain, and the salmon care because many of them feed on the pteropods. The west coast salmon fishery is a big deal, so salmon fishermen care about this.

Another foundational marine species, krill, is also affected by ocean acidification. In the Southern Ocean, nearly all marine animals can thank krill for their survival. From penguin diets to whale diets, krill is king.

A 2013 study in *Nature Climate Change* found ocean acidification inhibiting the hatching of krill eggs and the normal development of larvae. The researchers note that unless we cut emissions, collapse of the krill population in the Southern Ocean portends "dire consequences for the entire ecosystem."

Closer to home, the University of Alaska's Ocean Acidification Research Center—yes, ocean acidification is serious enough that the University of Alaska has an Ocean Acidification Research Center, and it warns that ocean acidification "has the potential to disrupt [Alaska's fishing] industry from top to bottom."

Turning to warmer waters, coral reefs are also highly susceptible to ocean acidification. A healthy coral reef is one of the most productive and diverse ecosystems on Earth, home to 25 percent of the world's fish biodiversity. Those reef-building corals rely on calcium carbonate to build their skeletons.

Since the Presiding Officer is from Florida, I know how important coral reefs are to the tourism industry in his State.

Coral depends on a symbiotic relationship with tiny photosynthetic algae, called zooxanthellae, that live in the surface tissue of the coral. There is a range of pH, as well as temperature, salinity, and water clarity, within which this symbiosis between the coral

and the zooxanthellae thrives. Outside that comfort range, the corals get stressed, and they begin to evict the algae. This is called coral bleaching because corals shed their colorful algae. Without these algae, corals soon die.

The effects of acidification on sea life are far-reaching. Studies have found ocean acidification disrupts everything from the sensory systems of clownfish—those are little Nemos, for those who have seen the movie—to phytoplankton populations, to sea urchin reproduction, to the Dungeness crab, another valuable west coast specialty.

I asked Scott Pruitt, our ethically challenged Administrator of the Environmental Protection Agency, about ocean acidification. He gave these answers: "The oceans are alkaline and are projected to remain so," and two, "The degree of alkalinity in the ocean is highly variable and therefore it is difficult to attribute that variability to any single cause."

Let's look at those answers.

The first answer is plain and simple nonsense because the harm to ocean creatures from acidification comes from the dramatic shift in ocean acidity, not from where along the acid-based spectrum the shift takes place. The observation he made is irrelevant to the question.

His second answer is no better. It exhibits purposeful ignorance of the role humans' carbon pollution plays in damaging the ocean, because the chemical principles at issue here are indisputable. You can replicate them in a middle school laboratory in any Florida school. As I showed in my little demonstration, you can replicate them even here on the Senate floor. Like its carbon cousin, climate change, ocean acidification doesn't care whether you believe in chemistry. It doesn't matter to chemistry if you swallow the propaganda pumped out by the fossil fuel lobby. The principles of science operate notwithstanding. The chemical interactions take place by law of nature whether you believe them or not. If you believe in God, then you have to acknowledge that these laws of nature are God's laws, the basic operating principles He established in His creation. But, of course, here at Mammon Hall, it is always about the money.

Any decent EPA Administrator is obliged to trust in real science and to take action to protect human health and the environment. I am deeply unconvinced that Administrator Pruitt will live up in any respect to those obligations, but I would welcome being proven wrong. Likewise, I similarly challenge my colleagues here in the Senate.

This Chamber and our Nation will be judged harshly by our descendants, both for our pigheaded disregard for the basic truths, the basic operating systems of the world we live in, and for

the shameful reason why we disregard them. Mammon Hall indeed.

Mr. President, it is time for the Senate to wake up before it is too late.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

REPUBLICAN HEALTHCARE BILL

Mr. BROWN. Mr. President, the House's plan to repeal the Affordable Care Act is dangerous and irresponsible. Just listen to Governor John Kasich, Republican Governor of my State, who says we should not be throwing 500, 600, 700,000 Medicaid beneficiaries—mostly people who have jobs and work in low-income jobs—we shouldn't throw them off their insurance. In fact, in Ohio there are 900,000 people—700,000 on Medicaid, 100,000 on their parents' healthcare plan, and another 100,000 on the exchanges—who would lose their insurance if the House succeeds and the Senate goes along in changing dramatically or repealing the Affordable Care Act.

My office is flooded with letters and calls from Ohioans begging us not to take away their care. Let me share some of those letters.

A woman from Beachwood, OH, in Northeast Ohio wrote to me on January 11 terrified of possible changes to the Medicaid system that helps fund nursing homes like the one where she lives. She writes:

I strongly believe changes would drastically diminish my quality of life and many other residents' in the nursing home setting. My care needs are currently well managed by qualified and caring staff members. I am a 2-person assist with dressing, bathing, and getting to the bathroom. I also require two people with getting dressed every morning.

Medicaid cuts would decrease the number of staff members. . . . Without adequate staff, I am afraid of extensive wait periods and frequent bathing accidents. . . . It would be very difficult to endure, cause embarrassment, while destroying my dignity in the process.

I am not as strong as I used to be. I have children who love and care for me and placed me in a safe environment. Living in the nursing home has allowed me to live a little better, smile a little longer, and enjoy my days with family members.

"Please consider," she writes, "the people who will be affected the most."

Understand that most Medicaid dollars—dollars that unfortunately Republicans want to block-grant or capitate in some way, whatever terms they want to use here, send to the States, shrink those dollars, and people like this lady from Beachwood will be the losers as a result. Understand again that most Medicaid dollars—two-thirds of them—go to nursing home care. "Please consider the people who will be affected the most," she writes.

Another woman from Mount Vernon, OH, a part of the State where I grew up in Mansfield, wrote to urge us not to rip coverage away from individuals who are currently receiving mental health and addiction services. She writes:

As a constituent concerned about preserving access to lifesaving mental health and addiction services, I am writing today to urge and request your support in protecting the Affordable Care Act and preserving Medicaid expansion.

I work as a substance abuse counselor in Knox County and work with adolescents and women with co-occurring disorders. Without the Medicaid expansion, many of our clients would not be able to get the help they need.

Without ObamaCare, without the Affordable Care Act.

Without the Medicaid expansion, many of our clients would not be able to get the help they need.

Today in Ohio, 200,000 people are in the midst of opioid addiction treatment, and 200,000 of them have insurance so they could get that treatment delivered in the right way and have insurance because of the Affordable Care Act. This House proposal would just rip it away from them.

She goes on to write:

Knowing that they can receive help and healthcare often is one of the motivating factors for our clients to begin to make change. Their ability to access medications such as Vivitrol through Medicaid has been a strengthening point in the recovery process of many. With our teens, I have seen them be able to change substance use with the resources that Medicaid provides.

In other words, some of them are breaking their addiction and some of them are being cured because of the Affordable Care Act, because they have Medicaid.

Medicaid allows our rural and low-income teens—

And of the 88 counties in Ohio, 70 or so are classified as small town or rural, like the county I grew up in, Richland County—

many of whom otherwise would not be able to attend treatment due to transportation barriers—to attend treatment through public transportation. Working with these clients, you learn their stories. So many have been through unimaginable trauma, losses, and emotional/physical pain. Many have never had the support to help them begin to work through these issues underlying the substance use.

She is worried. The lady in Mount Vernon, OH, is worried, with very good reason, that these repeal plans would “leave millions of Americans without access to needed mental health and addictions treatment in our state and communities.”

Most recently, a woman in Butler County—the congressional district of former Speaker John Boehner and some members of my staff, past and present—writes:

I am extremely concerned about the cuts President Trump and the Republican-led Congress propose to make in the Medicaid program and services for the developmentally disabled.

Her son is 14 years old. He was diagnosed with a specific type of autism. He is nonverbal, with severe cognitive and physical challenges. She wrote to my office how Medicaid has been “a

godsend” for her and her family. Before her son received a waiver under the Medicaid Program, her family was spending \$100 a month in copays for psychiatric medications alone. That is in addition to all the extra medical costs in caring for a severely challenged child. They couldn’t afford the physical therapy he needs, despite having insurance coverage through her husband’s employer. She wrote that Medicaid “more than anything else, improved the quality of my son’s life, and by extension, the life of our whole family.”

Understand that health challenges—especially mental health challenges but health challenges overall—in one member of a family afflict the whole family. That is something we should remember as this Congress seems to rush pell-mell into trying to repeal Medicare, trying to repeal the Affordable Care Act.

These three letters are three of hundreds of thousands that we received—hundreds of thousands of letters and calls that Members of the Senate are receiving. I don’t understand how, when 20 million people will lose their insurance, so many Members of Congress, who themselves have government-financed health insurance—we have health insurance in this body paid for by taxpayers, most of us. Yet we think it is appropriate to pass legislation in part giving tax cuts to the richest Americans and at the same time stripping away Medicare benefits, taking 22 million people who now have insurance off of that insurance and proposing minor insurance for some of them but not nearly all of them. If we are people of God, if we are people who care about our constituents, how we can do that is just beyond me.

I go back to the quote from one of the people I read about today from Beachwood. She writes: “Please consider the people who will be affected the most.”

CONSUMER FINANCIAL PROTECTION BUREAU

Mr. President, President Trump declared this week Consumer Protection Week, but his proclamation has gaping holes. It ignores the many ways large corporations cheat consumers and the biggest tool Americans have to fight back.

Not once did the proclamation mention the Consumer Financial Protection Bureau, which has returned \$12 billion to 29 million consumers. The Consumer Financial Protection Bureau was created under Dodd-Frank 8 or 9 years ago. Not once does it talk about the unscrupulous lenders who targeted Americans with predatory mortgages before blowing up the economy in 2007 and 2008. Not once does the President’s Consumer Protection Week proclamation mention the millions of fake accounts opened by Wells Fargo. Not once does it mention the shady outfits that set up shop outside the gates of

our military bases and the payday lenders and other unscrupulous lenders who set up shop outside the gates of the military bases because they aren’t allowed on the military bases as they try to exploit our service men and women and their families.

Not only did the President ignore some of the most pressing consumer protection issues, his administration is attacking the most important consumer advocate indeed—the Consumer Financial Protection Bureau.

Last week, President Trump’s Department of Justice filed papers in Federal court signaling that it will argue that the CFPB shouldn’t be independent. The President and White House want the CFPB under their control so they can weaken it, so they can help Wall Street, so they can take away some of its power. They think the President should have the power to fire the head of the agency for any reason.

The whole reason we wrote it to be independent was to protect it from a President who chose Wall Street over Main Street. It was Presidential Candidate Trump who sounded pretty good standing up to Wall Street and helping Main Street. If you look at the nominees, his appointments, and his actions so far, it has been exactly the opposite. He has been the president of Wall Street and at the same time exploiting Main Street. It means that what the President has proposed is that the President can fire his director for doing his job: stepping on the toes of special interests.

The CFPB works in part because it has an independent Director. The current Director of the CFPB, Richard Cordray from Ohio, has protected consumers, has returned billions to Americans who were cheated and who were taken advantage of by big companies.

The CFPB has an independent budget. Banks can’t kill it by lobbying it and cutting off its budget. That is the point. People whom he has in many cases recovered money from because he represents consumers—those banks, those large Wall Street banks and other financial institutions, because of the way it is set up, can’t lobby Congress to take money away from it and put it out of business. Special interests have relentlessly attacked the CFPB since the day we created it.

President Trump ran on the promise of protecting the little guy, but he hasn’t followed through on the promise of protecting ordinary Americans from some of the wealthiest, most privileged special interests in this town.

If you are one of the 29 million Americans who received help from CFPB, you might know how important saving it is, but you might not know how important it is to especially protecting one group of people, and that is protecting our veterans and our service-members. The CFPB has an entire office that is dedicated to helping men

and women who have served in uniform—the Office of Servicemember Affairs.

A couple of weeks ago, my Rhode Island Senator friend, JACK REED, was in the Armed Services Committee with the senior enlisted advisers of military services—the Army, Air Force, Navy, Marines. Their job is to make sure our servicemembers and their families are getting the support they need. Every one of them had great things to say about the CFPB's Office of Servicemember Affairs—of the value it provides and the support it provides to the men and women who sacrifice so much for our country.

Senator REED brought up an alarming figure. A recent report estimated that thousands of servicemembers are forced out of service every year because of financial hardships—problems with their mortgages, with payday loans, with credit card debt. One will remember earlier in the presentation that I talked about how many of these financial groups set up right outside military bases. That causes a tragedy for these men and women who want to serve their country, and it causes tragedy for their families. It costs taxpayers \$57,000 every time someone is forced out of service. Many other servicemembers lose their security clearances because of financial trouble, which directly affects the mission readiness that is brought on by shady business practices.

The CFPB is stepping in to protect these heroes who are often taken advantage of. The CFPB's Office of Servicemember Affairs is led by men and women who have served in the military and know what kind of help servicemembers need. They visit 145 military facilities across the country in order to help servicemembers get their finances straightened out and to hear about their concerns. They have handled 70,000 complaints from servicemembers and veterans about abusive practices by financial institutions. They have returned \$130 million back to servicemembers and their families simply by enforcing the law and protecting those consumers.

The CFPB protects the men and women who protect our country. It protects all of us. The best way to celebrate Consumer Protection Week is not through words and proclamations, it is through actions.

We need to combat cyber crimes and identity theft, as the President mentioned, but we also need to combat all kinds of tricks and traps—loans with outrageous interest rates, for-profit colleges that promise far more than they deliver, lenders who discriminate based on race. The list goes on and on.

I urge my colleagues to join me in working to ensure that the CFPB remains a strong, active ally in the cause of consumer protection this week, next week, every week.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

SILENCING OF POLITICAL DEBATE

Mr. LEE. Mr. President, I am truly saddened that I must address what I fear is a growing threat to our Republic—the silencing of political debate by totalitarian mob violence on college campuses.

I was not in Burlington, VT, last Thursday to witness what happened at Middlebury College, but I would like to read from accounts that have been provided by two people who were, in fact, there and who saw these things unfold. They were the targets of the mob's violence. Their names are Allison Stanger, professor of political science at Middlebury College, and Charles Murray, the author of several groundbreaking books, including the work “The Bell Curve” and a scholar at the American Enterprise Institute. America deserves and needs to hear their stories.

On Saturday, 2 days after the incident, Professor Stanger wrote on her Facebook page as follows:

I agreed to participate in the event with Charles Murray because several of my students asked me to do so. They are smart and good people—all of them—and this was their big event of the year.

I, actually, welcomed the opportunity to be involved because, while my students may know I am a Democrat, all of my courses are nonpartisan, and this was a chance to demonstrate publicly my commitment to a free and fair exchange of views in my classroom.

As the campus uproar about his visit built, I was genuinely surprised and troubled to learn that some of my faculty colleagues had rendered judgment on Dr. Murray's work and character while openly admitting that they had not read anything he had written. With the best of intentions, they offered their leadership to enraged students, and we all know what the results were.

I want you to know what it feels like to look out at a sea of students yelling obscenities at other members of my beloved community. . . . I saw some of my faculty colleagues, who had publicly acknowledged that they had not read anything Dr. Murray had written, join the effort to shut down the lecture. All of this was deeply unsettling to me.

What alarmed me most, however, was what I saw in student eyes from up on that stage. Those who wanted the event to take place made eye contact with me. Those intent on disrupting it steadfastly refused to do so. It was clear to me that they had effectively dehumanized me. They couldn't look me in the eye because, if they had, they would have seen another human being. There is a lot to be angry about in America today, but nothing good ever comes from demonizing our brothers and sisters.

When the event ended and it was time to leave the building, I breathed a sigh of relief. We had made it. I was ready for dinner and conversation with faculty and students in a tranquil setting. What transpired instead felt like a scene from [the TV show] “Homeland” rather than an evening at an institution of higher learning. We confronted an angry mob as we tried to exit the building.

Most of the hatred was focused on Dr. Murray, but when I took his right arm both to

shield him from the attack and to make sure we stayed together so I could reach the car, too, that's when the hatred turned on me.

One thug grabbed me by the hair, and another shoved me in a different direction. I noticed signs with expletives and my name on them. . . . For those of you who marched in Washington the day after the inauguration, imagine being in a crowd like that, only being surrounded by hatred rather than love. I feared for my life.

The next day, on Sunday, the American Enterprise Institute's website published this account from Dr. Charles Murray.

Dr. Murray wrote:

If it hadn't been for Allison and Bill Burger [Middlebury's Vice President for Communications] keeping hold of me and the security guards pulling people off me, I would have been pushed to the ground. That much is sure. What would have happened after that I don't know, but I do recall thinking that being on the ground was a really bad idea, and I should try really hard to avoid that. Unlike Allison, I wasn't actually hurt at all. . . .

In the 23 years since “The Bell Curve” was published, I have had considerable experience with campus protests. Until last Thursday, all of the ones involving me have been as carefully scripted as kabuki: The college administration meets with the organizers of the protest, and ground rules are agreed upon. The protesters have so many minutes to do such and such. It is agreed that, after the allotted time, they will leave or desist. These negotiated agreements have always worked. At least a couple of dozen times, I have been able to give my lecture to an attentive or, at least, quiet audience despite an organized protest.

Middlebury tried to negotiate such an agreement with the protesters, but for the first time in my experience, the protesters would not accept any time limits. If this becomes the new normal, the number of colleges willing to let themselves in for an experience like Middlebury's will plunge to near zero. Academia is already largely sequestered in an ideological bubble, but at least it's translucent. That bubble will become opaque.

Worse yet, the intellectual thugs will take over many campuses. In the mid-1990s, I could count on students who had wanted to listen to start yelling at the protesters after a certain point, “Sit down and shut up. We want to hear what he has to say.” That kind of pushback had an effect. It reminded the protesters that they were a minority.

I am assured [he continues] by people at Middlebury that their protesters are a minority as well, but they are a minority that has intimidated the majority. The people in the audience who wanted to hear me speak were completely cowed. That cannot be allowed to stand. A campus where a majority of students are fearful to speak openly because they know a minority will jump on them is no longer an intellectually free campus in any meaningful sense.

I suspect that most of my colleagues on the other side of the aisle may not necessarily be fans of Dr. Charles Murray. There is nothing wrong with that, but I am confident they at least would be honest enough and self-respecting enough not to condemn any scholar's work without ever having read it, like many of Middlebury's faculty members apparently did. More importantly, I am

confident my Democratic colleagues would join me in denouncing the violence of the Middlebury campus protesters who sought to silence Dr. Murray. On countless occasions, I have heard my Democratic colleagues come to the Senate floor to condemn violence in all of its forms. Why would this time be any different?

We do not agree on everything, but I am confident that if Dr. Murray were invited to testify here on Capitol Hill—perhaps at a committee of the United States Senate—my Democratic colleagues would eagerly join in an open and respectful debate that would ensue as a result of that visit. I am confident they would reject any effort to silence or to do harm to those with whom they might disagree. In fact, I am confident that if any outburst like that happened, whoever was chairing that committee and the ranking personnel associated with that committee would immediately bring the disruption to a close so an open, honest, respectful discussion could occur within that meeting.

I know tensions are high in America today, and I know what it is like to be on the losing side of a bitterly fought Presidential election as we, as Republicans, found ourselves in just a few years ago in the wake of the 2012 election cycle and in the wake of the previous Presidential election cycle before that in 2008, but that does not and cannot give anyone the license to shout down a fellow American, let alone to physically assault him just because he holds a different opinion.

Democracy and freedom—the republican form of government—depend on open, tolerant, and civil political discourse, and sustaining our democratic freedoms is, perhaps, the sole reason the government subsidizes institutions of higher education in this country.

It is embarrassing that teachers and students at an elite college like Middlebury should need reminding, but speech is not violence, and violence is not speech. Totalitarians who fail to recognize this core fact of decency and tolerance are goose-stepping into some of the darkest corners of the human heart.

If there is anything that should unite us in these polarized times, it is that the kind of violence we saw on Middlebury's campus last week must not be tolerated. That is why I commend the 44 Middlebury College professors who have signed a "Statement of Principles" on "Free Inquiry on Campus." I hope more Middlebury professors will join them. In any event, I hope all Americans will join them in standing up for free, open, honest, respectful debate.

Thank you, Mr. President.

I yield the floor.

MORNING BUSINESS

Mr. LEE. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

TRIBUTE TO CHARLES THOMAS

Mr. DURBIN. Mr. President, I want to take a few moments to acknowledge Charles Thomas, a veteran broadcast journalist and political reporter. Last week, after a career spanning four decades, Charles Thomas appeared in his final newscast at ABC 7 Chicago.

Born in Webster Groves, MO, Charles grew up in the St. Louis area and graduated from the University of Missouri-Columbia School of Journalism. Shortly after graduation, Charles began his career as a radio reporter at KCMO in Kansas City. He has also worked in news stations in San Francisco and Philadelphia before becoming the ABC News bureau Midwest correspondent in St. Louis. In 1991, Charles was hired as a general assignment reporter at ABC 7 Chicago and later named to the coveted position of political reporter in 2009.

Since joining ABC 7's "Eyewitness News" in 1991, its newscast was and remains the most watched TV news in Chicago. On Charles's 25th anniversary at the station, he said: "I am very blessed to have worked here and like to think that my efforts have had something to do with that success." As an avid viewer, I am here to say it has. His unique perspective and keen ability to tell stories make him invaluable to any newsroom. Let me tell you, Charles asks the tough questions and holds us all accountable. As the politician often in the crosshairs, I can tell you I knew Charles was always prepared and ready to challenge any weak response. I speak for all of Chicago when I say Charles Thomas will be missed.

For more than a quarter century, Charles has covered the biggest stories in the country—the OJ Simpson Trial, Oklahoma City bombing, Rodney King trials, Great Chicago Flood, and the election of the first African-American President, to name just a few. He truly had a front row seat to history. He even joined then-Senator Barack Obama on a trip to Africa in 2006. His remarkable career has taken him to every State in America and five continents, and he leaves with no regrets. Reflecting on his years covering national, State, and local politics, he said: "Without a moment's hesitation, I can look back and say I had the best TV reporting job in America."

Charles Thomas has had an amazing career. His work earned him two Emmy awards for reporting in 1983 and 1992. Although he is retiring, Charles is not done telling stories. He plans to ex-

plore digital storytelling focusing on the African-American community, celebrating positive stories often missing in local and national broadcasts—what a noble and necessary endeavor. I am heartened that Charles will remain an inspirational voice in the community.

I want to congratulate Charles Thomas on his distinguished career and thank him for his outstanding service to the people of Chicago. I especially want to thank Charles's wife, Maria, and their three children for sharing so much of their husband and father with our community. I wish him and his family all the best in their next chapter.

PROTECTING YOUNG VICTIMS FROM SEXUAL ABUSE ACT

Mrs. FEINSTEIN. Mr. President, yesterday I introduced the Protecting Young Victims from Sexual Abuse Act, a bill to protect young athletes who participate in the U.S. amateur ranks from sexual abuse.

Before last summer's Olympic Games in Rio de Janeiro, the Indianapolis Star published an investigative piece that revealed that amateur gymnasts were sexually abused in gyms all across the country. No one knew how widespread the problem was in that sport.

But throughout the investigation, the Indianapolis Star tallied—after reviewing police files and court cases across the country—368 gymnasts who alleged they were sexually abused over a 20-year time period.

Kids as young as 6 were secretly photographed in the nude by coaches. Young athletes were molested by coaches during "therapy" sessions. Sexual predators spent countless hours with children one-on-one and abused them for years before anything was done. These accounts were devastating. And they were just the tip of the iceberg.

After reviewing this report, I, along with my colleagues Senator LEAHY, Senator BLUMENTHAL, and Senator DONNELLY, wrote to USA Gymnastics to urge the organization to do more to protect their young athletes.

Specifically, we urged the organization to update its policies and require that all members—including coaches, athletes, and others—immediately report to law enforcement when there is an incident of sexual abuse committed against an athlete.

After we sent the letter, several sexual abuse victims from California reached out to my staff. They revealed that they were abused by individuals affiliated with USA Gymnastics. I told my staff that I had to meet them.

Six brave women, who were each abused as young gymnasts at various points in their careers, then travelled across the country to share their testimonies with me. Two athletes from another sport who were sexually abused

also joined us. I will never forget their faces that day. When I walked into the room, I could sense the overwhelming devastation wrought on their lives.

One by one, they shared their hopes and dreams as young athletes. The gymnasts talked about how, while pursuing future Olympic glory, they put their complete faith in the USA Gymnastics infrastructure. They fully trusted the coaches and doctors who had the USA Gymnastics seal of approval. And it was in this environment that they were sexually exploited by those whom they trusted.

Several of the women had been abused repeatedly—over the course of months and years—by a USA Gymnastics team doctor named Larry Nassar. Nassar is currently being prosecuted for a number of horrific crimes against children. One of those brave women was Jamie Dantzscher, a retired gymnast who won the bronze medal competing in the 2000 Olympics in Sydney. Jamie told me how she trained as a young girl in California. When she was 13 years old, she was thrilled to be invited to train with the national USA Gymnastics team. It was with the national team that Nassar gained her trust. Nassar became her “buddy,” in the midst of an intense training environment. With USA Gymnastics backing him as a famous doctor and trainer, Jamie felt that there was absolutely no reason to believe Nassar was not trustworthy.

So when Jamie went to see Nassar for back pain, she was confused when Nassar began to touch her in inappropriate places. She was 13 and 14 years old. As she described the abuse to me in graphic detail, the other women around the room began to sob quietly. The tactics that Nassar used were too familiar to them.

And for the longest time, each of the victims believed that their horrific experiences were one-off events, that they were isolated in their own subjective memories. But the sharing of their stories—together in that room with me and the others—affirmed to them that what they had experienced was wrong.

One of the other gymnasts who bravely shared her story with me was Jeanette Antolin, who competed on the national team in the late nineties. Hailing from southern California, Jeanette shared how she was incredibly fearful of ever saying anything about the abuse committed against her because she believed she was being treated by a world-class doctor with USA Gymnastics’ approval. As an aspiring Olympian, she feared that if she complained about anything, it would affect her career.

The same fears had overcome Jessica Howard, a rhythmic gymnast who was 15 years old when Nassar began abusing her. She was sent to Nassar for hip problems, and he told her that she should not wear any underwear for her

treatment. At the time, she was confused and afraid to say anything to anyone. She believed she would be prevented from pursuing her dreams if she said anything.

I also met Doe Yamashiro from southern California. Doe was sexually abused by a 1984 Olympic Coach named Don Peters. In the mid-1980s, Coach Peters began fondling Doe and then had sex with her. Doe told me and the group of the pain and anguish she still suffers from many years later. The same pain and devastation was felt by all of the young victims who were in the room.

One of the common themes I heard from their stories was not just the predatory behavior of the perpetrators, but also how the USA Gymnastics institution failed to protect them. One of the women told me how she heard USA Gymnastics officials say at one point that it was their top priority to obtain “medals and money” and that a “reputation of a coach” should not be tarnished by an allegation raised by a victim.

This shocked me, and as I dug deeper into the USA Gymnastics institution, which is considered a “national governing body” under Federal law and oversees over 3,000 gymnasiums nationwide, I saw that their policies made it harder for victims, rather than easier, to report incidents of abuse. Their by-laws stated, for example, that the only way for a member athlete to “effectively” make a complaint about a coach was through a signed, written complaint.

Furthermore, USA Gymnastics’ policy indicated that the organization “may” report sexual abuse to law enforcement authorities if a child’s safety was at risk, but it was not mandatory. It further stated that it complied with State mandatory reporting laws, but if a State law didn’t require anything more, there was no other obligation to do anything else.

It is my strong belief that these arcane policies left children vulnerable to the advances of sexual predators and failed to protect them even when incidents came to light. For example, in reviewing USA Gymnastics’ history in public accounts, there were multiple instances where gymnastics coaches were convicted of heinous child sex crimes, years after USA Gymnastics had received complaints about those coaches. In other words, USA Gymnastics appears to have sat on reports of sexual abuse for years, while predators continued to prey on children.

At the end of my meeting with the survivors, I looked at each of them and told them that I would work on legislation to protect other kids and amateur athletes like them from sexual predators.

The legislation we have introduced does three main things to help child sex abuse survivors. It is a strong bi-

partisan bill, and I want to extend my deepest thanks to those Members who have worked with me on it, including Senators COLLINS, GRASSLEY, DONNELLY, NELSON, BLUMENTHAL, FLAKE, MCCASKILL, ERNST, KLOBUCHAR, SHAHEEN, WARREN, HARRIS, CORTEZ-MASTO, RUBIO, and YOUNG.

The first thing the bill does is to mandate that any person affiliated with USA Gymnastics or other national governing bodies immediately report child abuse, including sexual abuse, to local or Federal law enforcement. This requirement would apply not only to USA Gymnastics, but to each of the other 47 national governing bodies that oversee various Olympic sports, including USA Taekwondo, USA Speed Skating, USA Swimming, and USA Cycling. It is absolutely imperative that a bright line be drawn for all those working with national governing bodies that, once there are facts giving rise to suspect child or sex abuse, a report must be made as soon as possible to proper authorities. This bill mandates that.

Second, this bill strengthens Masha’s law, which was named after a 5-year-old Russian orphan who was adopted by an American man only to be raped and sexually abused by him for 6 years until he was finally caught by the FBI in 2003. Her adoptive father had not only abused her, but he had also produced over 200 sexually explicit images of that abuse. Masha’s law allows civil suits by minors against sex abuse perpetrators who violate a variety of crimes against children, including sex trafficking, sexual exploitation, and child pornography crimes.

This law is significant for victims to obtain justice because there are times when criminal cases against perpetrators are declined due to difficulties in proving a criminal case. Therefore, for many traumatized victims, the only avenue for them to ever seek justice against their perpetrators is through Masha’s law or other civil remedies.

The bill, therefore, updates Masha’s law to help victims. It clarifies, for example, that victims of child sex crimes are entitled to statutory damages of \$150,000 and possible punitive damages, due to the particularly severe nature of the crimes.

The bill also extends the statute of limitations for Masha’s law. The statute of limitations extension is part of legislation that Senator CORNYN and I have worked on over the past couple of years, called the Extending Justice for Sex Crime Victims Act.

Finally, the bill makes reforms to the Ted Stevens Olympic and Amateur Sports Act, which establishes “national governing bodies” like USA Gymnastics. The Stevens Act specifically lists the authorities and duties of national governing bodies.

When I first wrote to USA Gymnastics about its poor handling of sexual abuse allegations, they replied that

the Stevens Act limits their abilities to fully protect athletes from sexual abuse, so this bill fixes that. It requires national governing bodies like USA Gymnastics to develop for each of its members: specific policies and procedures for the mandatory reporting of sex abuse to law enforcement, policies and procedures to keep track of coaches who leave one gym due to complaints and then go to another gym and repeat cycles of abuse, policies to ensure that minors and amateur athletes are not in one-on-one situations with adults, policies to facilitate reporting of sex abuse allegations to national governing bodies and other authorities, and stronger oversight and enforcement policies so that the national governing bodies take a greater role in making sure that the policies are actually being implemented and enforced throughout the country.

These provisions give national governing bodies like USA Gymnastics absolutely no excuse to make sure that all members are subjected to the strongest training and procedures to prevent sexual abuse.

It further forces organizations like USA Gymnastics to impact the culture of their sports, through various oversight mechanisms, to make sure that all members of such organizations adhere to the strictest standards when it comes to sexual abuse prevention.

Finally, I would like to close with this. All over the country, victims of sexual abuse are coming forward to disclose how they were abused and exploited at the height of their innocence when they were children. Multiple victims from California and throughout the country have, for example, contacted my office and described with great courage their pain and anguish. Rather than list statistics, I want you to know that each of these individual stories represents an untold amount of pain and suffering that reverberates throughout generations, leaving devastation in its path. I urge my colleagues in this body to work with me and the sponsors of this bill to pass this important legislation to protect victims.

I would also like to acknowledge the support for this bill from the National Center for Missing and Exploited Children, National Children's Alliance, Rights4Girls, University of Utah Law Professor Paul Cassell, Child Sex Crime Victims' Lawyer James Marsh, Crime Victims Expert Steve Twist, National Crime Victims Center, Child USA, National Association of VOCA Administrators, National Organization for Victim Assistance, ToPrevail, ChampionWomen, National Children's Advocacy Center, National Alliance to End Sexual Violence, the National Association to Protect Children, and the Rape Abuse & Incest National Network.

They are on the front lines of this work, and I greatly appreciate their support.

Thank you very much.

Ms. COLLINS. Mr. President, today I wish to support the Protecting Young Victims from Sexual Abuse Act of 2017. I commend Senator FEINSTEIN for her leadership on this bill and for shining a spotlight on the atrocious crimes perpetrated against young American athletes.

Sexual abuse is a heinous crime that must be eradicated in every corner of our society. I have long worked to prevent sexual assault and ensure that survivors have access to the resources and support they need. Last year, the Indianapolis Star reported on allegations of sexual abuse and misconduct made against coaches, gym owners, and other adults affiliated with USA Gymnastics over several decades. These very serious allegations included sexual abuse against young athletes. Predatory coaches were allowed to move from gym to gym, undetected by a lax system of oversight. The investigation also revealed that officials at USA Gymnastics, one of America's most prominent Olympic organizations, failed to alert police to many incidents of sexual abuse that occurred on their watch.

These crimes have hurt hundreds of victims across various sports. This Protecting Young Victims from Sexual Assault Act would require amateur athletic governing bodies, such as USA Gymnastics and other U.S. Olympic organizations, to promptly report every allegation of sexual abuse to the proper authorities. This legislation would help survivors receive justice and protect more people from becoming victims.

In addition, the Protecting Young Victims from Sexual Assault Act would require these national governing bodies to develop robust policies and procedures for mandatory reporting to law enforcement and to develop training and oversight practices to prevent abuse. This bill would also bolster Masha's Law, the law that lets minors bring civil suits against sexual predators and extends the statute of limitations for such cases.

The young athletes who train to represent our country at the top levels of competition and those at all levels who aspire to compete should not have to fear victimization by trusted coaches and sports officials. I want to again thank Senator FEINSTEIN for her leadership on this issue. I urge my colleagues to support the legislation.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Ridgway, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages

from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 10:02 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that pursuant to 46 U.S.C. 51312(b), and the order of the House of January 3, 2017, the Speaker appoints the following Member on the part of the House of Representatives to the Board of Visitors to the United States Merchant Marine Academy: Mr. SUOZZI of New York.

MEASURES REFERRED

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

H.R. 46. An act to authorize the Secretary of the Interior to conduct a special resource study of Fort Ontario in the State of New York; to the Committee on Energy and Natural Resources.

H.R. 428. An act to survey the gradient boundary along the Red River in the States of Oklahoma and Texas, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 560. An act to amend the Delaware Water Gap National Recreation Area Improvement Act to provide access to certain vehicles serving residents of municipalities adjacent to the Delaware Water Gap National Recreation Area, and for other purposes; to the Committee on Energy and Natural Resources.

MEASURES DISCHARGED

The following bill was discharged from the Committee on Small Business and Entrepreneurship and referred as indicated:

S. 416. A bill to amend the Small Business Investment Incentive Act of 1980 to require an annual review by the Securities and Exchange Commission of the annual government-business forum on capital formation; to the Committee on Banking, Housing, and Urban Affairs.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-926. A communication from the Associate General Counsel, Department of Agriculture, transmitting, pursuant to law, twelve (12) reports relative to vacancies in the Department of Agriculture, received in the Office of the President of the Senate on March 7, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-927. A communication from the Acting Secretary of the Army, transmitting, pursuant to law, a report on gifts made for the

benefit of military musical units; to the Committee on Armed Services.

EC-928. A communication from the Deputy Assistant Secretary of Defense, performing the duties of the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, the National Defense Stockpile (NDS) Annual Materials Plan (AMP) for fiscal year 2018 and the succeeding four years, fiscal years 2019 - 2022; to the Committee on Armed Services.

EC-929. A communication from the Secretary, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Exhibit Hyperlinks and HTML Format" (RIN3235-AL95) received in the Office of the President of the Senate on March 6, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-930. A communication from the Deputy Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Temporary General License: Extension of Validity" (RIN0694-AG82) received in the Office of the President of the Senate on March 6, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-931. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 13694 of April 1, 2015, with respect to significant malicious cyber-enabled activities; to the Committee on Banking, Housing, and Urban Affairs.

EC-932. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Use of Ozone Depleting Substances" ((RIN0910-AH36) (Docket No. FDA-2015-N-1355)) received in the Office of the President of the Senate on March 2, 2017; to the Committee on Environment and Public Works.

EC-933. A communication from the Senior Official performing the duties of the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to the Fargo-Moorhead Metropolitan Area Flood Risk Management project; to the Committee on Environment and Public Works.

EC-934. A communication from the Director of Congressional Affairs, Office of New Reactors, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Operator Licensing Examination Standards for Power Reactors" (NUREG-1021, Rev. 11) received in the Office of the President of the Senate on March 6, 2017; to the Committee on Environment and Public Works.

EC-935. A communication from the Acting United States Trade Representative, Executive Office of the President, transmitting, pursuant to law, the 2017 Trade Policy Agenda and 2016 Annual Report of the President of the United States on the Trade Agreements Program; to the Committee on Finance.

EC-936. A communication from the Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report certifying for fiscal year 2017 that no United Nations agency or United Nations affiliated agency grants any official status, accreditation, or recognition to any organization which promotes and condones or seeks the legalization of pedophilia, or which includes as a subsidiary or member any such organi-

zation; to the Committee on Foreign Relations.

EC-937. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2017-0013 - 2017-0031); to the Committee on Foreign Relations.

EC-938. A communication from the Secretary of the Treasury, transmitting, pursuant to Executive Order 13313 of July 31, 2003, a semiannual report detailing telecommunications-related payments made to Cuba pursuant to Department of the Treasury licenses; to the Committee on Foreign Relations.

EC-939. A communication from the Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report prepared by the Department of State on progress toward a negotiated solution of the Cyprus question covering the period October 1, 2016, through November 30, 2016; to the Committee on Foreign Relations.

EC-940. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Gastroenterology-Urology Devices; Manual Gastroenterology-Urology Surgical Instruments and Accessories" (Docket No. FDA-2016-N-4661) received in the Office of the President of the Senate on March 6, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-941. A communication from the Regulations Coordinator, Health Resources and Services Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "340B Drug Pricing Program Ceiling Price and Manufacturer Civil Monetary Penalties; Delay of Effective Date" (RIN0906-AA89) received in the Office of the President of the Senate on March 6, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-942. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to South Sudan that was declared in Executive Order 13664 of April 3, 2014; to the Committee on Banking, Housing, and Urban Affairs.

EC-943. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-645, "Four-unit Rental Housing Tenant Grandfathering Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-944. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-646, "At-Risk Tenant Protection Clarifying Temporary Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-945. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-647, "Professional Engineers Licensure and Regulation Clarification Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-946. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-648, "Active Duty Pay Differential Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-947. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-649, "Continuing Care Retirement Community Exemption Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-948. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-650, "UDC DREAM Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-949. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-651, "Accountancy Practice Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-950. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-652, "Pesticide Education and Control Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-951. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-653, "Risk-Based Capital Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-952. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-654, "End Taxation Without Representation Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-953. A communication from the Acting Chairman, Federal Mine Safety and Health Review Commission, transmitting, pursuant to law, the Commission's fiscal year 2016 report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-954. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, "Planning, Buying, and Implementing New Information Technology: A Case Study of the D.C. Business Center"; to the Committee on Homeland Security and Governmental Affairs.

EC-955. A communication from the Director of the Office of Regulatory Affairs and Collaborative Action, Bureau of Indian Affairs, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Civil Penalties Inflation Adjustments; Annual Adjustments" (RIN1076-AF35) received in the Office of the President of the Senate on March 6, 2017; to the Committee on Indian Affairs.

EC-956. A communication from the Acting Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled "The Department of Justice 2016 Freedom of Information Act Litigation and Compliance Report", the Uniform Resource Locator (URL) for all federal agencies' Freedom of Information Act reports; to the Committee on the Judiciary.

EC-957. A communication from the Assistant Administrator of the Office of Diversion Control, Drug Enforcement Agency, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Schedules of Controlled Substances: Placement of 10

Synthetic Cathinones Into Schedule I" (Docket No. DEA-436) received during adjournment of the Senate in the Office of the President of the Senate on March 3, 2017; to the Committee on the Judiciary.

EC-958. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled "Report of the Attorney General to Congress Pursuant to the Death in Custody Reporting Act"; to the Committee on the Judiciary.

EC-959. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-8186)) received during adjournment of the Senate in the Office of the President of the Senate on March 3, 2017; to the Committee on Commerce, Science, and Transportation.

EC-960. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-6427)) received during adjournment of the Senate in the Office of the President of the Senate on March 3, 2017; to the Committee on Commerce, Science, and Transportation.

EC-961. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-7261)) received during adjournment of the Senate in the Office of the President of the Senate on March 3, 2017; to the Committee on Commerce, Science, and Transportation.

EC-962. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-6430)) received during adjournment of the Senate in the Office of the President of the Senate on March 3, 2017; to the Committee on Commerce, Science, and Transportation.

EC-963. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (101); Amdt. No. 3733" (RIN2120-AA65) received during adjournment of the Senate in the Office of the President of the Senate on March 3, 2017; to the Committee on Commerce, Science, and Transportation.

EC-964. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-9050)) received during adjournment of the Senate in the Office of the President of the Senate on March 3, 2017; to the Committee on Commerce, Science, and Transportation.

EC-965. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2014-0571)) received during adjournment of the Senate in the Office of the President of the Senate on March 3, 2017; to the Committee on Commerce, Science, and Transportation.

EC-966. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2013-0797)) received during adjournment of the Senate in the Office of the President of the Senate on March 3, 2017; to the Committee on Commerce, Science, and Transportation.

EC-967. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-9111)) received during adjournment of the Senate in the Office of the President of the Senate on March 3, 2017; to the Committee on Commerce, Science, and Transportation.

EC-968. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-6664)) received during adjournment of the Senate in the Office of the President of the Senate on March 3, 2017; to the Committee on Commerce, Science, and Transportation.

EC-969. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-5468)) received during adjournment of the Senate in the Office of the President of the Senate on March 3, 2017; to the Committee on Commerce, Science, and Transportation.

EC-970. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-6426)) received during adjournment of the Senate in the Office of the President of the Senate on March 3, 2017; to the Committee on Commerce, Science, and Transportation.

EC-971. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Helicopters" ((RIN2120-AA64) (Docket No. FAA-2016-5040)) received during adjournment of the Senate in the Office of the President of the Senate on March 3, 2017; to the Committee on Commerce, Science, and Transportation.

EC-972. A communication from the Management and Program Analyst, Federal

Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Helicopters" ((RIN2120-AA64) (Docket No. FAA-2016-9066)) received during adjournment of the Senate in the Office of the President of the Senate on March 3, 2017; to the Committee on Commerce, Science, and Transportation.

EC-973. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Helicopters" ((RIN2120-AA64) (Docket No. FAA-2016-9305)) received during adjournment of the Senate in the Office of the President of the Senate on March 3, 2017; to the Committee on Commerce, Science, and Transportation.

EC-974. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Gulfstream Aerospace Corporation Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-9191)) received during adjournment of the Senate in the Office of the President of the Senate on March 3, 2017; to the Committee on Commerce, Science, and Transportation.

EC-975. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (Embraer) Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-9049)) received during adjournment of the Senate in the Office of the President of the Senate on March 3, 2017; to the Committee on Commerce, Science, and Transportation.

EC-976. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Textron Aviation Inc. (Type Certificate Previously Held by Cessna Aircraft Company) Airplanes" ((RIN2120-AA64) (Docket No. FAA-2017-0122)) received during adjournment of the Senate in the Office of the President of the Senate on March 3, 2017; to the Committee on Commerce, Science, and Transportation.

EC-977. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-9190)) received during adjournment of the Senate in the Office of the President of the Senate on March 3, 2017; to the Committee on Commerce, Science, and Transportation.

EC-978. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; BAE Systems (Operations) Limited" ((RIN2120-AA64) (Docket No. FAA-2016-9186)) received during adjournment of the Senate in the Office of the President of the Senate on March 3, 2017; to the Committee on Commerce, Science, and Transportation.

EC-979. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to

law, the report of a rule entitled "Airworthiness Directives; Alexander Schleicher GmbH and Company Gliders" (RIN2120-AA64) (Docket No. FAA-2016-9049) received during adjournment of the Senate in the Office of the President of the Senate on March 3, 2017; to the Committee on Commerce, Science, and Transportation.

EC-980. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; PILATUS AIRCRAFT LTD. Airplanes" (RIN2120-AA64) (Docket No. FAA-2016-7003) received during adjournment of the Senate in the Office of the President of the Senate on March 3, 2017; to the Committee on Commerce, Science, and Transportation.

EC-981. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Helicopters Deutschland GmbH Helicopters" (RIN2120-AA64) (Docket No. FAA-2016-7415) received during adjournment of the Senate in the Office of the President of the Senate on March 3, 2017; to the Committee on Commerce, Science, and Transportation.

EC-982. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Piper Aircraft, Inc. Airplanes" (RIN2120-AA64) (Docket No. FAA-2017-0045) received during adjournment of the Senate in the Office of the President of the Senate on March 3, 2017; to the Committee on Commerce, Science, and Transportation.

EC-983. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (57); Amdt. No. 3731" (RIN2120-AA65) received during adjournment of the Senate in the Office of the President of the Senate on March 3, 2017; to the Committee on Commerce, Science, and Transportation.

EC-984. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Part 95 Instrument Flight Rules; Miscellaneous Amendments; Amendment No. 531" (RIN2120-AA63) received during adjournment of the Senate in the Office of the President of the Senate on March 3, 2017; to the Committee on Commerce, Science, and Transportation.

EC-985. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace, Salem, OR" (RIN2120-AA66) (Docket No. FAA-2016-6984) received during adjournment of the Senate in the Office of the President of the Senate on March 3, 2017; to the Committee on Commerce, Science, and Transportation.

EC-986. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Reel Fish Fishery of the Gulf of Mexico; 2016 Rec-

reational Accountability Measures and Closure for Gulf of Mexico Greater Amberjack" (RIN0648-XE757) received in the Office of the President of the Senate on March 1, 2017; to the Committee on Commerce, Science, and Transportation.

EC-987. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2016 Commercial Accountability Measure and Closure for South Atlantic Vermilion Snapper" (RIN0648-XE910) received in the Office of the President of the Senate on March 2, 2017; to the Committee on Commerce, Science, and Transportation.

EC-988. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Exchange of Flatfish in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XE878) received in the Office of the President of the Senate on March 2, 2017; to the Committee on Commerce, Science, and Transportation.

EC-989. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2016 Commercial Accountability Measure and Closure for South Atlantic Greater Amberjack" (RIN0648-XE896) received in the Office of the President of the Senate on March 2, 2017; to the Committee on Commerce, Science, and Transportation.

EC-990. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Exchange of Flatfish in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XE009) received in the Office of the President of the Senate on March 2, 2017; to the Committee on Commerce, Science, and Transportation.

EC-991. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher/Processors Using Trawl Gear in the Central Regulatory Area of the Gulf of Alaska" (RIN0648-XE854) received in the Office of the President of the Senate on March 1, 2017; to the Committee on Commerce, Science, and Transportation.

EC-992. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Snapper-Grouper Fishery of the South Atlantic; 2016 Commercial Accountability Measure and Closure for the South Atlantic Lesser Amberjack, Almaco Jack, and Banded Rudderfish Complex" (RIN0648-XE754) received in the Office of the President of the Senate on March 1, 2017; to the Committee on Commerce, Science, and Transportation.

EC-993. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2016 Accountability Measure-Based Closures for Commercial and Recreational Species in the U.S. Caribbean

Off Puerto Rico" (RIN0648-XE491) received in the Office of the President of the Senate on March 1, 2017; to the Committee on Commerce, Science, and Transportation.

EC-994. A communication from the Assistant General Counsel for Regulatory Affairs, Consumer Product Safety Commission, transmitting, pursuant to law, the report of a rule entitled "Revisions to Safety Standard for Toddler Beds" (Docket No. CSPC-2017-0012) received in the Office of the President of the Senate on March 6, 2017; to the Committee on Commerce, Science, and Transportation.

EC-995. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Revitalization of the AM Radio Service" (MB Docket No. 13-249) (FCC 17-14) received in the Office of the President of the Senate on March 6, 2017; to the Committee on Commerce, Science, and Transportation.

EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted:

By Mr. MCCAIN for the Committee on Armed Services.

Army nomination of Lt. Gen. Herbert R. McMaster, Jr., to be Lieutenant General.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. REED (for himself, Ms. COLLINS, and Mr. WARNER):

S. 536. A bill to promote transparency in the oversight of cybersecurity risks at publicly traded companies; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. FRANKEN (for himself, Ms. BALDWIN, Mr. BLUMENTHAL, Mr. BOOKER, Mr. BROWN, Mr. CASEY, Mr. COONS, Mr. DURBIN, Ms. HEITKAMP, Ms. HIRONO, Mr. LEAHY, Mr. MARKEY, Mr. MENENDEZ, Mr. MERKLEY, Mrs. MURRAY, Mr. REED, Mr. SANDERS, Mr. SCHATZ, Mrs. SHAHEEN, Mr. UDALL, Ms. WARREN, Mr. WHITEHOUSE, and Mr. WYDEN):

S. 537. A bill to amend title 9 of the United States Code with respect to arbitration; to the Committee on the Judiciary.

By Ms. STABENOW (for herself, Mr. CRAPO, Ms. KLOBUCHAR, Mr. RISCH, Mr. WYDEN, Mr. WICKER, Ms. CANTWELL, Ms. COLLINS, Mr. MERKLEY, Mr. DAINES, Mr. KING, Mr. PETERS, and Mr. TESTER):

S. 538. A bill to clarify research and development for wood products, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. CRUZ (for himself, Mr. RUBIO, and Mr. MENENDEZ):

S. 539. A bill to designate the area between the intersections of 16th Street, Northwest and Fuller Street, Northwest and 16th Street, Northwest and Euclid Street, Northwest in Washington, District of Columbia, as "Oswaldo Paya Way"; to the Committee on

Homeland Security and Governmental Affairs.

By Mr. THUNE (for himself, Mr. BROWN, Mr. ROBERTS, Mr. BLUNT, Mr. BLUMENTHAL, Mr. TILLIS, Mr. BOOKER, Mr. PERDUE, Mr. REED, Mr. HOEVEN, Ms. STABENOW, Mr. BARRASSO, Mrs. MURRAY, Mr. HELLER, Mrs. ERNST, Mr. DONNELLY, Mr. ISAKSON, Ms. HASSAN, and Mr. BOOZMAN):

S. 540. A bill to limit the authority of States to tax certain income of employees for employment duties performed in other States; to the Committee on Finance.

By Ms. HIRONO (for herself and Mr. SCHATZ):

S. 541. A bill to amend the Food, Agriculture, Conservation, and Trade Act of 1990 to provide for a macadamia tree health initiative, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. WHITEHOUSE (for himself, Mr. LEAHY, Mrs. MURRAY, Mr. DURBIN, Mr. FRANKEN, Ms. HIRONO, Mr. MARKEY, and Mr. MERKLEY):

S. 542. A bill to amend title 9, United States Code, with respect to arbitration; to the Committee on the Judiciary.

By Mr. TESTER (for himself, Mrs. MCCASKILL, and Mr. BENNET):

S. 543. A bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs to include in each contract into which the Secretary enters for necessary services authorities and mechanism for appropriate oversight, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. TESTER (for himself, Mr. MCCAIN, Mr. MORAN, Mr. ISAKSON, Mr. BLUMENTHAL, Mr. SCHATZ, Mr. BENNET, Mr. BOOZMAN, Ms. HEITKAMP, and Mr. ROUNDS):

S. 544. A bill to amend the Veterans Access, Choice, and Accountability Act of 2014 to modify the termination date for the Veterans Choice Program, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. PAUL (for himself, Mr. BARRASSO, Mr. COCHRAN, Mr. CORNYN, Mr. COTTON, Mr. CRUZ, Mr. ENZI, Mrs. ERNST, Mr. HATCH, Mr. HELLER, Mr. INHOFE, Mr. LANKFORD, Mr. LEE, Mr. MORAN, Mr. PERDUE, Mr. ROBERTS, Mr. ROUNDS, Mr. RUBIO, Mr. SCOTT, Mr. TILLIS, Mr. WICKER, and Mr. GRAHAM):

S. 545. A bill to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BARRASSO (for himself, Mr. WYDEN, Mr. ENZI, Mr. MERKLEY, Mr. WICKER, Mr. ALEXANDER, Ms. STABENOW, Mr. BLUMENTHAL, Mr. GARDNER, Mr. ISAKSON, Mr. MURPHY, Mr. ROBERTS, Mr. MORAN, Mr. CASEY, Mr. CORNYN, and Mrs. FEINSTEIN):

S. 546. A bill to reduce temporarily the royalty required to be paid for sodium produced on Federal lands, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. GILLIBRAND (for herself and Ms. COLLINS):

S. 547. A bill to prevent mail, telemarketing, and Internet fraud targeting seniors in the United States, to promote efforts to increase public awareness of the enormous impact that mail, telemarketing, and Internet fraud have on seniors, to educate the public, seniors, their families, and their

caregivers about how to identify and combat fraudulent activity, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. CANTWELL (for herself, Mr. HATCH, Mr. WYDEN, Mr. SCHUMER, Mr. SCHATZ, Mr. LEAHY, Mr. HELLER, Mr. MERKLEY, Mr. BOOKER, Ms. MURKOWSKI, Mr. YOUNG, Ms. COLLINS, and Mr. BENNET):

S. 548. A bill to amend the Internal Revenue Code of 1986 to reform the low-income housing credit, and for other purposes; to the Committee on Finance.

By Mr. MURPHY (for himself, Mr. LEAHY, Mrs. MURRAY, Mr. CARPER, Ms. CANTWELL, Mr. SANDERS, Mrs. SHAHEEN, Mr. MERKLEY, Mrs. GILLIBRAND, Mr. COONS, Mr. BLUMENTHAL, Mr. SCHATZ, Ms. BALDWIN, Mr. MARKEY, Mr. BOOKER, and Mr. VAN HOLLEN):

S. 549. A bill to block implementation of the Executive Order that restricts individuals from certain countries from entering the United States; to the Committee on the Judiciary.

By Mr. LEAHY (for himself, Mr. FRANKEN, Mr. BLUMENTHAL, Mr. DURBIN, Mr. WHITEHOUSE, Mr. MARKEY, Ms. WARREN, Mrs. MURRAY, Ms. BALDWIN, Ms. HEITKAMP, Ms. HIRONO, Mr. BROWN, Mr. BOOKER, and Mrs. SHAHEEN):

S. 550. A bill to restore statutory rights to the people of the United States from forced arbitration; to the Committee on the Judiciary.

By Mr. MCCAIN (for himself and Mr. FLAKE):

S. 551. A bill to establish responsibility for the International Outfall Interceptor; to the Committee on Foreign Relations.

By Mr. BROWN (for himself, Mr. LEAHY, Mrs. MURRAY, Mr. WYDEN, Mr. DURBIN, Mr. REED, Mr. MENENDEZ, Mr. SANDERS, Mr. CASEY, Mr. WHITEHOUSE, Mr. WARNER, Mr. MERKLEY, Mr. FRANKEN, Mr. BLUMENTHAL, Mr. SCHATZ, Ms. HIRONO, Ms. WARREN, Ms. HEITKAMP, and Mr. VAN HOLLEN):

S. 552. A bill to amend the Truth in Lending Act and the Electronic Fund Transfer Act to provide justice to victims of fraud; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. DURBIN (for himself, Mr. FRANKEN, Mr. WHITEHOUSE, Ms. WARREN, Mr. REED, Mr. BROWN, Mr. BLUMENTHAL, and Ms. HIRONO):

S. 553. A bill to provide that chapter 1 of title 9 of the United States Code, relating to the enforcement of arbitration agreements, shall not apply to enrollment agreements made between students and certain institutions of higher education, and to prohibit limitations on the ability of students to pursue claims against certain institutions of higher education; to the Committee on Health, Education, Labor, and Pensions.

By Mr. PAUL (for himself and Mr. LEE):

S. 554. A bill to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2017; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 555. A bill for the relief of Shirley Constantino Tan; to the Committee on the Judiciary.

By Mrs. FEINSTEIN:

S. 556. A bill for the relief of Joseph Gabra and Sharon Kamel; to the Committee on the Judiciary.

By Mrs. FEINSTEIN:

S. 557. A bill for the relief of Jose Alberto Martinez Moreno, Micaela Lopez Martinez, and Adilene Martinez; to the Committee on the Judiciary.

By Mrs. FEINSTEIN:

S. 558. A bill for the relief of Esidronio Arreola-Saucedo, Maria Elena Cobian Arreola, Nayely Arreola Carlos, and Cindy Jael Arreola; to the Committee on the Judiciary.

By Mrs. FEINSTEIN:

S. 559. A bill for the relief of Alfredo Plascencia Lopez; to the Committee on the Judiciary.

By Mrs. FEINSTEIN:

S. 560. A bill for the relief of Jorge Rojas Gutierrez and Oliva Gonzalez; to the Committee on the Judiciary.

By Mrs. FEINSTEIN:

S. 561. A bill for the relief of Alicia Aranda De Buendia; to the Committee on the Judiciary.

By Mrs. FEINSTEIN:

S. 562. A bill for the relief of Ruben Mkoian, Asmik Karapetian, and Arthur Mkoian; to the Committee on the Judiciary.

By Mr. FLAKE (for himself, Mr. JOHN-SON, Mr. BARRASSO, Mr. BLUNT, Mr. BOOZMAN, Mrs. CAPITO, Mr. COCHRAN, Mr. CORNYN, Mr. COTTON, Mr. CRUZ, Mrs. FISCHER, Mr. HATCH, Mr. HELLER, Mr. INHOFE, Mr. LEE, Mr. PAUL, Mr. ROBERTS, Mr. RUBIO, Mr. SHELBY, Mr. SULLIVAN, Mr. THUNE, Mr. WICKER, and Mr. MORAN):

S.J. Res. 34. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Federal Communications Commission relating to "Protecting the Privacy of Customers of Broadband and Other Telecommunications Services"; to the Committee on Commerce, Science, and Transportation.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. CARDIN (for himself, Mr. MCCAIN, and Mr. VAN HOLLEN):

S. Res. 82. A resolution congratulating the Johns Hopkins University Applied Physics Laboratory on the 75th anniversary of the founding of the Laboratory; considered and agreed to.

ADDITIONAL COSPONSORS

S. 14

At the request of Mr. HELLER, the names of the Senator from North Carolina (Mr. BURR) and the Senator from West Virginia (Mrs. CAPITO) were added as cosponsors of S. 14, a bill to provide that Members of Congress may not receive pay after October 1 of any fiscal year in which Congress has not approved a concurrent resolution on the budget and passed the regular appropriations bills.

S. 58

At the request of Mr. HELLER, the names of the Senator from Missouri (Mr. BLUNT), the Senator from Alaska (Ms. MURKOWSKI) and the Senator from Illinois (Ms. DUCKWORTH) were added as

cosponsors of S. 58, a bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on high cost employer-sponsored health coverage.

S. 92

At the request of Mr. MCCAIN, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 92, a bill to amend the Federal Food, Drug, and Cosmetic Act to allow for the personal importation of safe and affordable drugs from approved pharmacies in Canada.

S. 96

At the request of Ms. KLOBUCHAR, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 96, a bill to amend the Communications Act of 1934 to ensure the integrity of voice communications and to prevent unjust or unreasonable discrimination among areas of the United States in the delivery of such communications.

S. 104

At the request of Mrs. GILLIBRAND, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 104, a bill to provide for the vacating of certain convictions and expungement of certain arrests of victims of human trafficking.

S. 170

At the request of Mr. RUBIO, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 170, a bill to provide for nonpreemption of measures by State and local governments to divest from entities that engage in commerce-related or investment-related boycott, divestment, or sanctions activities targeting Israel, and for other purposes.

S. 203

At the request of Mr. BURR, the name of the Senator from Missouri (Mrs. McCASKILL) was added as a cosponsor of S. 203, a bill to reaffirm that the Environmental Protection Agency may not regulate vehicles used solely for competition, and for other purposes.

S. 241

At the request of Mrs. ERNST, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 241, a bill to prohibit Federal funding of Planned Parenthood Federation of America.

S. 252

At the request of Mr. NELSON, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 252, a bill to amend title XVIII of the Social Security Act to require drug manufacturers to provide drug rebates for drugs dispensed to low-income individuals under the Medicare prescription drug benefit program.

S. 253

At the request of Mr. CARDIN, the names of the Senator from Colorado (Mr. GARDNER) and the Senator from Oregon (Mr. MERKLEY) were added as

cosponsors of S. 253, a bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps.

S. 260

At the request of Mr. CORNYN, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 260, a bill to repeal the provisions of the Patient Protection and Affordable Care Act providing for the Independent Payment Advisory Board.

S. 272

At the request of Mr. SCHATZ, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 272, a bill to enhance the security operations of the Transportation Security Administration and the stability of the transportation security workforce by applying a unified personnel system under title 5, United States Code, to employees of the Transportation Security Administration who are responsible for screening passengers and property, and for other purposes.

S. 301

At the request of Mr. LANKFORD, the name of the Senator from Louisiana (Mr. KENNEDY) was added as a cosponsor of S. 301, a bill to amend the Public Health Service Act to prohibit governmental discrimination against providers of health services that are not involved in abortion.

S. 303

At the request of Mr. BOOKER, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 303, a bill to discontinue a Federal program that authorizes State and local law enforcement officers to investigate, apprehend, and detain aliens in accordance with a written agreement with the Director of U.S. Immigration and Customs Enforcement and to clarify that immigration enforcement is solely a function of the Federal Government.

S. 315

At the request of Mr. SULLIVAN, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S. 315, a bill to direct the Secretary of the Army to place in Arlington National Cemetery a monument honoring the helicopter pilots and crewmembers who were killed while serving on active duty in the Armed Forces during the Vietnam era, and for other purposes.

S. 324

At the request of Mr. HATCH, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of S. 324, a bill to amend title 38, United States Code, to improve the provision of adult day health care services for veterans.

S. 333

At the request of Mr. LANKFORD, the name of the Senator from Louisiana (Mr. KENNEDY) was added as a cosponsor of S. 333, a bill to limit donations

made pursuant to settlement agreements to which the United States is a party, and for other purposes.

S. 339

At the request of Mr. NELSON, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 339, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation, and for other purposes.

S. 370

At the request of Mr. CRUZ, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 370, a bill to eliminate the Bureau of Consumer Financial Protection by repealing title X of the Dodd-Frank Wall Street Reform and Consumer Protection Act, commonly known as the Consumer Financial Protection Act of 2010.

S. 394

At the request of Mr. ROUNDS, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 394, a bill to amend chapter 44 of title 18, United States Code, to provide that a member of the Armed Forces and the spouse of that member shall have the same rights regarding the receipt of firearms at the location of any duty station of the member.

S. 407

At the request of Mr. CRAPO, the names of the Senator from North Dakota (Mr. HOEVEN), the Senator from Idaho (Mr. RISCH), the Senator from Delaware (Mr. COONS), the Senator from Alaska (Mr. SULLIVAN), the Senator from Vermont (Mr. LEAHY) and the Senator from Minnesota (Mr. FRANKEN) were added as cosponsors of S. 407, a bill to amend the Internal Revenue Code of 1986 to permanently extend the railroad track maintenance credit.

S. 431

At the request of Mr. THUNE, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 431, a bill to amend title XVIII of the Social Security Act to expand the use of telehealth for individuals with stroke.

S. 438

At the request of Mr. BLUNT, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 438, a bill to encourage effective, voluntary investments to recruit, employ, and retain men and women who have served in the United States military with annual Federal awards to employers recognizing such efforts, and for other purposes.

S. 482

At the request of Mr. THUNE, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 482, a bill to amend the Internal Revenue Code of 1986 to treat

certain amounts paid for physical activity, fitness, and exercise as amounts paid for medical care.

S. 487

At the request of Mr. CRAPO, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 487, a bill to amend the Internal Revenue Code of 1986 to provide for an exclusion for assistance provided to participants in certain veterinary student loan repayment or forgiveness programs.

S. 489

At the request of Mr. PORTMAN, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 489, a bill to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 with respect to participant votes on the suspension of benefits under multiemployer plans in critical and declining status.

S. 505

At the request of Mr. CASSIDY, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 505, a bill to amend the Internal Revenue Code of 1986 to provide for an energy equivalent of a gallon of diesel in the case of liquefied natural gas for purposes of the Inland Waterways Trust Fund financing rate.

S. 512

At the request of Mr. BARRASSO, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 512, a bill to modernize the regulation of nuclear energy.

S. 518

At the request of Mr. WICKER, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 518, a bill to amend the Federal Water Pollution Control Act to provide for technical assistance for small treatment works.

S.J. RES. 1

At the request of Mr. BOOZMAN, the names of the Senator from Idaho (Mr. CRAPO), the Senator from Florida (Mr. NELSON), the Senator from Montana (Mr. DAINES), the Senator from Pennsylvania (Mr. CASEY), the Senator from Illinois (Ms. DUCKWORTH), the Senator from West Virginia (Mr. MANCHIN) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S.J. Res. 1, a joint resolution approving the location of a memorial to commemorate and honor the members of the Armed Forces who served on active duty in support of Operation Desert Storm or Operation Desert Shield.

S.J. RES. 27

At the request of Mr. CASSIDY, the names of the Senator from Kansas (Mr. ROBERTS), the Senator from Louisiana (Mr. KENNEDY), the Senator from Missouri (Mr. BLUNT), the Senator from South Dakota (Mr. ROUNDS), the Senator from North Carolina (Mr. TILLIS), the Senator from Idaho (Mr. RISCH),

the Senator from Alabama (Mr. STRANGE), the Senator from Arizona (Mr. FLAKE) and the Senator from Indiana (Mr. YOUNG) were added as cosponsors of S.J. Res. 27, a joint resolution disapproving the rule submitted by the Department of Labor relating to "Clarification of Employer's Continuing Obligation to Make and Maintain an Accurate Record of Each Recordable Injury and Illness".

S.J. RES. 28

At the request of Mr. INHOFE, the names of the Senator from West Virginia (Mrs. CAPITO), the Senator from Louisiana (Mr. KENNEDY) and the Senator from South Carolina (Mr. SCOTT) were added as cosponsors of S.J. Res. 28, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Administrator of the Environmental Protection Agency relating to accidental release prevention requirements of risk management programs under the Clean Air Act.

S. RES. 23

At the request of Mr. GARDNER, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. Res. 23, a resolution establishing the Select Committee on Cybersecurity.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REED (for himself, Ms. COLLINS, and Mr. WARNER):

S. 536. A bill to promote transparency in the oversight of cybersecurity risks at publicly traded companies; to the Committee on Banking, Housing, and Urban Affairs.

Mr. REED. Mr. President, today I am reintroducing the Cybersecurity Disclosure Act of 2017 along with two members of the Select Committee on Intelligence, Senator Collins, and the ranking member, Senator Warner. In response to data breaches of various companies that exposed the personal information of millions of customers, our legislation asks each publicly traded company to include—in Securities and Exchange Commission, SEC, disclosures to investors—information on whether any member of the board of directors is a cybersecurity expert, and if why having this expertise on the board of directors is not necessary because of other cyber security steps taken by the publicly traded company. To be clear, the legislation does not require companies to take any actions other than to provide this disclosure to its investors.

Many investors may be surprised to learn that board directors who participated in the National Association of Corporate Directors, NACD, roundtable discussions on cyber security late in 2013 admitted that "the lack of adequate knowledge of information technology risk has made it challenging for them to effectively oversee manage-

ment's cybersecurity activities.'" More recently, in Deloitte's 10th Global Risk Management Survey of Financial Services Institutions, published this month, 42 percent of respondents considered their institution to be less effective in managing cybersecurity. And according to the 2016-2017 NACD Public Company Governance Survey, "fifty-nine percent of respondents reported that they find it challenging to oversee cyber risk, and only 19 percent of respondents said that their boards possess a high level of knowledge about cybersecurity." Indeed, Yahoo in its most recent annual report, which was filed with the SEC last week, disclosed that "the Independent Committee found that failures in communication, management, inquiry and internal reporting contributed to the lack of proper comprehension and handling of the 2014 Security Incident. The Independent Committee also found that the Audit and Finance Committee and the full board were not adequately informed of the full severity, risks, and potential impacts of the 2014 Security Incident and related matters." The 2014 Security Incident here refers to the fact that "a copy of certain user account information for approximately 500 million user accounts was stolen from Yahoo's network in late 2014." This is particularly troubling given that data breaches are on the rise. Indeed, 2016 was a recordbreaking year for data breaches, which increased 40 percent from the prior year to 1,093 breaches according to the Identity Theft Resource Center.

Investors and customers deserve a clear understanding of whether publicly traded companies are prioritizing cyber security and have the capacity to protect investors and customers from cyber-related attacks. Our legislation aims to provide a better understanding of these issues through improved SEC disclosure.

While this legislation is a matter for consideration by the Banking Committee, of which I am a member, this bill is also informed by my service on the Armed Services Committee and the Select Committee on Intelligence. It is through this Banking-Armed Services-Intelligence perspective that I see that our economic security is indeed a matter of our national security, and this is particularly the case as our economy becomes increasingly reliant on technology and the Internet.

For example, when he was Director of National Intelligence, James Clapper, appeared before the Armed Services Committee in 2015 and testified that "cyber threats to the U.S. national and economic security are increasing in frequency, scale, sophistication and severity of impact." He further said that "[b]ecause of our heavy dependence on the Internet, nearly all information communication technologies and I.T. networks and systems will be perpetually at risk."

Indeed, retired Army GEN Keith Alexander, who is the former commander of the United States Cyber Command and former Director of the National Security Agency, appeared before the Armed Services Committee this month and stated that “while the primary responsibility of government is to defend the nation, the private sector also shares responsibility in creating the partnership necessary to make the defense of our nation possible. Neither the government nor the private sector can capably protect their systems and networks without extensive and close cooperation.”

With mounting cyber threats and concerns over the capabilities of corporate directors, we all need to be more proactive in ensuring our Nation’s cyber security before there are additional serious breaches. This legislation seeks to take one step toward that goal by encouraging publicly traded companies to be more transparent to their investors and customers on whether and how their boards of directors are prioritizing cyber security.

I thank Harvard Law School professor John Coates, MIT professor Simon Johnson, Columbia Law School professor John Coffee, and the Consumer Federation of America for their support, and I urge my colleagues to join Senator Collins, Senator Warner, and me in supporting this legislation.

By Mr. LEAHY (for himself, Mr. FRANKEN, Mr. BLUMENTHAL, Mr. DURBIN, Mr. WHITEHOUSE, Mr. MARKEY, Ms. WARREN, Mrs. MURRAY, Ms. BALDWIN, Ms. HEITKAMP, Ms. HIRONO, Mr. BROWN, Mr. BOOKER, and Mrs. SHAHEEN):

S. 550. A bill to restore statutory rights to the people of the United States from forced arbitration; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, today, I have reintroduced legislation to protect Americans from being stripped of their legal rights by little known clauses that are now hidden in an alarming number of contracts. When we enter into agreements to obtain cell phone service, rent an apartment, or accept a new job, most are not made aware of the forced arbitration clauses that are tucked away in the legal fine print. But these dangerous provision force us to abandon our constitutional right to protect ourselves in court and instead send hard-working Americans to face wealthy corporations behind closed doors in private arbitration. This must change.

When Congress passed the Federal Arbitration Act in 1925, it was intended to help businesses resolve legal disputes with each other. But over the past two decades, private arbitration has been abused by large companies to push Americans out of court. In doing so, these companies have effectively

opted out of critical labor, consumer, and civil rights laws that give Americans the ability to assert their claims before our independent judiciary.

Forced arbitration clauses now appear in nearly every contract we sign. Unfortunately, examples of the injustice caused by these clauses are equally ubiquitous and can be found all across the country. They affect consumers, workers, seniors, veterans, and families in Vermont and every other State, and the cases are heart-wrenching.

Just last week, the Washington Post reported that hundreds of current and former employees of Sterling Jewelers—a company that earns \$6 billion in annual revenue—have for years alleged that the company is engaged in pervasive gender discrimination and has fostered a culture that condones sexual harassment. The stories now being reported are shocking and date back to the early 1990s. Yet, despite the fact that women at the company have been alleging misconduct for decades, no one knew about it. That is because their claims were hidden behind closed doors because of private arbitration. To this day, we still do not know the full details.

The press has helped to bring attention to other instances of forced arbitration in recent years. In 2015, the Los Angeles Times revealed that Wells Fargo used arbitration clauses to deny customers whose names were used to open fraudulent accounts an opportunity to seek justice in court. In fact, Wells Fargo asked a Federal court in Utah to move a number of sham account allegations to arbitration. The New York Times dedicated a three-part investigative series to highlighting the impact on consumers and workers of forced arbitration clauses. And becoming the story herself, television journalist Gretchen Carlson was barred from speaking publicly about her allegations of sexual harassment against former FOX News chairman Roger Ailes.

I have long raised concerns about the practice of forced arbitration, and as chairman led hearings of the Senate Judiciary Committee in 2007, 2008, 2011, and 2013. This should not be a partisan issue. Both Republican and Democratic attorneys general have repeatedly spoken out against the Federal Arbitration Act’s intrusion on State sovereignty and a State’s compelling interest in protecting the health and welfare of its citizens. In Vermont, lawmakers enacted commonsense legislation to limit the abuse of forced arbitration clauses and raise consumer awareness, but but this law was invalidated because it conflicted with Federal law. Companies have effectively created a “get out of jail free” card that guts our laws and shields bad actors from any type of public accountability. This is an unconscionable situation, and Congress must act.

The Restoring Statutory Rights Act that I am reintroducing today will protect Americans’ right to seek justice in our courts. It will ensure that our Federal laws will actually be effective by ensuring that Americans cannot be stripped of their ability to enforce their rights before our independent court system. This bill also ensures that when States act to address forced arbitration, as my home State of Vermont has, they are not preempted by an overbroad reading of our Federal arbitration laws.

This effort is supported by the Leadership Conference for Civil and Human Rights, the National Employment Lawyers’ Association, and consumer groups such as National Association of Consumer Advocates, Consumers Union, Public Citizen, the National Consumer Law Center, and Consumers for Auto Reliability and Safety. For years, these groups and many others have worked tirelessly to highlight the injustice of forced arbitration and the full scope of the number of people it affects.

All Senators should care about ensuring that corporations cannot unilaterally circumvent the statutes that this body writes, debates, and enacts into law. Senators should also care about the ability of the States to protect consumers from unconscionable contracts. I urge Members to support this bill.

By Mr. DURBIN (for himself, Mr. FRANKEN, Mr. WHITEHOUSE, Ms. WARREN, Mr. REED, Mr. BROWN, Mr. BLUMENTHAL, and Ms. HIRONO):

S. 553. A bill to provide that chapter 1 of title 9 of the United States Code, relating to the enforcement of arbitration agreements, shall not apply to enrollment agreements made between students and certain institutions of higher education; to prohibit limitations on the ability of students to pursue claims against certain institutions of higher education; to the Committee on Health, Education, Labor, and Pensions.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 553

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Court Legal Access and Student Support (CLASS) Act of 2017”.

SEC. 2. INAPPLICABILITY OF CHAPTER 1 OF TITLE 9, UNITED STATES CODE, TO ENROLLMENT AGREEMENTS MADE BETWEEN STUDENTS AND CERTAIN INSTITUTIONS OF HIGHER EDUCATION.

(a) IN GENERAL.—Chapter 1 of title 9 of the United States Code (relating to the enforcement of arbitration agreements) shall not apply to an enrollment agreement made between a student and an institution of higher education.

(b) DEFINITION.—In this section, the term “institution of higher education” has the meaning given such term in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002).

SEC. 3. PROHIBITION ON LIMITATIONS ON ABILITY OF STUDENTS TO PURSUE CLAIMS AGAINST CERTAIN INSTITUTIONS OF HIGHER EDUCATION.

Section 487(a) of the Higher Education Act of 1965 (20 U.S.C. 1094(a)) is amended by adding at the end the following:

“(30) The institution will not require any student to agree to, and will not enforce, any limitation or restriction (including a limitation or restriction on any available choice of applicable law, a jury trial, or venue) on the ability of a student to pursue a claim, individually or with others, against an institution in court.”.

SEC. 4. EFFECTIVE DATE.

This Act and the amendments made by this Act shall take effect 1 year after the date of enactment of this Act.

By Mrs. FEINSTEIN:

S. 555. A bill for the relief of Shirley Constantino Tan; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, today I am reintroducing a bill for the private relief of Shirley Constantino Tan. Ms. Tan is a Filipina national living in Pacifica, CA. She is the proud mother of 20-year-old U.S. citizen twin boys, Joriene and Jashley, and the spouse of Jay Mercado, a naturalized U.S. citizen.

I believe Ms. Tan merits Congress's special consideration for this extraordinary form of relief because her removal from the United States would cause undue hardship for her and her family. She faces deportation to the Philippines, which would separate her from her family and jeopardize her safety.

Ms. Tan experienced horrific violence in the Philippines before she left to come to the United States. When she was only 14 years old, her cousin murdered her mother and her sister and shot Shirley in the head. While the cousin who committed the murders was eventually prosecuted, he received a short jail sentence. Fearing for her safety, Ms. Tan fled the Philippines just before her cousin was due to be released from jail. She entered the United States legally on a visitor's visa in 1989.

Ms. Tan's current deportation order is the result of negligent counsel. She applied for asylum in 1995. While her case appeal was pending at the Board of Immigration Appeals, her attorney failed to submit a brief to support her case. As a result, the case was dismissed, and the Board of Immigration Appeals granted Shirley voluntary departure from the United States.

Ms. Tan never received notice that the Board of Immigration Appeals granted her voluntary departure. Her attorney moved offices, did not receive the order, and ultimately never informed her of the order. As a result, Ms. Tan did not depart the United

States and the grant of voluntary departure automatically led to a removal order. She learned about the deportation order for the first time on January 28, 2009, when Immigration and Customs Enforcement agents took her into immigration custody.

Because of her attorney's negligent actions, Ms. Tan was denied the opportunity to present her case in immigration proceedings. She later filed a complaint with the State Bar of California against her former attorney. She is not the first person to file such a complaint against this attorney.

On February 4, 2015, Ms. Tan's spouse, Jay, a U.S. citizen, filed an approved spousal petition on her behalf. On August 20, 2015, U.S. Citizenship and Immigration Services denied her application due to the fact that she still had a final order of removal. Ms. Tan must go back to the immigration court and ask for the court to terminate her case and then reapply for her green card. Ms. Tan is now again facing the threat of deportation while she seeks to close her case before an immigration court.

In addition to the hardship that Ms. Tan would endure if she is deported, her deportation would cause serious hardship to her two U.S. citizen children, Joriene and Jashley.

Joriene is a junior at Stanford University and is premed, majoring in human biology. In addition to his studies, Joriene is involved in Stanford's Pilipino-American Student Union.

Jashley is a junior at Chapman University, majoring in business administration. Ms. Tan no longer runs her in-home daycare and is a homemaker.

If Ms. Tan were forced to leave the United States, her family has expressed that they would go with her to the Philippines or try to find a third country where the entire family could relocate. This would mean that Joriene and Jashley would have to leave behind their education and the only home they know in the United States.

I do not believe it is in our Nation's best interest to force this family, with two U.S. citizen children, to make the choice between being separated and relocating to a country where they may face safety concerns or other serious hardships.

Ms. Tan and her family are involved in their community in Pacifica and own their own home. The family attends Good Shepherd Catholic Church, volunteering at the church and the Mother Teresa of Calcutta's Daughters of Charity. Ms. Tan has the support of dozens of members of her community who have shared with me the family's spirit of commitment to their community.

Enactment of the legislation I am introducing on behalf of Ms. Tan today will enable this entire family to continue their lives in California and make positive contributions to their community.

Mr. President, I ask my colleagues to support this private bill.

By Mrs. FEINSTEIN:

S. 556. A bill for the relief of Joseph Gabra and Sharon Kamel; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, today I am reintroducing private relief legislation on behalf of Joseph Gabra and Sharon Kamel, a couple living with their four U.S. citizen children in Camarillo, CA.

Joseph and Sharon are nationals of Egypt who fled their home country over 19 years ago after being targeted for their religious membership in the Christian Coptic Church in Egypt. They became involved with this church during the 1990s, Joseph as an accountant and project coordinator helping to build community facilities and Sharon as the church's training director in human resources.

Unfortunately, Joseph and Sharon were also subjected to threats and abuse. Joseph was jailed repeatedly because of his involvement with the church. Sharon's family members were violently targeted, including her cousin who was murdered and her brother whose business was firebombed. When Sharon became pregnant with her first child, she was threatened by a member of a different religious organization for raising her child in a non-Muslim faith.

Joseph and Sharon came to the United States legally on visitor visas in November 1998. Due to their fears of persecution in Egypt based on their religious beliefs, they filed for asylum in the United States in May 1999.

However, Joseph, who has a speech impediment, had difficulty communicating why he was afraid to return to Egypt, and 1 year later their asylum application was denied. Considering that Sharon's brother, who also applied for asylum for similar reasons, was granted asylum in the United States, Joseph and Sharon appealed the denial of their asylum applications, to no avail.

While Sharon's brother, who is now a U.S. citizen, has filed a family-based immigrant petition on Sharon's behalf, it will be at least 4 years until she will even be eligible for a visa number due to visa backlogs.

If Sharon and Joseph are deported before then, they will not only be separated from their family but will be forced to return to a country where persecution of Coptic Christians continues.

Due to their fear of returning to Egypt, Joseph and Sharon have therefore tried to build a life for themselves here in the United States, working hard while building their beautiful family. With the protection of past private bills I filed on their behalf, Joseph was able to get his certified public accountant license and opened his own accounting firm, where Sharon works by his side.

Joseph and Sharon make sure that their four U.S. citizen children—Jessica, age 18, Rebecca, age 17, Rafael, age 16, and Veronica, age 11—all attend school in California and maintain good grades.

Joseph and Sharon carry strong support from friends, members of their local church, and other Californians who attest to their good character and community contributions.

I am concerned that the entire family would face serious and unwarranted hardships if Joseph and Sharon were forced to return to Egypt. For Jessica, Rebecca, Rafael, and Veronica, the only home they know is in the United States. Separation of this family would be devastating and the alternative—relocating the family to Egypt—could be dire, as it is quite possible that these four American children would face discrimination or worse on account of their religion, as was the experience of many of their family members.

Joseph and Sharon have made a compelling plea to remain in the United States. These parents emphasize their commitment to supporting their children and creating a healthy and productive place for them to grow up in California. I believe this family deserves that opportunity.

I respectfully ask my colleagues to support this private relief bill on behalf of Joseph Gabra and Sharon Kamel.

By Mrs. FEINSTEIN:

S. 557. A bill for the relief of Jose Alberto Martinez Moreno, Micaela Lopez Martinez, and Adilene Martinez; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, today I am reintroducing private immigration relief legislation to provide lawful permanent resident status to Jose Alberto Martinez Moreno, Micaela Lopez Martinez, and their daughter, Adilene Martinez. This family is originally from Mexico but has been living in California for over 20 years. I believe they merit Congress's special consideration for this extraordinary form of relief.

When Jose came to the United States from Mexico, he began working as a busboy in restaurants in San Francisco, CA. In 1990, he started working as a cook at Palio D'Asti, an award-winning Italian restaurant in San Francisco.

Jose worked his way through the ranks, eventually becoming Palio's sous chef. His colleagues describe him as a reliable and cool-headed coworker and as "an exemplary employee" who not only is "good at his job but is also a great boss to his subordinates."

He and his wife Micaela call San Francisco home. Micaela is a homemaker and part-time housekeeper. They have three daughters, two of whom are U.S. citizens. Their oldest daughter, Adilene, age 28, is undocumented. She currently works fulltime

at a cinema and hopes to continue pursuing her studies in the future.

The Martinez's second daughter, Jazmin, age 24, is a U.S. citizen. She graduated from Leadership High School and is now studying at California State University, San Francisco. Jazmin has been diagnosed with asthma, which requires constant treatment. According to her doctor, if Jazmin were to return to Mexico with her family, the high altitude and air pollution in Mexico City could be fatal to her. The Martinez's other U.S. citizen daughter, Karla, is 19 years old and attends San Francisco City College.

The Martinez family attempted to legalize their status through several channels.

In 2001, Jose's sister, who has legal status, petitioned for Jose to get a green card. However, the current green card backlog for siblings from Mexico is very long, and it will be many years before Jose will be eligible to legalize his status though his sister.

In 2002, the Martinez family applied for political asylum. Their application was denied. An immigration judge denied their subsequent application for cancellation of removal.

Finally, Daniel Scherotter, the executive chef and owner of Palio D'Asti, petitioned for an employment-based green card for Jose based upon his unique skills as a chef. Jose's petition was approved by U.S. Citizenship and Immigration Services. However, before he will be eligible for a green card, he must apply for a hardship waiver, which cannot be guaranteed.

The Martinez family has become an integral part of their community in California. They are active in their faith community. They volunteer with community-based organizations and are, in turn, supported by their community. When I first introduced this bill, I received dozens of letters of support from their fellow parishioners, teachers, and members of their community.

The Martinez family truly exemplifies the American dream. Jose worked his way through the restaurant industry to become a chef and an indispensable employee at a renowned restaurant. With great dedication, Micaela has worked hard to raise three daughters who are advancing their education and look forward to continuing the pursuit of their goals.

I believe the Martinez family's continued presence in the United States would allow them to continue making significant contributions to their community in California.

I ask my colleagues to support this private bill.

By Mrs. FEINSTEIN:

S. 558. A bill for the relief of Esidronio Arreola-Saucedo, Maria Elena Cobian Arreola, Nayely Arreola

Carlos, and Cindy Jael Arreola; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, today I offer private immigration relief legislation to provide lawful permanent resident status to Esidronio Arreola-Saucedo, Maria Elena Cobian Arreola, Nayely Arreola Carlos, and Cindy Jael Arreola. The Arreolas are Mexican nationals living in the Fresno area of California.

Esidronio and Maria Elena have lived in the United States for over 20 years. Two of their five children—Nayely, age 30, and Cindy, age 28—also stand to benefit from this legislation. The other three Arreola children—Robert, age 25, Daniel, age 22, and Saray, age 20—are U.S. citizens. The story of the Arreola family is compelling, and I believe they merit Congress's special consideration for such an extraordinary form of relief as a private bill.

The Arreolas are facing deportation in part because of grievous errors committed by their previous counsel, who has since been disbarred. In fact, the attorney's conduct was so egregious that it compelled an immigration judge to write to the Executive Office of Immigration Review seeking the attorney's disbarment for his actions in his clients' immigration cases.

Esidronio came to the United States in 1986 and was an agricultural migrant worker in the fields of California for several years. As a migrant worker at that time, he would have been eligible for permanent residence through the Seasonal Agricultural Workers, SWA, Program, had he known about it.

Maria Elena was living in the United States at the time she became pregnant with her daughter Cindy. She returned to Mexico to give birth because she wanted to avoid any immigration issues.

Because of the length of time that the Arreolas were in the United States, it is likely that they would have qualified for suspension of deportation, which would have allowed them to remain in the United States legally. However, the poor legal representation they received foreclosed this opportunity.

One of the most compelling reasons for my introduction of this private bill is the devastating impact the deportation of Esidronio and Maria Elena would have on their children—three of whom are American citizens—and the other two who have lived in the United States since they were toddlers. America is the only country the Arreola children have ever known.

Nayely, the oldest, was the first in her family to graduate from high school and the first to graduate college. She recently received her Masters in Business Administration from Fresno Pacific University, a regionally ranked university, and now works in the admissions office. Nayely is married and has a young son named Elijah Ace Carlos.

At a young age, Nayely demonstrated a strong commitment to the ideals of citizenship in her adopted country. She worked hard to achieve her full potential both through her academic endeavors and community service. As the Associate Dean of Enrollment Services at Fresno Pacific University states in a letter of support, "[T]he leaders of Fresno Pacific University saw in Nayely, a young person who will become exemplary of all that is good in the American dream."

In high school, Nayely was a member of the Advancement Via Individual Determination (AVID) college preparatory program in which students commit to determining their own futures through attaining a college degree. Nayely was also President of the Key Club, a community service organization. Perhaps the greatest hardship to Nayely's U.S. citizen husband and child, if she were forced to return to Mexico, would be her lost opportunity to realize her dreams and contribute further to her community and to this country.

Nayely's sister, Cindy, is also married and has a 7-year-old daughter and a 5-year-old son. Neither Nayely nor Cindy is eligible to automatically adjust their status based on their marriages because of their initial unlawful entry.

The Arreolas also have other family who are U.S. citizens or lawful permanent residents of this country. Maria Elena has three brothers who are American citizens, and Esidronio has a sister who is an American citizen. They have no immediate family in Mexico.

According to immigration authorities, this family has never had any problems with law enforcement. I am told that they have filed their taxes every year from 1990 to the present. They have always worked hard to support themselves.

As I mentioned, Esidronio was previously employed as a farm worker but now has his own business in California repairing electronics. His business has been successful enough to enable him to purchase a home for his family. He and his wife are active in their church community and in their children's education.

It is clear to me that this family has embraced the American dream. Enactment of the legislation I have reintroduced today will enable the Arreolas to continue to make significant contributions to their community as well as the United States.

I ask my colleagues to support this private bill.

By Mrs. FEINSTEIN:

S. 559. A bill for the relief of Alfredo Plascencia Lopez; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, I rise today to offer legislation to provide lawful permanent residence status

to Alfredo Plascencia Lopez, a Mexican national who lives in the San Bruno area of California.

I offer legislation on his behalf because I believe that, without it, this hard-working man, wife who is a lawful permanent resident, and children would face extreme hardship. His children would either face separation from their father or be forced to leave the only country they know and give up the education they are pursuing in the United States.

Alfredo and his wife Maria have been in the United States for over 20 years. They worked for years to adjust their status through appropriate legal channels, but poor legal representation ruined their opportunities.

The Plascencias' lawyer refused to return their calls or otherwise communicate with them in any way. He also failed to forward crucial immigration documents. Because of the poor representation they received, Alfredo only became aware that they had been ordered to leave the United States 15 days prior to his scheduled deportation.

Alfredo was shocked to learn of his attorney's malfeasance, but he acted quickly to secure legitimate counsel and filed the appropriate paperwork to delay his deportation and determine if any other legal action could be taken.

Together, Alfredo and Maria have used their professional successes, with the assistance of private bills, to realize many of the goals dreamed of by all Americans. They have worked hard and saved up to buy their home.

They have good health care benefits, and they each have begun saving for retirement. They are sending their children Christina, Erika, and Danny, to college and plan to send the rest of their children to college, as well.

Their oldest child, Christina, is 26 years old, and takes classes at Heald College to become a paralegal. Erika, age 22, graduated from high school and is currently taking classes at Skyline College. Her teachers have praised her abilities and have referred to her as a "bright spot" in the classroom. Danny, age 20, currently attends the University of California and volunteers at his local homeless shelter in the soup kitchen. Daisy, age 15, and Juan Pablo, age 10, are in school and plan on attending college.

Allowing Alfredo to remain in the United States is necessary to enable his family to continue thriving in the United States. His children are dedicated to pursuing their education and being productive members of their community.

I do not believe that Alfredo should be separated from his family. I am reintroducing this legislation to protect the best interest of Alfredo's U.S. citizen children and his wife, who is a lawful permanent resident. I believe that Alfredo will continue to make positive

contributions to his community in California and this country. I respectfully ask my colleagues to support this bill.

By Mrs. FEINSTEIN:

S. 560. A bill for the relief of Jorge Rojas Gutierrez and Oliva Gonzalez; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, today I am reintroducing a private relief bill on behalf of Jorge Rojas Gutierrez and his wife, Oliva Gonzalez. The Rojas family, originally from Mexico, is living in the San Jose area of California.

The story of the Rojas family is compelling, and I believe they merit Congress's special consideration for such an extraordinary form of relief as a private bill.

Jorge and Oliva originally came to the United States in 1990 when their son Jorge Rojas, Jr., was just 2 years old. In 1995, they left the country to attend a funeral and then reentered the United States on visitors' visas.

The family has grown to include three U.S. citizen children: Alexis, now 24 years old, Tanya, 22 years old, and Matias, now 7 years old. Jorge and Oliva are also the grandparents of Meena Rojas.

The Rojas family first attempted to legalize their status in the United States when an unscrupulous immigration consultant, who was not an attorney, advised them to apply for asylum. Unfortunately, without proper legal guidance, the family did not realize at the time that they lacked a valid basis for asylum. Their asylum claim was denied in 2008, leaving the Rojas family with no further options to legalize their status.

Since their arrival in the United States more than 20 years ago, the Rojas family has demonstrated a robust work ethic and a strong commitment to their community in California. They have paid their taxes and worked hard to contribute to this country.

Jorge is a hard-working individual who has been employed by BrightView Landscaping Services, formerly known as Valley Crest Landscape Maintenance, in San Jose, CA, for the past 20 years. Currently, he works on commercial landscaping projects. Jorge is well-respected by his supervisor and his peers.

In addition to supporting his family, Jorge has volunteered his time to provide modern green landscaping and building projects at his children's school in California. He is active in his neighborhood association, through which he worked with his neighbors to open a library and community center in their community.

Oliva, in addition to raising her three children, has also been very active in the local community. She volunteers with the People Acting in Community Together, PACT, organization, where

she works to prevent crime, gangs, and drug dealing in San Jose neighborhoods and schools.

Jorge Rojas, Jr., who entered the United States as an infant with his parents, is now the father of 6-year-old Meena. He is 28 years old and working at a job that allows him to support his daughter. Jorge graduated from Del Mar High School in 2007. He has obtained temporary protection from deportation through the 2012 Deferred Action for Childhood Arrivals, DACA, Program.

Alexis, age 24, graduated from West Valley College in Saratoga, CA, and is interested in continuing his linguistics studies at San Jose State University. Tanya, age 22, is now in her second semester at San Jose State University. Their teachers have described them as "fantastic, wonderful and gifted" students.

Perhaps one of the most compelling reasons for permitting the Rojas family to remain in the United States is the impact that their deportation would have on their four children. Three of the Rojas children—Alexis, Tanya, and Matias—American citizens. Additionally, Jorge Rojas, Jr., has lived in the United States since he was a toddler. America is the only country these children have called home. It seems so clear to me that this family has embraced the American dream, and their continued presence in our country would do so much to promote the values we hold dear.

When I first introduced this bill, I received dozens of letters from the community in Northern California in support of this family. Enactment of the legislation I have reintroduced today will keep this great family together and enable each of them to continue making significant contributions to their community as well as the United States.

I ask my colleagues to support this private bill.

By Mrs. FEINSTEIN:

S. 561. A bill for the relief of Alicia Aranda De Buendia; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, I am reintroducing a private relief bill on behalf of Alicia Buendia, a woman who has lived in the Fresno area of California for more than 20 years. I believe her situation merits Congress's special consideration.

She is married to Jose Buendia, and together they have raised two outstanding children, Ana Laura, age 28, and Alex, age 26, a U.S. citizen. Both children have excelled in school. Ana Laura graduated from University of California, Irvine, and Alex is currently attending the University of California, Merced.

I previously introduced bills for Alicia, her husband, and Ana Laura. Thankfully, Jose has successfully se-

cured lawful permanent residency for himself through cancellation of removal. This followed 7 unfortunate years of delay in the immigration courts to determine his eligibility under the Immigration Reform and Control Act of 1986 for permanent residence. Ana Laura has obtained temporary protection from deportation through the 2012 Deferred Action for Childhood Arrivals, DACA, Program.

However, Alicia, who is eligible to adjust status, is still awaiting a determination on a family-based immigration petition filed by her U.S. citizen son. Additionally, she would be required to file a waiver application, which could result in separation from her family.

Alicia warrants private relief and a chance to start fresh in America. She goes to work season after season in California's labor-intensive agriculture industry in Reedley, CA, where she currently works for a fruit packing company.

In the more than 20 years of living in California, Alicia has dedicated herself to her family and community. She and Jose have worked hard to honestly feed their family and have raised two exceptional children who have both pursued and excelled in higher education.

Alicia has a strong connection to her local community, serving as an active member of her church. She and Jose pay their taxes every year, have successfully paid off their mortgage, and remain free of debt. They have shown that they are responsible, maintaining health insurance, savings accounts, and retirement accounts. Without this private bill, Alicia would be separated from her lawful permanent resident husband, two children who rely on her for love, support, and guidance.

I ask my colleagues to support this private bill.

By Mrs. FEINSTEIN:

S. 562. A bill for the relief of Ruben Mkoian, Asmik Karapetian, and Arthur Mkoian; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, I am reintroducing private relief legislation in the 115th Congress on behalf of Ruben Mkoian, Asmik Karapetian, and their son, Arthur Mkoian. The Mkoian family has been living in Fresno, CA, for over 20 years. I continue to believe this family deserves Congress's special consideration for such an extraordinary form of relief as a private bill.

The Mkoian family is originally from Armenia. They decided to leave Armenia for the United States in the early 1990s, following several incidents in which the family experienced harassment, vandalism and threats to their well-being.

In Armenia, Ruben worked as a police sergeant on vehicle licensing. At one point, he was offered a bribe to register stolen vehicles, which he refused

and reported to his superior, the police chief. He later learned that a coworker had registered the vehicles at the request of the same chief.

After Ruben reported the bribe offer to illegally register vehicles and said he would call the police, his family store was vandalized and he received threatening phone calls telling him to keep quiet. A bottle of gasoline was thrown into his family's residence, burning it to the ground. In April 1992, several men entered the family store and assaulted Ruben, hospitalizing him for 22 days.

Ruben, Asmik, and their son Arthur, who was 3 years old at the time, left Armenia and entered the United States on visitor visas. They applied for political asylum that same year on the grounds that they would be subject to physical attacks if returned to Armenia. It took 16 years for their case to be finalized, with the Ninth Circuit Court of Appeals denying their asylum case in January 2008.

At this time, Ruben, Asmik, and Arthur have exhausted every option to obtain immigration relief in the United States. While Ruben and Asmik's other son, Arsen, is a U.S. citizen, he is too young to file a green card petition on their behalf.

It would be a terrible shame to remove this family from the United States and to separate them from Arsen, who is 20 years old and a U.S. citizen. The Mkoians have worked hard to build a place for their family in California and are an integral part of their community.

The family attends St. Paul Armenian Apostolic Church in Fresno. They do charity work to send medical equipment to Armenia.

Ruben works as a driver for Uber. He previously worked as a manager at a car wash in Fresno and as a truck-driver for a California trucking company that described him as "trustworthy," "knowledgeable," and an asset to the company. Asmik has worked as a medical assistant the past 6 years at the Fresno Shields Medical Center.

Arthur has proven to be a hard-working, smart young man who applies himself. He was recognized nationally for his scholastic achievement, having maintained a 4.0 grade point average in high school and serving as his class valedictorian. After graduating on the Dean's Merit List from the University of California, Davis with a major in Chemistry, he is now a full-time analyst at a water testing company. He also teaches Armenian School on Saturdays at the church.

Arthur's brother, Arsen currently attends Fresno State University, is majoring in Computer Science, and maintains a 3.8 GPA. These two young men have already accomplished so much and clearly aspire to do great things here in the United States.

Reflecting their contributions to their community, Representatives George Radanovich and JIM COSTA strongly supported this family's ability to remain in the United States. When I first introduced a private bill for the Mkoian family, I received more than 200 letters of support and dozens of calls of support from friends and community members, attesting to the positive impact that this family has had in Fresno, California.

I believe that this case warrants our compassion. I respectfully ask my colleagues to support this private legislation on behalf of the Mkoian family.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 82—CONGRATULATING THE JOHNS HOPKINS UNIVERSITY APPLIED PHYSICS LABORATORY ON THE 75TH ANNIVERSARY OF THE FOUNDING OF THE LABORATORY

Mr. CARDIN (for himself, Mr. MCCAIN, and Mr. VAN HOLLEN) submitted the following resolution; which was considered and agreed to:

S. RES. 82

Whereas, on March 10, 2017, the Johns Hopkins University Applied Physics Laboratory (in this preamble referred to as "APL"), located in Laurel, Maryland, celebrates the 75th anniversary of the founding of APL on March 10, 1942;

Whereas, less than 4 months after the attack on the United States Pacific Fleet at Pearl Harbor, APL was established to perfect and help field the radio proximity fuze, one of the most closely guarded wartime secrets of the United States;

Whereas historians have ranked the development of the radio proximity fuze as one of the 3 most important technological developments of World War II, along with the development of radar and the atomic bomb;

Whereas, during and after World War II, APL developed the first generation of Navy surface-to-air missiles and associated propulsion, guidance, control, and targeting technologies;

Whereas APL developed the initial "phased array" radar system, called AMFAR, for the Navy that provided the scanning, tracking, and targeting necessary to defend the ships of the United States against simultaneous aircraft and missile raids;

Whereas APL created the first satellite-based global navigation system, called Transit, the forerunner of modern GPS, to serve the ballistic missile submarine force of the United States and provide essential capabilities to the Navy from 1964 until the 1990s;

Whereas APL developed prototypes, experiments, ocean physics research, and engineering models that unlocked the potential of towed sonar arrays, groundbreaking developments that revolutionized anti-submarine warfare and guided stealth designs for multiple generations of submarines of the United States;

Whereas APL led development of the Navy's Cooperative Engagement Capability that revolutionized air defenses by enabling ships to engage aircraft and missiles not seen by the radars of the ships by using composite radar tracks created from the radars of ships within the battle group;

Whereas APL developed a system called SATRACK to ensure the accuracy of the Trident II submarine-launched ballistic missiles and confidently estimate missile accuracy anywhere in the world;

Whereas APL proposed, developed, built, and operated a number of the most innovative low-cost planetary science missions of the National Aeronautics and Space Administration, including—

(1) the Near Earth Asteroid Rendezvous (commonly known as "NEAR") mission in 2001, the first mission to orbit an asteroid;

(2) the MESSENGER Mercury orbiter, launched in 2004; and

(3) New Horizons, which launched in 2006 and completed a historic flyby of Pluto in 2015;

Whereas APL has been responsible for hundreds of significant contributions to the most critical challenges faced by the United States with respect to national security and space exploration; and

Whereas the sustained commitment by APL to the United States and the Federal Government sponsors of APL allowed APL—

(1) to continuously provide significant contributions to critical challenges with respect to systems engineering and integration, technology research and development, and analysis; and

(2) to serve as the most comprehensive University Affiliated Research Center in the United States: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the Johns Hopkins University Applied Physics Laboratory on the 75th anniversary of the founding of the Laboratory;

(2) recognizes the scientific, engineering, and analytical expertise that the Johns Hopkins University Applied Physics Laboratory has applied to solve many of the most critical challenges faced by the United States in the areas of national security and space exploration; and

(3) respectfully requests that the Secretary of the Senate transmit an enrolled copy of this resolution to the director of the Johns Hopkins University Applied Physics Laboratory.

AUTHORITY FOR COMMITTEES TO MEET

Mr. HOEVEN. Mr. President, I have 3 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary be authorized to meet during the session of the Senate, on March 7, 2017, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Nominations."

SELECT COMMITTEE ON INTELLIGENCE

The Senate Select Committee on Intelligence be authorized to meet during the session of the 115th Congress of the U.S. Senate on Tuesday, March 7, 2017 from 2:30 p.m., room SH-219 of the Senate Hart Office Building to hold a closed hearing.

SELECT COMMITTEE ON INTELLIGENCE

The Senate Select Committee on Intelligence be authorized to meet during the session of the 115th Congress of the U.S. Senate on Tuesday, March 7, 2017 from 2:20 p.m.–2:30 p.m., in room SH-219 of the Senate Hart Office Building to hold a closed business meeting.

PRIVILEGES OF THE FLOOR

Ms. CANTWELL. Mr. President, I ask unanimous consent that privileges of the floor be granted to the following individuals with the Committee on Energy and Natural Resources: Frances Brie Van Cleve, a Democratic fellow, through December 31, 2017; Stephanie Teich-McGoldrick, a Democratic fellow, through December 31, 2017; Patricio Portillo, a Democratic fellow, through December 31, 2017; and Devinn Lambert, a Democratic detailee, through December 31, 2017.

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

RAISING AWARENESS OF MODERN SLAVERY

Mr. LEE. Mr. President, I ask unanimous consent that the Foreign Relations Committee be discharged from further consideration of and the Senate proceed to the consideration of S. Res. 68.

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

The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 68) raising awareness of modern slavery.

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

Mr. LEE. Mr. President, I know of no further debate on the resolution.

The PRESIDING OFFICER. Hearing no further debate, the question is on agreeing to the resolution.

The resolution (S. Res. 68) was agreed to.

Mr. LEE. Mr. President, I ask unanimous consent that the preamble be agreed to and the motions to reconsider be considered made and laid upon the table.

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

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of February 27, 2017, under "Submitted Resolutions.")

CONGRATULATING THE JOHNS HOPKINS UNIVERSITY APPLIED PHYSICS LABORATORY ON THE 75TH ANNIVERSARY OF THE FOUNDING OF THE LABORATORY

Mr. LEE. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 82, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 82) congratulating the Johns Hopkins University Applied Physics Laboratory on the 75th anniversary of the founding of the Laboratory.

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

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

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

The resolution (S. Res. 82) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

ORDERS FOR WEDNESDAY, MARCH 8, 2017

Mr. LEE. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Wednesday, March 8; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; finally, that following leader remarks, the Senate resume consideration of H.J. Res. 58.

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

ADJOURNMENT UNTIL 9:30 A.M.
TOMORROW

Mr. LEE. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:16 p.m., adjourned until Wednesday, March 8, 2017, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF LABOR

R. ALEXANDER ACOSTA, OF FLORIDA, TO BE SECRETARY OF LABOR.

FEDERAL COMMUNICATIONS COMMISSION

AJIT VARADARAJ PAI, OF KANSAS, TO BE A MEMBER OF THE FEDERAL COMMUNICATIONS COMMISSION FOR A TERM OF FIVE YEARS FROM JULY 1, 2016. (REAPPOINTMENT)

HOUSE OF REPRESENTATIVES—Tuesday, March 7, 2017

The House met at noon and was called to order by the Speaker pro tempore (Mr. SIMPSON).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
March 7, 2017.

I hereby appoint the Honorable MICHAEL K. SIMPSON to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2017, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 1:50 p.m.

THE AMERICAN HEALTH CARE ACT

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

Mr. COURTNEY. Mr. Speaker, 7 years ago, in March of 2010, the Affordable Care Act was signed into law after a 2-year process of hundreds of committee meetings, exhaustive markups—which I personally participated in—floor debate that went on for days, and, again, back-and-forth between the House and the Senate.

Since that date, despite the, again, bitter criticism by the Republican majority when that law went into effect, there have been 60 votes to repeal the Affordable Care Act; and up until this morning, the majority has always begged the question about: What is your replacement? Again, just last week, we heard rumors that there was a replacement, that the Speaker actually had drafted a bill.

Well, with scenes that looked like it was out of “The Blair Witch Project,” we had Members of Congress going around the Capitol opening doors with cameras doing live streams and live

coverage, again, to empty rooms and denials that there actually was a bill that anyone could actually take a look at.

Well, as I said, this morning, we now have been told that there actually is a bill that has been filed, which tomorrow will be marked up and voted out of committee with not one single public hearing and, incredibly, with no analysis by the Congressional Budget Office, which any bill that has any impact on budget, whether it is a tax bill or a spending bill, has, as a matter of course, for decades, always been the case. There is no measure which contains more significance in terms of a Congressional Budget analysis than reforming the healthcare system of America, which constitutes about 15 to 20 percent of the American economy and affects the lives of tens of millions of Americans.

Well, from what we have seen so far, it appears there is a good reason that the folks wanted to keep the bill a secret. Again, the basic fundamentals of the Affordable Care Act is built on two pillars. There was an expansion of Medicaid, and there were subsidies based on income for Americans to be able to buy insurance through the marketplace.

In the State of Connecticut, where I come from, we have cut the uninsured rate down to 3.6 percent from approximately 9 percent when the bill was signed into law 7 years ago.

What this bill does is, again, it just basically decapitates the Medicaid expansion. So about 11 million Americans are going to have their healthcare coverage threatened. And those are not just, you know, people on entitlement programs. We are talking about working Americans.

I know a farmer in my district who almost lost his foot from a chain saw accident, who thanked me the other day that he had Medicaid to cover the costs of his hospital coverage.

Again, the subsidies which allowed people to buy plans on the insurance marketplace, well, they basically, as I said, decapitate Medicaid. And they also convert the subsidies from an income-based system to an age-rated one, which means that, basically, a well-to-do person gets the same tax credit that a poor person or a single parent has.

A conservative economist, Avik Roy, just a few minutes ago, issued a statement, saying:

Expanding subsidies for high earners while cutting health coverage for the working poor sounds like a caricature of mustache-twirling, top-hatted Republican fat cats.

Again, you cannot imagine a more Robin Hood in reverse than a plan that

does what this tax credit change encompasses.

And, again, the list goes on and on in terms of some of the really just outrageous proposals that this new measure contains.

For seniors, again, the Affordable Care Act contracted the age rating from 3 to 1 from what existed before; it was about 6 to 7 to 1. In other words, a senior, an older person, could be charged seven times the same rate as a 20-year-old. Again, the Affordable Care Act reduced that span to 3 to 1.

This bill expands the span again to 5 to 1, which the American ARP has already issued a statement, saying:

It is nothing more than an age tax. It is charging people based on their age, which is nothing that any human being can control.

It also, again, rolls back tax increases, slight tax increases, for high income earners, as Mr. Roy's comment indicates, and worsens the fiscal solvency of the Medicare trust fund, reduces its solvency by 4 years.

Again, the Catholic Health Association has come out today criticizing this proposal. Again, just an incredible array of stakeholder groups all across the country are already speaking out.

The fact that this measure is going forward in committee tomorrow morning, less than, really, 24 hours for the American people to have even a glimpse in terms of what is being proposed without an analysis in terms of a budget score, again, is just an abuse of the legislative and democratic process.

Mr. Speaker, again, we have seen an outpouring of Americans over the last 2 months at townhall meetings—I have had four of them—people telling heartfelt stories about how the ACA helped them. Yes, we can improve the law. There are many ideas that we can work together on. That is what we should be focused on, not butchering the law, which this proposal seeks to do.

THE AMERICAN HEALTH CARE ACT

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

Ms. FOXX. Mr. Speaker, for years Americans across the country have struggled under a government takeover of health care. Because of ObamaCare, insurance markets are collapsing, healthcare costs are soaring, and patients' choices are dwindling. Simply put, the flawed healthcare law is failing. It is hurting hardworking men and

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

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

women across the country, and the American people deserve better.

That is why Republicans promised to deliver the healthcare solutions Americans desperately need. This week, we are making good on that promise and moving forward with an effort that will provide a better way on health care.

After a thoughtful and collaborative process, members of the Energy and Commerce Committee and the Ways and Means Committee recently unveiled a legislative plan that will repeal and replace ObamaCare. The plan, the American Health Care Act, includes a number of positive, common-sense reforms that will help create more choices, lower costs, and give control back to individuals and families.

These reforms will create a new and innovative fund giving States the flexibility they need to design programs that fit the needs of their communities. They will responsibly unwind ObamaCare's Medicaid expansion in a way that protects patients and strengthens the program for future generations.

The plan will also dismantle ObamaCare taxes and mandates—including the individual and employer mandate penalties and taxes on prescription drugs, over-the-counter medications, health insurance premiums, and medical devices. It will expand health savings accounts to empower individuals and families to spend their healthcare dollars the way they want and need. It will provide tax credits to those who don't receive insurance through work or a government program, helping all Americans access high quality, affordable health care.

At the same time, we on the Education and the Workforce Committee are working to advance additional reforms that will help expand coverage, make health care more affordable, and promote a healthy workforce.

One legislative proposal will empower small businesses to band together to negotiate lower healthcare costs on behalf of their employees. Another will protect the ability of employers to self-insure, providing greater access to affordable, flexible healthcare plans for their workers. The third will give employers the legal certainty they need to offer employee wellness plans, helping to promote a healthy workforce and, again, lower healthcare costs.

These three legislative proposals reflect a few shared principles. Families should have the freedom to choose the healthcare plan that meets their needs. Americans need more affordable healthcare options, not fewer. Healthcare decisions should rest with patients and their doctors—not government bureaucrats. Instead of prescriptive mandates, we should ensure employers have the tools they need to help their employees afford health care.

These proposals—along with those in the American Health Care Act—are exactly the kind of free-market, patient-centered reforms Republicans promised, and they reflect the priorities of President Trump and his administration. They are the products of a careful process that took into account the ideas and concerns of men and women from all walks of life, and they will now be considered through an open, transparent process that provides policymakers on both sides of the aisle an opportunity to share their views and offer their ideas.

I encourage everyone—my colleagues in Congress, as well as all Americans—to join in this process. Visit readthebill.gop. See for yourself the plan we have laid out, and help us move forward with these positive solutions. Together we can help ensure all Americans have access to the high quality, affordable healthcare coverage they deserve.

THE AMERICAN HEALTH CARE ACT

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

Mr. DEFAZIO. Mr. Speaker, we just heard a lot about competition and better and improved markets. The basic problem the Republicans have—and they know this very well—is that the health insurance industry is exempt from the antitrust laws of the United States of America, so they can, and they do, get together and collude. They collude to drive up prices. They collude to share markets: hey, if you are pulling out of that State, I will pull out of this State and cut those kind of deals. They can't be prosecuted.

We had a bipartisan vote on the floor of this House when we were originally considering the House version of the Affordable Care Act—infinite superior to the thing passed by the Senate which we got stuck with—and it was over 400 votes to take away their antitrust immunity. Is that in this bill? Heck, no. They are the second largest PAC contributor to the Republican Party, so I am afraid we are not going to take away their antitrust immunity—but we are going to have a really free, competitive, and transparent market. You will be able to go out and get your policies, whatever the insurance companies have decided as they colluded behind closed doors.

Now, the other issue here is, for some reason, Republicans seem to have taken and painted a big target on the back of low- and middle-income seniors in two ways. They are going to repeal some very small taxes on people who earn over one-quarter of a million dollars a year. You know, they really need another 4 percent because they are just hurting. Those people who earn \$1 million, \$2 million a year, they are hurt-

ing. We have got to repeal that tax. So that is one of the highest priorities in this bill: repeal that tax.

Unfortunately, that means that the Medicare trust fund will be exhausted 4 years earlier. That is right. The money those very high-income people are paying goes to Medicare, to the trust fund, which is in trouble right now. It is going to be exhausted in 2028. Under their plan, it is going to be exhausted in 2024. So they have painted a big target on seniors. But don't worry, the seniors can go into the competitive—well, not so competitive—insurance market and buy a plan.

But then another little twist and another arrow in the heart of seniors—seniors now, under their plan, instead of a cap of three times the cost of a policy to other, younger subscribers, it is now they are going to jack it up to five times.

Why do you hate seniors so much? What is the deal here? Yeah, the high-income seniors will do fine. But what about the middle- and low-income seniors, those who are struggling to make ends meet on Social Security and others?

Then for some other bizarre reason, they have got it in for Planned Parenthood. They say it is about abortion. Well, guess what? It is not. Federal law has prohibited Federal money from going to abortions for 40 years. It is not about abortion. It is about something different. It is about breast exams, Pap smears, physical exams, STD testing and treatment, information and counseling about sexual reproductive health, cancer screenings, pregnancy tests, prenatal services, and access to affordable birth control.

Why do they want to kill that for 1 million people, many of whom live in rural areas that are already underserved? They don't have an alternative for those services. But they want to kill that—oh, just for 1 year maybe. Well, actually, they would like to do it permanently, but they are going to say: well, we are just going to do it 1 year and see how it works out, how those million women do.

Then, as my colleagues from Connecticut said, everything around here has to be scored, and it can't add to the deficit—unless it is something they want to do. Now, in this case, this has not been scored. We have no idea what it is going to cost the American taxpayer, this new Rube Goldberg, and they don't have any analysis of how many people are going to lose coverage.

□ 1215

Now, granted, they put off the huge loss of coverage until 2020. They delayed the big changes in Medicaid until 2020. That is when tens of millions of people will lose their health insurance. But there are still going to be a lot of people losing their health insurance a

lot sooner, and it would be useful for people to know about that before they vote on it: how much is it going to cost the taxpayer and how many people are going to lose coverage.

Under the ruse of fixing something that is broken that has given 23 million people an opportunity to have health insurance and brought us the lowest rate of uninsured in recent history in this country, they are cutting taxes for wealthy people. By the way, there is a little gift in there for health insurance companies. They can fully deduct their CEO's \$20 million salary. Today, it is limited to \$500,000. So another tax break for the health insurance industry.

Did they take on Big Pharma? Did they do anything about the unbelievable price gouging that is going on today through the pharmaceutical companies, where someone buys up a generic drug that has been around for 50 years and jacks up the price 1,000 percent?

No, they are not going to do anything about that. We are not going to have more affordable prescription drugs. I don't know if they undid the fix to the doughnut hole that was in the ObamaCare bill.

If they really wanted to do something, they would say: Let's have a national not-for-profit plan offered in a national exchange so that every American can afford health care at a reasonable cost without excess profits to an industry which is exempt from antitrust law, colludes, and pays their execs \$20 million and \$50 million a year.

HONORING REILLY RENKEN

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

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today to honor Reilly Renken, a remarkable young lady making a big difference in central Illinois.

Just after she was born, Reilly was diagnosed with a rare genetic abnormality, along with a form of epilepsy that severely impacts her neurological development. Her parents were told by numerous specialists that she would need support for the rest of her life and that she would likely never read or write. But Reilly proved them wrong. While her genetic makeup is one of a kind, she also has a one-of-a-kind personality.

Despite the obstacles she has overcome, Reilly was determined to be a cheerleader. Now she is an integral part of the cheerleading squad at Glenwood Middle School in Chatham, Illinois.

Cheering on the Titans has become one of Reilly's greatest joys, and her presence on the squad has been a joy for her teammates as well. They will

tell you that they wouldn't be the squad they are without Reilly and her positive attitude. She brings life to their practices and they always count on her to make them smile.

Reilly is a true inspiration. She shows all of us what is possible when we put our minds to something. Thanks to her, students at Glenwood Middle School have learned the importance of celebrating our differences.

Way to go, Reilly.

AFFORDABLE CARE ACT WORKS IN MAINE

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

Ms. PINGREE. Mr. Speaker, the Affordable Care Act has saved thousands of Mainers from losing their lives or going bankrupt simply because they got sick. Quality of care has improved through preventative care, without cost sharing for consumers. Overall costs have been lowered.

Republicans have had 7 years to come up with an alternative healthcare plan that preserves the progress we have made under the Affordable Care Act—one that would not take us back to a time when many without employer-sponsored insurance or a clean bill of health could get coverage.

But after all this time, they have come up with a plan that will cost older Americans up to five times more than younger enrollees; will charge the uninsured 30 percent more to buy coverage; and it will defund, not defend, Planned Parenthood; cut Medicaid significantly; and still has no price tag.

We owe it to Americans to have an open debate on this proposal, and I expect my Republican colleagues not to forget the millions of Americans for whom the Affordable Care Act has been a lifesaver.

In January, I asked my constituents to share their Affordable Care Act stories. Within a few days, more than a thousand stories were submitted. Some shared their ongoing challenges. I agree there are opportunities to strengthen the Affordable Care Act and make it affordable, but the overwhelming number of people shared compelling stories of how the Affordable Care Act has improved their lives.

I am honored to share a few of those powerful stories today, and I hope my Republican colleagues are listening.

Eleanor from Belfast, Maine, said:

"I am a 63-year-old small-business owner who has health insurance for the first time in my adult life since passage of the Affordable Care Act. The same is true for my partner of 17 years. She was diagnosed with breast cancer this year and has recently undergone a mastectomy with follow-up care. After her diagnosis, I went for my first-ever mammogram."

The Republican plan puts these preventive services at risk.

Matthew from Brunswick, Maine, said:

"Five years ago, I left a comfortable job with good benefits to start my own business. Those first years were tough on my family. My wife and I were able to put our children on Maine's Dirigo Health, but we had to do without. . . . Today, through God's grace, hard work, and the support of my wife; my business is prospering. Food assistance is a thing of the past and we're actually contributing more in taxes now than we ever did before. We still have to watch what we spend but we're breathing a lot easier. Each year that I've made more money our subsidy has gone down, and that's just as it should be. That subsidy still matters though. If the ACA were eliminated today and I had to buy health insurance on the open market I'd be paying an extra \$4,800 a year. That's real money."

Under the Republican plan, small-business owners like Matthew may not be able to afford care for their family.

Ret, a 9/11 first responder from Rockland, Maine, said:

" . . . The ACA means that as a self-employed resident of the state of Maine, I can actually acquire coverage with a pre-existing condition. After working search and rescue/recovery at Ground Zero in 2001, I developed a lung condition necessitating costly medication. Before the ACA, I was terrified of losing my job and losing health care because of my pre-existing condition."

Under the Republican plan, those with preexisting conditions, like our 9/11 first responders, may not get affordable coverage.

Elisabeth from Phippsburg, Maine, said:

"In 2014 . . . my husband died from early-onset Alzheimer's. I was 50 when my husband was diagnosed. Eventually I left the workforce to care for him . . . and, of course, lost my employer-provided health insurance at the same time. The ACA has provided me with options ever since then; options that I never had before its passage. In 2014 I had three joints replaced; life changing surgeries that restored my active lifestyle and removed chronic pain from my life. These were only possible because I was able to access health insurance as an individual, at a reasonable cost."

The Republican plan for increasing costs for older Americans threatens people just like Elisabeth.

These stories matter. These lives matter. We must all keep them in mind as we look to change the Affordable Care Act.

OPPOSE BILL REFORMING THE AFFORDABLE CARE ACT

The SPEAKER pro tempore (Mr. RODNEY DAVIS of Illinois). The Chair recognizes the gentleman from California (Mr. BERA) for 5 minutes.

Mr. BERA. Mr. Speaker, today I rise to urge all of my colleagues, Democrats and Republicans, to oppose this bill that repeals the Affordable Care Act, and here is why.

I stand here not as a Member of Congress, but as a doctor. When I took the oath to enter medicine, like thousands of other doctors, there are really three basic ethics in there:

Benevolence: to do good.

Mr. Speaker, this bill does not do anything good. It makes it harder for people to get health care.

The second ethic was non-maleficence: to do no harm.

Mr. Speaker, this bill is going to harm millions of Americans. It is going to pull healthcare coverage away from folks. In fact, I have heard from folks who have come to my townhalls and have talked about how the Affordable Care Act has saved their lives. If you pull health care away from them, people are going to get sicker, and some people may potentially die.

And the third ethic is patient autonomy: the ability of patients to make the choices that impact their lives.

Mr. Speaker, this bill does not empower patients to make their own choices. This bill limits those choices. It takes choice away from them.

This is a bad bill that goes against everything that we in the medical profession swear to when we enter the profession. That is why you see doctors standing up and opposing this bill, hospitals opposing this bill, and health plans opposing this bill. That is why, when patients see what is in this bill, you will see American patients pushing back.

If you thought the townhalls have been boisterous over the last few months, just try to pass this bill and take necessary health care away from folks. You are going to see those patients showing up in your townhalls.

Let's talk about some of the good things that have happened in the Affordable Care Act. The Affordable Care Act expanded and made coverage for birth control much more readily available. That is a good thing. Whether you are anti-choice or pro-choice, like I am, it is a good thing. What we have seen by expanding coverage to birth control is the number of unintended pregnancies are near all-time lows. That is what we ought to be doing.

The Affordable Care Act expanded access to preventive health services. We know if we want to bring down the cost of health care, let's diagnose the cancer early. Let's treat it and let's save that life. Let's better manage disease.

Let's not go back to the old days where the patient showed up with the heart attack and then we went into action. That costs us a lot more. Let's prevent that heart attack. Let's provide better access to care.

Mr. Speaker, let's not make the President have to renege on a promise

that he made. On the campaign trail and after being inaugurated, the President has said that any healthcare legislation was going to expand coverage, it was going to be cheaper, and it was going to be more accessible to patients.

We know this bill that is being introduced does none of that. It cuts coverage. It is going to be more costly for people and fewer people are going to get it.

Mr. Speaker, don't make the President have to renege and go against the promise that he made. The American public is going to hold him accountable for that.

Mr. Speaker, do the right thing. Let's put American patients first. That is what we as doctors do every day, and that is why, again, doctors are against it, hospitals are against it, and health plans are against it.

Mr. Speaker, let's reject this bill. I urge all my colleagues, Democrats and Republicans, to stand against this bill. It is a bad bill.

DESTABILIZING OUR HEALTHCARE SYSTEM

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

Ms. DELBENE. Mr. Speaker, last night, House Republicans released a dangerous and irresponsible bill that threatens to destabilize our Nation's healthcare system and rob millions of Americans of their health insurance plans.

Since coming to Congress, I have worked tirelessly to find commonsense fixes to our Nation's healthcare laws. We should be working together to build upon the reforms we have already made to expand coverage and reduce costs. But what my colleagues on the other side of the aisle have put forward would make working families, seniors, children, and people with disabilities foot the bill for their poorly conceived experiment.

What is worse, they are giving our constituents and their Representatives in Congress less than 48 hours to review it before jamming it through committees.

As a former businesswoman and entrepreneur, I am always stunned to see leaders in Congress put forward a half-baked plan like this—one that threatens massive disruption and chaos, released in the middle of the night without any data or metrics to show how it makes literally anything better. In the private sector, that is the sort of behavior that can get you fired.

For a moment, let's put aside the fact that committees are planning to mark up this legislation tomorrow without any data from the Congressional Budget Office on how many of our constituents can expect to lose health coverage or see their taxes go

up. Let's talk about the one thing we do know: this bill is an enormous tax cut for the wealthiest Americans.

Through this bill, Republicans are trying to give an average tax cut of around \$7 million to the 400 highest-income households—a tax cut they don't need and didn't ask for. They are doing it while ripping health insurance away from millions of hardworking Americans; forcing seniors to pay a staggering \$3,200 more on premiums every year, for less coverage; increasing the cost of prescription drugs for middle class families; eliminating coverage for women's health care, like birth control, breast cancer screenings, and maternity care; and decimating the Medicaid program for 62 million children and families, seniors, pregnant women, and people with disabilities.

This is hardly what I would call a great deal or a better way for the middle class, which is what the American people were repeatedly promised by President Trump and Speaker RYAN.

□ 1230

No, their idea of a healthcare plan is a tax cut for the wealthy at the expense of everyone else. When our healthcare system falls apart, we will all pay the price.

My in-box has been flooded with phone calls, emails, and letters from constituents who are terrified about what the Republicans are trying to do. Like Stacie, from Snoqualmie, who got coverage under the Washington State exchange after spending years struggling to pay for health care. She recently wrote to me and said: "Just last week I was diagnosed with breast cancer. I am terrified—not as much by the cancer, but by the thought that we might not be able to pay for health insurance."

This bill spells disaster for people like Stacie. As her representative in Congress, I will not stand for it. I will fight every day to protect the reforms that have made health insurance accessible and affordable for her. We can't go back to a time when getting sick meant going bankrupt, and that is exactly what this legislation would do.

HOW LONG?

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Florida (Mrs. DEMINGS) for 5 minutes.

Mrs. DEMINGS. Mr. Speaker, my father, James LeRoy Butler, worked as a janitor. He had a fifth grade education, and now his youngest child is a Member of the 115th Congress. My father worked hard, and his word was his bond.

On January 15, 2017, President Trump promised insurance for everyone. He also promised Americans would have much lower deductibles. On January 22, 2017, President Trump's administration promised no one would lose healthcare

coverage. But after only a glimpse of his plan, we now know these promises are not true, like so many other things that the White House has said.

The people who need coverage the most, the people depending on the President the most, the middle class, working families, and the working poor will be left behind under this plan. In my district alone in Florida, over 66,400 people stand to lose healthcare coverage.

To my Republican colleagues, I ask: How long will we endure empty promises and made-up stories coming out of the White House? How long? I call on the words of Dr. Martin Luther King, delivered in 1965, when he marched from Selma to Montgomery, Alabama, and he asked this question: "How long? Not long, because no lie can live forever."

How long? Mexico will pay for the wall. I will release my tax returns. Discriminatory travel bans. Hidden ties with our enemy Russia. How long? Mr. Speaker, I ask my colleagues to please hold President Trump accountable and do what you know in your hearts is right. Demand answers and allow the facts to lead you to justice. How long?

THE AFFORDABLE CARE ACT REPLACEMENT

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

Mr. HOYER. Mr. Speaker, the Republicans released a bill last night. That bill deals with every American's welfare—every American's welfare—every child's welfare in this country. None of them were able to testify before the committee, before the committee marks it up on Wednesday. None of them were able to come to that committee and say how it will affect them or their families or their fellow citizens. None of them were able to testify as to the benefits of the Affordable Care Act for them, their families, their children, and their neighbors. None of them will have been able to read and digest the bill.

Mr. Speaker, last night, after locking it away in a basement for days, and just as reporters were leaving to go home, Republicans released the text of their legislation to repeal the Affordable Care Act. The country has been waiting for 7 years for the Republican replacement, for the Republican alternative, for the Republicans to redeem their promise of a better plan, a better way to ensure the security of having health care that is affordable and available to each American and to their families and their children.

Republicans have been promising, since the enactment of the Affordable Care Act in 2010, that they would repeal it entirely and enact something better. They don't repeal it entirely, and they don't offer something better,

something that covers more Americans and lowers costs to consumers. For 7 years, they have said we have a better plan. Last night, they revealed the inaccuracy of that representation; the bait-and-switch, if you will, of that representation; the pretense to their conservatives who have voted some 65 times to repeal the Affordable Care Act that they were not going to offer a bill that did that, notwithstanding the fact that they said that is what they are going to do.

The legislation they introduced would repeal, of course, some parts of the Affordable Care Act and replace them with policies that will take health coverage away, take health care away from millions of Americans and make millions of others pay more for less.

President Trump, just the other day from that rostrum, promised the American people that the Republican plan would "have insurance for everybody." That was not true. Neither the House Republicans nor the Senate Republicans nor President Trump have offered such a plan, and the plan that was revealed last night does not fulfill that representation.

Mr. Speaker, it should not surprise us, however, that our President says things that prove to be not accurate. He also said from that rostrum that the policies would be far less expensive and far better than they are now. This bill does not do that, and the President has offered no bill that does that.

This plan fails that representation miserably. It increases healthcare costs for middle class families in order to pay for tax breaks for the wealthiest, who don't need them to afford health care. We should not penalize people for becoming wealthy. We applaud their success. But we should not subsidize health care for those of us who can afford our health care while those who cannot are left to fend for themselves. In other words, the Republicans are once again saying you are on your own.

Their bill also raids the Medicare trust fund, threatening its long-term solvency. In fact, the affordable care added to the life expectancy of Medicare. The bill that the Republicans have put forward imposes severe cuts to Medicaid as well. It forces States and healthcare providers to carry the burden of the uninsured while taking away funding for expanded Medicaid.

Their bill requires States to ration care by throwing those with pre-existing conditions into "sick pools," with higher premiums, higher deductibles, and waiting periods for coverage. And what services would be available under Medicaid?

Their plan replaces the individual responsibility requirement which, by the way, Mr. Speaker, as you may well know, was the proposal of The Heritage Foundation. The Heritage Action for

America, which is the political arm of the foundation, opposes the Republican bill. Not for the same reason I do, but because they believe it continues much of what ACA tried to do in protecting Americans in a plan that was initially proposed by The Heritage Foundation and adopted by Governor Romney in Massachusetts.

Unbelievably, Mr. Speaker, Republicans won't even tell the American people how much this legislation will cost and what its impact will be on consumers' wallets and on our insurance markets. How do you do that? You have hearings, you listen to people, you listen to their experiences now, you listen to what their needs are, and you listen to those who have the greatest experience on their view of what the impact of this legislation will be. There have been no such hearings and none are planned.

Republicans know that millions of Americans will lose coverage under their legislation: those covered under Medicaid, the health insurance exchanges, and even those with employer-based insurance. That is why, Mr. Speaker, in my opinion, they are rushing to see this bill put in force before it is illuminated by the light of day and before the American people find out how they will be impacted.

Thankfully, Mr. Speaker, it will be difficult for House Republicans to enact their bill into law, not only because of the extreme opposition to those proposals by the American people, as we have seen in townhall meeting after townhall meeting across this country, but also because the House and Senate Republicans are already rejecting it. It is not certain that House Republicans can even reach a majority in this House on their legislation.

The head of the Republican Study Committee, the largest group of Republicans, has said this bill is not acceptable. The gentleman from North Carolina (Mr. MEADOWS), the head of the Freedom Caucus, has said this bill does not repeal the Affordable Care Act, which is his objective and the objective of the Freedom Caucus. Senator CRUZ has said that as well. Senator PAUL has said that as well. Senator LEE has said that as well.

One thing is clear, however, Mr. Speaker, House Republicans are going to have to find the votes on their own to dismantle the protections incorporated in the Affordable Care Act that the American people now have.

Is the Affordable Care Act perfect? It is not. Should we have spent the last 6 years trying to make it work as well as it possibly can? Yes, we should have. Were we able to do that? No. The only alternative the Republican Party offered to the American people and to this House was to repeal. Not to replace, not to repair, not to fix, not to make sure it was more affordable and

more available to the American people so that we would be a healthier and stronger nation. Their only option was to repeal.

□ 1245

Mr. Speaker, I urge Republican leaders to withdraw this bill. Let us work together to ensure what almost every Member says they want, and that is a healthcare program in America that is affordable by all, available to all, and enjoyed by all. That is what President Trump said at that rostrum just days ago.

This bill that the Republicans are going to mark up on Wednesday does not do what they say or what President Trump said. The American people will oppose it, and we will reflect their opposition in this House. But we are available to our Republican colleagues in good faith to work together to ensure that what the President said—available to all, at a lower price, with everybody having access—we will support that bill, if it exists, and we will work with our Republican colleagues to pass it and give that protection and security to the American people.

Mr. Speaker, I note that there have not been many Republicans to speak this morning. I understand that one Republican spoke about this bill. I am amazed if they think this is a better way. I am amazed if they think this will do a better job than the Affordable Care Act. I am amazed if they think they are going to bring costs down and care up, and that we don't have a lot of Republicans, Mr. Speaker, coming to this floor and claiming victory. They are not here because they can't claim that victory.

Let's reject this bill, Mr. Speaker. Let's work together. We can do better. The American people expect us to do better.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 48 minutes p.m.), the House stood in recess.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Ms. FOXX) at 2 p.m.

PRAYER

Reverend Gary Studniewski, St. Peter's Catholic Church, Washington, D.C., offered the following prayer:

O God, You, who have looked upon this grand American experiment with such favor from its beginning and who

have preserved it by Your providence, graciously hear our prayers for our Nation, that it may be a bastion of liberty, of justice, of true freedom.

Bless this governing assembly with the spirit of Your wisdom, that its Members may decide everything for the well-being and peace of all. May these servants never turn aside from just and noble purposes, as You give them the light to discern these purposes.

Dear Lord, grant each House Member, their families, and their staffs strength, comfort, and always the peace of the kingdom where You reign today and forever.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. SOTO led the Pledge of Allegiance as follows:

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

HONORING MADILYN GAWRYCH-TURNER

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

Mr. BOST. Madam Speaker, I rise today to honor a bright young constituent from my district in southern Illinois on winning a scholarship in the VFW Patriot's Pen essay competition.

Enacted in 1995, the Patriot's Pen program is designed to foster patriotism by allowing students the opportunity to express their opinion on patriotic themes. This year's theme was "The America I Believe In."

Madilyn Gawrych-Turner of Jonesboro Elementary School in Jonesboro, Illinois, was sponsored by the VFW post in Anna, Illinois. I would like to congratulate Madilyn, and I know she will have a very bright future.

Also, Madam Speaker, I would like to take just a second, if I may, to wish my wife a happy anniversary for the 37 years that we have been together.

AFFORDABLE CARE ACT REPEAL

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

Mr. SOTO. Madam Speaker, last night our Republican colleagues finally revealed their secret healthcare bill, and it is clear that TrumpCare doesn't care. Here are the top five reasons why:

Number one, TrumpCare cuts Medicaid. It creates block grants to States that will lead to less care, including forcing seniors out of nursing homes and reducing health care for the poor.

Number two, TrumpCare eliminates healthcare subsidies. In its place, it creates substandard tax cuts that will ensure millions of Americans can no longer afford health insurance.

Number three, TrumpCare favors the rich. It provides a tax giveaway for the rich, while leaving the middle class with less access to care.

Number four, TrumpCare hurts our hospitals. It kicks people off of insurance, guaranteeing hospitals, employer plans, and taxpayers will ultimately foot the bill.

Number five, TrumpCare defunds Planned Parenthood. This will leave millions of women without health care.

In summary, TrumpCare doesn't care, and it won't work.

CONGRATULATIONS TO THE SOUTH CAROLINA WOMEN'S BASKETBALL TEAM

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

Mr. WILSON of South Carolina. Madam Speaker, Sunday afternoon, the University of South Carolina's women's basketball team clenched their third consecutive Southeastern Conference championship.

The Gamecocks beat Mississippi State 59-49 in the SEC's women's basketball tournament title game in Greenville, South Carolina.

Juniors Kaela Davis of Suwanee, Georgia, and A'ja Wilson of Irmo, South Carolina, an extraordinary constituent, led the team with an impressive 38 combined points. This all-star team will likely hold the number one seed in the NCAA tournament that will begin on March 17.

Head coach Dawn Staley joined the University of South Carolina in 2008, building a team based on teamwork and determination. In the eight seasons that Coach Staley has been with the program, the South Carolina Women's Basketball Team has also seen three SEC regular season championships, three Sweet 16 seasons, and the program's first number one national ranking, with an average home attendance of over 14,000 Gamecock fans.

As March marks Women's History Month, it is especially fitting to congratulate Coach Dawn Staley and the historic Gamecock women's basketball team.

Best wishes for continued success in the NCAA playoffs. Go Gamecocks.

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

AFFORDABLE CARE ACT REPEAL AND REPLACE

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

Mr. EVANS. Madam Speaker, last night House Republicans released their plan to repeal the Affordable Care Act. House Republicans and the Trump administration say that they want a healthcare plan that cuts costs and covers more Americans; yet they introduced a plan that takes away from millions of Americans and puts the poorest Americans, our seniors, our people with preexisting conditions, and working class families at greater risk of getting sick.

According to the Philadelphia Department of Public Health, approximately 220,000 Philadelphians would lose their health insurance if the Affordable Care Act is repealed without adequate replacement.

We cannot take this risk. The new plan is an insult to the millions of Americans who have fought hard to try to get ahead. Now is the time to resist.

THE FEDERAL GOVERNMENT'S PEEPING TOMCRATS

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

Mr. POE of Texas. Madam Speaker, the census counts the population every 10 years, but the Census Bureau also sends out a mandatory, intrusive personal and more time-consuming, 28-page document called the American Community Survey.

The survey asks intrusive questions like how many toilets does a person have in their house; what time does a person leave and come home from work; does any person in the house have poor eyesight, difficulty dressing, or mental issues.

If this Orwellian survey is ignored, the government may come after the citizen. First, the telephone calls start: weekly, then daily. Then Uncle Sam sends his peeping tomcrats to lurk around homes, forcing citizens to comply. If a person still refuses to hand over private information to the intrusive eyes of the government, the government may assess fines up to \$5,000.

My bill, H.R. 1305, makes the American Community Survey voluntary and also removes the associated criminal penalties. The ACS is a violation of privacy and a costly abuse of government power.

And that is just the way it is.

THE AMERICAN HEALTH CARE ACT

(Mr. BILIRAKIS asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. BILIRAKIS. Madam Speaker, in recent weeks, I held three townhall meetings and a roundtable discussion about health care in my district. Hundreds of constituents attended, and altogether I spent more than 10 hours listening to our folks.

The best ideas come from the people, Madam Speaker. I know you know that, and I feel it is my duty as a Representative to hear my constituents' input.

The American Health Care Act reflects what I have heard from patients, families, doctors, and many others over the past 8 years. Our bill will lower costs, increase choices, and give patients greater control of their health care. We are helping middle-income Americans gain access to affordable coverage. It also protects those with preexisting conditions and allows young adults to stay on their parents' insurance until age 26.

Most importantly, this legislation is moving through the Congress in an open and transparent manner. I invite the people of Florida's 12th Congressional District and everyone to read and share the American Health Care Act at readthebill.gop.

FORSYTH ACADEMY

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

Ms. FOXX. Mr. Speaker, March is National Reading Month, and students across the country often kick off this observance by celebrating the birthday of treasured children's author Dr. Seuss. Last week I visited Forsyth Academy in Winston-Salem, North Carolina, where I read "There's a Wocket in My Pocket!" to first grade students.

Forsyth Academy is a charter school serving students from kindergarten through eighth grade. The school was founded on the principles of academic excellence, moral focus, parental partnership, and student responsibility. Its leadership believes in setting high standards, making expectations clear, providing meaningful instruction, and watching children surpass expectations as a result.

It is always a pleasure to visit local schools and witness the great things happening in classrooms across the Fifth District. Every student in every school deserves an excellent education, but, unfortunately, we are falling far short of that goal. Thankfully, innovative charter schools like Forsyth Academy are providing thousands of families new hope and opportunity.

School choice is a powerful tool to help children succeed, and I am encouraged by the momentum that is building. I look forward to the work ahead and exploring additional opportunities

to provide parents more choices for their children's education.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 7, 2017.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on March 7, 2017, at 9:29 a.m.:

That the Senate agreed to without amendment H.J. Res. 37.

Appointment:
Members of the Commission on Security and Cooperation in Europe.

With best wishes, I am
Sincerely,

KAREN L. HAAS.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 5 p.m. today.

Accordingly (at 2 o'clock and 13 minutes p.m.), the House stood in recess.

□ 1700

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. ROGERS of Kentucky) at 5 p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken later.

FALEOMAVAEGA ENI FA'AUA'A HUNKIN VA CLINIC

Mrs. RADEWAGEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1362) to name the Department of Veterans Affairs community-based outpatient clinic in Pago Pago, American Samoa, the Faleomavaega Eni Fa'aua'a Hunkin VA Clinic.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1362

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. NAME OF DEPARTMENT OF VETERANS AFFAIRS COMMUNITY-BASED OUTPATIENT CLINIC, PAGO PAGO, AMERICAN SAMOA.

The Department of Veterans Affairs community-based outpatient clinic in Pago Pago, American Samoa, shall after the date of the enactment of this Act be known and designated as the "Faleomavaega Eni Fa'aua'a Hunkin VA Clinic". Any reference to such community-based outpatient clinic in any law, regulation, map, document, record, or other paper of the United States shall be considered to be a reference to the Faleomavaega Eni Fa'aua'a Hunkin VA Clinic.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from American Samoa (Mrs. RADEWAGEN) and the gentleman from Minnesota (Mr. WALZ) each will control 20 minutes.

The Chair recognizes the gentlewoman from American Samoa.

GENERAL LEAVE

Mrs. RADEWAGEN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and add extraneous materials.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from American Samoa?

There was no objection.

Mrs. RADEWAGEN. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I rise today in support of H.R. 1362, a bill to name the Department of Veterans Affairs community-based outpatient clinic in Pago Pago, American Samoa, the Faleomavaega Eni Fa'aua'a Hunkin VA Clinic.

I have sponsored this bill in order to honor my predecessor and a true public servant, the Honorable Faleomavaega Eni Fa'aua'a Hunkin.

Born on August 15, 1943, in Vailoatai Village, American Samoa, Mr. Faleomavaega graduated from Brigham Young University in 1966 and subsequently joined the United States Army and served in Vietnam.

However, his career in the Army was just the beginning of his public service. Mr. Faleomavaega served as a staff member to A.U. Fuimaono, American Samoa's first Delegate at-large to Washington, D.C., from 1973 to 1975.

Having earned his law degree from the University of Houston, he next served as staff counsel to the Committee on the Interior and Insular Affairs.

In 1981, Mr. Faleomavaega returned to American Samoa to serve as our deputy attorney general until 1984, then as our lieutenant governor until 1989. During this period, Mr. Faleomavaega reentered military service in the U.S. Army Reserve from 1982 to 1989.

In 1989, Mr. Faleomavaega began his tenure as the congressional Delegate from American Samoa. He went on to win 13 consecutive terms, making him the longest serving Delegate to date from American Samoa.

While in Congress, he diligently served the interests of his constituents as a member of both the House Committee on Foreign Relations and the Committee on Natural Resources.

Sadly, my friend Eni Faleomavaega passed away on February 22. He is survived by his wife, 5 children, and 10 grandchildren.

I would now like to say a few personal words about the man whom I came to call a true friend.

Given that I challenged him for his seat from 1994 until 2014, when I won my first term, Eni and I had a long and complicated relationship. Though we were often at odds politically, we always treated one another with the utmost respect and grace, allowing us to form a shared bond that I am very thankful for and will never forget.

Ours was a true friendship that demonstrated that, despite whatever political differences we may have, we can all come together for the good of those we serve. While we may have had disagreements on national issues, we were very much in sync when it came to Federal policy and funding for American Samoa.

As a veteran whose long-term health suffered due to his service in Vietnam, Eni dedicated his life to improving conditions for veterans in American Samoa and took great pride in securing funds to build the local VA clinic which has served our veterans well.

Therefore, I can think of no better way to memorialize his dedication to the people of American Samoa and his service to our country in uniform than having the local VA clinic in Pago Pago, which he worked so hard for, named in his honor.

I want to encourage my colleagues in the House and Senate to salute my predecessor by supporting this measure so that we may honor this good man for his lifelong service and dedication to the people of American Samoa and to veterans everywhere.

This legislation satisfies all of the committee's naming criteria and is supported by the Veterans of Foreign Wars Post Number 3391.

Once again, I urge all of my colleagues to join me in supporting this bill.

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

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

I rise today in strong support of H.R. 1362. This tribute to our fellow colleague, a fellow veteran, our friend Eni, who passed last month, is truly well deserved.

I would also like to thank the gentlewoman from American Samoa for bringing this bill to the floor. And just as importantly, in her time here, she has proven to be the staunchest advocate of this Nation's veterans, a true friend to veterans, and a colleague who carries on Eni's commitment to this unwaveringly.

Eni devoted his public life to service, it was clear, ensuring that the unique needs and interests of the people of American Samoa were met in every bill that came through this body. For any of us who worked alongside him during those 13 terms, his unfailing commitment to his people and his ever-present smile will never be forgotten.

In addition to his work here and the things you heard the gentlewoman say, Eni served in the United States Army from 1966 to 1969 and as an officer in the United States Army Reserve from 1982 to 1989. He served honorably in the Vietnam war and left the military with the rank of captain.

He and his wife were also active members of their church, The Church of Jesus Christ of Latter-day Saints.

As a Vietnam veteran and Army Reserve captain, congressional aide, lieutenant governor, and Member of Congress, there simply could be no better example of what it means to be a representative of his people and a citizen of this great Nation.

I fully support the naming of this outpatient clinic at Pago Pago in his honor and urge my colleagues to do the same.

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

Mrs. RADEWAGEN. Mr. Speaker, I continue to reserve the balance of my time until all Members have had an opportunity to speak on each side.

Mr. WALZ. Mr. Speaker, I yield 5 minutes to the gentleman from the Northern Mariana Islands (Mr. SABLAN), another true champion of our veterans and a member of the Veterans' Affairs Committee.

Mr. SABLAN. Mr. Speaker, I rise today in support of H.R. 1362, a bill that honors the late former Delegate from American Samoa, Eni Faleomavaega, by naming the veterans community-based outpatient clinic in Pago Pago, American Samoa, the Faleomavaega Eni Fa'aua'a Hunkin VA Clinic.

A Vietnam veteran himself, Eni worked tirelessly to secure this clinic for veterans in American Samoa. His efforts to ensure all veterans in his district enrolled in VA health care, to secure rent-free space for the clinic through an agreement with the United States Army Reserve, and his testimony to the VA's CARES Commission resulted in a recommendation that a clinic be established and eventually led to the approval of the clinic by the Veterans Administration.

Eni was relentless in his pursuit of this goal so his fellow veterans in American Samoa would no longer have to travel more than 2,000 miles to Honolulu to seek care at a VA facility. It is fitting that it now be named after him.

Eni was someone I looked to as a leader. He was the dean of the Territories Caucus when I first came to Congress in 2009. He had served here for

some 20 years by that point; but his experience was even more longstanding, having worked on the staff of Representative Philip Burton, a champion of the territories and all of the people in America who are often overlooked and forgotten.

There were two things in particular I saw in Eni. First, he had absolutely no hesitation in representing the people of American Samoa and providing glimpses of the culture with the rest of us. He relished the opportunity to wear his lavalava, one of the traditional pieces of clothing. He took pride in his traditional tattooing. He never hesitated to sing the songs of his people 8,000 miles away.

Though a Delegate in this House, Eni Faleomavaega never presented himself as anything less than a Member of Congress. In doing so, he never diminished the standing of his constituents and their right, like all Americans, to have their voice heard here in the people's House.

The second lesson I learned from our departed friend was that the responsibilities of a Member of Congress go beyond the parochial concerns of our district. Of course, we are here to be sure that the people and place we represent are treated fairly and that our special circumstances are taken well into account in the formulation of Federal law and policy; but beyond that local responsibility, we all have a larger responsibility to act and speak on behalf of our Nation as a whole.

Eni certainly demonstrated that larger role we must all accept by his advocacy for Native Americans and by taking leadership in the foreign affairs of our Nation, especially in Asia and the island nations of the South Pacific. A good Member of Congress takes care of their own people, just as Eni did. A great Member of Congress understands that their people can only thrive when the Nation as a whole is a place of justice and peace.

Those are the lessons I learned from knowing Eni Faleomavaega, and for what he taught me, I will forever be grateful.

Mrs. RADEWAGEN. Mr. Speaker, I continue to reserve the balance of my time.

Mr. WALZ. Mr. Speaker, I urge my colleagues to join us in passing this important piece of legislation. When those veterans in American Samoa see Eni's name, it will strike them about what he has done and the work that he did here in Congress.

I would also like to give a heartfelt thanks again to the gentlewoman for bringing this bill forward and for honoring her friend the way she has.

I encourage Members to support this bill.

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

Mrs. RADEWAGEN. Mr. Speaker, I have no other speakers at this time.

Once again, I urge all of my colleagues to join me in supporting this bill.

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

Ms. BORDALLO. Mr. Speaker, I rise in strong support of H.R. 1362 a bill to name the Department of Veterans Affairs community-based outpatient clinic in Pago Pago, American Samoa the Faleomavaega Eni Fa'aua'a Hunkin VA Clinic. This is a fitting way to honor the life and service of my good friend and colleague former Congressman Eni Faleomavaega of American Samoa. During his 26 years of service in the House of Representatives, Congressman Faleomavaega displayed unwavering commitment to addressing a wide range of issues affecting veterans in the Pacific. His focus on access to health care and veteran services in remote areas of the Pacific ensured that veterans had access to the critical resources and services they needed and deserved after serving their country. His efforts directly contributed to increasing the quality of life of veterans throughout the Pacific region. Naming the VA facility in Pago Pago in his honor is a tribute to his service and commitment to the veterans in the Pacific region.

Congressman Faleomavaega's compassion for veterans can be attributed to his own service as an Army officer during the Vietnam conflict. Serving in this capacity gave him firsthand knowledge of the sacrifices servicemen make to protect our way of life.

I deeply miss Eni's advice, friendship and compassion for veterans. His passing has created a void for all that have known him. On behalf of the people of Guam, I extend my condolences to his family and the people of American Samoa. Our lives are richer for knowing Eni. I also extend my appreciation to Congresswoman RADEWAGEN in putting forward this legislation. It is a very appropriate way to memorialize an important part of Eni's work on behalf of the people of American Samoa.

Un dangkulo na si Yu'os ma'ase (with deepest gratitude), Eni. You are deeply missed.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from American Samoa (Mrs. RADEWAGEN) that the House suspend the rules and pass the bill, H.R. 1362.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

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

The yeas and nays were ordered.

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

FRED D. THOMPSON FEDERAL BUILDING AND UNITED STATES COURTHOUSE

Mr. BARLETTA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 375) to designate the Federal building and United States courthouse located at 719 Church Street in Nash-

ville, Tennessee, as the "Fred D. Thompson Federal Building and United States Courthouse".

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 375

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION.

The Federal building and United States courthouse located at 719 Church Street in Nashville, Tennessee, shall be known and designated as the "Fred D. Thompson Federal Building and United States Courthouse".

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building and United States courthouse referred to in section 1 shall be deemed to be a reference to the "Fred D. Thompson Federal Building and United States Courthouse".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. BARLETTA) and the gentleman from Georgia (Mr. JOHNSON) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

□ 1715

GENERAL LEAVE

Mr. BARLETTA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 375.

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

There was no objection.

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

Mr. Speaker, H.R. 375 would designate the Federal building and United States courthouse located in Nashville, Tennessee, as the Fred D. Thompson Federal Building and United States Courthouse.

I would like to thank the gentlewoman from Tennessee (Mrs. BLACKBURN) for her leadership on this legislation.

Senator Thompson was respected for his work as a lawyer, an actor, and as a United States Senator. This legislation is a fitting tribute that I am honored to bring to the floor today.

Fred Thompson first made a name for himself as an assistant U.S. attorney from 1969 to 1972. That experience brought him to the national stage in his subsequent position as special counsel on a number of Senate committees, most notably as minority counsel with the Senate Select Committee on Presidential Campaign Activities, better known as the Watergate Committee.

It was then-Counsel Thompson who helped frame Senator Howard Baker's now famous question, "What did the President know, and when did he know it?" in regards to the Watergate controversy. Thompson himself asked an

even more important question related to the existence of taped conversations in the Oval Office—tapes that led to President Nixon's eventual resignation.

After returning to the private practice of law in Nashville, Thompson represented the chairperson of the State Parole Board who unearthed a cash-for-clemency scheme involving the then-Governor of Tennessee. This case was eventually made into a book and into the film "Marie." Fred Thompson was cast to play himself, which launched his acting career. Throughout the 1990s, Fred Thompson appeared in supporting roles in some of the decade's biggest movies, including "Days of Thunder," "The Hunt for Red October," and "Die Hard 2."

In 1994, Fred Thompson ran for political office for the first time and was elected to fill the remaining 2 years of Vice President Al Gore's Senate term. He was re-elected in 1996 to a full 6-year term and served as chairman of the Senate Committee on Governmental Affairs until his retirement in 2002.

That didn't slow Senator Thompson down. He returned to acting and won the role of New York District Attorney Arthur Branch on the hit NBC show "Law & Order" between 2002 and 2007. It was in 2007 that Senator Thompson returned to politics by announcing his candidacy for the United States Presidency. Although his return to the political realm was unsuccessful, Senator Thompson's popularity did not wane. He returned to acting on screen and on TV, wrote a memoir, and appeared often to comment on politics. Tragically, in 2015, Senator Thompson died from a recurrence of lymphoma.

Senator Thompson was a man of many talents. Through it all, he never lost his roots as a Tennessean. Given Senator Thompson's dedication to the law and public service, I believe it is more than fitting to name this courthouse and Federal building in Nashville after him.

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

Mr. JOHNSON of Georgia. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of this legislation, H.R. 375, which names the Federal building and U.S. courthouse in Nashville, Tennessee, after the late Senator Fred Thompson.

Senator Thompson had a long and extraordinary career in many roles that included actor, lobbyist, private attorney, and radio show host. But he is best known and respected not for his hawking of reverse mortgages but for being an assistant U.S. attorney, a congressional staffer, and, lastly, a U.S. Senator representing the State of Tennessee. Senator Thompson was a graduate of Memphis State University and Vanderbilt Law School. Senator Thompson got his start in public life in

1967, when he served as an assistant U.S. attorney in Nashville, Tennessee.

During his time in that office, he met U.S. Senator Howard Baker from Tennessee who became a lifelong mentor to Senator Thompson. After managing Senator Baker's successful U.S. Senate campaign in 1972, Senator Thompson moved to Washington, D.C., where he was appointed counsel to the U.S. Senate Committee investigating the Watergate break-in and famously helped shape the direction and tone of those hearings.

I think that he will be known as one who helped Senator Baker in formulating that age-old, timeless question: "What did President Nixon know, and when did he know it?" It is ironic that today, Mr. Speaker, people are asking about our current President, President Trump: What did he know, and when did he know it?

I will tell you, President Trump stood right there at the rostrum of the House last week and said that the Republican health insurance plan would have insurance for everybody, the insurance would be far less expensive and far better than what we have today. But we see now that that was incorrect, as the Republicans have, on a Monday, I guess at some point before the day ended, introduced their repeal bill of the Affordable Care Act.

We are here talking about Senator Thompson today, but I just can't help asking: When did President Trump know that the Republican plan was going to throw 20 million people off of the Affordable Care Act depriving them of insurance? When did he know that? What did he know about this plan? Because not a whole lot of people around here knew of the plan until it was released because it was shrouded in secrecy, and it was released and a hearing scheduled to mark it up, to mark up the legislation with no hearings taking place on the underlying legislation.

So no CBO score, no congressional hearings about it, introducing it in a cloud shrouded in secrecy, and, boom, it is dropped on the American people at a time when you are trying to distract attention from other questions about what President Trump knew about Russia, Russian hacking, and those kinds of questions. What did he know about the GSA hotel that the taxpayers own that he is leasing and now he is the lessor and the lessee of that hotel that belongs to the American people? What did he know and when did he know it? Those are questions that the American people have. We intend to get down to the bottom of it on this side. I hope that we will have some help on the other side.

I do want to say that I support this legislation.

Mr. Speaker, I think the American people would be horrified to learn that of the 30 million people who were able

to attain health insurance coverage and access to the healthcare system as a result of passage of the Affordable Care Act, many of those, a substantial number of those, will be thrown off of the rolls and deprived of the ability to have access to the healthcare system because of this new replacement bill that has been filed, which, as I said before, has not been scored.

We don't know how much the Medicare solvency issue is going to cost. We don't know how much it is going to cost. We don't know how much it is going to cost the taxpayers. We don't know how many people will lose their jobs because, after all, it stands to reason if you are serving 30 million more people, that means you have brought a whole lot of people into the healthcare delivery business, people who are working, people who have jobs, people who have husbands, wives, parents, and children who are depending on them for support, and you are going to tell them that their jobs are at risk.

Yes, they are, with this new law that has been half-baked introduced and fast-tracked to become law without people really knowing about it. This is something that people need to know about, people need to get out and proclaim their opposition to because it is going to hurt a lot of people.

The way that this bill changes the Affordable Care Act is it makes it unaffordable for most Americans to be able to afford the insurance that they have gained as a result of passage of the Affordable Care Act. The premium subsidies are recalculated. Instead of based on a sliding scale which is an indication of need, this Republican plan is going to replace that and calculate the amount of the premium subsidy based on age.

Now, what does that do, especially when you consider that some elderly people are more well-heeled than others? They can afford insurance, and they can afford to front the policy cost in return for the tax subsidy that they get. But what does that do to the younger people? So it is good news for some older people who are well-heeled. They will be helped by this Republican plan. But the average wage earner is going to be hurt—the younger people—because it is going to be more expensive for them.

But then I have some bad news for the elderly people, also. Insurance companies under this new plan will be able to charge the elderly five times more than they will charge a younger person. That differential had been abolished in the Affordable Care Act, but the Republicans are bringing it back. Who is going to pay? It is going to be those same elderly people. You put it in one hand, and you take it out of the other. All of the elderly people in America, regardless of how much money you earn, should be concerned about that.

Prioritizing health savings accounts over these premium subsidies is going to provide a great big tax cut to the wealthy. You can't get away from that. It is going to hurt the working people of this country. It is going to be a tax giveaway to the wealthy. I am sad to hear and to see this plan, and all of you should be, also.

Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentleman has 11 minutes remaining.

Mr. JOHNSON of Georgia. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. ESPAILLAT).

Mr. ESPAILLAT. Mr. Speaker, I stand today in strong opposition to the Republican proposal to repeal the Affordable Care Act.

This is a rushed bill, Mr. Speaker, that was written behind closed doors in total secrecy with no daylight and with no access to the important content of this bill that all of us should have ample time to be able to digest the details of it and be able to make a good decision that is consistent with the will of our constituents. This is a rushed bill that was written behind closed doors, again, in total secrecy.

Mr. Speaker, procedurally, we have not seen a CBO score of this bill. There have been no hearings on this bill. There has been no expert testimony on the impact of this bill, and the effect to healthcare costs for families or the quality of coverage all of those families will receive is completely unknown.

Substantively, this bill is an absolute nightmare. It guts Federal requirements for essential health benefits like maternity care. It shatters working Americans' access to insurance covering abortions. It creates age-based subsidies, repeals all the ACA taxes, and completely destroys the Medicaid expansion program which so much helped many of our States.

□ 1730

In our country, at least 11 million people will lose their healthcare insurance coverage as a result of this reckless dismantlement of Medicaid. In my district alone, over 156,000 individuals are going to lose their coverage with the repeal of the Medicaid expansion. Over 156,000 people, Mr. Speaker, will lose their coverage.

This bill kicks the elderly, the poor, and the sick to the curb and benefits only the young, healthy, and incredibly wealthy.

I urge my colleagues to stand with me in opposition. This bill is a serious heart attack to the American people. It is a blatantly partisan action to dismantle President Obama's successful signature project: ObamaCare. Again, the 1 percent get their way.

Mr. Speaker, as we move forward, decades to come, we will be able to go back and think of health care within

the context of three major programs: Medicaid, Medicare, and ObamaCare.

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

Mr. JOHNSON of Georgia. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. BRENDAN F. BOYLE), my friend.

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, with exactly zero hearings on the topic, our Republican friends have now revealed their TrumpCare plan.

Just to remind everyone what President Trump said during the campaign and promised, he said that his Republican plan would "have insurance for everybody," and that it would be "far less expensive and far better" than what we have today.

Well, now we actually have the plan out. What does it do?

It kicks 20 million Americans off their health insurance. It sharply increases out-of-pocket costs for millions of American families. It rations care for millions of Americans on Medicaid. It includes massive cuts to Medicaid. It would make maternity care much more expensive.

But don't worry, there is good news. If you are a CEO of a healthcare company and you make, on average, as they do, somewhere between \$13 million and \$14 million, the tax increases that were leveled on you 6 years ago will now be repealed. So, congratulations. Those folks benefit, but 20 million Americans lose their health insurance.

Please join me in saying "no" to TrumpCare.

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

Mr. JOHNSON of Georgia. Mr. Speaker, I yield myself such time as I may consume.

I just can't get out of my mind, Mr. Speaker, those words of President Trump that everybody would have insurance and that it would be far less expensive and far better than what we have today.

The Republicans have campaigned incessantly for the last 7 years on repeal and replace of the Affordable Care Act, which they derisively referred to as ObamaCare. We are going to repeal it and we are going to replace it on day one is what they all said.

And here we are at day 45, something like that, and we have had nothing but one scandal after another; but we have finally now gotten to the House Republicans revealing what they have shrouded in secrecy for so long over the last 7 years. It sputters out without much ado, trying to sneak it in, trying to keep it undercover so that the American people won't realize what is being done to them.

I can tell you that what is being done under those covers is not worthy of my

comment descriptively at this time, but I will say that it is an illicit, illegitimate situation that is taking place because you are taking from a group of people who are in need and you are giving more to individuals who have and who don't need.

In this country we are all in the same boat together. That is what the Affordable Care Act did. It was an aspiration for health care for everyone. It wasn't perfect. It is not a perfect bill. It needs some repairs done, if you will, some enhancements. We have never had the cooperation from the other side of the aisle to do anything to enhance that foundation that was already laid.

Nobody can argue with the fact that 30 million people who did not have health care access and now having it is a bad thing. Nobody can argue that. They could argue that: Well, the way that it was done was bad. They say that we rushed it through without any input from them, but there were literally dozens of public hearings and markups. The bill, all 1,000 pages, was available for everyone to be able to read.

They talk about reading the bill. Well, there are so many bills coming through right now that they don't want people to take the time to read them. That is why they introduce them late in the day and then they schedule markups for them without even putting them in front of the committee for a hearing. No airing out of the bill and what it does.

Why are they holding this and hiding it from the American people?

It is because they are trying to get away with something that is going to be bad for the people. That is why.

They knew that their changes, their repeal and replacement bill, if properly vetted, if the American people had an opportunity to learn what is in it, they knew it would not be popular. That is why they hid it from the public. That is why they are not having any hearings on it. They just want to proceed straight to a markup; pass it out of the committee; put it on the floor of the House; pass it out of the House with little debate; send it over to the Senate for a rubber stamp, they hope; and then on to President Trump, who, as I said, when did he know that this bill that he was going to be presented with perhaps did not provide coverage for everybody and was not far better in coverage than the Affordable Care Act? When was it that he learned that?

The American people want to know a whole lot. There is a whole lot to investigate about President Trump and his campaign. There is a whole lot to investigate about this repeal and replacement of the Affordable Care Act with an inferior product, one that is slanted to the rich and hurts the working people of this country.

Then it guts the Medicaid program, which millions and millions of people

depend on to keep grandma and granddaddy and momma and daddy at the nursing home. Medicaid helps to make nursing home care affordable.

But under this healthcare repeal legislation that the Republicans have filed, they are going to cut Medicaid. They are going to use the expansion of the Medicaid program which enabled 10 million people to gain coverage that they could not afford, and they are going to cut that. At the same time, they are going to cut the other part of the Medicaid program which provides for people to be able to have their loved ones properly cared for at the nursing home, instead of down in the basement or upstairs in the spare bedroom.

So, get ready, ladies and gentlemen, for that inevitability if this legislation passes. Get ready for your loved ones to have no place to go, no nursing home facility to take care of them, because they will not be able to afford it and you will not be able to afford it.

Who will suffer most?

Momma and daddy and granddaddy and grandma. They are the ones that get the care that is so needed for the elderly.

So in this bill, where they are going to cut 20 million people off the healthcare rolls, they are going to cut momma and daddy from the nursing home by cutting the Medicaid program and turning it into a block grant program and turning it over to the States.

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

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

Mrs. BLACKBURN. Mr. Speaker, Fred Thompson was a neighbor and trusted friend. He was embraced by the people of Tennessee because of his dedication to first principles and strong conservative values.

To most Americans, he was an actor, usually taking roles that exuded confidence and integrity.

To those of us that knew him personally, he was a devoted public servant that spent a large part of his life service to the people of the United States.

He began his public career as an assistant U.S. attorney in Tennessee before working with Senator Howard Baker, a man who was a role model for generations of Tennesseans looking to serve the American people.

He would go on to spend 8 years in the U.S. Senate himself, famously touring the state of Tennessee in his red pickup truck.

After conducting a life well-lived, naming this federal courthouse to honor him is a great way to show our respect for his commitment to the people of Tennessee.

I am glad, this bill to give him that honor, is on the floor today, and I hope all my colleagues will join me in passing it.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. BARLETTA) that the House suspend the rules and pass the bill, H.R. 375.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

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

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

The point of no quorum is considered withdrawn.

FAIRNESS FOR BREASTFEEDING MOTHERS ACT OF 2017

Mr. BARLETTA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1174) to provide a lactation room in public buildings, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1174

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Fairness For Breastfeeding Mothers Act of 2017”.

SEC. 2. LACTATION ROOM IN PUBLIC BUILDINGS.

(a) LACTATION ROOM IN PUBLIC BUILDINGS.—Chapter 33 of title 40, United States Code, is amended by adding at the end the following new section:

“§ 3318. Lactation room in public buildings

“(a) DEFINITIONS.—In this section:

“(1) APPROPRIATE AUTHORITY.—The term ‘appropriate authority’ means the head of a Federal agency, the Architect of the Capitol, or other official authority responsible for the operation of a public building.

“(2) COVERED PUBLIC BUILDING.—The term ‘covered public building’ means a public building (as defined in section 3301) that is open to the public and contains a public restroom, and includes a building listed in section 6301 or 5101.

“(3) LACTATION ROOM.—The term ‘lactation room’ means a hygienic place, other than a bathroom, that—

“(A) is shielded from view;

“(B) is free from intrusion; and

“(C) contains a chair, a working surface, and, if the public building is otherwise supplied with electricity, an electrical outlet.

“(b) LACTATION ROOM REQUIRED.—Except as provided in subsection (c), the appropriate authority of a covered public building shall ensure that the building contains a lactation room that is made available for use by members of the public to express breast milk.

“(c) EXCEPTIONS.—A covered public building may be excluded from the requirement in subsection (b) at the discretion of the appropriate authority if—

“(1) the public building—

“(A) does not contain a lactation room for employees who work in the building; and

“(B) does not have a room that could be repurposed as a lactation room or a space that could be made private using portable materials, at a reasonable cost; or

“(2) new construction would be required to create a lactation room in the public building and the cost of such construction is unfeasible.

“(d) NO UNAUTHORIZED ENTRY.—Nothing in this section shall be construed to authorize an individual to enter a public building or portion thereof that the individual is not otherwise authorized to enter.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 33 of title 40, United States Code, is amended by inserting after the item related to section 3316 the following new item:

“3318. Lactation room in public buildings.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect one year after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. BARLETTA) and the gentleman from Georgia (Mr. JOHNSON) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. BARLETTA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 1174, as amended.

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

There was no objection.

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

Mr. Speaker, I appreciate my colleagues for their work on bringing this bill to the floor today.

H.R. 1174 is a straightforward bill that would make nursing rooms available to new mothers in public buildings. The bill would apply to buildings already open to the public and which already have nursing rooms for employees. The requirements would not apply if existing space cannot feasibly be repurposed.

This is a good bill that will make the lives of nursing mothers easier and will improve the accessibility of public buildings.

Mr. Speaker, I urge support for this legislation, and I reserve the balance of my time.

Mr. JOHNSON of Georgia. Mr. Speaker, I rise in support of H.R. 1174, the Fairness for Breastfeeding Mothers Act of 2017, introduced by my good friend, ELEANOR HOLMES NORTON. I am pleased to be an original cosponsor of this legislation.

Mr. Speaker, I yield such time as she may consume to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Speaker, I thank my good friend from Georgia for yielding. I certainly thank him for being a cosponsor of my bill.

I should start, however, by thanking Chairman SHUSTER, and Ranking Member DEFAZIO, who have moved this bill so quickly.

The bill is called the Fairness for Breastfeeding Mothers Act of 2017. This is a real motherhood bill. Mr. DEFAZIO, Mr. JOHNSON, and BARBARA COMSTOCK have all joined me as cosponsors.

H.R. 1174 requires locations that are either federally owned or leased to provide designated private and hygienic

lactation space for nursing mothers. As I will indicate, no new space in buildings or expenditures is contemplated.

Last Congress, I offered this bill as an amendment to the Public Buildings Reform and Savings Act of 2016, and I was pleased to have it pass the House.

Space for lactating women is already required for Federal employees. We are really not talking about a new kind of benefit. Certainly, there is no new money. The reason that this is not new is because Federal employees already have lactating space under the Affordable Care Act.

So I have to ask my good friends on the other side: As you try to repeal the Affordable Care Act, do you propose to erase this motherhood provision as well? Will you preserve it?

□ 1745

My bill extends the lactating space requirement to include not just employees, but visitors and guests of Federal facilities across the Nation. H.R. 1174 also does not require additional Federal funds or space to be mandated at all. Since Federal employees already have this space, I look forward to visitors to Federal buildings also making use of this space. In our country, new mothers often come to visit Federal buildings, not only those who work in Federal buildings.

The reason this is such an important bill is that the benefits of breast milk are so well documented: antibodies and hormones that boost babies' immune systems, lower risks of asthma, diabetes, respiratory infections, and other diseases among breastfed babies.

There are benefits also for nursing mothers. Research has shown that there are lower risks of diabetes and even cancer as a result of breastfeeding. Speaking of motherhood, the Republican healthcare plan would even make maternity care significantly more expensive.

Now, this, of course, is a bill that is very easy to support, but when we think of its links to other important legislation, I ask that there be sincere consideration given to whether or not at this moment in time my good friends across the aisle want their legacy to be: We actually repealed your health care.

I don't think they are going to be able to do it.

My Republican friends have no experience with structural reform. If you look at all the structural reform in our country, beginning with the New Deal, none of it was done by Republicans. Whether you are talking about the administrative agencies that are so important to all that we do in this country, Medicare, Medicaid, the Elementary and Secondary Education Act, whatever you have in mind, these are structural reforms that Republicans have, if anything, opposed, as they opposed Social Security, for example.

So here what they are trying to do is to unravel, take away health care, and then put something in its place. They have no experience doing anything like it. Anybody who has looked closely at it has to doubt, as I do, that they can do it.

Look what they will be doing. In my own district, the District of Columbia, we have cut in half the rate of uninsured.

Are Republicans going to give me a guarantee that that cut will remain if they replace the bill with the markup that is going on as we speak?

Ninety-six percent of District of Columbia residents have health coverage today. That is comparable to other advanced countries in the world. As we know, most countries in the world already afford this kind of coverage. That makes the District, according to whoever is doing the counting, number one, number two, or number three in the Nation in health care provided to our residents. I am very proud of that. I am going to fight like mad to keep it.

Mr. Speaker, many of us had healthcare townhalls over the recess. We saw what happened at the townhalls on affordable care that my good friends on the other side also had. They met a revolution from their own constituents. We didn't have that problem in our townhalls. Some of the stories that residents brought forward are truly heartbreaking, so I want to leave you with one.

A woman who came to testify at my healthcare townhall, her name is Markita. Markita's grandmother was a D.C. Public Schools cafeteria worker for most of her career. She retired early. She retired before she had Social Security or Medicare. She was suffering from diabetes and a stroke, but she was so prideful that she never let anyone know that she had to slice her pills in half just to get by. Now she is under the protection of the Affordable Care Act. Markita's grandmother is healthier and can afford her medication. She is no longer splitting her pills in half.

Mr. BARLETTA. Mr. Speaker, I yield 4 minutes to the gentlewoman from Virginia (Mrs. COMSTOCK).

Mrs. COMSTOCK. Mr. Speaker, I rise to support H.R. 1174, the Fairness for Breastfeeding Mothers Act. I thank my colleague for introducing it. It was unanimously supported—thank you, Mr. Chairman—in committee and in full committee. As expected, it is going through because people understand this is a commonsense bill, so I am happy to support this once again.

I know you were discussing H.R. 375 earlier. I did want to return to the bill to designate the Federal building and courthouse in Nashville, Tennessee, to my good friend, Fred D. Thompson. That building will now be named after him appropriately.

Fred Thompson was a larger-than-life character, a true patriot, and a great

wit who believed in and lived the American Dream in starring roles on stage, screen, and national politics. He served as a Senator for 8 years, and then later he ran for President. Originally he was here in Congress serving as a counsel where, of course, we had that famous line: "What did the President know, and when did he know it?" That was a line that he was well known for.

What he was also often not given credit for was what a profoundly good lawyer he was. He had come to the attention of people in Tennessee by LAMAR ALEXANDER when Howard Baker came and asked now-Senator LAMAR ALEXANDER to take a role in the Watergate hearings, he said: No; you want to have Fred Thompson there. He asked his friend Fred Thompson to come and serve in that role.

Fred then became an actor because when they went to write a movie about a woman who had been dealing with corruption in Tennessee politics, and Fred had been her lawyer, they couldn't find someone to play Fred, and they came and asked him: Could you play yourself? He said: Well, I guess I could. That is how he became a character actor and a larger-than-life character there. Some of his famous lines there: "Stack 'em, pack 'em, and rack 'em." In "Die Hard" I believe that one was.

In movies, he starred with Paul Newman, Tom Cruise, Clint Eastwood, Gene Hackman, Robert Duvall, Bruce Willis, Sissy Spacek, and so many others. After he came here to the Senate, he humorously said: "I often long for the realism and sincerity of Hollywood." So this is somebody who took his job very seriously but never took himself seriously and continued to have that great wit.

My husband and I were very privileged to know him and learn from him and spend many a good day and delightful time and evening with him and his wife, Jeri, his family, his children, and his many friends and admirers. We are so grateful for and appreciate his celebrated service and justly celebrated service to our country. This building will be a great memorial in a State that still very much reveres him.

I was privileged to be able to attend his service where hundreds and hundreds of people from Tennessee came to honor him, from country singers to people who stood by the side of the road as we drove to his funeral service, saluting him and thanking him for his service. This is somebody who in today's politics is sorely missed by all of us, and certainly most by his many friends, his family, and his scores of fans. God bless the Honorable Fred Thompson.

I thank you, Mr. Chairman, for this opportunity to be able to have this building now be a legacy to his great service and being a great attorney and lawyer for this country.

Mr. JOHNSON of Georgia. Mr. Speaker, I yield myself such time as I may consume.

What happened 43, 44 years ago during the Watergate hearings with that seminal question that everyone keeps asking, "What did the President know, and when did he know it?" and in the words of Yogi Berra: "It's *deja vu* all over again."

People are asking that question today, and it rings more loudly today than it did back then in 1973, 1974, "What did the President know, and when did he know it?" about a lot of issues.

But this issue of the Affordable Care Act and whether or not you are going to repeal it and replace it with something better or you are going to repeal and replace it with something worse, what did the President know, and when did he know it?

Because it is clear now to everybody who has had the opportunity to look at this offering that the Republicans have put forward, you are going to be worse off today than you were when the Affordable Care Act was implemented because 20 million of the 30 million people who are on coverage now will be off coverage if this thing passes.

This Fairness for Breastfeeding Mothers Act of 2017, which was introduced by my colleague and friend, Congresswoman NORTON, which I am so pleased to be a cosponsor of, is a bill from a mother herself who knows the needs of other mothers. This is bipartisan. I am so happy that this bill is passing today, but I will tell you, I can't help but think of the 20 million people who are going to lose their coverage. A lot of those people are women and children, even some babies. They are going to lose coverage because the Republicans are kicking them off under their plan. They will be a healthy part of that 20 million people who lose their coverage. It is unfair. It is not right. It is un-American.

Mr. Speaker, how much time is remaining on my side?

The SPEAKER pro tempore. The gentleman from Georgia has 8½ minutes remaining.

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

Mr. BARLETTA. Mr. Speaker, I yield 2 minutes to the gentleman from South Carolina (Mr. SANFORD).

Mr. SANFORD. I thank the chairman for yielding to me.

Mr. Speaker, I rise with the greatest respect for my colleague from the District of Columbia and her passion on this subject and the bill that she has introduced. I rise with equal respect for my colleague, Chairman BARLETTA, and the way in which he has walked this bill through the process, but I am going to oppose this bill. I am going to do so on the basis of process. I thought it important to explain why, given, I think, the amount of energy that has

gone into the bill and the fact that I wasn't able to voice a vote against it when it was voice voted at the committee level.

I do so because I think that blank checks rarely work out well for the taxpayer. In fairness to the bill, it is not a blank check. The bill is actually prescribed in three different ways—the way in which it will impact Federal buildings. My problem, though, is on methodology in that the General Services Administration that ultimately gave the numbers to the CBO on which they base their score did not get in final form how many Federal buildings we are talking about. I think that leaves, therefore, something of an open end as to what this bill will ultimately cost; and that then goes to impact the very children for whom the breastfeeding will take place.

□ 1800

A child born in America today is going to inherit a giant liability from the Federal Government in terms of the cost of our Federal Government. By accountants from both the left and the right, they have said what we have in place is not sustainable. Therefore, I think it is very important, from a process standpoint, that we look at a final form number on any of these bills that we throw out and we prescribe, regardless of, again, how well-meaning they are and how measured they are, which is certainly the case with this bill.

I wanted to stand to give a quick explanation. I thank the gentleman for the time.

Mr. JOHNSON of Georgia. Mr. Speaker, the gentleman from South Carolina (Mr. SANFORD), my friend, opposes the bill because the CBO scoring process, which came up with a no-cost estimate for this bill, the contention is that that CBO study was insufficient. Well, I am sure that my colleague and friend from South Carolina will agree with me that with no CBO scoring for this congressional Republican healthcare repeal bill that they have put forward, then we are certainly not in a position to proceed further with a fast-track legislating process, as this bill seems to be on. They are going to mark it up with no hearings.

When we were dealing with the Affordable Care Act, we held 79 hearings over 2 years, heard from 181 witnesses from both sides of the aisle, and posted the bill online for 30 days. The CBO scoring actually showed that this bill was going to save money, as opposed to cost.

Mr. Speaker, I ask my colleague from South Carolina to be in opposition to his own party's healthcare repeal bill.

Mr. Speaker, I yield 2 minutes to the kind gentleman from Massachusetts (Mr. KENNEDY), my friend.

Mr. KENNEDY. Mr. Speaker, I want to thank my colleague for his work on this.

Mr. Speaker, after weeks of empty promises that he had a secret plan to insure every American at lower costs with higher quality care, President Trump is now standing behind a House GOP repeal plan that was introduced last night that fails every single one of those promises. Based on estimates that we have seen so far, millions of Americans stand to lose coverage, out-of-pocket costs will skyrocket, and the quality of care will plummet.

But today, hours after that bill was introduced, Mr. Speaker, our President referenced a to-be-announced second and third phase of his healthcare rollout that Secretary Price referred to as "a work in progress," once again injecting our healthcare system with crippling uncertainty that is hurting our patients, hospitals, behavioral health providers, and local economies.

If you are so proud of this bill, why has it been locked in dark rooms? Why not have an open debate? What are we so afraid of to have a debate on this floor?

That is why I urge my colleagues, Democrats and Republicans alike, to support my resolution of inquiry tomorrow, to try to make sure that the details that have been discussed by this White House and by the Republicans behind closed doors are open for America to understand before we cram a healthcare overhaul down our throats.

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

Mr. JOHNSON of Georgia. Mr. Speaker, I was looking at my congressional calendar, and I noticed that this year we are working in Washington, D.C., more than we have under the past 5 years of the rein of the Republicans. We have been the most do-nothingest Congresses on record for many years, and so this year we will be working. But I am baffled as to whether or not it is because the Republicans don't want to go home and face their constituents in a townhall meeting about the Affordable Care Act repeal bill that they have filed. We will be here in session now for another 4 weeks before the public has a chance to hear from their Representative when they return home for an extended time. But on the flip side, that gives everybody time to prepare for those upcoming townhall meetings which need to be held to explain what they are trying to do to the American people.

Mr. Speaker, I yield 2 minutes to the gentlewoman from Illinois (Ms. SCHAKOWSKY), my friend.

Ms. SCHAKOWSKY. Mr. Speaker, I thank the gentleman for yielding.

Last Thursday, I was wandering the Capitol searching for the Republican's secret repeal bill. We went from room to room, and it wasn't there. But now that I have seen it, I understand why they would want to hide it.

Even if we can all agree that we need to make health care more affordable

and more accessible, this bill is not the solution. In fact, this bill will only make things worse.

The Republican repeal bill gives tax breaks to the rich. We are talking about over \$600 billion overall, while taking away health coverage from millions of Americans. The Republican repeal bill will drastically increase the cost of health insurance for millions of Americans, with the biggest increase for seniors and for working families.

It would radically change the Medicaid program, slashing funding, and covering fewer people.

The Republican repeal bill will force Governors and State legislators to ration care. My Republican Governor weighed in now and said that it would be trouble for Illinois if Medicaid is cut back.

Who do they want to cut out? Children, the elderly, people with disabilities. Thousands of hardworking individuals in Illinois will lose access to health coverage. As I said, in fact, Republican Governor Bruce Rauner said that our State “won’t do very well” if the Republican repeal bill becomes law.

The Republican repeal bill breaks the promise made by President Trump to cover more Americans at lower cost.

I oppose this bill. I am going to fight tooth and nail to protect our care. And, frankly, I think this bill, as my mother would say, is deadlier than a door nail.

Mr. BARLETTA. Mr. Speaker, I continue to reserve the balance of my time.

Mr. JOHNSON of Georgia. Mr. Speaker, I yield an additional 1 minute to the gentleman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Speaker, I wanted to correct the gentleman from South Carolina (Mr. SANFORD), who opined that this bill was not scored correctly.

We are talking about space already designated for Federal employees. The intent of the bill, and I am the author of the bill, which could never have gotten through committee if it involved the expenditure of funds. Yes, sometimes these lactation rooms will be dedicated to lactation, but that doesn’t mean they are exclusively designated to lactation.

And the whole notion that some Federal buildings don’t have such space means they are in violation of the Affordable Care Act, which requires that they have such space, even if it is not space that is exclusively used for the few women who are lactating or nursing.

Mr. BARLETTA. Mr. Speaker, I continue to reserve the balance of my time.

Mr. JOHNSON of Georgia. Mr. Speaker, I have one more point that I needed to make about this abolition, this abolishment of the Affordable Care Act plan that has been submitted. A foundation of their plan is the demise of the individual mandate that requires peo-

ple to purchase insurance, so they are claiming that that is a matter of freedom.

Well, the fact is that when everyone is required to have insurance, it reduces the cost for everyone else. So it was a cost-saving measure that has worked with the rise in premiums being at the lowest level in decades. The affordable care has worked to cut the cost of health care.

But what they are doing when they abolish that individual mandate is they are also going to penalize people who decide to drop their coverage and pick it up later. Or if you miss one payment because you missed work, missed a paycheck or something like that, you missed 1 month and have to reinstate, then you are going to pay a 30 percent penalty on your insurance. That is highway robbery.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. BARLETTA) that the House suspend the rules and pass the bill, H.R. 1174, as amended.

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

A motion to reconsider was laid on the table.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION TRANSITION AUTHORIZATION ACT OF 2017

Mr. BABIN. Mr. Speaker, I move to suspend the rules and pass the bill (S. 442) to authorize the programs of the National Aeronautics and Space Administration, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 442

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “National Aeronautics and Space Administration Transition Authorization Act of 2017”.

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

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

TITLE I—AUTHORIZATION OF APPROPRIATIONS

Sec. 101. Fiscal year 2017.

TITLE II—SUSTAINING NATIONAL SPACE COMMITMENTS

Sec. 201. Sense of Congress on sustaining national space commitments.

Sec. 202. Findings.

TITLE III—MAXIMIZING UTILIZATION OF THE ISS AND LOW-EARTH ORBIT

Sec. 301. Operation of the ISS.

Sec. 302. Transportation to ISS.

Sec. 303. ISS transition plan.

Sec. 304. Space communications.

Sec. 305. Indemnification; NASA launch services and reentry services.

TITLE IV—ADVANCING HUMAN DEEP SPACE EXPLORATION

Subtitle A—Human Space Flight and Exploration Goals and Objectives

Sec. 411. Human space flight and exploration long-term goals.

Sec. 412. Key objectives.

Sec. 413. Vision for space exploration.

Sec. 414. Stepping stone approach to exploration.

Sec. 415. Update of exploration plan and programs.

Sec. 416. Repeals.

Sec. 417. Assured access to space.

Subtitle B—Assuring Core Capabilities for Exploration

Sec. 421. Space Launch System, Orion, and Exploration Ground Systems.

Subtitle C—Journey to Mars

Sec. 431. Findings on human space exploration.

Sec. 432. Human exploration roadmap.

Sec. 433. Advanced space suit capability.

Sec. 434. Asteroid robotic redirect mission.

Sec. 435. Mars 2033 report.

Subtitle D—TREAT Astronauts Act

Sec. 441. Short title.

Sec. 442. Findings; sense of Congress.

Sec. 443. Medical monitoring and research relating to human space flight.

TITLE V—ADVANCING SPACE SCIENCE

Sec. 501. Maintaining a balanced space science portfolio.

Sec. 502. Planetary science.

Sec. 503. James Webb Space Telescope.

Sec. 504. Wide-Field Infrared Survey Telescope.

Sec. 505. Mars 2020 rover.

Sec. 506. Europa.

Sec. 507. Congressional declaration of policy and purpose.

Sec. 508. Extrasolar planet exploration strategy.

Sec. 509. Astrobiology strategy.

Sec. 510. Astrobiology public-private partnerships.

Sec. 511. Near-Earth objects.

Sec. 512. Near-Earth objects public-private partnerships.

Sec. 513. Assessment of science mission extensions.

Sec. 514. Stratospheric observatory for infrared astronomy.

Sec. 515. Radioisotope power systems.

Sec. 516. Assessment of Mars architecture.

Sec. 517. Collaboration.

TITLE VI—AERONAUTICS

Sec. 601. Sense of Congress on aeronautics.

Sec. 602. Transformative aeronautics research.

Sec. 603. Hypersonic research.

Sec. 604. Supersonic research.

Sec. 605. Rotorcraft research.

TITLE VII—SPACE TECHNOLOGY

Sec. 701. Space technology infusion.

Sec. 702. Space technology program.

TITLE VIII—MAXIMIZING EFFICIENCY

Subtitle A—Agency Information Technology and Cybersecurity

Sec. 811. Information technology governance.

Sec. 812. Information technology strategic plan.

Sec. 813. Cybersecurity.

Sec. 814. Security management of foreign national access.

Sec. 815. Cybersecurity of web applications.

Subtitle B—Collaboration Among Mission Directorates and Other Matters

- Sec. 821. Collaboration among mission directorates.
- Sec. 822. NASA launch capabilities collaboration.
- Sec. 823. Detection and avoidance of counterfeit parts.
- Sec. 824. Education and outreach.
- Sec. 825. Leveraging commercial satellite servicing capabilities across mission directorates.
- Sec. 826. Flight opportunities.
- Sec. 827. Sense of Congress on small class launch missions.
- Sec. 828. Baseline and cost controls.
- Sec. 829. Commercial technology transfer program.
- Sec. 830. Avoiding organizational conflicts of interest in major administration acquisition programs.
- Sec. 831. Protection of Apollo landing sites.
- Sec. 832. NASA lease of non-excess property.
- Sec. 833. Termination liability.
- Sec. 834. Independent reviews.
- Sec. 835. NASA Advisory Council.
- Sec. 836. Cost estimation.
- Sec. 837. Facilities and infrastructure.
- Sec. 838. Human space flight accident investigations.
- Sec. 839. Orbital debris.
- Sec. 840. Review of orbital debris removal concepts.
- Sec. 841. Space Act Agreements.

SEC. 2. DEFINITIONS.

In this Act:

(1) **ADMINISTRATION.**—The term “Administration” means the National Aeronautics and Space Administration.

(2) **ADMINISTRATOR.**—The term “Administrator” means the Administrator of the National Aeronautics and Space Administration.

(3) **APPROPRIATE COMMITTEES OF CONGRESS.**—The term “appropriate committees of Congress” means—

(A) the Committee on Commerce, Science, and Transportation of the Senate; and

(B) the Committee on Science, Space, and Technology of the House of Representatives.

(4) **CIS-LUNAR SPACE.**—The term “cis-lunar space” means the region of space from the Earth out to and including the region around the surface of the Moon.

(5) **DEEP SPACE.**—The term “deep space” means the region of space beyond low-Earth orbit, to include cis-lunar space.

(6) **GOVERNMENT ASTRONAUT.**—The term “government astronaut” has the meaning given the term in section 50902 of title 51, United States Code.

(7) **ISS.**—The term “ISS” means the International Space Station.

(8) **ISS MANAGEMENT ENTITY.**—The term “ISS management entity” means the organization with which the Administrator has a cooperative agreement under section 504(a) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18354(a)).

(9) **NASA.**—The term “NASA” means the National Aeronautics and Space Administration.

(10) **ORION.**—The term “Orion” means the multipurpose crew vehicle described under section 303 of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18323).

(11) **SPACE LAUNCH SYSTEM.**—The term “Space Launch System” has the meaning given the term in section 3 of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18302).

(12) **UNITED STATES GOVERNMENT ASTRO-**

NAUT.—The term “United States government astronaut” has the meaning given the term “government astronaut” in section 50902 of title 51, United States Code, except it does not include an individual who is an international partner astronaut.

TITLE I—AUTHORIZATION OF APPROPRIATIONS

SEC. 101. FISCAL YEAR 2017.

There are authorized to be appropriated to NASA for fiscal year 2017, \$19,508,000,000, as follows:

- (1) For Exploration, \$4,330,000,000.
- (2) For Space Operations, \$5,023,000,000.
- (3) For Science, \$5,500,000,000.
- (4) For Aeronautics, \$640,000,000.
- (5) For Space Technology, \$686,000,000.
- (6) For Education, \$115,000,000.
- (7) For Safety, Security, and Mission Services, \$2,788,600,000.
- (8) For Construction and Environmental Compliance and Restoration, \$388,000,000.
- (9) For Inspector General, \$37,400,000.

TITLE II—SUSTAINING NATIONAL SPACE COMMITMENTS

SEC. 201. SENSE OF CONGRESS ON SUSTAINING NATIONAL SPACE COMMITMENTS.

It is the sense of Congress that—

(1) honoring current national space commitments and building upon investments in space across successive Administrations demonstrates clear continuity of purpose by the United States, in collaboration with its international, academic, and industry partners, to extend humanity’s reach into deep space, including cis-lunar space, the Moon, the surface and moons of Mars, and beyond;

(2) NASA leaders can best leverage investments in the United States space program by continuing to develop a balanced portfolio for space exploration and space science, including continued development of the Space Launch System, Orion, Commercial Crew Program, space and planetary science missions such as the James Webb Space Telescope, Wide-Field Infrared Survey Telescope, and Europa mission, and ongoing operations of the ISS and Commercial Resupply Services Program;

(3) a national, government-led space program that builds on current science and exploration programs, advances human knowledge and capabilities, and opens the frontier beyond Earth for ourselves, commercial enterprise, and science, and with our international partners, is of critical importance to our national destiny and to a future guided by United States values and freedoms;

(4) continuity of purpose and effective execution of core NASA programs are essential for efficient use of resources in pursuit of timely and tangible accomplishments;

(5) NASA could improve its efficiency and effectiveness by working with industry to streamline existing programs and requirements, procurement practices, institutional footprint, and bureaucracy while preserving effective program oversight, accountability, and safety;

(6) it is imperative that the United States maintain and enhance its leadership in space exploration and space science, and continue to expand freedom and economic opportunities in space for all Americans that are consistent with the Constitution of the United States; and

(7) NASA should be a multi-mission space agency, and should have a balanced and robust set of core missions in space science, space technology, aeronautics, human space flight and exploration, and education.

SEC. 202. FINDINGS.

Congress makes the following findings:

(1) Returns on the Nation’s investments in science, technology, and exploration accrue

over decades-long timeframes, and a disruption of such investments could prevent returns from being fully realized.

(2) Past challenges to the continuity of such investments, particularly threats regarding the cancellation of authorized programs with bipartisan and bicameral support, have disrupted completion of major space systems thereby—

(A) impeding planning and pursuit of national objectives in space science and human space exploration;

(B) placing such investments in space science and space exploration at risk; and

(C) degrading the aerospace industrial base.

(3) The National Aeronautics and Space Administration Authorization Act of 2005 (Public Law 109-155; 119 Stat. 2895), National Aeronautics and Space Administration Authorization Act of 2008 (Public Law 110-422; 122 Stat. 4779), and National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18301 et seq.) reflect a broad, bipartisan agreement on the path forward for NASA’s core missions in science, space technology, aeronautics, human space flight and exploration, and education, that serves as the foundation for the policy updates by this Act.

(4) Sufficient investment and maximum utilization of the ISS and ISS National Laboratory with our international and industry partners is—

(A) consistent with the goals and objectives of the United States space program; and

(B) imperative to continuing United States global leadership in human space exploration, science, research, technology development, and education opportunities that contribute to development of the next generation of American scientists, engineers, and leaders, and to creating the opportunity for economic development of low-Earth orbit.

(5) NASA has made measurable progress in the development and testing of the Space Launch System and Orion exploration systems with the near-term objectives of the initial integrated test flight and launch in 2018, a human mission in 2021, and continued missions with an annual cadence in cis-lunar space and eventually to the surface of Mars.

(6) The Commercial Crew Program has made measurable progress toward reestablishing the capability to launch United States government astronauts from United States soil into low-Earth orbit by the end of 2018.

(7) The Aerospace Safety Advisory Panel, in its 2015 Annual Report, urged continuity of purpose noting concerns over the potential for cost overruns and schedule slips that could accompany significant changes to core NASA programs.

TITLE III—MAXIMIZING UTILIZATION OF THE ISS AND LOW-EARTH ORBIT

SEC. 301. OPERATION OF THE ISS.

(a) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) after 15 years of continuous human presence in low-Earth orbit, the ISS continues to overcome challenges and operate safely;

(2) the ISS is a unique testbed for future space exploration systems development, including long-duration space travel;

(3) the expansion of partnerships, scientific research, and commercial applications of the ISS is essential to ensuring the greatest return on investments made by the United States and its international space partners

in the development, assembly, and operations of that unique facility;

(4) utilization of the ISS will sustain United States leadership and progress in human space exploration by—

(A) facilitating the commercialization and economic development of low-Earth orbit;

(B) serving as a testbed for technologies and a platform for scientific research and development; and

(C) serving as an orbital facility enabling research upon—

(i) the health, well-being, and performance of humans in space; and

(ii) the development of in-space systems enabling human space exploration beyond low-Earth orbit; and

(5) the ISS provides a platform for fundamental, microgravity, discovery-based space life and physical sciences research that is critical for enabling space exploration, protecting humans in space, increasing pathways for commercial space development that depend on advances in basic research, and contributes to advancing science, technology, engineering, and mathematics research.

(b) **OBJECTIVES.**—The primary objectives of the ISS program shall be—

(1) to achieve the long term goal and objectives under section 202 of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18312); and

(2) to pursue a research program that advances knowledge and provides other benefits to the Nation.

(c) **CONTINUATION OF THE ISS.**—Section 501 of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18351) is amended to read as follows:

“SEC. 501. CONTINUATION OF THE INTERNATIONAL SPACE STATION.

“(a) **POLICY OF THE UNITED STATES.**—It shall be the policy of the United States, in consultation with its international partners in the ISS program, to support full and complete utilization of the ISS through at least 2024.

“(b) **NASA ACTION.**—In furtherance of the policy set forth in subsection (a), NASA shall—

“(1) pursue international, commercial, and intragovernmental means to maximize ISS logistics supply, maintenance, and operational capabilities, reduce risks to ISS systems sustainability, and offset and minimize United States operations costs relating to the ISS;

“(2) utilize, to the extent practicable, the ISS for the development of capabilities and technologies needed for the future of human space exploration beyond low-Earth orbit; and

“(3) utilize, if practical and cost effective, the ISS for Science Mission Directorate missions in low-Earth orbit.”.

SEC. 302. TRANSPORTATION TO ISS.

(a) **FINDINGS.**—Congress finds that reliance on foreign carriers for United States crew transfer is unacceptable, and the Nation's human space flight program must acquire the capability to launch United States government astronauts on vehicles using United States rockets from United States soil as soon as is safe, reliable, and affordable to do so.

(b) **SENSE OF CONGRESS ON COMMERCIAL CREW PROGRAM AND COMMERCIAL RESUPPLY SERVICES PROGRAM.**—It is the sense of Congress that—

(1) once developed and certified to meet the Administration's safety and reliability requirements, United States commercially provided crew transportation systems can

serve as the primary means of transporting United States government astronauts and international partner astronauts to and from the ISS and serving as ISS crew rescue vehicles;

(2) previous budgetary assumptions used by the Administration in its planning for the Commercial Crew Program assumed significantly higher funding levels than were authorized and appropriated by Congress;

(3) credibility in the Administration's budgetary estimates for the Commercial Crew Program can be enhanced by an independently developed cost estimate;

(4) such credibility in budgetary estimates is an important factor in understanding program risk;

(5) United States access to low-Earth orbit is paramount to the continued success of the ISS and ISS National Laboratory;

(6) a stable and successful Commercial Resupply Services Program and Commercial Crew Program are critical to ensuring timely provisioning of the ISS and to reestablishing the capability to launch United States government astronauts from United States soil into orbit, ending reliance upon Russian transport of United States government astronauts to the ISS which has not been possible since the retirement of the Space Shuttle program in 2011;

(7) NASA should build upon the success of the Commercial Orbital Transportation Services Program and Commercial Resupply Services Program that have allowed private sector companies to partner with NASA to deliver cargo and scientific experiments to the ISS since 2012;

(8) the 21st Century Launch Complex Program has enabled significant modernization and infrastructure improvements at launch sites across the United States to support NASA's Commercial Resupply Services Program and other civil and commercial space flight missions; and

(9) the 21st Century Launch Complex Program should be continued in a manner that leverages State and private investments to achieve the goals of that program.

(c) **REAFFIRMATION.**—Congress reaffirms—

(1) its commitment to the use of a commercially developed, private sector launch and delivery system to the ISS for crew missions as expressed in the National Aeronautics and Space Administration Authorization Act of 2005 (Public Law 109-155; 119 Stat. 2895), the National Aeronautics and Space Administration Authorization Act of 2008 (Public Law 110-422; 122 Stat. 4779), and the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18301 et seq.); and

(2) the requirement under section 50111(b)(1)(A) of title 51, United States Code, that the Administration shall make use of United States commercially provided ISS crew transfer and crew rescue services to the maximum extent practicable.

(d) **USE OF NON-UNITED STATES HUMAN SPACE FLIGHT TRANSPORTATION CAPABILITIES.**—Section 201(a) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18311(a)) is amended to read as follows:

“(a) **USE OF NON-UNITED STATES HUMAN SPACE FLIGHT TRANSPORTATION SERVICES.**—

“(1) **IN GENERAL.**—The Federal Government may not acquire human space flight transportation services from a foreign entity unless—

“(A) no United States Government-operated human space flight capability is available;

“(B) no United States commercial provider is available; and

“(C) it is a qualified foreign entity.

“(2) **DEFINITIONS.**—In this subsection:

“(A) **COMMERCIAL PROVIDER.**—The term ‘commercial provider’ means any person providing human space flight transportation services, primary control of which is held by persons other than the Federal Government, a State or local government, or a foreign government.

“(B) **QUALIFIED FOREIGN ENTITY.**—The term ‘qualified foreign entity’ means a foreign entity that is in compliance with all applicable safety standards and is not prohibited from providing space transportation services under other law.

“(C) **UNITED STATES COMMERCIAL PROVIDER.**—The term ‘United States commercial provider’ means a commercial provider, organized under the laws of the United States or of a State, that is more than 50 percent owned by United States nationals.

“(3) **ARRANGEMENTS WITH FOREIGN ENTITIES.**—Nothing in this subsection shall prevent the Administrator from negotiating or entering into human space flight transportation arrangements with foreign entities to ensure safety of flight and continued ISS operations.”.

(e) **COMMERCIAL CREW PROGRAM.**—

(1) **OBJECTIVE.**—The objective of the Commercial Crew Program shall be to assist in the development and certification of commercially provided transportation that—

(A) can carry United States government astronauts safely, reliably, and affordably to and from the ISS;

(B) can serve as a crew rescue vehicle; and

(C) can accomplish subparagraphs (A) and (B) as soon as practicable.

(2) **PRIMARY CONSIDERATION.**—The objective described in paragraph (1) shall be the primary consideration in the acquisition strategy for the Commercial Crew Program.

(3) **SAFETY.**—

(A) **IN GENERAL.**—The Administrator shall protect the safety of government astronauts by ensuring that each commercially provided transportation system under this subsection meets all applicable human rating requirements in accordance with section 403(b)(1) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18342(b)(1)).

(B) **LESSONS LEARNED.**—Consistent with the findings and recommendations of the Columbia Accident Investigation Board, the Administration shall ensure that safety and the minimization of the probability of loss of crew are the critical priorities of the Commercial Crew Program.

(4) **COST MINIMIZATION.**—The Administrator shall strive through the competitive selection process to minimize the life cycle cost to the Administration through the planned period of commercially provided crew transportation services.

(f) **COMMERCIAL CARGO PROGRAM.**—Section 401 of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18341) is amended by striking “Commercial Orbital Transportation Services” and inserting “Commercial Resupply Services”.

(g) **COMPETITION.**—It is the policy of the United States that, to foster the competitive development, operation, improvement, and commercial availability of space transportation services, and to minimize the life cycle cost to the Administration, the Administrator shall procure services for Federal Government access to and return from the ISS, whenever practicable, via fair and open competition for well-defined, milestone-based, Federal Acquisition Regulation-based

contracts under section 201(a) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18311(a)).

(h) **TRANSPARENCY.**—

(1) **SENSE OF CONGRESS.**—It is the sense of Congress that cost transparency and schedule transparency aid in effective program management and risk assessment.

(2) **IN GENERAL.**—The Administrator shall, to the greatest extent practicable and in a manner that does not add costs or schedule delays to the program, ensure all Commercial Crew Program and Commercial Resupply Services Program providers provide evidence-based support for their costs and schedules.

(i) **ISS CARGO RESUPPLY SERVICES LESSONS LEARNED.**—Not later than 120 days after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report that—

(1) identifies the lessons learned to date from previous and existing Commercial Resupply Services contracts;

(2) indicates whether changes are needed to the manner in which the Administration procures and manages similar services prior to the issuance of future Commercial Resupply Services procurement opportunities; and

(3) identifies any lessons learned from the Commercial Resupply Services contracts that should be applied to the procurement and management of commercially provided crew transfer services to and from the ISS or to other future procurements.

SEC. 303. ISS TRANSITION PLAN.

(a) **FINDINGS.**—Congress finds that—

(1) NASA has been both the primary supplier and consumer of human space flight capabilities and services of the ISS and in low-Earth orbit; and

(2) according to the National Research Council report “Pathways to Exploration: Rationales and Approaches for a U.S. Program of Human Space Exploration” extending ISS beyond 2020 to 2024 or 2028 will have significant negative impacts on the schedule of crewed missions to Mars, without significant increases in funding.

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) an orderly transition for United States human space flight activities in low-Earth orbit from the current regime, that relies heavily on NASA sponsorship, to a regime where NASA is one of many customers of a low-Earth orbit commercial human space flight enterprise may be necessary; and

(2) decisions about the long-term future of the ISS impact the ability to conduct future deep space exploration activities, and that such decisions regarding the ISS should be considered in the context of the human exploration roadmap under section 432 of this Act.

(c) **REPORTS.**—Section 50111 of title 51, United States Code, is amended by adding at the end the following:

“(c) **ISS TRANSITION PLAN.**—

“(1) **IN GENERAL.**—The Administrator, in coordination with the ISS management entity (as defined in section 2 of the National Aeronautics and Space Administration Transition Authorization Act of 2017), ISS partners, the scientific user community, and the commercial space sector, shall develop a plan to transition in a step-wise approach from the current regime that relies heavily on NASA sponsorship to a regime where NASA could be one of many customers of a low-Earth orbit non-governmental human space flight enterprise.

“(2) **REPORTS.**—Not later than December 1, 2017, and biennially thereafter until 2023, the

Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report that includes—

“(A) a description of the progress in achieving the Administration’s deep space human exploration objectives on ISS and prospects for accomplishing future mission requirements, space exploration objectives, and other research objectives on future commercially supplied low-Earth orbit platforms or migration of those objectives to cis-lunar space;

“(B) the steps NASA is taking and will take, including demonstrations that could be conducted on the ISS, to stimulate and facilitate commercial demand and supply of products and services in low-Earth orbit;

“(C) an identification of barriers preventing the commercialization of low-Earth orbit, including issues relating to policy, regulations, commercial intellectual property, data, and confidentiality, that could inhibit the use of the ISS as a commercial incubator;

“(D) the criteria for defining the ISS as a research success;

“(E) the criteria used to determine whether the ISS is meeting the objective under section 301(b)(2) of the National Aeronautics and Space Administration Transition Authorization Act of 2017;

“(F) an assessment of whether the criteria under subparagraphs (D) and (E) are consistent with the research areas defined in, and recommendations and schedules under, the current National Academies of Sciences, Engineering, and Medicine Decadal Survey on Biological and Physical Sciences in Space;

“(G) any necessary contributions that ISS extension would make to enabling execution of the human exploration roadmap under section 432 of the National Aeronautics and Space Administration Transition Authorization Act of 2017;

“(H) the cost estimates for operating the ISS to achieve the criteria required under subparagraphs (D) and (E) and the contributions identified under subparagraph (G);

“(I) the cost estimates for extending operations of the ISS to 2024, 2028, and 2030;

“(J) an evaluation of the feasible and preferred service life of the ISS beyond the period described in section 503 of the National Aeronautics and Space Administration Transition Authorization Act of 2010 (42 U.S.C. 18353), through at least 2028, as a unique scientific, commercial, and space exploration-related facility, including—

“(i) a general discussion of international partner capabilities and prospects for extending the partnership;

“(ii) the cost associated with extending the service life;

“(iii) an assessment on the technical limiting factors of the service life of the ISS, including a list of critical components and their expected service life and availability; and

“(iv) such other information as may be necessary to fully describe the justification for and feasibility of extending the service life of the ISS, including the potential scientific or technological benefits to the Federal Government, public, or to academic or commercial entities;

“(K) an identification of the necessary actions and an estimate of the costs to deorbit the ISS once it has reached the end of its service life;

“(L) the impact on deep space exploration capabilities, including a crewed mission to

Mars in the 2030s, if the preferred service life of the ISS is extended beyond 2024 and NASA maintains a flat budget profile; and

“(M) an evaluation of the functions, roles, and responsibilities for management and operation of the ISS and a determination of—

“(i) those functions, roles, and responsibilities the Federal Government should retain during the lifecycle of the ISS;

“(ii) those functions, roles, and responsibilities that could be transferred to the commercial space sector;

“(iii) the metrics that would indicate the commercial space sector’s readiness and ability to assume the functions, roles, and responsibilities described in clause (ii); and

“(iv) any necessary changes to any agreements or other documents and the law to enable the activities described in subparagraphs (A) and (B).

“(3) **DEMONSTRATIONS.**—If additional Government crew, power, and transportation resources are available after meeting the Administration’s requirements for ISS activities defined in the human exploration roadmap and related research, demonstrations identified under paragraph (2) may—

“(A) test the capabilities needed to meet future mission requirements, space exploration objectives, and other research objectives described in paragraph (2)(A); and

“(B) demonstrate or test capabilities, including commercial modules or deep space habitats, Environmental Control and Life Support Systems, orbital satellite assembly, exploration space suits, a node that enables a wide variety of activity, including multiple commercial modules and airlocks, additional docking or berthing ports for commercial crew and cargo, opportunities for the commercial space sector to cost share for transportation and other services on the ISS, other commercial activities, or services obtained through alternate acquisition approaches.”

SEC. 304. SPACE COMMUNICATIONS.

(a) **PLAN.**—The Administrator shall develop a plan, in consultation with relevant Federal agencies, to meet the Administration’s projected space communication and navigation needs for low-Earth orbit and deep space operations in the 20-year period following the date of enactment of this Act.

(b) **CONTENTS.**—The plan shall include—

(1) the lifecycle cost estimates and a 5-year funding profile;

(2) the performance capabilities required to meet the Administration’s projected space communication and navigation needs;

(3) the measures the Administration will take to sustain the existing space communications and navigation architecture;

(4) an identification of the projected space communications and navigation network and infrastructure needs;

(5) a description of the necessary upgrades to meet the needs identified in paragraph (4), including—

(A) an estimate of the cost of the upgrades;

(B) a schedule for implementing the upgrades; and

(C) an assessment of whether and how any related missions will be impacted if resources are not secured at the level needed;

(6) the cost estimates for the maintenance of existing space communications network capabilities necessary to meet the needs identified in paragraph (4);

(7) the criteria for prioritizing resources for the upgrades described in paragraph (5) and the maintenance described in paragraph (6);

(8) an estimate of any reimbursement amounts the Administration may receive from other Federal agencies;

(9) an identification of the projected Tracking and Data Relay Satellite System needs in the 20-year period following the date of enactment of this Act, including in support of relevant Federal agencies, and cost and schedule estimates to maintain and upgrade the Tracking and Data Relay Satellite System to meet the projected needs;

(10) the measures the Administration is taking to meet space communications needs after all Tracking and Data Relay Satellite System third-generation communications satellites are operational; and

(11) the measures the Administration is taking to mitigate threats to electromagnetic spectrum use.

(c) SCHEDULE.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit the plan to the appropriate committees of Congress.

SEC. 305. INDEMNIFICATION; NASA LAUNCH SERVICES AND REENTRY SERVICES.

(a) IN GENERAL.—Subchapter III of chapter 201 of title 51, United States Code, is amended by adding at the end the following:

“§ 20148. Indemnification; NASA launch services and reentry services

“(a) IN GENERAL.—Under such regulations in conformity with this section as the Administrator shall prescribe taking into account the availability, cost, and terms of liability insurance, any contract between the Administration and a provider may provide that the United States will indemnify the provider against successful claims (including reasonable expenses of litigation or settlement) by third parties for death, bodily injury, or loss of or damage to property resulting from launch services and reentry services carried out under the contract that the contract defines as unusually hazardous or nuclear in nature, but only to the extent the total amount of successful claims related to the activities under the contract—

“(1) is more than the amount of insurance or demonstration of financial responsibility described in subsection (c)(3); and

“(2) is not more than the amount specified in section 50915(a)(1)(B).

“(b) TERMS OF INDEMNIFICATION.—A contract made under subsection (a) that provides indemnification shall provide for—

“(1) notice to the United States of any claim or suit against the provider for death, bodily injury, or loss of or damage to property; and

“(2) control of or assistance in the defense by the United States, at its election, of that claim or suit and approval of any settlement.

“(c) LIABILITY INSURANCE OF THE PROVIDER.—

“(1) IN GENERAL.—The provider under subsection (a) shall obtain liability insurance or demonstrate financial responsibility in amounts to compensate for the maximum probable loss from claims by—

“(A) a third party for death, bodily injury, or property damage or loss resulting from a launch service or reentry service carried out under the contract; and

“(B) the United States Government for damage or loss to Government property resulting from a launch service or reentry service carried out under the contract.

“(2) MAXIMUM PROBABLE LOSSES.—

“(A) IN GENERAL.—The Administrator shall determine the maximum probable losses under subparagraphs (A) and (B) of paragraph (1) not later than 90 days after the date that the provider requests such a determination and submits all information the Administrator requires.

“(B) REVISIONS.—The Administrator may revise a determination under subparagraph

(A) of this paragraph if the Administrator determines the revision is warranted based on new information.

“(3) AMOUNT OF INSURANCE.—For the total claims related to one launch or reentry, a provider shall not be required to obtain insurance or demonstrate financial responsibility of more than—

“(A)(i) \$500,000,000 under paragraph (1)(A); or

“(ii) \$100,000,000 under paragraph (1)(B); or

“(B) the maximum liability insurance available on the world market at reasonable cost.

“(4) COVERAGE.—An insurance policy or demonstration of financial responsibility under this subsection shall protect the following, to the extent of their potential liability for involvement in launch services or reentry services:

“(A) The Government.

“(B) Personnel of the Government.

“(C) Related entities of the Government.

“(D) Related entities of the provider.

“(E) Government astronauts.

“(d) NO INDEMNIFICATION WITHOUT CROSS-WAIVER.—Notwithstanding subsection (a), the Administrator may not indemnify a provider under this section unless there is a cross-waiver between the Administration and the provider as described in subsection (e).

“(e) CROSS-WAIVERS.—

“(1) IN GENERAL.—The Administrator, on behalf of the United States and its departments, agencies, and instrumentalities, shall reciprocally waive claims with a provider under which each party to the waiver agrees to be responsible, and agrees to ensure that its related entities are responsible, for damage or loss to its property, or for losses resulting from any injury or death sustained by its employees or agents, as a result of activities arising out of the performance of the contract.

“(2) LIMITATION.—The waiver made by the Government under paragraph (1) shall apply only to the extent that the claims are more than the amount of insurance or demonstration of financial responsibility required under subsection (c)(1)(B).

“(f) WILLFUL MISCONDUCT.—Indemnification under subsection (a) may exclude claims resulting from the willful misconduct of the provider or its related entities.

“(g) CERTIFICATION OF JUST AND REASONABLE AMOUNT.—No payment may be made under subsection (a) unless the Administrator or the Administrator's designee certifies that the amount is just and reasonable.

“(h) PAYMENTS.—

“(1) IN GENERAL.—Upon the approval by the Administrator, payments under subsection (a) may be made from funds appropriated for such payments.

“(2) LIMITATION.—The Administrator shall not approve payments under paragraph (1), except to the extent provided in an appropriation law or to the extent additional legislative authority is enacted providing for such payments.

“(3) ADDITIONAL APPROPRIATIONS.—If the Administrator requests additional appropriations to make payments under this subsection, then the request for those appropriations shall be made in accordance with the procedures established under section 50915.

“(i) RULES OF CONSTRUCTION.—

“(1) IN GENERAL.—The authority to indemnify under this section shall not create any rights in third persons that would not otherwise exist by law.

“(2) OTHER AUTHORITY.—Nothing in this section may be construed as prohibiting the

Administrator from indemnifying a provider or any other NASA contractor under other law, including under Public Law 85-804 (50 U.S.C. 1431 et seq.).

“(3) ANTI-DEFICIENCY ACT.—Notwithstanding any other provision of this section—

“(A) all obligations under this section are subject to the availability of funds; and

“(B) nothing in this section may be construed to require obligation or payment of funds in violation of sections 1341, 1342, 1349 through 1351, and 1511 through 1519 of title 31, United States Code (commonly referred to as the ‘Anti-Deficiency Act’).

“(j) RELATIONSHIP TO OTHER LAWS.—The Administrator may not provide indemnification under this section for an activity that requires a license or permit under chapter 509.

“(k) DEFINITIONS.—In this section:

“(1) GOVERNMENT ASTRONAUT.—The term ‘government astronaut’ has the meaning given the term in section 50902.

“(2) LAUNCH SERVICES.—The term ‘launch services’ has the meaning given the term in section 50902.

“(3) PROVIDER.—The term ‘provider’ means a person that provides domestic launch services or domestic reentry services to the Government.

“(4) REENTRY SERVICES.—The term ‘reentry services’ has the meaning given the term in section 50902.

“(5) RELATED ENTITY.—The term ‘related entity’ means a contractor or subcontractor.

“(6) THIRD PARTY.—The term ‘third party’ means a person except—

“(A) the United States Government;

“(B) related entities of the Government involved in launch services or reentry services;

“(C) a provider;

“(D) related entities of the provider involved in launch services or reentry services; or

“(E) a government astronaut.”.

(b) CONFORMING AMENDMENT.—The table of contents for subchapter III of chapter 201 of title 51, United States Code, is amended by inserting after the item relating to section 20147 the following:

“20148. Indemnification; NASA launch services and reentry services.”.

TITLE IV—ADVANCING HUMAN DEEP SPACE EXPLORATION

Subtitle A—Human Space Flight and Exploration Goals and Objectives

SEC. 411. HUMAN SPACE FLIGHT AND EXPLORATION LONG-TERM GOALS.

Section 202(a) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18312(a)) is amended to read as follows:

“(a) LONG-TERM GOALS.—The long-term goals of the human space flight and exploration efforts of NASA shall be—

“(1) to expand permanent human presence beyond low-Earth orbit and to do so, where practical, in a manner involving international, academic, and industry partners;

“(2) crewed missions and progress toward achieving the goal in paragraph (1) to enable the potential for subsequent human exploration and the extension of human presence throughout the solar system; and

“(3) to enable a capability to extend human presence, including potential human habitation on another celestial body and a thriving space economy in the 21st Century.”.

SEC. 412. KEY OBJECTIVES.

Section 202(b) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18312(b)) is amended—

(1) in paragraph (3), by striking “; and” and inserting a semicolon;

(2) in paragraph (4), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(5) to achieve human exploration of Mars and beyond through the prioritization of those technologies and capabilities best suited for such a mission in accordance with the stepping stone approach to exploration under section 70504 of title 51, United States Code.”.

SEC. 413. VISION FOR SPACE EXPLORATION.

Section 20302 of title 51, United States Code, is amended—

(1) in subsection (a), by inserting “in cis-lunar space or” after “sustained human presence”;

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

“(b) FUTURE EXPLORATION OF MARS.—The Administrator shall manage human space flight programs, including the Space Launch System and Orion, to enable humans to explore Mars and other destinations by defining a series of sustainable steps and conducting mission planning, research, and technology development on a timetable that is technically and fiscally possible, consistent with section 70504.”; and

(3) by adding at the end the following:

“(c) DEFINITIONS.—In this section:

“(1) ORION.—The term ‘Orion’ means the multipurpose crew vehicle described under section 303 of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18323).

“(2) SPACE LAUNCH SYSTEM.—The term ‘Space Launch System’ means has the meaning given the term in section 3 of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18302).”.

SEC. 414. STEPPING STONE APPROACH TO EXPLORATION.

Section 70504 of title 51, United States Code, is amended to read as follows:

“§ 70504. Stepping stone approach to exploration

“(a) IN GENERAL.—The Administration—

“(1) may conduct missions to intermediate destinations in sustainable steps in accordance with section 20302(b) of this title, and on a timetable determined by the availability of funding, in order to achieve the objective of human exploration of Mars specified in section 202(b)(5) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18312(b)(5)); and

“(2) shall incorporate any such missions into the human exploration roadmap under section 432 of the National Aeronautics and Space Administration Transition Authorization Act of 2017.

“(b) COST-EFFECTIVENESS.—In order to maximize the cost-effectiveness of the long-term space exploration and utilization activities of the United States, the Administrator shall take all necessary steps, including engaging international, academic, and industry partners, to ensure that activities in the Administration’s human space exploration program balance how those activities might also help meet the requirements of future exploration and utilization activities leading to human habitation on the surface of Mars.

“(c) COMPLETION.—Within budgetary considerations, once an exploration-related project enters its development phase, the Administrator shall seek, to the maximum extent practicable, to complete that project without undue delays.

“(d) INTERNATIONAL PARTICIPATION.—In order to achieve the goal of successfully con-

ducting a crewed mission to the surface of Mars, the President may invite the United States partners in the ISS program and other nations, as appropriate, to participate in an international initiative under the leadership of the United States.”.

SEC. 415. UPDATE OF EXPLORATION PLAN AND PROGRAMS.

Section 70502(2) of title 51, United States Code, is amended to read as follows:

“(2) implement an exploration research and technology development program to enable human and robotic operations consistent with section 20302(b) of this title;”.

SEC. 416. REPEALS.

(a) SPACE SHUTTLE CAPABILITY ASSURANCE.—Section 203 of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18313) is amended—

(1) by striking subsection (b);

(2) in subsection (d), by striking “subsection (c)” and inserting “subsection (b)”; and

(3) by redesignating subsections (c) and (d) as subsections (b) and (c), respectively.

(b) SHUTTLE PRICING POLICY FOR COMMERCIAL AND FOREIGN USERS.—Chapter 703 of title 51, United States Code, and the item relating to that chapter in the table of chapters for that title, are repealed.

(c) SHUTTLE PRIVATIZATION.—Section 50133 of title 51, United States Code, and the item relating to that section in the table of sections for chapter 501 of that title, are repealed.

SEC. 417. ASSURED ACCESS TO SPACE.

Section 70501 of title 51, United States Code, is amended—

(1) by amending subsection (a) to read as follows:

“(a) POLICY STATEMENT.—In order to ensure continuous United States participation and leadership in the exploration and utilization of space and as an essential instrument of national security, it is the policy of the United States to maintain an uninterrupted capability for human space flight and operations—

“(1) in low-Earth orbit; and

“(2) beyond low-Earth orbit once the capabilities described in section 421(f) of the National Aeronautics and Space Administration Transition Authorization Act of 2017 become available.”; and

(2) in subsection (b), by striking “Committee on Science and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate describing the progress being made toward developing the Crew Exploration Vehicle and the Crew Launch Vehicle” and inserting “Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives describing the progress being made toward developing the Space Launch System and Orion”.

Subtitle B—Assuring Core Capabilities for Exploration

SEC. 421. SPACE LAUNCH SYSTEM, ORION, AND EXPLORATION GROUND SYSTEMS.

(a) FINDINGS.—Congress makes the following findings:

(1) NASA has made steady progress in developing and testing the Space Launch System and Orion exploration systems with the successful Exploration Flight Test of Orion in December of 2014, the final qualification test firing of the 5-segment Space Launch System boosters in June 2016, and a full thrust, full duration test firing of the RS-25

Space Launch System core stage engine in August 2016.

(2) Through the 21st Century Launch Complex program and Exploration Ground Systems programs, NASA has made significant progress in transforming exploration ground systems infrastructure to meet NASA’s mission requirements for the Space Launch System and Orion and to modernize NASA’s launch complexes to the benefit of the civil, defense, and commercial space sectors.

(b) SPACE LAUNCH SYSTEM.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that use of the Space Launch System and Orion, with contributions from partnerships with the private sector, academia, and the international community, is the most practical approach to reaching the Moon, Mars, and beyond.

(2) REAFFIRMATION.—Congress reaffirms the policy and minimum capability requirements for the Space Launch System under section 302 of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18322).

(c) SENSE OF CONGRESS ON SPACE LAUNCH SYSTEM, ORION, AND EXPLORATION GROUND SYSTEMS.—It is the sense of Congress that—

(1) as the United States works to send humans on a series of missions to Mars in the 2030s, the United States national space program should continue to make progress on its commitment by fully developing the Space Launch System, Orion, and related Exploration Ground Systems;

(2) using the Space Launch System and Orion for a wide range of contemplated missions will facilitate the national defense, science, and exploration objectives of the United States;

(3) the United States should have continuity of purpose for the Space Launch System and Orion in deep space exploration missions, using them beginning with the uncrewed mission, EM-1, planned for 2018, followed by the crewed mission, EM-2, in cis-lunar space planned for 2021, and for subsequent missions beginning with EM-3 extending into cis-lunar space and eventually to Mars;

(4) the President’s annual budget requests for the Space Launch System and Orion development, test, and operational phases should strive to accurately reflect the resource requirements of each of those phases;

(5) the fully integrated Space Launch System, including an upper stage needed to go beyond low-Earth orbit, will safely enable human space exploration of the Moon, Mars, and beyond; and

(6) the Administrator should budget for and undertake a robust ground test and uncrewed and crewed flight test and demonstration program for the Space Launch System and Orion in order to promote safety and reduce programmatic risk.

(d) IN GENERAL.—The Administrator shall continue the development of the fully integrated Space Launch System, including an upper stage needed to go beyond low-Earth orbit, in order to safely enable human space exploration of the Moon, Mars, and beyond over the course of the next century as required in section 302(c) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18322(c)).

(e) REPORT.—

(1) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report addressing the ability of Orion to meet the needs and the minimum capability requirements described in section 303(b)(3) of the

National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18323(b)(3)).

(2) CONTENTS.—The report shall detail—

(A) those components and systems of Orion that ensure it is in compliance with section 303(b)(3) of that Act (42 U.S.C. 18323(b)(3));

(B) the expected date that Orion, integrated with a vehicle other than the Space Launch System, could be available to transport crew and cargo to the ISS;

(C) any impacts to the deep space exploration missions under subsection (f) of this section due to enabling Orion to meet the minimum capability requirements described in section 303(b)(3) of that Act (42 U.S.C. 18323(b)(3)) and conducting the mission described in subparagraph (B) of this paragraph; and

(D) the overall cost and schedule impacts associated with enabling Orion to meet the minimum capability requirements described in section 303(b)(3) of that Act (42 U.S.C. 18323(b)(3)) and conducting the mission described in subparagraph (B) of this paragraph.

(f) EXPLORATION MISSIONS.—The Administrator shall continue development of—

(1) an uncrewed exploration mission to demonstrate the capability of both the Space Launch System and Orion as an integrated system by 2018;

(2) subject to applicable human rating processes and requirements, a crewed exploration mission to demonstrate the Space Launch System, including the Core Stage and Exploration Upper Stages, by 2021;

(3) subsequent missions beginning with EM-3 at operational flight rate sufficient to maintain safety and operational readiness using the Space Launch System and Orion to extend into cis-lunar space and eventually to Mars; and

(4) a deep space habitat as a key element in a deep space exploration architecture along with the Space Launch System and Orion.

(g) OTHER USES.—The Administrator shall assess the utility of the Space Launch System for use by the science community and for other Federal Government launch needs, including consideration of overall cost and schedule savings from reduced transit times and increased science returns enabled by the unique capabilities of the Space Launch System.

(h) UTILIZATION REPORT.—

(1) IN GENERAL.—The Administrator, in consultation with the Secretary of Defense and the Director of National Intelligence, shall prepare a report that addresses the effort and budget required to enable and utilize a cargo variant of the 130-ton Space Launch System configuration described in section 302(c) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18322(c)).

(2) CONTENTS.—In preparing the report, the Administrator shall—

(A) consider the technical requirements of the scientific and national security communities related to a cargo variant of the Space Launch System; and

(B) directly assess the utility and estimated cost savings obtained by using a cargo variant of the Space Launch System for national security and space science missions.

(3) SUBMISSION TO CONGRESS.—Not later than 180 days after the date of enactment of this Act, the Administrator shall submit the report to the appropriate committees of Congress.

Subtitle C—Journey to Mars

SEC. 431. FINDINGS ON HUMAN SPACE EXPLORATION.

Congress makes the following findings:

(1) In accordance with section 204 of the National Aeronautics and Space Administration Authorization Act of 2010 (124 Stat. 2813), the National Academies of Sciences, Engineering, and Medicine, through its Committee on Human Spaceflight, conducted a review of the goals, core capabilities, and direction of human space flight, and published the findings and recommendations in a 2014 report entitled, “Pathways to Exploration: Rationales and Approaches for a U.S. Program of Human Space Exploration”.

(2) The Committee on Human Spaceflight included leaders from the aerospace, scientific, security, and policy communities.

(3) With input from the public, the Committee on Human Spaceflight concluded that many practical and aspirational rationales for human space flight together constitute a compelling case for continued national investment and pursuit of human space exploration toward the horizon goal of Mars.

(4) According to the Committee on Human Spaceflight, the rationales include economic benefits, national security, national prestige, inspiring students and other citizens, scientific discovery, human survival, and a sense of shared destiny.

(5) The Committee on Human Spaceflight affirmed that Mars is the appropriate long-term goal for the human space flight program.

(6) The Committee on Human Spaceflight recommended that NASA define a series of sustainable steps and conduct mission planning and technology development as needed to achieve the long-term goal of placing humans on the surface of Mars.

(7) Expanding human presence beyond low-Earth orbit and advancing toward human missions to Mars requires early planning and timely decisions to be made in the near-term on the necessary courses of action for commitments to achieve short-term and long-term goals and objectives.

(8) In addition to the 2014 report described in paragraph (1), there are several independently developed reports or concepts that describe potential Mars architectures or concepts and identify Mars as the long-term goal for human space exploration, including NASA’s “The Global Exploration Roadmap” of 2013, “NASA’s Journey to Mars—Pioneering Next Steps in Space Exploration” of 2015, NASA Jet Propulsion Laboratory’s “Minimal Architecture for Human Journeys to Mars” of 2015, and Explore Mars’ “The Humans to Mars Report 2016”.

SEC. 432. HUMAN EXPLORATION ROADMAP.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) expanding human presence beyond low-Earth orbit and advancing toward human missions to Mars in the 2030s requires early strategic planning and timely decisions to be made in the near-term on the necessary courses of action for commitments to achieve short-term and long-term goals and objectives;

(2) for strong and sustained United States leadership, a need exists to advance a human exploration roadmap, addressing exploration objectives in collaboration with international, academic, and industry partners;

(3) an approach that incrementally advances toward a long-term goal is one in which nearer-term developments and implementation would influence future development and implementation; and

(4) a human exploration roadmap should begin with low-Earth orbit, then address in greater detail progress beyond low-Earth orbit to cis-lunar space, and then address future missions aimed at human arrival and

activities near and then on the surface of Mars.

(b) HUMAN EXPLORATION ROADMAP.—

(1) IN GENERAL.—The Administrator shall develop a human exploration roadmap, including a critical decision plan, to expand human presence beyond low-Earth orbit to the surface of Mars and beyond, considering potential interim destinations such as cis-lunar space and the moons of Mars.

(2) SCOPE.—The human exploration roadmap shall include—

(A) an integrated set of exploration, science, and other goals and objectives of a United States human space exploration program to achieve the long-term goal of human missions near or on the surface of Mars in the 2030s;

(B) opportunities for international, academic, and industry partnerships for exploration-related systems, services, research, and technology if those opportunities provide cost-savings, accelerate program schedules, or otherwise benefit the goals and objectives developed under subparagraph (A);

(C) sets and sequences of precursor missions in cis-lunar space and other missions or activities necessary—

(i) to demonstrate the proficiency of the capabilities and technologies identified under subparagraph (D); and

(ii) to meet the goals and objectives developed under subparagraph (A), including anticipated timelines and missions for the Space Launch System and Orion;

(D) an identification of the specific capabilities and technologies, including the Space Launch System, Orion, a deep space habitat, and other capabilities, that facilitate the goals and objectives developed under subparagraph (A);

(E) a description of how cis-lunar elements, objectives, and activities advance the human exploration of Mars;

(F) an assessment of potential human health and other risks, including radiation exposure;

(G) mitigation plans, whenever possible, to address the risks identified in subparagraph (F);

(H) a description of those technologies already under development across the Federal Government or by other entities that facilitate the goals and objectives developed under subparagraph (A);

(I) a specific process for the evolution of the capabilities of the fully integrated Orion with the Space Launch System and a description of how these systems facilitate the goals and objectives developed under subparagraph (A) and demonstrate the capabilities and technologies described in subparagraph (D);

(J) a description of the capabilities and technologies that need to be demonstrated or research data that could be gained through the utilization of the ISS and the status of the development of such capabilities and technologies;

(K) a framework for international cooperation in the development of all capabilities and technologies identified under this section, including an assessment of the risks posed by relying on international partners for capabilities and technologies on the critical path of development;

(L) a process for partnering with non-governmental entities using Space Act Agreements or other acquisition instruments for future human space exploration; and

(M) include information on the phasing of planned intermediate destinations, Mars mission risk areas and potential risk mitigation approaches, technology requirements

and phasing of required technology development activities, the management strategy to be followed, related ISS activities, planned international collaborative activities, potential commercial contributions, and other activities relevant to the achievement of the goal established in this section.

(3) **CONSIDERATIONS.**—In developing the human exploration roadmap, the Administrator shall consider—

(A) using key exploration capabilities, namely the Space Launch System and Orion;

(B) using existing commercially available technologies and capabilities or those technologies and capabilities being developed by industry for commercial purposes;

(C) establishing an organizational approach to ensure collaboration and coordination among NASA's Mission Directorates under section 821, when appropriate, including to collect and return to Earth a sample from the Martian surface;

(D) building upon the initial uncrewed mission, EM-1, and first crewed mission, EM-2, of the Space Launch System and Orion to establish a sustainable cadence of missions extending human exploration missions into cis-lunar space, including anticipated timelines and milestones;

(E) developing the robotic and precursor missions and activities that will demonstrate, test, and develop key technologies and capabilities essential for achieving human missions to Mars, including long-duration human operations beyond low-Earth orbit, space suits, solar electric propulsion, deep space habitats, environmental control life support systems, Mars lander and ascent vehicle, entry, descent, landing, ascent, Mars surface systems, and in-situ resource utilization;

(F) demonstrating and testing 1 or more habitat modules in cis-lunar space to prepare for Mars missions;

(G) using public-private, firm fixed-price partnerships, where practicable;

(H) collaborating with international, academic, and industry partners, when appropriate;

(I) any risks to human health and sensitive onboard technologies, including radiation exposure;

(J) any risks identified through research outcomes under the NASA Human Research Program's Behavioral Health Element; and

(K) the recommendations and ideas of several independently developed reports or concepts that describe potential Mars architectures or concepts and identify Mars as the long-term goal for human space exploration, including the reports described under section 431.

(4) **CRITICAL DECISION PLAN ON HUMAN SPACE EXPLORATION.**—As part of the human exploration roadmap, the Administrator shall include a critical decision plan—

(A) identifying and defining key decisions guiding human space exploration priorities and plans that need to be made before June 30, 2020, including decisions that may guide human space exploration capability development, precursor missions, long-term missions, and activities;

(B) defining decisions needed to maximize efficiencies and resources for reaching the near, intermediate, and long-term goals and objectives of human space exploration; and

(C) identifying and defining timelines and milestones for a sustainable cadence of missions beginning with EM-3 for the Space Launch System and Orion to extend human exploration from cis-lunar space to the surface of Mars.

(5) **REPORTS.**—

(A) **INITIAL HUMAN EXPLORATION ROADMAP.**—The Administrator shall submit to the appropriate committees of Congress—

(i) an initial human exploration roadmap, including a critical decision plan, before December 1, 2017; and

(ii) an updated human exploration roadmap periodically as the Administrator considers necessary but not less than biennially.

(B) **CONTENTS.**—Each human exploration roadmap under this paragraph shall include a description of—

(i) the achievements and goals accomplished in the process of developing such capabilities and technologies during the 2-year period prior to the submission of the human exploration roadmap; and

(ii) the expected goals and achievements in the following 2-year period.

(C) **SUBMISSION WITH BUDGET.**—Each human exploration roadmap under this section shall be included in the budget for that fiscal year transmitted to Congress under section 1105(a) of title 31, United States Code.

SEC. 433. ADVANCED SPACE SUIT CAPABILITY.

Not later than 90 days after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a detailed plan for achieving an advanced space suit capability that aligns with the crew needs for exploration enabled by the Space Launch System and Orion, including an evaluation of the merit of delivering the planned suit system for use on the ISS.

SEC. 434. ASTEROID ROBOTIC REDIRECT MISSION.

(a) **FINDINGS.**—Congress makes the following findings:

(1) NASA initially estimated that the Asteroid Robotic Redirect Mission would launch in December 2020 and cost no more than \$1,250,000,000, excluding launch and operations.

(2) On July 15, 2016, NASA conducted its Key Decision Point-B review of the Asteroid Robotic Redirect Mission or approval for Phase B in mission formulation.

(3) During the Key Decision Point-B review, NASA estimated that costs have grown to \$1,400,000,000 excluding launch and operations for a launch in December 2021 and the agency must evaluate whether to accept the increase or reduce the Asteroid Robotic Redirect Mission's scope to stay within the cost cap set by the Administrator.

(4) In April 2015, the NASA Advisory Council—

(A) issued a finding that—

(i) high-performance solar electric propulsion will likely be an important part of an architecture to send humans to Mars; and

(ii) maneuvering a large test mass is not necessary to provide a valid in-space test of a new solar electric propulsion stage;

(B) determined that a solar electric propulsion mission will contribute more directly to the goal of sending humans to Mars if the mission is focused entirely on development and validation of the solar electric propulsion stage; and

(C) determined that other possible motivations for acquiring and maneuvering a boulder, such as asteroid science and planetary defense, do not have value commensurate with their probable cost.

(5) The Asteroid Robotic Redirect Mission is competing for resources with other critical exploration development programs, including the Space Launch System, Orion, commercial crew, and a habitation module.

(6) In 2014, the NASA Advisory Council recommended that NASA conduct an independent cost and technical assessment of the Asteroid Robotic Redirect Mission.

(7) In 2015, the NASA Advisory Council recommended that NASA preserve the following key objectives if the program needed to be descoped:

(A) Development of high power solar electric propulsion.

(B) Ability to maneuver in a low gravity environment in deep space.

(8) In January 2015 and July 2015, the NASA Advisory Council expressed its concern to NASA about the potential for growing costs for the program and highlighted that choices would need to be made about the program's content.

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) the technological and scientific goals of the Asteroid Robotic Redirect Mission have not been demonstrated to Congress to be commensurate with the cost; and

(2) alternative missions may provide a more cost effective and scientifically beneficial means to demonstrate the technologies needed for a human mission to Mars that would otherwise be demonstrated by the Asteroid Robotic Redirect Mission.

(c) **EVALUATION AND REPORT.**—Not later than 180 days after the date of enactment of this Act, the Administrator shall—

(1) conduct an evaluation of—

(A) alternative approaches to the Asteroid Robotic Redirect Mission for demonstrating the technologies and capabilities needed for a human mission to Mars that would otherwise be demonstrated by the Asteroid Robotic Redirect Mission;

(B) the scientific and technical benefits of the alternative approaches under subparagraph (A) to future human space exploration compared to scientific and technical benefits of the Asteroid Robotic Redirect Mission;

(C) the commercial benefits of the alternative approaches identified in subparagraph (A), including the impact on the development of domestic solar electric propulsion technology to bolster United States competitiveness in the global marketplace; and

(D) a comparison of the estimated costs of the alternative approaches identified in subparagraph (A); and

(2) submit to the appropriate committees of Congress a report on the evaluation under paragraph (1), including any recommendations.

SEC. 435. MARS 2033 REPORT.

(a) **IN GENERAL.**—Not later than 120 days after the date of enactment of this Act, the Administrator shall contract with an independent, non-governmental systems engineering and technical assistance organization to study a Mars human space flight mission to be launched in 2033.

(b) **CONTENTS.**—The study shall include—

(1) a technical development, test, fielding, and operations plan using the Space Launch System, Orion, and other systems to successfully launch such a Mars human space flight mission by 2033;

(2) an annual budget profile, including cost estimates, for the technical development, test, fielding, and operations plan to carry out a Mars human space flight mission by 2033; and

(3) a comparison of the annual budget profile to the 5-year budget profile contained in the President's budget request for fiscal year 2017 under section 1105 of title 31, United States Code.

(c) **REPORT.**—Not later than 180 days after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report on the study, including findings and recommendations regarding the Mars 2033 human space flight mission described in subsection (a).

(d) ASSESSMENT.—Not later than 60 days after the date the report is submitted under subsection (c), the Administrator shall submit to the appropriate committees of Congress an assessment by the NASA Advisory Council of whether the proposal for a Mars human space flight mission to be launched in 2033 is in the strategic interests of the United States in space exploration.

Subtitle D—TREAT Astronauts Act

SEC. 441. SHORT TITLE.

This subtitle may be cited as the “To Research, Evaluate, Assess, and Treat Astronauts Act” or the “TREAT Astronauts Act”.

SEC. 442. FINDINGS; SENSE OF CONGRESS.

(a) FINDINGS.—Congress makes the following findings:

(1) Human space exploration can pose significant challenges and is full of substantial risk, which has ultimately claimed the lives of 24 NASA astronauts serving in the line of duty.

(2) As United States government astronauts participate in long-duration and exploration space flight missions they may experience increased health risks, such as vision impairment, bone demineralization, and behavioral health and performance risks, and may be exposed to galactic cosmic radiation. Exposure to high levels of radiation and microgravity can result in acute and long-term health consequences that can increase the risk of cancer and tissue degeneration and have potential effects on the musculoskeletal system, central nervous system, cardiovascular system, immune function, and vision.

(3) To advance the goal of long-duration and exploration space flight missions, United States government astronaut Scott Kelly participated in a 1-year twins study in space while his identical twin brother, former United States government astronaut Mark Kelly, acted as a human control specimen on Earth, providing an understanding of the physical, behavioral, microbiological, and molecular reaction of the human body to an extended period of time in space.

(4) Since the Administration currently provides medical monitoring, diagnosis, and treatment for United States government astronauts during their active employment, given the unknown long-term health consequences of long-duration space exploration, the Administration has requested statutory authority from Congress to provide medical monitoring, diagnosis, and treatment to former United States government astronauts for psychological and medical conditions associated with human space flight.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States should continue to seek the unknown and lead the world in space exploration and scientific discovery as the Administration prepares for long-duration and exploration space flight in deep space and an eventual mission to Mars;

(2) data relating to the health of astronauts will become increasingly valuable to improving our understanding of many diseases humans face on Earth;

(3) the Administration should provide the type of monitoring, diagnosis, and treatment described in subsection (a) only for conditions the Administration considers unique to the training or exposure to the space flight environment of United States government astronauts and should not require any former United States Government astronauts to participate in the Administration's monitoring;

(4) such monitoring, diagnosis, and treatment should not replace a former United States government astronaut's private health insurance;

(5) expanded data acquired from such monitoring, diagnosis, and treatment should be used to tailor treatment, inform the requirements for new space flight medical hardware, and develop controls in order to prevent disease occurrence in the astronaut corps; and

(6) the 340-day space mission of Scott Kelly aboard the ISS—

(A) was pivotal for the goal of the United States for humans to explore deep space and Mars as the mission generated new insight into how the human body adjusts to weightlessness, isolation, radiation, and the stress of long-duration space flight; and

(B) will help support the physical and mental well-being of astronauts during longer space exploration missions in the future.

SEC. 443. MEDICAL MONITORING AND RESEARCH RELATING TO HUMAN SPACE FLIGHT.

(a) IN GENERAL.—Subchapter III of chapter 201 of title 51, United States Code, as amended by section 305 of this Act, is further amended by adding at the end the following:

“§ 20149. Medical monitoring and research relating to human space flight

“(a) IN GENERAL.—Notwithstanding any other provision of law, the Administrator may provide for—

“(1) the medical monitoring and diagnosis of a former United States government astronaut or a former payload specialist for conditions that the Administrator considers potentially associated with human space flight; and

“(2) the treatment of a former United States government astronaut or a former payload specialist for conditions that the Administrator considers associated with human space flight, including scientific and medical tests for psychological and medical conditions.

“(b) REQUIREMENTS.—

“(1) NO COST SHARING.—The medical monitoring, diagnosis, or treatment described in subsection (a) shall be provided without any deductible, copayment, or other cost sharing obligation.

“(2) ACCESS TO LOCAL SERVICES.—The medical monitoring, diagnosis, and treatment described in subsection (a) may be provided by a local health care provider if it is unadvisable due to the health of the applicable former United States government astronaut or former payload specialist for that former United States government astronaut or former payload specialist to travel to the Lyndon B. Johnson Space Center, as determined by the Administrator.

“(3) SECONDARY PAYMENT.—Payment or reimbursement for the medical monitoring, diagnosis, or treatment described in subsection (a) shall be secondary to any obligation of the United States Government or any third party under any other provision of law or contractual agreement to pay for or provide such medical monitoring, diagnosis, or treatment. Any costs for items and services that may be provided by the Administrator for medical monitoring, diagnosis, or treatment under subsection (a) that are not paid for or provided under such other provision of law or contractual agreement, due to the application of deductibles, copayments, coinsurance, other cost sharing, or otherwise, are reimbursable by the Administrator on behalf of the former United States government astronaut or former payload specialist involved to the extent such items or services

are authorized to be provided by the Administrator for such medical monitoring, diagnosis, or treatment under subsection (a).

“(4) CONDITIONAL PAYMENT.—The Administrator may provide for conditional payments for or provide medical monitoring, diagnosis, or treatment described in subsection (a) that is obligated to be paid for or provided by the United States or any third party under any other provision of law or contractual agreement to pay for or provide such medical monitoring, diagnosis, or treatment if—

“(A) payment for (or the provision of) such medical monitoring, diagnosis, or treatment services has not been made (or provided) or cannot reasonably be expected to be made (or provided) promptly by the United States or such third party, respectively; and

“(B) such payment (or such provision of services) by the Administrator is conditioned on reimbursement by the United States or such third party, respectively, for such medical monitoring, diagnosis, or treatment.

“(c) EXCLUSIONS.—The Administrator may not—

“(1) provide for medical monitoring or diagnosis of a former United States government astronaut or former payload specialist under subsection (a) for any psychological or medical condition that is not potentially associated with human space flight;

“(2) provide for treatment of a former United States government astronaut or former payload specialist under subsection (a) for any psychological or medical condition that is not associated with human space flight; or

“(3) require a former United States government astronaut or former payload specialist to participate in the medical monitoring, diagnosis, or treatment authorized under subsection (a).

“(d) PRIVACY.—Consistent with applicable provisions of Federal law relating to privacy, the Administrator shall protect the privacy of all medical records generated under subsection (a) and accessible to the Administration.

“(e) REGULATIONS.—The Administrator shall promulgate such regulations as are necessary to carry out this section.

“(f) DEFINITION OF UNITED STATES GOVERNMENT ASTRONAUT.—In this section, the term ‘United States government astronaut’ has the meaning given the term ‘government astronaut’ in section 50902, except it does not include an individual who is an international partner astronaut.

“(g) DATA USE AND DISCLOSURE.—The Administrator may use or disclose data acquired in the course of medical monitoring, diagnosis, or treatment of a former United States government astronaut or a former payload specialist under subsection (a), in accordance with subsection (d). Former United States government astronaut or former payload specialist participation in medical monitoring, diagnosis, or treatment under subsection (a) shall constitute consent for the Administrator to use or disclose such data.”.

(b) TABLE OF CONTENTS.—The table of contents for chapter 201 of title 51, United States Code, as amended by section 305 of this Act, is further amended by inserting after the item relating to section 20148 the following:

“20149. Medical monitoring and research relating to human space flight.”.

(c) ANNUAL REPORTS.—

(1) IN GENERAL.—Each fiscal year, not later than the date of submission of the President's annual budget request for that fiscal year under section 1105 of title 31, United

States Code, the Administrator shall publish a report, in accordance with applicable Federal privacy laws, on the activities of the Administration under section 20149 of title 51, United States Code.

(2) **CONTENTS.**—Each report under paragraph (1) shall include a detailed cost accounting of the Administration's activities under section 20149 of title 51, United States Code, and a 5-year budget estimate.

(3) **SUBMISSION TO CONGRESS.**—The Administrator shall submit to the appropriate committees of Congress each report under paragraph (1) not later than the date of submission of the President's annual budget request for that fiscal year under section 1105 of title 31, United States Code.

(d) **COST ESTIMATE.**—

(1) **REQUIREMENT.**—Not later than 90 days after the date of enactment of this Act, the Administrator shall enter into an arrangement with an independent external organization to undertake an independent cost estimate of the cost to the Administration and the Federal Government to implement and administer the activities of the Administration under section 20149 of title 51, United States Code. The independent external organization may not be a NASA entity, such as the Office of Safety and Mission Assurance.

(2) **SUBMITTAL TO CONGRESS.**—Not later than 1 year after the date of the enactment of this Act, the Administrator shall submit to the appropriate committees of Congress the independent cost estimate under paragraph (1).

(e) **PRIVACY STUDY.**—

(1) **STUDY.**—The Administrator shall carry out a study on any potential privacy or legal issues related to the possible sharing beyond the Federal Government of data acquired under the activities of the Administration under section 20149 of title 51, United States Code.

(2) **REPORT.**—Not later than 270 days after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report containing the results of the study carried out under paragraph (1).

(f) **INSPECTOR GENERAL AUDIT.**—The Inspector General of NASA shall periodically audit or review, as the Inspector General considers necessary to prevent waste, fraud, and abuse, the activities of the Administration under section 20149 of title 51, United States Code.

TITLE V—ADVANCING SPACE SCIENCE

SEC. 501. MAINTAINING A BALANCED SPACE SCIENCE PORTFOLIO.

(a) **SENSE OF CONGRESS ON SCIENCE PORTFOLIO.**—Congress reaffirms the sense of Congress that—

(1) a balanced and adequately funded set of activities, consisting of research and analysis grant programs, technology development, suborbital research activities, and small, medium, and large space missions, contributes to a robust and productive science program and serves as a catalyst for innovation and discovery; and

(2) the Administrator should set science priorities by following the guidance provided by the scientific community through the National Academies of Sciences, Engineering, and Medicine's decadal surveys.

(b) **POLICY.**—It is the policy of the United States to ensure, to the extent practicable, a steady cadence of large, medium, and small science missions.

SEC. 502. PLANETARY SCIENCE.

(a) **FINDINGS.**—Congress finds that—

(1) Administration support for planetary science is critical to enabling greater understanding of the solar system and the origin of the Earth;

(2) the United States leads the world in planetary science and can augment its success in that area with appropriate international, academic, and industry partnerships;

(3) a mix of small, medium, and large planetary science missions is required to sustain a steady cadence of planetary exploration; and

(4) robotic planetary exploration is a key component of preparing for future human exploration.

(b) **MISSION PRIORITIES.**—

(1) **IN GENERAL.**—In accordance with the priorities established in the most recent Planetary Science Decadal Survey, the Administrator shall ensure, to the greatest extent practicable, the completion of a balanced set of Discovery, New Frontiers, and Flagship missions at the cadence recommended by the most recent Planetary Science Decadal Survey.

(2) **MISSION PRIORITY ADJUSTMENTS.**—Consistent with the set of missions described in paragraph (1), and while maintaining the continuity of scientific data and steady development of capabilities and technologies, the Administrator may seek, if necessary, adjustments to mission priorities, schedule, and scope in light of changing budget projections.

SEC. 503. JAMES WEBB SPACE TELESCOPE.

It is the sense of Congress that—

(1) the James Webb Space Telescope will—

(A) significantly advance our understanding of star and planet formation, and improve our knowledge of the early universe; and

(B) support United States leadership in astrophysics;

(2) consistent with annual Government Accountability Office reviews of the James Webb Space Telescope program, the Administrator should continue robust surveillance of the performance of the James Webb Space Telescope project and continue to improve the reliability of cost estimates and contractor performance data and other major space flight projects in order to enhance NASA's ability to successfully deliver the James Webb Space Telescope on-time and within budget;

(3) the on-time and on-budget delivery of the James Webb Space Telescope is a high congressional priority; and

(4) the Administrator should ensure that integrated testing is appropriately timed and sufficiently comprehensive to enable potential issues to be identified and addressed early enough to be handled within the James Webb Space Telescope's development schedule and prior to its launch.

SEC. 504. WIDE-FIELD INFRARED SURVEY TELESCOPE.

(a) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) the Wide-Field Infrared Survey Telescope (referred to in this section as "WFIRST") mission has the potential to enable scientific discoveries that will transform our understanding of the universe; and

(2) the Administrator, to the extent practicable, should make progress on the technologies and capabilities needed to position the Administration to meet the objectives, as outlined in the 2010 National Academies' Astronomy and Astrophysics Decadal Survey, in a way that maximizes the scientific productivity of meeting those objectives for the resources invested.

(b) **CONTINUITY OF DEVELOPMENT.**—The Administrator shall ensure that the concept definition and pre-formulation activities of the WFIRST mission continue while the

James Webb Space Telescope is being completed.

SEC. 505. MARS 2020 ROVER.

It is the sense of Congress that—

(1) the Mars 2020 mission, to develop a Mars rover and to enable the return of samples to Earth, should remain a priority for NASA; and

(2) the Mars 2020 mission—

(A) should significantly increase our understanding of Mars;

(B) should help determine whether life previously existed on that planet; and

(C) should provide opportunities to gather knowledge and demonstrate technologies that address the challenges of future human expeditions to Mars.

SEC. 506. EUROPA.

(a) **FINDINGS.**—Congress makes the following findings:

(1) Studies of Europa, Jupiter's moon, indicate that Europa may provide a habitable environment, as it contains key ingredients known to support life.

(2) In 2012, using the Hubble Space Telescope, NASA scientists observed water vapor around the south polar region of Europa, which provides potential evidence of water plumes in that region.

(3) For decades, the Europa mission has consistently ranked as a high priority mission for the scientific community.

(4) The Europa mission was ranked as the top priority mission in the previous Planetary Science Decadal Survey and ranked as the second-highest priority in the current Planetary Science Decadal Survey.

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) the Europa mission could provide another avenue in which to capitalize on our Nation's current investment in the Space Launch System that would significantly reduce the transit time for such a deep space mission; and

(2) a scientific, robotic exploration mission to Europa, as prioritized in both Planetary Science Decadal Surveys, should be supported.

SEC. 507. CONGRESSIONAL DECLARATION OF POLICY AND PURPOSE.

Section 20102(d) of title 51, United States Code, is amended by adding at the end the following:

"(10) The search for life's origin, evolution, distribution, and future in the universe."

SEC. 508. EXTRASOLAR PLANET EXPLORATION STRATEGY.

(a) **STRATEGY.**—

(1) **IN GENERAL.**—The Administrator shall enter into an arrangement with the National Academies to develop a science strategy for the study and exploration of extrasolar planets, including the use of the Transiting Exoplanet Survey Satellite, the James Webb Space Telescope, a potential Wide-Field Infrared Survey Telescope mission, or any other telescope, spacecraft, or instrument, as appropriate.

(2) **REQUIREMENTS.**—The strategy shall—

(A) outline key scientific questions;

(B) identify the most promising research in the field;

(C) indicate the extent to which the mission priorities in existing decadal surveys address the key extrasolar planet research and exploration goals;

(D) identify opportunities for coordination with international partners, commercial partners, and not-for-profit partners; and

(E) make recommendations regarding the activities under subparagraphs (A) through (D), as appropriate.

(b) **USE OF STRATEGY.**—The Administrator shall use the strategy—

(1) to inform roadmaps, strategic plans, and other activities of the Administration as they relate to extrasolar planet research and exploration; and

(2) to provide a foundation for future activities and initiatives related to extrasolar planet research and exploration.

(c) **REPORT TO CONGRESS.**—Not later than 18 months after the date of enactment of this Act, the National Academies shall submit to the Administrator and to the appropriate committees of Congress a report containing the strategy developed under subsection (a).

SEC. 509. ASTROBIOLOGY STRATEGY.

(a) **STRATEGY.**—

(1) **IN GENERAL.**—The Administrator shall enter into an arrangement with the National Academies to develop a science strategy for astrobiology that would outline key scientific questions, identify the most promising research in the field, and indicate the extent to which the mission priorities in existing decadal surveys address the search for life's origin, evolution, distribution, and future in the Universe.

(2) **RECOMMENDATIONS.**—The strategy shall include recommendations for coordination with international partners.

(b) **USE OF STRATEGY.**—The Administrator shall use the strategy developed under subsection (a) in planning and funding research and other activities and initiatives in the field of astrobiology.

(c) **REPORT TO CONGRESS.**—Not later than 18 months after the date of enactment of this Act, the National Academies shall submit to the Administrator and to the appropriate committees of Congress a report containing the strategy developed under subsection (a).

SEC. 510. ASTROBIOLOGY PUBLIC-PRIVATE PARTNERSHIPS.

Not later than 180 days after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report describing how the Administration can expand collaborative partnerships to study life's origin, evolution, distribution, and future in the universe.

SEC. 511. NEAR-EARTH OBJECTS.

Section 321 of the National Aeronautics and Space Administration Authorization Act of 2005 (51 U.S.C. note prec. 71101) is amended by adding at the end the following:

“(e) **PROGRAM REPORT.**—The Director of the Office of Science and Technology Policy and the Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives, not later than 1 year after the date of enactment of the National Aeronautics and Space Administration Transition Authorization Act of 2017, an initial report that provides—

“(1) recommendations for carrying out the Survey program and an associated proposed budget;

“(2) an analysis of possible options that the Administration could employ to divert an object on a likely collision course with Earth; and

“(3) a description of the status of efforts to coordinate and cooperate with other countries to discover hazardous asteroids and comets, plan a mitigation strategy, and implement that strategy in the event of the discovery of an object on a likely collision course with Earth.

“(f) **ANNUAL REPORTS.**—After the initial report under subsection (e), the Administrator shall annually transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report that includes—

“(1) a summary of all activities carried out under subsection (d) since the date of enactment of the National Aeronautics and Space Administration Transition Authorization Act of 2017, including the progress toward achieving 90 percent completion of the survey described in subsection (d); and

“(2) a summary of expenditures for all activities carried out under subsection (d) since the date of enactment of the National Aeronautics and Space Administration Transition Authorization Act of 2017.

“(g) **ASSESSMENT.**—The Administrator, in collaboration with other relevant Federal agencies, shall carry out a technical and scientific assessment of the capabilities and resources—

“(1) to accelerate the survey described in subsection (d); and

“(2) to expand the Administration's Near-Earth Object Program to include the detection, tracking, cataloging, and characterization of potentially hazardous near-Earth objects less than 140 meters in diameter.

“(h) **TRANSMITTAL.**—Not later than 270 days after the date of enactment of the National Aeronautics and Space Administration Transition Authorization Act of 2017, the Administrator shall transmit the results of the assessment under subsection (g) to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives.”.

SEC. 512. NEAR-EARTH OBJECTS PUBLIC-PRIVATE PARTNERSHIPS.

(a) **SENSE OF CONGRESS.**—It is the sense of Congress that the Administration should seek to leverage the capabilities of the private sector and philanthropic organizations to the maximum extent practicable in carrying out the Near-Earth Object Survey Program in order to meet the goal of that program under section 321(d)(1) of the National Aeronautics and Space Administration Authorization Act of 2005 (51 U.S.C. note prec. 71101(d)(1)).

(b) **REPORT.**—Not later than 180 days after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report describing how the Administration can expand collaborative partnerships to detect, track, catalogue, and categorize near-Earth objects.

SEC. 513. ASSESSMENT OF SCIENCE MISSION EXTENSIONS.

Section 30504 of title 51, United States Code, is amended to read as follows:

“§ 30504. Assessment of science mission extensions

“(a) **ASSESSMENTS.**—

“(1) **IN GENERAL.**—The Administrator shall carry out triennial reviews within each of the Science divisions to assess the cost and benefits of extending the date of the termination of data collection for those missions that exceed their planned missions' lifetime.

“(2) **CONSIDERATIONS.**—In conducting an assessment under paragraph (1), the Administrator shall consider whether and how extending missions impacts the start of future missions.

“(b) **CONSULTATION AND CONSIDERATION OF POTENTIAL BENEFITS OF INSTRUMENTS ON MISSIONS.**—When deciding whether to extend a mission that has an operational component, the Administrator shall—

“(1) consult with any affected Federal agency; and

“(2) take into account the potential benefits of instruments on missions that are beyond their planned mission lifetime.

“(c) **REPORTS.**—The Administrator shall submit to the Committee on Commerce,

Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives, at the same time as the submission to Congress of the Administration's annual budget request for each fiscal year, a report detailing any assessment under subsection (a) that was carried out during the previous year.”.

SEC. 514. STRATOSPHERIC OBSERVATORY FOR INFRARED ASTRONOMY.

The Administrator may not terminate science operations of the Stratospheric Observatory for Infrared Astronomy before December 31, 2017.

SEC. 515. RADIOISOTOPE POWER SYSTEMS.

(a) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) exploration of the outer reaches of the solar system is enabled by radioisotope power systems;

(2) establishing continuity in the production of the material needed for radioisotope power systems is essential to maintaining the availability of such systems for future deep space exploration missions; and

(3) Federal agencies supporting the Administration through the production of such material should do so in a cost effective manner so as not to impose excessive reimbursement requirements on the Administration.

(b) **ANALYSIS OF REQUIREMENTS AND RISKS.**—The Director of the Office of Science and Technology Policy and the Administrator, in consultation with the heads of other Federal agencies, shall conduct an analysis of—

(1) the requirements of the Administration for radioisotope power system material that is needed to carry out planned, high priority robotic missions in the solar system and other surface exploration activities beyond low-Earth orbit; and

(2) the risks to missions of the Administration in meeting those requirements, or any additional requirements, due to a lack of adequate radioisotope power system material.

(c) **CONTENTS OF ANALYSIS.**—The analysis conducted under subsection (b) shall—

(1) detail the Administration's current projected mission requirements and associated timeframes for radioisotope power system material;

(2) explain the assumptions used to determine the Administration's requirements for the material, including—

(A) the planned use of advanced thermal conversion technology such as advanced thermocouples and Stirling generators and converters; and

(B) the risks and implications of, and contingencies for, any delays or unanticipated technical challenges affecting or related to the Administration's mission plans for the anticipated use of advanced thermal conversion technology;

(3) assess the risk to the Administration's programs of any potential delays in achieving the schedule and milestones for planned domestic production of radioisotope power system material;

(4) outline a process for meeting any additional Administration requirements for the material;

(5) estimate the incremental costs required to increase the amount of material produced each year, if such an increase is needed to support additional Administration requirements for the material;

(6) detail how the Administration and other Federal agencies will manage, operate, and fund production facilities and the design and development of all radioisotope power systems used by the Administration and other Federal agencies as necessary;

(7) specify the steps the Administration will take, in consultation with the Department of Energy, to preserve the infrastructure and workforce necessary for production of radioisotope power systems and ensure that its reimbursements to the Department of Energy associated with such preservation are equitable and justified; and

(8) detail how the Administration has implemented or rejected the recommendations from the National Research Council's 2009 report titled "Radioisotope Power Systems: An Imperative for Maintaining U.S. Leadership in Space Exploration."

(d) REPORT TO CONGRESS.—Not later than 180 days after the date of enactment of this Act, the Administrator shall submit the results of the analysis to the appropriate committees of Congress.

SEC. 516. ASSESSMENT OF MARS ARCHITECTURE.

(a) ASSESSMENT.—The Administrator shall enter into an arrangement with the National Academies of Sciences, Engineering, and Medicine to assess—

(1) the Administration's Mars exploration architecture and its responsiveness to the strategies, priorities, and guidelines put forward by the National Academies' planetary science decadal surveys and other relevant National Academies Mars-related reports;

(2) the long-term goals of the Administration's Mars Exploration Program and such program's ability to optimize the science return, given the current fiscal posture of the program;

(3) the Mars exploration architecture's relationship to Mars-related activities to be undertaken by foreign agencies and organizations; and

(4) the extent to which the Mars exploration architecture represents a reasonably balanced mission portfolio.

(b) REPORT TO CONGRESS.—Not later than 18 months after the date of enactment of this Act, the Administrator shall submit the results of the assessment to the appropriate committees of Congress.

SEC. 517. COLLABORATION.

The Administration shall continue to develop first-of-a-kind instruments that, once proved, can be transitioned to other agencies for operations. Whenever responsibilities for the development of sensors or for measurements are transferred to the Administration from another agency, the Administration shall seek, to the extent possible, to be reimbursed for the assumption of such responsibilities.

TITLE VI—AERONAUTICS

SEC. 601. SENSE OF CONGRESS ON AERONAUTICS.

It is the sense of Congress that—

(1) a robust aeronautics research portfolio will help maintain the United States status as a leader in aviation, enhance the competitiveness of the United States in the world economy, and improve the quality of life of all citizens;

(2) aeronautics research is essential to the Administration's mission, continues to be an important core element of the Administration's mission, and should be supported;

(3) the Administrator should coordinate and consult with relevant Federal agencies and the private sector to minimize duplication of efforts and leverage resources; and

(4) carrying aeronautics research to a level of maturity that allows the Administration's research results to be transferred to the users, whether private or public sector, is critical to their eventual adoption.

SEC. 602. TRANSFORMATIVE AERONAUTICS RESEARCH.

It is the sense of Congress that the Administrator should look strategically into the

future and ensure that the Administration's Center personnel are at the leading edge of aeronautics research by encouraging investigations into the early-stage advancement of new processes, novel concepts, and innovative technologies that have the potential to meet national aeronautics needs.

SEC. 603. HYPERSONIC RESEARCH.

(a) ROADMAP FOR HYPERSONIC RESEARCH.—Not later than 1 year after the date of enactment of this Act, the Administrator, in consultation with the heads of other relevant Federal agencies, shall develop and submit to the appropriate committees of Congress a research and development roadmap for hypersonic aircraft research.

(b) OBJECTIVE.—The objective of the roadmap is to explore hypersonic science and technology using air-breathing propulsion concepts, through a mix of theoretical work, basic and applied research, and development of flight research demonstration vehicles.

(c) CONTENTS.—The roadmap shall recommend appropriate Federal agency contributions, coordination efforts, and technology milestones.

SEC. 604. SUPERSONIC RESEARCH.

(a) FINDINGS.—Congress finds that—

(1) the ability to fly commercial aircraft over land at supersonic speeds without adverse impacts on the environment or on local communities could open new global markets and enable new transportation capabilities; and

(2) continuing the Administration's research program is necessary to assess the impact in a relevant environment of commercial supersonic flight operations and provide the basis for establishing appropriate sonic boom standards for such flight operations.

(b) ROADMAP FOR SUPERSONIC RESEARCH.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator shall develop and submit to the appropriate committees of Congress a roadmap that allows for flexible funding profiles for supersonic aeronautics research and development.

(2) OBJECTIVE.—The objective of the roadmap is to develop and demonstrate, in a relevant environment, airframe and propulsion technologies to minimize the environmental impact, including noise, of supersonic overland flight in an efficient and economical manner.

(3) CONTENTS.—The roadmap shall include—

(A) the baseline research as embodied by the Administration's existing research on supersonic flight;

(B) a list of specific technological, environmental, and other challenges that must be overcome to minimize the environmental impact, including noise, of supersonic overland flight;

(C) a research plan to address the challenges under subparagraph (B), including a project timeline for accomplishing relevant research goals;

(D) a plan for coordination with stakeholders, including relevant government agencies and industry; and

(E) a plan for how the Administration will ensure that sonic boom research is coordinated as appropriate with relevant Federal agencies.

SEC. 605. ROTORCRAFT RESEARCH.

(a) ROADMAP FOR ROTORCRAFT RESEARCH.—Not later than 1 year after the date of enactment of this Act, the Administrator, in consultation with the heads of other relevant Federal agencies, shall prepare and submit to the appropriate committees of Congress a

roadmap for research relating to rotorcraft and other runway-independent air vehicles.

(b) OBJECTIVE.—The objective of the roadmap is to develop and demonstrate improved safety, noise, and environmental impact in a relevant environment.

(c) CONTENTS.—The roadmap shall include specific goals for the research, a timeline for implementation, metrics for success, and guidelines for collaboration and coordination with industry and other Federal agencies.

TITLE VII—SPACE TECHNOLOGY

SEC. 701. SPACE TECHNOLOGY INFUSION.

(a) SENSE OF CONGRESS ON SPACE TECHNOLOGY.—It is the sense of Congress that space technology is critical—

(1) to developing technologies and capabilities that will make the Administration's core missions more affordable and more reliable;

(2) to enabling a new class of Administration missions beyond low-Earth orbit; and

(3) to improving technological capabilities and promote innovation for the Administration and the Nation.

(b) SENSE OF CONGRESS ON PROPULSION TECHNOLOGY.—It is the sense of Congress that advancing propulsion technology would improve the efficiency of trips to Mars and could shorten travel time to Mars, reduce astronaut health risks, and reduce radiation exposure, consumables, and mass of materials required for the journey.

(c) POLICY.—It is the policy of the United States that the Administrator shall develop technologies to support the Administration's core missions, as described in section 2(3) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18301(3)), and support sustained investments in early stage innovation, fundamental research, and technologies to expand the boundaries of the national aerospace enterprise.

(d) PROPULSION TECHNOLOGIES.—A goal of propulsion technologies developed under subsection (c) shall be to significantly reduce human travel time to Mars.

SEC. 702. SPACE TECHNOLOGY PROGRAM.

(a) SPACE TECHNOLOGY PROGRAM AUTHORIZED.—The Administrator shall conduct a space technology program (referred to in this section as the "Program") to research and develop advanced space technologies that could deliver innovative solutions across the Administration's space exploration and science missions.

(b) CONSIDERATIONS.—In conducting the Program, the Administrator shall consider—

(1) the recommendations of the National Academies' review of the Administration's Space Technology roadmaps and priorities; and

(2) the applicable enabling aspects of the stepping stone approach to exploration under section 70504 of title 51, United States Code.

(c) REQUIREMENTS.—In conducting the Program, the Administrator shall—

(1) to the extent practicable, use a competitive process to select research and development projects;

(2) to the extent practicable and appropriate, use small satellites and the Administration's suborbital and ground-based platforms to demonstrate space technology concepts and developments; and

(3) as appropriate, partner with other Federal agencies, universities, private industry, and foreign countries.

(d) SMALL BUSINESS PROGRAMS.—The Administrator shall organize and manage the Administration's Small Business Innovation Research Program and Small Business Technology Transfer Program within the Program.

(e) **NONDUPLICATION CERTIFICATION.**—The Administrator shall submit a budget for each fiscal year, as transmitted to Congress under section 1105(a) of title 31, United States Code, that avoids duplication of projects, programs, or missions conducted by Program with other projects, programs, or missions conducted by another office or directorate of the Administration.

(f) **COLLABORATION, COORDINATION, AND ALIGNMENT.**—

(1) **IN GENERAL.**—The Administrator shall—

(A) ensure that the Administration's projects, programs, and activities in support of technology research and development of advanced space technologies are fully coordinated and aligned;

(B) ensure that the results the projects, programs, and activities under subparagraph (A) are shared and leveraged within the Administration; and

(C) ensure that the organizational responsibility for research and development activities in support of human space exploration not initiated as of the date of enactment of this Act is established on the basis of a sound rationale.

(2) **SENSE OF CONGRESS.**—It is the sense of Congress that projects, programs, and missions being conducted by the Human Exploration and Operations Mission Directorate in support of research and development of advanced space technologies and systems focusing on human space exploration should continue in that Directorate.

(g) **REPORT.**—Not later than 180 days after the date of enactment of this Act, the Administrator shall provide to the appropriate committees of Congress a report—

(1) comparing the Administration's space technology investments with the high-priority technology areas identified by the National Academies in the National Research Council's report on the Administration's Space Technology Roadmaps; and

(2) including—

(A) identification of how the Administration will address any gaps between the agency's investments and the recommended technology areas, including a projection of funding requirements; and

(B) identification of the rationale described in subsection (f)(1)(C).

(h) **ANNUAL REPORT.**—The Administrator shall include in the Administration's annual budget request for each fiscal year the rationale for assigning organizational responsibility for, in the year prior to the budget fiscal year, each initiated project, program, and mission focused on research and development of advanced technologies for human space exploration.

TITLE VIII—MAXIMIZING EFFICIENCY

Subtitle A—Agency Information Technology and Cybersecurity

SEC. 811. INFORMATION TECHNOLOGY GOVERNANCE.

(a) **IN GENERAL.**—The Administrator shall, in a manner that reflects the unique nature of NASA's mission and expertise—

(1) ensure the NASA Chief Information Officer, Mission Directorates, and Centers have appropriate roles in the management, governance, and oversight processes related to information technology operations and investments and information security programs for the protection of NASA systems;

(2) ensure the NASA Chief Information Officer has the appropriate resources and insight to oversee NASA information technology and information security operations and investments;

(3) provide an information technology program management framework to increase

the efficiency and effectiveness of information technology investments, including relying on metrics for identifying and reducing potential duplication, waste, and cost;

(4) improve the operational linkage between the NASA Chief Information Officer and each NASA mission directorate, center, and mission support office to ensure both agency and mission needs are considered in agency-wide information technology and information security management and oversight;

(5) review the portfolio of information technology investments and spending, including information technology-related investments included as part of activities within NASA mission directorates that may not be considered information technology, to ensure investments are recognized and reported appropriately based on guidance from the Office of Management and Budget;

(6) consider appropriate revisions to the charters of information technology boards and councils that inform information technology investment and operation decisions; and

(7) consider whether the NASA Chief Information Officer should have a seat on any boards or councils described in paragraph (6).

(b) **GAO STUDY.**—

(1) **STUDY.**—The Comptroller General of the United States shall conduct a study of the effectiveness of the Administration's Information Technology Governance in ensuring information technology resources are aligned with agency missions and are cost effective and secure.

(2) **CONTENTS.**—The study shall include an assessment of—

(A) the resources available for overseeing Administration-wide information technology operations, investments, and security measures and the NASA Chief Information Officer's visibility and involvement into information technology oversight and access to those resources;

(B) the effectiveness and challenges of the Administration's information technology structure, decision making processes and authorities, including impacts on its ability to implement information security; and

(C) the impact of NASA Chief Information Officer approval authority over information technology investments that exceed a defined monetary threshold, including any potential impacts of such authority on the Administration's missions, flights programs and projects, research activities, and Center operations.

(3) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to the appropriate committees of Congress a report detailing the results of the study under paragraph (1), including any recommendations.

SEC. 812. INFORMATION TECHNOLOGY STRATEGIC PLAN.

(a) **IN GENERAL.**—Subject to subsection (b), the Administrator shall develop an information technology strategic plan to guide NASA information technology management and strategic objectives.

(b) **REQUIREMENTS.**—In developing the strategic plan, the Administrator shall ensure that the strategic plan addresses—

(1) the deadline under section 306(a) of title 5, United States Code; and

(2) the requirements under section 3506 of title 44, United States Code.

(c) **CONTENTS.**—The strategic plan shall address, in a manner that reflects the unique nature of NASA's mission and expertise—

(1) near and long-term goals and objectives for leveraging information technology;

(2) a plan for how NASA will submit to Congress of a list of information technology projects, including completion dates and risk level in accordance with guidance from the Office of Management and Budget;

(3) an implementation overview for an agency-wide approach to information technology investments and operations, including reducing barriers to cross-center collaboration;

(4) coordination by the NASA Chief Information Officer with centers and mission directorates to ensure that information technology policies are effectively and efficiently implemented across the agency;

(5) a plan to increase the efficiency and effectiveness of information technology investments, including a description of how unnecessarily duplicative, wasteful, legacy, or outdated information technology across NASA will be identified and eliminated, and a schedule for the identification and elimination of such information technology;

(6) a plan for improving the information security of agency information and agency information systems, including improving security control assessments and role-based security training of employees; and

(7) submission by NASA to Congress of information regarding high risk projects and cybersecurity risks.

(d) **CONGRESSIONAL OVERSIGHT.**—The Administrator shall submit to the appropriate committees of Congress the strategic plan under subsection (a) and any updates thereto.

SEC. 813. CYBERSECURITY.

(a) **FINDING.**—Congress finds that the security of NASA information and information systems is vital to the success of the mission of the agency.

(b) **INFORMATION SECURITY PLAN.**—

(1) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Administrator shall implement the information security plan developed under paragraph (2) and take such further actions as the Administrator considers necessary to improve the information security system in accordance with this section.

(2) **INFORMATION SECURITY PLAN.**—Subject to paragraphs (3) and (4), the Administrator shall develop an agency-wide information security plan to enhance information security for NASA information and information infrastructure.

(3) **REQUIREMENTS.**—In developing the plan under paragraph (2), the Administrator shall ensure that the plan—

(A) reflects the unique nature of NASA's mission and expertise;

(B) is informed by policies, standards, guidelines, and directives on information security required for Federal agencies;

(C) is consistent with the standards and guidelines under section 11331 of title 40, United States Code; and

(D) meets applicable National Institute of Standards and Technology information security standards and guidelines.

(4) **CONTENTS.**—The plan shall address—

(A) an overview of the requirements of the information security system;

(B) an agency-wide risk management framework for information security;

(C) a description of the information security system management controls and common controls that are necessary to ensure compliance with information security-related requirements;

(D) an identification and assignment of roles, responsibilities, and management commitment for information security at the agency;

(E) coordination among organizational entities, including between each center, facility, mission directorate, and mission support office, and among agency entities responsible for different aspects of information security;

(F) the need to protect the information security of mission-critical systems and activities and high-impact and moderate-impact information systems; and

(G) a schedule of frequent reviews and updates, as necessary, of the plan.

SEC. 814. SECURITY MANAGEMENT OF FOREIGN NATIONAL ACCESS.

The Administrator shall notify the appropriate committees of Congress when the agency has implemented the information technology security recommendations from the National Academy of Public Administration on foreign national access management, based on reports from January 2014 and March 2016.

SEC. 815. CYBERSECURITY OF WEB APPLICATIONS.

Not later than 180 days after the date of enactment of this Act, the Administrator shall, in a manner that reflects the unique nature of NASA's mission and expertise—

(1) develop a plan, including such actions and milestones as are necessary, to fully remediate security vulnerabilities of NASA web applications within a timely fashion after discovery; and

(2) provide an update on its plan to implement the recommendation from the NASA Inspector General in the audit report dated July 10, 2014, (IG-14-023) to remove from the Internet or otherwise secure all NASA web applications in development or testing mode.

Subtitle B—Collaboration Among Mission Directorates and Other Matters

SEC. 821. COLLABORATION AMONG MISSION DIRECTORATES.

The Administrator shall encourage an interdisciplinary approach among all NASA mission directorates and divisions, whenever appropriate, for projects or missions—

(1) to improve coordination, and encourage collaboration and early planning on scope;

(2) to determine areas of overlap or alignment;

(3) to find ways to leverage across divisional perspectives to maximize outcomes; and

(4) to be more efficient with resources and funds.

SEC. 822. NASA LAUNCH CAPABILITIES COLLABORATION.

(a) FINDINGS.—Congress makes the following findings:

(1) The Launch Services Program is responsible for the acquisition, management, and technical oversight of commercial launch services for NASA's science and robotic missions.

(2) The Commercial Crew Program is responsible for the acquisition, management, and technical oversight of commercial crew transportation systems.

(3) The Launch Services Program and Commercial Crew Program have worked together to gain exceptional technical insight into the contracted launch service providers that are common to both programs.

(4) The Launch Services Program has a long history of oversight of 12 different launch vehicles and over 80 launches.

(5) Co-location of the Launch Services Program and Commercial Crew Program has enabled the Commercial Crew Program to efficiently obtain the launch vehicle technical expertise of and provide engineering and analytical support to the Commercial Crew Program.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Launch Services Program and Commercial Crew Program each benefit from communication and coordination of launch manifests, technical information, and common launch vehicle insight between the programs; and

(2) such communication and coordination is enabled by the co-location of the programs.

(c) IN GENERAL.—The Administrator shall pursue a strategy for acquisition of crewed transportation services and non-crewed launch services that continues to enhance communication, collaboration, and coordination between the Launch Services Program and the Commercial Crew Program.

SEC. 823. DETECTION AND AVOIDANCE OF COUNTERFEIT PARTS.

(a) FINDINGS.—Congress makes the following findings:

(1) A 2012 investigation by the Committee on Armed Services of the Senate of counterfeit electronic parts in the Department of Defense supply chain from 2009 through 2010 uncovered 1,800 cases and over 1,000,000 counterfeit parts and exposed the threat such counterfeit parts pose to service members and national security.

(2) Since 2010, the Comptroller General of the United States has identified in 3 separate reports the risks and challenges associated with counterfeit parts and counterfeit prevention at both the Department of Defense and NASA, including inconsistent definitions of counterfeit parts, poorly targeted quality control practices, and potential barriers to improvements to these practices.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the presence of counterfeit electronic parts in the NASA supply chain poses a danger to United States government astronauts, crew, and other personnel and a risk to the agency overall.

(c) REGULATIONS.—

(1) IN GENERAL.—Not later than 270 days after the date of enactment of this Act, the Administrator shall revise the NASA Supplement to the Federal Acquisition Regulation to improve the detection and avoidance of counterfeit electronic parts in the supply chain.

(2) CONTRACTOR RESPONSIBILITIES.—In revising the regulations under paragraph (1), the Administrator shall—

(A) require each covered contractor—

(i) to detect and avoid the use or inclusion of any counterfeit parts in electronic parts or products that contain electronic parts;

(ii) to take such corrective actions as the Administrator considers necessary to remedy the use or inclusion described in clause (i); and

(iii) including a subcontractor, to notify the applicable NASA contracting officer not later than 30 calendar days after the date the covered contractor becomes aware, or has reason to suspect, that any end item, component, part or material contained in supplies purchased by NASA, or purchased by a covered contractor or subcontractor for delivery to, or on behalf of, NASA, contains a counterfeit electronic part or suspect counterfeit electronic part; and

(B) prohibit the cost of counterfeit electronic parts, suspect counterfeit electronic parts, and any corrective action described under subparagraph (A)(ii) from being included as allowable costs under agency contracts, unless—

(i)(I) the covered contractor has an operational system to detect and avoid counterfeit electronic parts and suspect counterfeit

electronic parts that has been reviewed and approved by NASA or the Department of Defense; and

(II) the covered contractor has provided the notice under subparagraph (A)(iii); or

(ii) the counterfeit electronic parts or suspect counterfeit electronic parts were provided to the covered contractor as Government property in accordance with part 45 of the Federal Acquisition Regulation.

(3) SUPPLIERS OF ELECTRONIC PARTS.—In revising the regulations under paragraph (1), the Administrator shall—

(A) require NASA and covered contractors, including subcontractors, at all tiers—

(i) to obtain electronic parts that are in production or currently available in stock from—

(I) the original manufacturers of the parts or their authorized dealers; or

(II) suppliers who obtain such parts exclusively from the original manufacturers of the parts or their authorized dealers; and

(ii) to obtain electronic parts that are not in production or currently available in stock from suppliers that meet qualification requirements established under subparagraph (C);

(B) establish documented requirements consistent with published industry standards or Government contract requirements for—

(i) notification of the agency; and

(ii) inspection, testing, and authentication of electronic parts that NASA or a covered contractor, including a subcontractor, obtains from any source other than a source described in subparagraph (A);

(C) establish qualification requirements, consistent with the requirements of section 2319 of title 10, United States Code, pursuant to which NASA may identify suppliers that have appropriate policies and procedures in place to detect and avoid counterfeit electronic parts and suspect counterfeit electronic parts; and

(D) authorize a covered contractor, including a subcontractor, to identify and use additional suppliers beyond those identified under subparagraph (C) if—

(i) the standards and processes for identifying such suppliers comply with established industry standards;

(ii) the covered contractor assumes responsibility for the authenticity of parts provided by such suppliers under paragraph (2); and

(iii) the selection of such suppliers is subject to review and audit by NASA.

(d) DEFINITIONS.—In this section:

(1) COVERED CONTRACTOR.—The term “covered contractor” means a contractor that supplies an electronic part, or a product that contains an electronic part, to NASA.

(2) ELECTRONIC PART.—The term “electronic part” means a discrete electronic component, including a microcircuit, transistor, capacitor, resistor, or diode, that is intended for use in a safety or mission critical application.

SEC. 824. EDUCATION AND OUTREACH.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) United States competitiveness in the 21st century requires engaging the science, technology, engineering, and mathematics (referred to in this section as “STEM”) talent in all States;

(2) the Administration is uniquely positioned to educate and inspire students and the broader public on STEM subjects and careers;

(3) the Administration's Education and Communication Offices, Mission Directorates, and Centers have been effective in

delivering educational content because of the strong engagement of Administration scientists and engineers in the Administration's education and outreach activities;

(4) the Administration's education and outreach programs, including the Experimental Program to Stimulate Competitive Research (EPSCoR) and the Space Grant College and Fellowship Program, reflect the Administration's successful commitment to growing and diversifying the national science and engineering workforce; and

(5) in order to grow and diversify the Nation's engineering workforce, it is vital for the Administration to bolster programs, such as High Schools United with NASA to Create Hardware (HUNCH) program, that conduct outreach activities to underserved rural communities, vocational schools, and tribal colleges and universities and encourage new participation in the STEM workforce.

(b) **CONTINUATION OF EDUCATION AND OUTREACH ACTIVITIES AND PROGRAMS.**—

(1) **IN GENERAL.**—The Administrator shall continue engagement with the public and education opportunities for students via all the Administration's mission directorates to the maximum extent practicable.

(2) **REPORT.**—Not later than 60 days after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report on the Administration's near-term outreach plans for advancing space law education.

SEC. 825. LEVERAGING COMMERCIAL SATELLITE SERVICING CAPABILITIES ACROSS MISSION DIRECTORATES.

(a) **FINDINGS.**—Congress makes the following findings:

(1) Refueling and relocating aging satellites to extend their operational lifetimes is a capacity that NASA will substantially benefit from and is important for lowering the costs of ongoing scientific, national security, and commercial satellite operations.

(2) The technologies involved in satellite servicing, such as dexterous robotic arms, propellant transfer systems, and solar electric propulsion, are all critical capabilities to support a human exploration mission to Mars.

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) satellite servicing is a vital capability that will bolster the capacity and affordability of NASA's ongoing scientific and human exploration operations while simultaneously enhancing the ability of domestic companies to compete in the global marketplace; and

(2) future NASA satellites and spacecraft across mission directorates should be constructed in a manner that allows for servicing in order to maximize operational longevity and affordability.

(c) **LEVERAGING OF CAPABILITIES.**—The Administrator shall—

(1) identify orbital assets in both the Science Mission Directorate and the Human Exploration and Operations Mission Directorate that could benefit from satellite servicing-related technologies; and

(2) work across all NASA mission directorates to evaluate opportunities for the private sector to perform such services or advance technical capabilities by leveraging the technologies and techniques developed by NASA programs and other industry programs.

SEC. 826. FLIGHT OPPORTUNITIES.

(a) **DEVELOPMENT OF PAYLOADS.**—

(1) **IN GENERAL.**—In order to conduct necessary research, the Administrator shall con-

tinue and, as the Administrator considers appropriate, expand the development of technology payloads for—

(A) scientific research; and

(B) investigating new or improved capabilities.

(2) **FUNDS.**—For the purpose of carrying out paragraph (1), the Administrator shall make funds available for—

(A) flight testing;

(B) payload development; and

(C) hardware related to subparagraphs (A) and (B).

(b) **REAFFIRMATION OF POLICY.**—Congress reaffirms that the Administrator should provide flight opportunities for payloads to microgravity environments and suborbital altitudes as authorized by section 907 of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18405).

SEC. 827. SENSE OF CONGRESS ON SMALL CLASS LAUNCH MISSIONS.

It is the sense of Congress that—

(1) Venture Class Launch Services contracts awarded under the Launch Services Program will expand opportunities for future dedicated launches of CubeSats and other small satellites and small orbital science missions; and

(2) principal investigator-led small orbital science missions, including CubeSat class, Small Explorer (SMEX) class, and Venture class, offer valuable opportunities to advance science at low cost, train the next generation of scientists and engineers, and enable participants to acquire skills in systems engineering and systems integration that are critical to maintaining the Nation's leadership in space and to enhancing United States innovation and competitiveness abroad.

SEC. 828. BASELINE AND COST CONTROLS.

Section 30104(a)(1) of title 51, United States Code, is amended by striking "Procedural Requirements 7120.5c, dated March 22, 2005" and inserting "Procedural Requirements 7120.5E, dated August 14, 2012".

SEC. 829. COMMERCIAL TECHNOLOGY TRANSFER PROGRAM.

Section 50116(a) of title 51, United States Code, is amended by inserting ", while protecting national security" after "research community".

SEC. 830. AVOIDING ORGANIZATIONAL CONFLICTS OF INTEREST IN MAJOR ADMINISTRATION ACQUISITION PROGRAMS.

(a) **REVISED REGULATIONS REQUIRED.**—Not later than 270 days after the date of enactment of this Act, the Administrator shall revise the Administration Supplement to the Federal Acquisition Regulation to provide uniform guidance and recommend revised requirements for organizational conflicts of interest by contractors in major acquisition programs in order to address the elements identified in subsection (b).

(b) **ELEMENTS.**—The revised regulations under subsection (a) shall, at a minimum—

(1) address organizational conflicts of interest that could potentially arise as a result of—

(A) lead system integrator contracts on major acquisition programs and contracts that follow lead system integrator contracts on such programs, particularly contracts for production;

(B) the ownership of business units performing systems engineering and technical assistance functions, professional services, or management support services in relation to major acquisition programs by contractors who simultaneously own business units competing to perform as either the prime

contractor or the supplier of a major subsystem or component for such programs;

(C) the award of major subsystem contracts by a prime contractor for a major acquisition program to business units or other affiliates of the same parent corporate entity, and particularly the award of subcontracts for software integration or the development of a proprietary software system architecture; or

(D) the performance by, or assistance of, contractors in technical evaluations on major acquisition programs;

(2) require the Administration to request advice on systems architecture and systems engineering matters with respect to major acquisition programs from objective sources independent of the prime contractor;

(3) require that a contract for the performance of systems engineering and technical assistance functions for a major acquisition program contains a provision prohibiting the contractor or any affiliate of the contractor from participating as a prime contractor or a major subcontractor in the development of a system under the program; and

(4) establish such limited exceptions to the requirement in paragraphs (2) and (3) as the Administrator considers necessary to ensure that the Administration has continued access to advice on systems architecture and systems engineering matters from highly qualified contractors with domain experience and expertise, while ensuring that such advice comes from sources that are objective and unbiased.

SEC. 831. PROTECTION OF APOLLO LANDING SITES.

(a) **ASSESSMENT.**—The Director of the Office of Science and Technology Policy, in consultation with relevant Federal agencies and stakeholders, shall assess the issues relating to protecting and preserving historically important Apollo Program lunar landing sites and Apollo program artifacts residing on the lunar surface, including those pertaining to Apollo 11 and Apollo 17.

(b) **CONTENTS.**—In conducting the assessment, the Director shall include—

(1) a determination of what risks to the protection and preservation of those sites and artifacts exist or may exist in the future;

(2) a determination of what measures are required to ensure such protection and preservation;

(3) a determination of the extent to which additional domestic legislation or international treaties or agreements will be required; and

(4) specific recommendations for protecting and preserving those lunar landing sites and artifacts.

(c) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Director shall submit to the appropriate committees of Congress the results of the assessment.

SEC. 832. NASA LEASE OF NON-EXCESS PROPERTY.

Section 20145(g) of title 51, United States Code, is amended by striking "10 years after December 26, 2007" and inserting "December 31, 2018".

SEC. 833. TERMINATION LIABILITY.

It is the sense of Congress that—

(1) the ISS, the Space Launch System, and the Orion will enable the Nation to continue operations in low-Earth orbit and to send its astronauts to deep space;

(2) the James Webb Space Telescope will revolutionize our understanding of star and planet formation and how galaxies evolved, and will advance the search for the origins of our universe;

(3) as a result of their unique capabilities and their critical contribution to the future of space exploration, these systems have been designated by Congress and the Administration as priority investments;

(4) contractors are currently holding program funding, estimated to be in the hundreds of millions of dollars, to cover the potential termination liability should the Government choose to terminate a program for convenience;

(5) as a result, hundreds of millions of taxpayer dollars are unavailable for meaningful work on these programs;

(6) according to the Government Accountability Office, the Administration procures most of its goods and services through contracts, and it terminates very few of them;

(7) in fiscal year 2010, the Administration terminated 28 of 16,343 active contracts and orders, a termination rate of about 0.17 percent; and

(8) the Administration should vigorously pursue a policy on termination liability that maximizes the utilization of its appropriated funds to make maximum progress in meeting established technical goals and schedule milestones on these high-priority programs.

SEC. 834. INDEPENDENT REVIEWS.

Not later than 270 days after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report describing—

(1) the Administration's procedures for conducting independent reviews of projects and programs at lifecycle milestones;

(2) how the Administration ensures the independence of the individuals who conduct those reviews prior to their assignment;

(3) the internal and external entities independent of project and program management that conduct reviews of projects and programs at life cycle milestones; and

(4) how the Administration ensures the independence of such entities and their members.

SEC. 835. NASA ADVISORY COUNCIL.

(a) ASSESSMENT.—The Administrator shall enter into an arrangement with the National Academy of Public Administration to assess the effectiveness of the NASA Advisory Council and to make recommendations to Congress for any change to—

(1) the functions of the Council;

(2) the appointment of members to the Council;

(3) the qualifications for members of the Council;

(4) the duration of terms of office for members of the Council;

(5) the frequency of meetings of the Council;

(6) the structure of leadership and Committees of the Council; and

(7) the levels of professional staffing for the Council.

(b) CONSIDERATIONS.—In carrying out the assessment under subsection (a), the National Academy of Public Administration shall—

(1) consider the impacts of broadening the Council's role to include providing consultation and advice to Congress under section 20113(g) of title 51, United States Code;

(2) consider the past activities of the Council and the activities of other analogous Federal advisory bodies; and

(3) any other issues that the National Academy of Public Administration determines could potentially impact the effectiveness of the Council.

(c) REPORT.—The National Academy of Public Administration shall submit to the appropriate committees of Congress the re-

sults of the assessment, including any recommendations.

(d) CONSULTATION AND ADVICE.—

(1) IN GENERAL.—Section 20113(g) of title 51, United States Code, is amended by inserting “and Congress” after “advice to the Administration”.

(2) SUNSET.—Effective September 30, 2017, section 20113(g) of title 51, United States Code, is amended by striking “and Congress”.

SEC. 836. COST ESTIMATION.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) realistic cost estimating is critically important to the ultimate success of major space development projects; and

(2) the Administration has devoted significant efforts over the past 5 years to improving its cost estimating capabilities, but it is important that the Administration continue its efforts to develop and implement guidance in establishing realistic cost estimates.

(b) GUIDANCE AND CRITERIA.—The Administrator shall provide to its acquisition programs and projects, in a manner consistent with the Administration's Space Flight Program and Project Management Requirements—

(1) guidance on when to use an Independent Cost Estimate and Independent Cost Assessment; and

(2) criteria to use to make a determination under paragraph (1).

SEC. 837. FACILITIES AND INFRASTRUCTURE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Administration must address, mitigate, and reverse, where possible, the deterioration of its facilities and infrastructure, as their condition is hampering the effectiveness and efficiency of research performed by both the Administration and industry participants making use of Administration facilities, thus harming the competitiveness of the United States aerospace industry;

(2) the Administration has a role in providing laboratory capabilities to industry participants that are not economically viable as commercial entities and thus are not available elsewhere;

(3) to ensure continued access to reliable and efficient world-class facilities by researchers, the Administration should establish strategic partnerships with other Federal agencies, State agencies, FAA-licensed spaceports, institutions of higher education, and industry, as appropriate; and

(4) decisions on whether to dispose of, maintain, or modernize existing facilities must be made in the context of meeting Administration and other needs, including those required to meet the activities supporting the human exploration roadmap under section 432 of this Act, considering other national laboratory needs as the Administrator deems appropriate.

(b) POLICY.—It is the policy of the United States that the Administration maintain reliable and efficient facilities and infrastructure and that decisions on whether to dispose of, maintain, or modernize existing facilities or infrastructure be made in the context of meeting future Administration needs.

(c) PLAN.—

(1) IN GENERAL.—The Administrator shall develop a facilities and infrastructure plan.

(2) GOAL.—The goal of the plan is to position the Administration to have the facilities and infrastructure, including laboratories, tools, and approaches, necessary to meet future Administration and other Federal agencies' laboratory needs.

(3) CONTENTS.—The plan shall identify—

(A) current Administration and other Federal agency laboratory needs;

(B) future Administration research and development and testing needs;

(C) a strategy for identifying facilities and infrastructure that are candidates for disposal, that is consistent with the national strategic direction set forth in—

(i) the National Space Policy;

(ii) the National Aeronautics Research, Development, Test, and Evaluation Infrastructure Plan;

(iii) the National Aeronautics and Space Administration Authorization Act of 2005 (Public Law 109-155; 119 Stat. 2895), National Aeronautics and Space Administration Authorization Act of 2008 (Public Law 110-422; 122 Stat. 4779), and National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18301 et seq.); and

(iv) the human exploration roadmap under section 432 of this Act;

(D) a strategy for the maintenance, repair, upgrading, and modernization of Administration facilities and infrastructure, including laboratories and equipment;

(E) criteria for—

(i) prioritizing deferred maintenance tasks;

(ii) maintaining, repairing, upgrading, or modernizing Administration facilities and infrastructure; and

(iii) implementing processes, plans, and policies for guiding the Administration's Centers on whether to maintain, repair, upgrade, or modernize a facility or infrastructure and for determining the type of instrument to be used;

(F) an assessment of modifications needed to maximize usage of facilities that offer unique and highly specialized benefits to the aerospace industry and the American public; and

(G) implementation steps, including a timeline, milestones, and an estimate of resources required for carrying out the plan.

(d) REQUIREMENT TO ESTABLISH POLICY.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator shall establish and make publicly available a policy that guides the Administration's use of existing authorities to out-grant, lease, excess to the General Services Administration, sell, decommission, demolish, or otherwise transfer property, facilities, or infrastructure.

(2) CRITERIA.—The policy shall include criteria for the use of authorities, best practices, standardized procedures, and guidelines for how to appropriately manage property, facilities, and infrastructure.

(e) SUBMISSION TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress the plan developed under subsection (c).

SEC. 838. HUMAN SPACE FLIGHT ACCIDENT INVESTIGATIONS.

Section 70702 of title 51, United States Code, is amended—

(1) by amending subsection (a)(3) to read as follows:

“(3) any other orbital or suborbital space vehicle carrying humans that is—

“(A) owned by the Federal Government; or

“(B) being used pursuant to a contract or Space Act Agreement with the Federal Government for carrying a government astronaut or a researcher funded by the Federal Government; or”; and

(2) by adding at the end the following:

“(c) DEFINITIONS.—In this section:

“(1) GOVERNMENT ASTRONAUT.—The term ‘government astronaut’ has the meaning given the term in section 50902.

“(2) SPACE ACT AGREEMENT.—The term ‘Space Act Agreement’ means an agreement entered into by the Administration pursuant to its other transactions authority under section 2013(e).”

SEC. 839. ORBITAL DEBRIS.

(a) FINDINGS.—Congress finds that—

(1) orbital debris poses serious risks to the operational space capabilities of the United States;

(2) an international commitment and integrated strategic plan are needed to mitigate the growth of orbital debris wherever possible; and

(3) the delay in the Office of Science and Technology Policy’s submission of a report on the status of international coordination and development of orbital debris mitigation strategies is inconsistent with such risks.

(b) REPORTS.—

(1) COORDINATION.—Not later than 90 days after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report on the status of efforts to coordinate with foreign countries within the Inter-Agency Space Debris Coordination Committee to mitigate the effects and growth of orbital debris under section 1202(b)(1) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18441(b)(1)).

(2) MITIGATION STRATEGY.—Not later than 90 days after the date of enactment of this Act, the Director of the Office of Science and Technology Policy shall submit to the appropriate committees of Congress a report on the status of the orbital debris mitigation strategy required under section 1202(b)(2) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18441(b)(2)).

SEC. 840. REVIEW OF ORBITAL DEBRIS REMOVAL CONCEPTS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) orbital debris in low-Earth orbit poses significant risks to spacecraft;

(2) such orbital debris may increase due to collisions between existing debris objects; and

(3) understanding options to address and remove orbital debris is important for ensuring safe and effective spacecraft operations in low-Earth orbit.

(b) REVIEW.—

(1) IN GENERAL.—Not later than 270 days after the date of enactment of this Act, the Administrator—

(A) in collaboration with the heads of other relevant Federal agencies, shall solicit and review concepts and options for removing orbital debris from low-Earth orbit; and

(B) shall submit to the appropriate committees of Congress a report on the solicitation and review under subparagraph (A), including recommendations on the best options for decreasing the risks associated with orbital debris.

(2) REQUIREMENTS.—The solicitation and review under paragraph (1) shall address the requirements for and feasibility of developing and implementing each of the options.

SEC. 841. SPACE ACT AGREEMENTS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that, when used appropriately, Space Act Agreements can provide significant value in furtherance of NASA’s mission.

(b) FUNDED SPACE ACT AGREEMENTS.—To the extent appropriate, the Administrator shall seek to maximize the value of contributions provided by other parties under a funded Space Act Agreement in order to advance NASA’s mission.

(c) NON-EXCLUSIVITY.—

(1) IN GENERAL.—The Administrator shall, to the greatest extent practicable, issue each Space Act Agreement—

(A) except as provided in paragraph (2), on a nonexclusive basis;

(B) in a manner that ensures all non-government parties have equal access to NASA resources; and

(C) exercising reasonable care not to reveal unique or proprietary information.

(2) EXCLUSIVITY.—If the Administrator determines an exclusive arrangement is necessary, the Administrator shall, to the greatest extent practicable, issue the Space Act Agreement—

(A) utilizing a competitive selection process when exclusive arrangements are necessary; and

(B) pursuant to public announcements when exclusive arrangements are necessary.

(d) TRANSPARENCY.—The Administrator shall publicly disclose on the Administration’s website and make available in a searchable format each Space Act Agreement, including an estimate of committed NASA resources and the expected benefits to agency objectives for each agreement, with appropriate redactions for proprietary, sensitive, or classified information, not later than 60 days after such agreement is signed by the parties.

(e) ANNUAL REPORTS.—

(1) REQUIREMENT.—Not later than 90 days after the end of each fiscal year, the Administrator shall submit to the appropriate committees of Congress a report on the use of Space Act Agreement authority by the Administration during the previous fiscal year.

(2) CONTENTS.—The report shall include for each Space Act Agreement in effect at the time of the report—

(A) an indication of whether the agreement is a reimbursable, non-reimbursable, or funded Space Act Agreement;

(B) a description of—

(i) the subject and terms;

(ii) the parties;

(iii) the responsible—

(I) Mission Directorate;

(II) Center; or

(III) headquarters element;

(iv) the value;

(v) the extent of the cost sharing among Federal Government and non-Federal sources;

(vi) the time period or schedule; and

(vii) all milestones; and

(C) an indication of whether the agreement was renewed during the previous fiscal year.

(3) ANTICIPATED AGREEMENTS.—The report shall include a list of all anticipated reimbursable, non-reimbursable, and funded Space Act Agreements for the upcoming fiscal year.

(4) CUMULATIVE PROGRAM BENEFITS.—The report shall include, with respect to each Space Act Agreement covered by the report, a summary of—

(A) the technology areas in which research projects were conducted under that agreement;

(B) the extent to which the use of that agreement—

(i) has contributed to a broadening of the technology and industrial base available for meeting Administration needs; and

(ii) has fostered within the technology and industrial base new relationships and practices that support the United States; and

(C) the total amount of value received by the Federal Government during the fiscal year under that agreement.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from

Texas (Mr. BABIN) and the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. BABIN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on S. 442, the bill now under consideration.

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

There was no objection.

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

Mr. Speaker, I rise today in support of the National Aeronautics and Space Administration Transition Authorization Act of 2017. This bipartisan and bicameral bill grew to maturity through many long and serious discussions about the future of our Nation’s space program.

I am encouraged by the bill’s persistent emphasis on the continuity of purpose and stability. It is crucial that we continue to support NASA’s ongoing human exploration efforts.

I am proud to note the inclusion of the To Research Evaluate, Assess, and Treat Astronauts Act, better known as the TREAT Astronauts Act, which will ensure that our Nation’s astronauts receive support for medical issues associated with their service. The language of this bill is exactly the same as the TREAT Astronauts Act that was passed in the House on December 7, 2016.

As a medical professional myself, I care deeply about this issue. I am honored to have sponsored the original legislation, and am proud to contribute to an important program that will support the brave men and women of our astronaut corps. Outer space poses many medical challenges. The human body simply is not designed to thrive in microgravity, or weightlessness. We know that spending time in space is risky. We want to understand the reasons why the TREAT Astronauts Act will ensure the retention of our astronauts’ medical data and help to continue our research in aerospace medicine, while also providing our astronauts with the medical care that they need and deserve after risking so much in service to our country.

This bill continues support for the important work on the Space Launch System, the Orion crew vehicle, and commercial cargo and crew programs.

□ 1815

The future of the International Space Station is another key topic addressed in this legislation. We are committed to operating the ISS until 2024. Beyond that date, however, maintaining NASA’s current level of support for the ISS will dramatically affect the rest of

NASA's portfolio, particularly in human spaceflight.

This bill opens the debate about how and under what circumstances NASA's presence in low-Earth orbit can and should be continued beyond 2024. Balancing NASA's presence and low Earth orbit and beyond low Earth orbit will require thoughtful and informed decisionmaking. My hope is that NASA will explore unique partnerships that will maintain NASA's ability to utilize low Earth orbit in an efficient manner by leveraging private sector investment. This bill will help inform and frame that imminent debate.

This bill also addresses NASA's facilities and infrastructure here on Earth. NASA must develop a plan so that its labs, tools, facilities, and infrastructure can support a robust exploration agenda. Right-sizing NASA's footprint is a longstanding challenge. We must maintain critical capabilities but also find efficiencies where they may exist.

The bill before us would call on NASA to develop a policy to ensure that NASA maintains infrastructure to support bold exploration. If NASA determines that facilities are not necessary or could be transferred to the private sector, the bill calls on NASA to do so in accordance with a transparent and equitable process.

The bill also urges the administration to pursue a sensible policy on termination liability so that NASA makes the best possible use of taxpayer dollars rather than the inefficient policy implemented by the previous administration.

This bill sets out clear intentions for NASA as we move forward into the next chapter of American space exploration. I invite my colleagues to join me in supporting this very important bill, and I reserve the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, yield myself such time as I may consume.

Mr. Speaker, I rise in support of S. 442, the NASA Transition Authorization Act of 2017.

NASA is a catalyst for scientific discovery, innovation, inspiration, and economic growth. This bill helps to ensure that NASA continues to make significant advances in science, aeronautics, human exploration, and space technology.

During the last Congress, the House passed the NASA Authorization Act of 2015, H.R. 810. H.R. 810 was a bipartisan effort and, in particular, it set the long-term goal of sending humans to the surface of Mars and directed NASA to prepare a human exploration roadmap for what is needed to get there.

I am pleased, Mr. Speaker, that the Senate-passed bill that is before us today reflects significant content from H.R. 810. Sending humans to deep space destinations and eventually to Mars is

a challenge and goal that I know will bring out the best of our U.S. industry and universities, and it will inspire our young people to seek the education and develop the skills needed to help the United States send first astronauts to the martian surface.

Of course, keeping our focus on that goal over multiple Congresses and administrations will really not be easy. That is why this bill, S. 442, comes at a critical time. Witnesses at a recent hearing of the Committee on Science, Space, and Technology emphasized the need for stability for NASA if it is to carry out the challenging tasks that our Nation has given it.

While S. 442 is a 1-year reauthorization, it enables NASA to continue making effective progress on its programs, including on the key systems that will enable us to send NASA astronauts beyond low Earth orbit and on to Mars.

The bill also provides policy direction in a number of important areas, including astronaut health care, human spaceflight safety, protection of Apollo lunar landing sites, orbital debris mitigation, and facilities and infrastructure planning.

Mr. Speaker, while I support S. 442, it is not a perfect bill. It does not directly address all of NASA's science programs, namely, earth science and heliophysics. Those programs provide the space-based measurements to help scientists understand the Earth's systems and changing climate to predict space weather events, which can have devastating impacts on our terrestrial infrastructure. At the same time, I believe that section 501 of the bill reaffirms the importance of maintaining a balance and adequately funded science program, which includes astrophysics, planetary science, earth science, and heliophysics.

In addition, while the bill reflects the House Appropriations Subcommittee on Commerce, Justice, Science, and Related Agencies' top-line mark of \$19.5 billion for NASA for fiscal year 2017, I am disappointed that it authorizes lower levels than the proposals of the House Appropriations Subcommittee on Commerce, Justice, Science, and Related Agencies for NASA's science, aeronautics, and space technology accounts. We should be investing more, not less, in these important R&D areas.

Mr. Speaker, we need a strong NASA, and we need to provide it with a sustained commitment of vision, resources, and support to carry out the challenging tasks our Nation has given it.

Before I close, I want to recognize the efforts of committee leadership, including Chairman LAMAR SMITH, Space Subcommittee Chairman BRIAN BABIN, and the former Subcommittee Ranking Member Donna Edwards for their work on H.R. 810, a significant portion of which is included in this Senate bill.

Mr. Speaker, I urge my colleagues to vote "yes" on this Senate bill, the NASA Transition Authorization Act of 2017, and I reserve the balance of my time.

Mr. BABIN. Mr. Speaker, I yield 5 minutes to the gentleman from Texas (Mr. SMITH), the chairman of the full committee.

Mr. SMITH of Texas. Mr. Speaker, I thank the chairman of the Subcommittee on Space for yielding me time.

The National Aeronautics and Space Administration Transition Authorization Act of 2017 provides bipartisan and bicameral guidance for NASA as we usher in a new era of space exploration.

I support this bill and the direction it establishes for America's space program. S. 442, which passed the Senate by unanimous consent on February 17, includes almost all of the policy provisions from the House authorization bills that passed the House in the last Congress with broad bipartisan support. In fact, it authorizes the House's proposed fiscal year 2017 funding level of \$19.5 billion.

This bill provides a balanced NASA portfolio across all of the mission directorates. It maintains congressional direction for priority near-term programs, such as the James Webb Space Telescope, the Space Launch System, the Orion crew vehicle, the International Space Station, and the Commercial Crew and Cargo Programs.

NASA's exploration projects are vulnerable to changes in the political landscape. We must have a flexible space program, but not one that is knocked off course. Successfully combining flexibility with constancy of purpose requires thoughtful planning.

This bill directs NASA to create a roadmap for human exploration. An exploration roadmap will help NASA inform Congress and the President, as well as direct the future path and tempo of exploration for decades to come.

This legislation also looks to the future of scientific exploration. It provides support for NASA's Mars 2020 rover, the Wide Field Infrared Survey Telescope, and a mission to Europa, Jupiter's icy moon that possibly harbors the building blocks of life. It establishes that one of NASA's fundamental objectives is "the search for life's origin, evolution, distribution, and future in the universe."

Toward that end, this legislation directs the NASA Administrator to develop both an exoplanet exploration strategy and an astrobiology strategy within 18 months after the bill is signed into law. It also directs the NASA Administrator to report on how the Administration can expand collaborative partnerships for these scientific endeavors.

Just 2 weeks ago, NASA announced that it had confirmed the existence of

seven planets around a nearby star, three of which are in the “habitable zone.” This bill builds upon these awe-inspiring discoveries and will help “unlock the mysteries of space,” as President Trump said in his inaugural address.

Part of achieving success in space exploration is making sure that NASA is not burdened with funding other agency missions. For example, there are 17 agencies with responsibility for studying climate change, but only 1 agency, NASA, is responsible for space exploration. This bill directs the NASA Administrator to seek reimbursement whenever responsibilities are transferred to NASA from another agency or when NASA funds another agency's activities.

Finally, I would like to thank my colleague and Texas friend Dr. BRIAN BABIN, the chairman of the Space Subcommittee, for his work on the TREAT Astronauts Act, which is included in this authorization. Chairman BABIN's legislation gives NASA the ability to care for our astronauts and enhance our understanding of the effects of spaceflight on the human body.

I would also like to thank the Science, Space, and Technology Committee staff for their years of effort on this bill, especially the Space Subcommittee director, Tom Hammond, who has worked diligently to ensure that this bill became a reality. I also recognize the minority staff who were essential to the process as well.

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

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield 3 minutes to the gentleman from California, (Mr. BERA), the current ranking member of the Space Subcommittee.

Mr. BERA. Mr. Speaker, I want to thank the ranking member and the chairman for this bill.

This bicameral and bipartisan bill that we are considering today, the NASA Transition Authorization Act of 2017, authorizes NASA's appropriations for the fiscal year 2017.

If enacted, the bill's provisions will provide important stability and funding and consistent vision that we need for NASA to succeed as they continue to make progress across disciplines of space and earth science, in human exploration and spaceflight, innovative technologies, biomedical research, and in aeronautics.

Mr. Speaker, NASA truly is a symbol of American excellence and ingenuity. For NASA to continue doing the great things that it does, including preparation for flying SLS and Orion, launching the James Webb Space Telescope, and landing humans on Mars, it is critical that S. 442 be enacted.

And while I would have preferred a more comprehensive outlook of NASA's science discipline—namely, in earth science, planetary science, astro-

physics, and heliophysics—I am pleased the bill provides the consistent policy direction our Nation's space and aeronautics programs require and deserve. Notably, the bill sets the long-term course of sending humans to the surface of Mars and directs NASA to provide a human exploration roadmap outlining the capabilities and milestones needed to achieve the goal.

In closing, Mr. Speaker, NASA's space and aeronautics programs help maintain our competitiveness, stimulate innovation and economic growth, and inspire the next generation to dream big and garner the skills to turn those dreams into action.

NASA and our space program have a long history of bipartisan support. I urge Members of the House to pass S. 442, the NASA Transition Authorization Act of 2017.

Mr. BABIN. Mr. Speaker, I continue to reserve the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield 5 minutes to the gentleman from Colorado (Mr. PERLMUTTER.)

Mr. PERLMUTTER. Mr. Speaker, I thank the gentlewoman, and I hope I don't take 5 minutes.

I rise today in support of S. 442, the NASA Transition Authorization Act of 2017.

I have long been a supporter of our Nation's space program. I have seen what we can accomplish when we put our best and brightest in a room together and give them the resources they need to solve tough scientific, engineering, and mathematical problems to better our society and our understanding of the solar system and beyond.

The bill before us today ensures the hardworking people at NASA and the thousands of private aerospace workers in Colorado and across the country have a constant sea of purpose and the backing of Congress to continue advancing our quest to understand our planet and explore other celestial bodies.

Mr. Speaker, I enjoy serving on the Science, Space, and Technology Committee. While we may not agree on every issue, when it comes to our space programs, we come together and find the best solutions to the problems we face, and this bill does exactly that.

□ 1830

As my colleagues on this committee know, I am very passionate about getting our astronauts to the surface of Mars. This bill will require detailed plans from NASA on how to do that and, more importantly, on the timelines so that we can get to Mars through the development of a human exploration roadmap.

In addition to this roadmap, section 435 of the bill also requires NASA to report back on the feasibility of a human mission to Mars by the year 2033. Six-

teen years from now, Earth and Mars will be aligned for what could be the most significant and inspirational journey in history.

About 18 months ago, our committee heard testimony from former NASA leadership about our deep space exploration missions. I asked them to provide us a date: When can we get to Mars? As it turns out, the planets' orbit and alignment in 2033 is optimal. So as my colleagues on the committee know, I have prepared a bumper sticker, Mr. Speaker, just for you, showing 2033 as the time we are going to get our astronauts to Mars.

I thank Chairman SMITH, Representative BABIN, Representative EDDIE BERNICE JOHNSON of Texas, as well as Representative BERA for allowing me to work and to help put section 435 into the bill.

I know we can do this. This is a mission that all Americans will be proud of. They are so proud of our space program, the scientists and engineers at NASA. This will give us a real goal and a real project to get our astronauts to Mars by 2033.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I have no further requests for time on the bill.

I ask my colleagues to support this bill, and I yield back the balance of my time.

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

I thank all of my colleagues on both sides of the aisle for their work: our chairman, the gentleman from Texas (Mr. SMITH); and also the ranking gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON); my counterpart on the subcommittee, Representative BERA; and also Representative PERLMUTTER, the gentleman from Colorado; and all of my fellow members on the subcommittee and our entire committee.

I take a moment to also thank our hardworking staff, and that includes Tom Hammond, Mike Mineiro, Jonathan Charlton, Ryan Faith, Molly Fromm, and Chris Wylder from the majority staff. I also thank Steve Janushkowsky, Jeannie Kranz, Stuart Burns from my congressional staff, and Allen Li and Pamela Whitney from the minority staff.

Mr. Speaker, it is because of their countless hours of hard work, negotiation, and finding common ground that we will now send this bill from the floor of this House of Representatives to the resolute desk of the Oval Office to be signed into law.

Mr. Speaker, I urge passage of this bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. BABIN) that the House suspend the rules and pass the bill, S. 442.

The question was taken; and (two-thirds being in the affirmative) the

rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1301, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2017

Ms. CHENEY, from the Committee on Rules, submitted a privileged report (Rept. No. 115-26) on the resolution (H. Res. 174) providing for consideration of the bill (H.R. 1301) making appropriations for the Department of Defense for the fiscal year ending September 30, 2017, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 725, INNOCENT PARTY PROTECTION ACT

Ms. CHENEY, from the Committee on Rules, submitted a privileged report (Rept. No. 115-27) on the resolution (H. Res. 175) providing for consideration of the bill (H.R. 725) to amend title 28, United States Code, to prevent fraudulent joinder, which was referred to the House Calendar and ordered to be printed.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 7, 2017.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on March 7, 2017, at 4:48 p.m.:

That the Senate agreed to without amendment H.J. Res. 44.

With best wishes, I am,
Sincerely,

KAREN L. HAAS.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 1362, by the yeas and nays;
H.R. 375, de novo.

The first electronic vote will be conducted as a 15-minute vote. The second electronic vote will be conducted as a 5-minute vote.

FALEOMAVAEGA ENI FA'AUA'A HUNKIN VA CLINIC

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 1362) to name the Department of Veterans Affairs community-based outpatient clinic in Pago Pago, American Samoa, the Faleomavaega Eni Fa'a'ua'a Hunkin VA Clinic, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from America Samoa (Mrs. RADEWAGEN) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 411, nays 2, not voting 16, as follows:

[Roll No. 127]

YEAS—411

Abraham	Clay	Foxx
Adams	Clyburn	Frankel (FL)
Aderholt	Coffman	Franks (AZ)
Aguilar	Cohen	Frelinghuysen
Allen	Cole	Fudge
Amash	Collins (GA)	Gabbard
Amodei	Collins (NY)	Gaetz
Arrington	Comer	Gallagher
Babin	Comstock	Gallego
Bacon	Conaway	Garamendi
Banks (IN)	Connolly	Garrett
Barletta	Conyers	Gibbs
Barr	Cook	Gohmert
Barragán	Cooper	Gonzalez (TX)
Barton	Correa	Goodlatte
Bass	Costa	Gosar
Beatty	Costello (PA)	Gottheimer
Bera	Courtney	Govdy
Bergman	Cramer	Granger
Beyer	Crawford	Graves (GA)
Biggs	Crist	Graves (LA)
Bilirakis	Crowley	Graves (MO)
Bishop (GA)	Cuellar	Green, Al
Bishop (MI)	Cummings	Green, Gene
Bishop (UT)	Curbelo (FL)	Griffith
Black	Davidson	Grijalva
Blackburn	Davis (CA)	Grothman
Blum	Davis, Danny	Guthrie
Blunt Rochester	Davis, Rodney	Hanabusa
Bonamici	DeFazio	Harper
Bost	DeGette	Harris
Boyle, Brendan F.	Delaney	Hartzler
Brady (PA)	DeLauro	Hastings
Brady (TX)	DelBene	Heck
Brat	Demings	Hensarling
Bridenstine	Denham	Herrera Beutler
Brooks (AL)	Dent	Hice, Jody B.
Brooks (IN)	DeSantis	Higgins (LA)
Brown (MD)	DeSaunier	Higgins (NY)
Brownley (CA)	DesJarlais	Holding
Buchanan	Deutch	Hollingsworth
Buck	Diaz-Balart	Hoyer
Bucshon	Dingell	Hudson
Budd	Doggett	Huffman
Burgess	Donovan	Huizenga
Bustos	Doyle, Michael F.	Hultgren
Butterfield	Duffy	Hunter
Byrne	Duncan (SC)	Hurd
Calvert	Duncan (TN)	Issa
Capuano	Dunn	Jackson Lee
Carbajal	Ellison	Jayapal
Cárdenas	Emmer	Jeffries
Carson (IN)	Engel	Jenkins (WV)
Carter (GA)	Eshoo	Johnson (GA)
Carter (TX)	Españillat	Johnson (LA)
Cartwright	Esty	Johnson (OH)
Castor (FL)	Evans	Johnson, E. B.
Castro (TX)	Farenthold	Jones
Chabot	Faso	Jordan
Chaffetz	Ferguson	Joyce (OH)
Cheney	Fitzpatrick	Kaptur
Chu, Judy	Fleischmann	Katko
Cicilline	Flores	Keating
Clark (MA)	Fortenberry	Kelly (IL)
Clarke (NY)	Foster	Kelly (MS)

Kelly (PA)	Moulton	Scott, Austin
Kennedy	Mullin	Scott, David
Khanna	Murphy (FL)	Sensenbrenner
Kihuen	Murphy (PA)	Serrano
Kildee	Nadler	Sessions
Kilmer	Napolitano	Sewell (AL)
Kind	Neal	Shea-Porter
King (IA)	Newhouse	Sherman
King (NY)	Noem	Shimkus
Kinzinger	Norcross	Shuster
Knight	Nunes	Simpson
Krishnamoorthi	O'Halleran	Sinema
Kuster (NH)	O'Rourke	Sires
Kustoff (TN)	Olson	Slaughter
Labrador	Palazzo	Smith (MO)
LaHood	Pallone	Smith (NJ)
LaMalfa	Palmer	Smith (TX)
Lamborn	Panetta	Smith (WA)
Lance	Pascarell	Smucker
Langevin	Paulsen	Soto
Larsen (WA)	Payne	Stefanik
Larson (CT)	Pearce	Stewart
Latta	Pelosi	Stivers
Lawrence	Perlmutter	Suozi
Lawson (FL)	Perry	Swalwell (CA)
Lee	Peters	Takano
Levin	Peterson	Taylor
Lewis (GA)	Pingree	Tenney
Lewis (MN)	Pittenger	Thompson (CA)
Lieu, Ted	Pocan	Thompson (MS)
Lipinski	Poe (TX)	Thompson (PA)
LoBiondo	Poliquin	Thornberry
Loeback	Polis	Tiberi
Lofgren	Posey	Tonko
Long	Price (NC)	Torres
Love	Quigley	Trott
Lowenthal	Raskin	Tsongas
Lowe	Ratcliffe	Turner
Lucas	Reed	Upton
Luetkemeyer	Reichert	Vargas
Lujan Grisham,	Renacci	Veasey
M.	Rice (NY)	Vela
Luján, Ben Ray	Rice (SC)	Velázquez
Lynch	Richmond	Visclosky
MacArthur	Roby	Wagner
Maloney,	Roe (TN)	Walberg
Carolyn B.	Rogers (AL)	Walden
Maloney, Sean	Rogers (KY)	Walker
Marchant	Rokita	Walorski
Marino	Rooney, Francis	Walters, Mimi
Marshall	Rooney, Thomas J.	Walz
Mast	Ros-Lehtinen	Wasserman
Matsui	Rosen	Schultz
McCarthy	Roskam	Waters, Maxine
McCaul	Ross	Watson Coleman
McClintock	Rothfus	Weber (TX)
McCollum	Rouzer	Webster (FL)
McEachin	Roybal-Allard	Welch
McGovern	Royce (CA)	Wenstrup
McHenry	Ruiz	Westerman
McKinley	Ruppersberger	Williams
McMorris	Russell	Wilson (FL)
Rodgers	Rutherford	Wilson (SC)
McNerney	Ryan (OH)	Wittman
McSally	Sánchez	Womack
Meadows	Sarbanes	Woodall
Meehan	Scalise	Yarmuth
Meeks	Schakowsky	Yoder
Meng	Schiff	Yoho
Messer	Schneider	Young (AK)
Mitchell	Schrader	Young (IA)
Moolenaar	Schweikert	Zeldin
Mooney (WV)	Scott (VA)	
Moore		

NAYS—2

NOT VOTING—16

Massie	Sanford	
Blumenauer	Jenkins (KS)	Speier
Cleaver	Loudermilk	Tipton
Cleburn	Nolan	Titus
Gutiérrez	Rohrabacher	Valadao
Hill	Rush	
Himes	Smith (NE)	

□ 1856

Mr. GROTHMAN changed his vote from "nay" to "yea."

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

NOTICE OF INTENTION TO OFFER RESOLUTION RAISING A QUES- TION OF THE PRIVILEGES OF THE HOUSE

Ms. ESHOO. Mr. Speaker, pursuant to clause (2)(a)(1) of rule IX, I rise to give notice of my intent to raise a question of the privileges of the House.

Mr. Speaker, I ask unanimous consent that the form of the resolution appear in the RECORD at this point.

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

There was no objection.

The form of the resolution is as follows:

Expressing the sense of the House of Representatives that the President shall immediately disclose his tax return information to Congress and the American people.

Whereas, in the United States' system of checks and balances, Congress has a responsibility to hold the Executive Branch of government to the highest standard of transparency to ensure the public interest is placed first;

Whereas, according to the Tax History Project, every President since Gerald Ford has disclosed their tax return information to the public;

Whereas, tax returns provide an important baseline disclosure because they contain highly instructive information including whether the candidate paid taxes, what they own, what they have borrowed and from whom, whether they have made any charitable donations, and whether they have taken advantage of tax loopholes;

Whereas, disclosure of the President's tax returns could help those investigating Russian influence in the 2016 election understand the President's financial ties to the Russian Federation and Russian citizens, including debts owed and whether he shares any partnership interests, equity interests, joint ventures or licensing agreements with Russia or Russians;

Whereas, the New York Times has reported that President Trump's close senior advisers, including Carter Page, Paul Manafort, Roger Stone, and General Michael Flynn, have been under investigation by the Federal Bureau of Investigation for their ties to the Russian Federation;

Whereas, Russian Deputy Foreign Minister Sergei Ryabkov told *Interfax*, a Russian media outlet, on November 10, 2016 that "there were contacts" with Donald Trump's 2016 campaign, and it has been reported that members of President Trump's inner circle were in contact with senior Russian officials throughout the 2016 campaign;

Whereas, according to his 2016 candidate filing with the Federal Election Commission, the President has 564 financial positions in companies located in the United States and around the world;

Whereas, against the advice of ethics attorneys and the Office of Government Ethics, the President has refused to divest his ownership stake in his businesses;

Whereas, the director of the nonpartisan Office of Government Ethics said that the President's plan to transfer his business holdings to a trust managed by family mem-

bers is "meaningless" and "does not meet the standards that . . . every president in the past four decades has met";

Whereas, the Emoluments Clause was included in the U.S. Constitution for the express purpose of preventing federal officials from accepting any "present, Emolument, Office, or Title . . . from any King, Prince, or foreign state";

Whereas, according to the Washington Post, the Trump International Hotel in Washington, D.C. has hired a "director of diplomatic sales" to generate high-priced business among foreign leaders and diplomatic delegations;

Whereas, according to Reuters, the Trump International Hotel could receive up to \$60,000 from the Kuwaiti government for a party it held at the Hotel on February 22, 2017.

Whereas, according to the New York Times, the President used a legally dubious tax maneuver in 1995 that could have allowed him to avoid paying federal taxes for 18 years;

Whereas, the most signed petition on the White House website calls for the release of the President's tax return information to verify compliance with the Emoluments Clause, with 1 million, 78 thousand signatures as of the date of this resolution;

Whereas, the Chairmen of the Ways and Means Committee, Joint Committee on Taxation, and Senate Finance Committee have the authority to request the President's tax returns under Section 6103 of the tax code;

Whereas, the Joint Committee on Taxation reviewed the tax returns of President Richard Nixon in 1974 and made the information public;

Whereas, the Ways and Means Committee used IRC 6103 authority in 2014 to make public the confidential tax information of 51 taxpayers;

Whereas, the American people have the right to know whether or not their President is operating under conflicts of interest related to international affairs, tax reform, government contracts, or otherwise: Now, therefore, be it:

Resolved. That the House of Representatives shall—

1. Immediately request the tax return information of Donald J. Trump for tax years 2006 through 2015 for review in closed executive session by the Committee on Ways and Means, as provided under Section 6103 of the Internal Revenue Code, and vote to report the information therein to the full House of Representatives.

2. Support transparency in government and the longstanding tradition of Presidents and Presidential candidates disclosing their tax returns.

The SPEAKER pro tempore. The Chair will now recognize the gentlewoman from California to offer the resolution just noticed. Does the gentlewoman offer the resolution?

Ms. ESHOO. I do, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

RESOLUTION

Expressing the sense of the House of Representatives that the President shall immediately disclose his tax return information to Congress and the American people.

Whereas, in the United States' system of checks and balances, Congress has a responsibility to hold the Executive Branch of government to the highest standard of transparency to ensure the public interest is placed first;

Whereas, according to the Tax History Project, every President since Gerald Ford has disclosed their tax return information to the public;

Whereas, tax returns provide an important baseline disclosure because they contain highly instructive information including whether the candidate paid taxes, what they own, what they have borrowed and from whom, whether they have made any charitable donations, and whether they have taken advantage of tax loopholes;

Whereas, disclosure of the President's tax returns could help those investigating Russian influence in the 2016 election understand the President's financial ties to the Russian Federation and Russian citizens, including debts owed and whether he shares any partnership interests, equity interests, joint ventures or licensing agreements with Russia or Russians;

Whereas, the New York Times has reported that President Trump's close senior advisers, including Carter Page, Paul Manafort, Roger Stone, and General Michael Flynn, have been under investigation by the Federal Bureau of Investigation for their ties to the Russian Federation;

Whereas, Russian Deputy Foreign Minister Sergei Ryabkov told *Interfax*, a Russian media outlet, on November 10, 2016 that "there were contacts" with Donald Trump's 2016 campaign, and it has been reported that members of President Trump's inner circle were in contact with senior Russian officials throughout the 2016 campaign;

Whereas, according to his 2016 candidate filing with the Federal Election Commission, the President has 564 financial positions in companies located in the United States and around the world;

Whereas, against the advice of ethics attorneys and the Office of Government Ethics, the President has refused to divest his ownership stake in his businesses;

Whereas, the director of the nonpartisan Office of Government Ethics said that the President's plan to transfer his business holdings to a trust managed by family members is "meaningless" and "does not meet the standards that . . . every president in the past four decades has met";

Whereas, the Emoluments Clause was included in the U.S. Constitution for the express purpose of preventing federal officials from accepting any "present, Emolument, Office, or Title . . . from any King, Prince, or foreign state";

Whereas, according to the Washington Post, the Trump International Hotel in Washington, D.C. has hired a "director of diplomatic sales" to generate high-priced business among foreign leaders and diplomatic delegations;

Whereas, according to Reuters, the Trump International Hotel could receive up to \$60,000 from the Kuwaiti government for a party it held at the Hotel on February 22, 2017.

Whereas, according to the New York Times, the President used a legally dubious tax maneuver in 1995 that could have allowed him to avoid paying federal taxes for 18 years;

Whereas, the most signed petition on the White House website calls for the release of the President's tax return information to verify compliance with the Emoluments Clause, with 1 million, 78 thousand signatures as of the date of this resolution;

Whereas, the Chairmen of the Ways and Means Committee, Joint Committee on Taxation, and Senate Finance Committee have the authority to request the President's tax returns under Section 6103 of the tax code;

Whereas, the Joint Committee on Taxation reviewed the tax returns of President Richard Nixon in 1974 and made the information public;

Whereas, the Ways and Means Committee used IRC 6103 authority in 2014 to make public the confidential tax information of 51 taxpayers;

Whereas, the American people have the right to know whether or not their President is operating under conflicts of interest related to international affairs, tax reform, government contracts, or otherwise: Now, therefore, be it:

Resolved, That the House of Representatives shall—

1. Immediately request the tax return information of Donald J. Trump for tax years 2006 through 2015 for review in closed executive session by the Committee on Ways and Means, as provided under Section 6103 of the Internal Revenue Code, and vote to report the information therein to the full House of Representatives.

2. Support transparency in government and the longstanding tradition of Presidents and Presidential candidates disclosing their tax returns.

The SPEAKER pro tempore. Does the gentlewoman from California wish to present argument on the parliamentary question whether the resolution presents a question of the privileges of the House?

Ms. ESHOO. I do, Mr. Speaker.

The SPEAKER pro tempore. The gentlewoman from California is recognized.

Ms. ESHOO. Mr. Speaker, under clause 1 of rule IX, questions of the privilege of the House are “those affecting the rights of the House collectively, its safety, dignity, and the integrity of its proceedings.”

I believe the dignity and the integrity of the House are put at risk when this body refuses to exercise its statutory authority and constitutional obligation to operate as a check on the executive branch.

Under section 6103 of the Internal Revenue Code, three congressional committees have jurisdiction to request tax returns: House Ways and Means, Senate Finance, and the Joint Committee on Taxation.

This authority was placed in the Tax Code by Congress in 1924 to allow for full investigations of several scandals in the Harding administration, including the Teapot Dome bribery scandal. Section 6103 was the subject of considerable debate in this Chamber, but, ultimately, Congress passed it in order to provide an important investigatory check on the executive branch.

In 1974, section 6103 authority was used by the members of the Joint Committee on Taxation to publish a staff report on President Nixon’s tax returns revealing that he owed nearly a half a million dollars in back taxes. Today, I worry that we are rapidly approaching a scandal of a similar magnitude to these previous events.

Since we voted on a similar resolution last week, the Attorney General and other senior administration offi-

cials have admitted that they met with Russian officials during the campaign and the transition period. This comes after the campaign and unequivocally last year saying that there was “no communications between the campaign and any foreign entity during the campaign.”

The SPEAKER pro tempore. The gentlewoman will suspend.

The gentlewoman is reminded that she must confine her remarks to the parliamentary question of whether the resolution qualifies under rule IX.

Ms. ESHOO. Mr. Speaker, I understand, and I am working to establish that case.

The SPEAKER pro tempore. The gentlewoman will confine her remarks to that question or the Chair will be prepared to rule.

Ms. ESHOO. Further reports about the President’s potential conflicts of interest suggest that the House should exercise its oversight authority immediately, including massive foreign payments to the President’s hotels and prior business deals with foreign oligarchs around the world. The only way to determine whether these dealings represent—

The SPEAKER pro tempore. The gentlewoman will suspend.

Does the gentlewoman wish to present an argument as to whether the resolution qualifies under rule IX?

The Chair has been patient. The gentlewoman must confine her remarks to make that argument. If not, the Chair is prepared to rule.

The gentlewoman from California is recognized.

Ms. ESHOO. Mr. Speaker, I am attempting to set forward the question of the privileges of the House on a privileged resolution, and this is a part of it.

I believe the only way to determine whether these dealings represent violations of the Emoluments Clause of the Constitution is by fully examining the President’s tax records.

Contrary to the Chair’s ruling last Monday, there is no direct precedent in section 706 of the House Practice manual for the situation because the current situation is unprecedented. The President’s business empire makes him more susceptible to conflicts of interest than any President in our history.

The SPEAKER pro tempore. The gentlewoman is no longer recognized.

The Chair is prepared to rule on the question.

The gentlewoman from California seeks to offer a resolution as a question of the privileges of the House under rule IX.

As the Chair ruled on February 27, 2017, and as demonstrated by section 706 of the House Rules and Manual, a resolution directing a committee to meet and conduct certain business does not qualify as a question of the privileges of the House.

The resolution offered by the gentlewoman from California directs the Committee on Ways and Means to meet and consider an item of business under the procedures set forth in 26 U.S. Code 6103. Accordingly, the resolution does not qualify as a question of the privileges of the House.

Ms. ESHOO. Mr. Speaker, I appeal the ruling of the Chair.

The SPEAKER pro tempore. The question is: Shall the decision of the Chair stand as the judgment of the House?

MOTION TO TABLE

Mr. MCCARTHY. Mr. Speaker, I have a motion at the desk.

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

The Clerk read as follows:

Mr. McCarthy moves that the appeal be laid on the table.

The SPEAKER pro tempore. The question is on the motion to lay the appeal on the table.

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

RECORDED VOTE

Ms. ESHOO. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on tabling the appeal will be followed by a 5-minute vote on suspending the rules and passing H.R. 375, if ordered.

The vote was taken by electronic device, and there were—ayes 227, noes 186, answered “present” 1, not voting 15, as follows:

[Roll No. 128]

AYES—227

Abraham	Cheney	Gallagher
Aderholt	Coffman	Gibbs
Allen	Cole	Gohmert
Amash	Collins (GA)	Goodlatte
Amodei	Collins (NY)	Gosar
Arrington	Comer	Gowdy
Babin	Comstock	Granger
Bacon	Conaway	Graves (GA)
Banks (IN)	Cook	Graves (LA)
Barletta	Costello (PA)	Graves (MO)
Barr	Cramer	Griffith
Barton	Crawford	Grothman
Bergman	Curbelo (FL)	Guthrie
Biggs	Davidson	Harper
Bilirakis	Davis, Rodney	Harris
Bishop (MI)	Denham	Hartzler
Bishop (UT)	Dent	Hensarling
Black	DeSantis	Herrera Beutler
Blackburn	DesJarlais	Hice, Jody B.
Blum	Diaz-Balart	Higgins (LA)
Bost	Donovan	Holding
Brady (TX)	Duffy	Hollingsworth
Brat	Duncan (SC)	Hudson
Bridenstine	Duncan (TN)	Huizenga
Brooks (AL)	Dunn	Hultgren
Brooks (IN)	Emmer	Hunter
Buchanan	Farenthold	Hurd
Buck	Faso	Issa
Bucshon	Ferguson	Jenkins (WV)
Budd	Fitzpatrick	Johnson (LA)
Burgess	Fleischmann	Johnson (OH)
Byrne	Flores	Johnson, Sam
Calvert	Fortenberry	Jordan
Carter (GA)	Fox	Joyce (OH)
Carter (TX)	Franks (AZ)	Katko
Chabot	Frelinghuysen	Kelly (MS)
Chaffetz	Gaetz	Kelly (PA)

King (IA) Newhouse
King (NY) Noem
Kinzinger Nunes
Knight Olson
Kustoff (TN) Palazzo
Labrador Palmer
LaHood Paulsen
LaMalfa Pearce
Lamborn Perry
Lance Pittenger
Latta Poe (TX)
Lewis (MN) Poliquin
LoBiondo Posey
Long Ratcliffe
Loudermilk Reed
Love Reichert
Lucas Renacci
Luetkemeyer Rice (SC)
MacArthur Roby
Marchant Roe (TN)
Marino Rogers (AL)
Marshall Rogers (KY)
Massie Rokita
Mast Rooney, Francis
McCarthy Rooney, Thomas
McCaul J.
McClintock Ros-Lehtinen
McHenry Roskam
McKinley Ross
McMorris Rothfus
Rodgers Rouzer
McSally Royce (CA)
Meadows Russell
Meehan Rutherford
Messer Scalise
Mitchell Schweikert
Moolenaar Scott, Austin
Mooney (WV) Sensenbrenner
Mullin Sessions
Murphy (PA) Shimkus

NOES—186

Adams Doyle, Michael
Aguilar F.
Barragan Ellison
Bass Engel
Beatty Eshoo
Bera Espallat
Beyer Esty
Bishop (GA) Evans
Blunt Rochester Foster
Bonamici Frankel (FL)
Boyle, Brendan Fudge
F. Gabbard
Brady (PA) Gallego
Brown (MD) Garamendi
Brownley (CA) Gonzalez (TX)
Bustos Gottheimer
Butterfield Green, Al
Capuano Green, Gene
Carbajal Grijalva
Cárdenas Hanabusa
Carson (IN) Hastings
Cartwright Heck
Castor (FL) Higgins (NY)
Castro (TX) Hoyer
Chu, Judy Huffman
Cicilline Jackson Lee
Clark (MA) Jayapal
Clarke (NY) Jeffries
Clay Johnson (GA)
Clyburn Johnson, E. B.
Cohen Jones
Connolly Kaptur
Conyers Keating
Cooper Kelly (IL)
Correa Kennedy
Costa Khanna
Courtney Kihuen
Crist Kildee
Crowley Kilmer
Cuellar Kind
Cummings Krishnamoorthi
Davis (CA) Kuster (NH)
Davis, Danny Langevin
DeFazio Larsen (WA)
DeGette Larson (CT)
Delaney Lawrence
DeLauro Lawson (FL)
DelBene Lee
Demings Levin
DeSaulnier Lewis (GA)
Deutch Lieu, Ted
Dingell Lipinski
Doggett Loebuck

Shuster
Simpson
Sinema
Smith (MO)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Trott
Turner
Upton
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sires
Slaughter
Smith (WA)
Soto

ANSWERED "PRESENT"—1

Sanford

NOT VOTING—15

Blumenauer
Cleaver
Culberson
Garrett
Gutiérrez

Hill
Himes
Jenkins (KS)
Rohrabacher
Rush

Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

Smith (NE)
Speier
Tipton
Titus
Valadao

□ 1929

Mr. GONZALEZ of Texas changed his vote from "aye" to "no."

Messrs. ROKITA and LAHOOD changed their vote from "no" to "aye."

So the motion to table was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

FRED D. THOMPSON FEDERAL BUILDING AND UNITED STATES COURTHOUSE

The SPEAKER pro tempore (Mr. FERGUSON). The unfinished business is the question on suspending the rules and passing the bill (H.R. 375) to designate the Federal building and United States courthouse located at 719 Church Street in Nashville, Tennessee, as the "Fred D. Thompson Federal Building and United States Courthouse".

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. BARLETTA) that the House suspend the rules and pass the bill.

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

A motion to reconsider was laid on the table.

MOMENT OF SILENCE FOR ANTHONY "TONY" BEILENSEN

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

Mr. SHERMAN. Mr. Speaker, I regret to inform the House that my predecessor, Anthony "Tony" C. Beilenson, died over the weekend.

Anthony Beilenson was known for integrity, civility, intelligence, courage, and a willingness to work across the aisle, even when that caused him to differ from the orthodoxy of his own party.

He served in this House for 20 years, from 1977 through 1997, and served for 2

years as chair of the House Permanent Select Committee on Intelligence. He passed on Sunday, and I ask that Members rise and that the House observe a moment of silence.

PUBLIC TIRED OF BIASED MEDIA

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

Mr. SMITH of Texas. Mr. Speaker, from Investor's Business Daily: "The mainstream media's open hostility to President Trump may be starting to backfire, according to the latest IBD/TIPP poll. The poll found that 55 percent of the public says they have grown 'weary from the media's persistently negative coverage of President Trump.' A roughly equal share, 54 percent, also believe that the news media 'has assumed the role of the opposition party, constantly opposing the president and his policies at every turn.'"

"The results are understandable, given the unusually hostile relationship the press has with Trump."

"A study by the nonpartisan group Media Tenor found that only 3 percent of network news stories in the first month of the Trump administration could be described as positive."

"The poll found that 57 percent back Trump's plan to hire 10,000 more immigration agents; 58 percent support the deportation of illegal immigrants charged with a crime, even if they haven't been convicted; and 53 percent back Trump's call to withhold federal aid to 'sanctuary cities.'"

"Meanwhile, 42 percent say Trump is providing strong leadership for the country, which is higher than the 40 percent Obama got last October."

HOUSE REPUBLICANS' BILL TO REPEAL THE AFFORDABLE CARE ACT

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

Mr. PAYNE. Mr. Speaker, it took 7 years, but it is finally here: the House Republican plan to make America sick again.

Under this plan, millions of Americans will lose their health insurance, and millions of other families will pay more for worse coverage. At the same time, the Republicans' bill rolls back Medicaid expansion and allows insurers to charge older enrollees more.

We always knew that the House Republican plan would harm the most vulnerable Americans, but we still do not know how much this bill will cost and how many Americans it will cover.

Now, House Republicans prefer it this way. They know that their bill will cover far fewer people than the Affordable Care Act does. They want to hide this fact from the American people and rush this bill through committee.

Mr. Speaker, this is an obvious and embarrassing display of cowardice from the House Republicans. The American people deserve to know the consequences of this bill just as they deserve quality and affordable access to health care. With the Republican plan, it looks like the American people will get neither.

HAPPY BIRTHDAY, LILLIAN COX

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

Mr. OLSON. Mr. Speaker, I work for the Texans in Meadows Place. They are led by Mayor Charles Jessup. The locals call Meadows Place the best square mile of small-town America.

Meadows Place has a secret. Shhhhh. Every man who lives there is in love with the same woman. We all love Lillian Cox.

Lillian turned 110 on February 22. In 352 days, I am taking Lillian out for her 111th birthday. She will put on a nice dress, a necklace, and earrings. I will take her to the Live Oak Grill, where she will have the fried catfish she loves so much. I will have the chicken fried steak. And we may go dancing, if I can keep up with her.

Lillian, happy 110th birthday. I will pick you up at 5 p.m. on February 22, 2018.

THREE BRANCHES OF GOVERNMENT

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

Ms. JACKSON LEE. Mr. Speaker, I am glad to be an adherent of the Constitution, as I know that my colleagues are. We believe in the separation of the three branches of government.

That is why it was so noteworthy and so outrageous that the leader of the free world and Commander in Chief issued a patently irrational email or Twitter on Saturday morning this past Saturday regarding a personal and direct attack on the past President of the United States of America regarding that President having wiretapped this individual in an outrageous manner.

Let me cite for you headlines in the Houston Chronicle: FBI chief seeks Trump rebuke of that horrible statement.

I ask the Department of Justice to immediately respond to Director Comey's request that you rebuke this outrageous statement that would accuse the President of any wiretapping that require either a Title III court, DEA, FBI, or require a FISA court.

Mr. President, explain yourself.

Justice Department, respond to this untruth now.

The Constitution requires it, and the separation of the three branches of government, out of respect, requires it.

The SPEAKER pro tempore. The Chair would remind Members to direct their remarks to the Chair.

CONGRATULATING SPECIALIST SUSAN TANUI

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

Mr. MARSHALL. Mr. Speaker, I am proud to rise today to recognize and congratulate Specialist Susan Tanui, the 2016 Army Soldier-Athlete of the Year.

Specialist Tanui currently serves the soldiers at Fort Riley, Kansas, as a dental assistant.

During her time in service, she has exemplified the Army's seven core values—loyalty, duty, respect, selfless service, honor, integrity, and personal courage—through her dedicated service, which is exemplified by her numerous decorations and awards.

In addition to serving the U.S. Army, Specialist Tanui is currently pursuing a degree at Liberty University, represents the Fort Riley Division running team, the All Army team, and the U.S. Armed Forces as an Army athlete.

She has also represented the U.S. Army in the U.S. Track and Field National Cross Country Championships in 2015 and 2016 and hopes, one day, to compete in the Olympics.

I commend Specialist Tanui's accomplishments, her outstanding character, and look forward to witnessing what she will do in the near future.

Mr. Speaker, we are so proud of Specialist Tanui, the soldiers of Fort Riley, the home of the Big Red One.

HONORING DR. NEHEMIAH DAVIS

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

Mr. VEASEY. Mr. Speaker, I rise today with a heavy heart to honor the life of a dedicated civil rights leader and pastor, Dr. Nehemiah Davis.

Pastor Davis faithfully served the Mount Pisgah Baptist Church on Evans Avenue in Fort Worth, Texas, on the south side, for over 50 years. Along with serving as a spiritual leader in my hometown, Mr. Davis served as the president of the National Missionary Baptist Convention of America, where he supported churches nationwide.

Pastor Davis' dedication to the community eventually led to his induction into the Religious Hall of Fame and the recognition by the Boy Scouts of America with a Distinguished Service Award.

Dr. Davis not only believed in nurturing spiritual growth, but fought for the equality of all Americans. He fought fearlessly on behalf of the African-American community and led the local NAACP chapter for over 20 years.

I ask my colleagues to join me in honoring Dr. Nehemiah Davis' life of service.

PRESIDENT TRUMP'S FAMILY BUSINESS

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

Ms. KAPTUR. Mr. Speaker, President Trump is a master at diverting attention, even the media's. His diversions are a perfect foil from the constitutional questions that his and his family's behavior have raised since he took the oath of office.

With hotels and property developments all over America and the world, the Trump empire is dramatically expanding its domestic business, raising vital questions as to the Trumps' profiting from public service, including from foreign entanglements that violate the Constitution.

Outlined in Article II of the Constitution, the clause prohibits the President from receiving, other than his salary, any compensation, gift, or other form of profit from the United States, a State government, or their instrumentalities.

Congress reserves its ability to consent to foreign emoluments but not to domestic emoluments. Our Founding Fathers were clear—no exceptions.

It has been heavily reported in the papers that the Trump sons have now signed at least 17 new letters of intent with potential developers, even listing specific cities. They don't have to tell their father about all this. The newspapers cover it in abundance. And the American people should never have to wonder whose interests the President serves.

Today those doubts abound. America, the scales of justice need tending.

[From The Washington Post, Mar. 4, 2017]

TRUMP SONS, PLANNING EXPANSION OF FAMILY BUSINESS, LOOK TO LEVERAGE CAMPAIGN EXPERIENCE

(By Jonathan O'Connell, David A. Fahrenthold and Matea Gold)

NEW YORK.—Donald Trump's adult sons, who are overseeing a nationwide expansion of the family business during their father's presidency, are envisioning ways that their experiences from the campaign trail can help them establish a footing in dozens of new markets.

The idea is to move beyond a focus on luxury hotels in big metropolises and build boutique properties in a broader mix of cities, including some the Trump brothers came to know well during more than a year of intensive travel, fundraising and grass-roots networking on the road to The White House.

"I got to see a lot of those markets on the campaign," Donald Trump Jr., the president's eldest son, told The Washington Post in a recent interview from his office on the 25th floor of Trump Tower. "I think I've probably been in all of them over the last 18 months."

The initial plan is tied to the Trumps' previously announced new chain, Scion, which is being designed as a less-corporate feeling brand of high-end hotels with a more affordable per-room price point than the Trumps' five-star properties.

As with many existing Trump-branded property deals, the developers would own the hotels while the Trumps would be paid licensing and management fees.

The company says it has signed at least 17 letters of intent with potential developers. It is targeting an array of cities such as Austin, Dallas, St. Louis, Nashville and Seattle—and Trump Jr. said the campaign proved useful in forging relationships with potential new connections.

"I met people along the way that would be awesome partners," he said.

The expansion plan illustrates how President Trump's political rise has the potential to affect his business even as he and his sons promise to adhere to a strict ethical boundary between the company's moves and the Trump administration. And it shows the inherent challenge in separating the family's political work from its corporate interests, with upsides and potential problems.

Extending the Trump business into a greater cluster of American cities could bring political benefits for a president who has vowed to bring jobs and economic prosperity to struggling communities. But it also comes as Trump has faced criticism from Democrats and ethics officials for his decision to retain his ownership stake in the company, a decision that means he stands to personally benefit from its growth.

Building new hotels, for example, could create issues—tax disputes, allegations of labor violations or environmental violations—that require federal departments to consider cases that could directly impact the president's finances. And while the Trumps have vowed to sign no new foreign deals, pursuing a raft of new domestic contracts from coast to coast means the Trumps are likely to engage in negotiations with private developers, banks and investors who see additional benefits in doing business with the president's company.

"It's just going to add fuel to the fire that is already burning . . . with him having still a foot in both the boardroom and one in the Oval Office," said Scott Amey, the general counsel of the nonpartisan watchdog group Project on Government Oversight.

The White House did not respond to a request for comment. The president in January added a team of ethics lawyers to the White House Counsel's Office, while the company hired a longtime Republican attorney tasked with ensuring the Trump Organization minimizes conflicts of interest.

In interviews, the Trump sons waved off the idea that their plans created any potential ethical problems.

"There are lines that we would never cross, and that's mixing business with anything government," Eric Trump said.

Donald Trump Jr. said that since the inauguration, he has spoken with his father twice on the phone and once in person—when he and his brother attended the announcement of their father's Supreme Court nominee, Neil Gorsuch. Eric Trump said he may ask his father how things are in the White House but would never discuss government or business affairs.

"Will we ever talk about tax policy? Will I ever ask for anything that could otherwise benefit the business? Absolutely, emphatically not," Eric Trump said. "He has no need to know what we're doing, and I certainly don't need to know what they're doing, and I don't want to."

The Trumps' point man on the expansion is Eric Danziger, an experienced executive who was hired in 2015 after previously overseeing expansions at Carlson Hotels Worldwide,

Starwood Hotels and the former Wyndham International.

One of the first Scion projects is slated to open in Dallas, where a Turkish-born developer aims to open a sleek glass six-story hotel as part of a \$50 million mixed-use downtown development. The Austin, Cincinnati, Denver, Detroit, Nashville, Seattle and St. Louis areas are also possible targets, according to reports by Bloomberg News and business trade publications.

The Trumps declined to say what other cities they were exploring for projects but said they were actively seeking contracts in many places. Danziger, speaking last month to Skift, an industry publication, called Scion a "four-star lifestyle brand" with wide geographic appeal.

"That kind of brand can be in every city—tertiary, secondary," he said. "So, how many is that? The opportunity is for hundreds."

Because of the prohibition on foreign deals, Danziger said the company is "going to have full focus—instead of some focus—on growth domestically of both Trump and Scion."

The expansion will not be easy, according to analysts. The Trumps will be entering a crowded marketplace of new hotel lines from Marriott, Hilton and Hyatt designed to appeal to a broad cross-section of customers, said Michael J. Bellisario, a senior research analyst with the firm Robert W. Baird & Co. "There are so many more competitors out there today," Bellisario said.

For the Trumps to distinguish their projects from their competitors, they will need to be choosy about locations, Bellisario said. "You've got to be on the right street corner in the right market. You can't open these hotels in Topeka, Kansas," he said. "So when you think about that, how big can the new line get?"

The plan is a big test for the younger Trumps.

Just as Donald Trump stepped out from his father's shadow in the 1970s to build the family real estate business into today's worldwide collection of golf courses, hotels, condo towers, branded merchandise and other commercial holdings, now Donald Trump Jr., 39, and Eric Trump, 33, have a chance to make their mark.

Along with their sister, Ivanka, who departed the company when their father entered office, the brothers have long served as executive vice presidents.

Before their father ran for president, the three siblings helped expand the firm from focusing on New York to including the management of luxury hotels in top U.S. cities and seven countries, plus more than a dozen golf courses.

The fruits of that work are still coming, as last month the company opened a new golf club in Dubai and, last week held a grand opening for a new hotel-condominium tower in Vancouver, B.C.

A major transition for the sons is taking over a company in which the force behind every Trump company offering—whether it was selling hotel rooms, office buildings, golf outings, ties or raw steaks—was Donald Trump himself.

In interviews, Trump Jr. and Eric Trump said they consider themselves protectors of the Trump brand, an effort they said is sometimes misunderstood. Critics viewed the announcement of Scion during the campaign as a move away from the Trump name. The family's intent was the opposite; since they view the name Trump has a standard for luxury that ought to be insulated, they will use other brands for less pricey products.

"We would never want to dilute the real estate brand by going into tertiary markets

that can't sustain the [luxury] properties as we build them," Eric Trump said. "A lot of hotel companies have gotten this wrong."

Both sons worked for their father starting at young ages, doing landscaping and other labor on his projects.

A University of Pennsylvania graduate, Trump Jr.'s first assignment at the company was to work with executives at New York City real estate projects.

Eric Trump joined after graduating from Georgetown in 2006. He has overseen the Trump Winery near Charlottesville and worked on the Trump hotel in Las Vegas, where he developed a reputation as a hands-on executive.

"If there's a property tax issue or any litigation, he flies into Las Vegas and takes care of it," said Phil Ruffin, a casino mogul who is the Trumps' partner in the Las Vegas project. "He hires the lawyer. If there are any capital improvements, he approves them. He is very energetic like his father—he will just work night and day."

With their father in charge, there was an informal division of labor among his three eldest children, governing which projects each swooped in to help.

Ivanka Trump created her own brands of shoes, jewelry, handbags and coats. She took the lead on some of the Trump Organization's most prominent recent projects, such as the \$212 million D.C. hotel, which had its soft opening in September.

"I'm probably the most obviously like [Trump Sr.]," Ivanka Trump said in a 2011 company video titled "Trump: The Next Generation."

"In certain ways," she added, "Eric is very similar to him in terms of his love of construction and building. And Don has his sense of humor."

The Trumps' planned corporate expansion comes as the president has faced intense criticism from Democrats and ethics experts for his continued ownership interest.

A liberal watchdog organization, Citizens for Responsibility and Ethics in Washington (CREW), has sued Trump, arguing that his hotel operations violate a constitutional provision barring the president from accepting gifts or payments from a foreign government. Some Democrats have argued that Trump's international trademarks, including one long-sought registration granted in February by China, also violate the Constitution's emoluments clause.

Trump has called the CREW lawsuit "totally without merit."

Amey, of the Project on Government Oversight, said there were ways for the Trumps to avoid potential domestic conflicts related to the hotel expansion. He said they could put the hotel business under another corporate structure, which does not involve a trust directly owned by the president himself.

"There are solutions to solving this, [but] there doesn't seem to be a will and a desire to do that within the White House," Amey said.

The Trump brothers say they are taking ethics concerns seriously and are doing everything necessary to avoid distracting from their father's work as president.

"Have I used him as a sounding board in the past? One hundred percent," Trump Jr. said. "Have I learned a lot from him? Couldn't have had a better mentor. But he's got real stuff he's got to deal with. These are real people's lives . . . So this notion that he is still running the business from the White House is just insane."

Trump Jr. scoffed at the idea that his father might have somehow viewed running for

president—spending millions of dollars of his own money to run against more than a dozen Republican challengers and Democratic nominee Hillary Clinton when few pundits gave him a chance to win—as a money-making endeavor.

“That’s not a get-rich-quick scheme,” he said. “That doesn’t make any sense whatsoever.”

FLOOR SPEECH ON ANTI-SEMITISM

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

Mr. GOTTHEIMER. Mr. Speaker, I rise today to speak out against the rising wave of desecration, threats, and harassment targeting Jewish cemeteries, Jewish community centers, and religious institutions in northern New Jersey and across our country.

JCCs and synagogues are bedrocks of religious and civic life for Jewish communities, housing preschools for children and a range of religious, educational, and social programs for families and seniors. Yet the safety and well-being of these communal spaces are the scope of extremism and anti-Semitism.

Recently, there have been eight bomb threats targeting six Jewish community centers in New Jersey and more than 100 across our country. Parents are pulling their children from religious schools. Others are afraid to attend religious services. It is unacceptable.

In the last 24 hours alone, officials in my district have uncovered multiple swastikas defacing our public spaces. These are not cases of random hatred. They are part of a deeply disturbing national trend that requires immediate and decisive action from law enforcement and community leaders at all levels.

As Elie Wiesel said: “Indifference, after all, is more dangerous than anger or hatred.” Leaders must stand up now against the rising trend of hate-driven terrorism against any ethnic or religious group, including Jews, Christians, Muslims, and others.

Hate and intolerance have no place in the greatest democracy in the world.

□ 1945

REMEMBERING DOUGLAS SELPH HENRY, JR.

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

Mr. COHEN. Mr. Speaker, earlier this week, Tennessee lost one of its most outstanding citizens, a person who loved Tennessee as deeply, if not more deeply, than anyone. Douglas Selph Henry, Jr., who served in the Tennessee State Senate in the Tennessee State House, served longer than any person ever did in the Tennessee General Assembly—44 years.

Senator Douglas Henry served 24 of those years with me. He was a gentleman, a scholar, a man who said he was a State man, as distinguished from a Federal man, and he was a public man, going to more events in Nashville in his district and for his community than anybody ever has. There was not an event that Douglas Henry wasn’t there and helping to fund.

He was a conservative Senator. We had differences on issues many times. But Senator Henry was a man who you could disagree with, and he was never disagreeable. He was truly a gentleman at all times and a credit to his State and a credit to politics and a credit to his family.

He loved his wife, Lolly, who predeceased him, his five children, and his grandchildren. And though we differed on issues and he was pro-life, he cared about children after they were born, passed the mandatory child seatbelt law, and supported all types of education endeavors and endeavors to support mothers and young children. He was just a gentleman’s gentleman. I was honored to spend time with him. It is a great loss to Tennessee. My thoughts go out to his family.

REPEAL OF THE AFFORDABLE CARE ACT

The SPEAKER pro tempore. Under the Speaker’s announced policy of January 3, 2017, the gentleman from California (Mr. GARAMENDI) is recognized for 60 minutes as the designee of the minority leader.

Mr. GARAMENDI. Mr. Speaker, I rise this evening to cover several very, very important points.

Tomorrow is International Women’s Day, and I was going to talk about the role of women in our society, talk about my five daughters and what they have been doing in their life of service, and my wife, but events intervened. And yesterday, our good friends on the Republican side introduced a piece of legislation that will dramatically affect women, young and old; children. They introduced a repeal of the Affordable Care Act.

We are still trying to figure out all of the details involved in it. It is going to be a little hard, since it was changed late in the night. But there are some things we do know. I would like to start off with what we do know about the Affordable Care Act so that when we come to debate on the floor in the days ahead the Republican repeal and replacement of the existing Affordable Care Act, we have a foundation.

If you will indulge me, I will try to lay out some facts, not alternative facts, but facts. For example, 20 million Americans have gained coverage as a result of the Affordable Care Act. The percentage of uninsured in America is the lowest it has ever been. Mr. Speaker, 6.1 million young adults be-

tween the age of 19 and 25 have gained insurance coverage by being able to stay on their parents’ insurance program—6.1 million. Of the Americans who have preexisting conditions, and that is 27 percent of us who have some sort of preexisting condition—heart issues, diabetes, broken legs, bad backs, whatever—27 percent of those Americans are guaranteed coverage even though they have a preexisting condition.

I was insurance commissioner in California for 8 years, and I must tell you the battles—well, it would take several days to talk about the battles that I had with the insurance companies who were denying coverage because of preexisting conditions. No longer the case in America. The Affordable Care Act said no. And by the way, the lifetime limits, they are gone, also.

California, which I have had the pleasure of being a citizen of, 3.7 million Californians are now insured under the Medi-Cal program, and 1.4 million have gained coverage through the exchange, called Covered California. About 1.2 million of those have received subsidies, averaging over \$300 a month. Over 5 million Californians will be directly affected by a direct repeal.

And in the expansion of Medicaid, or Medi-Cal as we call it in California, if that is eliminated, that is a \$16 billion hit to the State of California, and, obviously, an enormous hit to those 3.7 million Californians who have been covered under the Medi-Cal expansion.

Secondary impacts: employment. Maybe 200,000 jobs would be lost in California.

Individual stories: boy, they abound. Just this evening, I got a call from my wife, and she said: You really ought to talk about that young family in Woodland, California, whose 2-year-old son was diagnosed with some sort of a medical illness. They were able to get coverage before that under the covered California program. They went back a year later, and the kid had a brain tumor.

Fortunately, it was resolved because they had insurance. They were able to get the early diagnosis. And under the current law, the Affordable Care Act, they will be able to keep their coverage, even though previous to the Affordable Care Act, this young child and, quite probably, the family would be uninsurable.

It is working. The Affordable Care Act is working. Are there ways to improve it? Undoubtedly, there are, and we could sit down and talk about ways to improve it.

But yesterday, our Republican colleagues introduced legislation that is going to have a profound negative impact on men and women all across this Nation. We will spend time in the days ahead to talk about the details, but we do know that, in general terms, there will be less coverage at a higher cost

for literally everybody, except for a few special folks. And I would like to just put up a chart about that. Let's start with this one.

You see, in the repeal bill that was introduced, there are very serious tax cuts. We are talking about hundreds of billions of dollars of tax cuts over the next 2 years. Well, we all want a tax cut. But under the repeal, there are some very special people who are going to get a really big tax cut. Take a look at this.

The top 20 percent of taxpayers will receive 74.2 percent of the multihundred-billion-dollar tax cut, which is estimated to be somewhere in the range of \$700 billion to maybe as much as \$1 trillion, depending upon the final calculations.

By the way, the Congressional Budget Office has not had time to score, that is to tell us what the cost, what the benefits are, of the Republican proposal. But we do know from earlier studies of this, 75 percent of the multihundred-billion-dollar tax cuts go to the wealthy. Wow. And where does the money come from? It comes from the poor, it comes from the working families, the men and women who are struggling here in America. Maybe they are making a good living—\$50,000 to \$60,000 a year. They are going to see their benefit package reduced.

One more way to look at this is the famous pie chart. So who gets the tax breaks? Not the top 20 percent. Let's just focus more clearly here on the top one-tenth of 1 percent. What do they get? They are not a percentage. This is not the top 1 percent. This is the top one-tenth of a percent. What do they get? Well, they get nearly \$200,000 a year in tax reductions. That is not bad. So the top 1 percent gets 57 percent of that 6-, 7-, \$800-billion tax cut, and everyone else will get 43 percent.

So what we have here is a massive shift of wealth from the working men and women of America, from American families, to the very top—you know, the 1 percenters. That is who is getting the benefit in this massive tax cut that has been proposed. I don't know if that is good policy. It is not in my district. I don't think it is good policy for America.

We spent a lot of this last year in the Presidential campaign talking about the shift of wealth to the superwealthy and away from the great majority of Americans. But, here we go. In the very first big legislation of this year, we see the Republicans in a massive effort to increase the wealth of the superwealthy at the expense of the rest of Americans.

There are many, many more things to talk about here. But I want to just take a deep breath, which I need, because I guess I am getting rather excited about what is happening—or maybe angry is a better word—and turn to my colleague from the great

State of Virginia to carry on while I take a deep breath and cool off a bit.

Mr. Speaker, I yield to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. Mr. Speaker, I don't blame the gentleman. I appreciate the opportunity to discuss the Affordable Care Act. As we discuss this, as he has indicated, it helps a little bit to talk about what the situation was before the Affordable Care Act passed.

We knew that costs were going through the roof. We knew that those with preexisting conditions, if they could get insurance, would have to pay a lot more for that insurance. We knew that women were paying more for insurance than men. We knew that millions of people every year were losing insurance. That is what was going on before.

People talk about small businesses. Well, small businesses had trouble getting insurance because if they had a person with a chronic illness, it would be unlikely that they could afford small-business insurance. But now, the costs have continued to go up, but they have gone up at half the rate they were going up before.

Those with preexisting conditions can now get insurance at the average rate. Women are no longer paying more than men. And 20 million more people have insurance, not millions of people losing insurance every year, 20 million more people have insurance.

Now, the full name of the Affordable Care Act is the Patient Protection and Affordable Care Act. There are certain protections, like insurance companies can't cut you off after they have paid a certain amount. There are no more caps. They can't rescind your policy. After you get sick, they can't just decide not to renew your policy. There is no copay or deductible for prevention and cancer screening. We are closing the doughnut hole. The average senior has saved already about \$1,000 because of the Affordable Care Act support for closing the doughnut hole. Those under age 26 can stay on their parents' policies. Those are some of the benefits of the Affordable Care Act.

Now, we didn't solve all of the problems. There are still problems. But if we are going to change the Affordable Care Act, we ought to improve the Affordable Care Act. Unfortunately, the bill that was introduced in the middle of the night fails on a number of areas.

Now, we would know precisely how bad a bill it is if they would wait a couple of days for the CBO to score the bill. It would point out all of the flaws. But there are just a couple.

One is just a fundamental principle that it purports to cover preexisting conditions without a mandate for coverage. We know that if you allow people to wait until they get sick before they buy insurance, people will wait until they get sick before they buy insurance. The average insurance pool is

sicker, more expensive. Healthy people drop out, and the thing spirals out of control. We don't have to speculate how this works because we know.

New York State tried it, and the cost went up so much that when the Affordable Care Act came in with a mandate, the cost for individual insurance dropped more than 50 percent. Washington State tried it. It got so bad that by the time it got going a couple of years, nobody could buy insurance. Nobody could buy insurance in the individual market. So we know what happens when you try to cover people with preexisting conditions without a mandate.

□ 2000

So this plan, when it starts off with that policy, we know it is bound to fail.

We also noticed another flaw: that it saves money by allowing people to purchase insurance that doesn't cover everything. We have people buying insurance now that have to buy the basic essential benefits package. When you can start picking and choosing, you might save a little money, but things like maternity care, if that becomes an optional coverage, then anybody that wants that will not be able to afford it.

It will cost whatever it costs to have a baby. They just have to pay the bill. They might as well not have insurance. So that is because, if anybody purchases maternity insurance, it is because they expect to have a baby in the coming year, and it becomes unaffordable. If everybody pays the average, everybody pays everything, then everybody can afford the maternity coverage.

So allowing people to pick and choose what they want, that might help a few, but those that need that coverage won't be able to afford it.

A final flaw, as the gentleman pointed out, is massive tax cuts. Well, when you reduce the revenue available, two things happen: there is less support for Medicaid, and there is less support for people in paying their premiums. So in the fullness of time, fewer people will be insured; and so you have a plan with fewer people insured, watered-down benefits, and a plan that is ultimately going to fail.

That is not an improvement. If we are going to deal with the Affordable Care Act, we ought to have an improvement; and until we have an actual improvement, we ought to leave the Affordable Care Act alone.

I am delighted to be here discussing the Affordable Care Act with the gentleman, warning people that, if they go forward without a Congressional Budget Office evaluation so they know what is going on, we may have a plan that is a lot worse than even before the Affordable Care Act.

Mr. GARAMENDI. Mr. SCOTT, thank you so very much. You bring to this discussion a very important perspective as the ranking member of the Education and the Workforce Committee.

You have that perspective of understanding the effect of this legislation on the working men and women and families of the United States.

I was just looking at some of the early comments that have come out about the bill, which is less than—well, it is almost 24 hours old now. Families USA said: “The GOP healthcare proposal would be laughable if its consequences weren’t so devastating. This bill will strip coverage for millions of people and drive up consumer costs.”

The Catholic Health Association of the United States said: “This proposal would also take many backward steps in the continual effort to improve our healthcare system. . . .”

It goes on and on, and as more and more people come to understand the issues that the gentleman was discussing, I think they are going to find that, no, we will take the Affordable Care Act as it presently exists, and we will make some modifications to it to improve it.

The gentleman raised a very interesting point. It reminds me of another conversation I had earlier this week with my wife. She had gone to her hairstylist, who is about 29 years old, has run her own business for the last 7, 8 years, and she told me wife: It can’t be true. They can’t do it, can they? They can’t kill the Affordable Care Act, the ObamaCare?

She said: For the first time in my life, I was able to get insurance; and now that I have insurance, there is this maternity benefit that is in my package, and now my husband and I, we can afford to have a child.

It was directly to the point the gentleman was making. If there is an option here on maternity coverage or any coverage for women’s health, then we are going to find a situation where people will pick and choose; they will wait to get their insurance, and then the insurance pool is left with very expensive cases and the cost is not spread out.

The gentleman may have some other examples that may have come along or some other comments that he would like to make. I would be delighted to have the gentleman share those on the floor, and I will yield to the gentleman.

Mr. SCOTT of Virginia. Shortly after the Affordable Care Act passed and went into effect, a young lady approached me in a store—she was a clerk in a store—and said: Bobby, don’t let them repeal ObamaCare because my son is alive today because of ObamaCare.

I said: Well, what do you mean?

She said: Late last year, he was diagnosed with a fatal disease for which there is a cure, but we couldn’t afford the cure. Thankfully, he lived to January 1, when ObamaCare kicked in, and we can afford the cure. My son is alive today because of the Affordable Care Act.

If it is repealed, what happens in that case? What happens in all of the other

cases when people don’t have insurance? We have heard it represented that, well, anybody can get health care. All they have got to do is show up at the emergency room.

Well, yeah, that is fine. You can show up at the emergency room with a stroke, but you can’t get blood pressure pills that could have avoided the stroke to begin with. They can stabilize you and send you home, but in terms of a cure or a surgery that may cure the problem, you don’t get that. You just get stabilized in the emergency room, and that is not health care. We need people with insurance so they can obtain the preventive care and the corrective care that will get them off on the right track.

The gentleman talked about stripping coverage. When you take that kind of money out of the system, less support for Medicaid, fewer people getting Medicaid, less support for premium support so that people can actually afford it—if you look at the proposal, a lot of people can’t use the tax cut because it is insufficient to pay the premium and they don’t have the rest of the money.

So we need to make sure that CBO scores this. They will highlight all of these problems. They will show that many fewer people will be insured and that it is not an improvement. We shouldn’t do anything unless we are actually improving the Affordable Care Act.

Mr. GARAMENDI. The gentleman is correct on that. I was just looking at some statistics here a moment ago about the shifting of cost.

Under the Affordable Care Act, there are many, many benefits for Medicare. Leaving aside the Medicaid population for a moment, the Medicare population, available to every individual 65 and older, there have been significant improvements.

You mentioned the doughnut hole earlier, the drug benefit. If you run up heavy expenditures on your drugs, you would come to a point where you had to pay 100 percent. Medicare didn’t cover it. Well, that doughnut hole is collapsing, and in another 2 years, the Medicare program will cover all of the drug costs without limitation.

Also, there is the free annual check-up that is available to everybody that is on Medicare. The result of these kinds of things, where drugs are available, blood pressure drugs, diabetes and the like, has led to—together with the additional taxes that the superwealthy are paying—has increased the solvency of Medicare by 11 years.

Now, the fiddling that is going on with the proposal that our Republicans have put through, it is not clear exactly what the result would be; but we do know that one of the major tax cuts is the elimination of this Medicare tax that the superwealthy have been paying, and that is over—together with

one other tax is almost \$340 billion. So the support for Medicare and the solvency of Medicare becomes a question mark as a result of the proposals.

We don’t have all of the answers to this, but we do know that a 60-year-old presently getting an insurance policy from the Affordable Care Act, from ObamaCare, and making somewhere around \$40,000 a year—perhaps working at Walmart—they are going to see a 57 percent reduction in the tax credit that is currently available versus what the Republican bill has.

So a 60-year-old making \$40,000 a year under the ACA, ObamaCare, will receive somewhere around a \$9,000 tax credit to support the purchase of insurance. Under the Republican bill, they are looking at \$4,000—not \$9,000, but \$4,000—so 57 percent reduction in the support that they receive, probably leading to them not being able to afford insurance and winding up in your emergency room example.

Mr. SCOTT of Virginia. To add insult to injury, part of the scheme is to allow insurance companies to charge senior citizens even more. Right now they are limited to three times what they charge everybody else. Their bill allows up to five times. That is a two-thirds increase in the cost. So if the tax credit wasn’t enough to begin with, it is going to get worse.

Mr. GARAMENDI. Well, let me make sure I understand. I was 60 a while ago, but let’s say I am 60 and I am getting a health insurance policy under ObamaCare, the Affordable Care Act. I may have to pay three times what a 25-year-old pays, but under the proposal that has been brought to us by the Republicans, I would pay five times?

Mr. SCOTT of Virginia. That is right.

When everybody pays an average, if you allow some people to pay more, some people are going to pay less, but it is a zero-sum game. Every time they show somebody can pay less, then know that somebody will pay more. They have a scheme, for example—they call it association plans—where you get a group of healthy people, they come from out of the insurance pool and get a better rate because the insurance company will look at the association and say: Those are the young, healthy people, I can give them a better rate. They can save money.

What happens to everybody else? They have to pay more.

Last time they came up with this idea, the research showed that 80 percent of the people will pay higher premiums if you allowed people to withdraw from the pool, a healthy group. Now, actually, it will always work, because the group you pull out, if the bids come in higher than average, nobody is going to buy the insurance. They are going to go right back into the regular pool. So any time you have one of these things, it will only work if

you are pulling out young, healthy people, and that leaves behind, for everybody else, higher rates.

Mr. GARAMENDI. The fundamental nature of insurance is you gather a large population of healthy, not-so-healthy, and perhaps some very sick people into a large population, and the cost is spread across the entire population.

What we may be ceding here in this particular proposal is the unravelling of that fundamental insurance concept with young people, healthy, not bothering to buy insurance, staying out of the market; and then, eventually, when they become ill, they will get back into the market, leaving everybody else to pay for it.

There is another piece of this shifting of cost that did occur prior to the Affordable Care Act—significantly reduced, as a result of it—and that is the uninsured still get sick.

The gentleman mentioned the emergency room a while ago, and for the most part, in America, a person can get to an emergency room with or without insurance; but if they don't have insurance, there is still a cost associated with the visit to the emergency room and any other thing they may need. They may need to have their leg repaired, a broken leg, or maybe they need an appendectomy or whatever. That is still a cost. The question is: Who picks up that cost? That is called uncompensated care, and it was a huge problem prior to the Affordable Care Act.

I had hospitals throughout my district and throughout California coming to me and saying: We can't afford this because we are not able to cover that uncompensated care for people that didn't have insurance that showed up at the emergency room.

Now, we know that from the early analysis done of the proposed legislation by our Republican friends that the number of uninsured is likely to increase, perhaps as much as 11 million people—maybe more, maybe somewhat less. Those people will still get sick. They may have money of their own to cover their costs, but the chances are they don't. That uncompensated cost will then be borne by the people who do buy insurance. It is a cost shift to those who have insurance.

Mr. SCOTT of Virginia. In fact, when we passed the Affordable Care Act, the estimated cost on a family policy was about \$1,000 a year on the family policy for uncompensated costs shifted on to the insured public. In fact, in Virginia, it is estimated that approximately \$15 a month is paid on everybody with insurance, \$15 a month to go to the 400,000 people that would have had insurance if we had expanded Medicaid.

So if you have 100 employees, you can just figure you are paying about \$1,500 a month extra because we did not expand Medicaid. 400,000 people will go to

the hospital, won't pay, and when people with insurance go, they just have to pay a little extra, about \$15 a month per person in the Commonwealth of Virginia because of that.

Mr. GARAMENDI. There are so many pieces to this healthcare system.

One thing that I want to put on the table here from my experience as insurance commissioner in California is that there are two fundamental parts to the healthcare system in the United States, and really around the world. One of those two parts is how we collect the money and then pay for the services. We call that insurance. It is also Medicare, Medicaid, veterans' programs, and the like. These are the way in which we collect money and pay for the services.

□ 2015

The other part of the healthcare system is the delivery of services; these are the doctors, the clinics, the hospitals, and other providers, mental health providers, and the like. We often get confused by putting these two things together.

There has been a lot of talk about what we are doing with the Affordable Care Act. It is essentially a mechanism to pay for services. It is an insurance mechanism. Using the private insurance system, these various exchanges are set up to pool the population of people who do not have insurance from their employer, the individual people, individual coverage. It pools them so that you have that large population so that the cost is spread out across that large pool and the insurance becomes affordable. That is an insurance mechanism. That is a pooling. It has nothing to do directly with the provision of medical services.

The medical services are then provided out of that pooling arrangement by the individual doctors, maybe clinics, maybe hospitals, maybe group practices. Some of that will be capitated pay, and others will be a fee-for-service.

We haven't changed directly the way in which services are provided, that is, the delivery of services. And this is found in hospitals. In the Affordable Care Act, there was a penalty for hospitals that had readmissions for infections. What we have seen, as a result of that provision dealing directly with the way in which services are delivered in hospitals, is a dramatic decline in readmissions for hospital-acquired infections. What that means is some 60,000 people are still alive today because they didn't get a hospital-acquired infection.

Mr. Speaker, I yield to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. Mr. Speaker, well, that part of the Affordable Care Act has actually improved the quality of service.

There are other things in the Affordable Care Act, such as funding for edu-

cation of more providers, more doctors and nurses, and other providers because we have a lack of professionals. One area, for example, is psychiatry. If the Veterans Administration hired all the psychiatrists they need, there wouldn't be any for anybody else. We are so far behind. And the Affordable Care Act provides for that service.

As you pointed out, there is a difference between the ability to pay for the services and the services that are there. People frequently compare the single-payer plan in Canada, which in many areas is a rural area. So you don't have the critical mass of population to support a high-tech medical system. So if you are going to have a baby, it is probably going to be delivered by a family doctor, not an obstetrician. In some areas, you have to go 200 miles to find a neurosurgeon. That doesn't have anything to do with the fact that they can pay for the services. It is just that the services aren't there.

So when people talk about the health delivery system, as you pointed out, that is different. The fact that you can actually pay for services doesn't diminish the opportunity to have those services there; it actually increases the possibility that those services will be there.

Mr. GARAMENDI. Mr. Speaker, that is exactly right, and I see that in my district. I have a large rural district in California. And, even today, there are areas where it is difficult to find a physician to get medical services.

This is one of the things, as you so correctly pointed out, the Affordable Care Act had a part of that. One of the titles dealt with the education of medical personnel. And so what we have seen, at least in California—and I suspect across America—with the Affordable Care Act in place, we are seeing that one of the fastest growing areas for new jobs is the healthcare sector because we are adding a lot of people—we need more—and then the educational programs that you talked about, which comes under the jurisdiction, I believe, of your committee. That is an important part.

One of the things that I hope the American public comes to understand is this is not just a sound bite that was used in a political campaign. We are going to repeal the ObamaCare and we are going to replace it is a nice sound bite. But we are talking about the lives of Americans, we are talking about their health, their ability to stay healthy, their ability to get medical services.

When you start tinkering with something that is so personal—that is what people say in my district: This is about my ability to stay healthy, my ability to get medical care. That is what I hear.

They are saying they are frightened. They are concerned that the legislation and all of the discussion in the political campaigns has been so heated that

they are afraid they are going to lose what they presently have.

A quick look at what has been presented to Congress just in the last 24 hours indicates that a couple of facts are clear. First of all, there is an enormous tax break for the very, very wealthy, probably to the tune of 3- to \$400 billion over 10 years. That is an incredible tax break for the superwealthy and for the health insurance industry. That, we are pretty sure, is in this legislation. We don't know the exact numbers; but we do know that early indications are that there is a shift, tax breaks for the wealthy, and cost increases for everybody else. That we know.

We also know that there are certain elements of support for individuals that will be removed. As we go about debating this and understanding the full import and get the Congressional Budget Office information, I think we are going to find that Americans are going to say: Well, wait. Wait, wait, wait. You are doing what to me? What are you doing to me? You are taking away my health insurance?

I suspect that will lead to a rebellion of some sort. Certainly it has agitated a lot of people in my communities about the justifiable fear of what may be coming to Americans.

Mr. Speaker, I yield to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. Mr. Speaker, the gentleman indicated, in rural areas, one of the things that we have done is funded community health centers, which provides, where there are no professionals, a community health center where you can actually go to get comprehensive primary health care and then referred to a specialist somewhere if that is needed. That funding would be obviously in jeopardy.

As you pointed out, when you have tax cuts in terms of resources, that will translate into fewer people actually insured. They will have watered down benefits. And because there is no mandate to ensure that everybody is in the pool and they are trying to cover preexisting conditions, you have a prescription for disaster. That is not an improvement of the Affordable Care Act.

We need to insist that CBO score the legislation before we start taking votes so that people know exactly what they are getting into.

Mr. GARAMENDI. Mr. Speaker, the gentleman from Virginia is absolutely correct about that. Unfortunately, my understanding is that as early as tomorrow—that would be Wednesday—that the committees intend to mark up the legislation. Normally, that means the version of the legislation that will pass out of committee is completed. And, I suspect, usually it is associated with a vote that takes place in committee. We don't know for sure if it is tomorrow or the next day, but we do

know that if it is this week, we will not have the Congressional Budget Office information.

The gentleman mentioned something that I probably should have jumped on immediately because of my rural district, and those are the clinics. As a result of the Affordable Care Act, there are now seven significant clinic organizations that provide services to about 23 specific sites around my district. They are providing, really for the first time in many of the communities that I represent, immediately available healthcare services to a variety of people, some of whom have had an employer-sponsored health plan and others of whom are on Medi-Cal in California.

The apparent reduction in the Medicaid, Medi-Cal for California, support from the Federal Government that will occur over the next 2½ to 3 years will eliminate one of the principal ways in which those clinics have been able to continue to operate and, that is, the expansion of the Medicaid population in California.

It appears that the legislation that is proposed will shrink the Medicaid program across the Nation and severely curtail in California the support available for people who are currently on Medi-Cal. That will be devastating to these clinics in these rural areas.

We have had discussions about this. They say: Watch carefully. If this is what happens, we are going to be out of business. We are going to shut down our doors.

Mr. Speaker, I yield to the gentleman from Virginia.

Mr. SCOTT of Virginia. Mr. Speaker, the clinics will shut down. Insurance companies will stop writing insurance if people can wait until they get sick before they buy insurance. The insurance companies reacted to that system in Washington State by selling nobody any insurance. So we know what is going to happen.

The CBO, when they score this, will point that out, and we will know exactly what the problems are.

Mr. GARAMENDI. Mr. Speaker, I thank the gentleman from Virginia (Mr. SCOTT) for joining us this evening. This is a fundamental part of American life, that is, our health care. It is about 18 percent of the total GDP, gross domestic product. It is extremely important in terms of the total well-being of our society and our economy.

Changes to the Affordable Care Act that are being proposed will have a dramatic effect. And what we do know about it is that there will be a massive shift of wealth from working men, women, and families to the superwealthy. We know that from the tax proposals that have been made in the analysis of the tax.

We also know that there is a very, very high probability that perhaps 11 million people will lose their insurance

coverage, either in the private insurance market through the exchanges or through the Medicaid programs across the Nation. And the effect on the providers, the hospitals, the clinics will be profound.

So when we have something as important as this, it is just wrong. It is wrong for the majority in this House to put this legislation before the committees without a full hearing on what the effect will be. But it appears that tomorrow, Wednesday, we will have the first markup in this process.

What I want—and I think the gentleman from Virginia (Mr. SCOTT) does, too—is for the American public to hear the debate, to understand the implications where we are today with the Affordable Care Act and what it has brought to us in terms of quality and accessibility to health care and what it would mean with the proposed changes.

Mr. Speaker, I yield to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. Mr. Speaker, I thank the gentleman from California for organizing the Special Order so that we could actually discuss some of the problems with going forward without a CBO score, without knowing what we are doing. Certainly, it is not an improvement in the Affordable Care Act.

Mr. GARAMENDI. Mr. Speaker, I thank the gentleman from Virginia (Mr. SCOTT) for expressing Virginia's view. From California, it is, whoa, wait a minute, let's be careful.

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

TOPICS OF THE DAY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes as the designee of the majority leader.

Mr. KING of Iowa. Mr. Speaker, I appreciate the privilege to address you here on the floor of the House of Representatives, and I have a number of topics I would like to bring up this evening.

First, I would comment that I heard the words "Affordable Care Act" multiple times in the previous hour, and it just caught me each time I heard that. Abraham Lincoln would have had a difficult time saying such a thing being Honest Abe, and George Washington probably couldn't have said it at all.

As we know this, it is not affordable care and that is the reason that we have to address it. We knew this was going to happen. Of all the horrible stories we have heard about ObamaCare—this thing they call the Affordable Care Act—many of them were predicted here on the floor of the House of Representatives, Mr. Speaker. I predicted quite a lot of them myself, as did many of the Members who fought against that piece of legislation that was jammed down

on us by hook, by crook, by legislative shenanigans.

We could see what was going to happen with this. It was slammed together by trying to circumvent the majorities, by pushing some things through on reconciliation. And we ended up with a piece of legislation that was the biggest bite they could get to create socialized medicine.

The worst part of ObamaCare, Mr. Speaker, was this: That it is an unconstitutional taking of God-given, American liberty. We are—and at least used to be and believe we are to be again—the freest people on the planet; and that our rights come from God; and that government can't take them away.

Many times here on the floor, I have said, Mr. Speaker, that the Federal Government hasn't figured out how to nationalize or take over our soul. That is our business, and we manage that. Our souls are the most sovereign thing that we have and are.

The second most sovereign thing we have and are is our skin and everything inside it. It is our health. It is the management of our health. And if Americans are not capable of managing their own health and making their own health decisions and pressing the marketplace to produce the health insurance policies that they desire, if Americans can't make those decisions, then it would just stand to reason, if that is true—and that is what Democrats seem to think—then there aren't any people on the planet who can manage their own health.

What I am pretty sure of is that if we don't think that regular, red-blooded Americans—especially those who are out there punching the time clock, running their business, starting a business, or working on commission, whatever they might be doing, the salt-of-the-Earth Americans—if they can't manage it, I am really sure that a bunch of leftists who are elected to office out of the inner cities of America aren't going to be able to do it.

□ 2030

And we have seen the success of that, the leftist agenda of ObamaCare, imposed upon America, commanding that we buy policies that are approved by the Federal Government. They would have liked to have established the Federal Government as being the single-payer plan and abolished all insurance whatsoever and simply taken care of everybody's healthcare needs so that one size fits all, and we could drift down into the mediocrity that most the rest of the world has exhibited for a long time.

This all started back in Germany in the latter part of the 19th century, when Otto von Bismarck decided that if he was going to get reelected, he had to make the Germans dependent upon him. And so he devised this plan called

socialized medicine and he, more or less, trained the Germans to expect the federal government to make those decisions for them, pick up the costs for them; and, in doing so, that sense of dependency got Bismarck reelected in Germany.

Well, it is not that old a country in Germany, but this idea of Marxism comes right out of there. By the way, there is a bench in Berlin that honors Karl Marx, and a number of other statues and monuments as well. That is where this came from, and we watched as other countries adopted it.

I once picked up—Mr. Speaker, I had a World War II veteran who came over to an event that I was doing in Hospers, Iowa, and he had gone up to his attic and he brought down these Collier's magazines. They were original Collier's magazines that started right at the end of the Second World War and went on through those years, for 2 or 3 or 4 years, and they were yellow and, of course, they were dated, and he presented them all to me.

He said: I want you to have these. I want you to read down through these magazines and see what it was like in those days shortly at the end of World War II and in the Reconstruction era afterwards.

So I actually accepted all of those magazines, copied them, and gave him back the originals. I didn't feel right having them in my possession. But I read through them; and there were pictures there of doctors and nurses and healthcare providers in Great Britain that were haggard and tired and worn, and stories about how, because of the socialized medicine they passed in the United Kingdom, they had to see so many patients a day in order to make a living, and they couldn't pay attention to the patients so much as they had to pay attention to their schedule and turn them through quickly through the turnstiles in the healthcare system in Great Britain because health care was rationed in that way.

I have a friend who is a radio talk show host—and, actually, it is WHO Radio, one of Ronald Reagan's original radio programs where Ronald Reagan got his start—who comes originally from Great Britain; proud American. But both of his parents are gone, and both of his parents' deaths can be attributed to the failed national healthcare system, socialized medicine that the United Kingdom has. He had told me several years ago: Once socialized medicine is established, you will not be able to undo it.

So, Mr. Speaker, I bring this up this way because this is our last best chance to turn this country in the right direction. It is our last best chance to throw off this mandate of socialized medicine that was established by hook, crook, and legislative shenanigans by the Democrats, and passed

through in the final component in this Congress March 23, 2010. That event that took place, as I recall, I believe it was dated March 23, but it actually rolled over past midnight, but the RECORD showed March 23.

I went home that night worn out from days of fighting ObamaCare and doing all that I could do to put an end to it, to kill it off before it did what it has already done to the American people. And I laid down, thinking I would sleep the sleep of the dead, but I woke up in about an hour and a half and I got up and I wrote the repeal of ObamaCare, and it turned out to be the first repeal draft that emerged after ObamaCare had passed.

I certainly wrote it well before Barack Obama had signed the bill, although they hustled it out to him, I think, the next day, and that is when he signed it.

The repeal bill that I have introduced here—and it has passed the floor of this House a number of times; I have lost track of how many times, Mr. Speaker—it is only 40 words. And the last words in that bill are: "As if such act had never been enacted."

That is, Mr. Speaker, what we need to do. We need to send the full, 100 percent, rip-it-out-by-the-roots-as-if-it-had-never-been-enacted repeal out of the House and over to the Senate and set it on MITCH MCCONNELL's desk and let MITCH MCCONNELL figure out—Majority Leader MCCONNELL, Senator MCCONNELL figure out then how to get the votes put together in the United States Senate for a full, 100 percent repeal of ObamaCare.

The House will pass such a bill. It won't be hard to put those votes together. I wouldn't be surprised if there was a Democrat or two that was worried about their seat that would join us in such an endeavor.

Then, once that bill is over through the Rotunda and over on the desk of Senator MCCONNELL, then we should start down through with the individual repairs to the healthcare system that we need to do, that we all know we need to do and that we have talked about for a long time.

Some of these have been out here debated for 10 years in this Congress, Mr. Speaker, and, instead, we have got a different configuration that has been served up to us. But I submit that it is not too late to do it right. Send the full repeal over. That repeal can have an enactment clause of, say, a year from now. That is enough time for people to make their adjustments for their own health insurance and get it taken care of, especially under the provisions that I propose.

I would point out that my ObamaCare—and, yes, we Members of Congress are obligated to own our own ObamaCare policies and pay a substantial portion of the premium. By the way, mine went up when ObamaCare

was imposed upon me by not quite \$4,300 a year additional. That was my privilege to own an ObamaCare policy, but we are compelled to own that policy.

For me, I got the letter, dated last September 28, that said, as of December 31, at midnight, my ObamaCare policy was canceled. And it turned out that I would have been without insurance from New Years, from the stroke of midnight, auld lang syne, until whatever time it would take me to get that put together. So we went to work, and there was only one policy that actually qualified under ObamaCare, only one.

Of all the counties in America, roughly a third of the counties there is only one choice available to the American people; compelled by law to buy a policy or be penalized by the Federal Government. And your options are not that you get to keep the policy that you like or that you get to keep the doctor that you like. You don't even get to choose from a menu of what kind of health insurance policy you want.

Instead, for a third of the counties in America, you only have one choice, and that is buy the policy that is the only option that is available to you. So there is no shopping for prices. There is no looking at the kind of options you might want covered by your health insurance policy.

There is no freedom to go out there in the marketplace, and there is no marketplace that actually exists because the consumers are not making the demands for the kind of policies that they would like. Instead, it is the Federal Government dictating by mandate what the policy shall cover. And when that happens, the premiums go up—which anybody could figure out—and the coverage goes down.

Now we have people that—I would just look back to shortly before the election. The Thursday before the election we had an event south of Des Moines on a farm, and there, soon-to-be Vice President-elect MIKE PENCE arrived, as did Senator TED CRUZ, back to Iowa. I'm grateful to both of those gentlemen and friends.

As I gave my speech, I pointed out that I have seen people's health insurance premiums go from \$8,000 a year to \$10,000 a year. And then as I saw people in the crowd started waving their arm, and I say \$12,000 a year, \$14,000 a year, we had an auction going on, Mr. Speaker, and it came up to \$20,000 a year. Looked to me like these were "Ma and Pa" family farm operations that were facing \$20,000 in health insurance premiums, where not that long ago they would have been looking at 6 or 7 or \$8,000 in health insurance premiums.

That has swept across this countryside. I talked to a gentleman here on the floor tonight whose health insurance premiums were \$24,000. That is

just not sustainable. You have to finally decide: I am going to take a risk and go without health insurance with those kind of costs.

That is driven by ObamaCare. It is driven by the mandates in ObamaCare. It is driven by the guaranteed issue, no consideration for preexisting conditions, and it is driven by a mandate such as you stay on your parents' health insurance until you are 26.

It goes on and on and on. OB care, maternity coverage, contraceptive coverage, you can name it, and also, no additional cost for your medical check-ups. All of these things cost money, and they are built into the premium, and every time you add another bell or whistle or accessory to your health insurance policy, the premium goes up and up and up.

When the insurers find out that they are losing money, they start to drop out of the marketplace. They drop out of the marketplace, and when they do, there is less competition.

When there is less competition, prices go up, Mr. Speaker. This is what we have seen happen over the years since the implementation of ObamaCare. It is a calamity. It will sink ObamaCare. If we don't touch it, it will sink and it will be gone. It will implode upon itself. It cannot be sustained. We know that on this side of the aisle from about here on over. They know it intuitively over on this side of the aisle from about there on over. But the difficulty is that politically they have embraced ObamaCare and they have decided they are going to hold onto it and protect it.

Why?

I think part of it is they want to hold on and protect the legacy of President Obama, who, if all had gone well, would have ridden off into the sunset. He doesn't seem to be doing that, Mr. Speaker.

But now we are at this place where we have the votes in the House to do a full, 100 percent repeal of ObamaCare, and that is what we should do.

Tomorrow, I understand that the gentleman from Ohio, and perhaps others, will introduce legislation that will be described as a full repeal of ObamaCare. I wish it were so, but it is designed to fit within the reconciliation standards. It is a legislation that once made it to President Obama's desk and received a veto. This time, presumably, it could go to President Trump's desk and receive a signature. That is good. I favor that as an improvement in the right direction. But the full right thing we need to do is the 100 percent repeal.

We shouldn't be sustaining any kind of mandate whatsoever. Let the States determine what the mandates might be, but don't let them lock people into their States and refuse to let them buy health insurance from outside of those State lines. And it looks to me that the

bill, as introduced by leadership, doesn't really allow for the facilitation of buying insurance across State lines.

So here is what I suggest we do, Mr. Speaker. Send the full, 100 percent repeal over to the Senate. Pick up the bill that was a repeal just about a year ago, send it over to the Senate, too. Then, what we have is MITCH MCCONNELL can choose from the menu on what he can get done, but the pressure for the full repeal will build if the House sends it to the Senate, and the odds of the full repeal get greater and greater.

Then the House, doing its job—and we are not obligated to negotiate a deal out of the House and the Senate and the White House. It is the judgment of the House that needs to be reflected here in this Chamber.

This most deliberative body that we have, the voice for the American people, we should never be trapped into thinking that we can't pass anything out of the House if we don't first have a handshake with the President and the majority in the Senate. That has handcuffed us for the last 8 or more years.

The strategic thinking has been that we don't even try to move anything out of the House unless we know they can take it up in the Senate and unless we know that we can get a signature from the President, because anything else is a waste of time.

Well, it is not necessarily a waste of time, Mr. Speaker, not necessary at all. In fact, we need to send out of here our highest aspirations. So I say this: send the full repeal over to the Senate, and then pick up the repairs, the replacements, and the reform, those things that we know we need to do, and they can stand alone with or without the full repeal of ObamaCare.

For example, we need to send PAUL GOSAR's bill that repeals components of the McCarran-Ferguson Act that allows for insurance to be bought and sold across State lines. PAUL GOSAR has done a lot of work on that bill, and his predecessor out of Arizona, John Shadegg, pushed that bill for about 16 years here in the House of Representatives. In his last week or so here in the House, he said: I have one regret, and that regret is I should have pushed harder for the repeal of McCarran-Ferguson so that we could be selling and buying insurance across State lines.

□ 2045

He should have pushed harder. I recall John Shadegg pushing very hard on that, and he just couldn't get it there. We all couldn't get it there. Now PAUL GOSAR has that bill out of the Judiciary Committee. We passed it out a week and a half ago, and it is hanging on the calendar now, and it should come to this floor. The votes would be here to pass PAUL GOSAR's repeal of McCarran-Ferguson, and we should

send that over to the Senate. Passing that piece of legislation would enable insurance to be sold across State lines, and that would set the competition up between the 50 States.

I recall the debate here on the floor of the House in 2009 and 2010 when the data came out that a typical young man in New Jersey at the time, a healthy 23-year-old, would pay an average of about \$6,000 for his health insurance premium for the year—\$500 a month, \$6,000. A similarly situated healthy young man in Kentucky would be paying \$1,000 a year.

Now, what is the difference between those two States?

The cost of providing that care and the far fewer mandates in the State of Kentucky and a lot of mandates in the State of New Jersey.

So why wouldn't we let a young man in New Jersey buy a health insurance policy in Kentucky? What are the odds that he is going to be insured if he can get a policy for \$1,000 as opposed to \$6,000?

We know that far more Americans would be insured if they had the options and didn't have to buy all the bells and whistles. He probably doesn't need maternity. He probably doesn't need contraceptive. Maybe he is not too concerned about the preexisting condition component of this. If he is 23 years old and on his own, he is not worried about a 26-year slacker mandate. So that is the comparison of what could happen if we passed GOSAR's bill and repealed McCarran-Ferguson and allowed people to purchase insurance across State lines. That should be number one.

Number two would be full deductibility of everyone's health insurance premiums. Today there is something like 160 million Americans that get their health insurance from their employer. When the employer sets up a group plan as a rule and they negotiate those premiums, whatever that premium might be, let's just say it is \$10,000 a year per employee, they lay that \$10,000 on the barrel head, pay that insurance premium, and that goes into the books as a business expense, and it shows up on the schedule C as a health insurance premium.

But if you are a sole proprietor, if you are a partnership, if you are a ma-and-pa operation and you have one part-time employee, that makes you an employer. If you are an employer, you can deduct the premiums to your employees, but you can't deduct your own premium.

There are 20.9 million Americans similarly situated in that scenario, Mr. Speaker, where that 20.9 million Americans are compelled under ObamaCare to pay for health insurance premiums and meeting those standards, and maybe they have only got one choice like one-third of America's counties; maybe they only have two choices like

another third of America's counties; or maybe they have more than two choices like the other third. But at least 1,022 counties in America have only choice: buy the insurance policy—that is your only choice—or be in violation of the law and be fined and be punished, but do it with after-tax dollars instead of before-tax dollars. That is the burden that they are carrying right now.

Mr. Speaker, 20.9 million Americans are disenfranchised in that way. Yet they would be employers and they would be in the effort of trying to provide health insurance for themselves, trying to start up a business perhaps with maybe one part-time employee, with now this big disadvantage that they don't get to deduct their health insurance premiums.

Maybe they are that couple that is \$20,000 or even \$24,000 for a premium after-tax dollars, and by the time the Federal Government steps in and taxes the first, say, 36 percent, and the State steps in and taxes another 9 percent, now we are at 45. You can add a few more various and sundry taxes in there, but a round number is half. So your \$20,000 premium takes \$40,000 of earnings in order to break even with that premium. But the employer gets to write off the \$20,000 as a business expense, so they have that advantage, and you are seeking to compete with an established larger employer. This is wrong. So the second bill we should pass out of this House is the full deductibility of everybody's health insurance premiums.

The McCarran-Ferguson repeal under PAUL GOSAR, then the full deductibility of everybody's health insurance premiums—oh, that is the King bill, by the way, Mr. Speaker, and I am hopeful that that can be passed through and become law. It is a superior approach to providing refundable tax credits.

We need to learn some things. For example, when we hear tax credits, it really means in this discussion refundable tax credits.

What is a refundable tax credit?

That is when the Federal Government sends you money whether you have a tax liability or not. So that would be that if—and the range in this proposal that emerged yesterday is between \$2,000, \$4,000, up to \$14,000 in refundable tax credits to help people pay for their insurance premiums.

Well, that makes me feel good, the idea of trying to help people that can't afford it, but in the process of doing that, we are also helping a lot of people that can afford it. Nonetheless, when you are paying people's health insurance premium, that becomes an entitlement. If everybody is entitled to having a health insurance policy, and if you don't have the money to do so—and I think they use the standard of \$75,000 or less—then the Federal Government will subsidize your policy and

conceivably buy your policy. Now we have another new entitlement that grows the Federal Government, raises taxes, and spends hundreds of billions of dollars because we don't want to say no to people. They had a policy handed to them by ObamaCare, which the taxpayers cannot afford.

We have \$20 trillion in national debt right now, Mr. Speaker, and we have a debt ceiling crisis coming at us within just a matter of days or, at a maximum, weeks. This Federal Government needs to get a handle on its spending and it needs to get back to balance. We will never get there if we keep growing entitlements here on the floor of the House of Representatives.

So that is two items that need to be brought through. The first is the full repeal. Item number one, the repeal of the McCarran-Ferguson Act, sell insurance across State lines. Item number two, pass the King bill for full deductibility of everybody's health insurance premiums so that everybody paying for health insurance is on the same standard as employers are.

Then the third thing is the medical malpractice reform, and that is the tort reform legislation that passed out of the Judiciary Committee on the same day with PAUL GOSAR's bill, Mr. Speaker. That legislation puts a cap on medical malpractice settlements of \$250,000 in noneconomic damages—a lot of us would call that pain and suffering—and pay for pain and suffering. That is a component of it, but it is not the whole picture. So we adopt language that is actually borrowed from California which passed this medical malpractice reform 40 years ago and capped it at \$250,000.

By the way, that is still the law in California today. The individual that signed it into law, his name is—at that time he was the Governor of California, Mr. Speaker. Maybe people don't remember who the Governor of California was 40 years ago: Jerry Brown. The Governor of California today: Jerry Brown.

Is there an effort to repeal the tort reform legislation that has been part of California's law for 40 years? No.

In fact, Texas has borrowed from those ideas and implemented that into law, and they are finding that they have got doctors and medical practitioners moving to Texas now because they are not subjected to the outrageous medical malpractice claims that they have been in multiple States across the country.

So this tort reform legislation that just passed out of the Judiciary Committee a week and a half or so ago is another prime piece of legislation that should come to the floor for debate and vote, and I am confident it would pass the House and send it over to the Senate, and then give MITCH MCCONNELL some tools to work with.

That is not the end of it, Mr. Speaker. I know that under the legislation

that has been proposed by leadership and just rolled out yesterday, they expand health savings accounts. I think they nearly doubled them, as I understand, \$6,000—some for an individual, maybe \$12,000—some for a couple. That is close, but I know that it is not precise, Mr. Speaker.

I agree that we need to expand health savings accounts. I think we need to expand them more. My legislation expands them to \$10,000 for the individual; \$20,000 for the couple. But health savings accounts need to be expanded, and they need to be expanded so that people can use them and manage them. They can put money in tax free, take money out to pay their premiums, take money out to pay their healthcare costs, and grow the health savings account so that when it grows to a point where it becomes \$50,000, \$100,000, \$400,000, \$500,000, double that by the time of retirement or more. With that kind of money sitting in a health savings account, then there will be people that will negotiate a health insurance policy, but as a catastrophic policy. They will conclude that they want a policy that has got a high deductible, a fairly high copayment, and that they will take care of their own incidental healthcare costs out of pocket and try to grow their health savings account.

In the process of doing that, if you have got the capital in your HSA, then you can negotiate the premium or your monthly health insurance premium down by negotiating for a catastrophic plan, taking care of the incidental costs yourself out of your health savings account. To some degree, you become your own insured for the lower dollar items while you still have catastrophic insurance for the big things.

We have done the numbers on this. Even when it was down to the cap in 2003 that rolled out of here that was capped, the HSAs were capped at \$5,150 for a couple. We did the math on that. If a couple started out at, say, age 20, worked for 45 years, round numbers, worked out to be age 65, Medicare eligibility, then they would conceivably be sitting there with \$950,000 in their health savings account. I have well over doubled this. In fact, take it up to \$10,000, \$20,000 for a couple where 5,150 was the opening bid in 2003. So we are not quite four times that amount, yet healthcare costs have gone up. So I am not proposing that we end up with \$4 million in the account, but maybe some number that is 2.5 or so million.

Arriving at Medicare eligibility with six—well, seven figures times some number in their health savings account leaves these couples in a position where they could go out on the open market and purchase a paid-up Medicare replacement policy for life, pay for that up front, and then the Federal Government wants to tax anything that comes out of the health savings

account as ordinary income. But my answer to that is no, don't do that. If they will take themselves off the entitlement roll by buying a Medicare replacement policy, then let them keep the change tax-free.

Now this becomes a life management account. Not only is it a health savings account, it is a pension plan, and it is incentive to manage your health insurance premiums and your healthcare costs to get your checkups, to get your tests, to watch your weight, get your exercise, and manage your life because you are going to have a nest egg at the end of your working life that you want to be able to spend doing enjoyable things. If your health is a bad experience, then you have got the money there to cover it to make sure that you are taken care of.

This is where we need to get people in this country. We are just awfully short of people willing to think outside the box and to think about what we should do here in America. We are not just some regular, ordinary, humdrum, run-of-the-mill country, Mr. Speaker. We are the United States of America. We are the unchallenged greatest nation in the world. We didn't become this way because we are dependent upon government. We became this way because we have a robust appetite for freedom. People have gone out and blazed their own trails. In a lot of cases, settling this country, they literally did that, blazed a trail through the timber and went out and settled the West.

When our original Founding Fathers arrived here on our shores, they arrived in a land that had, as far as they knew, unlimited natural resources. They had unlimited freedom because they were a long ways away from King George. They came for their religious freedom as well. They were farmers, they were shopkeepers, they were individual entrepreneurs with a dream, and they forged the American Dream. They did it on religious faith, on free enterprise capitalism, and on God-given liberty. That created this robust country in this giant petri dish that was the only huge experiment that the world has ever seen: a nation that is formed on ideas and ideals.

Here we are, the descendants, the recipients, the beneficiaries of their risk and of their dream, beneficiaries of their ideals. All we have to do is preserve them. Our Founding Fathers had to hammer them out.

□ 2100

They had to conceive of these ideas about God-given rights, and then they had to articulate it. They had to write these ideas over and over again in many different configurations so that the populace began to understand what it really meant when you have rights that come from God. Then they had to sell this to the colonists. And then

they had to defy King George and fight for that freedom.

All of that took place with the desks that were there and those who gave their lives for our freedom and our liberty. And what is our job, Mr. Speaker? Hang on to it, maintain it. Now, in this case, with ObamaCare, we have got to restore it. That is what we are faced with.

In my view, it is not that hard, if we just come together here and do that which we know is right, send the full repeal of ObamaCare across the rotunda to the Senate, pass PAUL GOSAR's bill selling insurance across State lines, the repeal of McCarran-Ferguson, make our health insurance premiums fully deductible, and expand our health savings accounts. Do those things and pass the tort reform legislation which will diminish the malpractice premiums that our doctors and practitioners are paying. If we do that much and eliminate the mandates that tie us down in such a way that we don't have the latitude to work any longer, we don't need a mandate that requires every insurance policy to keep your kids on until age 26. There are a lot of other ways to manage that. If you as a family want to buy such a policy, the insurance companies will provide it. You don't need to have the law.

The preexisting condition component of this, yes, we have compassion for people who are uninsurable. In fact, 37 of the States, by my recollection, had policies before ObamaCare, Iowa included—and I helped manage that as former chairman of the Iowa Senate State Government Committee—37 States, by my recollection, had established high-risk pools.

These high-risk pools used tax dollars to buy the premium down so that those who had preexisting conditions and could not be insured could have their health insurance premiums subsidized by the taxpayers.

Now, some States are more generous than others. That is how it will be. But it is a far better solution than the Federal Government being involved in preexisting conditions just because they think that is the right political answer, Mr. Speaker.

We will see how this unfolds as the days and few short weeks come forward here. I am hopeful that we will be able to get together in conference and the Republicans can hammer out a solution that can be signed off on by, hopefully, all of us.

I am hopeful there will be some Democrats that understand you don't want to go back home again and tell your constituents that you fought to defend ObamaCare, this thing that my colleagues, scores of times—in fact, thousands of times here on the floor—called the Affordable Care Act. We know, Mr. Speaker, it is not affordable and that the premiums are way out of sight; the coverage can't be used, in

many cases, because the deductibles are too high for most people; and that the insurance companies are bailing out one after another. And perhaps a year from now, if we don't do something, there will be great chunks of the American people who will have no options whatsoever.

So I suggest we do this the prudent way: do the full repeal and send single components of the reform rifle shot out of the House over to the Senate. Let the Senate take them up. Or, if they think it is prudent, package them up and send them back to us as a package. If the House has once passed it, and it comes back to us in a package, I think we will pass it again, Mr. Speaker.

So these are intense times, and America's destiny is being determined. It is being determined because we have elected Donald Trump as President of the United States.

I think about what it would have been like if I had woken up on the morning of November 9 and we had someone other than Donald Trump elected to be President, and how the optimism that just poured forth since that day has been terrific.

You can recognize, right after the election, that people had a spring in their step, and they are more optimistic and more outgoing. If you would walk into the grocery store, people would come over and start a conversation. If you walked into a restaurant, they would do the same thing.

They were just more outgoing and more friendly and they wanted to engage with each other. They still want to engage with each other. The stock market has soared up over 21,000, and there has been over \$3 trillion in wealth created just in the stock market alone, Mr. Speaker.

So this high level of optimism that we have brings with it a high level of responsibility. It is not only to the ObamaCare change, but the pledge that was made by Donald Trump many times throughout the campaign was a full, 100 percent repeal of ObamaCare. I always say 100 percent repeal will rip it out by the roots as if it had never been enacted. The language is a little different, but the meaning is identical. The meaning is identical, Mr. Speaker: a full repeal of ObamaCare.

President Trump has said many times we need to be able to sell and buy insurance across State lines. That is another Trump promise. Of course, he has got people he is working with. TOM PRICE is head of HHS. He is a good man whom I first met here on the floor of the House of Representatives when he came in as a freshman a number of years ago. I watched as he paid attention to the healthcare issues then. And the constitutional issues, I might add. My first encounter with TOM PRICE was on constitutional issues, and it was a positive one.

So we are at this place with a new President that has, halfway into his

first 100 days, a number of campaign promises that he has yet to live up to, but a great many that he has lived up to. It looks to me like Donald Trump has at least somebody in an office somewhere in the White House that has a list of all the campaign promises, and they are checking those off one by one as he accomplishes the promises that he has made as a candidate.

That is a laudable thing, Mr. Speaker. Yet, he is being bogged down by a series of stories that have, to some degree—I don't want to quite say handcuffed his administration—but it has made it difficult to operate in a flexible and a fluid way.

This has to do with, I think, it is leakers within; people who should be loyal to the United States and, hopefully, loyal to the President of the United States, who have been leaking information out.

When The New York Times is publishing that they have got inside information that has been leaked to them from the intelligence community, nobody seems to be troubled that The New York Times is going to people in the intelligence community or receiving messages from them and taking information that is about classified activities of our Federal Government and printing the stories about that classified information in their paper.

It is not only The New York Times. I see Heat Street here, The Guardian, The Washington Post. That all comes to mind. McClatchy.

Here is a series of things that have taken place that bring into question the integrity of some people that work within government and some of them that work within our intelligence community. Here are just a string of events, Mr. Speaker, that bring us to a conclusion about what is going on in our Federal Government.

It was in the summer that Heat Street reported that the FBI applied—in June it is reported—applied for a FISA warrant wiretap to survey people in the Trump campaign who had ties to Russia. Roughly late June, this report came out. FISA is the Foreign Intelligence Surveillance Act. Special warrants have to be achieved in a FISA court. These warrant requests are classified. The activity around them are classified. So, if it is classified, how is it that Heat Street reported that the FBI applied for FISA warrants to wiretap people in the Trump campaign last June?

Well, that is because classified leakage went into the ears of the Heat Street reporters, or I suppose we could say they made it up. And if it were the only story out there, that might be the most likely, but we have a number of other stories.

The Guardian reported that a FISA warrant request was made to monitor four Trump campaign staffers for conflicts or for communications with Rus-

sia and Russians. That story in The Guardian matches up with the story in Heat Street roughly last June that there was a FISA warrant request to monitor four of Trump's campaign staffers for their communications with Russia.

So there is story number one and two. Heat Street writes one; The Guardian writes another. Both of them are writing about what, if we had the real information in front of us, would be classified: the application for FISA and the results of that.

The report comes back and says those applications were denied. They were not based upon a reasonable suspicion that there was, I will say, collusion with Russians.

So here is item number three. McClatchy reported that the FBI and five other agencies were investigating Russian influence on the U.S. Presidential election. So we have two stories—one from Heat Street, one from The Guardian—that says that there was an application for a FISA warrant. That FISA warrant was presumably turned down, by reports, but then there is a report that there is the FBI and five other agencies that are investigating the Russian influence on the U.S. Presidential election. That is a McClatchy report.

Now, this is starting to add up. I am starting to see here is a sign there is something going on and there is a leakage of classified information—a sign something is going on and leakage of classified information. Then, the report of the investigation of the FBI and five other agencies.

Now, here is the next story. The New York Times reports that the FBI is investigating Russian Government communications with Trump campaign, but there is no evidence of those communications resulting in any kind of collusion, at least. That is a New York Times report.

So these stories have been dropped in: Heat Street, McClatchy, The New York Times.

Here is another New York Times report. The Obama administration allowed the NSA to share globally intercepted personal communications with 16 other Federal agencies without a warrant. That, I believe, refers to a January directive that came from Barack Obama that opened up the ability to communicate between the intelligence agencies so that they could share classified information among them, rather than compartmentalize and share that information on a need-to-know basis. That is item number five.

Item number six, the Obama administration officials tried to spread information to media showing Russian involvement to help Trump and his election. That is a story that was pushed out and perpetuated. It was pushed out by, of course, the Hillary campaign and others.

So the weight of this cumulative effect of these stories is adding up.

I would add, also, that on October 31 of last year, just a little over a week before the election, Hillary Clinton sent out a tweet that said—I am trying to remember the words that she used—it was communication specialists or intelligence officials. It was a reference to experts in communications and computers and that they had identified that there were investigations going on and there were communications between the Russians and the Trump campaign.

It looked to me like that was an effort on the part of the Clinton campaign to spread these rumors that had been planted all the way along throughout the summer by Heat Street's report that there was a FISA wiretap warrant that was turned down, and by The Guardian's report of presumably the same event of a FISA warrant turned down because they didn't show that there was any activity there that was worthy of a warrant; the McClatchy report that said the FBI and other agencies are investigating Russian influence. Then you have got the two Times' reports.

Here is the third New York Times report. They reported that General Flynn talked to Russian officials about how Trump would handle Russian sanctions. This is presumably from a wiretap of the Russian Ambassador to the United States, Mr. Speaker.

Now, if that surveillance is taking place of a Russian official, a Russian Ambassador in the United States, if those activities are typical surveillance activities that would go on in most any country that had the capability, then that information is still classified. And if the conversation took place between General Flynn and the Russian Ambassador—and we all, I think, believe that it did—that conversation and the contents of it would be classified.

So how did this leakage come out to The New York Times about the phone call or calls that General Flynn may have had with the Russian Ambassador?

□ 2115

The leakage of that information would be a Federal felony because it is classified information, facing 10 years in a Federal penitentiary as a penalty. Yet America is hyperventilating about a tweet that Donald Trump sent out that said that Trump and Trump Tower had been hacked or wiretapped by the Obama administration. I know he said President Obama. He put the responsibility on President Obama. It is pretty easy to conclude he may have also just meant the Obama administration.

Do we think that this wiretapping is taking place?

I think so. I think the evidence, at least, of the telephone conversation be-

tween General Flynn and the Russian Ambassador is pretty strong. Since it has not been denied by General Flynn or by Vice President PENCE, I am going to assert here in this CONGRESSIONAL RECORD that that took place, that it was surveilled, and that the information in the exchange, which they claim there is a transcript of the conversation, was leaked out to the press. The press didn't release the specific language that had been used but wrote the general narrative about it in much the same way that a Member of Congress might if they walked into a classified briefing, listen to the briefing, and come back and talk about their general understanding of what they saw in there rather than the specific language that was used and uttered.

I submit, Mr. Speaker, that we have at least one Federal felony that has taken place, that it likely is because of leak or leaks that came from the intelligence community. It is pretty clear that President Obama granted the authority—I don't know if I can quite say ordered—granted the authority that all of our intelligence community, all 17 of them, could exchange classified information freely, and that vastly multiplied the number of people who had access to this information and dramatically increased the odds that there would be leakage about these communications that appear to be surveillance of—perhaps it looks like the Trump team, at least people who were on the Trump team, the Trump campaign perhaps, and that there was an effort that goes back as far as last June.

This team of the FBI and the five other intelligence organizations, agencies that are there, did they form that team in June?

It looks likely.

Did they get any real information due to lack of a FISA warrant from that point on?

We don't know, but we have got a pretty good idea that there was a FISA warrant that was approved in October and that information came out of that and maybe other sources that was leaked for the purpose of hurting this Presidency and hurting the effectiveness of then-President-elect Trump and now President Trump.

I submit that President Trump should purge from the executive branch all of the political appointees for whom there is any question about their loyalty. Any of those whose loyalty is beholden to Barack Obama, any of those who can't embrace a conservative government that is bringing us back to constitutional principles, they should all be gone. And those civil servants whose jobs are protected, there have been a good number of Obama people who have burrowed themselves into civil service jobs in order to handcuff President Trump. I say for them, when you can identify them, get a room

somewhere, put them in it, pay them their wages. They will get tired of their job over time, but the damage they will do if you let them have a desk will be far greater than what we get out of them for the paycheck we are giving them. I say purge as many as possible, Mr. President. Put those people in place who are loyal to you, who want to carry out your agenda.

Here is another news report. The Washington Post reports that U.S. investigators examined Jeff Sessions' contacts with Russian officials while he was a campaign adviser to Trump. This report from The Washington Post says that U.S. investigators examined Jeff Sessions' contacts with Russia. So he was under surveillance. He was at least under investigation, it sounds like, if this story is right. Here we have a seated United States Senator, a stellar individual.

If I were going to try to compare the character that I know Jeff Sessions is, and I look around this town, I ask: Who matches the character of Jeff Sessions?

Not many. I would say Vice President PENCE, and then the list gets pretty short after that. Jeff Sessions has a very high degree of character, and he is imminently a constitutionalist, an adherent to the rule of law, a dedicated patriot, and one who makes his decisions within the bounds of the Constitution, of the law, of the rules that exist. He is a great respecter of the order of a civilized society and a terrific Attorney General.

There was no better choice that could have been reached by Donald Trump than Jeff Sessions. But here he is, subject to this kind of—at least a report that there is an investigation, Mr. Speaker. I think if I wanted to know about Jeff Sessions' activities, if I thought that it was my business, I would just ask him. When he answered the question from Senator FRANKEN, the question was in the context of did you have any discussions with Russians with regard to any campaign activities that you might have cooperated or colluded with?

If AL FRANKEN had asked that question precisely, then the answer would have been precise as well.

I can understand why Jeff Sessions' answer came back no, that he hadn't dealt with the Russians. I do a lot of meetings, and if I am asked a question about the context of a subject matter, I will answer within the context of that subject matter. I think that is what Jeff Sessions did. Most of the Senators—I will say all of the Senators sitting there on that committee who heard those questions asked and saw the answers of Jeff Sessions, and then they and their staff and the public, weeks went by, not a peep about anybody being concerned about the answer that Jeff Sessions gave.

Why?

Because all of those Senators sitting on that committee listening to his testimony and the other Senators who were watching that testimony either from in the room or around the Hill on C-SPAN, and their staff who were monitoring those hearings all understood that you have people from multiple countries come into your office on an irregular basis, and in a matter of months one might meet with the Greeks, the Russians, the French, the Germans, pick your country in South America or Asia. There is a constant flow of people coming through my office, and I know there is a constant flow of people from other countries coming through the offices of probably every United States Senator.

So when Jeff Sessions said that he hadn't met with the Russians within the context of discussing the campaign, which was the heart of the question asked by Senator FRANKEN, no Senator was concerned about his answer that he hadn't met with the Russians because they understood the context within which he was answering that question. Had that not been the case, some Senator, like CHUCK SCHUMER, would have woken up the first day instead of after they were able to gin it up and turn it into a media story, Mr. Speaker.

We have a country to save. We have an ObamaCare to repeal. We have a healthcare policy in this country that needs to be rebuilt logically by preserving our doctor-patient relationship, encouraging competition between insurance companies, letting people be in charge of the policy they want to buy, providing full deductibility, fixing the lawsuit abuse, being able to sell insurance across State lines and expand health savings accounts. All that needs to happen. I am hopeful that it can happen within the next couple of months, Mr. Speaker.

While that is going on, we need to look over at the White House and encourage this President: Purge those people from your midst who owe their loyalty to Barack Obama. They are undermining your Presidency. You have to fight the moles from within, the media from without, the George Soros-organized protesters who are on the streets of America every weekend with a different cause. They will continue this until the public gets tired of it.

Mr. Speaker, the President needs to understand that he has a lot of enemies in this country and a great big job. His ability to take on the mainstream media has been demonstrated. Now it is a little bigger hurdle that needs to happen, too. The intelligence community from within, there are a lot of good, dedicated patriots there. They need to purge those people from their midst as well who are not loyal to the United States of America and those who are working against the foreign policy agenda of this President.

We need to rebuild America. We need to make America great again. We need to restore our economy. We need to get our tax cuts done. We need to get some more regulatory reform. Let's have this robust, growing economy kicked off and see that 3, 3½, 4 percent growth that this country can do with the freedom that has been delivered to it, much of it by the pen of our new President, Donald Trump.

I am optimistic about our future, although we have our challenges in front of us, Mr. Speaker, and I urge that my colleagues step up to this task, keep it constitutional, keep it free market. Remember the individual freedom, the God-given liberty, and the legacy that we are leaving for succeeding generations. Let's get this job done and make America great again.

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

CONCERNS OF THE DAY

The SPEAKER pro tempore (Mr. BACON). Under the Speaker's announced policy of January 3, 2017, the Chair recognizes the gentlewoman from Texas (Ms. JACKSON LEE) for 17 minutes.

Ms. JACKSON LEE. Mr. Speaker, thank you for your courtesies.

Mr. Speaker, there are a number of topics that I choose to debate this evening, but before I do that, I would like to first raise a very important concern. I will soon draft a letter that my colleagues will join in signing to the President of the United States on the extensive crisis of starvation in Somalia and South Sudan.

Just recently, we met with leadership—with my colleague KAREN BASS and a number of other colleagues—of South Sudan speaking about the extensive starvation in sub-Saharan Africa.

I am looking forward to a response from this White House upon receipt of the letter that they will engage with the world community on providing immediate food aid and other resources to the people of sub-Saharan Africa, particularly Somalia and South Sudan.

It is something that I am well aware of because my colleague, the late Mickey Leland, Congressman from the 18th Congressional District in 1989, and years before that as the co-chair of the Select Committee on Hunger, was very concerned about starvation in that very same area because of the drought and terrible climatic conditions, huge loss of life. Congressman Leland was constantly responding with his own personal sacrifice of taking food over to that area as well as seeking to encourage others in the world family, United Nations to do so. In 1989, he, in actuality, lost his life in a plane crash in Ethiopia delivering resources to those individuals caught in a terrible condition, a valley, a desert-like atmosphere attempting to save their

lives or to bring grain in. I know full well that his spirit reigns as he might have been engaged in this if he were alive in 2017 to see this terrible disaster occurring right in front of us.

We need the United States to be very active in the world community. The U.N. Secretary-General has now pronounced this to be a horrific disaster needing the attention of world leaders and the world community. I want to put that on the record because I want to offer to the people of Somalia and South Sudan my deepest sympathy. There are other issues in South Sudan that we must address, but we also need to be concerned in the area of food starvation, loss of lives of hundreds of thousands of women and children who are now suffering, and it needs to be addressed.

□ 2130

But I really came to the floor in the backdrop of the introduction of a document that is represented to be an answer to the need of Americans for health care. Certainly the document is one that is being proposed by those who believe that there is a need.

I might offer to say that there may be a need to improve some aspects of existing coverage, which has worked so well under the Affordable Care Act. And, yes, to those opponents of the Affordable Care Act, I would be pleased to debate you that, in fact, it has worked well.

It has worked well because 30 million Americans have insurance. It has worked well because 150 million Americans have guaranteed health benefits. It has worked well because low-income Americans have access if they are able to come under the expanded Medicare to health care. It has worked well because of young people being on the insurance of their families to the age of 26. That was first on the Affordable Care Act. It has worked well because we can provide for the preexisting condition, for you to be able to have insurance. We can provide for no caps on your insurance, and also payments to hospitals for uncompensated care. We can provide for that because of the mandate and the tax subsidies that go to the people to allow them to secure the insurance that they would desire.

There are certainly ways that we look to improve, and it would be nice if we had bipartisan cooperation to do that. But now we have a document that it is important for the American people to know that the question of how many people will lose coverage has not been answered. How many people will be covered has not been answered by this new document that pretends to respond to the healthcare needs of Americans. There is no documentation as to what the quality of the coverage will be. And to those listening who are concerned about the financial fiscal responsibility of this country and this Congress, no one knows the cost of this insurance.

So I would make the argument that we have a real problem and that there is a document that is supposed to be marked up as a healthcare bill for which the Republicans have not received any response from CBO. Let me indicate that when Democrats were seeking to work with Republicans in 2009, we had a CBO estimate before our markup began. Certainly, a request was made by Republicans about the bill; and, interestingly enough, they asked about coverage, and they asked about quality and cost.

We know that it is almost certain that Americans will lose coverage under this new document. We also know that jobs will be lost. We also know that in my State of Texas, very much is dependent or concerned, if you will, with rural hospitals, that rural hospitals will suffer greatly by the loss if it happens—and we hope not—of the Affordable Care Act, because rural hospitals and the rural communities throughout Texas will be devastated.

We also know that, with the mandate going away, the tax subsidies will be going not to people where they should be so that you can provide for your insurance as we understand it—this document is still a mystery—but it will be going to insurance companies. And we also know that, if you are 50 and older, it will cost some five times more than if you are younger. A heavy burden on working Americans, with no explanation. We know that the cost is going up and that you may be paying an amount that continues to go up every month.

Let me be very clear. We are trying to get the answers, but it makes for a very difficult process of getting the answers for a bill that has just been released in the last 24 hours, and, in actuality, no one knows really what is in it, and it will then go to committee to be marked up.

In my State of Texas, almost 2 million—1,874,000—individuals in the State who have gained coverage since the Affordable Care Act was implemented would lose their coverage if the Affordable Care Act is entirely or partially repealed.

Mr. Speaker, 1,092,650 individuals stand to lose their coverage if we dismantle the exchanges which allow people to access insurance companies all over the Nation.

Mr. Speaker, 913,177 individuals in the State of Texas who received financial assistance to purchase health insurance in 2016 and received an average of \$271 per person would risk having coverage become unaffordable because they would not get that money anymore. That money would go to insurance companies.

Let me also say that 1,107,000 individuals in the State could have insurance if the State of Texas additionally would have accepted the Affordable Care Act's Medicaid expansion. I can

tell you that States like Kentucky understand the full impact of the Medicaid expansion, and they do not want to see it go away.

Mr. Speaker, 508,000 children have regained coverage since the ACA has been implemented, and they will lose their insurance.

Mr. Speaker, 205,000 young adults, as I have indicated, in the State would be able to stay on their parents' insurance. We don't know if that is clear because we really don't know the funding structure of this new document that has now been thrown to the American people.

We know that 646,415 individuals in the State who received cost share reductions to lower out-of-pocket costs, such as deductibles, copays, and coinsurance, are now simply at risk. We are all at risk. We are all, frankly, at risk. So I would have to ask the question: What does this plan really do to help America?

We know that 10,278,005 individuals in the State of Texas who now have private health insurance that covers preventative services without copays, coinsurance, or deductibles may lose these benefits if the Affordable Care Act goes. Women in the State who can now purchase insurance for the same price as men, eliminating the disparities that occurred before 2009 and 2010, may be at risk again for having to pay more money for their insurance—the actual disparity in health care being totally eliminated—and insurance companies being able to charge women more than their male counterparts.

Roughly, 4 million individuals in the State with preexisting diseases may, in fact, not have that because what is the basis of the financial structure that can pay to ensure that those with preexisting diseases in this new document called health care, whether there will be any money to cover those individuals with preexisting diseases, we don't even know that. I think that is something important to note.

Mr. Speaker, unfortunately, because this is a mysterious bill, we know that it will mostly benefit the rich. Households at the top of the U.S. income ladder would see taxes on their wages and investments drop under this bill. No one has anything against our friends that are doing quite well, but it will be on the backs of working Americans.

The Republican plan to replace ObamaCare includes a tax break for insurance company executives making over half a million dollars a year. What a great gift. We are about to approach Easter, a time of sacrifice, and Passover, and isn't it interesting that what we would be facing is a gift in this tax season of a great tax break of our friends making over \$500,000 a year. Meanwhile, working Americans would lose coverage and be forced to pay more for less.

According to CNN, most healthcare experts agree that millions of Ameri-

cans are likely to lose their coverage under this new document that is to reflect health care. Mothers: likely to make maternity coverage, among other services, immensely expensive, if available at all.

In fact, I recall certainly as a young mother that one of the most frightening things is to not have insurance or the kind of complete coverage that one needs with expectancy of the birth of a child. Not knowing what may happen to the mother during birth, what challenges the new baby may face, and to face the uncertainty of not having full maternity coverage is devastating.

Seniors, pregnant women, and children on Medicaid, under the Medicaid expansion, which has been adopted in 31 States and Washington, D.C., more than half of the 50 States would shut down at the end of 2019. So you would get a few more years, and then hard-working Americans would be thrown off into the street in 31 States, including Washington, D.C. Women, seniors, children, in particular pregnant women, would see their health care thrown to the wind, extinguished, burned up.

The bill also proposes a major overhaul of Medicaid, a Federal State program covering more than 70 million low-income and disabled Americans. I believe that the proposal is to block grant Medicaid dollars under the pretense of letting States be creative.

I want Americans and my colleagues to understand what creativity means. Creativity simply means that they will do everything they can to shorten and cheapen the health benefits that you will get. And it will be made through deals, how little money can we spend, whether we can use the Medicaid block grant dollars for some other things, a wish list that we may want in the State that we come from, the 31 States, plus Washington, D.C.

Instead of the current open-ended Federal entitlement, States would get capped payment block grants based on the number of Medicaid enrollees. Block grants, basically. And when it runs out, you are in a whole world of trouble. Or, as we say, you are up the river without a paddle—you are up the river without a paddle. No one comes to your rescue when you are up the river without a paddle.

Seniors who have worked so hard who are on Medicare will have fiscal problems themselves. It will exacerbate the fiscal problems of Medicare by hastening the exhaustion of the program's trust fund by 4 years. Our commitment is to ensure that the Medicare trust fund clearly is strong, solid, and solvent. Whenever I meet with my seniors, I tell them my commitment—strong, solid, and solvent. But with this document called health care, we are in jeopardy.

So it is clearly a problem, and it certainly is not gathering support in unanimity on the other side. Mr. Speaker,

someone is complaining about it. It happens to be Republicans, so it looks like it is going to be a rough road.

But my concluding remark, Mr. Speaker, is that this document that represents itself as a healthcare answer has so many problems, so many people will suffer, so much loss, that I ask my colleagues to reject this legislation as it is presently constructed, and I look forward to working to better health care for all Americans.

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

□ 2145

TOPICS OF THE DAY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) until 10 p.m.

Mr. GOHMERT. Mr. Speaker, I was handed a letter by a lady when I was at one of the many events that I attended in my district. It is how I stay in touch with what is going on. This lady says: "U.S. Congressman LOUIE GOHMERT: I am a 52-year-old widow. ObamaCare is a major financial problem for me. Someone needs to fix the healthcare system. One-third of the money I get from my deceased husband's retirement fund is given to health care. My deductible alone is \$7,000."

She has an exclamation point.

"I am angry with the government deciding how I should spend what little money I have. I had to get a part-time job just to put gas in my car. So I clean tables and I mop floors. I am physically unable to work full time. I am frustrated with the fact I had to move back in with my parents just to make ends meet. Would you like that? Fulfilling. Could or would you do something to relieve this burden?"

That is from a 52-year-old widow in my district. That is what we have done with the burden, ObamaCare. We here in Congress decided: You know what? We are going to tell people like this widow how she has to spend what little money she has left. We are going to force this woman to go clean tables and mop floors when she is physically unable to work full time because we here in Washington have decided we know better than she does. So we have every right in Congress to force people like this dear widow to get on her hands and knees to work for the United States Congress. Pay your taxes and now, that is not enough. We are going to tell you that you are being forced to spend your money on health care that will never help you a dime because you have a \$7,000 deductible.

Or how about hearing, 2 weeks ago, from a friend, one of those who was cut because of financial troubles. They had 100 employees. They can't afford the ObamaCare, so they have cut their 100

to 70, and they are continuing to work to get down to 49. Why? Because of ObamaCare. So we have already had 30 breadwinners, men and women, lose their jobs because of one thing: ObamaCare.

And now there are going to be 21 more who lose their jobs because of one thing: ObamaCare. They have got to get it under 50 so they don't have to keep paying such ridiculous prices for health insurance that has such high deductibles nobody will ever benefit.

Who is benefiting? Well, it can't be all of the health insurance companies because they have dropped out. They can't make money. So it has to be the government that is making all the money from this ObamaCare program.

A single mom told me she had been working at McDonald's making ends meet, but because of ObamaCare, they cut her hours back. Now she has to work at both McDonald's and Burger King, and she was in tears because it is just too much.

And why is she having to do it? Because people right here in this House and the other body, without one Republican vote in this body, told America: Too bad. You are not working enough at McDonald's. We want to make your life miserable. We are going to make you work at two places part time just like this widow that we condemned to start scrubbing tables and floors because the Democrats in this body, without a single Republican vote, decided we know better what you need to do with your time and your money than you do.

So it is a problem of arrogance when Washington thinks it knows so much better than people across the country. And yes, I know, I represent the 26 percent that didn't vote for me. I understand that. And I have heard from them, and I don't need a townhall to know they are for keeping this albatross of a healthcare system. The ACA is not affordable, though. It is ridiculous to call it affordable care.

One of the problems is, when you have to take precious healthcare dollars that used to go to providing care in a hospital, in a clinic, for a patient, now it goes to government navigators. Why? Because there were union officials that decided: We have lost too many union members. The unions that are growing are the government unions, the very ones that Franklin Roosevelt said you should never have a union composed of government workers.

Think about it. You are working for the people of the United States of America. Why would you need a union to organize against the people? Sounds un-American. But those are the ones that are growing. And union leaders, without concern for their members, decided: Let's embrace as many aliens as we can get into the country, legally or otherwise, because they will join the

union and that will grow our ranks; and we as union leaders will be better off, but our members' wages will continue to go down, our members will continue to lose jobs. But, gee, we may have more people in our union.

We know that there was supposed to be thousands of new IRS agents hired so that they could help enforce ObamaCare. It is a travesty. The bill that has been filed is not going to do it, but, hopefully, our Republican leadership will be willing to work things out and not prevent good amendments that will make it palatable so enough of us can vote for it.

I have gotten to know President Trump a bit, and I feel like he wants the best deal he can get for America. If this bill were the best he could get, he would probably have to live with that, but we can do a whole lot better. Some of us are determined we are not going to vote for one that doesn't.

In the meantime, there is so much talk by President Obama and all of his minions that are still out there trying to undermine the Trump administration. We have a crisis here in Congress that people are not talking about. I keep bringing it up. Doesn't seem to be a lot of folks who want to talk about it.

There was a time when we had mainstream media that actually did research, asked questions, dug to the bottom of things. But there are IT—information technology, mainly working with computers—employees, shared employees for several Democrats that are under investigation. Imran Awan was the company owner. Abid Awan, Jamal Awan, Hina Alvi—the wife of Imran Awan—and Natalia Sova, wife of Abid Awan, each made \$160,000 a year as IT-shared employees working on computers for various Democrats in the House of Representatives.

The Awan brothers are of Pakistani descent, but their immigration status is unclear. There are a lot of things that are unknown about the Awan brothers. But they worked for our former DNC chair, DEBBIE WASSERMAN SCHULTZ—that is Imran Awan. These people are under investigation for stealing material, potentially accessing material they shouldn't have, for taking material off of Capitol Hill and stealing it, using it in other places.

We are told, oh, not to worry, they didn't access classified intelligence information in the SCIF; but other IT people tell me, once someone is in the congressional system, the calendar, email for one Member of Congress, if they are good, it is not that hard to break into lots of other Members of Congress' email and calendars.

What country that hates America—some that like America—wouldn't love to know who people are meeting, especially on the Intelligence Committee like some of the people that have employed these?

Some of them, very fine members of things like the Ethics Committee, Judiciary, Foreign Affairs, Intelligence Committee. Let's see, ANDRÉ CARSON, SANDY LEVIN, JACKIE SPEIER—a lot of people, good people—TIM RYAN. A lot of these folks, they employed these folks. They were very trusting, kind people. And these people didn't have a background check, and now they are under investigation. I heard some have been told that Imran Awan, the lead guy, went back to Pakistan.

Well, if this guy set up and was working on computer systems, is it possible he could have—and this is what a normal mainstream reporter, 30, 40 years ago back in the seventies would have asked: Well, did he set up the DNC computer system that got hacked, that was supposedly hacked by Russians or others, did he set that up so it could be hacked? I mean, there is a lot here going on that we don't know the answers to, and we deserve to know the answers.

There were mortgage transfers, debt evading bankruptcies. Imran Awan, Jamal Awan were known to be the ringleaders of the group, had been providing services since 2005; has convictions for driving offenses which were serious enough to become criminal misdemeanors, used an illegal radar detector, drove an unregistered vehicle; some say, after masterminding the family's finances, was running the business completely by 2010 and instructed Abid not to even speak to anyone.

The wives of Imran and Abid also began receiving paychecks from the House of Representatives. They purchased two homes in Lorton in 2008, one of which was associated with all three brothers at one time. Alvi sold that home in 2016 to the younger brother Jamal for \$620,000.

Imran owned a home and put it in his father's name in 2008 in Springfield. Abid later claimed, in bankruptcy, that the house was his.

Jamal Awan was placed on the House payroll at age 20, making \$160,000.

Imran is also a real estate agent. Despite making \$160,000 in congressional salaries, debts went unpaid by the Awan brothers, including debts to the Congressional Federal Credit Union.

\$100,000 was taken from a known Hezbollah-connected fugitive, a fugitive from the FBI; and they are associated with this Hezbollah-connected agent, and there is no press out there getting to the bottom of it? What happened to the Washington press, the proud press of Washington of the 1970s? Well, they are in the bag for one party. They are not interested in getting to the bottom of the news. They are all about advocating.

God not just bless America, God help America. We have got to have people wake up before we do much more damage to ourselves. It is time to turn this

country around, and one of the things we should start with is getting to the bottom of this investigation; find out how much damage these alleged criminals did from Pakistan to our Congress, and also start undoing the damage ObamaCare has done so people can get jobs again they have lost, so people can have health care that has deductibles they can afford. It is time to make America great again.

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

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CULBERSON (at the request of Mr. MCCARTHY) for today on account of illness.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, March 8, 2017, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

718. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule — Gastroenterology-Urology Devices; Manual Gastroenterology-Urology Surgical Instruments and Accessories [Docket No.: FDA-2016-N-4661] received March 3, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

719. A letter from the Assistant Administrator, Diversion Control Division, DEA, Department of Justice, transmitting the Department's final rule — Schedules of Controlled Substances: Placement of 10 Synthetic Cathinones Into Schedule I [Docket No.: DEA-436] received March 3, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

720. A letter from the Regulations Coordinator, Health Resources and Services Administration, Department of Health and Human Services, transmitting the Department's final rule — 340B Drug Pricing Program Ceiling Price and Manufacturer Civil Monetary Penalties; Delay of Effective Date (RIN: 0906-AA89) received March 2, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

721. A letter from the Assistant Secretary for Legislative Affairs, Bureau of Legislative Affairs, Department of State, transmitting certification that no United Nations agency or United Nations affiliated agency grants any official status, accreditation, or recognition to any organization which promotes and condones or seeks the legalization of pedophilia, pursuant to 22 U.S.C. 287e note;

Public Law 103-236, Sec. 102(g) (as amended by Public Law 103-415, Sec. 1(o)); (108 Stat. 4301); to the Committee on Foreign Affairs.

722. A letter from the Assistant Legal Adviser, Office of Treaty Affairs, Department of State, transmitting a report concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act, pursuant to 1 U.S.C. 112b(a); Public Law 92-403, Sec. 1(a) (as amended by Public Law 108-458, Sec. 7121(b)); (118 Stat. 3807); to the Committee on Foreign Affairs.

723. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting notification that on December 20, 2016, under Sec. 36(b)(1) of the Arms Export Control Act, for the Government of Kuwait, Transmittal No. 16-40 will be changed to Transmittal No. 16-41, as of the above date, and will be referred to as such in all future documentation, to include publishing in the Federal Register; to the Committee on Foreign Affairs.

724. A letter from the Acting Assistant Secretary for Legislative Affairs, Bureau of Legislative Affairs, Department of State, transmitting a report on the programs or projects of the International Atomic Energy Agency; to the Committee on Foreign Affairs.

725. A letter from the Acting Assistant Attorney General, Department of Justice, transmitting the Department's Freedom of Information Act 2016 Litigation and Compliance Report, pursuant to 5 U.S.C. 552(a)(4)(F)(ii)(II); Public Law 89-554, Sec. 5(ii)(II) (as added by Public Law 110-175, Sec. 5); (121 Stat. 2526); to the Committee on Oversight and Government Reform.

726. A letter from the Associate General Counsel, Department of Agriculture, transmitting twelve notices of vacancies, designation of acting officer, or discontinuation of service in acting role, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

727. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Pacific Island Pelagic Fisheries; 2016 Commonwealth of the Northern Mariana Islands Bigeye Tuna Fishery; Closure [Docket No.: 151023986-6763-02] (RIN: 0648-XE284) received March 3, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

728. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pacific Cod in the Bering Sea and Aleutian Islands Management Area [Docket No.: 150916863-6211-02] (RIN: 0648-XF109) received March 3, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

729. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Inseason Adjustment to the 2016 Gulf of Alaska Pollock Seasonal Apportionments [Docket No.: 150818742-6210-02] (RIN: 0648-XE958) received March 3, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

730. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Groundfish by Vessels Using Trawl Gear in the Gulf of Alaska [Docket No.: 150818742-6210-02] (RIN: 0648-XF007) received March 3, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

731. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries [Docket No.: 150121066-5717-02] (RIN: 0648-XE930) received March 3, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

732. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Exchange of Flatfish in the Bering Sea and Aleutian Islands Management Area [Docket No.: 150916863-6211-02] (RIN: 0648-XE935) received March 3, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

733. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries; 2016 General Category Fishery [Docket No.: 150121066-5717-02] (RIN: 0648-XF011) received March 3, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

734. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Shortraker Rockfish in the Central Regulatory Area of the Gulf of Alaska [Docket No.: 150818742-6210-02] (RIN: 0648-XE897) received March 3, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

735. A letter from the Director, Office of Regulatory Affairs and Collaborative Action, Bureau of Indian Affairs, Department of the Interior, transmitting the Department's final rule — Civil Penalties Inflation Adjustments; Annual Adjustments (RIN: 1076-AF35) received March 3, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

736. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — IFR Altitudes; Miscellaneous Amendments; Part 95 Instrument Flight Rules [Docket No.: 31120; Amdt. No.: 531] received March 2, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

737. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Alexander Schleicher, GmbH & Co.

Gliders [Docket No.: FAA-2016-9382; Directorate Identifier 2016-CE-032-AD; Amendment 39-18790; AD 2017-02-11] (RIN: 2120-AA64) received March 2, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

738. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Helicopters Deutschland GmbH Helicopters [Docket No.: FAA-2016-7415; Directorate Identifier 2015-SW-076-AD; Amendment 39-18786; AD 2017-02-07] (RIN: 2120-AA64) received March 2, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

739. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2016-5040; Directorate Identifier 2013-NM-192-AD; Amendment 39-18787; AD 2017-02-08] (RIN: 2120-AA64) received March 2, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

740. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2016-6427; Directorate Identifier 2015-NM-200-AD; Amendment 39-18770; AD 2017-01-03] (RIN: 2120-AA64) received March 2, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

741. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2016-7261; Directorate Identifier 2016-NM-004-AD; Amendment 39-18783; AD 2017-02-04] (RIN: 2120-AA64) received March 2, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

742. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Piper Aircraft, Inc. Airplanes [Docket No.: FAA-2017-0045; Directorate Identifier 2017-CE-002-AD; Amendment 39-18785; AD 2017-02-06] (RIN: 2120-AA64) received March 2, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

743. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2016-8186; Directorate Identifier 2016-NM-074-AD; Amendment 39-18784; AD 2017-02-05] (RIN: 2120-AA64) received March 2, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

744. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2016-9050; Directorate Identifier

2016-NM-086-AD; Amendment 39-18788; AD 2017-02-09] (RIN: 2120-AA64) received March 2, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

745. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2016-6670; Directorate Identifier 2016-NM-006-AD; Amendment 39-18789; AD 2017-02-10] (RIN: 2120-AA64) received March 2, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

746. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2014-0571; Directorate Identifier 2014-NM-059-AD; Amendment 39-18782; AD 2017-02-03] (RIN: 2120-AA64) received March 2, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

747. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2016-6430; Directorate Identifier 2015-NM-176-AD; Amendment 39-18781; AD 2017-02-02] (RIN: 2120-AA64) received March 2, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

748. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; PILATUS AIRCRAFT LTD. Airplanes [Docket No.: FAA-2016-7003; Directorate Identifier 2016-CE-015-AD; Amendment 39-18766; AD 2016-26-08] (RIN: 2120-AA64) received March 2, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

749. A letter from the Attorney, Office of the Chief Counsel for Trade Enforcement and Compliance, International Trade Administration, Department of Commerce, transmitting the Department's final rule — Steel Import Monitoring and Analysis System (RIN: 0625-AB09) received March 3, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

750. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — 2017 Calendar Year Resident Population Figures [Notice 2017-19] received March 3, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

751. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Safe Harbor for Service Agreements providing electricity to Federal Government generated by solar equipment (Rev. Proc. 2017-19) received March 3, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 375. A bill to designate the Federal building and United States courthouse located at 719 Church Street in Nashville, Tennessee, as the "Fred D. Thompson Federal Building and United States Courthouse" (Rept. 115-23). Referred to the House Calendar.

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 1174. A bill to provide a lactation room in public buildings (Rept. 115-24). Referred to the Committee of the Whole House on the state of the Union.

Mr. GOODLATTE: Committee on the Judiciary. H.R. 985. A bill to amend the procedures used in Federal court class actions and multidistrict litigation proceedings to assure fairer, more efficient outcomes for claimants and defendants, and for other purposes (Rept. 115-25). Referred to the Committee of the Whole House on the state of the Union.

Ms. CHENEY: Committee on Rules. House Resolution 174. Resolution providing for consideration of the bill (H.R. 1301) making appropriations for the Department of Defense for the fiscal year ending September 30, 2017, and for other purposes (Rept. 115-26). Referred to the House Calendar.

Mr. BUCK: Committee on Rules. House Resolution 175. Resolution providing for consideration of the bill (H.R. 725) to amend title 28, United States Code, to prevent fraudulent joinder (Rept. 115-27). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. JOHNSON of Georgia (for himself, Mr. CONYERS, Mr. CICILLINE, Ms. CLARK of Massachusetts, Mr. SWALWELL of California, Ms. JACKSON LEE, Mr. SCOTT of Virginia, Ms. DEGETTE, Ms. SCHAKOWSKY, Mr. POCAN, Mr. DELANEY, Mr. RICHMOND, Mrs. WATSON COLEMAN, Ms. NORTON, Mr. EVANS, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. MAXINE WATERS of California, Ms. LEE, Mr. ELLISON, Mr. CUMMINGS, Mr. RYAN of Ohio, Ms. JAYAPAL, Mr. COHEN, Mr. DEUTCH, Mr. BEYER, Mr. PAYNE, Mr. SOTO, Mr. HIGGINS of New York, Mr. KILDEE, Ms. LOFGREN, Ms. BONAMICI, Mr. TED LIEU of California, Ms. FRANKEL of Florida, Ms. HANABUSA, Mr. RASKIN, Ms. SPEIER, Mr. COURTNEY, Mr. HASTINGS, Ms. SHEA-PORTER, Mr. MCEACHIN, Mr. SARBANES, Mr. NADLER, Mr. GRIJALVA, Mr. TONKO, and Mr. SHERMAN):

H.R. 1374. A bill to amend title 9 of the United States Code with respect to arbitration; to the Committee on the Judiciary.

By Ms. CLARK of Massachusetts (for herself and Mr. JENKINS of West Virginia):

H.R. 1375. A bill to amend the Public Health Service Act to authorize the Secretary of Health of Human Services to award grants to States (or collaborations of States) to establish, expand, or maintain a com-

prehensive regional, State, or municipal system to provide training, education, consultation, and other resources to prescribers relating to patient pain, substance misuse, and substance abuse disorders, and for other purposes; to the Committee on Energy and Commerce.

By Mr. CUMMINGS:

H.R. 1376. A bill to amend title 44, United States Code, to require preservation of certain electronic records by Federal agencies, to require a certification and reports relating to Presidential records, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. HARPER:

H.R. 1377. A bill to amend the Fair Labor Standards Act of 1938 to better align certain provisions of such Act with Federal disability laws and policies intended to remove societal and institutional barriers to employment opportunities for people with disabilities; to the Committee on Education and the Workforce.

By Mr. HARPER:

H.R. 1378. A bill to amend the Public Health Service Act to provide for the participation of doctors of chiropractic in the National Health Service Corps scholarship and loan repayment programs, and for other purposes; to the Committee on Energy and Commerce.

By Mr. PETERS (for himself, Mr.

WALZ, Mr. MAST, and Mr. BERGMAN):

H.R. 1379. A bill to amend title 38, United States Code, to provide for the entitlement to educational assistance under the Post-9/11 Educational Assistance Program of the Department of Veterans Affairs for members of the Armed Forces awarded the Purple Heart; to the Committee on Veterans' Affairs.

By Ms. DELBENE (for herself, Mrs.

MCMORRIS RODGERS, Mr. KILMER, Mr. THOMPSON of Pennsylvania, Ms. KUSTER of New Hampshire, Mr. WESTERMAN, Mr. DEFazio, Mr. ABRAHAM, Mr. PALAZZO, Mr. SCHRADER, Ms. BONAMICI, Mr. WELCH, Mr. LARSEN of Washington, and Mr. HARPER):

H.R. 1380. A bill to clarify research and development for wood products, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRIFFITH:

H.R. 1381. A bill to amend title XIX of the Social Security Act to permit States to impose an individual responsibility requirement for nondisabled, nonelderly, nonpregnant individuals made eligible for medical assistance; to the Committee on Energy and Commerce.

By Mr. WEBER of Texas (for himself,

Mr. AUSTIN SCOTT of Georgia, and Mr. BYRNE):

H.R. 1382. A bill to establish requirements and restrictions for the commercial, charter, and recreational red snapper fishing seasons in the Gulf of Mexico for the 2017 and 2018 fishing seasons, and for other purposes; to the Committee on Natural Resources.

By Mr. BACON (for himself, Mr. DUNN,

Mr. MARSHALL, and Mr. TAYLOR):

H.R. 1383. A bill to direct certain actions of the United States Government with respect to recognizing the service and sacrifice of veterans of the Korean Constabulary, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Veterans' Affairs, and Armed Services, for

a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PALAZZO (for himself, Mr. WALZ, Ms. SHEA-PORTER, and Mr. FRANKS of Arizona):

H.R. 1384. A bill to amend titles 5, 10, 37, and 38 of the United States Code to ensure that an order to serve on active duty under sections 12304a and 12304b of title 10, United States Code, is treated the same as other orders to serve on active duty for determining the eligibility of members of the uniformed services and veterans for certain benefits and for calculating the deadlines for certain benefits; to the Committee on Armed Services, and in addition to the Committees on Veterans' Affairs, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. FOXX:

H.R. 1385. A bill to amend title 5, United States Code, to limit recruitment and retention bonuses for employees who spend certain durations of time on official time, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. KATKO (for himself, Mr. LIPINSKI, and Mrs. COMSTOCK):

H.R. 1386. A bill to direct the Secretary of Transportation to establish a pilot program to assess the operational benefits of remote air traffic control towers, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. CHAFFETZ (for himself, Mr. MEADOWS, Ms. FOXX, Mr. MESSER, Mr. FRELINGHUYSEN, Mr. WALBERG, Mr. ROKITA, Mr. HARRIS, and Mr. DESANTIS):

H.R. 1387. A bill to reauthorize the Scholarships for Opportunity and Results Act, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. O'HALLERAN:

H.R. 1388. A bill to enact House Resolution 895, One Hundred Tenth Congress, (establishing the Office of Congressional Ethics) into permanent law; to the Committee on House Administration, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BILIRAKIS:

H.R. 1389. A bill to amend title XIX of the Social Security Act to provide States with flexibility to provide care coordination under Medicaid for the most vulnerable through managed care; to the Committee on Energy and Commerce.

By Mr. BANKS of Indiana (for himself, Mr. MESSER, Mr. BUDD, and Mrs. RADEWAGEN):

H.R. 1390. A bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to pay costs relating to the transportation of certain deceased veterans to veterans' cemeteries owned by a State or tribal organization; to the Committee on Veterans' Affairs.

By Mr. BANKS of Indiana:

H.R. 1391. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to provide educational and vocational counseling for veterans on campuses of institutions of higher learning, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BERA (for himself, Mr. KILMER, Mr. SOTO, Mr. PERLMUTTER, Mr. MCNERNEY, Mrs. MURPHY of Florida, Mr. HIMES, and Ms. SINEMA):

H.R. 1392. A bill to establish a National TechCorps program, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Oversight and Government Reform, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BISHOP of Michigan (for himself, Mr. JOHNSON of Georgia, Mr. SMITH of Missouri, Mr. WALKER, Mr. DUNCAN of South Carolina, Mr. MESSER, Mr. HURD, Mr. RICE of South Carolina, Mr. CICILLINE, Mr. BUCSHON, Mr. CULBERSON, Mr. MCCAUL, Mrs. COMSTOCK, Mrs. WATSON COLEMAN, Mr. COOPER, Mr. DEUTCH, Mr. ROE of Tennessee, Mr. HASTINGS, Ms. JACKSON LEE, Mr. SWALWELL of California, Mr. THOMAS J. ROONEY of Florida, Mr. MARINO, Mrs. WALORSKI, and Mr. CRIST):

H.R. 1393. A bill to limit the authority of States to tax certain income of employees for employment duties performed in other States; to the Committee on the Judiciary.

By Mrs. BROOKS of Indiana (for herself, Mr. COLLINS of New York, and Mr. GUTHRIE):

H.R. 1394. A bill to amend title XIX of the Social Security Act to provide States with flexibility with respect to providing coverage for nonemergency transportation under Medicaid; to the Committee on Energy and Commerce.

By Mr. BURGESS (for himself, Mr. COLLINS of New York, Mrs. BLACKBURN, and Mr. MULLIN):

H.R. 1395. A bill to amend title XIX of the Social Security Act to improve the Medicaid and CHIP Payment and Access Commission (MACPAC); to the Committee on Energy and Commerce.

By Mr. CICILLINE (for himself, Mr. CONYERS, Ms. MAXINE WATERS of California, Mr. JOHNSON of Georgia, Ms. JACKSON LEE, Ms. SCHAKOWSKY, Mr. COHEN, Ms. JAYAPAL, Mr. RASKIN, Mr. TED LIEU of California, Ms. HANABUSA, Ms. BONAMICI, Mr. SEAN PATRICK MALONEY of New York, and Mr. GRIJALVA):

H.R. 1396. A bill to restore statutory rights to the people of the United States from forced arbitration; to the Committee on the Judiciary.

By Mrs. COMSTOCK:

H.R. 1397. A bill to authorize, direct, facilitate, and expedite the transfer of administrative jurisdiction of certain Federal land, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CONNOLLY (for himself and Mr. LANGEVIN):

H.R. 1398. A bill to provide funds to give States incentives to invest in practices and technology designed to expedite voting at the polls and simplify voter registration, improve voting system security, and promote automatic voter registration, and for other purposes; to the Committee on House Administration.

By Mr. COOK (for himself, Ms. BONAMICI, Mr. SCHRADER, Mr. KNIGHT,

Mr. CRAMER, Mr. TIPTON, Mr. HIMES, Mr. VALADAO, Ms. CHENEY, Mr. YODER, Mr. RUPPERSBERGER, Mr. CULBERSON, Mr. WEBER of Texas, Mr. MCKINLEY, Mr. COSTA, Mrs. MIMI WALTERS of California, Mr. LAMALFA, Mr. DUNCAN of South Carolina, and Mr. KELLY of Mississippi):

H.R. 1399. A bill to reduce temporarily the royalty required to be paid for sodium produced on Federal lands, and for other purposes; to the Committee on Natural Resources.

By Mr. CRAWFORD (for himself, Mr. ABRAHAM, Mr. PALAZZO, Mr. WESTERMAN, and Mr. HILL):

H.R. 1400. A bill to amend the Internal Revenue Code of 1986 to authorize agricultural producers to establish and contribute to tax-exempt farm risk management accounts; to the Committee on Ways and Means.

By Mr. CURBELO of Florida (for himself and Mr. CRIST):

H.R. 1401. A bill to ensure fairness in premium rates for coverage under the National Flood Insurance Program for residences and business properties, and for other purposes; to the Committee on Financial Services.

By Ms. GABBARD (for herself and Ms. HANABUSA):

H.R. 1402. A bill to amend the Food, Agriculture, Conservation, and Trade Act of 1990 to provide for a macadamia tree health initiative, and for other purposes; to the Committee on Agriculture.

By Miss GONZÁLEZ-COLÓN of Puerto Rico (for herself, Mr. CURBELO of Florida, Mr. LEWIS of Georgia, and Mr. SERRANO):

H.R. 1403. A bill to amend the Internal Revenue Code of 1986 to make permanent the deduction for income attributable to domestic production activities in Puerto Rico; to the Committee on Ways and Means.

By Mr. GRIJALVA:

H.R. 1404. A bill to provide for the conveyance of certain land inholdings owned by the United States to the Tucson Unified School District and to the Pascua Yaqui Tribe of Arizona; to the Committee on Natural Resources.

By Mr. GRIJALVA (for himself, Mr. GUTIÉRREZ, Mr. VARGAS, Mr. JOHNSON of Georgia, Ms. SCHAKOWSKY, Mr. CÁRDENAS, Ms. NORTON, Mr. RYAN of Ohio, Mr. GENE GREEN of Texas, Mr. VELA, Mr. DANNY K. DAVIS of Illinois, Mr. TED LIEU of California, Mr. CICILLINE, Ms. JAYAPAL, Mr. MCGOVERN, Mr. AGUILAR, Mr. DESAULNIER, Mr. TAKANO, Mr. GALLEGO, Ms. JUDY CHU of California, and Mr. BLUMENAUER):

H.R. 1405. A bill to require the Secretary of Homeland Security to establish a veterans visa program to permit veterans who have been removed from the United States to return as immigrants, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Armed Services, and Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HASTINGS (for himself, Mr. BUCHANAN, Mr. TROTT, and Mr. BRENDAN F. BOYLE of Pennsylvania):

H.R. 1406. A bill to amend the Animal Welfare Act to prohibit the slaughter of dogs and cats for human consumption; to the Committee on Agriculture.

By Mr. HUNTER:

H.R. 1407. A bill to establish a strategic materials investment fund, and for other

purposes; to the Committee on Armed Services, and in addition to the Committees on Financial Services, Foreign Affairs, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ISSA:

H.R. 1408. A bill to repeal the Patient Protection and Affordable Care Act and the health care-related provisions in the Health Care and Education Reconciliation Act of 2010 and to amend title 5, United States Code, to offer Federal employee health benefits plans to individuals who are not Federal employees, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Oversight and Government Reform, Education and the Workforce, Natural Resources, the Judiciary, Appropriations, House Administration, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LANCE (for himself, Mr. HIGGINS of New York, Mr. HARPER, Mr. FOSTER, Mr. SESSIONS, Mr. GARAMENDI, Mr. CUMMINGS, Mr. WITTMAN, Mr. RYAN of Ohio, Mr. POE of Texas, Ms. CLARK of Massachusetts, Ms. PINGREE, Mrs. BLACKBURN, Mr. KING of New York, Mrs. COMSTOCK, Mr. KILDEE, Mr. DONOVAN, Mr. CARTER of Georgia, Mr. DEFAZIO, Mr. GUTHRIE, Mr. POCAN, Mr. LONG, Mr. SWALWELL of California, Mr. FLORES, Mr. SEAN PATRICK MALONEY of New York, Mr. MURPHY of Pennsylvania, Ms. WASSERMAN SCHULTZ, Mr. LATTA, Mr. MACARTHUR, and Mr. KILMER):

H.R. 1409. A bill to amend the Public Health Service Act to require group and individual health insurance coverage and group health plans to provide for cost sharing for oral anticancer drugs on terms no less favorable than the cost sharing provided for anticancer medications administered by a health care provider; to the Committee on Energy and Commerce.

By Ms. MCSALLY (for herself and Mr. GRIJALVA):

H.R. 1410. A bill to establish responsibility for the International Outfall Interceptor; to the Committee on Transportation and Infrastructure.

By Mr. PALLONE (for himself and Mr. LOBIONDO):

H.R. 1411. A bill to continue in effect for the 2017 and 2018 fishing seasons certain fishing specifications for the summer flounder fishery, and for other purposes; to the Committee on Natural Resources.

By Ms. ROYBAL-ALLARD:

H.R. 1412. A bill to establish a commission to study the removal of Mexican-Americans to Mexico during 1929-1941, and for other purposes; to the Committee on the Judiciary.

By Mr. RYAN of Ohio (for himself, Mr. TIBERI, Mr. MCGOVERN, Mr. BLUMENAUER, and Ms. PINGREE):

H.R. 1413. A bill to provide for a grants program to develop and enhance integrated nutrition and physical activity curricula in medical schools; to the Committee on Energy and Commerce.

By Mr. SHERMAN (for himself, Ms. MAXINE WATERS of California, Mr. CONYERS, Mr. JOHNSON of Georgia, Ms. BONAMICI, Mr. COHEN, Mr. CARTWRIGHT, Mr. GRIJALVA, Ms. HANABUSA, Ms. JACKSON LEE, Ms.

JAYAPAL, Mr. TED LIEU of California, Ms. LOFGREN, Mr. LYNCH, Mr. SEAN PATRICK MALONEY of New York, Ms. NORTON, Mr. PAYNE, Mr. RASKIN, and Ms. SCHAKOWSKY):

H.R. 1414. A bill to amend the Truth in Lending Act and the Electronic Fund Transfer Act to provide justice to victims of fraud; to the Committee on Financial Services.

By Mr. SMITH of New Jersey (for himself and Mr. MEEKS):

H.R. 1415. A bill to facilitate effective research on and treatment of neglected tropical diseases, including Ebola, through coordinated domestic and international efforts; to the Committee on Energy and Commerce, and in addition to the Committees on Foreign Affairs, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TIBERI (for himself, Mr. DANNY K. DAVIS of Illinois, and Mr. SMITH of Missouri):

H.R. 1416. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income contributions to the capital of a partnership, and for other purposes; to the Committee on Ways and Means.

By Mr. YOUNG of Alaska (for himself and Mr. MCCLINTOCK):

H.R. 1417. A bill to amend the National Law Enforcement Museum Act to allow the Museum to acquire, receive, possess, collect, ship, transport, import, and display firearms, and for other purposes; to the Committee on Natural Resources.

By Mr. YOUNG of Alaska:

H.R. 1418. A bill to amend the Alaska Native Claims Settlement Act to provide that Alexander Creek, Alaska, is and shall be recognized as an eligible Native village under that Act, and for other purposes; to the Committee on Natural Resources.

By Mr. YOUNG of Iowa (for himself, Ms. PINGREE, Mr. JONES, Miss RICE of New York, Mr. MASSIE, Mr. CURBELO of Florida, and Mr. RYAN of Ohio):

H.R. 1419. A bill to amend title 10, United States Code, to provide for the award of a military service medal to members of the Armed Forces who served honorably during the Cold War, and for other purposes; to the Committee on Armed Services.

By Mr. HARPER:

H. Res. 173. A resolution providing for the expenses of certain committees of the House of Representatives in the One Hundred Fifteenth Congress; to the Committee on House Administration.

By Ms. LEE (for herself, Mr. PRICE of North Carolina, and Mr. CHABOT):

H. Res. 176. A resolution supporting the goals and ideals of Multiple Sclerosis Awareness Week; to the Committee on Energy and Commerce.

By Mr. RICHMOND:

H. Res. 177. A resolution expressing support for the designation of Clergy Spouse Appreciation Day; to the Committee on Oversight and Government Reform.

By Mr. JOHNSON of Georgia:

H.R. 1374.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 18 allows congress to make all laws "which shall be necessary and proper for carrying into execution"

By Ms. CLARK of Massachusetts:

H.R. 1375.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clauses 1 and 18 of the United States Constitution

By Mr. CUMMINGS:

H.R. 1376.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the Constitution of the United States grants the Congress the power to enact this law.

By Mr. HARPER:

H.R. 1377.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 18

By Mr. HARPER:

H.R. 1378.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. PETERS:

H.R. 1379.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Ms. DELBENE:

H.R. 1380.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution.

By Mr. GRIFFITH:

H.R. 1381.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8 of the United States Constitution.

By Mr. WEBER of Texas:

H.R. 1382.

Congress has the power to enact this legislation pursuant to the following:

Commerce clause under Article I, Section 8, Clause 3.

"To regulate commerce with foreign nations, and among the several states, and with the Indian tribes."

By Mr. BACON:

H.R. 1383.

Congress has the power to enact this legislation pursuant to the following:

Article One, Section 8

By Mr. PALAZZO:

H.R. 1384.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article I of the United States Constitution.

By Ms. FOX:

H.R. 1385.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18—

"To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof."

By Mr. KATKO:

H.R. 1386.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution

By Mr. CHAFFETZ:

H.R. 1387.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 17 of the United States Constitution.

By Mr. O'HALLERAN:

H.R. 1388.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. BILIRAKIS:

H.R. 1389.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. BANKS of Indiana:

H.R. 1390.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Mr. BANKS of Indiana:

H.R. 1391.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution

By Mr. BERA:

H.R. 1392.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution

By Mr. BISHOP of Michigan:

H.R. 1393.

Congress has the power to enact this legislation pursuant to the following:

The Commerce Clause, Article 1, Section 8, Clause 3

By Mrs. BROOKS of Indiana:

H.R. 1394.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. BURGESS:

H.R. 1395.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the United States Constitution, which grants Congress the power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States.

Article 1, Section 8, Clause 3 of the United States Constitution, which grants Congress the power to regulate commerce with foreign nations, and among the several states, and with the Indian tribes.

By Mr. CICILLINE:

H.R. 1396.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 3.

By Mrs. COMSTOCK:

H.R. 1397.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2 of the Constitution of the United States provides that "The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States . . ."

By Mr. CONNOLLY:

H.R. 1398.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 4 of the United States Constitution.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. COOK:

H.R. 1399.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. CRAWFORD:

H.R. 1400.

Congress has the power to enact this legislation pursuant to the following:

GENERAL WELFARE CLAUSE. Article I, Section 8 of the U.S. Constitution grants Congress the power to “lay and collect Taxes, Duties, Imposts, and Excises, to pay the Debts and provide for the common defense and general Welfare of the United States.”

By Mr. CURBELO of Florida:

H.R. 1401.

Congress has the power to enact this legislation pursuant to the following:

Claus 1, Section 8, Article 1

By Ms. GABBARD:

H.R. 1402.

Congress has the power to enact this legislation pursuant to the following:

U.S. Constitution including Article 1, Section 8, Clause 1 (General Welfare Clause) and Article 1, Section 8, Clause 18 (Necessary and Proper Clause)

By Miss GONZÁLEZ-COLÓN of Puerto Rico:

H.R. 1403.

Congress has the power to enact this legislation pursuant to the following:

Article IV Section III of the U.S. Constitution: The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States

By Mr. GRIJALVA:

H.R. 1404.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. I, §8, cl. 3.

By Mr. GRIJALVA:

H.R. 1405.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. I, §§1 and 8.

By Mr. HASTINGS:

H.R. 1406.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. HUNTER:

H.R. 1407.

Congress has the power to enact this legislation pursuant to the following:

Article 8 Section 18: To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any Department or officer thereof.

By Mr. ISSA:

H.R. 1408.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3: To regulate commerce with foreign nations, and among the several states, and with the Indian tribes.

By Mr. LANCE:

H.R. 1409.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to Article I, Section 8, Clause 1, of the United States Constitution, Congress shall have the power to lay and collect taxes, duties, impost, and excises, to pay the debts and provide for the common defense and general welfare of the United States.

By Ms. McSALLY:

H.R. 1410.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3—To regulate commerce with foreign nations, and among the several states, and with the Indian tribes.

Article 1, Section 8, Clause 18—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. PALLONE:

H.R. 1411.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Ms. ROYBAL-ALLARD:

H.R. 1412.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Clause 4, Section 4

By Mr. RYAN of Ohio:

H.R. 1413.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. SHERMAN:

H.R. 1414.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. SMITH of New Jersey:

H.R. 1415.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

Article 1, Section 8, Clause 18

By Mr. TIBERI:

H.R. 1416.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I

By Mr. YOUNG of Alaska:

H.R. 1417.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 & Article 4, Section 3, Clause 2

“The Congress shall have power To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.”

“The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.”

By Mr. YOUNG of Alaska:

H.R. 1418.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. YOUNG of Iowa:

H.R. 1419.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

H.R. 38: Mr. POE of Texas, Mr. BISHOP of Georgia, Mr. WEBER of Texas, Mr. STEWART, and Mr. LUCAS.

H.R. 82: Mr. BURGESS.

H.R. 203: Mr. LOEBBACH.

H.R. 227: Mr. TED LIEU of California.

H.R. 233: Mrs. BEATTY.

H.R. 291: Mr. COSTA.

H.R. 299: Mr. RUTHERFORD, Mr. NOLAN, Mrs. ROBY, Ms. ADAMS, Mr. YOHO, Mr. SUOZZI, Mr. GOTTHEIMER, Mr. THOMPSON of California, Mrs. HARTZLER, Ms. LOFGREN, Mr. TIBERI, Mr. TIPTON, Mrs. MURPHY of Florida, and Mr. HARPER.

H.R. 303: Mr. RUTHERFORD, Mr. HUDSON, Mr. LOEBBACH, Ms. ROS-LEHTINEN, Mr. NOLAN, Ms. LOFGREN, and Mrs. BEATTY.

H.R. 305: Mr. SARBANES, Mr. NADLER, and Mr. KENNEDY.

H.R. 351: Mr. FERGUSON.

H.R. 367: Mr. ARRINGTON.

H.R. 369: Mr. TIPTON.

H.R. 371: Mr. COURTNEY.

H.R. 389: Ms. CLARK of Massachusetts, Mr. LANGEVIN, Mr. LAMALFA, and Mr. JONES.

H.R. 392: Mr. EMMER, Mr. FLORES, Mr. DENT, Mr. LANCE, Ms. CLARK of Massachusetts, Mr. MOULTON, Mr. EVANS, and Ms. HERRERA BEUTLER.

H.R. 448: Mr. SHERMAN and Mr. GRIJALVA.

H.R. 477: Mr. ROSS.

H.R. 484: Ms. NORTON and Ms. SHEA-POR-TER.

H.R. 502: Ms. JAYAPAL, Ms. SLAUGHTER, Ms. MATSUI, Mr. DELANEY, Mr. NADLER, Mr. NOLAN, Ms. ESHOO, Mr. SMITH of Washington, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. QUIGLEY, Mr. ZELDIN, Mr. HIGGINS of New York, Mr. KIND, Ms. CLARK of Massachusetts, Mr. SARBANES, Mr. RUPPERSBERGER, Mr. FITZPATRICK, Ms. HANABUSA, Mr. SABLON, Mr. SANFORD, Mr. LARSON of Connecticut, Mr. MOULTON, Mrs. BEATTY, Mr. SUOZZI, Mr. EVANS, Mr. RUIZ, Ms. DeLAURO, Mr. RUSH, Mr. KILDEE, Mr. COSTA, and Mr. GARRETT.

H.R. 510: Mr. GARAMENDI.

H.R. 530: Mrs. NAPOLITANO, Mr. GUTIÉRREZ, Mr. THOMPSON of California, and Mr. POLIS.

H.R. 544: Mrs. BEATTY.

H.R. 553: Mrs. BLACK and Mrs. WALORSKI.

H.R. 564: Mr. MASSIE.

H.R. 625: Mr. THOMPSON of Mississippi, Mr. KEATING, Mr. HUNTER, Mr. SCHWEIKERT, Mr. MOONEY of West Virginia, and Mr. GRAVES of Louisiana.

H.R. 630: Ms. JAYAPAL.

H.R. 664: Mr. EVANS.

H.R. 721: Mr. LAMBORN, Mr. HECK, Mr. ROSS, Mr. GOSAR, Mr. DESJARLAIS, Mr. Carter of Georgia, Ms. BROWNLEY of California, Mr. BARR, Mr. COLE, Mr. PERRY, and Mr. LUCAS.

H.R. 747: Mr. PALLONE, Ms. ROSEN, Mr. GALLAGHER, Ms. CHENEY, Mr. MICHAEL F. DOYLE of Pennsylvania, Ms. SLAUGHTER, Mr. SMITH of New Jersey, Mr. NORCROSS, and Mr. POLIS.

H.R. 749: Mr. CRIST.

H.R. 757: Mr. LOWENTHAL, Ms. MENG, Mr. BLUMENAUER, Mr. KHANNA, and Mr. NOLAN.

H.R. 781: Mr. DUNN.

H.R. 785: Mr. MCCLINTOCK, Mr. CULBERSON, Mr. COFFMAN, Mr. TIPTON, and Mr. LUCAS.

H.R. 810: Ms. NORTON, Mr. HASTINGS, Mr. RASKIN, Mr. MEEKS, Mr. DEUTCH, and Mr. JOHNSON of Georgia.

H.R. 816: Mr. MAST, Mr. FITZPATRICK, Ms. JUDY CHU of California, and Mr. POLIS.

H.R. 821: Mr. EVANS.

H.R. 830: Mrs. TORRES, Mr. SHERMAN, and Mr. QUIGLEY.

H.R. 846: Mr. SCOTT of Virginia, Mr. PEARCE, Mr. STIVERS, Mr. POE of Texas, and Mr. NEAL.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 849: Mr. JENKINS of West Virginia.
 H.R. 878: Mr. ARRINGTON.
 H.R. 909: Mr. LANCE.
 H.R. 914: Ms. BONAMICI and Mr. DESAULNIER.
 H.R. 919: Mr. GARAMENDI and Mr. MCGOVERN.
 H.R. 931: Mr. LYNCH, Mr. SCOTT of Virginia, Mr. COSTELLO of Pennsylvania, Mr. FITZPATRICK, Ms. DELAURO, Mr. MURPHY of Pennsylvania, Ms. DELBENE, and Mr. RASKIN.
 H.R. 942: Ms. JACKSON LEE.
 H.R. 947: Ms. DEGETTE.
 H.R. 949: Mrs. BEATTY, Mr. SHIMKUS, Mr. THOMPSON of California, and Ms. JUDY CHU of California.
 H.R. 959: Ms. ESHOO, Mr. YOUNG of Iowa, and Mr. DEFazio.
 H.R. 970: Ms. LEE and Mrs. BEATTY.
 H.R. 976: Mr. DELANEY.
 H.R. 989: Mr. MARINO.
 H.R. 990: Mr. MARINO.
 H.R. 1001: Mr. ENGEL.
 H.R. 1005: Mr. KING of New York.
 H.R. 1027: Mr. KHANNA, Mrs. BEATTY, and Mr. TONKO.
 H.R. 1031: Ms. JENKINS of Kansas and Mr. FRANCIS ROONEY of Florida.
 H.R. 1049: Mr. GARAMENDI.
 H.R. 1057: Mr. FASO, Mr. FITZPATRICK, Ms. JENKINS of Kansas, Mr. DONOVAN, Mr. YODER, Mr. ROSS, and Mr. DESAULNIER.
 H.R. 1072: Mr. MASSIE.
 H.R. 1090: Mr. RYAN of Ohio, Mr. LANCE, and Ms. SLAUGHTER.
 H.R. 1094: Mr. BISHOP of Georgia, Ms. VELÁZQUEZ, Ms. JAYAPAL, Ms. WASSERMAN SCHULTZ, Mr. AL GREEN of Texas, Mr. COHEN, Mrs. WATSON COLEMAN, Mr. EVANS, Ms. KAPTUR, and Mr. BUTTERFIELD.
 H.R. 1098: Mr. SMUCKER, Mr. BILIRAKIS, Mr. YOUNG of Alaska, Mr. ELLISON, and Ms. DELBENE.
 H.R. 1109: Mr. OLSON and Mr. MCKINLEY.
 H.R. 1121: Mr. BUCHANAN and Mr. BACON.
 H.R. 1136: Mr. STIVERS, Mr. THORNBERRY, Mr. MULLIN, and Mr. HUIZENGA.
 H.R. 1148: Mr. HARPER, Mr. JOYCE of Ohio, Mr. BARR, Mr. COLE, and Mr. POLIS.
 H.R. 1160: Ms. SHEA-PORTER.
 H.R. 1163: Ms. MICHELLE LUJAN GRISHAM of New Mexico and Mr. O'HALLERAN.
 H.R. 1164: Mr. DUNCAN of South Carolina, Mr. WEBER of Texas, Mr. GROTHMAN, Mrs. WALORSKI, Mr. COFFMAN, Mr. SESSIONS, Mr. FRANKS of Arizona, and Mr. MCKINLEY.
 H.R. 1179: Mr. FRANKS of Arizona, Mr. HOLLINGSWORTH, Mr. NUNES, Mr. SAM JOHNSON of Texas, Mr. COOK, Mr. CARTER of Texas, Mr. LOUDERMILK, Mr. KNIGHT, Mr. BLUM, Mr.

HARRIS, Mr. CHABOT, and Mr. ROGERS of Kentucky.
 H.R. 1206: Mr. YOUNG of Iowa, Mr. ALLEN, and Mr. SWALWELL of California.
 H.R. 1227: Mr. BLUMENAUER, Mr. YOUNG of Alaska, and Mr. AMASH.
 H.R. 1242: Mr. CONYERS, Mr. CLEAVER, Ms. SLAUGHTER, and Ms. JUDY CHU of California.
 H.R. 1243: Mrs. LOWEY, Mr. SWALWELL of California, Ms. ESHOO, Ms. MOORE, Mr. FITZPATRICK, Mr. MEEKS, Mr. GUTIÉRREZ, Ms. MCCOLLUM, and Ms. PINGREE.
 H.R. 1245: Mr. ELLISON, Mr. O'ROURKE, and Ms. GABBARD.
 H.R. 1251: Mr. MCGOVERN, Mr. YARMUTH, Mr. LANGEVIN, Mr. CUMMINGS, and Mr. MICHAEL F. DOYLE of Pennsylvania.
 H.R. 1257: Mrs. CAROLYN B. MALONEY of New York, and Mr. FOSTER.
 H.R. 1267: Mr. RUPPERSBERGER.
 H.R. 1281: Mr. LANCE, Mr. COSTELLO of Pennsylvania, Mr. ENGEL, Mr. MEEHAN, Mr. TONKO, Mr. PASCRELL, Mr. SEAN PATRICK MALONEY of New York, and Mr. CARTWRIGHT.
 H.R. 1287: Mr. PAYNE.
 H.R. 1291: Mr. DAVID SCOTT of Georgia.
 H.R. 1296: Mr. STIVERS.
 H.R. 1302: Mr. GARRETT and Mr. KEATING.
 H.R. 1304: Mr. MITCHELL.
 H.R. 1310: Mrs. NAPOLITANO.
 H.R. 1313: Ms. STEFANIK and Mr. MITCHELL.
 H.R. 1318: Ms. ROYBAL-ALLARD.
 H.R. 1328: Ms. SHEA-PORTER.
 H.R. 1329: Ms. SHEA-PORTER.
 H.R. 1339: Mr. CRAMER.
 H.R. 1341: Ms. SLAUGHTER and Mr. RENACCI.
 H.R. 1361: Ms. ESTY, Mr. KEATING, and Mr. POCAN.
 H.R. 1362: Mr. SABLAN, Ms. MCCOLLUM, Mr. CHABOT, Ms. GABBARD, and Mr. GRIJALVA.
 H.R. 1368: Mr. POLIS and Ms. JUDY CHU of California.
 H.R. 1372: Mr. DONOVAN.
 H.J. Res. 6: Mr. MARSHALL.
 H.J. Res. 9: Mr. DUNN.
 H.J. Res. 17: Mr. ROTHFUS and Mrs. WALORSKI.
 H.J. Res. 59: Mr. FERGUSON, Mr. TIBERI, and Mr. LUCAS.
 H.J. Res. 72: Mr. BANKS of Indiana and Mr. BRAT.
 H.J. Res. 73: Mr. FERGUSON, Mr. DESANTIS, Mr. CARTER of Georgia, and Mr. COLE.
 H.J. Res. 75: Ms. LEE and Mr. CLEAVER.
 H. Con. Res. 10: Mrs. WALORSKI.
 H. Con. Res. 13: Mr. MARSHALL, Mr. GRAVES of Missouri, and Mr. MITCHELL.
 H. Con. Res. 20: Ms. LOFGREN, Mr. SUOZZI, and Mr. CICILLINE.
 H. Res. 15: Mr. CORREA, Mr. SMITH of New Jersey, Mr. CUELLAR, Mr. SCHRADER, Ms.

LEE, Mr. KHANNA, Mr. DOGGETT, Mr. CARBAJAL, Ms. ROSEN, Mr. COURTNEY, Ms. HANABUSA, Mr. MCGOVERN, Mr. SCHNEIDER, Mr. CALVERT, Ms. GABBARD, Ms. SEWELL of Alabama, Mr. MACARTHUR, Mr. SCHIFF, Mr. DAVID SCOTT of Georgia, Mr. VISCLOSKEY, Mr. SOTO, Mr. JOYCE of Ohio, Mr. CROWLEY, Ms. DEGETTE, and Ms. ESHOO.
 H. Res. 30: Mr. KRISHNAMOORTHY, Mr. PASCRELL, Mr. MICHAEL F. DOYLE of Pennsylvania, Ms. HANABUSA, Mr. BACON, and Mr. PRICE of North Carolina.
 H. Res. 92: Mr. MEEHAN, Mr. COLLINS of New York, Mr. KHANNA, Mr. MCCAUL, Mr. KNIGHT, Mr. CICILLINE, Ms. KELLY of Illinois, Mr. HASTINGS, Miss GONZÁLEZ-COLÓN of Puerto Rico, Mr. TED LIEU of California, Mrs. BLACKBURN, Mr. JODY B. HICE of Georgia, Mr. BROWN of Maryland, Mr. RUSH, Mr. KEATING, and Mr. GALLAGHER.
 H. Res. 104: Mr. SWALWELL of California.
 H. Res. 124: Mr. WESTERMAN.
 H. Res. 128: Ms. MCCOLLUM, Ms. DEGETTE, Mr. NOLAN, and Mr. EMMER.
 H. Res. 132: Ms. LEE.
 H. Res. 135: Mr. COLLINS of New York and Mr. LIPINSKI.
 H. Res. 143: Ms. MAXINE WATERS of California.
 H. Res. 154: Mr. BUTTERFIELD and Ms. TSONGAS.
 H. Res. 162: Mr. SCOTT of Virginia and Mr. BARR.
 H. Res. 164: Ms. ROYBAL-ALLARD, Mrs. LAWRENCE, Mr. COFFMAN, Mrs. DAVIS of California, Ms. SHEA-PORTER, Mr. HASTINGS, and Mr. KEATING.
 H. Res. 165: Mr. GRIJALVA.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MRS. BLACK

The provisions that warranted a referral to the Committee on the Budget in H.R. 1301, the Department of Defense Appropriations Act, 2017, do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

EXTENSIONS OF REMARKS

PERSONAL EXPLANATION

HON. BOBBY L. RUSH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 2017

Mr. RUSH. Mr. Speaker, on March 7 through March 10, 2017, circumstances beyond my control necessitated my absence from the House and I, therefore, am requesting a leave of absence.

RECOGNIZING DONNA FIALA IN
HONOR OF WOMEN'S HISTORY
MONTH**HON. MARIO DIAZ-BALART**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 2017

Mr. DIAZ-BALART. Mr. Speaker, in honor of Women's History Month, I rise today to honor Donna Fiala. Her service as Collier County Commissioner has had major impact in Southwest Florida.

Upon moving to Collier County, Ms. Fiala got involved in her community right away. She joined the Naples Junior Woman's Club, the Marco Island Kiwanis Club, the Marco Island Chamber of Commerce, the Naples Press Club, and the Marco Island Historical Society. She now holds leadership positions in many of these organizations, and several others.

Ms. Fiala decided to run for the office of President of the East Naples Civic Association, where she worked to improve her community by adding picnic benches, a playground, a ball field, and outdoor lighting. Her experiences as President influenced her decision to run for Collier County Commissioner.

As Commissioner, Ms. Fiala has represented Collier County and the State of Florida for issues pertaining to the environment and safety in discussions with the National Association of Counties, and has served as chair of the Local Coordinating Board for the Transportation Disadvantaged, which works to increase access to transportation for those who are unable to drive.

In May of 2015, the Donna Fiala Community Center at Eagle Lakes Community Park opened in East Naples. This community center serves as a safe place for children and families to gather for events and various activities. Commissioner Fiala's commitment to helping children and adults live healthy lives has continued. She is currently working to expand the facilities at the park to include a swimming pool complex. This facility reflects her longtime interests in healthy living and improving the appearance of her community.

Commissioner Fiala's work has improved the lives of many in Collier County. The depth and breadth of her service is nothing short of

remarkable. Throughout my time in Congress representing Collier County, I've always found Commissioner Fiala to be a dedicated partner as we've worked for the betterment of the Southwest Florida community. I am lucky to be able to collaborate with such a hard working woman who cares so deeply about her community.

Mr. Speaker, I am privileged to know Commissioner Fiala and I greatly admire her service to Collier County. Donna is an exemplary example of a private citizen who has chosen to use her many talents in service of those around her. I ask my colleagues to join me in recognizing this remarkable individual.

RECOGNIZING THE HONOR FLIGHT
ON SEPTEMBER 11, 2016**HON. KEN BUCK**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 2017

Mr. BUCK. Mr. Speaker, in honor of America's heroic veterans, the Honor Flight Network conducts two annual Honor Flight ceremonies to Washington, D.C. to give our nation's heroes a day to visit and reflect at their war memorials. On September 11th of last year, Honor Flight Northern Colorado held its 17th Honor Flight that gave many of our courageous veterans this extraordinary opportunity. I am pleased to recognize the Honor Flight on September 11, 2016, honoring World War II, Korean War, and Vietnam War veterans of Northern Colorado.

Mr. Speaker, those who participated in this flight are as follows:

World War II: Fredric Arnold, Gene Bennett, C.H. Clark, Lillian Crosley, Raymond Dickey, Darwin Dixon, James Edmisten, Jimmie Godsey, Louis Hamman, Delbert Haynes, John Hess, Robert Horton, Dolores Kochheiser, Harry Maroncelli, Elmer McGinty, Frank Occhiuto, Robert Schueneman, Raymond Valadez, William VanBeber, William Way.

Korean War: Richard Bernhardt, Harold Bohm, Lee Boylan, George Brandt, Casper Brixius, James Comer Jr., Russell Daniels, Ralph Darrough, Ross DeBey, Garold Fox, S. Gilbert Garcia, Ronald Gillman, William Harrison, Virgil Hecker, Allan Hedberg, Dennis Lance, Gordon Leben, Albert Lowe, Jimmy Martin, Francis McKenna Jr., Ernest Medialdea, James Montgomery, Delmer Moss, James Petrie, William Pool, Carroll Quick, Robert Ray, Kennedy Roode, Al Schott, William Sherman, James Shuey, Donald Trettenero, Herbert Wenger, Eugene Ziehm.

Vietnam War: Roy Armstrong, Wilbur Boegli, Cary Bott, Thurman Bradley, Claude Buehrle, Robert Bullard, John Carpenter, Terrence Carroll, Robert Cofone, Larry Coldren, Paul Conley, Byron Daniels, Robert Davis, Mark

DeDecker, Michael Doherty, Gary Dorsey, Mark Drake, Dale Eggleston, Jerry Eldred, Gary Ellerman, Daniel Ferguson, William Fisher, Roy Friesen, Glenn Fulcher, Glenn Gaines, Jerry Graham, Paul Graves, Dwight Gutsche, Percy Hamilton II, Christopher Harris, Robert Hawkey, William Hellyer, Thomas James, Norman Kegeries, Michael Krier, LeRoy Lawson, Harold Lif, Peter Lister, Jimmy Lofink, William Margheim, Dallas Maurer, Kevin McGrath, Richard Miller Jr., David Naylor, Wesley Nelson, Richard Norris, Larry Perkins, Robert Randall, Danny Robinett, Robert Rutz, Robert Schrader, Billy Schwindt, Jackie Scott, David Sellers, David Shigley, Tommy Silva, Kenneth Skoglund, Darrell Smith, John Smith, Farrell Spencer, Edward Stephens, Stanley Suichta, Martin Trembl, Kerry Tyler, Linda Tyler, Daryl Vande Hoef, Thomas White, Terry Willert, John Young.

It is my distinct pleasure as the U.S. Representative of the 4th District of Colorado to recognize the honor, courage, and sacrifice of these heroes, along with all members of America's Armed Forces. I thank them for their dedication and service to this nation.

RECOGNIZING MALI GARDNER IN
HONOR OF WOMEN'S HISTORY
MONTH**HON. MARIO DIAZ-BALART**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 2017

Mr. DIAZ-BALART. Mr. Speaker, in recognition of Women's History Month, I rise today to honor Mali Gardner, a remarkable individual and public servant in Florida.

Ms. Gardner was first elected to the Clewiston City Commission in October of 1999 and was reelected in 2003, 2008, and 2012. Ms. Gardner's work extends far beyond her important role on the Clewiston City Commission. In 2001, Ms. Gardner was appointed Mayor of Clewiston, where she served until 2010, and was elected Mayor once again in December 2016. Her tireless efforts on behalf of the public led her to become part of Governor Rick Scott's Economic Development Transition Team, where she worked to extend economic opportunities to Floridians across the state.

Ms. Gardner's public service extends beyond her work on the Clewiston City Commission or her mayoral activities. Ms. Gardner is a Paul Harrison Fellow in the Clewiston Rotary Club. As a graduate of Clewiston High School, her commitment to the Clewiston community runs deep. Whether it is fighting for better schools or more economic opportunities for residents of Clewiston, it's a safe bet that Ms. Gardner is standing up for her constituents and neighbors.

I have been privileged to work with Mali in her capacity as mayor, and been impressed

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

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

time and again with her work ethic and devotion to her community.

Mr. Speaker, I am privileged to know Ms. Gardner and I greatly admire her service to the community. I have known Mali for many years, and she has consistently been among the most active, positive, and fore thinking individuals I have been privileged to work with. I ask my colleagues to join me in recognizing her and her achievements.

INTRODUCTION OF THE DOG AND CAT MEAT TRADE PROHIBITION ACT OF 2017

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 2017

Mr. HASTINGS. Mr. Speaker, I rise today to introduce the Dog and Cat Meat Prohibition Act of 2017, legislation that will prohibit the slaughter and trade of dogs and cats for human consumption in the United States. It might surprise you to learn that consumption of dogs and cats is still legal in 44 states in our nation, where there are no laws prohibiting the purchasing, shipping, transporting, selling, or donating of dogs or cats to be slaughtered for human consumption. This bill will prohibit these actions and impose penalties to ensure that individuals involved in the dog or cat meat trade are held accountable.

The United States' position on this cruel and brutal practice should be unequivocal: dogs and cats should not be killed in this country for the consumption of their meat. It is with utmost importance that the United States unifies animal cruelty laws in all 50 states and explicitly bans the killing of dogs and cats for human consumption.

Mr. Speaker, I hope this body will expeditiously pass this measure. Doing so will reaffirm America's commitment to the humane treatment of our most beloved companions.

RECOGNIZING PATRICIA ANDRADE IN HONOR OF WOMEN'S HISTORY MONTH

HON. MARIO DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 2017

Mr. DIAZ-BALART. Mr. Speaker, in recognition of Women's History Month, I rise today to honor Patricia Andrade, an activist and advocate for victims of Venezuela's oppressive regime.

Ms. Andrade has been recognized as a tireless advocate for Venezuelan exiles arriving in South Florida. After witnessing waves of Venezuelans fleeing persecution, Ms. Andrade founded the non-profit organization Venezuela Awareness. This organization has identified the needs of families fleeing persecution and worked to address them. This includes finding living arrangements, arranging for daily needs, and securing legal assistance.

One of the initiatives of Venezuela Awareness is called Raices Venezolanas, Ven-

ezuelan Roots. This program gives donated goods to displaced Venezuelan families. By involving other families, whether of Venezuelan origin or not, this initiative creates a sense of community involvement in these families' lives.

Currently, Ms. Andrade serves as Human Rights Director for Venezuela Awareness and issues annual reports detailing the human rights violations of the Venezuelan government. Her work on human rights abuses in Venezuela has been used by the Department of State, and her advocacy has allowed some cases to be presented to the Inter-American Commission for Human Rights and the Inter-American Court of Human Rights in Costa Rica. My office trusts her information and relies on her to keep us abreast of grave human rights violations under the Chavez and Maduro regimes.

Mr. Speaker, I am honored to know Ms. Andrade and to recognize her remarkable work for Venezuelan exiles and for the State of Florida. Her tireless advocacy on behalf of those without many resources is admirable and has made a real impact on many. I ask my colleagues to join me in recognizing this remarkable woman.

HONORING TERRY LYNCH

HON. PETER J. VISCLOSKEY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 2017

Mr. VISCLOSKEY. Mr. Speaker, it is with great pleasure that I take this time to honor my friend, Terry Lynch, and to wish him well upon his retirement from his position as Vice President of the Heat and Frost Insulators International. Mr. Lynch retired from his post at the end of 2016, and for his many years of service and expertise in the field, he is to be commended. Terry has devoted his life to the interests of men and women in the trades, and for his unwavering dedication, he is worthy of the highest praise.

Terry Lynch has served in numerous leadership roles throughout his illustrious career. In 1970, he began his apprenticeship with Asbestos Workers Local 17 in Chicago, Illinois, before receiving his journeyman card in 1974. In 1980, Terry was elected Vice President of Local 17, before being selected to serve as the union's Corresponding, Recording, and Financial Secretary in 1984. Terry served in this capacity until 1986 when he was elected Trustee for Local 17's health, welfare, pension, and annuity funds. He also served as chairman of those jointly trusted funds and for the joint apprenticeship training committee. In 1996, Mr. Lynch was chosen to serve as Business Manager of the Heat and Frost Insulators and Asbestos Workers Local 17. He was elected to the position from which he retired, International Vice President at Large, in September 2002. Moreover, Terry served the international union as Legislative and Political Director and Health Hazard Administrator.

Each and every day, Terry has cherished the honor and responsibility that comes with being an elected union leader. He has worked tirelessly to end the scourge of asbestos and to promote health initiatives to protect families

impacted by mesothelioma and other asbestos-related health conditions. Terry has supported mechanical insulation, creating additional work opportunities for his fellow union members. Mr. Lynch is also a member and past admiral of the Pirates, a group comprised of individuals from union labor and management in Northwest Indiana dedicated to helping children with Down syndrome. Terry is truly an asset to the industry and to the community, and his passion and steadfast dedication serve as an inspiration to us all.

Terry's commitment to the community and his career is exceeded only by his devotion to his amazing family. Terry and his loving wife of forty-seven years, Denise, have one son, Jason, and one grandson, Connor.

I am proud that Terry Lynch is my friend, and I cannot thank him enough for all that he has done for me over the years. I am even more grateful for what he has done for so many for so long, strangers and friends alike.

Mr. Speaker, I ask you and my other distinguished colleagues to join me in honoring Terry Lynch for his outstanding contributions to Local 17 and the Heat and Frost Insulators International, and to wish him well upon his retirement. For many years, Terry has displayed his unwavering loyalty to members of the insulator trades, and his numerous positions have provided him the opportunity to touch the lives of countless individuals.

IN HONOR OF DR. ANN K. SNYDER

HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 2017

Mr. BRADY of Texas. Mr. Speaker, today I rise to honor the life of a dedicated community leader and a dear friend, Dr. Ann Snyder.

Ann's knowledge, faith, and understanding have always been her guide, which may explain her numerous accolades. A committed public servant, Ann served as President and CEO of Interfaith of The Woodlands and the Interfaith Community Clinic for over a decade. Today, she serves on The Woodlands Township and Convention and Visitors Center boards, as well as numerous others.

Ann earned her Bachelor of Science degree in Education from Colorado State University, her Master of Education degree from the University of Missouri at Columbia, and her Doctorate in Curriculum and Instruction from Baylor University.

Her past service as Chair of The Woodlands Area Chamber of Commerce, President of The Woodlands Rotary Board, and President of the National Charity League Board, in addition to her work on the boards of the YMCA, Friends of the Library, Junior League, and The Woodlands Junior Golf Association, perfectly illustrates why she was named one of Houston's Most Influential Women in 2015.

Our future leaders hold a special place in Ann's heart. Whether they were students in her classes at the University of Houston, budding scientists participating in the Education for Tomorrow Alliance science fairs, students in the Conroe Independent School District where she served on the Board of Trustees,

and students at Lone Star College where she served on the facilities review committee. It is too numerous to name all the organizations Ann has helped faithfully guide.

A devoted member of The Woodlands United Methodist Church, Ann's many community honors include: Hometown Hero, Montgomery County Woman of Distinction, South Montgomery County Person of the Year, Citizen of the Year, Rotary International's Service-Above-Self Award, The Woodlands Paul Harris Award, Rotary Hall of Fame, and many more.

In 2013, the Conroe Independent School District ensured that future generations would know of her service by dedicating the Ann K. Snyder Elementary School. I am proud to recognize my friend and community hero, Ann Snyder, who continues to show us exactly what servant leadership should look like by striving to make our community a better place to call home.

75TH ANNIVERSARY OF THE
SEABEES

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 2017

Mr. VISCLOSKY. Mr. Speaker, it is with sincere appreciation and deep respect that I recognize the 75th Anniversary of the United States Navy's military construction force, the Seabees. For their contributions to our military and to countless individuals throughout the world, as well as their courage while facing danger head on, these brave and skilled service members are to be commended.

In December 1941, following the tragic events at Pearl Harbor, the United States Navy recognized the need for the presence of construction battalions on our nation's coasts. It was from this realization that the Seabees came to be. The earliest Seabees, who served under the Navy's Civil Engineer Corps, were recruited with an emphasis on their skills in the construction trades, but due to the dangerous situations they would encounter, these men, who averaged 37 years of age, also needed to be ready and able to fight.

Since World War II, the Seabees have put themselves in harm's way while performing construction projects to aid their fellow service members, as well as civilians affected by both war and natural disasters. In World War II alone, more than 325,000 Seabees served on six continents and were tasked with everything from the construction of airstrips, bridges, and roads to the building of hospitals, warehouses, and an incredible number of huts to house more than 1.5 million military members. During the Korean War, the Seabees were called upon to address a problem that was thought to be impossible. These skilled men managed to cut a mountain in half to make a runway at Cubi Point, located in the Philippines, while constructing a much-needed naval air station in the region. Throughout the war in Vietnam, the Seabees remained active in the construction of bridges, roads, and aircraft facilities while also providing much support to the people of Vietnam through the building of wells,

schools, hospitals, and utilities. They also shared their expert knowledge and skills to train the Vietnamese people toward self-sufficiency. Efforts to support construction needs for the military and in supporting those affected by war have continued throughout the Persian Gulf War as well as in Iraq and Afghanistan.

The Seabees have also been called upon time and time again to provide much needed assistance, both within our borders and beyond, during times of crisis and devastation. From Hurricane Camille in 1969, to Hurricane Katrina in 2005, to the 2010 and 2011 disastrous earthquakes and tsunami that rocked Haiti and Japan, and many times in between, the Seabees have courageously put themselves in danger while working on rescue and cleanup efforts, as well as the vast rebuilding needed in these dire situations. They have been instrumental in rebuilding roads, housing, and the critical ports that were required for humanitarian supplies to reach these countries. In many of these instances, without the skilled and dedicated efforts of the Seabees, the outcomes would have been much worse for many more people.

Mr. Speaker, at this time I ask that you and my other distinguished colleagues join me in honoring the many dedicated Seabees who have served our nation for the past 75 years. They represent an important part of the United States Military, and are a true example of unwavering patriotism. Let us never forget the service, sacrifice, and contributions they made and continue to make on behalf of our nation, their fellow service members, and those in need throughout the world.

RECOGNIZING ANTHONY FERRERI

HON. DANIEL M. DONOVAN, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 2017

Mr. DONOVAN. Mr. Speaker, I rise today to thank Anthony Ferreri for his enduring devotion to serving others in need.

A lifelong Staten Islander, Anthony has been at the forefront of providing quality hospital care. President and CEO of Staten Island University Hospital since 2003, he has overseen the hospital's growth with the addition of the Elizabeth A. Connelly Emergency and Trauma Center in 2009 and the Regina M. McGinn, MD Education Center in 2011. This dedication led Modem HealthCare Magazine to award Anthony its Community Leadership Award.

In 2013, after being named as Executive Director of the North Shore—LIJ Health System's Western Region, Anthony Ferreri was then appointed the Executive Vice President just two years later. With his new position came additional duties, as he also became the System's Chief Affiliation Officer and Regional Executive Director for Westchester County. His established track record of effective partnerships with area hospitals and medical centers made him an ideal choice for this position, at which he excelled.

Anthony has also proven himself a steadfast servant to his community. He has served nu-

merous nonprofit boards, among them the Friends of May Chang Foundation, New York Organ Donor Network, and the Snug Harbor Cultural Center. Furthermore, he is the Chairman of the Board of Staten Island's Moore Catholic High School. He has been recognized on multiple occasions for his community service. One such example is that he was only the 12th graduate of New Dorp High School to be inducted into its Hall of Fame. Moreover, he was also awarded the Ellis Island Medal of Honor by the National Ethnic Coalition of Organizations.

Mr. Speaker, Anthony Ferreri has spent his life serving his community and providing quality care to hospital patients. I thank him for his lifetime of work and I wish him the best in retirement.

RECOGNIZING NORTHWEST INDIANA'S
NEWLY NATURALIZED
CITIZENS

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 2017

Mr. VISCLOSKY. Mr. Speaker, it is with great pleasure and sincerity that I take this time to congratulate twenty-five individuals who will take their oaths of citizenship on Friday, March 10, 2017. This memorable occasion, presided over by Judge Philip P. Simon, will be held at the United States Courthouse and Federal Building in Hammond, Indiana.

America is a country founded by immigrants. From its beginning, settlers have come from countries around the world to the United States in search of better lives for their families. Oath ceremonies are a shining example of what is so great about the United States of America, that people from all over the world can come together and unite as members of a free, democratic nation. These individuals realize that nowhere else in the world offers a better opportunity for success than here in America.

On March 10, 2017, the following people, representing many nations throughout the world, will take their oaths of citizenship in Hammond, Indiana: Arturo Abel Diaz Pena, Lakshmi Sowmya Koppineedi, Abel Ruiz Romero, Pierre Remon Halteh, Dayanara Calix, Vanessa Yalen Cardenas, Carlos Alberto Uribe Schiaffino, Mohammad Abdelqader, Anna Broda-Stephens, Alicia Castaneda, Amilcar Chavez, Lupita Cortes, Nancy Nasilele Imasiku, Paulina Landeros Salazar, Mi Young Youn, Jay Joohyoung Lee, Xinyu Kevin Liu, Roberto Martinez, Ishaq Mohammed, Mercy Dickson Mtika-Nyirenda, Maria Pacheco, Antonia Roman, Luis Alberto Salas, Maria de Lourdes Sanchez de Flores, and Jacob James Yang.

Although each individual has sought to become a citizen of the United States for his or her own reasons, be it for education, occupation, or to offer their loved ones better lives, each is inspired by the fact that the United States of America is, as Abraham Lincoln described it, a country "... of the people, by the people, and for the people." They realize that the United States is truly a free nation. By

seeking American citizenship, they have made the decision that they want to live in a place where, as guaranteed by the First Amendment of the Constitution, they can practice religion as they choose, speak their minds without fear of punishment, and assemble in peaceful protest should they choose to do so.

Mr. Speaker, I respectfully ask you and my other distinguished colleagues to join me in congratulating these individuals who will become citizens of the United States of America on March 10, 2017. They, too, will be American citizens, and they, too, are guaranteed the inalienable rights to life, liberty, and the pursuit of happiness. We, as a free and democratic nation, congratulate them and welcome them.

HONORING THE CAREER OF MR. M. WAYNE HUTTON

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 2017

Mr. COSTA. Mr. Speaker, I rise today to honor the career of Mr. M. Wayne Hutton. After more than 30 years of serving in law enforcement, Mr. Hutton is retiring as Supervising District Attorney Investigator in Merced. Mr. Hutton's service to the community has earned him recognition among law enforcement officials throughout the San Joaquin Valley and California. He has undoubtedly paved a legacy in public service within our community.

Mr. Hutton's career is characterized by a strong work ethic and a passion for justice. Mr. Hutton began his law enforcement career as a Special Agent in the United States Air Force Office of Special Investigations. During his time as a Special Agent, Mr. Hutton was honored and awarded the Air Force Commendation Medal, four Achievement Medals, and the National Defense Medal. He then went on to serve as a Deputy Sheriff in the Merced County Sheriff's Department. He received a Sheriff's Commendation for implementing the first Citizen's Law Enforcement Academy as well as his display of tactical action during a suicide attempt by a citizen. Mr. Hutton also received recognition for his work in the area of domestic violence and was praised by the Senate of the State of California.

Mr. Hutton later served as an Investigator for the District Attorney in Merced County. During his tenure, Mr. Hutton has conducted numerous felony investigations and other high profile major white collar fraud cases. Due to his outstanding work, he was then promoted to Supervising Investigator. Mr. Hutton wrote the Policy and Procedures Manual for the Bureau of Investigation and conducted numerous embezzlement and white collar crime investigations, which included a case that involved a record \$1.4 million loss.

Mr. Hutton's decision to become an adjunct instructor at Merced College is another example of his devoted service to the community. Mr. Hutton taught the next generation of law enforcement the skills necessary to write reports and do complete criminal investigations.

He has instructed over 300 cadets in the State of California's Peace Officer Standards and Training approved Reserve Peace Officer Training Courses.

Many are saddened by Mr. Hutton's retirement, but his achievements and years of service will not be forgotten. He has been a part of the law enforcement community for 31 years, and it is my hope that his career will inspire others to follow in his footsteps.

Mr. Speaker, I urge my colleagues to join me in recognizing the career and achievement of Mr. M. Wayne Hutton. Mr. Hutton has proven to be an inspiring and hardworking individual for Merced County, and I am confident he will continue to demonstrate his passion for public service in the next chapter of his life.

HONORING JUSTICE ROBERT RUCKER

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 2017

Mr. VISCLOSKY. Mr. Speaker, it is with great respect and admiration that I take this time to honor a dear friend and one of Indiana's finest citizens, Indiana Supreme Court Justice Robert Rucker, and to wish him well upon his retirement. Throughout his many years of public service, Justice Rucker has worked tirelessly to improve the lives of his fellow Hoosiers. After nearly two decades on the Indiana Supreme Court, Justice Rucker will be retiring this spring. He has left an indelible mark as an outstanding public servant, and for this, he is worthy of the highest praise.

Justice Rucker grew up in Gary, Indiana, and graduated from Gary Roosevelt High School. Before embarking on his legal career, Justice Rucker, a decorated veteran of the United States Army, honorably served his country during the Vietnam War. He went on to receive a bachelor's degree from Indiana University in 1974 before completing the Juris Doctor at the Valparaiso University School of Law in 1976. A devoted legal scholar, Justice Rucker has also earned a Master of Laws degree in the judicial process from the University of Virginia School of Law.

In 1991, following many remarkable years of service to the Northwest Indiana community, Justice Rucker was appointed to the Indiana Court of Appeals by Governor Evan Bayh, becoming the first African American to serve on an Indiana appellate court. In 1999, he was appointed by Governor Frank O'Bannon to the Indiana Supreme Court. Throughout his illustrious judicial career, he has authored more than 1,200 civil and criminal opinions. He has served on numerous boards and committees including the Indiana Commission for Continuing Legal Education, Indiana Trial Lawyers Association, Northwest Indiana Legal Services Organization, and the Judicial Council of the National Bar Association.

Justice Rucker's colleagues could not hold him in higher esteem, stating that "His work stands as a powerful illustration of the guidance courts provide for the peaceful resolution of disputes encompassing nearly every facet of Hoosier life." They have said that what is

most admirable about him is his commitment to seek equality for all people. "He always had the courage and fortitude to protect the rights of all, regardless of their state in life. He has the ability to stand in the shoes of any person and understand their plight." For his lifetime of leadership and his truly inspiring career in public service, Justice Rucker is to be commended.

Mr. Speaker, I ask that you and my other distinguished colleagues join me in honoring an outstanding servant of the public for his lifetime of service to the people of Indiana and to wish him well upon his retirement. His continuous effort to improve the quality of life for all Hoosiers is truly admirable, and we have been blessed to have had his presence in the judiciary for so long. Justice Rucker's legacy will endure as a source of pride for the First Congressional District, and his selfless service is to be emulated and admired.

PERSONAL EXPLANATION

HON. RYAN A. COSTELLO

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 2017

Mr. COSTELLO of Pennsylvania. Mr. Speaker, unfortunately, on March 1, 2017, I missed one recorded vote on the House floor. Had I been present, I would have voted YEA on Roll Call 121.

RECOGNIZING PURDUE UNIVERSITY NORTHWEST

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 2017

Mr. VISCLOSKY. Mr. Speaker, it is with great pleasure that I take this time to recognize Purdue University Northwest as the college celebrates the first anniversary of Founders Day, which took place on March 6, 2017. The successful unification of two college campuses into a single university led to the creation of Purdue University Northwest, which is one of the first educational mergers in Indiana. The merger creates more choices for students, promotes a regional identity, and contributes to economic development in Northwest Indiana.

In recognition of this day, we honor and commend the outstanding contributions Purdue University Northwest has made to the community of Northwest Indiana and beyond. A comprehensive regional university, Purdue Northwest offers award winning undergraduate and master's degree programs, a nursing practice doctorate, a full athletic program, student housing, international student programs, and innovative research centers and institutes. These programs have been a tremendous benefit to the local community through the fostering of a culture of innovation, which is so crucial in today's ever-changing economy.

During World War II, technical classes were offered to region plant workers, which was part of a national defense training program.

Purdue decided to continue to offer courses in Northwest Indiana after the war ended, and in 1946, classes were held at various locations throughout the area. Over time, two campuses emerged, with some 77,000 degrees earned by graduates.

Currently, Purdue Northwest offers more than seventy state-of-the-art programs to approximately 13,350 students. Additionally, innovative and passionate staff, faculty, department heads, and leadership, including former chancellors and the current chancellor, Dr. Thomas L. Keon, are held in the highest esteem for their unwavering dedication, which has contributed to the success of Purdue University Northwest. Their expertise in the field of education has been a remarkable asset to the region, and their tireless efforts have enhanced the lives of Purdue University Northwest's many students and alumni.

Mr. Speaker, I ask that you and my other distinguished colleagues join me in honoring and congratulating Purdue University Northwest on the first anniversary of Founders Day. The merger has improved educational opportunities for the institution's current students and will positively impact the lives of countless scholars for years to come.

CELEBRATING MARIACHI AZUL Y PLATA'S STATE CHAMPIONSHIP WIN

HON. FILEMON VELA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 2017

Mr. VELA. Mr. Speaker, I rise today to recognize Mariachi Azul Y Plata of the Ben Bolt Palito Blanco Independent School District for recently winning its second consecutive state mariachi championship in Class 2A.

Ben Bolt High School and the people of South Texas are proud of the musicians of Mariachi Azul Y Plata for their hard work and impressive talent. This accomplishment is a testament to the dedication of these young men and women. Through their state title, Ben Bolt has set the bar for generations of high school mariachi musicians to come.

The mariachi band is composed of 23 students, who jointly participated in auditions against other schools to attend the competition. Azul Y Plata excelled in their division and they continue to embrace the Mariachi culture and keep our Hispanic heritage alive.

Congratulations again to the Palito Blanco High School Mariachi band in Ben Bolt for their tremendous achievement.

HONORING CONNERSVILLE HIGH SCHOOL SPARTANS BOYS VARSITY BASKETBALL TEAM

HON. LUKE MESSER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 2017

Mr. MESSER. Mr. Speaker, I rise today to honor Connerville High School on its 2017 IHSA Class 4A Sectional 9 championship in boys' basketball.

The Spartans faced off against the New Castle Trojans, with a standing room only crowd watching, at historic New Castle Fieldhouse, the world's largest high school gymnasium.

I am proud of these young men for not only their remarkable win, but also for the Hoosier sportsmanship that they displayed throughout this exciting season. I want to commend Coach Kerry Brown as well as all of the assistant coaches who led these young men to victory.

Congrats, Spartans.

TRIBUTE TO D.M. MILLER

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 2017

Mr. DUNCAN of Tennessee. Mr. Speaker, one of the finest men I have ever known, Mr. D.M. Miller, was the subject of a lengthy article in the Knoxville News-Sentinel.

The article told of his 48 years in education in my hometown of Knoxville, Tennessee.

Mr. Miller touched thousands of lives in good and positive ways during his career as a teacher, coach, principal, administrator, and school board member.

This country is in a better place today because of the life and service of D.M. Miller.

I include in the RECORD, the story about Mr. Miller in the Knoxville News-Sentinel from March 2, 2017.

[From The Knoxville News-Sentinel, Mar. 2, 2017]

(By Rebecca D. Williams)

You might say D.M. Miller of Knoxville, 91, a longtime educator and coach, was in school most of his life.

"I remember seeing my first basketball game, at South Harriman School, where my aunt was playing. I was 6 or 7 years old," he said.

"I was born in Roane County on Oct. 22, 1925. My parents were Ben and Stella Schubert Miller. My dad had a fourth-grade education and my mom had a fifth," he said.

By the time he was 10, the family moved to Knoxville and lived in Lonsdale. "This was during the (Great) Depression, and everybody was poor. My dad was a machinist, a motor mechanic, an electrician and a carpenter. He was without work at times," Miller said.

When he was a student at Lonsdale Elementary School, Miller remembers the marching band from Rule High School going on "strike," and marching around Lonsdale, to protest the fact that Rule only had 10 grades. The kids wanted 12 grades so they wouldn't have to walk to Knox High School, Miller said.

Rule High School had 12 grades by the time Miller got there. He lettered in basketball, track and baseball, and was captain of the football team and vice president of his senior class in 1944. Shortly after graduation, Miller joined the U.S. Navy, during World War II.

"Everybody wanted to join up," he said. "My mom wouldn't let me drop out of high school to go in. I graduated from Rule High School on a Friday and went right in the Navy, a boatswain's mate."

Miller served on the U.S.S. Gosper, an amphibious invasion and casualty evacuation

ship in the Pacific. The ship was part of the Okinawa invasion. "There were four of us boys from Rule High School over there, and two of them got killed at Okinawa. We thought we were going to invade Japan, but thank goodness (the U.S. dropped the atomic bomb) and the war ended," he said.

"Then, they sent us to Corregidor (Philippines), and we picked up 2,700 American, Canadian and British prisoners of war. None of them weighed a hundred pounds. They were skeletons," he remembered.

After the war, Miller returned to Tennessee and enrolled in Maryville College on the G.I. Bill, where he played football and majored in education. "All the veterans had come back from the war, and we had a pretty good ball club," he said. "I played on an undefeated team and in the Tangerine Bowl, a forerunner of the Citrus Bowl, in 1946."

As a senior, he met Viola "Vi" Marshall, at a dance. "I saw her dancing and cut in," he said. "We started going together and got married June 2, 1952."

In 1950, Miller was hired back at his alma mater, Rule High School, as an assistant coach of several sports and teacher of math, science and health. He eventually became the head football coach of the "Golden Bears."

When the drafting teacher died unexpectedly on a Friday, Miller was asked to take over his class. He had only had one class in drafting in high school. "I studied all weekend to get ready," he said. "I taught on Monday."

Miller went back to the University of Tennessee at night for a master's degree in administration and became assistant principal of Rule High School for four years, and then principal from 1965 through 1975. It was a time of racial integration of the schools.

"We had on one side of us Lonsdale Homes, and on the other side was College Homes. And in between there was Western Heights, the largest low-income housing project in the area. So we started integrating in 1970. I enrolled 1,625 kids in a school that would hold 1,000. Eight hundred were black. We had the Black Panthers on campus; we had to run them out. It was not easy. I broke up the first fight," he said.

Discipline back then involved a "long paddle," Miller said. "Our kids were used to it. Mamas would call me and say, 'Handle it.' You have to be fair and firm and consistent. There's no in-between," he said.

After being principal, Miller was asked to work in the Knoxville City Schools administration building as the administrative assistant to the superintendent. He also served on the control board of the Tennessee Secondary School Athletic Association for nine years, during which time he helped TSSAA build an office in Hermitage, reclassify schools, and implement Title IX. He was inducted into its Hall of Fame as an administrator in 1994.

Miller retired after almost 35 years in the city school system, and was elected to the Knoxville City School Board in 1986. The city and county schools merged in 1987, and Miller was elected to the consolidated board for his second term. "I'm the only man to have served on both," he said.

The Millers had three children, a daughter in 1952, and two sons. Even though he was an educator, Miller's daughter could not go to public schools.

"Our daughter, Elizabeth, we call her Libby, was born handicapped. They told us we should put her in an institution. We just couldn't bear to let her go, so we raised her."

"The (Individuals with Disabilities Education Act) hadn't come into effect yet. So

she never had any education. We couldn't get her in a regular school. Her speech was a problem. We had her at every speech clinic, and we had her to doctor after doctor, but she never went to school," he said.

Libby Miller is 64 today. She lives with the Millers and attends the Sertoma Center each day for adults with intellectual disabilities.

In retirement, Miller has been very active in his church, New Hope Presbyterian. And Miller still keeps in touch with other students from Rule High School, which closed in 1991. In 2015, the Rule Alumni honored Miller with a "Greatest Among Us" Award.

"I counted it up one time, and I've been in education about 48 years," he said. "Given my mom and dad's education, it's a miracle.

**HONORING 2016 "MR. AMIGO"
FERNANDO LANDEROS VERDUGO**

HON. FILEMON VELA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 2017

Mr. VELA. Mr. Speaker, I rise today to recognize the Charro Days Fiesta and commend the 2016 "Mr. Amigo," chosen by the Mr. Amigo Association of Brownsville, Texas, and Matamoros, Tamaulipas, in Mexico.

Fernando Landeros Verdugo is a caring philanthropist and founder of the Fundación Teletón. His institution's efforts have united both Latin America and the U.S. over the last 20 years with the purpose of providing opportunities to children with disabilities and their families. His hard work has gained him the admiration of many, and he is an excellent choice to represent the spirit of friendship.

First awarded in 1964, the title of "Mr. Amigo" is an annual tribute to an outstanding Mexican citizen who has made a lasting contribution during the previous year to international solidarity and goodwill. "Mr. Amigo" acts as an ambassador between the United States and Mexico and presides over the annual Charro Days Fiesta.

Charro Days dates back to 1937, when the citizens of Brownsville organized the event in the midst of the Great Depression to celebrate the cultural heritage shared between Brownsville and its sister city across the Rio Grande, Matamoros. The first Charro Days celebration featured a parade with horse-drawn floats and participants dressed in traditional Mexican costumes reminiscent of charros, or Mexican cowboys.

From these humble beginnings, Charro Days has evolved into a multi-day event, which includes dances, fiestas, a children's parade, and the Grand International Parade. Thousands of participants from both sides of the border celebrate these traditions each year.

The 80th annual Charro Days celebration commenced on February 19th, with a grito, or celebratory yell, and on February 25th, the Mayor of Brownsville and the Mayor of Matamoros met at the Gateway International Bridge to extend their hands across the border, symbolizing the friendship between the two cities.

Mr. Speaker, thank you for the opportunity to honor the Charro Days Fiesta and for joining me in recognizing the importance of this annual celebration, which continues to

strengthen the relationship between Brownsville and Matamoros, and the bonds between the United States and Mexico.

HONORING GREENSBURG COMMUNITY HIGH SCHOOL PIRATES BOYS VARSITY BASKETBALL TEAM

HON. LUKE MESSER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 2017

Mr. MESSER. Mr. Speaker, I rise today to honor Greensburg Community High School on its 2017 IHSAA Class 3A Sectional 29 championship in boys' basketball.

The Pirates faced off against the Lawrenceburg Tigers on their home court and defeated them 55-41.

I am proud of these young men for not only their remarkable win, but also for the Hoosier sportsmanship that they displayed throughout this exciting season. I want to commend Coach Stacy Meyer as well as all of the assistant coaches who led these young men to victory.

Congrats, Pirates.

TRIBUTE TO MICHAEL BALISTRIERE

HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 2017

Ms. MOORE. Mr. Speaker, I rise today to recognize Michael "Mike" Balistriere who is retiring from Milwaukee Area Labor Council on March 17, 2017. Mike is a labor leader, veteran, father and advocate.

Mike Balistriere has been a proud union member since 1969 when he began his career at Evinrude Motors. Mike served in Vietnam as a United States Marine from 1969-1971 and returned to Evinrude after his service. He became an active member with the United Steelworkers (USW) Local 1302, while at Evinrude and was elected Chief Steward in 1974 and served on the bargaining committee for 15 years. As a member of USW Local 1302, Mike served on a variety of committees at the behest of his union.

Mr. Balistriere was called upon by his International Union to help with the Firestone/Bridgestone strike as part of a statewide committee. The United Steelworkers won that hard fought fight benefiting the workers which led to the merger of the United Steelworkers and Rubber Workers. In 1997, Mike left Evinrude to assume the position of Community Service Liaison at the United Way of Greater Milwaukee and later for the Milwaukee Area Labor Council.

In his position as Community Service Liaison, Mr. Balistriere has served as a member of the AFL-CIO Union Veterans Council, Co-Founder of the Veterans Community Relations Team, and Treasurer for the War Memorial Board. Further, he worked closely with the HIRE Center, Wisconsin Election Protection,

and chaired the St. Bens Annual Cook Out for the Milwaukee Area Labor Council, United Way of Greater Milwaukee and Waukesha County for the past 10 years.

Some of Mike's notable achievements include preventing the hostile takeover of the Milwaukee County War Memorial, moving the statue of General MacArthur to the lakefront, meeting with the Japanese, Korean, Australian, and the Philippines consulates in Chicago about the Gen. MacArthur Memorial Lakefront Event. One of Mike Balistriere's proudest moments was to lead the recitation of the Pledge of Allegiance before President Barack Obama speeches at both the Bradley Center and Laborfest.

I am grateful to have had the opportunity to know Mike Balistriere and work with him for many years on labor issues, veterans' issues and voting rights. I join with friends and his wife, Cindy and children Rebecca, Michael Jr., Sarah, and Nathan to congratulate him as he transitions into a different phase of his life.

Mr. Speaker, I am proud to honor Mike Balistriere and to call him friend. The citizens of the Fourth Congressional District and the State of Wisconsin are privileged to have someone of ability and dedicated service working on their behalf for so many years. I thank him for all that he has done. I am honored for these reasons to pay tribute to Mike Balistriere.

CELEBRATING THE 50TH ANNIVERSARY OF OLMITO WATER SUPPLY CORPORATION, INC.

HON. FILEMON VELA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 2017

Mr. VELA. Mr. Speaker, I rise today to honor Olmito Water Supply Corporation, Inc. on their 50th year of service.

Olmito Water Supply Corporation (WSC) was certified as a non-profit in 1967 and is located in Cameron County. For 50 years, the leadership of its Board of Directors and dedication of its employees has brought vital services to the region. Since its foundation, the corporation has provided safe tap water and sanitary sewer service to the rural community of Olmito, Texas.

Today, Olmito WSC has established 2,175 water connections that serve over 8,000 'colonias' residents. Colonias are unincorporated settlements along the U.S.-Mexico border that lack living necessities such as potable water, sewer systems, electricity, paved roads, and sanitary housing. The corporation's ability to provide clean water and sanitary sewer service has raised the quality of life for residents, and has laid the infrastructure for the creation of new subdivisions and commercial establishments in the area.

The Olmito Water Supply Corporation has made a lasting, positive impact on our community, and it will continue to play a critical role in the improvement of South Texas. I rise today to congratulate the Olmito Water Supply Corporation as it celebrates 50 years of success.

HONORING DR. LESTER TENNEY

HON. DARRELL E. ISSA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 2017

Mr. ISSA. Mr. Speaker, I rise today to honor Dr. Lester Irwin Tenney of Carlsbad, California, who recently passed away on February 24, 2017 at the age of 96. I am proud to recognize his memory as his Congressman and admire his life's work to strengthen ties with our allies in Japan.

Dr. Tenney served our nation during World War II on the 192nd Tank Battalion in the Philippines. Immediately following the attack on Pearl Harbor, his battalion continuously fought against the Japanese assault until his commanders surrendered on April 9, 1942. He became a Prisoner of War and survived the infamous Bataan Death March, while thousands of his American and Filipino counterparts perished. He was then forced to work in a Japanese coal mine until the conclusion of the war. Upon returning to the U.S., Dr. Tenney studied business at San Diego State University, taught finance at Arizona State University, and started his own financial planning firm.

After publishing his memoirs documenting the atrocities he experienced as a POW, Dr. Tenney made it his mission to forgive his captors and establish friendships with Japanese citizens. As national commander of the Defenders of Bataan and Corregidor, he met the Japanese Ambassador to the United States, Ichiro Fujisaki, and arranged for a public apology on behalf of Japan to the surviving POWs. He also worked with the Japanese government to establish the U.S.-Japan POW Friendship Program, which allows former POWs and their families to visit Japan annually. Finally, Dr. Tenney received a personal apology from Japanese Prime Minister Shinzo Abe in 2015 and just last month received a letter of apology from Mitsubishi Materials Corporation, one of the companies that profited from POW labor at the time. I have been fortunate enough to know Dr. Tenney. His courage and tenacity are an inspiration to all, and his moving story demonstrates how much impact one person can have on world affairs.

Dr. Tenney's legacy is admirable and his impressive achievements in U.S.-Japan relations will be remembered for years to come. He is survived by his wife, Betty, and his son, two stepsons, seven grandchildren, and two great-grandchildren. I extend my condolences to his family in this difficult time.

HONORING NORTHEASTERN HIGH SCHOOL KNIGHTS BOYS VARSITY BASKETBALL TEAM

HON. LUKE MESSER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 2017

Mr. MESSER. Mr. Speaker, I rise today to honor Northeastern High School on its 2017 IHSA Class 2A Sectional 41 championship in boys' basketball.

The Knights faced off against the Union County Patriots, defeating them 54-41.

I am proud of these young men for not only their remarkable win, but also for the Hoosier sportsmanship that they displayed throughout this exciting season. I want to commend Coach Brent Ross as well as all of the assistant coaches who led these young men to victory.

Congrats, Knights.

HONORING THE LIFELONG CONTRIBUTIONS OF PAUL KALINIAN

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 2017

Mr. COSTA. Mr. Speaker, I rise today to honor and pay tribute to Fresno Paul Kalinian, a philanthropic and award winning filmmaker known especially for his documentary on Armenian-American William Saroyan.

Paul Kalinian was born in Beirut, Lebanon on February 14, 1932, but spent the majority of his childhood in Damascus, Syria. At age 14, he discovered his passion for photography and began learning the skill at the Photo Gulbenk Studio in Damascus. Four years later, he returned to Beirut, opening his first photography studio, Photo Paul in 1961. In 1964, he moved to Canada, then to the United States to further pursue a future in photography and filmmaking. Attending the New York Institute of Photography, Paul received degrees in Photography and Motion Picture Production in 1967. That same year, he returned to Beirut to marry his longtime sweetheart, Araxie Deuvletian. They immigrated to the United States and were blessed with twins: a son Harold and a daughter Susie, making Fresno, California their permanent home, the birthplace of his childhood hero William Saroyan.

In 1972, Paul opened his second studio, Paul's Photography Studio, in Fresno, California. Throughout the years, he photographed countless people from all walks of life, from politicians and generals, to models, musicians and clergy leaders. His works have been published in over a dozen books, and numerous newspapers and magazines, and have been displayed in over a dozen different locations such as government buildings, museums, schools and libraries.

Aside from having a passion for photography, Paul had a dream of one day being able to photograph internationally renowned Armenian-American Pulitzer Prize and Oscar winner, William Saroyan. After 12 years of chasing this dream, Paul was finally able to capture portraits of the famous writer and playwright on March 26, 1976. One such characteristic portrait was selected by the United States and Soviet Union Postal Services, among 400 other photographs, to be used for their Commemorative Postal Stamps. This was the first time in history that an individual was selected as a humanitarian symbol of peace and friendship between two superpower nations. First-day-issue ceremonies took place simultaneously on May 22, 1991 in Fresno, California and in Yerevan, Armenia.

After William Saroyan's death in 1981, Paul created a 22 minute presentation of Saroyan's

portraits, along with his narration "How I shot Saroyan," which was shown over 100 times in various cities, and televised on public stations. In light of the positive response, Paul and his daughter, Dr. Susie Kalinian, decided to collaborate and create a documentary film about Saroyan's life and works, narrated by another famous Fresnoan whom Kalinian admires and respects, television and motion picture star, actor Mike Connors. Entitled William Saroyan; The Man The Writer, the film was written and directed by Paul and produced by his daughter. It is a symbol of Paul's admiration for Saroyan as one of the greatest writers of our time. The film was created to preserve and present Saroyan's works, recognize his dual cultural heritage, and spread his message of peace and hope around the world. The film, a labor of love, won numerous awards of recognition, including six international film festival awards and a Gold Award for Best Documentary Film among 12 competing nations. The film premiered on April 9, 1991 in Fresno at the William Saroyan Theatre. Today, over one million people have seen the film in more than 60 cities in 19 countries around the world. This film not only pays tribute to Saroyan, but pays tribute to Armenians and Fresno, California.

Mr. Speaker, today I ask my colleagues to join me in celebrating a man who has dedicated his life to preserving American and Armenian culture through the art of photography and film. It is both fitting and appropriate that we recognize Paul Kalinian for his educational and philanthropic contributions to his community, his country, and our world. I join Paul's family in wishing him health and happiness for years to come.

HONORING SOUTH RIPLEY RAIDERS BOYS VARSITY BASKETBALL TEAM

HON. LUKE MESSER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 2017

Mr. MESSER. Mr. Speaker, I rise today to honor South Ripley High School on its 2017 IHSA Class 2A Sectional 45 championship in boys' basketball.

The Raiders faced off against the Milan Indians, defeating them 47-42.

I am proud of these young men for not only their remarkable win, but also for the Hoosier sportsmanship that they displayed throughout this exciting season. I want to commend Coach Travis Wrightsman as well as all of the assistant coaches who led these young men to victory.

Congrats, Raiders.

COMMEMORATING THE TENTH AN-
NIVERSARY OF
PUBLIC.RESOURCE.ORG

HON. DARRELL E. ISSA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 2017

Mr. ISSA. Mr. Speaker, I rise today in recognition of the tenth anniversary of Public.Resource.Org, a nonprofit organization promoting openness and transparency in all three branches of the federal government.

In the past decade, organizations like Public Resource have been instrumental in utilizing modern technology and the Internet as vehicles to make the proceedings and reports of the House of Representatives readily available to the general public. While I served as Chairman of the Committee on Oversight and Government Reform, our staff worked with Public Resource to upload a video archive of all its proceedings to the Internet and used official transcripts to add closed captioning to our hearings. In addition to the Oversight Committee, their team uploaded over 3,000 hearings from all committees to the Internet Archive, particularly documenting activity in the House from 2005 through 2011.

In the Judicial Branch, Public Resource published all the historical opinions of the U.S. Court of Appeals and millions of pages of briefs from significant judicial opinions. They also worked with numerous executive agencies, including the Department of Defense, the Archivist of the United States, the National Technical Information Service, and the Internal Revenue Service to post thousands of government videos and upload over 9 million tax documents of nonprofit organizations for the public record.

As the organization celebrates this milestone, I would like to congratulate Public Resource for its service to Congress and the ongoing effort to provide American citizens with the tools they need to scrutinize the activities of the federal government.

FINDLAY NAMED TOP
MICROPOLITAN COMMUNITY IN
THE UNITED STATES

HON. ROBERT E. LATTA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 2017

Mr. LATTA. Mr. Speaker, I would like to recognize the City of Findlay, Ohio for being named a 2016 Top Micropolitan Community in

the United States. This is the third year in a row that Findlay has been selected by Site Selection magazine for this honor.

Site Selection ranks micropolitan areas, which have populations ranging between 10,000 and 50,000, by evaluating different sets of criteria for opportunities to provide proven sustainable success. Findlay, once again, ranked highest out of these cities with 22 projects that secure and grow the local economic growth of the community.

Findlay has made quite a name for itself by focusing their efforts on steady economic development. Site Selection has deemed this the "Findlay Formula," the building of strong, reliable partnerships from the local government arena to both business and nonprofit organizations.

Mr. Speaker, the success in Findlay is a testament to the strong leadership and tight-knit community that exists in Hancock County. I'm excited about potential future development and the benefits it will bring to residents and businesses that are proud to call Findlay home. Congratulations once again to the City of Findlay for being named a top Micropolitan community.

HONORING HAUSER HIGH SCHOOL
JETS BOYS VARSITY BASKET-
BALL TEAM

HON. LUKE MESSER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 2017

Mr. MESSER. Mr. Speaker, I rise today to honor Hauser High School on its 2017 IHSAA Class 1A Sectional 60 championship in boys' basketball.

The Jets faced off against the Oldenburg Academy Twisters, defeating them 64-61.

I am proud of these young men for not only their remarkable win, but also for the Hoosier sportsmanship that they displayed throughout this exciting season. I want to commend Coach Bob Nobbe as well as all of the assistant coaches who led these young men to victory.

Congrats, Jets.

HONORING PACKANACK LAKE FIRE
COMPANY

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 2017

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor the 75th Anniversary of the

Packanack Lake Fire Company No. 5, located in Wayne, New Jersey.

Beginning in 1942, during the midst of World War II, the Packanack Lake community of 500 homes at the time was very concerned about the threat of attacks from the Axis powers. Six residents found the need for a local fire department in order to provide protection to the community. The residents applied for use of Civil Defense equipment. With great effort, they were organized as a civil defense unit and equipment was allocated. Funds were later loaned in order to purchase a truck from a nearby fire company in Mountain View, New Jersey. Over the years two more trucks were added; increasing the capabilities of the fire company. In 1946, the state of New Jersey passed legislation that officially recognized the Packanack Lake Fire and Emergency Squad as a fire company, and allowed Wayne Township to allocate extra funds to the emergency squad. After several expansions of the emergency squad, the need for a fire house emerged. Property was donated by Packanack Homes and a two story fire house was built by the volunteer firefighters themselves. Materials were gathered from nearby demolished buildings and construction was complete by 1948. While construction was nearing completion the spouses of the volunteers formed the Packanack Lake Ladies Auxiliary who dedicated their time raising funds and supporting the fire company. And, the Auxiliary remains very active today!

Today, the fire company is a prominent entity in Packanack Lake. Membership has never been higher and they are now equipped with four trucks and one heavy rescue truck. With over 700 calls a year the fire company is always utilizing these resources to the best of their abilities. From six residents who saw the necessity to protect their community, grew a fine fire company who still supports and protects their community.

Like all fire companies, the Packanack Lake Company is more than fighting fires. From serving as a safe haven during natural disasters, floods in particular, the first to respond to home emergencies, and to functioning as a social hub for the community to connect with one another, I commend Company #5 for its distinguished 75 years and its support of the four other Wayne companies and their mutual aid to neighboring towns.

Mr. Speaker, I ask that you and our colleagues join me in congratulating Packanack Lake Fire and Emergency Squad No. 5 on the occasion of its 75th Anniversary.

SENATE—Wednesday, March 8, 2017

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

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

Let us pray.

O Eternal God, who rules the raging of the sea, You are our guardian and friend. Place Your arms of protection and wisdom around our lawmakers, shielding them from life's pitfalls and using them for Your glory. Lord, be their refuge and strength, a very present help in trouble. May they rejoice because of Your mercies, serving You with grateful hearts. Turn the night of their distress into the morning of Your hope, causing them to wait patiently for the unfolding of Your loving providence. May they feel Your everlasting arms beneath them and find peace in Your presence.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

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

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. PAUL). The majority leader is recognized.

CONGRATULATING THE NKU NORSE MEN'S BASKETBALL TEAM

Mr. McCONNELL. Mr. President, I wish to start by taking a moment to congratulate the men's basketball team of Northern Kentucky University for an impressive accomplishment.

My home State of Kentucky is without a doubt known for college basketball, and now we have another reason to be proud. With last night's win, the NKU Norse secured the Horizon League championship and earned a ticket to the NCAA Tournament. With their recent entrance into Division I play, this is the first year the Norse have been eligible for a spot in the tournament, and their season of hard work has paid off.

I would like to congratulate the team, Head Coach John Brannen, and the entire program, and I look forward to watching them continue their incredible season.

CONGRESSIONAL REVIEW ACT RESOLUTIONS

Mr. McCONNELL. Mr. President, the passage of the Every Student Succeeds Act was one of the great triumphs of the last Congress. It represented the most significant education reform in over a decade. It heralded "the largest devolution of federal control to the states in a quarter-century," as the Wall Street Journal put it, empowering parents, teachers, and schools at the expense of Washington bureaucrats. It passed the Senate with wide bipartisan support, 85 to 12; President Obama signed it into law.

Yet just a few months later, his administration set to shift power back from parents and schools to the Washington bureaucracy by regulation. The Obama administration's so-called accountability regulation was written in direct—direct—contradiction to the law that passed Congress with overwhelming bipartisan support and is a prime example of the Executive overreach we in Congress are working to overturn.

Today, however, thanks to the Congressional Review Act, we have the opportunity to move past this overreaching regulation and empower those closest to our kids once again to ensure our schools are held to the highest standards.

We will also have the opportunity to move past another Obama-era regulation that hurts students and those seeking to go into the teaching profession. I am talking about a regulation that allows the Federal Government to insert itself into the way States choose to prepare their teachers for the classroom. States are supposed to be the leaders on core curriculum and decisions on how to prepare teachers to best meet the needs of their students—not Washington bureaucrats. By repealing this regulation, we could help restore that process. Further, this regulation increases administrative burdens that only divert much needed resources and focus away from students.

As the Kentucky Association of Colleges for Teacher Education put it, voting to remove the harmful teacher preparation regulation "will allow Kentucky universities and colleges to continue developing and supporting outstanding teachers who positively impact P-12 children."

"Teacher preparation programs have limited and shrinking resources," the letter said. "[Our] members want to spend those resources on developing exemplary teachers rather than working on compliance regulations that have not been shown to result in better prepared and higher quality teachers."

That is from the Kentucky Association of Colleges for Teacher Education.

Groups like this know firsthand that more flexibility is the key to improving our schools. They know that those closest to students are best positioned to help our children succeed. They know that the one-size-fits-all education policies of the past are unsustainable for the future. So it is time to move past both of these harmful education regulations.

In particular, I want to recognize Senator SASSE and Senator ALEXANDER, the HELP Committee chairman, for their leadership on these issues. They introduced legislation similar to the House-passed proposals that we will vote on this week to overturn these unfair regulations.

I encourage colleagues to support both CRA resolutions so that we can continue building upon educational policies that put America's students and educators first.

REPUBLICAN HEALTHCARE BILL

Mr. McCONNELL. Mr. President, just before the election, CNN ran an article with the following headline. This is CNN: "Is ObamaCare really affordable?" Answer: "Not for the middle class." It was true then, it is true now, and it will continue to get worse unless ObamaCare is repealed and replaced.

In places like my home State of Kentucky, relief cannot come soon enough. Because of ObamaCare, premiums in Kentucky shot up by as much as 47 percent this year. Almost half of the counties in Kentucky have only one option for insurance providers on the ObamaCare exchange. Families are losing their doctors and are being forced into junk plans. The list of broken promises goes on and on.

I have said it before; I will say it again: The status quo is unsustainable. We cannot sit on our hands and do nothing. We must act before the market collapses.

Americans have repeatedly demanded the repeal of ObamaCare, and Republicans are fulfilling our promise to do just that. The bill unveiled in the House this week represents an important step toward that pledge. It will bring much needed relief to families and small businesses. It will give Americans more control over their own healthcare choices. It will help stabilize the marketplace. And just yesterday, Health and Human Services Secretary Dr. Tom Price sent a letter expressing the administration's support for it. Here is what he said: "These proposals offer patient-centered

solutions that will provide all Americans with access to affordable, quality, healthcare," he wrote. They will also "promote innovation, and offer peace of mind for those with pre-existing conditions," he said.

In the coming weeks, committees in the House will publicly debate this bill. I hope Members will take the time to consider the bill and continue to ask questions.

Once we receive the bill from the House, the Senate will act because here is what we know: ObamaCare is a direct attack on the middle class. It will continue to get worse unless we act to repeal and replace it, and we are determined to keep our promise to the American people to do just that.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

TRUMPCARE

Mr. SCHUMER. Mr. President, the House Republicans have finally unveiled their healthcare plan after nearly 8 years without a plan of their own.

TrumpCare is finally public, and each hour that goes by brings a new set of concerns and new groups that oppose the bill, from all places along the ideological spectrum. Even a growing number of conservatives are expressing their distaste for the legislation.

The fact of the matter is that TrumpCare is a mess. It will mean higher costs and less care for most Americans. When you look at the details, you can see that TrumpCare amounts to two separate systems of healthcare in America: cheaper healthcare for the rich, more expensive healthcare for everybody else.

Under TrumpCare, if you make more than \$250,000 a year, you will get a huge tax break. The average is \$200,000 a year, because most people are way above that \$250,000. If you are in the middle class, the cost will increase by \$1,500 annually, and by 2020, over \$2,000 a year.

Let me repeat that. If you make over \$250,000, your average tax break is \$200,000. If you are in the middle class, your average increase in costs is \$1,500 up. What kind of plan is that?

Donald Trump has talked about helping working America. The plan he has embraced, TrumpCare, helps the rich

and hurts the average American. That is not surprising given all the other things they are doing the same way. This administration continues—and healthcare is part of that—to talk like populists but act like those helping the wealthy special interests time after time.

Let me repeat that. Under TrumpCare, if you make more than \$250,000, you will get a tax break on average of \$200,000 a year. If you are in the middle class, the cost will increase by about \$1,500 annually, and after 2020, by \$2,000 a year.

TrumpCare is a healthcare handout for the wealthiest Americans and fake healthcare for everybody else. Under TrumpCare, if you are a member of the Trump Cabinet—stocked with billionaires—you are going to get a tax break, but if you are 60 years old, on the cusp of retirement but still waiting because you are not yet eligible for Medicare, TrumpCare would allow insurers to charge you more simply because of your age—discrimination against the elderly, against those 50 to 65, who have worked so hard but don't yet have Medicare. That is wrong.

If you are between 55 and 64, the total cost for you will increase \$5,269 a year. Let me repeat that. If you are between 55 and 64, the total cost would increase by \$5,269 a year. That is only the next 2 years. By 2020, it goes up to \$6,000 a year.

For a working family, they can't afford that. What is this all about? They said it would be better care and cost less. It is worse care and it costs more.

How about this? Under TrumpCare, a wealthy insurance executive making over \$500,000 a year is allowed a tax break. If you are struggling to make it into the middle class with an income of 250 percent below the poverty line, your costs are going to go up by nearly \$3,000 a year, and by 2020, \$4,000 a year—once again, helping the wealthy special interests, in this case insurance executives, and hurting those struggling, climbing the ladder to get into the middle class.

If you are a working mother and you get healthcare from Planned Parenthood, too bad, TrumpCare cuts all Federal funding for Planned Parenthood for a year.

I am wearing my red tie today to honor the Day Without Women. Unfortunately, TrumpCare is the healthcare bill that forgot about women. Women are an essential part of our workforce in America. They ought to be able to go to the doctor or provider of their choice, even if that is Planned Parenthood.

When you look at the fine print of this bill, it has jagged edges. TrumpCare shifts the costs and burdens from the wealthy to the poor, from the insurance executive to the middle-class family.

The more Americans hear about this plan, the less they are going to like it.

They were already against repeal before this plan came out. Can you imagine what is going to happen now as they read the details? I believe the Congressional Budget Office, when they score it, will ultimately show America everything America needs to know—how this bill would likely hurt overall coverage numbers and affordability and, at the same time, explode the deficit.

You are getting worse healthcare and increasing the deficit. What kind of combination is that? No wonder the Republican leadership in the House is trying to rush through the bill even without a score. They don't want the American people to see it. I don't think they even want their own Members to have a chance to study it because it is a near certainty that this bill will cause millions to lose insurance as well as blow a gigantic hole in the Federal budget.

In conclusion, it is reckless for Republicans to make Congress vote on this mess of a plan before we have those answers from CBO. Simply put, TrumpCare is a mess for the American people. We Democrats will fight it tooth and nail.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE DEPARTMENT OF EDUCATION

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.J. Res. 58, which the clerk will report.

The legislative clerk read as follows:

A joint resolution (H.J. Res. 58) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Education relating to teacher preparation issues.

CALLING FOR AN INDEPENDENT, BIPARTISAN COMMISSION

Mr. DURBIN. Mr. President, in recent weeks, we have seen an astonishing series of revelations about Russia's efforts to influence the 2016 election in support of the Donald Trump

campaign. Last week, the Washington Post reported that Attorney General Jeff Sessions met with the Russian Ambassador in July and September during the campaign. Yet, during his confirmation hearing, the Attorney General said under oath: "I did not have communications with the Russians."

Last Thursday, the Attorney General announced he would partially recuse himself from any investigation into the Presidential campaign. I note that this was a partial recusal when it comes to investigations into Russia's influence on President Trump and his circle of advisers and associates. The scope of the recusal is still unclear. For example, Attorney General Sessions does not even appear to believe that his own meeting with the Russian Ambassador on September 8, 2016, was related to the campaign. The scope of his recusal will need to be clarified.

We also continue to learn of previously undisclosed communications between the Russians and President Trump's inner circle. For example, we learned last week that Jared Kushner, President Trump's son-in-law and senior adviser, had met in December with the Russian Ambassador in Trump Tower, along with the President's National Security Advisor, Michael Flynn, who resigned on February 13. People across America are wondering when the next shoe will drop.

It is becoming clear that the President is desperate to change the headlines from these Russian revelations—so desperate, in fact, that in a series of tweets on Saturday morning, President Trump claimed that President Obama had wiretapped Trump Tower in an act President Trump described as "McCarthyism" and "Nixon/Watergate." Well, President Trump's tweets again made news but not in the way he had hoped. It quickly became clear that President Trump has no evidence to back up his claims. In fact, it appeared he got his information not from America's law enforcement or intelligence agencies but from rightwing talk radio.

On Sunday, the former Director of National Intelligence, James Clapper, denied the President's claims, and the Director of the FBI, James Comey, took an extraordinary step of calling on the Justice Department to publicly deny the President's claims. Even Republicans like House Oversight Committee chairman JASON CHAFFETZ and TREY GOWDY, chairman of the Select Committee on Benghazi, said they had not seen any evidence that would support what President Trump tweeted. Nonetheless, the President's spokespeople doubled down, saying that the President does not accept the contention of the FBI Director and he stands by his tweets.

Let's be clear. President Trump is playing games with the credibility of his Presidency. Donald Trump is de-

stroying the credibility of the Office of the President 140 characters at a time. If President Trump had consulted with his adviser—any credible adviser—prior to his tweets, he would have learned something that is crucial, and it is as follows: The President of the United States does not have the authority to order a wiretap. Instead, such a wiretap can be granted upon a finding by a court that there is probable cause to believe the target has committed a crime or is an agent of a foreign power.

Clearly, there are more revelations to come. The only question: How long is it going to take? How much damage will be done to the credibility of the Office of the President and America in the process?

These recent events confirm yet again the need for an independent, transparent, bipartisan commission led by Americans of unimpeachable integrity to get to the bottom of this Russian attack on the United States. Russia attacked our democracy. We need to fully understand what happened. We certainly need to prevent it from happening in the next election or ever again.

This week, a USA TODAY/Suffolk University poll found that Americans, by a margin of 58 percent to 35 percent, believe an outside independent investigation is needed into Russian involvement in our election. It is worthy of note that just a few weeks ago, only 30-something percent of the American people were aware of this controversy with Russia. Now over 55 percent of people want an independent investigation. America is listening.

We also need the Justice Department and the FBI to proceed with a credible, impartial investigation to determine if there may have been any criminal conduct involved.

Yesterday, the President's nominee for Deputy Attorney General, Rod Rosenstein, appeared before the Senate Judiciary Committee. If confirmed, Mr. Rosenstein would oversee any Justice Department investigation into the Trump administration's Russian connections after Attorney General Sessions has partially recused himself. So I pressed Mr. Rosenstein to clarify the scope of Attorney General Sessions' recusal commitment. I also asked, as did Senator FEINSTEIN, whether Mr. Rosenstein had read the January 6 Intelligence Community assessment into Russian election interference. I cannot explain it, but in 2 months Mr. Rosenstein had not read this 15-page, unclassified report that is available on the internet. It focuses on the major issue he will face initially as Deputy Attorney General, and he told us he had not read it.

Let me add that I respect Rod Rosenstein. He served as U.S. attorney in Maryland, appointed first under a Republican President and held over under a Democratic President, and that says

a lot about his professionalism as a prosecutor, his reputation, and his integrity. It is hard for me to believe that he could come before a hearing, which he knew would focus on the need for a special prosecutor to look into this Russian interference, and not have been briefed to read the 15-page public report that summarizes the conclusions of all of America's intelligence agencies when it comes to this Russian interference.

I am sure he is an excellent lawyer who wouldn't enter a courtroom or stand before a judge or jury without complete preparation to the best of his ability, but yesterday, time and again, he told us he didn't take the time to read this report. I urge him to do so as quickly as possible, and when he reads it, he will see that our intelligence agencies are unequivocal in their statement that Vladimir Putin was setting out to elect Donald Trump and to defeat Hillary Clinton. This is not a report from the Democratic National Committee; it is a report from our intelligence agencies. And whomever Putin was trying to help, that is secondary to the fact that he was hacking into the internet, disclosing materials, and trying to become a material player in our Presidential election.

Mr. President, 3 weeks ago, I went to visit Poland, Lithuania, and Ukraine. They are watching this carefully because they have been the victims of Vladimir Putin and Russia's attempts to interfere in their elections, and now they hear the United States has been victimized by Putin, as well.

One of the scholars in Poland asked me what I thought was a very clear question, and I can't answer. He said: If the United States will not take the interference of Putin in your election seriously, how can the people of Poland believe you will take your NATO commitment to protect us from Putin seriously? Important question. Valid question.

There are exceptions on the Republican side of the aisle, and I would like to point out one of them. My friend, my colleague, and the chairman of the Foreign Operations Subcommittee of Appropriations, LINDSEY GRAHAM of South Carolina, made an extraordinarily forthright statement yesterday about the need for an investigation into this Russian interference. Thank goodness he is stepping away from party loyalty and stepping up when it comes to defending this Nation. I salute my Republican colleague for his leadership on this issue.

It is important to step back from the daily dysfunction we have when it comes to the Russian investigation and the White House and lack of governing and remember what is really at stake.

Five months ago, our intelligence services disclosed evidence that a foreign adversary—one ruled by a dictatorial former Communist KGB agent—

was trying to help its preferred candidate in the U.S. Presidential election. Think about that for a moment. An adversary of the United States—a country which has imprisoned millions of Europeans in the Communist system for almost half a century and which today rigs elections and silences or murders members of the media and opposition—committed what I believe is akin to a cyber act of war against America in trying to elect someone they saw as more sympathetic to their interests.

Since those early reports, we have been provided with damning evidence by our intelligence agencies on the depth and sophistication of this operation—so favorable to its nefarious goal that it had Russian intelligence operatives boastfully celebrating after the outcome of the election.

We also know that members of President Trump's campaign met with those thought to be Russian intelligence; had suspiciously timed communications with the Russian Government just after the Obama administration placed sanctions on Russia; and in the case of top Trump advisers Michael Flynn and Jeff Sessions, refused to disclose those meetings, both in public and in one case to the Vice President and in another case to the Senate Judiciary Committee.

No candidate would or at least should want help from a foreign dictator to help win political office in the United States. So in a situation like this, the response is obvious: Help in any way possible to clear suspicions and concerns. Go forward and serve the American people with an investigation. It seems so obvious.

Leon Panetta was on one of the Sunday morning talk shows. Leon Panetta is a friend. I served with him in the House of Representatives. He was the Chief of Staff to the President of the United States, President Clinton. He served as Secretary of Defense. He headed up the Central Intelligence Agency. He is an extraordinarily gifted and well-thought-of person who has a record of public service that is enviable. He was asked about what the Trump White House should do about this allegation of Russian interference in the election and the suggestion that they might have been complicit.

He said: Get out in front.

The President of the United States should say: I have nothing to hide, and we will fully cooperate with an independent commission to get to the bottom of what happened in that election. But instead, what do we have? Fan-ciful—in fact, patently false—tweets by the President, alleging a wiretap by the former President. President Trump, if he has nothing to hide, should help us clear this up once and for all.

To my Republican colleagues, so many patriots and champions of Amer-

ican national security, it is time for more to join Senator GRAHAM and others to step up and speak out even on the floor of the Senate about this situation.

Each one of us in the Senate swore to support and defend the Constitution of the United States against enemies foreign and domestic. Clearly, the Russian attack is a call for all of us—of both political parties—to step up. This issue is not going to go away. We are going to continue to pursue the truth.

NOMINATION OF SEEMA VERMA AND THE REPUBLICAN HEALTHCARE BILL

Mr. President, I come to the floor to speak about the recently released Republican healthcare repeal bill and to speak on the nomination of Seema Verma to serve as Administrator of the Centers for Medicare and Medicaid Services.

CMS is an agency touching the lives of 125 million people, and 34 percent of Americans receive their health insurance under one of the three Federal programs run by that agency—Medicare, Medicaid, and the Children's Health Insurance Program. These programs are vital to the health and well-being of seniors, children, persons with disabilities, and low-income families. Yet, with those vows to repeal the Affordable Care Act, President Trump, Health and Human Services Secretary Tom Price, and congressional Republicans are sadly attempting to gut the Medicaid program and to jeopardize the future of Medicare.

The head of CMS should be someone who believes in these core programs and is willing to fight to preserve them. Instead, Ms. Seema Verma's record—as well as comments she made during her confirmation hearing—indicates she is more than willing to take dramatic steps to force people to lose their health insurance or dramatically increase out-of-pocket costs.

From her refusal to disavow efforts to repeal the Affordable Care Act to her willingness to cut the Medicaid Program, I do not believe Ms. Verma is the right person for this job.

When it comes to the Affordable Care Act, our constituents—Republicans, Democrats, Independents—are angry and frightened about what the Trump administration and congressional Republicans might do to healthcare. Based on what has finally been released, they have good reason.

In over 2 months, Republican leaders in Washington have taken numerous steps to change and even sabotage our healthcare system, jeopardizing patient access to care and throwing the system into chaos.

Before President Trump took office, congressional Republicans rammed through a budget bill, laying the groundwork for a quick, silent repeal of the Affordable Care Act, despite the fact that they had no replacement. Then, on his first day in office, the

President signed an Executive order to weaken the Affordable Care Act, instructing Federal agencies to stop doing their job under the law. The President then acted hastily to stop Federal outreach efforts—TV ads, radio spots, and emails intended to encourage more Americans to sign up for health insurance.

I watched yesterday as the Speaker of the House, PAUL RYAN, said that the Affordable Care Act is collapsing. Well, I can tell you, it needs help and it should be bipartisan. Instead, the Republicans are doing everything they can to jeopardize it.

Last week, the President met with big insurance companies to discuss what they want for healthcare. But where were the patients, the hospitals, the doctors, the nurses, the community health centers in these conversations?

It is clear that congressional Republicans want to move full steam ahead on repealing our healthcare law. The problem has always been and still is that they can't agree on how to move forward. They don't have a plan to protect people. Some Republicans just want to repeal. Others want to repair. Others want to rebuild. They can throw out all the "R" words they can find in the dictionary, but at the end of the day, they don't know what they want to do. These disagreements are becoming even more obvious in the last week.

For the past few months, House Republican leaders have been meeting secretly to craft a repeal bill. Well, they finally unveiled it. No wonder they wanted to keep it secret.

Incidentally, this bill, which has been authored by the Republicans—a party that claims a commitment to fiscal soundness—has not been scored by the Congressional Budget Office. We don't know, even as it is being considered by committees in the House of Representatives, whether it is going to add to the deficit or not. You would think that the party of fiscal integrity—the Republican Party—would ask that question early on. As yet, they have no answer, and they are proceeding full steam ahead.

The bill, first, would end Medicaid as we know it, cutting \$370 billion from the program and limiting care. Who are the beneficiaries of Medicaid? The largest group of beneficiaries are kids and mothers. The second most expensive group are seniors, many of them in nursing homes who, without Medicaid and Medicare, could not even continue in a good nursing home environment.

Keep in mind that one in five Americans currently depend on Medicaid for their health insurance—65 million people nationwide. That includes 35 million children, 7 million seniors, 11 million people with disabilities.

We used to say: Well, Medicaid is for poor people. Well, it certainly is for lower income Americans, but many of them are working low-income Americans who still qualify for Medicaid.

My friend, who has worked in the motel-hospitality industry all of her life, in her sixties, sadly, is a part-time employee, despite her hard work. She can't afford health insurance, but she qualifies for Medicaid. She is part of the working poor, and she is one who needs this benefit. If the Republicans have their way and reduce Medicaid coverage, she could certainly lose it.

In my home State of Illinois, 650,000 people have gained healthcare coverage under Medicaid, thanks to the Affordable Care Act. For her and others I have met, it is the first time in their life that these men and women—often in their sixties—for the first time in their life have health insurance.

Of Illinois' 18 congressional districts, not a single one has less than 71,000 Medicaid enrollees. Nearly half of all the kids in Illinois, 1.5 million children, get their healthcare through Medicaid, and the Republican repeal bill is going to endanger that.

That is so obvious that yesterday the Republican Governor of Illinois, who was careful in his words and seldom reacts, came out publicly and said that the Republican repeal bill would significantly hurt our State of Illinois. That is from a Republican Governor.

Medicaid is the largest payer of long-term care for seniors in the Nation and in Illinois. It is one of our best tools, incidentally, for addressing the opioid epidemic, ensuring that those facing addiction have access to treatment. And the Republicans want to cut that.

Medicaid has been a lifesaver to Illinois hospitals, especially in my part of the State, downstate Illinois.

Repeal of the Medicaid expansion, as the House bill proposes, could result in the loss of up to 90,000 jobs in Illinois.

The Republican repeal bill on healthcare is a jobs killer in Illinois and across this Nation. We will see hospitals cutting back on personnel in an attempt to adjust to the cutbacks in coverage and the increases in cost brought on by the Republican repeal bill.

But the bill goes even further. It dramatically restructures the entire Medicaid Program. When talking about the plan for Medicaid, congressional Republicans throw around innocuous terms: per capita caps, block grants, more flexibility, modernizing. Don't be lulled in a false sense of security by these words. This Republican healthcare repeal bill would significantly cut back on Federal spending on Medicaid, shifting the cost to States, families, and individuals who are currently struggling to get by today.

With less funding, States would be forced to throw people off of Medicaid, limit the types of healthcare services offered, create waiting lists, and much more. In the name of State flexibility and modernizing, it would mean that more and more people would be showing up in emergency rooms in Illinois

and across the Nation with no health insurance coverage under the Republican approach.

Oh, they will get care, and it will cost. They can't pay for it, and that cost will be shifted to others with health insurance.

Unfortunately, Ms. Verma has significant experience in this exact type of healthcare rationing. In her role as a private healthcare consultant, she championed radical Medicaid overhauls. She supports making low-income Medicaid beneficiaries pay more money. She believes that Medicaid beneficiaries need "more skin in the game." I wonder how many Medicaid recipients Ms. Verma has actually sat down and met with.

The Illinois folks whom I know are the mom working two jobs, struggling to take time off from work to take her kid to the doctor, or the senior who has literally spent down all of her life savings on nursing home care and has no place else to turn.

Devising plans that restrict access to care for the most vulnerable among us are not the qualifications I am looking for in the person who wants to run the agency responsible for Medicare, Medicaid, and CHIP.

Finally, on the House Republican repeal bill, in addition to gutting Medicaid, the bill eliminates the Prevention and Public Health Fund, which currently provides the Centers for Disease Control and Prevention \$900 million, or 12 percent of their annual budget. The bill defunds Planned Parenthood. The bill allows insurers to charge older people significantly more in premiums than allowed under current law. The bill, incidentally, dramatically cuts taxes for the wealthiest people in America and increases costs for middle-income families. What is most telling, as I mentioned earlier, is that the House Republicans won't even send this bill or wait for a report from the Congressional Budget Office before proceeding.

How many people will lose their health insurance under the Republican repeal plan? How will out-of-pocket expenses go up for families under the Republican repeal plan? How much responsibility and burden will be shifted to the States under the Republican repeal plan?

For now, Republicans can claim ignorance because they have decided to move forward before there was a report from the Congressional Budget Office.

Thank goodness some Republicans are speaking out against this terrible plan—maybe not for the same reasons I oppose it. But conservatives say it doesn't rip health insurance away from more people more quickly, and moderates worry about Medicaid—demonstrating, again, the lack of a consensus on the Republican side when it comes to the future of healthcare.

We have big challenges ahead—challenges that will determine whether we

have as many people in America with health insurance tomorrow as we have today and how much it will cost.

I don't believe the Republican repeal bill is the right path forward, and I don't believe Seema Verma is the right person to stand up and fight for our Nation's seniors, children, and low-income families. For that reason, I will be voting against her nomination to serve as Administrator of the Centers for Medicare and Medicaid Services.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. COTTON). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

AMERICAN HEALTH CARE ACT

Mrs. GILLIBRAND. Mr. President, I rise to oppose the American Health Care Act. This bill will destroy the Affordable Care Act, even though the Affordable Care Act has given more Americans access to quality, affordable healthcare than ever before in our history. It would force middle-class families to pay more money for less care. It would leave more people uninsured by a lot. It would allow insurance companies to charge older Americans with what is essentially an age tax, as if our parents and grandparents don't already pay insurance companies enough for their care.

It would cause many working families to lose coverage from their employers because, under this new bill, companies would no longer have to provide their workers with healthcare, and without a mandate to do so, we know many of them will not.

It would drastically cut Medicaid funding, which would cripple our State budgets and would leave many seniors in nursing homes and lower income New Yorkers stuck without a way to pay for the medical care they actually need to survive. This bill would also take away healthcare for millions of women, including lifesaving healthcare services like breast exams and pap smears.

On top of all of this, as if to add insult to injury, this so-called healthcare plan would give tax breaks to health insurance CEOs who make more than \$500,000 a year. How is any of this going to make people in my State or in my colleagues' States healthier?

I am struggling to understand, amid all of the problems we seem to have and all of the problems we need to solve in this Chamber, why this Congress seems to have a singular fixation on taking away access to healthcare from some of the most vulnerable people in our communities. I continue to be amazed by how little empathy there seems to be in this Chamber for the

millions of women, older Americans, and lower income Americans who do not have the incredible resources that we have here in Congress and who desperately need the Federal programs this bill will cut.

The legislation is completely out of touch with the actual needs of the people in my State. It is driven by ideology, as if it is somehow the wrong thing to do to help people in our States live healthy and fulfilling lives.

If someone is diagnosed with cancer and the only way he can afford to see an oncologist and have surgery is through an Affordable Care Act health plan, do you think he cares whether his insurance coverage was made possible by ObamaCare? If your parents or grandparents suffer from dementia and the only way they can afford the constant care and medical attention is if they sign up for Medicaid, do you think they care that Medicaid is a program that is actually run by the Federal Government?

I don't think families care about that. I think they are much more concerned about whether they have access to the insurance plans that actually cover their needs, that actually treat their illnesses, that actually give them the medicines they need, and that allow them to heal and get back to full strength.

That is why the Affordable Care Act has done so many good things for people in our States—because access to healthcare is a human right. Now that millions more Americans finally have it, it is wrong to take it away from them.

I urge my colleagues in this Chamber to think much more about the women in their lives who need access to these preventive healthcare services, to think about all of the hard-working Americans who do not earn a lot, though they work full-time jobs and cannot afford it, and to think about all of the older Americans who are really being disadvantaged through this bill so they will not be able to afford that 24/7 or nursing care they need. This bill harms all of them, and it makes their lives much harder, not easier.

I implore all of my colleagues to reject this bill.

Mr. President, I ask unanimous consent that the time spent in quorum calls on H.J. Res. 58 be charged equally to both sides.

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

Mrs. GILLIBRAND. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER. (Mr. PERDUE). Without objection, it is so ordered.

REPUBLICAN HEALTHCARE BILL

Mr. KAINE. Mr. President, I rise to talk about the replacement plan for the Affordable Care Act that is being considered by the House.

In December, I was informed that I was going to get one of my dreams to come true in the Senate. I had asked to be on the Health, Education, Labor, and Pensions Committee when I came in, in January of 2013, and I was not on the committee. I had no complaints because I had other good committees, but I was told in December that, for this Congress, I would be added to the committee, and I am thrilled to serve on it.

When I found that I was going to be added to the committee, I knew one of the first issues we would be tackling is what to do about the Affordable Care Act. So I have started to pay visits around the State to as many stakeholders as I can, including patients, doctors, medical students, hospitals, behavioral health facilities, allied health training programs in regions all across the State, military families in Hampton Roads just last Friday, as well as patients and their families in Chesterfield County last Friday. In all of these visits, my question has been: We are going to be tackling the Affordable Care Act; tell me what works, what doesn't work, and what we can do better. That has been the goal.

Today's committees in the House, two committees, are considering a plan that House Republicans have put on the table and are touting as a replacement of the Affordable Care Act. I just want to talk about what it would mean, if passed, to Virginians and Americans.

This plan will reduce the number of Americans with insurance. We dropped the uninsurance rate to a historic low, but the gains that we made would be reversed and the numbers of Americans with insurance would go down.

It would raise healthcare costs, particularly on seniors, which I will discuss in a minute.

It would dismantle the Medicaid Program at the service of tax cuts for the wealthiest.

It is not an adequate replacement; in fact, it would be a dramatic retreat, and it would be a retreat that would violate promises that had been made by the President and other leaders.

Republicans—and I will get into this—have made a number of promises about what a replacement would look like, but this plan falls far short of that. That is why, within 36 hours of it being put on the table, stakeholders across the spectrum, including the American Hospital Association, AARP, the American Medical Association, nurses, nursing homes, and Republican Governors have come out to either dramatically and flatly oppose this plan or suggest significant concerns with it.

The bill has yet to be scored by the Congressional Budget Office, but the

House is trying to push it through committee, and even through the floor, if they can, before the CBO tells the American public what this plan would cost and, every bit as importantly, what it would cost Americans in terms of the number of people who would lose their health insurance.

A very poignant comment about the plan that was in the paper this morning was from the Republican Governor of Nevada, Brian Sandoval, who said: We Republican Governors have talked to Congress and said please pay attention to what we have to say. States bear a huge burden on these programs, especially Medicaid. He said: We gave ideas to the leadership, to the majority about the replacement, but none of our ideas are in this plan.

Without a CBO score, the American public and this body are completely in the dark about how many people will lose coverage and about how this will affect the American economy. Why would we move forward? Why would we try to push a vote even in a committee, much less on the House floor, before the CBO has given us this score? We don't serve the American public well by doing that.

What does the replacement bill do? One, it ends the expansion of Medicaid that was a core component of the Affordable Care Act—the expansion that has been embraced by more than 30 States. Then, it takes the traditional Medicaid Program and really dismantles it, instituting a per capita fee for enrollees, and moving it more towards a block grant program. That is the first thing it does.

Second, with respect to seniors, this plan would repeal a provision in the Affordable Care Act that says seniors cannot be charged more than three times the premium of a young person; it would repeal that, and it will allow insurers to charge older customers five times as much as younger customers. It would also give States the ability to set even more unfavorable ratios for seniors. This will have a significant impact on the premium of older Americans.

Third, the plan repeals the income-based subsidies, premium assistance, and cost-sharing reductions in the current Affordable Care Act and substitutes less generous tax credits that will not be adjusted to average costs of plans in particular markets. So if you are a middle-income individual in a high-cost market, you are really out of luck with this plan.

Let me give an example of how insurance would be affected in particular communities all over Virginia if the House plan were adopted. If you are 60 years old and you make \$30,000 per year, under the House plan, here is what happens. First, the cost of your insurance can be dramatically raised because you are not, at age 60 now, limited to three-to-one over a young

person's premium; they can charge you five-to-one over a young person's premium. So the premium cost, if you are a 60-year-old making 30,000 bucks, goes up significantly.

Now, you get a tax credit, just as right now you get a subsidy, but the tax credit is much less generous. So the cost of your policy goes up, but here is what happens in communities all over Virginia—tax credit compared to the subsidy they currently get.

In 2020, in Augusta County, VA, in the Shenandoah Valley, the tax credit you get is worth only about half of the subsidy you would get if we continued the Affordable Care Act. So the price is up, but your tax credit is less generous by half of the current subsidy.

In Fairfax, your tax credit is 41 percent less than the subsidy; in Bedford, 51 percent less than the subsidy; in the city of Norfolk, 51 percent less; in Rockingham, 50 percent less; in Pittsylvania, 49 percent less, and Pulaski County in far Southwest Virginia, 54 percent less.

So if you are a senior, your costs go up, but the assistance you get in the tax credit is dramatically less generous than the assistance you currently get with the premium subsidy.

The bill establishes a penalty if you don't have continuous insurance. An insurer can charge you 30 percent more in premiums if you go 2 months or more without insurance. So if you are unemployed, you lose your insurance. If you forget to pay a premium for two months, you lose your insurance. If you have any gap of 2 months, that is an opportunity for insurers to come in and sock you with a massive penalty.

The bill repeals funding to a healthcare provider of choice for millions of American women: Planned Parenthood. It is really important to be specific about this. There is not in the Federal budget a line item that says Planned Parenthood gets axed. What Federal funds go to Planned Parenthood? Well, first, the Hyde amendment says no Federal funds can go to any organization for the provision of abortions—Planned Parenthood or anybody else. Planned Parenthood receives Federal funds because it provides healthcare to women who are eligible for Medicaid. So when Planned Parenthood treats a woman who is Medicaid-eligible for a medical service that is eligible for a Medicaid reimbursement, then Planned Parenthood is able to bill Medicaid just like a doctor's office is. And Planned Parenthood is the healthcare provider of choice for millions of American women to do annual checkups, pap smears, cervical cancer tests, and all kinds of basic healthcare provisions. But under this bill, Planned Parenthood will be barred from the Medicaid Program, even when they are providing services to Medicaid-eligible women—services that are covered by Medicaid.

The one thing about this bill that I would say—if you were going to say: Well, who is a guaranteed winner in this bill because there are a lot of losers, and I have tried to summarize them—the guaranteed winner is that this bill overwhelmingly repeals the provisions that raise revenue. This bill is a big tax cut bill.

The biggest revenue raisers in the Affordable Care Act were tax cuts on the wealthiest citizens. There is a tax increase for nonwage income by the top earners in the United States and an additional hospital insurance tax that also affected individuals of high income.

What this bill does is cut taxes that almost exclusively benefit the wealthy, while the bill is taking away these coverages and provisions that protect middle and lower income Americans. The tax cuts in this bill would save the top 0.1 percent of earners in the United States about an average of \$195,000 a year. So if you are in the top 0.1 percent and this bill passes, you are going to get an average of a \$195,000 tax break.

Millionaires get 80 percent of the value of the high income tax cuts in the House bill, with the elimination of the hospital insurance tax on high earners and the Medicare tax on investment income. In fact, a family who is going to do incredibly well under this bill is the family of our President, Donald Trump. As high earners, they are going to get a huge tax cut with this bill.

I have to ask: Is this bill a healthcare bill or is it basically a tax cut bill? You could look at this bill as basically being that the driver of it is who benefits from it. It is a tax cut on the wealthy, paid for by slashing Medicaid, slashing healthcare coverage, slashing Medicare's trust fund, slashing Planned Parenthood, taking protections like preexisting conditions that really matter to people and reducing them. So I have a real question about whether this bill is a healthcare bill at all or whether, under the guise of a repeal and replace of ACA, it is a tax cut for the wealthiest, financed by slashing the healthcare safety net.

Let me read to my colleagues what certain Republican leaders have said about this bill in the past. The deputy leader here in the Senate—a friend—from Texas, Senator CORNYN, said to Republican Governors—Governors have a lot at stake in this. I was a Governor. I know how much Governors depend on Medicaid and healthcare programs. Here is what he said on January 19, 2017: "Nobody is going to lose coverage."

No exception, no qualification. "Nobody is going to lose coverage." That is what he said to the Republican Governors.

We were awaiting the CBO score suggesting potentially how many millions

will lose coverage. Many people will lose coverage. That is not what was promised.

But, more importantly, probably, what did the President say? When the President was campaigning as a candidate, this is what he promised the American people: "I am going to take care of everybody. I don't care if it costs me votes or not. Everybody's going to be taken care of much better than they're taken care of now."

That was the test that he set for himself about an ObamaCare replacement—that no one would be worse off and that many would be better off. This does not meet that promise. It fails that promise.

At a December press conference the majority leader, Senator MCCONNELL said: "Surely, we can do better for the American people," and "we will work expeditiously to come up with a better proposal than current law."

Again, the promise was, we will take where we are right now and we will make it better. Nobody will lose coverage; everybody will be taken care of better. We will come up with a better proposal than the current law.

This is not that proposal. Turning Medicaid from a Federal guarantee to a per capita cap on spending doesn't mean everyone is covered; it means cuts to the States that would force States to cut eligibility, reduce benefits or provider payments. That is why providers, like the hospital associations and nursing homes, and the Republican Governors, like Governor Sandoval, are deeply opposed to this particular version. It is not better for the American people.

Protecting people with preexisting conditions, which the current bill does, but only if they have continuous coverage—that is not better for the American people because what if you lose your job or you can't afford benefits or you have a break in coverage for two months, and then you suddenly find that you are not protected, and your preexisting condition can be used against you to bar you from insurance for the rest of your life.

If you are unemployed and have a break in coverage, how do you afford a 30-percent surcharge on health insurance premiums like this plan proposes that insurance companies can sock you with? That is not better for the American people.

In closing, I will repeat something that 13 Democrats put into a letter to the Republican leadership in January: We want to work together to try to make healthcare better. We are willing to sit down at a table. We have ideas for how to improve not just the Affordable Care Act but prescription drug prices under Medicare Part D, something our citizens are deeply concerned about. We need to work together on affordability. We need to work together to make sure small businesses are able

to afford coverage. We have to bring prescription drug pricing down. I know Republicans have ideas about how to do that and Democrats do too. The time is now to sit down and try to figure that out.

Passing a precipitous repeal, trying to rush it through before the CBO scores it—a precipitous repeal that would take health insurance away from many, that would jack costs up on seniors, that would punish so many Virginians by reducing the subsidies they get now and replacing them with a less-generous subsidy—that will break a promise the President made. That will break a promise other leaders have made.

We had a HELP Committee hearing recently where we had witnesses who had been called by Democrats and Republicans before us, talking about things we need to do to fix and improve the Affordable Care Act. They all agreed we needed to find improvements and fix it—all of them. Democrats, Republicans, Independents, they all agreed we need to find improvements. They all agreed a repeal of the Affordable Care Act would be a catastrophe.

There were four witnesses. I asked them this question: If we need to make improvements, what is the best way to do it? Should we do it fast, carelessly, and secretly or should we do it slowly, deliberately, and publicly transparently?

They all said: Of course, there is only one answer to that question. We are talking about people's health. We should do it deliberately, carefully, and transparently, rather than fast, carelessly, and secretly.

We are proceeding right now in the fast, careless, and secret mode. This particular plan comically was locked in a room and nobody was able to see it last week. One of our Senate colleagues went over and tried to get in to see what was in the plan—a Republican colleague, the Senator from Kentucky. Now that the plan is out in the light of day, I think we can see why they were hiding it—because it has so many elements that are frightening so many people.

We can get this right. We can get this right by sitting down and having a discussion about what I have been talking to my constituents about: in the healthcare system right now, what works, what doesn't work, and what we should change. If we bring constituents around the table—individuals, hospitals, insurance companies, pharmaceutical companies, businesses that are trying to buy insurance, doctors and nurses—if we get people around the table, they will break us out of the “them versus our” thing. We listen to them. We ask them those questions—what works, what doesn't, what can be fixed. We will find a path to meet the promise the President made, to meet the promise Senator CORNYN made,

which is not make anything worse but taking the system as it is right now and making it better. We will only do that if we engage in a dialogue rather than trying to rush. That is what I encourage my colleagues to do.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

EARMARKS

Mr. FLAKE. Mr. President, within a matter of days, our national debt will top \$20 trillion, notching another ominous milestone in our Nation's long-running addiction to spending. How did we get here?

A decade ago, taxpayers learned that many of their elected representatives were complicit in an insidious practice that rotted the legislative branch to its core, and that is congressional earmarking. Called a “gateway drug” by our distinguished former colleague from Oklahoma, Senator Tom Coburn, earmarks have long exacerbated the Federal Government's spending addiction.

As old as the Republic, earmarks have always been used by generations of politicians as currency to curry favor with well-connected special interests. After public outrage reached a critical mass, both the House and the Senate instituted bans on earmarking, ending what had been a corrupt pay-to-play culture in Congress.

In order to preserve this important check against the corrupting influence of earmarks, I recently sent a letter to President Donald Trump respectfully urging him to veto any legislation containing earmarks that reaches his desk. I thank my colleagues, Senators JOHN MCCAIN, MIKE LEE, RAND PAUL, TED CRUZ, and BEN SASSE, for co-signing this letter.

Mr. President, I ask unanimous consent to have printed in the RECORD the following letter.

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

U.S. SENATE,

Washington, DC, March 7, 2017.

President DONALD J. TRUMP,

The White House,
Washington, DC.

DEAR PRESIDENT TRUMP: With our national debt set to top \$20 trillion within days and growing at a rate of over half-a-trillion dollars a year, bringing fiscal sanity to the federal budget requires immediate attention and action. We write today to urge opposition to any efforts by Congress to return to earmarking.

While cutting unnecessary and wasteful spending may be commonsense to most taxpayers, behind every dollar spent is a boi-

terous special interest group with the loud-est being Congress itself. Even with a full agenda that includes repealing Obamacare, reforming the tax code, easing the regulatory burden, and strengthening our nation's security, some lawmakers are focused on reviving the corrupt practice of earmarking that was ended in 2011 after what seemed like an endless series of corruption scandals.

Fondly described as a “favor factory” by a lobbyist convicted of exchanging gifts for government grants, earmarks represent the pay-to-play culture you have pledged to end. It is unfathomable to those of us who fought to end earmarks and witnessed our colleagues go to jail for corruption that pork barrel politics would return, especially at this time when Americans are clearly fed up with business-as-usual. However, despite the success of the current moratorium enacted in both chamber of Congress, there are efforts underway seeking to revive the disdainful practice.

President Reagan vetoed a highway bill in 1987 because it was larded up with 152 earmarks. Escalating exponentially, the over-budget transportation bill signed into law in 2005 contained more than 6,300 earmarks. Earmark proponents are trying to reassure that this time will be different, promising fewer projects and even rebranding them as “congressionally-directed spending.” With the serious fiscal problems facing our nation, processing thousands or even hundreds of pork requests will only distract and delay addressing pressing national needs and push spending decisions once again into the murky shadows.

We respectfully urge you to make it clear that you will veto any bill Congress sends to you containing earmarks within the legislative text or the accompanying report. We look forward to working with you to make Washington more accountable and stop wasteful spending where it starts, which is often right here in Congress.

Sincerely,

JEFF FLAKE.

MIKE LEE.

JOHN MCCAIN.

RAND PAUL.

TED CRUZ.

BEN SASSE.

Mr. FLAKE. To explain the urgency behind my letter to the President, I wish to remind my colleagues in this body, many of whom were not in the Congress before enactment of the moratorium, just how bad the earmarking epidemic became.

For the uninitiated, the term “earmark” is a euphemism for when lawmakers work to circumvent the regular, normal appropriations process in order to secure special funding for projects in their home districts or their States. This resulted in Federal tax dollars being doled out to Members of Congress on a whim, bypassing normal rigorous Federal and public vetting.

Instead of focusing on oversight responsibilities or devising legislative solutions for the Nation's most pressing challenges, lawmakers and staffers devoted thousands of man-hours toward filling earmark requests. Congressional appropriators and appropriations committees transformed into what were termed “favor factories,” abandoning oversight responsibilities to focus on

rationing out pork. To me, that was one of the most insidious parts of the whole earmarking era.

We have oversight responsibilities in Congress. There is a huge Federal budget on which we should be providing oversight, but instead of poring over agency spending and searching for waste in our trillion-dollar discretionary budget, Members and staff devoted countless hours to roughly 2 or 3 percent of the Federal budget. There was so much focus on just doling out what represented 1 or 2 or 3 percent of the Federal budget that we basically neglected the rest of the Federal budget in terms of oversight.

In less than 20 years, the number of earmarks in the Transportation bill alone grew from 152 to 6,300. President Reagan, I believe, in 1988 famously said that he vetoed the highway bill because he hadn't seen that much pork since he handed out ribbons at the county fair. There were 152 earmarks in the Transportation bill that year, and by 2005 it was 6,300. That is an increase of more than 4,000 percent.

Examples of earmarks range from a quarter billion dollars for a bridge to nowhere in Alaska—everybody became familiar with that one; \$50 million for an indoor rainforest in Iowa, paid for by taxpayers across the country; and half a million dollars for a teapot museum in North Carolina. All of these earmarks added up, eventually totaling about \$29 billion a year.

It was in this environment that, along with a small group of like-minded colleagues, I set out to put an end to this form of transactional politics that had infected the Halls of Congress. Our mission was to place a permanent moratorium on congressional earmarks.

It took unprecedented revelations of widespread corruption and illegality and ultimately the jailing of lawmakers, staffers, and lobbyists before the public's outrage forced Congress to clean up its act. But even brazen instances of public corruption didn't stop Congress from dragging its feet on reforms, and the majority party, my party, paid the price at the polls in 2006.

The dominant mood of the electorate at that time—that of mistrust in government institutions—is strikingly reminiscent of the drain-the-swamp mentality that permeated last November's election. But despite this surging anti-insider sentiment across the ideological spectrum, there is now a chorus of lawmakers from both sides of the aisle working behind the scenes to lift the congressional earmark moratorium. These earmark defenders will trot out arguments ranging from constitutional prerogative to the insignificance of earmarks relative to the entire Federal budget. They will say: It is OK to earmark. We are only earmarking 1 percent of the Federal budget.

But all of these defenses ring hollow. The constitutional power of the purse is not a blanket mandate for Congress to spend freely; rather, it is a fundamental duty to prevent the executive branch from wasting taxpayer dollars. By using earmarks to funnel billions of dollars to special interests, Congress ceases to be a check on the executive branch. We have become no better than the free-spending bureaucrats whom we rail against.

While we were ultimately successful in securing earmark bans in both the House and the Senate, today we are seeing far too many cracks in those foundations. With so many in Congress now willing to sacrifice fiscal discipline, we have to remain vigilant against the return to business as usual. We can't afford to forfeit the hard-fought progress we have made.

The Senate Republican conference's vote earlier this year to preserve the earmark ban was an important step in the right direction, but we need to do more. That is why I sent the letter to President Trump, and it is why, should earmarks return, I intend to challenge each one of them on the Senate floor. Just as I did in my time in the House, I will file amendments to force debate and force votes on these earmarks. That way, Members can publicly defend their earmarks to the hard-working taxpayers they represent.

As we look forward to the future, I have been encouraged by the President's recognition of Washington's addiction to spending and his administration's commitment to finally doing something about it. I look forward to working with the administration to make the Federal Government leaner, more transparent, and more accountable to the taxpayers it serves.

BORDER ADJUSTMENT TAX

Mr. President, I take the floor today to express my concern with the border adjustment tax. The border adjustment tax is quickly becoming the centerpiece of a planned overhaul of our tax and trade policies. I am certain that I am not the only one hearing that this approach could make everyday consumer products more expensive at the very places middle-class families shop the most. From the aisles at big-box stores to the checkout lines in grocery stores, household staples could be pushed out of reach for those who can least afford it.

In addition, there are concerns that this new policy could disrupt global supply chains and make it harder for our country's largest private sector employers to grow and to do business.

There are those who suggest that the known downsides to the new tax will be a wash because the U.S. dollar will be stronger; however, others are not so comfortable gambling the purchasing power of the average consumer on the unpredictability of international currency markets.

At first glance, the plan seems simple enough: Tax companies in the United States less and tax goods made overseas more. That seems simple. According to supporters, this would boost our exports, incentivize companies to locate operations here in the United States, and it would reduce our trade deficit. Unfortunately, it turns out that is not so easy. Looking inward, we simply do not produce everything we need here in the United States. That is why we trade with other countries in the first place. And for the things we do make here, those products often require inputs from all over the world. In fact, whether it is raw material or specialty parts, roughly 50 percent of our Nation's imports consist of inputs for U.S. production and manufacturing. Let me say that again. Roughly 50 percent of our Nation's imports consist of inputs for U.S. production and manufacturing, many times for products that are then shipped overseas.

Because of our trade deals with other nations, these inputs are cheaper than they would be otherwise. Cheaper inputs mean lower production costs for U.S.-based businesses, which in turn allows these companies to expand production and to reduce prices.

What will happen if we place a 20-percent tax on all imports? Looking beyond our borders, we should also consider the reaction such a tax is sure to trigger amongst our trading partners. If the protectionist trade policies of the past have taught us anything, it is that countries tend to retaliate when they believe trade obligations have been violated. When we increase barriers to trade, nobody wins.

Do I agree that we should work to make U.S. businesses more competitive? Absolutely. Do I agree that we need to reform our Tax Code? You bet. Tax reform and pro-growth trade policies have been at the top of my list of priorities throughout my tenure in Congress.

I look forward to working with my colleagues to lower corporate and individual tax rates, eliminate costly tax earmarks, and make our Tax Code flatter, simpler, and more conducive to growth. There will always be winners and losers in a robust debate on reforming the Tax Code. We ought to make sure the middle class isn't in the losing column.

I yield back the remainder of my time.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

AMERICAN HEALTH CARE ACT

Mr. CORNYN. Mr. President, this week our colleagues in the House released a plan to clean up the mess left in the wake of the ObamaCare's failed promises. The bill known as the American Health Care Act represents the next step forward in keeping our promise to repeal and replace ObamaCare, which continues to fail Texans and folks all across the country.

Instead of helping more Americans and more Texans by providing more healthcare choices, ObamaCare has actually led to dwindling insurance options in a lot of counties across the country. In fact, it is estimated that almost 40 percent of counties in Texas have just one option on the exchange this year. It is hard to shop, it is hard to compare, and it is hard to get the benefits of competition when there is only one option because of ObamaCare.

So that is actually the opposite of what the President and the advocates for the Affordable Care Act promised. That is what happens when government interferes with the market and takes a one-size-fits-all approach to our Nation's healthcare. The fact of the matter is that the path that President Obama put us on is not sustainable. It is hurting families and burdening job creators and is taking a tremendous toll, and Americans are paying the price.

I know some of our colleagues across the aisle are relishing the fact that Republicans, the majority, are now taking this step to keep our commitment to repeal and replace ObamaCare. They are sitting back and hoping that we fail. But the fact of the matter is that we would be having this debate no matter who won the Presidency last November 8, because ObamaCare is in a meltdown mode. It is unsustainable, and we would be dealing with our broken healthcare system no matter who won the White House on November 8 of last year.

One of my constituents wrote me earlier this year about her daughter. She said that before ObamaCare, back when she could choose the policy that she wanted, she was paying about \$190 a month for health insurance, and she had a \$500 deductible. Well, that sounds pretty reasonable—not great, but not terrible either. Then came ObamaCare. Now her daughter, who unfortunately lost her job in the interim, must pay almost \$400 a month with a deductible that is more than \$6,000. I don't know many people who can write a check for \$6,000 when they have an unexpected healthcare crisis. So in essence, she is being forced to self-insure and has been denied the benefit of even the insurance that she has, even though her premium has gone up more than double, and, of course, her deductible is now \$6,000.

So to our friends across the aisle who seem to be relishing this moment

where we are actually undertaking the hard work of working through a repeal and replacement program, I would say to them that ObamaCare is certainly no gold standard. It is the opposite of what we need to help our Nation's healthcare woes. There is no doubt that it is a failed piece of legislation, full of empty promises, and one we have to scrap.

So with the American Health Care Act, starting today in the House of Representatives, we will repeal ObamaCare and deliver better, more affordable healthcare choices to the American people.

This bill actually also improves Medicaid. That is another big part of what ObamaCare did. It forced more people onto Medicaid, which is frankly not the best quality healthcare insurance or coverage that exists.

I remember back during the ObamaCare debate, I actually introduced an amendment in the Finance Committee saying that if Congress passed ObamaCare, Members of Congress needed to be put on Medicaid—my theory being, not that it was such great coverage, but that if Members of Congress were on Medicaid, we sure would take every step necessary to actually improve it and make sure it works.

But this legislation actually does improve Medicaid and puts it on a sustainable path for the future by working with the Governors, because Medicaid is a shared Federal-State responsibility. But right now, it is growing by leaps and bounds. It is at the consumer medical inflation rate plus two, which means it is growing much faster than the economy and, unfortunately, putting unprecedented burdens on our State governments. For example, I know, talking to some Texas legislators, they said it is easily the second—and, if they weren't careful, the largest—expense item in the Texas State budget—Medicaid, or the State share of Medicaid.

Of course, Medicaid was designed to help the most vulnerable in our communities and enjoyed broad bipartisan support. Along the way, it became less about serving those who needed it and more about unchecked government spending, as I mentioned a moment ago. So what the American Health Care Act does is it actually puts Medicaid on a budget. It doesn't cut current spending in Medicaid; it just says that it will grow at a slower rate, and it sends much of the authority to work out the best healthcare delivery systems to our State Governors and legislators. It gives States more flexibility along the way so they can use resources to serve the specific needs of their citizens. I know in my State we frequently will come to Washington and ask the Health and Human Services Department and the Centers for Medicare and Medicaid Services, or

CMS, for a waiver so we can actually use the Medicaid money and to spend it most effectively—to build either a medical home or to deal with chronic diseases, or some other flexibility we need in order to deliver quality healthcare to our constituents. But the gall of having to come to Washington, DC, and asking permission on how to spend your own money is just too much.

I believe, actually, the American Health Care Act is the most significant entitlement reform in decades. That is something we should all applaud—putting Medicare and Medicaid on a more sustainable path, not continuing to spend money that we don't have, and racking up annual deficits and adding to our national debt, which now is in the \$20 trillion range, with no end in sight.

Both Federal and State governments spend a significant amount of money on Medicaid every year. As I indicated, last year nearly one-third of the Texas budget was dedicated to Medicaid. The fact of the matter is that when the States have to spend so much of the money they tax and collect on Medicaid, then, it is unavailable for other important purposes—law enforcement, education, and the like. There is a crowding-out effect. By responsibly reforming Medicaid, the States and the Federal Government will benefit, all while helping Medicaid work for the most vulnerable in our country and putting us on a path to fiscal sustainability.

In addition to entitlement reform, this bill will also get rid of the ObamaCare taxes that have led to hikes in premium costs, fewer options for patients, and more redtape for job creators. I know, being in Tyler, TX, for example, back after ObamaCare passed, and meeting with a woman who said she was forced, actually, to work two jobs because her employer laid her off of her full-time job, so as to come under the cap necessary for the ObamaCare employer mandate. So, literally, this single mother had lost her full-time job because of ObamaCare and was forced to work two part-time jobs just to make up the difference in income.

We will also, in this American Health Care Act, eliminate the individual mandate. President Obama said when he ran for office back in 2008 that he was opposed to penalizing the American people if they did not buy government-approved insurance, but of course he changed his tune once he was sworn into office.

We will eliminate the individual mandate so people who don't want to purchase a government-approved plan are not forced to buy a plan they don't want and that they can't afford or else suffer a penalty. This bill will also help families spend money on healthcare decisions that make the most sense to

them by giving them tools so they can manage their healthcare expenses like health savings accounts.

The American Health Care Act is an answer to a promise we made and we have made repetitively in the last three elections since ObamaCare became the law of the land. I believe it is imperative we keep our promise.

Some have said: Well, this is a difficult process. I agree. There are a lot of different ideas that people have. I agree. That is a good thing, but in the end, we have a binary choice. We can either keep the status quo, which is in meltdown—which is ObamaCare—or we can pass legislation which offers more choices at affordable prices to the American people.

I believe the choice is very clear. It is a great opportunity to reform our healthcare system and Medicaid and move healthcare decisions away from Washington and back to the families, back in the States where we all live, and back in the hands of patients and their doctors. I look forward to working with my colleagues and the Trump administration to make this a reality.

Again, the choice is between the status quo, which is unacceptable, which is not working, or a better way. I, for one, choose a better way: more choices at a price consumers can afford.

I yield the floor.

The PRESIDING OFFICER (Mrs. ERNST). The Senator from Maine.

REPUBLICAN HEALTHCARE BILL

Mr. KING. Madam President, I rise to address the bill that has been recently—and I emphasize the word “recently”—introduced in the House of Representatives. I believe it was introduced Monday. It is having not a hearing but a markup today, and may be on the House floor as soon as tomorrow or early next week.

As the President said recently, healthcare is complicated. To me, to introduce a bill that was not available to any Members of Congress before Monday, mark it up in committee 2 days later, attempt to pass it on the floor of the House, and then I understand it may come directly to the floor of the Senate without any committee consideration, it just seems to me is a disservice to the process and a disservice to the traditions and practices of this institution.

This is complicated. It is difficult. The ramifications and implications of this bill, just as any other major change in our healthcare system, are incredibly important. This is not about ideology. This is about people. This is about the impact on people. I want to talk about the impact of this bill, as we have thus far been able to assess it, on the people of Maine. When I look at a piece of legislation down here, I start with Maine. How will it affect the people who live along our coast or inland, in the small towns, and particularly people who are above the age of 50?

Maine happens to be the oldest State in the country. Therefore, anything which negatively impacts seniors doubly negatively impacts the people of my State. I feel this bill is a disaster for seniors. I define seniors in this case as anybody over 50 because it does several things. One of the things it does, and there should be a great deal of discussion about this, under the Affordable Care Act, which recognizes the fact that seniors and people who are older tend to have more medical needs than those who are younger, it caps differential at three times. In other words, a senior can only pay three times what a younger person pays, and even that is burdensome in many cases.

This bill changes three to five. It will be a very substantial increase in the payments and the costs of insurance and healthcare to senior citizens. Now, the Kaiser Family Foundation, which is, I find, the most nonpartisan and informative source of information on all of these issues, has created a handy tool on their website, where you can put in information, such as family income and age, and determine what you would have paid under the Affordable Care Act and what you would pay under this new bill.

What they found was—I wanted to look and see what somebody in my State will pay. If you are a 60-year-old in Aroostook County Maine with an income of \$30,000, the subsidy—the support for the premium for individual insurance—would fall by 70 percent. The support for your insurance policy under the Affordable Care Act would fall by 70 percent.

Throughout our State, the average decrease would be 48 percent—almost half. So we are talking not about some theoretical, ideological, political thing here, we are talking about people's ability to afford health insurance. It is about as clear as it could be. That is why it is frustrating to me that we collectively—the Congress—are going to be asked to consider this bill with literally no hearings, no input from the public, no discussion of how all the pieces fit together or don't fit together. Yet we are going to be asked—I believe, my understanding is, we are going to be asked to vote on this bill sometime on the floor of the Senate, without any committee consideration, in the next week or so.

This is too important to people's lives to give it such short shrift. It is just not right to make changes of this magnitude that are so vital to people's well-being and literally their health and their survival in some cases. It is unthinkable to me that we would do this without a round of hearings and discussions and the regular order that we supposedly honor around here as to how major legislation is to come to the floor.

I received a letter just recently: “Hi, Angus.”

I like it when my correspondents say “Hi, Angus” instead of “Senator.”

Hi, Angus [he says]. I have worked in the pulp and paper industry for close to 30 years. It was a good industry up here, supported middle-class families in northern Maine. But we have had layoffs and closures of our mills. After every closure, I had to obtain health insurance for my family on my own. Before ObamaCare, this was a disaster. I could only obtain catastrophic insurance from one of two providers. There was no way I could pay \$1,500 a month for a decent plan. After ObamaCare, I could obtain decent insurance at a decent price. While there may have been problems for some, it was a godsend for my family. Please help ensure we don't go back to the old days. We are self-employed by our small business and would not be able to pay more for less.

That is what the bill that is in the House would do, pay more for less. By the way, how does the money work in this bill? Well, one of the things the bill does is, my understanding, and, again, I am only operating on what we have seen in the last 24 hours because of no hearings, but one of the things it does is eliminate a tax on people who make over \$250,000 a year in order to cut coverage for people who are not making that kind of money.

It is a tax cut, and shifting the cost to our citizens, particularly our seniors. The pattern is, shift and shaft. Shift the cost, and shaft the people who need the coverage. This is supposed to be a substitute. It is supposed to be coverage for everyone. You have to be careful. When people talk about access, they are talking about: Yes, you can buy it, but if you can't afford it, that is not really access. This bill dramatically decreases the support for health insurance premiums through the Affordable Care Act.

The reality is, and I hear a lot of talk about how ObamaCare is collapsing. It isn't. More people signed up this year than last year. Yes, it is true the rates went up, but that was because younger people were not signing up in significant numbers. We need to deal with that issue because that makes the risk pool older and sicker and therefore more expensive.

I have been told by insurance officials that if something like this bill that is in the House passes and the subsidies disappear and the Affordable Care Act goes away, the private health insurance market for individuals, the so-called individual market, will essentially collapse. The reality is, the uninsured population of this country has fallen virtually in half since the passage of the Affordable Care Act. Twenty-two million people have coverage now who did not before and we can take it away.

The other piece I don't like about this bill is it phases things out so the impact will not be felt until after the next election or sometime in the future. Well, the future comes. In this case, the future is going to be pretty desolate for people who have health insurance now and are not going to have

it 2, 4, or 6 years from now. It is just not right.

I am one who has been saying, since I entered this body now 4-plus years ago, that there are problems with the Affordable Care Act. We should be working on those problems. We should be working on repairing it, not destroying it. We should not be talking about taking healthcare coverage away from people in this country.

I am sure I and many others will be addressing more comprehensively the provisions of this bill as it becomes more clear, even though we are going to have to ferret those provisions out because we are not going to have the benefit of expert testimony and views from a variety of points of view of how this is actually going to work.

The reality is, I don't think there is much question that this proposal will hammer Maine and my people. I can't stand for that. I hope the House will have a more vigorous process, they will understand what the implications are, and take a more judicious approach so we are not tearing insurance out from under people, we are not going to make the cost be driven up, we are not giving a tax break to people who make over \$250,000 a year, and at the same time taking coverage away from people who make \$30,000 a year.

That is wrong. We should be repairing, not repealing. I think this bill is not the right place to start. I stand for the people of Maine. I stand for the people who are going to be harmed by this, whether they are seniors or working people or self-employed people or people who have been able to start businesses because they could get, for the first time, insurance under the Affordable Care Act.

I believe that is our obligation. We have an opportunity to work together. I am willing to work with anyone who wants to work on improving and dealing with some of the issues that have been raised by the Affordable Care Act.

Let's stop talking about repealing. Let's talk about fixing, strengthening, and meeting our commitment to our fellow citizens in Maine and across our country.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

(The remarks of Mrs. SHAHEEN are printed in today's RECORD during consideration of S. Res. 84.)

Mrs. SHAHEEN. Madam President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

REPUBLICAN HEALTHCARE BILL

Mr. BROWN. Madam President, I join literally millions of Ohioans and tens

of millions of Americans in my concern about what the House of Representatives is trying to do to our healthcare laws and our healthcare system.

I leave just one statistic with my colleagues in the Senate, and that is that in my State alone, there are 200,000 people who are now under treatment for opioid addiction, and they are able to get this comprehensive treatment because they have insurance under the Affordable Care Act.

The legislation apparently coming out of the House of Representatives, even though we do not know how much it costs, is a big tax cut for the wealthy. We do not know how much it costs because they are moving so quickly. It was under wraps, and now they are moving it so quickly that the Congressional Budget Office has not even had time to look at it and understand what it costs, nor has it been able to tell us how many of the 22 million Americans who have insurance under the Affordable Care Act will lose their insurance. They want to move so fast that they are not even answering the basic questions of how much it costs—a lot; how much it is going to add to the deficit—a whole lot, but they will not be specific; and how many people will lose their insurance.

As I said, today 200,000 Ohioans are getting treatment for opioid addiction under the Affordable Care Act. Most of them—we think at least half, but tens of thousands of them will lose their treatment just like that, right in the middle of their addiction treatment. What does society gain by that, other than some Republican talking points, when people chanted for 6 years “repeal and replace ObamaCare,” never having any idea how they were going to replace it—still don't—to do it right and continue that effort.

Finally, there is the hypocrisy of this, where Members of Congress in the House and in the Senate enjoy taxpayer-financed health insurance. People in this body—most of the 100 Senators and most of the 435 Congressmen and Congresswomen—have health insurance provided by taxpayers, yet they want to take insurance away from millions of Americans. These are people who have jobs. They are millions of Americans who have jobs, who are making relatively low wages. Some of them may be holding two or three part-time jobs. They make low wages. They have no health insurance provided at their job. People in Congress who have taxpayer-funded health insurance are taking their insurance away, stripping them of that insurance. How morally repugnant that is. How hypocritical that is. Yet they move along their merry way.

We should defeat these efforts. We should continue to make improvements in the Affordable Care Act, but not wholesale destruction that will throw hundreds of thousands of Ohioans off of the insurance they have.

I will close with this. My Republican Governor has admonished his Republican colleagues around the country and in Congress not to repeal the Affordable Care Act and throw 900,000 people in Ohio off of their insurance without a replacement to take care of it. This bill coming out of the House is far from an adequate replacement.

I suggest the absence of a quorum.

The PRESIDING OFFICER. (Mr. TILLIS). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

CALLING FOR THE APPOINTMENT OF A SPECIAL PROSECUTOR

Mr. BLUMENTHAL. Mr. President, even in its early days, this administration has embarked on a course of foreign private interest entanglements and conflicts of interest that are truly staggering.

Just this morning, the Associated Press reported that China has granted preliminary approval for 38 new trademarks. They are Trump trademarks, paving the way for the President, Donald Trump, and his family to “potentially develop a host of branded businesses from hotels to golf clubs to bodyguard and concierge services.”

These reports are contained in public documents. All but three are in the President's own name. The AP report also quotes an official as saying that “for all these marks to sail through so quickly and cleanly, with no similar marks . . . no issues with specification, boy, it's weird.”

Now, the speculation is that these trademarks could not have been issued without approval by the ruling Communist Party, that hierarchy had to be involved, and that awareness had to involve their approval for these intellectual property interests. The benefit is to the President through his private interests. The fact is, the President of the United States should be beholden only to the American people, not to personal profit, but in fact these trademarks raise the specter that the President possibly is beholden to the approving officials in China even more than to the American people. That is an issue that merits investigation. Like so many issues arising in this young administration, the question is, Who will do that investigation?

The lawyers in China representing Donald Trump applied for these trademarks in April of 2016, even as then-Candidate Donald Trump railed against China at his campaign rallies, criticizing Chinese currency manipulation, its intellectual property theft, its attraction of jobs from this country to theirs. The question arises, What has he done about those issues? In fact, China continues to manipulate its currency, continues to attract jobs from

this country, and continues its aggressive policies in the area around that country.

The question is whether an inquiry is appropriate—which certainly it seems to be—and who will supervise it. It is the same question that arises with respect to Russian interference in our electoral system and the potential ties between Trump team officials and the Russians who committed those acts. Those ties have been established by evidence that is now incontrovertible because it is admitted by the officials themselves, now Attorney General Jeff Sessions and former National Security Advisor Michael Flynn.

It is now a matter of factual record that Russia engaged in a series of deliberate cyber attacks in order to carry out an unprecedented plot to undermine the 2016 elections with the goal of assisting Donald Trump. The growing body of evidence clearly and unmistakably indicates that Trump campaign officials were in contact with Russia during the election. These deeply troubling claims of coordination with a foreign government to influence an American election certainly deserve exacting scrutiny and investigation, and the more we learn, the more troubled we become. In fact, we are rapidly careening toward a constitutional crisis. These recent revelations about Vladimir Putin's government and former National Security Advisor Michael Flynn resulted in his resignation. There have also been details about contact between Attorney General Sessions, our former colleague, and the Russian Ambassador that have caused his recusal from all inquiries of that subject matter.

I believe a special prosecutor must be appointed to investigate the Russian interference and meddling in our election, the massive cyber attack misinformation, and propaganda campaign conducted to subvert that election. The potential for cooperation, condoning, connecting between the Trump officials and Russia certainly merits investigation as well. Without reaching conclusions, the special prosecutor ought to investigate and then reach a conclusion. His conclusion should be based on fact, not surmise or speculation.

For weeks, I have called for a special prosecutor to investigate possible ties between members of the Trump campaign, the Trump transition, and the Trump White House to Russian officials who sought to interfere with our election. I support the Intelligence Committee in conducting its investigation. I would favor the appointment of a special commission or a select committee of the Congress to do fact-finding, make reports and recommendations in a fully transparent way, but only a special prosecutor can take action based on criminal intent. Only a special prosecutor can pursue violations of criminal law, to not only

investigate but also bring charges and seek appropriate punishment and remedy. Only the Deputy Attorney General of the United States can appoint a special prosecutor because the Attorney General has recused himself—in other words, taken himself out of all of the areas of this subject matter. That is why I asked yesterday that the nominee for Deputy Attorney General, Rod Rosenstein, commit to appoint a special prosecutor.

His answer to me was that he wishes to wait until he is approved by the Senate—assuming his confirmation occurs—to decide whether to appoint a special prosecutor. He claims he needs to familiarize himself with the facts and circumstances of any ongoing investigation before he can make a decision. With all due respect, the facts he needs to know are already established. They are already a matter of public record. They are already known to the American public. There is an investigation ongoing by the FBI—and with good reason—into Russian meddling in our elections, this massive campaign of misinformation and cyber attack that they purposefully conducted to influence the outcome of our election.

We know the Justice Department must investigate and pursue the ongoing investigation, wherever the evidence leads. Part of that evidence inevitably will be meetings that were conducted by his boss, the Attorney General of United States, Jeff Sessions, which is why the Attorney General has recused himself—because he could be involved in that investigation as a witness, as a subject, even possibly as a target, as could the President himself.

To close that investigation, the Deputy Attorney General, or whoever is conducting it, needs to question the Attorney General of the United States. To conduct that investigation, that questioning must occur. So the Deputy Attorney General would be expected to be investigating his boss. If he decides to conduct that investigation himself, he must appoint a special prosecutor to establish the independence of that inquiry, to assure that in reality and in appearance the American public is assured that the investigation is independent, objective, impartial, vigorous, and fair.

The facts that warrant a special prosecutor are already known and they are already a matter of public record. That is why I believe he must commit himself now, before his confirmation—in fact, as a condition of his confirmation—to take that action, which preserves the credibility and public confidence in the Department of Justice that he observed very eloquently in his confirmation hearing as one of his central objectives.

There is a lot of precedent for this step. The most prominent one perhaps is Elliot Richardson, when he was the Attorney General designee. He was re-

quested by the Judiciary Committee, at that time, to make the same kind of commitment—and he did. He kept his promise. He appointed Archibald Cox to be special prosecutor, and the Watergate scandal was appropriately investigated and pursued. That example—when Elliot Richardson had enough facts, just as Rod Rosenstein does now—ought to be the lodestar here. It ought to be the model for his commitment to appointing a special prosecutor.

The simple fact is, Rod Rosenstein, like Elliot Richardson, knows everything he needs to know to be sure a special prosecutor is necessary, and especially because he is a career prosecutor with a distinguished record, and because he has that intellect and integrity that would qualify him probably to be confirmed, he should know it is the right thing to do. Maybe he will do it if he is confirmed, but it would serve the interests of justice, and it would help to sustain and enhance the trust and public confidence in the Department of Justice if he were to do it now, as Elliot Richardson did many years ago.

We live in an extraordinary time. The conflicts of interest and foreign entanglements that threaten our Nation, beginning at the very top of this administration, impose a unique mandate on the Department of Justice. The recusal of the Attorney General from this investigation indicates that leadership and integrity are necessary at every level as never before. That is why, in this extraordinary time, I urge the Deputy Attorney General nominee, Rod Rosenstein, to do the right thing and make sure there is an investigation that is independent and vigorous, as well as fair and full; that we know all of the facts eventually and that action is taken appropriately to deal with the Russian interference in our election, the potential ties between the Trump administration—before and after the election—in those improper interferences by the Russians in our election, and that the danger of cover-up, indicated by the potential false statements made by Jeff Sessions before the Judiciary Committee and Michael Flynn elsewhere, be stopped before it starts. Only a special prosecutor can provide the unbiased and fair answers that are so urgently needed.

The American people deserve an explanation. They deserve an explanation for the trademarks that have been issued to Donald Trump in China. They deserve an explanation by a special prosecutor on Russian meddling and Trump ties to that meddling. Whether the independent and special prosecutor broadens the scope of that investigation to include the entanglements or conflicts of interest involving China is a question that will have to be addressed by that official, but this much we know now. We are rapidly careening

toward a constitutional crisis, a crisis of credibility as well as legal challenges. The historic opportunity and obligation this nominee owes the country cannot be avoided.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

Apparently there is another speaker. I withdraw that suggestion.

The PRESIDING OFFICER. The Senator from Colorado.

NOMINATION OF NEIL GORSUCH

Mr. GARDNER. Mr. President, looking at today's headlines and listening to the news, it may seem as if colleagues from across the country—Democrat, Republican—don't always agree on some things, let alone anything. I think we are starting to see a consensus emerge—a very good, genuine agreement emerge between liberals and conservatives, Democrats and Republicans on at least one matter in Washington, DC, in the Senate: Neil Gorsuch. That agreement is on Neil Gorsuch.

Neil Gorsuch is an exceptional nominee for the U.S. Supreme Court. In fact, Judge Gorsuch is, by many extents and by many commentators, arguably one of the most talented jurists we have nominated to the Court in a very long time, at least in modern history.

As the Denver Post in Colorado said: "Gorsuch is a brilliant legal mind" who has a reputation for "[applying] the law fairly and consistently."

You can't ask for much more than that—somebody who will apply the law fairly and consistently. However, this shouldn't surprise anyone who knows Judge Gorsuch. Judge Gorsuch has always enjoyed overwhelming bipartisan support. All we need to do to see that is to look back to 2006 when we could see that most clearly in the U.S. Senate.

In 2006, when Judge Gorsuch was unanimously confirmed to the Tenth Circuit Court, 12 current Democratic Senators, including the minority leader and Senators LEAHY, FEINSTEIN, and DURBIN, all were in office. It was a nomination in 2006 that was unanimous, a nomination that went by voice vote.

He was so universally appealing to the Tenth Circuit Court that he had an introduction at the Judiciary Committee by both a Democratic Senator from Colorado and a Republican Senator from Colorado, joined by every single person on the floor to vote yes unanimously.

They approved his nomination. And to give you even greater context about this vote, the people who made this vote, the approval of Judge Gorsuch in 2006 to the Tenth Circuit Court came in addition to the 12 people I just mentioned who are here today and who were here then. It also came with the support of then-Senator Obama, Senator Biden, Senator Clinton, and Senator Kerry.

Approximately 11 years later, now that Judge Gorsuch has proved himself to be a mainstream jurist, a consensus builder, a profound legal mind with an even temperament and affable nature, we have a chance again to put this incredibly brilliant mind on the Nation's highest Court.

Judge Gorsuch is a faithful adherent to the Constitution and the organizing principles of this great democracy. I have no doubt that Judge Gorsuch will—and should—enjoy similar levels of approval among my distinguished colleagues across the aisle.

I also wish for people to learn more about Judge Gorsuch personally and to tell some stories about growing up in Colorado. It is a story about how a young man from Denver, CO, through his own hard work and academic excellence, rose to the highest echelons of the legal profession and to the nearly universal acclaim of Democrats and Republicans.

A fourth-generation Coloradan, Neil Gorsuch learned the value of hard work at a young age from his grandfathers. His maternal grandfather, Dr. Joseph McGill, began his adult life by working in Union Station, the main railway terminal in Denver. From there, Dr. McGill put himself through medical school and became a prominent surgeon. With his wife, Dorothy Jean, Dr. McGill raised seven children, all of whom he gave a better life to and put through college.

Neil's paternal grandfather, John Gorsuch, was his legal inspiration. After serving in World War I, John Gorsuch put himself through undergraduate and law school at the University of Denver by driving a trolley car. Upon graduation, John built a law practice focusing on real estate law. He also made time to help Denver's welfare department and participate in the Kiwanis Club and numerous other civic organizations. Later, John started what was at one time one of the largest law firms in Denver, Gorsuch Kirgis, where he practiced well into his eighties.

It was this family work ethic that drove Neil to get his hands dirty and pursue blue collar jobs at a young age. In Colorado, he moved furniture, he shoveled snow, he mowed lawns, and he even shoveled some more snow in the great State of Colorado. It was this work ethic—and a lot of shoveling of snow—combined with his family's appreciation of higher education that helped Neil consistently realize academic excellence.

By now, I think this Chamber is well familiar with Judge Gorsuch's sterling academic credentials, receiving his undergraduate degree at Columbia, law school at Harvard, Ph.D. at Oxford. I don't think any of us can forget, nor should we, the fact that he spent a summer at the University of Colorado.

Intellect alone doesn't get you through the halls of these storied aca-

demic institutions. It requires hard work, independence—two values of the West; two values in addition to many other western values that Judge Gorsuch holds.

It is these values, these western perspectives that the Supreme Court desperately needs to grow. Judge Gorsuch is a lifelong outdoorsman. He enjoys fly fishing and skiing. In fact, I have been told that he is a double black diamond skier. His wife, Louise, cares for animals in a small barn on his land.

In addition to his love of the outdoors and his appreciation of nature's beauty, Judge Gorsuch understands the complex legal issues facing westerners and our Western States.

Since 2006, Judge Gorsuch served on the Federal court that covers the Tenth Circuit Court based out of Denver that covers six other Western States—Colorado, Oklahoma, Kansas, New Mexico, Wyoming, and Utah. Those States represent nearly 20 percent of the land of the continental United States.

His service on this court has provided him with a unique understanding of public lands, water, and Tribal issues that many of the other Western States in the region face. Some of the most complex legal challenges in water law and others come before his court as a result. That experience would serve all of our Western States well when utilized from the U.S. Supreme Court.

Over the coming days, I plan, along with many of my other colleagues, to elaborate on why Gorsuch's western values and perspective make him an outstanding choice for the U.S. Supreme Court. I look forward to working with colleagues on both sides of the aisle to make sure he gets a timely up-or-down vote. From the highest echelons of the legal field to the Tenth Circuit Court, to the U.S. Supreme Court, Judge Gorsuch would make us proud, and he would serve this country well.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

(The remarks of Mr. MANCHIN pertaining to the introduction of S. 581 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. MANCHIN. I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

TRUMPCARE AND THE NOMINATION OF SEEMA VERMA

Ms. HIRONO. Mr. President, it seems appropriate that we are debating the nomination of Seema Verma to head the Center for Medicare and Medicaid Services the same week Republicans in Congress introduce a plan to dismantle the Affordable Care Act.

Over the past 8 years, President Obama and the Democratic Party have been fighting to make sure that everyone in this country has access to affordable, quality health insurance.

President Trump and his allies in Congress do not share this commitment. Instead of debating how best to expand access, they are fighting with each other to see just how many people they can kick off insurance rolls—all in a crusade, apparently, to save some people money.

This is not a crusade to improve the lives of as many Americans as possible. It is a crusade to serve their radical antigovernment ideology. In fact, “ideology over people” is a useful shorthand to describe the first 2 months of the Trump administration.

The problem with their ideological debates is that people are left out of the debate. Do we really know what it is like to be without health insurance? Under the plan to repeal the ACA, 20 million people in our country will be without health insurance, without healthcare. What if you were one of those people?

This question is not an academic one for me. I know what it is like to live without health insurance. When my mom brought my brothers and me to this country—I am an immigrant—her job did not provide health benefits. My greatest fear growing up as a little girl in this country was that my mom would not be able to go to work if she got sick. If she wasn’t able to go to work, where would money for food and rent come from?

That is not the kind of fear we want to impose on millions of children in our country, but we will be doing just that to the 20 million people and their families who gained health insurance under the Affordable Care Act—many, for the first time in their lives. They did not have to be worried every single day that their child or their parents would be sick and would not be able to afford the care that they needed. This is not an academic exercise for any of them. They will be hurt by what we are being asked to do. It is not an academic exercise for the millions more who will lose their insurance coverage under TrumpCare.

But no one should be surprised. This administration and their allies in Congress continue to demonstrate a commitment to alternative facts. If you believe their alternative facts, TrumpCare would improve healthcare access for working families, seniors and women, and Americans would have, as the President said, “much better healthcare for much less money.”

But in reality, TrumpCare will do the opposite. TrumpCare would end by 2020 the ACA’s Medicaid expansion that millions of people in our country depend on every day. The expansion not only provided health coverage to millions of people for the first time, but it also helped to keep hospitals in rural and underserved communities from closing down. These rural hospitals exist all across the country. In its place, TrumpCare would change how

States receive Medicaid funding, and it would do so in a way that ensures that these programs cannot keep pace with the rising cost of health insurance in their counties and in our country.

Under this new system, States would have less money to spend on Medicaid recipients and face the prospect of tightening eligibility and slashing benefits. This would be particularly devastating in Hawaii, where we saw the number of people enrolled in Medicaid grow by nearly 20 percent under the ACA. Medicaid has had a transformative impact on tens of thousands of lives in Hawaii and millions of others across the country.

Anne from Oahu walked into the Kokua Kalihi Valley Clinic 3 years ago. She had no health insurance, and she was pregnant at the age of 15. The doctors at the clinic helped Anne apply for Medicaid, which helped her afford prenatal care, gave her support to stay healthy and, very importantly, to stay in school.

Medicaid helped Anne and her husband Dan, age 17, welcome a healthy baby boy named Joseph. Today, Anne is a graduate of Farrington High School, works part time, and has plans to become a pediatric nurse practitioner. Anne, Dan, and Joseph now have insurance through Dan’s employer.

Reducing access to this critical program is wrong. Trying to convince the American people they would be better off with the results of these kinds of drastic negative changes to Medicare and Medicaid is yet another alternative fact.

I am encouraged that four of my Republican colleagues spoke out forcefully against any bill that would eliminate the ACA’s Medicaid expansion. We need more Republicans of conscience to make their voices heard on this important issue.

TrumpCare would also be devastating for seniors in Hawaii and across the country. Under TrumpCare, insurance companies would be able to charge older Americans up to five times more for an equivalent health plan than they would be able to charge a younger person. For a President and a party that professes to hate taxes so much, they don’t seem to have a problem with what amounts to an age tax.

TrumpCare’s changes to Medicaid would also have devastating consequences for States like Hawaii, where our rapidly aging population depends on Medicaid to pay for nursing home and other care. The President made the American people a promise—that his healthcare plan would not touch Medicare. But the cumulative effect of TrumpCare’s assault on our seniors—our kupuna—would force the Medicare trust fund to go broke 4 years sooner than expected. For reference, the ACA extended the life of the Medicare trust fund by 10 years.

This would have a devastating impact for seniors like Anne and Lanny Bruder from Kauai. Lanny is 80 years old and working three jobs to make ends meet. He has had two knee replacements and a heart attack. Anne has glaucoma and pays a lot of money out of pocket for her prescription eye drops. They can’t afford to pay more for their health insurance, which is exactly what is going to happen under TrumpCare.

TrumpCare would also have a profoundly negative impact on women across the country. The President’s plan would completely zero out funding for Planned Parenthood. This lifegiving, lifesaving organization would no longer be eligible for Medicaid reimbursements or Federal family planning, which would leave a \$500 million hole in their budget.

Republicans continue to claim falsely that community health centers would fill the gap in service left by the demise of support for Planned Parenthood—not true. Most of these community centers, whose resources are already stretched thin, do not provide women’s healthcare or family planning services. In other words, they would not be able to replicate the services that Planned Parenthood provides all across the country to millions of women and families.

Planned Parenthood operates two clinics in Hawaii, one on Oahu and one on Maui. They are the forefront of innovation in increasing access to family planning services across the State. They launched an innovative new mobile application that would allow doctors to provide digital consultations to women on neighbor islands for the purpose of prescribing birth control. Recently, Planned Parenthood made their first delivery to the island of Molokai, a largely rural island with little permanent medical infrastructure. This is the kind of innovation we should be encouraging, and it is precisely the type of program that could get cut if Planned Parenthood loses its Federal funding.

I often say that there are people in this country getting screwed every second, minute, and hour of the day. Instead of reducing that number, which should be our goal, TrumpCare would increase the number of people who get hurt in our country. The wealthiest of the wealthy in our country would benefit because—not only would all these things happen under TrumpCare that would be devastating to families, to women, to our seniors—TrumpCare would also give a big tax break, a big tax cut to the wealthiest people in our country. They don’t need that kind of tax cut. Do people making over \$2 million a year really deserve another \$150,000 a year in tax cuts? I don’t think so.

TrumpCare would be a disaster for the middle class, I am going to do everything in my power to stop it from

being the law of the land. We have come too far in the past 8 years to go backward. The first way we can fight back against this plan is by rejecting the nomination of Seema Verma, who would be in charge of implementing TrumpCare as the head of CMS.

Ms. Verma is unqualified for the job she has been nominated to do. She has absolutely no experience running a major Federal department and has virtually no budgeting experience. This is deeply disconcerting because as the Administrator of CMS, she would oversee a \$1 trillion budget, which is twice as large as that of the Pentagon.

Ms. Verma would also continue the President's assault on women's healthcare. During her confirmation hearing, Ms. Verma said she opposed the ACA's requirement that all health plans cover pregnancy care. It is because of this attitude that millions of women across the country are participating in a Day Without Women today. In solidarity with them, I will fight tooth and nail against TrumpCare and encourage my colleagues to oppose Seema Verma's nomination to serve as the Administrator of the very agency that is supposed to be protecting healthcare for all Americans.

I yield the floor.

Mr. VAN HOLLEN. Mr. President, I oppose H.J. Res. 58, another Congressional Review Act resolution that would roll back an agency's efforts to implement a law and prevent it from doing its job in the future.

In this case, we are considering eliminating Department of Education regulations on teacher preparation programs. In the 2008 reauthorization of the Higher Education Act, Congress required States to assess and identify low-performing teacher preparation programs to ensure that every teacher graduates ready for the classroom. Following a process that began in 2011, the Department of Education released a draft rule in 2014. That draft wasn't perfect and needed more flexibility for States and institutions of higher education. After an extended comment period, the Department revised the rule 2 years later. Though it may not satisfy everyone, the final rule provides clarity in line with Congress's direction.

Congress has the opportunity, with the reauthorization of the Higher Education Act, to improve upon these provisions. We can build on the State-driven assessment that this rule provides and further refine the system to make sure that data is being used to better prepare a more diverse class of teachers for our schools.

If the Trump administration does not want to wait for further legislation, it can engage in a new rulemaking, but as with all Congressional Review Act resolutions, this resolution is a meat ax rather than a scalpel. It repeals the rule and prevents the Department from carrying out its responsibility to en-

sure high-quality teacher preparation programs. This is simply the wrong approach, and I urge a no vote.

THE PRESIDING OFFICER (Mr. COTTON). The Senator from Washington.

Mrs. MURRAY. Mr. President, I come to the floor to once again urge my fellow Senators to vote against the pending resolution and support strong and accountable teacher preparation programs in America today.

There are so many great teacher prep programs across the country that are supplying our teaching students with the tools they need to succeed in the classroom, but there are also teacher prep programs that are struggling and need support to make sure they are producing great teachers for our schools.

This rule ensures that students can make informed decisions about teacher preparation programs and that they have access to this information before they take out massive amounts of student debt. It gives States information about the schools that are struggling so States can provide those schools the tools and resources they need to improve their teaching preparation programs.

Finally, eliminating this rule will give Secretary DeVos more power over our higher education programs—a risk we should not be willing to take without learning more about Secretary DeVos's vision for our higher education system.

Every student deserves to have an amazing teacher in the classroom. This rule helps ensure that is possible. So I urge Senators to think of the future teachers and students who will be impacted if this resolution passes.

Thank you.

I yield the floor.

I suggest the absence of a quorum.

THE PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. SASSE. Mr. President, I ask unanimous consent that at 2:30 p.m. today, all remaining time on H.J. Res. 58 be yielded back.

THE PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. SASSE. Mr. President, I rise to restate my support for H.J. Res. 58, a resolution to overturn the Obama administration Department of Education's rule regulating future teacher preparation programs from Washington, DC.

This teacher preparation mandate actually assumes that Washington bureaucrats are competent to micro-manage teacher training programs across America. There are 27,000 such

programs, by the way, and this micro-management is absurd. We all agree that education matters, that teachers matter, that teacher training programs matter, and that kids are the future of our country, but I ask my colleagues to acknowledge the expertise and to respect the reforms already begun at the district and State levels and to reverse this misguided Federal regulation of teacher preparation programs.

I would like to close by reading several quotations from those who would have been affected by this regulation had it gone into effect.

This first quotation comes from the American Federation of Teachers. Their public statement on the final rule, on October 12, 2016, reads as follows:

It is, quite simply, ludicrous to propose evaluating teacher preparation programs based on the performance of the students taught by those program's graduates. Frankly, the only conceivable reason the department would release regulations so out of sync with the Every Student Succeeds Act and President Obama's own call to reduce high-stakes testing is they are simply checking off their bucket list of outstanding issues before the end of their term.

The final regulations could harm students who benefit the most from consistent, high-quality standards for teacher preparation programs. The regulations will create enormous difficulty for teacher prep programs and place an unnecessary burden on institutions and states, which are also in the process of implementing ESSA.

My second quotation comes from the comments of the provost and the chair of the Department of Education at Creighton University in Omaha, NE, dated February 2, 2015, of the comment period:

As stated earlier, the regulations represent a significant financial burden to institutions, local school systems, and states. In the state of Nebraska, there are over 500 individual teacher preparation "programs" subject to the complexities of these regulations.

Again, these regulations are 700 pages.

Even as a system is developed, issues regarding privacy, low numbers, and student demographics would impact results unfairly and result in decisions unlikely to improve teacher preparation programs and student learning at PK-12 schools [in Nebraska].

My third and final quotation comes from the Association of Independent Colleges and Universities of Nebraska, and they wrote the Department of Education about this rule as follows:

[T]he budgetary impact of this regulation is significantly understated, if not laughable. No financial support for states, school systems, or institutions of higher education to implement the requirements is proposed. The regulations create new requirements for colleges, schools, and states to track and report on candidates and teachers for many years. Those systems are not in place. The cost estimates make inaccurate assumptions that colleges and states already have the systems in place for collecting, analyzing, reporting, and utilizing data [federally-mandated data which may or may not be valid or

reliable for the purposes for which it is intended to be used). It also provides a timeline that is unworkable for most states and institutions.

Mr. President, I ask unanimous consent that the following statements and letters be printed in the RECORD.

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

[From www.aft.org, Oct. 12, 2016]

AFT'S WEINGARTEN ON TEACHER
PREPARATION PROGRAMS REGULATIONS

WASHINGTON—Statement from American Federation of Teachers President Randi Weingarten on the Department of Education's final regulations for teacher preparation programs.

"It is, quite simply, ludicrous to propose evaluating teacher preparation programs based on the performance of the students taught by a program's graduates. Frankly, the only conceivable reason the department would release regulations so out of sync with the Every Student Succeeds Act (ESSA) and President Obama's own call to reduce high-stakes testing is that they are simply checking off their bucket list of outstanding issues before the end of their term.

"The final regulations could harm students who would benefit the most from consistent, high-quality standards for teacher preparation programs. The regulations will create enormous difficulty for teacher prep programs and place an unnecessary burden on institutions and states, which are also in the process of implementing ESSA.

"Instead of designing a system to support and improve teacher prep programs, the regulations build on the now-rejected high-stakes testing system established under NCLB and greatly expanded under this administration's Race to the Top and waiver programs. It's stunning that the department would evaluate teaching colleges based on the academic performance of the students of their graduates when ESSA—enacted by large bipartisan majorities in both the House and Senate last December—prohibited the department from requiring school districts to do that kind of teacher evaluation.

"Teacher prep programs need to help ensure that teachers are ready to engage their students in powerful learning and creating an environment that is conducive to learning. These regulations will not help achieve that goal. These regulations do not address ways to help the current status of the teaching profession: the shortages, the lack of diversity or the high turnover.

"While the department has made minor tweaks, the flawed framework remains the same. The regulations will punish teacher prep programs whose graduates go on to teach in our highest-needs schools, most often those with high concentrations of students who live in poverty and English language learners—the exact opposite strategy of what we need. As we brought up in January 2015—in our comments to the department's proposal—if programs are rated as the department proposes, teacher prep schools will have incentive to steer graduates away from assignments in our toughest schools, and that will only make matters worse.

"If we want to get it right, we should look to countries like Finland, where prospective teachers receive extensive training in their subject matter and teaching strategies combined with clinical training. Finland has no alternative prep programs. Programs are

highly selective and free of cost; their graduates go on to work in supportive, professional environments with strong unions, fair pay and benefits, and without high-stakes testing."

OFFICE OF THE PROVOST,
CREIGHTON UNIVERSITY
Omaha, NE, February 2, 2015.

Re Docket ID ED-2014-OPE-0057.

Hon. ARNE DUNCAN,
Secretary, U.S. Department of Education,
Washington, DC.

DEAR SECRETARY DUNCAN: We would like to introduce ourselves. Our names are Edward O'Connor, Provost, and Debra L. Ponec, Professor and Chair in the Education Department at Creighton University, which is located in Omaha, Nebraska. We are responding to the U.S. Department of Education's proposed regulations for teacher preparation programs released in the Notice of Proposed Rule Making (NPRM) on December 3, 2014.

Like other teacher preparation programs in institutions of higher education throughout the nation, the Education Department at Creighton University embraces accountability for our work. The faculty are eager to learn more about the effectiveness of our graduates and seek continual program improvement to ensure their profession-readiness in the classroom. Our preparation programs currently employ accountability mechanisms such as these:

National and state accreditation

Praxis II testing

Survey data from graduates and employers

Feedback from PK-12 school partners and Advisory Boards

Continuous Review of Programs

The institution's teacher preparation programs also undergo continual reform influenced by the effective practice, feedback from our K-12 partners, local and national workforce demands, new requirements from our legislature and state, new professional standards for preparation, and funding to support new initiatives. The Education Department at Creighton University has developed partnerships with public and private schools where instruction and clinical practice are on-site; integrated "best practices" into evidence-based teacher preparation; placed students in high need, diverse settings for clinical practice throughout the program; and provided data on the impact of our programs on our website. Our programs have a documented high placement and retention rate for our graduates. Our teacher preparation program actively supports accountability mechanisms that are fair, transparent, valid, reliable, feasible, and useful for program improvement. The proposed regulations initiated by the U. S. Department of Education do not meet these criteria.

Overall, if these proposed regulations were adopted, they would draw energy, funding, and attention away from innovative reforms, proven accountability initiatives, and overall program improvement currently under way in teacher preparation programs across the country. Some of the specific areas of concern are as follows:

The specific requirements outlined in the proposal usurp the rights of the state and higher education institutions to determine what indicators identify proficiency of teacher education graduates and their preparation programs. This unfunded mandate represents a significant financial burden to institutions, local school systems, and states. The costs of implementing these regulations have been woefully underestimated with the understanding that no federal fund-

ing would be available to move the proposed regulations forward. The proposed regulations require data systems to track and report on teacher education candidate effectiveness for multiple years. Many states do not possess the technology capacity to develop highly sophisticated data collection systems which will collect, analyze, report, and utilize this data in a meaningful manner.

The proposed regulations have generally not been tested for validity and reliability, and attaching high-stakes consequences at this point is of significant concern. For example, using PK-12 student academic achievement and growth to evaluate teacher performance is questioned by leading research organizations and education scholars as having questionable validity and reliability for making teacher effectiveness decisions. Utilizing this approach of evaluating teacher performance to his/her teacher preparation institution is an even weaker link given the largely unknown impacts such as implications of time and place of employment and teacher preparation influence. The lack of a scientifically acceptable basis for using student achievement as a rating for program performance, even if the cost and burden were low, makes this indicator unreasonable. In addition, evidence that ACT/SAT/GPA scores are a reliable indicator of teacher effectiveness is equally questionable. Capstone assessments, which are being implemented in very limited ways are still inconclusive in their outcomes as measuring teacher quality.

As stated earlier, the regulations represent a significant financial burden to institutions, local school systems, and states. In the state of Nebraska, there are over 500 individual teacher preparation programs subject to the complexities of these regulations. Even as a system is developed issues regarding privacy, low numbers, and student demographics would impact results unfairly and result in decisions unlikely to improve teacher preparation programs and student learning at PK-12 schools.

The regulations focus on placement, retention, and performance with PK-12 students has significant potential to become a disincentive to encourage candidates to seek placements in areas of high-need. This ideal conflicts with our mission statement and preparation which seeks to lead students to work with the underrepresented, disenfranchised, and poor. Our teacher preparation candidates are well-prepared, however, the potential of a teacher preparation program being rated on test scores of high-needs students will cause any institution pause. With lack of control of the experience of the teachers once employed and no assurance of resources to provide the supports for candidates in high-need schools, it is unreasonable to compare these candidates with candidates in non high-need situations.

The proposed timeline is unreasonable and unrealistic. Those states piloting connecting teacher effectiveness to student achievement are still under development and are experiencing many ethical and legal challenges as they seek to implement the requirements. Attaching outcomes to national accreditation is also problematic in that the new CAEP accreditation standards are not fully implemented and accreditation processes using the new standards will not officially be required until the Fall of 2016. The timeline presented in the proposed regulations would include piloting additional reporting requirements for the 2016-17 academic year which is unrealistic to meet significantly increased

reporting elements, creation of new data systems, delivery of in-service and technical assistance systems for institutions and schools, and lack of new resources with which to accomplish the unfunded mandates.

The proposed regulations do not consider or support the philosophy that quality education requires a systemic approach. Factors such as student demographics, preschool learning opportunities, poverty and other social factors are not controlled by PK-12 schools or teacher preparation experiences. Other quality indicators such as equitable funding, strong curriculum standards, focus on providing opportunity—access—success for all students, and quality assessment which all contribute to PK-12 student learning are not controlled by teacher preparation programs. Therefore equating PK-12 student performance to the quality of a teacher preparation program is unfair and unreasonable. However, dedication to strong commitments and collaborative partnerships by educator preparation programs and school systems impact the development of exemplary educators for the future.

Thank you for allowing us to address our concerns. If you have any questions, please feel free to contact us.

Sincerely,

EDWARD R. O'CONNOR,
PhD, FACHE,
Provost.

DEBRA L. PONEC,
Edd, NCC, Professor and Chair,
Education Department.

ASSOCIATION OF INDEPENDENT COLLEGES AND UNIVERSITIES OF NEBRASKA, LINCOLN, NE, JANUARY 29, 2015.

Re Comments Regarding Proposed Regulations, 34 CFR Parts 612 and 686; Teacher Preparation Issues.

SOPHIA MCARDLE,
U.S. Department of Education,
Washington, DC.

DEAR MS. MCARDLE: I am writing as the representative of the private, non-profit, regionally accredited colleges and universities in Nebraska with teacher education programs. While we laud the US Department of Education in its efforts to improve the quality of K-12 and higher education in the United States, we believe there are portions of the proposed regulation that are troubling to our institutions.

First, Nebraska is a state that prides itself on local control in education matters. Despite the rhetoric about allowing states to use their own measures of student growth, this proposed regulation mandates states that do not already use value-added measures of student learning in their teacher assessments to do so. It provides for federally-mandated state indicators of quality for teacher preparation program assessments. This is a significant expansion of the federal role in its oversight of the states' responsibility for the education of its young people, and is inappropriate.

Second, the budgetary impact of this regulation is significantly understated, if not laughable. No financial support for states, school systems, or institutions of higher education to implement the requirements is proposed. The regulations create requirements for colleges, schools, and states to track and report on candidates and teachers for many years. Those systems are not in place. The cost estimates make inaccurate assumptions that colleges and states already have the systems in place for collecting, analyzing, reporting, and utilizing data (federally-man-

dated data which may or may not be valid or reliable for the purposes for which it is intended to be used). It also provides a timeline that is unworkable for most states and institutions.

The January 2, 2015 letter from the American Council of Education and twenty-three other association signatories to the Office of Information and Regulatory Affairs points out the significant understatement of OMB's estimate of the costs of implementing the proposed regulation by states and IHE's. Most of the teacher preparation programs that I represent are very small, and the impact on them will be disproportionately large from a cost standpoint. The Department cannot talk about tuition containment from one side of its mouth and take actions that will exacerbate tuition hikes out of the other side.

Third, while teacher preparation is one factor in secondary student performance, it is not the only factor. Demographics, family income, school facilities, parental support, and other non-preparation issues have impacts on student performance. This proposed regulation may have unintended consequences that the USDOE should consider. Why would an IHE place a first-year student in a "troubled" school district or building, where he or she might be less likely to continue in a teaching career, when a "safer" placement would make that continuance more likely? Ergo, a higher rating for the IHE, the students in the program would not be at risk to lose Title IV funds or Teach Grants, and other positives for the college. On the other hand, a school district or building might lose the services of an outstanding first-year teacher which it really needs.

Finally, attributing financial aid-eligibility on institutional ratings based on research that may or may not be valid is irresponsible and bad public policy. It will hinder enrollment to students who could become outstanding teachers, but may have to overcome hurdles in order to do so. This regulation will give IHE's less incentive to enroll those types of students.

For these reasons, we believe the proposed regulations should be reconsidered and a new negotiated rulemaking convened, with proposed regulations that take into account the myriad of comments received by the USDOE from states, institutions of higher education, and associations relating to these proposed regulations. Thank you for your consideration.

Sincerely,

THOMAS O'NEILL, JR.,
President.

Comments submitted by Nebraskans:

—Malinda Eccarius, University of Nebraska, Lincoln on Apr. 27, 2016: <https://www.regulations.gov/document?D=ED-2014-OPE-0057-4855>

—Debra Ponec, Creighton University on Feb. 4, 2015: <https://www.regulations.gov/document?D=ED-2014-OPE-0057-4364>

—Lixin Ren, Doctoral Student, University of Nebraska-Lincoln on Feb. 4, 2015: <https://www.regulations.gov/document?D=ED-2014-OPE-0057-4246>

—Don Jackson, President of Hasting College on Feb. 4, 2015: <https://www.regulations.gov/document?D=ED-2014-OPE-0057-4231>

—Thomas O'Neill, President of Association of Independent Colleges and Universities of Nebraska on Feb. 4, 2015: <https://www.regulations.gov/document?D=ED-2014-OPE-0057-4541>

—Sharon Katt, Matthew L. Blomstedt, and Scott Swisher of Nebraska Department of

Education on Feb. 4, 2015: <https://www.regulations.gov/document?D=ED-2014-OPE-0057-3887>

—Marjorie Kostelnik, University of Nebraska, Lincoln on Feb. 4, 2015: <https://www.regulations.gov/document?D=ED-2014-OPE-0057-3511>

—Ronald Bork, Associate Dean, Head of Teacher Education at Concordia University, Nebraska on Jan. 26, 2015: <https://www.regulations.gov/document?D=ED-2014-OPE-0057-1997>

Mr. SASSE. Thank you, Mr. President.

I yield back.

The PRESIDING OFFICER. Under the previous order, all time on the joint resolution has expired.

The joint resolution was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. The joint resolution having been read the third time, the question is, Shall the joint resolution pass?

Mr. SASSE. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Georgia (Mr. ISAKSON).

The PRESIDING OFFICER (Mr. TOOMEY). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 59, nays 40, as follows:

[Rollcall Vote No. 83 Leg.]

YEAS—59

Alexander	Flake	Nelson
Barrasso	Gardner	Paul
Blunt	Graham	Perdue
Boozman	Grassley	Portman
Burr	Hatch	Risch
Capito	Heitkamp	Roberts
Cassidy	Heller	Rounds
Cochran	Hoeven	Rubio
Collins	Inhofe	Sasse
Corker	Johnson	Scott
Cornyn	Kennedy	Shelby
Cortez Masto	King	Strange
Cotton	Lankford	Sullivan
Crapo	Lee	Tester
Cruz	Manchin	Thune
Daines	McCain	Tillis
Donnelly	McCaskill	Toomey
Enzi	McConnell	Wicker
Ernst	Moran	Young
Fischer	Murkowski	

NAYS—40

Baldwin	Gillibrand	Reed
Bennet	Harris	Sanders
Blumenthal	Hassan	Schatz
Booker	Heinrich	Schumer
Brown	Hirono	Shaheen
Cantwell	Kaine	Stabenow
Cardin	Klobuchar	Udall
Carper	Leahy	Van Hollen
Casey	Markey	Warner
Coons	Menendez	Warren
Duckworth	Merkley	Whitehouse
Durbin	Murphy	Wyden
Feinstein	Murray	
Franken	Peters	

NOT VOTING—1

Isakson

The joint resolution (H.J. Res. 58) was passed.

The PRESIDING OFFICER. The majority leader.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE DEPARTMENT OF EDUCATION—MOTION TO PROCEED

Mr. MCCONNELL. Mr. President, I move to proceed to H.J. Res. 57.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

Motion to proceed to H.J. Res. 57, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Education relating to accountability and State plans under the Elementary and Secondary Education Act of 1965.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE DEPARTMENT OF EDUCATION

The PRESIDING OFFICER. The clerk will report the joint resolution.

The senior assistant legislative clerk read as follows:

A joint resolution (H.J. Res. 57) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Education relating to accountability and State plans under the Elementary and Secondary Education Act of 1965.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I wish to address the resolution the Senate is now considering.

In 2015, 85 U.S. Senators voted for the law fixing No Child Left Behind, which reversed the trend to a national school board and restored decisions to classroom teachers, local school boards, and States. The Wall Street Journal said it was the “largest devolution of federal control to the states in a quarter of a century.”

The Department of Education regulation this resolution seeks to overturn does exactly the reverse. It begins to restore the national school board, and it takes away responsibilities from classroom teachers, local school boards, and States. It does this in direct violation of the law that 85 Senators voted for just 15 months ago. So the question before us, today, is not only whether we believe in a national school board or local school boards. More important, perhaps, the question is: who writes the law? Does the U.S. Congress write the law, or does the U.S. Department of Education write the law? Article I of the U.S. Constitution says that the Congress, elected by the people, writes the law.

The purpose of this resolution is to overturn a regulation of the Department of Education that in 7 cases directly violates the Every Student Succeeds Act, passed just 15 months ago, and in 16 other cases exceeds the authority allowed by that law.

This regulation would say to States: Ignore the law 85 Senators passed 15 months ago. Ignore the law that President Obama called a Christmas miracle. Ignore the law that Governors, teachers, school boards, and superintendents all supported, and even ignore why they supported it. Instead, listen to the unelected bureaucrats at the U.S. Department of Education.

This regulation issued by the Department of Education specifically does things or requires States to do things that Congress said, in our law fixing No Child Left Behind, that the Department of Education cannot do. Therefore, it violates the law.

In this law, Congress said to the Department: You cannot tell States exactly what to do about fixing low-performing schools; that is a State decision. But this regulation does that anyway.

Congress said to the Department: You cannot tell States exactly how to rate the public schools in your State. But this regulation does that anyway.

This is not a minor matter.

The remarkable consensus that developed in the 2015 bill in support of fixing No Child Left Behind was to reverse the trend toward a national school board and restore to States, classroom teachers, and school boards decisions about what to do about their children in 100,000 public schools. Teachers, Governors, and school board members were fed up with Washington telling them so much about what to do about the children in their schools. So this regulation, which contravenes the law specifically, goes to the heart of the bill fixing No Child Left Behind.

It is very unusual in Federal law to specifically prohibit a department from regulating on an issue, but that is exactly what Congress did in 2015. Here are seven specific examples of how the regulation which we seek to overturn violates prohibitions that Congress explicitly wrote into the law:

No. 1, the regulation prescribes the long-term goals and measurements of progress that States establish for student subgroups.

The law says, for example, that the Secretary may not tell a State that goals set for students of one race must improve their progress 20 percent better than the progress of a group of students of another race. Yet the regulation says that States must establish goals and measurements for lower performing subgroups who “require greater rates of improvement,” which would necessarily mean that students of one race would have to do better than students of another race.

No. 2, the regulation requires federally prescribed actions to be taken in schools that do not annually test at least 95 percent of students.

The law says that States must annually test not less than 95 percent of all students and each subgroup of students, but States determine how to hold schools accountable for ensuring that 95 percent of students participate on annual tests. The law says that the Secretary of Education may not prescribe “the way in which the State factors” the 95 percent testing requirement into their accountability system. Yet the regulation we seek to overturn prescribes four different specific ways that States must take action in schools that miss the 95 percent requirement.

No. 3, the regulation prescribes that schools with consistently underperforming subgroups of students be identified with a lower summative determination.

The law says that States are required to identify schools for targeted support when a subgroup of students is “consistently underperforming” in a manner “as determined by the state.” So under the law, the Secretary can’t tell States how to identify the lowest performing schools or what a school’s rating should be. Yet the regulation we are seeking to overturn says that States are required to “demonstrate that a school with a consistently underperforming subgroup . . . receive a lower summative determination. . . . than it would have otherwise received.” The Department of Education is meddling into the methodology of school ratings again, despite the fact that Congress said it could not.

No. 4, the regulation prescribes the timeline for identifying schools with consistently underperforming subgroups.

The law says that States are required to identify schools for targeted support when a subgroup of students is “consistently underperforming” in a manner “as determined by the state.”

We had lengthy discussions about this. These issues in education are filled with conflict and filled with different opinions. I said many times during the debate that working on an education bill in the Senate is kind of like being in a football stadium on game day at Penn State or the University of Tennessee: Everybody in the stands has played football, and they know what play to call, and they usually do. So everybody had a point. We had to work these things out and we wrote down carefully the agreement we had. We wrote down that the Secretary of Education may not impose new requirements or criteria on State accountability systems, such as a timeline for the identification of lowest performing schools. Yet the regulation prescribes an exact timeline of 2 years.

No. 5, the regulation requires States to resubmit their plans to the Secretary every 4 years.

The law says that each State plan “shall . . . be periodically reviewed and revised as necessary by the State educational agency.” Yet the regulation says States must review and revise their State plans “at least once every four years” and “submit its revisions to the Secretary for review and approval.”

No. 6, the regulation dictates exactly how school districts with significant numbers of low-performing schools must measure resources for students.

The law says States must “periodically review resource allocation to support school improvement” in districts that are serving a significant number of low-performing schools. The law says the Secretary cannot tell States what to review. Yet the regulation says that in addressing resource inequities, States must review differences in the following: rates of ineffective, out-of-field, or inexperienced teachers; access to advanced coursework; access to full-day kindergarten and preschool programs; access to specialized instructional support personnel; and per-pupil expenditures of Federal, State, and local funds.

But the law said the Secretary could not tell States what to review.

No. 7, the regulation tells States how to count students in subgroups.

The law says each State decides the minimum number of students who should be included in the State’s count of subgroups. So, a State might decide that for students to be included in the State’s subgroup data, there needs to be at least 35 students, for example, of a subgroup in a school. The law says the Secretary may not impose new requirements or criteria on State accountability systems. Yet the regulation we are seeking to overturn says States must pick a number below 30 or States will have to explain themselves to the Secretary. That is in violation of a specific prohibition passed by this body with 85 votes and signed by the President of the United States.

Those are seven ways the regulation specifically violates prohibitions in the law that were intended to keep the Secretary from doing what the Secretary then turned around and did.

Here are 16 more ways the regulation exceeds the authority of the U.S. Department of Education. To some, this may seem minor. To some, it may seem dull. It is not dull to me. I don’t think it is dull to most Senators. Article I of the Constitution isn’t dull. We are elected to write the laws, and anytime we turn over to somebody else—whether it is the court, whether it is the executive branch—that constitutional prerogative, we violate our oath, in my opinion.

No. 1, the regulation limits how States measure school quality or stu-

dent success. The law says States must include at least one measure of school quality or student success that has to be “valid, reliable, comparable, and statewide.”

The Secretary cannot tell States what measures to use in their State accountability system. Yet the regulation tells States they can only choose indicators that meet the criteria the Department came up with.

No. 2, the regulation limits how States measure school quality or student success for indicators used specifically in high school.

The law says States must include at least one measure of school quality or student success, specific to high schools, and it has to be “valid, reliable, comparable, and statewide.” The Secretary cannot tell States what measures to use in their State accountability system. Yet the regulation tells States they can only choose indicators that meet criteria the Department came up with.

No. 3, the regulation tells schools marked as low-performing that they will always be low-performing unless they improve on indicators the U.S. Department of Education has identified.

The law says something different. The law says that tests and graduation rates have to count more in the State accountability systems than indicators of school quality or student success. The Secretary of Education may not prescribe “the weight of any measure or indicator used to identify or meaningfully differentiate schools.”

The regulation says that a low-performing school must continue to be identified as low-performing unless it improves on tests and graduation rates, even if the school is making significant progress on other measures of school quality or student success, such as, for example, absenteeism or family engagement, something chosen by the State.

No. 4, the regulation requires school districts where schools aren’t testing 95 percent of students to develop and implement a Federal improvement plan.

The law says States must annually test not less than 95 percent of all students and each subgroup of students. The law leaves it to States to determine what to do in school districts with schools that are failing to meet the participation requirement. Yet the regulation tells States how to address school districts where schools aren’t testing 95 percent of students. It invents out of whole cloth the idea of a Federal improvement plan, and then it mandates it.

No. 5, similarly, the regulation requires schools that aren’t testing 95 percent of students to develop and implement a Federal improvement plan.

The law says that States must annually test not less than 95 percent of all

students and each subgroup of students. The law leaves it to States to determine what to do in schools that are failing to meet the participation requirement. Yet the regulation tells States how to address schools that aren’t testing 95 percent of students.

Again, it invents out of whole cloth the idea of a Federal improvement plan with four federally prescribed elements, and then it mandates it.

No. 6, the regulation tells States how to measure high school graduation rates.

The law says each State will establish long-term goals for “all students and each subgroup of students in the State,” including the goal of high school graduation rates using either the “four-year adjusted cohort graduation rate” or “at the State’s discretion, the extended-year adjusted cohort graduation rate.” Yet the regulation says States can only use the four-year adjusted cohort graduation rate to identify low-performing schools in their accountability systems.

You can see that throughout these examples there appears to be a deliberate attempt by the Department of Education not to interpret the law but to ignore the law or, specifically, to contravene the law, to thumb the nose of regulation writers at the Congress and the President who passed and signed the law.

No. 7, the regulation requires each State to come up with a definition for an “ineffective teacher.” The law says each State will describe how low-income and minority children enrolled in schools are not served at disproportionate rates by ineffective teachers. Yet the regulations says States have to define “ineffective teachers.” It is going to make it nearly impossible for States not to implement an entire teacher evaluation system.

No. 8, in the same way, the regulation requires each State to come up with a definition of an “out-of-field teacher.”

That is what the regulation does, but the law just says States will describe how low-income and minority children enrolled in schools are not served at disproportionate rates by “out-of-field teachers.” The regulation says you have to define that.

No. 9, the regulation requires each State to come up with a definition for an “inexperienced teacher.”

The law simply says a State will describe how low-income and minority children are not served at disproportionate rates by “inexperienced teachers.” Yet the regulation goes on to require a definition.

No. 10, the regulation tells States to report on the number and percentage of all students and subgroups of students who are not included in the State’s accountability system.

The law says each State will report a clear and concise description of the

State's accountability system, including the minimum number of students that the State determines are necessary to be included in each of the subgroups of students. Yet the regulation requires States to provide new information outside of the scope of what is required by the law.

No. 11, the regulation tells States how to rate schools and that the State accountability system has to produce a single rating for each school.

That was not envisioned by the law. The law says that States must create a system of evaluating all public schools in the State. It says, further, that the Secretary of Education may not prescribe the specific methodology used by States to evaluate schools. Yet the regulation tells States that the results must lead to a "single summative determination" for each school.

A State might choose to do that or a State might choose not to do that. That was the decision of the Congress, but the Department decided differently.

No. 12, the regulation adds a requirement that the State's accountability system has to include at least three levels of performance.

The law says that States have the flexibility to establish a system of meaningful differentiation of schools without any parameters or federally prescribed methodology. That couldn't be clearer—without any parameters or federally described methodology. Yet the regulation prescribes a requirement that States use at least three distinct levels of performance for schools.

No. 13, the regulation prescribes when schools may exit from identification as the lowest-performing.

The law says States must establish statewide criteria for schools to exit from being identified as in need of improvement. The law says that the Secretary of Education may not prescribe what the exit criteria are. That is a decision left up to States, but the regulation narrows the States' ability to develop their own criteria for schools to no longer be identified as the lowest performing.

No. 14, the regulation prescribes how States intervene in school districts with schools that are labeled as the lowest-performing. The law says that if a low-performing school does not meet a State's criteria for no longer being identified as lowest-performing, then the State must take a "more rigorous State-determined action." The Secretary of Education cannot prescribe, under the law, any specific strategies to improve schools. Yet the regulation requires the State to tell school districts to take interventions the Department has prescribed.

No. 15, the regulation prescribes how school districts intervene in schools that are labeled as low-performing.

The law says if a low-performing school does not meet statewide criteria

for no longer being identified as lowest-performing, the State must take a "more rigorous State-determined action." The Secretary cannot prescribe any specific strategies to improve schools. Yet the regulation requires a school to take federally prescribed actions.

We have already tried Federal one-size-fits-all actions under the School Improvement Grant program in No Child Left Behind. We rejected that. We don't think Washington should be in the business of telling schools how to fix themselves.

Finally, No. 16, the regulation limits how States award school improvement funding to school districts and schools.

The law says States must establish the method they will use to award school improvement funding to school districts. The regulation dictates to States how much they have to award to low-performing schools receiving school improvement funds.

Here is what this resolution overturning the regulation would do. The resolution would ensure that the law fixing No Child Left Behind is implemented as Congress wrote it. The regulation violates the law and its clear prohibitions on the Secretary by prescribing new requirements through regulation or as a condition of a State plan approval.

In the law we passed, Congress reached an agreement about requiring States to identify a certain number and types of schools that need to be improved, but we left it to the States to determine how to go about fixing those schools and how long they had to fix the schools. The regulation prescribes how States and school districts intervene in and improve schools that do not improve.

Secondly, this resolution restores State flexibility. The regulation is in direct conflict with the intent of the law to allow States and school districts to have greater flexibility to implement the law, as Congress intended.

Congress reached an agreement that there are some essential elements of a State accountability plan that need to be included in a State plan. The other half of the agreement was that we left to the States the decisions about how to include these factors into their accountability systems. This is about article I of the Constitution.

Congress wrote the law with specific rules in mind. The Secretary of Education and his or her bureaucracy do not get to treat Congress as a minor impediment to the education system of their choosing. If they want to write the laws of the land, they should run for Congress and get themselves elected, draft a bill or an amendment—not wait for Congress to finish our work and try to undo it through a simple regulation.

This resolution, overturning the regulation, would preserve local decision-

making. As I mentioned, the Wall Street Journal editorialized, when we passed the law, that it was "the largest devolution of Federal control to States in a quarter-century."

The regulation tried to restore Washington, DC, decision-making with mandates that States comply with specific requirements instead of letting States determine how to best proceed.

This resolution scuttles new and burdensome reporting requirements. The regulation created new reporting requirements on States and school districts that will drive up compliance costs and divert resources away from students and classrooms.

Let me conclude by dealing with some of the arguments and misinformation that I have been hearing about the resolution. No. 1, I want to make clear that this resolution overturning the regulation strengthens accountability in our public schools the way Congress determined to do it in the law fixing No Child Left Behind.

We transferred most of that responsibility for accountability from Washington, DC, to States and local school boards. We did not want a national school board.

The law also includes Federal guardrails to ensure a quality, public education for all students, including, for example, requiring States to identify and provide support to low-performing schools—at least the lowest performing bottom 5 percent of each State's schools—and requiring academic and English language proficiency indicators to be included in each State's accountability system. The law's Federal guardrails will shape how States design their accountability systems because a State plan would not be following the law if the State fails to include accountability provisions in their plan.

The repeal of this regulation does not let States—the ones who are supposed to be addressing accountability—off the hook by any means. Repealing this regulation simply ensures that individual States and their Governors, legislators, chief State school officers, local school boards, superintendents, principals, parents, and classroom teachers are responsible for these decisions.

This resolution, overturning the regulation, will allow States to implement the new law on the existing timeline to submit their plans and have the Department review and approve State plans.

U.S. Education Secretary DeVos has said that she favors the current timeline, the one established by former Secretary King. She said this at her confirmation hearing before our committee. She confirmed that again after taking office.

Mr. President, I ask unanimous consent that Secretary DeVos's letter of February 10 to the Chief State School Officers outlining the timeline be printed in the RECORD.

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

FEBRUARY 10, 2017.

DEAR CHIEF STATE SCHOOL OFFICER: Thank you for the important work you and stakeholders in your State are engaged in to develop new State plans and transition to the Every Student Succeeds Act (ESSA), which reauthorized the Elementary and Secondary Education Act of 1965 (ESEA). I am writing today to assure you that I fully intend to implement and enforce the statutory requirements of the ESSA. Additionally, I want to provide you with an update on the timeline, procedures, and criteria under which a State Educational Agency (SEA) may submit a State plan, including a consolidated State plan, to the Department. States should continue to follow the timeline for developing and submitting their State plans to the Department for review and approval.

On November 29, 2016, the Department issued final regulations regarding statewide accountability systems and data reporting under Title I of the ESEA, as amended by the ESSA, and the preparation of State plans, including consolidated State plans. However, in accordance with the memorandum of January 20, 2017, from the Assistant to the President and Chief of Staff, titled "Regulatory Freeze Pending Review," published in the Federal Register on January 24, 2017, the Department has delayed the effective date of regulations concerning accountability and State plans under the ESSA until March 21, 2017, to permit further review for questions of law and policy that the regulations might raise. Additionally, Congress is currently considering a joint resolution of disapproval under the Congressional Review Act (CRA) (5 U.S.C. 801808) to overturn these regulations. If a resolution of disapproval is enacted, these regulations "shall have no force or effect."

In a Dear Colleague Letter dated November 29, 2016, the Department notified SEAs that it would accept consolidated State plans on two dates: April 3 or September 18, 2017. The Department also released a Consolidated State Plan Template that States were required to use if they submit a consolidated State plan. Due to the regulatory delay and review, and the potential repeal of recent regulations by Congress, the Department is currently reviewing the regulatory requirements of consolidated State plans, as reflected in the current template, to ensure that they require only descriptions, information, assurances, and other materials that are "absolutely necessary" for consideration of a consolidated State plan, consistent with section 8302(b)(3) of the ESEA. In doing so, the Department, in consultation with SEAs as well as other State and local stakeholders, will develop a revised template for consolidated State plans that meets the "absolutely necessary" requirement by March 13, 2017. The Department may also consider allowing a State or group of States to work together to develop a consolidated State plan template that meets the Department's identified requirements through the Council of Chief State School Officers.

The regulatory delay and review, and the potential repeal of recent regulations by Congress, should not adversely affect or delay the progress that States have already made in developing their State plans and transitioning to the ESSA. The Department will be notifying States and the public of the revised template once it becomes available. In the meantime, States should continue their work in engaging with stakeholders

and developing their plans based on the requirements under section 8302(b)(3) of the ESEA. In doing so, States may consider using the existing template as a guide, as any revised template will not result in descriptions, information, assurances, or other materials that States will be required to provide other than those already required under the ESEA. The Department will still accept consolidated State plans on April 3 or September 18, 2017.

For your reference, the following programs may be included in a consolidated State plan:

Title I, part A: Improving Basic Programs Operated by Local Educational Agencies;

Title I, part C: Education of Migratory Children;

Title I, part D: Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent, or At-Risk;

Title II, part A: Supporting Effective Instruction;

Title III, part A: English Language Acquisition, Language Enhancement, and Academic Achievement Act;

Title IV, part A: Student Support and Academic Enrichment Grants;

Title IV, part B: 21st Century Community Learning Centers; and

Title V, part B, subpart 2: Rural and Low-Income School Program.

In addition, pursuant to ESEA section 8302(a)(1)(B), I am designating the Education for Homeless Children and Youths program under subtitle B of title VII of the McKinney-Vento Homeless Assistance Act as a program that may be included in an SEA's consolidated State plan.

I appreciate the hard work and thoughtful attention you are giving to implementing the ESEA, as amended by the ESSA. I understand that a great deal of work has already gone into the planning and preparation of your State plans, whether that is a consolidated State plan or individual program plans. One of my main priorities as Secretary is to ensure that States and local school districts have clarity during the early implementation of the law. Additionally, I want to ensure that regulations comply with the requirements of the law, provide the State and local flexibility that Congress intended, and do not impose unnecessary burdens. In the near future, the Department will provide more information on its review of existing regulations, as well as additional guidance and technical assistance.

We have a unique opportunity as we implement the ESSA. I look forward to working with you, districts, and parents to ensure every child has the opportunity to pursue excellence and achieve their hopes and dreams.

Sincerely,

BETSY DEVOS.

Mr. ALEXANDER. So there is no confusion, let me clearly state what that timeline is. No. 1, States should continue to submit State accountability plans by the April or September 2017 deadlines. No. 2, States should continue to implement a State accountability system in the 2017–2018 school year. No. 3, States should continue to identify the lowest performing schools in need of comprehensive support and improvement by the beginning of the 2018–2019 school year.

To write these plans, States need simply to consult the law. The Every Student Succeeds Act requires States to submit a plan for peer review and

approval by Secretary DeVos and the Education Department. The Department is committed to working with States by providing technical assistance, issuing non-regulatory guidance and other support materials.

If questions arise, there are a variety of ways to answer the questions. The Department will continue to provide States with clarification on how to comply with the law through the use of non-regulatory guidance, "Dear Colleague" letters, frequently asked questions documents, webinars, phone calls, and in-person conferences. In other words, if there are any questions about how to comply with the new law, there are plenty of ways for Chief State School Officers and others to ask the U.S. Department of Education to provide the answers.

It is important to emphasize that this resolution does not in any way give the Education Secretary a path to creating a new Federal voucher program. Some of my friends on the other side of this debate have been resorting to scare tactics and alleging Secretary DeVos will use this opportunity to regulate into existence a mandate that State and local school districts adopt a school voucher program. The Secretary of Education does not have that power, and this Secretary of Education has said she does not want it. Secretary DeVos has repeatedly affirmed her opposition to federally mandating school choice, saying that she does "not and will not advocate for any Federal mandates requiring vouchers. States should determine the mechanism of choice, if any."

A school choice program cannot be unilaterally created by the U.S. Department of Education. Only Congress could create a voucher program. I tried to do that on the floor of this Senate during the debate about fixing No Child Left Behind. I offered an amendment called Scholarships for Kids that would have allowed States to use existing Federal dollars to follow the children of low-income families to schools of their parents' choice. Senator SCOTT of South Carolina offered a similar amendment, but only 45 Senators voted for our proposals. If you pay attention around here, you know that the most important things usually take 60 votes to gain approval.

Also, the 2015 law that we passed actually includes provisions that would prohibit the Secretary from mandating, directing, or controlling a State, school district or school's allocation of State or local resources, and it bars the Department of Education from requiring States and districts to spend any funds or incur any costs not paid for under the law—for example, vouchers. Now I agree that previous Secretaries of Education have imposed their own personal, policy preferences on States and school districts. I opposed such mandates and worked

against them. Congress writes the law, not the Secretary and not the bureaucracy.

Instead of using this scare tactic to rile up teachers and parents around the country, misleading them and confusing them about what the Secretary of Education might do, I would take that argument and turn it around. If Congress takes a stand here and now and says that this regulation exceeds the authority granted by Congress—the authority delegated to the Secretary of Education—because the Secretary imposed conditions on States not allowed by the law, then that means any current or future Secretary of Education would be similarly prevented from imposing their own conditions on States.

So there could be no legal method of forcing States to adopt a voucher program, unless Congress passes a new law. There could be no legal method of reinterpreting the Every Student Succeeds Act to impose the next good education idea—however well-intended—unless Congress acts first.

The suggestion has been made that this new law requires regulations. This regulation is not required by the law. The law does not specifically call for accountability regulations. The law allows for accountability regulations, but “only to the extent that such regulations are necessary to ensure that there is compliance.” So there is no requirement for this regulation. It is allowed, but it is not required.

Congress wrote prohibitions on the Secretary so that States would not be faced with a bunch of new mandates that “add new requirements that are inconsistent with or outside the scope” or “add new criteria that are inconsistent with or outside the scope” or are “in excess of statutory authority granted to the Secretary.” That is what Congress did. In the law, we laid out requirements for State plans. States can simply follow the law. A regulation isn’t necessary.

Future Secretaries will still be able to write regulations on this subject. Under the Congressional Review Act, which is the procedure under which we are operating, if Congress overturns a regulation—as I hope it will in this case—the Department of Education is prevented from making final a new regulation that is “substantially the same” as the overturned regulation, unless Congress passes a new law to create an opportunity for that new regulation. But no court has defined what “substantially the same” means. But the commonsense interpretation of that is very simple: The Department simply can’t turn right around and do the same thing Congress has just overturned. It could do something else by regulation, but it could not do precisely that.

So this is a question of whether we are going to restore the national school board that 85 Senators voted to reverse

15 months ago. And this is also a question of whether you believe that the U.S. Congress writes the law or the U.S. Department of Education writes the law. I believe that under article I of our Constitution, the U.S. Congress writes the law, and when signed by the President, then that is the law. The regulations must stay within it, and that is especially true when Congress has written explicit prohibitions about what a Secretary may do and may not do.

The remarkable consensus around the bill fixing No Child Left Behind was to reverse the trend to a national school board and restore to States, to classroom teachers, and to parents the decisions about what to do about their children in public schools. Teachers, Governors, school boards, and parents were all are fed up with Washington telling them so much about what to do with their children in 100,000 public schools.

So this regulation, which contravenes the law specifically, goes to the heart of the bill fixing No Child Left Behind, which received 85 votes here in the Senate. And this resolution to overturn that regulation upholds the law that received “aye” votes from those 85 Senators. I encourage my colleagues to support this resolution and to vote aye one more time.

I believe that overturning the regulation preserves the consensus and the compromise that we achieved when we enacted the law fixing No Child Left Behind.

I yield the floor.

I suggest the absence of a quorum.

THE PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mrs. MURRAY. Mr. President, I come to the floor today on behalf of students, parents, teachers, and communities around the country to urge my colleagues to support our bipartisan Every Student Succeeds Act and to oppose this resolution today.

This resolution will roll back a rule issued by the Department of Education that is critical to the effective and intended implementation of the Every Student Succeeds Act, or ESSA.

I am urging my fellow Senators to vote against this resolution for the following reasons, and I will go through each one of them: First of all, this legislation will throw our States and school districts into chaos just as they are beginning to implement our new law. Secondly, it will give Secretary DeVos a blank check to promote her anti-public school agenda. Third, passing this resolution would be a retreat from the bipartisan law President

Obama called a Christmas miracle, one that takes us down a strong partisan path instead, which could undermine ESSA’s civil rights protections and guardrails.

But before I go into that, I want to remind my colleagues of what we are working on here and what this resolution would unwind. As many of my colleagues remember well, in 2015, the senior Senator from Tennessee and I came together, with so many others in this body, to fix No Child Left Behind. We both agreed—in fact, nearly everyone in the country agreed—the law was badly broken. No Child Left Behind relied too much on high stakes standardized testing. It gave schools unrealistic goals but failed to give them the resources to meet those goals. And it included a one-size-fits-all punishment if those goals weren’t met.

We knew overhauling our public education law was not going to be easy, but we took the time to listen to teachers, to parents, and to students around the country, to make sure their voices were heard. And I am proud that we were then able to break through the partisan gridlock in Congress, find common ground, and pass the Every Student Succeeds Act with strong bipartisan support.

After a major law like the Every Student Succeeds Act passes, Federal agencies usually issue rules to implement and clarify that law. The Every Student Succeeds Act maintains the Secretary’s authority to issue rules and clarifications that are consistent with the law. This rule before us today is consistent with ESSA, and it provides important clarity to States, school districts, and schools.

Using such a blunt instrument like this resolution to overturn the entire rule will be a retreat from bipartisanship. Here is how: This resolution would roll back a critical Department of Education rule that gives States more flexibility in key areas while at the same time maintaining strong Federal guardrails to ensure our most vulnerable children don’t fall through the cracks. This rule provides clarity on accountability, on reporting requirements, and State plan requirements. It helps ensure that no student, no matter where they live, can fall through those cracks. In other words, this is a rule that gets at the heart and soul of what we are trying to accomplish with our bipartisan law.

The Department of Education did not simply come up with this rule on its own. It incorporated over 20,000 comments from education stakeholders, State chiefs, and district superintendents, many of whom—including the State chiefs and superintendents—applauded the Department of Education for listening to their concerns and incorporating those comments into the final rule that was then released last fall.

During the debate around the Every Student Succeeds Act, there was some division about what accountability should mean in the law, but the final law showed that we can balance flexibility with strong Federal guardrails, until this point, when Republicans now want to tear down the rule that ensures those guardrails go into effect.

Now I want to get into some of the challenges that would be created if this resolution passes and this rule was eliminated. One important thing this rule did was clarify State submission plan requirements and set deadlines for the submission of those plans. Based on this, States have been working now with the Department of Education for months on their State plans. Approximately 18 States and the District of Columbia intend to submit their plans in the beginning of April, but if this rule goes away now, if the rug gets pulled out from under these States, there could be chaos and confusion and the undermining of confidence in this new law.

By the way, we are already seeing this start. In February, Secretary DeVos sent a letter to our State chiefs suggesting a new template for their State submission plans would be “coming,” even before the Senate voted on this resolution, and that the new template would be available less than a month before State plans are due. This could force those impacted States to abandon their plans and start from scratch, and it does not allow enough time for the stakeholder review process that is required in the law.

So that is the first reason we should oppose this legislation because there is simply no reason to insert more chaos into a system that is finally settling into our new law. The second reason is, passing this legislation would then give Secretary DeVos a blank check over implementation of the Every Student Succeeds Act to promote her anti-public school agenda.

As we saw in her confirmation hearing, Secretary DeVos, we know, has dedicated her career to privatizing public education. She has a long record of fighting to cut investments in public schools and shift taxpayer dollars toward private school vouchers. In her hearing, she showed a lack of even basic understanding of key concepts in public education policy, and she has openly questioned the role of the Federal Government in protecting our most vulnerable students.

After her hearing, millions of people across the country stood up, made their voices heard, and called on the Senate to reject her confirmation. Although she squeaked through with a historic tie-breaking vote from Vice President PENCE, it was clear people across the country rejected her anti-public school agenda. Instead, they want the Department of Education to stand with students and with our schools.

One month into her tenure as Secretary of Education, Secretary DeVos has not done a lot to reassure parents who had serious concerns. She has made mistake after mistake, from grossly misrepresenting the origins of the HBCUs to failing to protect transgender students in schools, proving what the American people saw at her confirmation hearing; that her lack of understanding of public education is hurting our students. We cannot, in good conscience, provide Secretary DeVos another potential tool to implement ESSA, our bipartisan bill, with her anti-public education slant, and that is exactly what passing this resolution would do.

If this resolution passes, make no mistake, I will do everything I can to ensure that Secretary DeVos implements ESSA, as Congress intended.

Let me be clear. Congress did not intend that DeVos or any future Secretary of Education could use this law to encourage, prioritize, or even require States to incentivize private school choice. We will work to ensure that she does not take advantage of the chaos that will follow, if this rule is overturned.

Providing Secretary DeVos a blank check would absolutely be the wrong way to go in the early stages of this law's implementation. So that is the second reason.

The third reason is, at its heart, the Every Student Succeeds Act is a civil rights law, and the rule that this resolution would eliminate reflects that reality. We know from experience that without strong accountability, kids from low-income neighborhoods, students of color, kids with disabilities, and students learning English too often fall through the cracks. Now it is up to all of us to uphold the civil rights legacy of this law and its promise for all of our students.

I was proud to work with my colleague, the senior Senator from Tennessee, on this law. I know he is proud of what we accomplished, but I am disheartened to see my Republican colleagues jamming this partisan play through in the same fashion they did with Secretary DeVos's nomination.

Voting for this resolution will ruin the bipartisan nature of our Every Student Succeeds Act, and it will hurt our students, but by voting against this resolution, we can make sure ESSA works for all of our students, regardless of where they live, how they learn, or how much money their parents make.

Finally, I want to make one more point. Even people who had concerns with the final rule do not—do not—want to see it overturned. In fact, the American Federation of Teachers, civil rights groups, and the U.S. Chamber of Commerce—groups that aren't always actually on the same side of education issues—are all speaking out against

rolling back this rule, and parents, teachers, and community leaders are all on the same page.

In a letter to the Senate, Randi Weingarten, president of the American Federation of Teachers union said: “Repealing these regulations now would not just be counterproductive and disruptive but would demonstrate a disregard by Congress of school districts' operation and timelines.”

In a letter to my colleagues, Senator MCCONNELL and Senator SCHUMER, the U.S. Chamber of Commerce and various education groups, including the National Center for Learning Disabilities, wrote that rolling back this rule “will cause unnecessary confusion, disrupting the work in states and wasting time that we cannot afford to waste.”

So if unions, business, and civil rights groups, disability advocate organizations, and the States are not asking for this, we must ask the questions, Why are my colleagues jamming this resolution through? What perceived problem are we trying to solve?

Millions of students, parents, and teachers have made their voices heard about the importance of public education. They want us to work together to uphold and build on our bipartisan law, not for it to become just the latest partisan exercise that only hurts our students.

A vote against this resolution is a vote for our students, it is a vote for our schools, it is a vote not to give Secretary DeVos power she can abuse, and it is a vote to keep working together to build on this bipartisan law, not tear it apart.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

BUDGET CUTS

Mr. NELSON. Mr. President, I rise today to express serious concern about reports in the press that the administration is considering deep cuts in funding to crucial aspects of our Nation's national security and our homeland security to pay for the construction of a border wall and also for a crackdown on illegal immigration.

The first target that alarmed me was America's maritime guardian, the U.S. Coast Guard.

Even as the administration says it plans to secure the borders and increase funding for our military by \$54 billion, which, in fact, may be a good thing, it is reportedly considering cuts on the nondefense side—and that includes the Department of Homeland Security—with a cut of \$1.3 billion, or 12 percent, to the very military service

that secures our vast maritime borders, and that is the Coast Guard. That plan just doesn't make any sense, especially when it comes to securing our borders. You would be putting a bunch of money in a wall, but you are losing the security of the border over here on the oceans.

The 42,000 member-strong Coast Guard plays a vital role in protecting our Nation from narcoterrorism, combating human smuggling, preventing and responding to maritime environmental disasters, and protecting lives and property at sea.

By the way, in other foreign parts of the globe, the U.S. Coast Guard is assisting the U.S. military in our military operations.

If securing our borders and supporting our military is a true priority for the administration, then it ought not be slashing the Coast Guard's budget. Instead, we should be supporting the Coast Guard's ongoing and much needed fleet recapitalization program, including the design and construction of the new offshore patrol cutter and the continued production of the new fast response cutter. These are desperately needed assets for the Coast Guard.

This Senator has personally visited dozens of Coast Guard units all around, not just in my State of Florida but in Alaska, the Great Lakes. The job the Coast Guard does is amazing. What I have witnessed firsthand is what they do in service to our country.

The constant theme I have heard from my visits is the need to modernize and become increasingly more nimble, given the host of threats that could be delivered from our maritime borders. Let me give just one example.

In the Caribbean, it is a Coast Guard admiral who heads up the task force that has all agencies of government participating as we look to protect the southern borders in the Caribbean, as well as the southern Pacific, from anything that is coming to our borders—drugs, migrants, terrorists, whatever. It is all agencies involved, but if, for example, there are U.S. Navy ships in the area or Air Force assets in the air that might pick up one of these threats coming toward America, they work hand-in-glove with the Coast Guard because it is the Coast Guard that has the legal authority as a law enforcement agency to stop, apprehend, and board that vessel.

We are doing all of this border protection with cutters that have an average age of 45 years old. The average age of a Coast Guard 210-foot medium endurance cutter is 48 years old. The Coast Guard's high endurance cutter average age is 45 years. These are just two classes of ships that the Coast Guard uses for interdiction and rescue missions, and they do it worldwide.

As you may expect, with assets this old, the Coast Guard struggles with

major, mission-debilitating casualties, which result in severe losses of operational days at sea and drastically increases maintenance costs. To correct that, the new offshore patrol cutters and the fast response cutters will give the Coast Guard an effective coastal and offshore interdiction capability in order to meet objectives. What are they? Combating transnational organized crime networks, securing our national maritime borders, safeguarding waterborne commerce, and safeguarding life and property at sea.

Looking at the administration's second target to pay for the wall, what is the second target? Believe it or not, FEMA, the Federal Emergency Management Administration. That agency comes to the aid of millions of Americans during any kind of natural disaster, and they are singling that out for cuts? That doesn't make common sense, and it certainly is not going to be a popular thing to do in the eyes of those who have to turn to FEMA after a natural disaster to try to get their lives back on track.

Last year, just taking 1 year as an example, two major hurricanes hit Florida, in addition to many other devastating natural disasters that struck nationwide and resulted in many deaths and billions of dollars of damage. FEMA was critical to people's survival and recovery in each of those events. Just think of what we hear on the news all the time. There are storms, tornadoes, earthquakes. Remember the mountain that erupted out in the State of Washington decades ago, not to mention hurricanes.

For the sake of people's safety and that of our country, we simply cannot use FEMA as a piggy bank to pay for the administration's trillion-dollar spending programs.

The administration's third target—this has just been reported. What is the third target? You are not going to believe this. It is TSA, the Transportation Security Administration. If we target TSA for budget cuts—is that really what we want to do in a threat environment? Every time we go through an airport, TSA is on the frontlines of protecting our country from terrorist attacks. That is its security mission at airports across the country—and, by the way, with the air marshals who fly on our flights. Need I remind the administration why TSA was created? It was after the September 11 attacks in 2001.

Funding is vital to ensure the success of TSA's mission. In fact, just last year Congress responded to concerns over insider threats and security at airports, such as the bombings in Brussels and Istanbul, with the most extensive security-related measures in years. Specifically, what we did, particularly in the Commerce Committee when we formulated the FAA bill, is we included bipartisan provisions enhancing the

background and vetting requirements for airport employees and expanded the random and physical inspection of airport employees in secure areas.

Remember the case at the Atlanta Airport? For several months, people had a gun-running scheme going from Atlanta to New York. They didn't drive up Interstate 95 to take the guns; they had an airport employee in Atlanta who could get into the airport, without being checked, carrying a sack of guns. That airport employee would go up into the sterile area where passengers are, go into the men's room, and would exchange knapsacks with a passenger who had come through TSA clean, and that passenger took the sack of guns on the airplane flight from Atlanta to New York. The New York City Police Department couldn't figure out how they were getting all those guns on the streets of New York. That was a gun-running scheme over several months. Thank goodness they were criminals and not terrorists. And you want to cut that kind of security?

Do you want to cut the strongest security we have at an airport when screening passengers who are going through? It is the nose of a dog, the VIPR teams. The trained dog teams and their handlers are the most efficient way to screen passengers. It is amazing what those dogs can sense. When we did the FAA bill last year, we doubled the number of VIPR teams, the dog teams, and you want to cut this? That was all done in a bipartisan manner. We doubled the number for the protection of the American public.

In that bill, we also expanded the grant funding to assist law enforcement in responding to mass casualty and active-shooter incidents, which is very important. Another tragic example of that is the recent shooting in Fort Lauderdale at the airport.

To counter the issue of long lines, which I know we all had to go through last spring, the legislation included provisions to expand TSA Precheck and require the TSA to evaluate staffing and checkpoint configurations in order to expedite passenger security screening.

Does that sound like a bunch of administrative mumbo jumbo? Perhaps. Let me tell you that it works and that all of it is designed to protect Americans going to airports and getting on airplanes.

None of this is possible without continued funding and, in fact, even more funding. Any cuts are certainly going to impair the TSA's ability to keep our country safe.

The bottom line here is that we must do whatever is necessary to keep our country safe and our citizens secure. Slashing the budgets of the U.S. Coast Guard or FEMA or the TSA is only going to make us less secure.

Need I say more about these proposals to pay for some of these other

things, like a wall, by slashing these kinds of budgets?

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. GARDNER). The Senator from Maryland.

RUSSIA

Mr. CARDIN. Mr. President, along with the Presiding Officer, I have the distinct honor of serving on the Senate Foreign Relations Committee and am the ranking Democrat on that committee. There are many areas of challenge for our national security. We could talk about what we think is the greatest threat to the national security of the United States. Unfortunately, there are a lot of candidates.

One could certainly be China. China has been very provocative in the China Sea, raising concern about maintaining maritime security, which is so critically important to world commerce. Clearly China could be a candidate.

North Korea could be a candidate. We know that in North Korea, they have a nuclear capacity. We know their government will gas and poison people who disagree with them, including family. It is a repressive regime, and they are developing the capacity not only to have a nuclear weapon but the capacity to be able to deliver that nuclear weapon beyond just the region in which they are located. So we could pick North Korea.

We certainly could mention the threat of ISIS, which is a growing threat of terrorism that challenges not only the Middle East but our own country.

We could mention the security threat of Iran. Iran was one of the greatest sponsors of terrorism of any country in the world, which is causing major problems for the Sunni Gulf States, in Syria, and in the Middle East. Clearly Iran is a candidate for major interest in our national security.

But the country I would pick as the greatest threat to America's national security would be Russia. Russia has been very aggressive in trying to dominate beyond its own geographical borders. It has incurred into other countries and has attacked the United States of America.

I want to take us back to 1975 when the Helsinki Final Act was passed, through the leadership of the United States and the USSR.

I have had the opportunity through several Congresses to be either the chair or the cochair or the ranking member of the U.S. Helsinki Commission. I have spent a lot of time on the Helsinki work.

What was remarkable about that document that was entered into in 1975 was that it recognized that security is beyond just military in that for a country to be secure, it must pay attention to its borders, yes, and its military, but it also must have economic security and must respect human rights.

What was also very unique in the Helsinki Final Act was the commit-

ment that these standards we agreed to would not only be of internal interest to the member country but that any country to the Helsinki Final Act could challenge the actions of any other country. We have not only the right but the responsibility to call out countries that fail to adhere to the basic principles that were agreed to in 1975. The Helsinki Final Act now applies to about 56 countries—all of the countries of Europe, Canada, the United States, and all of the republics of the former Soviet Union.

Let me review with my colleagues the guiding principles that were agreed to in 1975 under the Helsinki Final Act, signed by Russia, so that they are bound by these principles. As I read through these 10 principles, let me talk about how Russia has violated every single one of the basic 10 principles they agreed to in Helsinki.

No. 1, sovereign equality and respect for the rights inherent in sovereignty.

No. 2, refraining from the threat or use of force.

No. 3, the inviolability of borders.

No. 4, the territorial integrity of states.

In each of these cases, Russia has violated these basic principles. They invaded Ukraine and took over Crimea, annexing it against the will of a sovereign country. They are interfering in the eastern part of Ukraine as we speak, violating the territorial integrity of Ukraine. Russia's troops are in Georgia, violating the sovereignty of that country. Russia's presence in Moldova is not respecting the territorial integrity of a member state. Russia has violated the basic principles of sovereignty that were brought out in the Helsinki Final Act.

Let me read some of the other principles.

No. 5, the peaceful settlement of disputes.

Russia shoots first. They took their troops into Ukraine. They took their troops into Georgia. They have not used peaceful methods.

The sixth principle is the non-intervention in internal affairs.

Russia attacked the United States of America in our free election system. That is not subject to any dispute today. They attacked America. They interfered with our internal affairs. They tried to influence our election. That is an attack against America and a violation of their basic commitments.

Let me read through the remaining.

No. 7, respect for human rights and fundamental freedoms.

Ask the people who have disagreed with the Russian Government and who have tried to form a party whether there is respect for human rights and fundamental freedom in Russia today. Ask independent journalists who are arrested and killed for trying to carry out their profession. Russia today is in-

timidating civil societies and NGOs, and anyone who disagrees with Mr. Putin is subject to arrest, torture, and perhaps death. We know that in the case of Mr. Magnitsky, which is a cause that has been taken up by this body with the passage of Magnitsky laws.

Another principle is equal rights and the self-determination of people. That is not present in Russia today.

No. 9, cooperation among states.

Let me conclude with the 10th principle: fulfillment in good faith of international legal obligations.

Russia entered into an agreement with regard to Ukraine's sovereignty, only to invade Ukraine a few years later. Ukraine gave up its nuclear stockpile, believing that Russia would live up to its commitments. Russia has violated the Minsk agreements that were entered into to resolve the problems between Ukraine and Russia. Russia has not lived up to its international agreements.

Let me sort of summarize why I think Russia is the No. 1 candidate for concern with regard to our national security. They have violated the sovereignty of many countries of the world. They have violated the sovereignty of Ukraine and continue to do so. They have violated the sovereignty of Georgia and Moldova. They have attacked the United States of America through cyber. It may not have been a MiG, but it was a mouse, and its intended purpose was to bring down our democratic election system and to favor one candidate. That cannot go unanswered.

Today, Russia is engaged in Syria and supports the Assad regime, which attacks humanitarian convoys, uses the civilian population as an instrument of war, gasses its own people—violating basic international human rights and committing war crimes. That is what President Putin is doing in Russia today.

Russia's human rights records are deplorable. Kara-Murza has been poisoned not once but twice. He is an opposition leader. He is now in the United States and is recovering from the second poisoning episode. The Russian authorities tried to kill him. Why? Because he dared to oppose the Putin regime.

We need to speak out. We need to know more about that. It does not end there. Russia is violating the INF, the International Nuclear Force agreement, which is a major concern to all of us.

Russia's bottom line is that they are trying to dismantle the Transatlantic Trade and Investment Partnership, which has been the bulwark of security since the end of World War II, the relationship between Europe and the United States, providing a blanket of protection not just for our physical security, but providing international leadership in dealing with the development of democratic countries around

the world. That is what Russia is trying to do today, is to dismantle that protection.

What should we do? We have identified Russia as our No. 1 concern, and I think most Members of the Senate would agree with that assessment. I have talked to many, particularly on the Senate Foreign Relations Committee. What should we do? What is the role of Congress?

We know we are waiting for President Trump to give us his foreign policy as it relates to Russia, and that is an important thing for us to know—how the President intends to deal with a country that has done so many things against our national security interests.

We have a role. We are the first branch of government that is mentioned in the Constitution, article I. We have responsibilities to act. We need to take steps, and I have encouraged my colleagues.

There have been a lot of accusations made around here about Russia's contacts with Americans and that Russia is stealing information through cyber and planting that information through WikiLeaks in order to influence elections. There is the potential contact with General Flynn, what happened with the Russian Ambassador, and what happened as far as domestic wiretaps. There have been a lot of comments made around here, but we do not have the facts.

First and foremost, we need an independent commission that is similar to what the Congress constituted after the attack on 9/11 so that we get independent, nonpartisan experts, without restriction to jurisdiction or turf, who can determine exactly what Russia's game plan is and what steps we can take to protect ourselves in moving forward and what action we should take against Russia. That is the first thing we should do. Congress should also pass a resolution. I have introduced one that would set up that type of an independent commission to look at what Russia has done.

There is a second issue, though, that I want to bring to our attention, and I know the Presiding Officer is very familiar with it. It is the Countering Russian Hostilities Act, which is a bill I filed. I am very proud that this bill was not created by one Member, it was created by a group of us working together and recognizing that Congress needed to speak with a strong voice.

I am proud that, in addition to my sponsorship, Senator MCCAIN helped draft this bill. Senator MENENDEZ is a key leader on this bill. Senator GRAHAM is one of the architects of the bill. We have Senator SHAHEEN, Senator RUBIO, Senator KLOBUCHAR, Senator SASSE, Senator DURBIN, Senator PORTMAN, Senator MURPHY, Senator GARDNER, Senator BLUMENTHAL, Senator SULLIVAN, Senator DAINES, Sen-

ator DONNELLY, Senator YOUNG, Senator WHITEHOUSE, Senator COONS, and Senator CORNYN.

You might notice that I alternated between Democrats and Republicans because this is not a partisan effort. We all recognize the seriousness of what Russia has done to the United States. We all recognize that Congress needs to respond. When you are attacked, you don't stand by; if you do, you will get attacked again and the next time could be even more devastating. So we have to take action to protect ourselves.

So what the Countering Russian Hostilities Act does, first and foremost, is it codifies the sanctions currently imposed against Russia for its cyber attack on the U.S. election. Secondly, it extends those sanctions for what we call secondary sanctions—businesses doing business with those that are sanctioned—so we can enforce the sanctions.

The Presiding Officer recognized that when we were working on the North Korea sanctions law, we needed to strengthen that, and I congratulate the Presiding Officer on the work he did regarding North Korea, and I was pleased to join him. I am pleased he is joining with this group to see how we can strengthen our sanctions and pressure on Russia to know that they can't get away with this type of an attack against America, but then we go even further.

We recognize that Ukraine today—we have sanctions against Russia, but we can strengthen those sanctions. We can apply those sanctions to the energy sector. We can apply those sanctions to prevent American companies from financing the Russian economy through the moneys they need for sovereign debt or privatization. So we extend the program of sanctions to include those types of activities.

We take up two other major issues that I just want to share with my colleagues because these are contributions made by the Members who joined together to file this bill. We recognize that the rules of engagement have changed. Russia is using tactics today that we never thought would be used. They attack our country, get private information, give it to WikiLeaks, use it as part of a strategy to get news out there that could influence our elections. Then they develop fake news, use that fake news through social media to make it look like real news in an effort to try to affect our free election system in the United States. This is pretty frightening. We have to meet them. We have to protect ourselves.

So this legislation provides for a democracy initiative similar to what we have done on our security initiative with Europe. We have stationed NATO troops on the border countries of NATO with Russia to let them know we will not tolerate the invasion of a NATO

country. We have done that. That is our security initiative. We have to have a democracy initiative to protect the democratic institutions of Western Europe because Russia will use the democratic institutions to try to undermine the democratic institutions—the free press, the opportunities of free speech, the opportunities to try to influence through their money the election process. They have done that. They tried to do it in Montenegro during the parliamentary elections to affect Montenegro's accession into NATO.

We have to protect the democratic institutions. This legislation would authorize that protection.

Then it sets up a resource so we can fight this propaganda, so we can find ways to counter Russia's use of propaganda in order to carry out their nefarious activities.

This is a comprehensive bill. I urge all of our colleagues to take a look at it. We are looking for input. We are looking to make sure this does exactly what we need it to do—to speak as one voice in Congress to make it clear to Russia that it is not business as usual; that we intend to take action and be strong and let them know they cannot do this type of activity; that America will protect its national security.

There is another bill, let me just mention, that Senator GRAHAM is the principal sponsor of that I have cosponsored and others have sponsored also. It is the Russia Sanctions Review Act. I mention that one because we had a great debate here in the last Congress on the Iran nuclear agreement, and part of the reasons we had a great debate is because the Senate Foreign Relations Committee was able to pass a review act and get broad consensus on it, get it signed by the President, which gave us a role. More importantly, it gave the American people a role in getting transparency on a very important agreement—the Iran nuclear agreement. So we had time for public hearings. We had time for national debate. We had time for questions.

Because that law passed, I am convinced the agreement was stronger. The administration knew there were millions of eyes looking at what they were doing; they just couldn't do it in the dark of night. It helped us, I think, carry out our responsibility as the legislative branch of government.

So Senator GRAHAM and I and others believe we should have a similar process, if there is going to be a fundamental change in the relationship between the United States and Russia; that the President should consult and work with Congress and give us an opportunity for transparency and for the American people to be heard. That is exactly what this bill does. It is a bill that I think is for good legislating, for good governance, and I would encourage my colleagues to take a look at

this, and hopefully we will be able to get this done.

I will just say in conclusion that we have no issue with the Russian people. They are good people. We want to have a good relationship with the Russian people. It is Mr. Putin and his government that are directing this country to do things in interference with the sovereignty of other countries—in violating human rights, in supporting violations of human rights, in war crimes, and they should be held accountable for that and for what they are doing in Syria, and, of course, very personally, attacking our own country. That is what we are aimed at.

Mr. Khodorkovsky was in my office yesterday. I think my colleagues might recall that he was a leader in Russia—a great business leader. He made a lot of money. He decided Russia needed reforms to protect the rights of all people, that human rights were not strong enough, the right of expression was not strong enough, so he took up that cause as a successful businessperson. As a result, he was arrested, served 10 years in prison, and they tried to keep him out of politics because he did not represent Mr. Putin's politics.

Well, he has been very active. He no longer lives in Russia for fear of his own life. He has been here championing the cause for good governance within Russia and the importance for the international community to be engaged in that. As he left my office yesterday, he said: Please continue to speak out. He said: Please continue to speak out.

The United States must lead when a country driven by Mr. Putin does what it does. It is our responsibility to speak out about this outrageous conduct—threatening the integrity of so many countries and violating the human rights of so many people.

We can make a difference. The Congress can make a difference. It is for all of those reasons that we need to act.

I urge my colleagues to take a look at the legislation I have talked about on the floor and which so many of my colleagues on both sides of the aisle have joined. Let's get together and let's speak with a united voice and let Russia know we are going to protect the national security of the United States of America, and we are going to protect the rights of our friends.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. COONS. Mr. President, I am pleased to join with my colleague from the great State of Maryland and to commend him for his leadership on the Foreign Relations Committee and on the floor today, as well as his great work with the Helsinki Commission, his tireless bipartisan work with our committee chairman, and with many others.

We have just heard detailed, in terms of the legislation he has put forward, the effort, the time, and the engagement he has put forward in terms of standing up. I think it is important for all of our colleagues and the American people to hear us working together to push back on Russian aggression and on Vladimir Putin's regime for its interference in our most recent election and its long and sad record of appalling human rights violations.

In 1950, the CIA delivered a report to then-President Harry Truman that outlined two key goals of the Soviet Government. The first goal was "destruction of the unity among the Western countries, thereby isolating the United States." The second goal was "alienating the Western people from their governments so that the efforts of the Western countries to strengthen themselves would be undermined."

Nearly 70 years later, the regime of Vladimir Putin in Russia remains fundamentally committed to these same two goals, but today his government has a whole new arsenal of cyber tools and information tools which it uses to interfere in democratic elections here in the United States and across Europe—among the nations that are our vital allies—to launch propaganda and misinformation campaigns that spread falsehoods and create a climate of doubt and uncertainty among citizens and democracies around the world.

Last week, on this floor, I rose to speak with my friend and colleague, Senator MARCO RUBIO, to highlight the threat that we know Russia poses to the American-led, rules-based international order that has been sustained by both Republican and Democratic Presidents and leaders in this body since the Second World War.

Just yesterday, several of us participated in a hearing of the State and Foreign Operations Appropriations Subcommittee, chaired by Senator LINDSEY GRAHAM of South Carolina. We heard directly from representatives of the Governments of Ukraine, Poland, Georgia, Latvia, Lithuania, and Estonia. All of these nations know better than any others just how serious the Russian Government is today about fulfilling the goals the CIA quoted and outlined in that report from the 1950s. Russian troops today are massing on the borders of many of these countries. In the case of Ukraine, Russia has recently invaded and continues to illegally occupy Crimea while arming and supporting separatists in the eastern 20 percent of the country.

Russia previously invaded Georgia in 2008 and continues to occupy about one-fifth of its territory, backing rebels in the breakaway regions of South Ossetia and Abkhazia. The Russian Government has tried and, in several cases, succeeded in executing cyber attacks against these countries' governments, most famously against

Estonia in 2007. Its ongoing disinformation campaigns have created widespread doubt about Western institutions like NATO, the European Union, the OSCE—institutions that have helped to maintain a stable and peaceful world for seven decades.

These Ambassadors and the Foreign Ministers who testified yesterday before our appropriations subcommittee made clear their countries depend on the United States not just for leadership, not just for military strength but for leadership and our commitment to effective foreign assistance. These are the same requests I heard last August from Eastern European leaders, when I led a bipartisan congressional delegation—two Republican House Members, two Democratic Senate Members, and I. The five of us went to Ukraine, Estonia, and the Czech Republic, and we heard exactly the same message—that they are threatened by a constant wave of attacks of disinformation, both overt and covert efforts to subvert their democracies and to change the direction of their nations.

Maintaining our forms of American leadership, our support for the democracies, the civil societies, and the military, and the strength of these nations in Eastern Europe is not charity. A world committed to democracy and the rule of law is a more stable world. A stable world means Americans are safer and more economically secure. It is that simple. That is why we must push back against Russian aggression in a bipartisan way and stand up for our allies and our values.

Conversations like this one on the floor today are important to educate our American people about the true nature of the Russian threat we face. The Russian Government's current strategy relies on disinformation and propaganda in an effort to divide the American people, both from their government and from each other.

Our discussion this afternoon makes clear that both Republicans and Democrats in Congress haven't lost our will to highlight, to condemn, and to fight Russian actions. Unassailable facts must serve as the basis for a bipartisan foreign policy. A clear-eyed understanding of Russian intentions and actions will protect us from their anti-Western propaganda and avoid the internal divisions that Russia seeks to leverage in an attempt to project its influence worldwide.

To that end, I am determined to support the efforts of Senator CARDIN. I am also determined to support the efforts of Senator GRAHAM to provide sufficient funding that specifically targets the Russian Government's subversive actions. I will also continue to work with my colleagues, such as Senator CARDIN, to see that his bill, S. 94, the Counteracting Russian Hostilities Act, is marked up this work period so the full Senate can consider this important

legislation. As Senator CARDIN commented, there are 10 Democrats and 10 Republicans who have already cosponsored this important bill.

Why is this bill, the Counteracting Russian Hostilities Act, so important? It will make sure the Russian Government pays a price for breaking the rules by supporting sanctions for its occupation and illegal annexation of Crimea, for its egregious human rights violations in Syria and elsewhere, and, most importantly, for directly interfering in our election. This bill would prevent the lifting of sanctions on Russia until its government ceases these activities that caused those sanctions to be put in place in the first place. The bill would also support civil society, pro-democracy, and anti-corruption activists in Russia and across Europe.

Today Vladimir Putin has a whole array of powerful modern tools that he intends to use to undermine democracy and promote his brand of authoritarianism, but as that 1950 memo to President Harry Truman made clear, Russia's goals haven't changed. Russia's goals are to oppose us, our vision, our values, and our democracy. We must make it clear that America's vision of a freer, safer, and more democratic world hasn't changed either.

I thank Senator CARDIN for organizing this discussion, thank Senator MENENDEZ for everything he has done to support these important efforts, and thank Senator GRAHAM for hosting yesterday's important hearing. I look forward to working with all of my colleagues to continue with this fight.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I rise to join my colleagues in this important conversation on the Senate floor and, once again, to demand answers to the many questions raised about Russia's interference in our elections.

Not so long ago, I came to the floor to speak out against a belligerent act from an adversarial nation, an attempt to undermine American democracy and foment chaos and uncertainty on the world stage, an effort that we now know from our own intelligence community's assessment was ordered by President Putin himself, a campaign that senior intelligence officials have concluded "blend[ed] covert intelligence operations—such as cyber activity—with overt efforts by Russian Government agencies, state-funded media, third-party intermediaries, and paid social media users, or 'trolls,'" to undermine our 2016 Presidential elections.

In recent weeks, the American people have been confronted by a daily drumbeat of headlines regarding Russian in-

terference with our elections and possible ties to President Trump's campaign. They have learned that the President's former National Security Advisor, LTG Michael Flynn, was not truthful about the nature of the conversations he had with the Russian Ambassador shortly after President Obama sanctioned Russia for meddling in our elections.

They learned that Attorney General Jeff Sessions, the highest law enforcement officer in the land, did not fully disclose at least two meetings he had with the Russian Ambassador during his nomination hearings.

They have learned, through reporting in the news media, that U.S. law enforcement continues to investigate Russian agents' contacts with President Trump's inner circle.

Yet despite these revelations, the American people now face more questions than answers. Has anyone else on the President's team been in contact with the Russian Government? What were the nature of these conversations? How credible are reports of business dealings between Russian oligarchs and the Trump organization?

But here is the reason I came to the floor today, as serious as those questions are. Getting answers to these questions, whether it be through a special prosecutor, or an independent commission—on which Senator CARDIN has legislation and which I strongly support and believe it is the ultimate vehicle—or the Senate Intelligence Committee's own investigation—those efforts are not about President Trump. It is about the American people. It is about protecting our free and democratic way of life and our time-tested system of self-governance. It is about showing our constituents that, when the stakes are high, when the allegations are this startling, when the implications are this alarming, we are capable of setting politics aside and getting to the truth.

Time and again, the President has dismissed the significance of Russia's interference in our elections, and he derides reports about his financial interests and campaign contacts with Russia as "fake news." Well, this isn't fake news. On the contrary, these are real threats—real threats from a real foreign adversary; real threats that undermine the integrity of our elections and, therefore, the security of our country; real threats from a brutal leader who sees the erosion of Western democracy as a strategic imperative for Russia's future.

So let's be clear about why these threats matter. Vladimir Putin's rise to power in Russia has been marked by the suppression of the freedom of the press, the oppression of the Russian people, the murder of political opponents, and the transfer of wealth and assets from the Russian people to a handful of powerful oligarchs.

President Putin sees the spread of Western democratic values that we enjoy here in our country and others in the Western world—like freedom of speech, the rule of law, and human rights—as a threat to his power. So Russia has embarked on a systematic campaign to undermine the democracies that uphold the international order established after World War II and that has been the bedrock of peace and tranquility, generally speaking, since then. These threats must be taken seriously.

Russia's aggressive behavior reaches back years and extends to this day. We saw it in 2008, when Russia backed illegal separatist forces in Georgia, declaring South Ossetia and Abkhazia independent states. We saw it in March of 2014—when I was in Ukraine—when Russia authorized the use of military force to annex Crimea, blatantly violating the sovereignty of the Ukrainian people and the Budapest Memorandum, a memorandum that we—the United States, Russia, and others—signed, saying that we would observe the territorial and sovereignty rights of Ukraine if they gave up the nuclear weapons that had been left to them after the collapse of the Soviet Union.

They did just that. They did just that, and what happened to them afterwards? Their territory has been annexed and invaded. Today, Putin continues to break ceasefires, sow discord, and incite violence throughout eastern Ukraine—an effort that to date has claimed 10,000 lives and displaced 2 million people.

Unfortunately, Russia's interference in our 2016 Presidential election is not an isolated instance. According to U.S. intelligence reports, these efforts are only the most recent manifestation of the Kremlin's ongoing campaign to undermine Western democracy.

In recent years, we have seen Russian oligarchs funnel money to fringe political movements across Europe, and Russian operatives conduct sophisticated disinformation campaigns. After the revelations that Russia interfered with our own elections, Putin has shown no signs of slowing down. On the contrary, just weeks ago, Russia's Defense Minister announced that the Kremlin will begin using troops to enhance their information operations, emphasizing that "propaganda must be smart, competent, and efficient."

Again, Russia's end goal here is no mystery. Putin aims to undermine European unity and fracture the transatlantic alliance—an alliance that has served as a bedrock for international security, peace and stability, and economic cooperation between the United States and Europe for the past half century.

In the Middle East, President Putin continues to disregard international norms. He aligns Russia with Iran, the world's leading state sponsor of terror.

He aids Syrian dictator Bashar al-Assad in his atrocities against innocent civilians. In Aleppo, Russian bombs fall on homes; Russian bombs fall on schools and hospitals; Russian bombs fall on aid convoys that only seek to feed starving, trapped families, and rescue children from the rubble.

Just last month, Russia violated the Intermediate-Range Nuclear Forces Treaty when they illegally launched a cruise missile, showing no regard for an agreement that has been a hallmark for nuclear security cooperation for nearly four decades. That is not an insignificant act.

The United States cannot ignore such destabilizing behavior. That is exactly why Senator GRAHAM and I introduced S. Res. 78 just 2 weeks ago, recognizing 3 years of Russian military aggression and calling on Russia to respect its obligations to the international community. Our resolution should serve as a reminder to this administration that the U.S. sanctions imposed on Russia for violating the international order should remain in place until Russia starts respecting and returning to that international norm.

Nor can we let Russian efforts to undermine Western democracies continue unabated. That is why I joined my colleagues in the Countering Russian Hostilities Act of 2017. This bipartisan bill codifies the sanctions imposed by President Obama for Russia's annexation of Crimea and interference in the U.S. elections into law.

It is the same type of proposition we had with the Iran agreement. We want a congressional opportunity to voice ourselves and make sure that those sanctions aren't lifted arbitrarily, capriciously, without Russia paying the consequences and coming back into the international order. At the same time, the legislation authorizes \$100 million for the State Department and other agencies to counter Putin's propaganda.

The time for action—and for answers—is now. We can get to work immediately by holding hearings in the Senate Foreign Relations Committee to ensure that the United States has a strategy in place to protect the security of our democracy and promote stability abroad. From the spread of extremist propaganda across Europe and the denial of Ukrainian sovereignty, to the bombing of civilians in Aleppo and the cyber attacks against the Democratic National Committee, Putin's intentions are not up for debate.

Russia's destabilizing behavior should make it absolutely clear to the President of the United States that the Russian Federation is not our friend. But when the President hesitates to acknowledge this reality or fails to address such aggressive behavior, it is up to Congress to act. There can be no hesitation when it comes to protecting

the security and sanctity of our elections.

But to take action we need answers. That is why we need an independent investigation into Russia's interference in the 2016 elections. What President Trump fails to realize time and again is that this investigation is not about whether or not Russia successfully swayed the American elections. This investigation is not about him. This investigation is about the American people. It is about ensuring that our elections are free, fair, and secure so that our government that we elect is responsive and accountable to the people. It is about understanding Russia's tactics in cyber space and preparing for future attacks. It is about standing with our allies, preserving peace and avoiding war, and preventing the need to send our sons and daughters into harm's way. It is about ensuring that, when the President of the United States faces tough decisions, the American people can trust that he puts their interests—their interests—ahead of any other interests he has abroad.

It is time to protect the integrity of our elections and to secure our democracy against the cyber threats of the 21st century—whether they come in the form of election machine tampering, or paid propaganda on social media, or targeted hacks on political and public officials.

Russia poses a real strategic threat to the United States, to our core values, and to the international order. I call on the President to treat these threats with the seriousness they deserve.

I look forward to working with my colleagues on both sides of the aisle to protect the integrity of our elections here at home, to defend democracy abroad, and to ensure that the transatlantic alliance, so vital to international security and stability, remains strong for generations to come.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I thank my colleague from New Jersey for his excellent statement summarizing the challenge we face. I thank my colleagues from Maryland and from Delaware as well.

Yesterday, we had a hearing in the Judiciary Committee. There is an individual seeking the Deputy Attorney General spot. Of course, he is seeking this position—a key position—at a critical moment in American history.

The Attorney General of the United States of America, Jeff Sessions of Alabama, announced publicly last week, on Thursday, that he was going to recuse himself from any prosecution involving the Russians and the last Presidential campaign. That is historic, and it was the right thing to do. Many of us on the Democratic side have called on him for weeks to do just that.

Senator Sessions had been an active participant in the Trump campaign, and when he became Attorney General, we felt that, in the best interests of preserving the integrity of the Department of Justice, he had to step aside when it came to the investigation of Russian involvement in that campaign.

Of course, in the meantime, during the course of this national debate, the National Security Advisor to the President of the United States, General Flynn, resigned after he misrepresented to the American people and to the Vice President of the United States conversations he had with the Russian Ambassador. It came to light last week that then-Senator Sessions, during the course of his confirmation hearing, gave misleading comments and answers to a question by Senator FRANKEN, saying that he had had no contact with the Russians, either. In fact, he had.

He sent a clarification letter, but yesterday's hearing was about his successor, the Deputy Attorney General, who would have the power to oversee this investigation. The gentleman who was nominated is well known to the Senator from Maryland because he served as U.S. Attorney there for a number of years—since 2005. He served under President Obama. He was initially appointed under President Bush, a rare bipartisan selection, who, by every indication, is a professional prosecutor.

The disappointing moment at the hearing is when we asked Mr. Rosenstein if he had read the intelligence report that was publicly announced in January about the Russian involvement in our election campaign. It is an unclassified report. It is on the internet. It is about 15 pages long. It is as precise and conclusive as you can expect. It said quite clearly that the Russians did attempt to change the outcome of the election, that they were, in fact, working to benefit Donald Trump and against Hillary Clinton.

I quickly added that this was not published by the Democratic National Committee. This was by the intelligence agencies of the U.S. Government. I was disappointed when Mr. Rosenstein said no, he had not read it. He was asked over and over again why he would not read a piece of information, a document so critical to his service as Deputy Attorney General.

I will set that aside for a moment and just observe the obvious. If you believe our intelligence agencies, there is no question that Russia was trying to change the outcome of the Presidential election. They were engaged, we believe, with up to a thousand trolls in some office buildings in Moscow, invading the internet, invading emails in the United States in an attempt to glean information that they could feed back to the public through Wikileaks and other sources.

Although there is no evidence to date that they had any impact on the actual

casting or counting of ballots, their intent is clear. They wanted to pick Donald Trump as President. They believed he was a better choice for Russian interests than Hillary Clinton.

Is that worthy of an investigation? I certainly hope so. To our knowledge, it is the first time in the history of the United States that a foreign power—and one that has been an adversary time and again to our interests around the world—tried to invade our election. It was, in fact, a day that will live in cyber infamy in terms of this Russian effort.

If we ignore it, we can expect several things. Get ready for the next election. Do you think they learned anything during the course of the last one? Do you think the Russians will be involved again? It would be naive to believe otherwise.

Secondly, there is a critical element here that we cannot ignore. Three weeks ago I visited Warsaw, Poland; Vilnius, Lithuania; and Kiev, Ukraine. I talked to those leaders—in a couple of instances, the Presidents of those countries, as well as opinion leaders, parliamentarians—and they continued to raise the same question to me. It came down to this: If the United States does not take seriously the invasion of Russia in your own Presidential campaign, will you take it seriously when Putin invades our country? You have told us under the NATO alliance, article 5, that you will stand by our side and protect us. If you don't take Putin seriously when he invades your own Presidential election, there is a lot of doubt.

Questions are being asked. Several Republican Senators have stepped up. I want to salute them. I will start with LINDSEY GRAHAM, who yesterday, again before the Senate Foreign Operations Subcommittee on Appropriations, made it clear that he believes we have to thoroughly investigate this Russian involvement in our Presidential election.

A few others have said the same. Unfortunately, the reaction by many Republican Senators has been lukewarm to cold. They don't want to spend the time to look into this. They would rather start talking about investigating leaks in the Trump administration or even the President's far-fetched tweets suggesting that somehow President Obama was engaged in a wiretap. It is something that has been denied not only by the former President but also by the former Director of National Intelligence and the head of the Federal Bureau of Investigation.

To date, there is not one shred of evidence for the claim made by President Trump in his tweets in the early morning hours of Saturday. At the same time, the need for this investigation continues. You have heard cataloged in detail—and I will not repeat it—Russian aggression over the last several years.

I have seen it. I have seen it throughout history, at least during my lifetime, and I have seen it more recently in Ukraine, in Georgia, and threats that go on every single day in countries in the Baltics and Poland. It is clear to them that they are fighting a hybrid war, not just the military threat, which is very real, but also cyber threats that at one point closed down the Estonian economy—a Russian cyber invasion closed it down—and propaganda threats, which are nonstop through cable television known as RT, Russia Today. They continue to broadcast false information into countries like the Baltics and try to do it with impunity. That is the reality of what we are facing.

The question we face, though, as the U.S. Senate sworn to uphold this Constitution, is whether we are prepared to defend it against foreign powers that will undermine it, in this case the Russian Federation.

There has been a suggestion that the intelligence committees can have an investigation of this matter. I would say that in and of itself is not objectionable, but it is certainly not complete and satisfactory. The Intelligence Committee is going meet behind closed doors. We will not see the witnesses. We will not hear their testimony. The American people may not ever hear who testified and what they had to say.

Some parts of this must continue to be classified, and I understand that. But by and large, the American people have a right to know what the Russians did and how they did it so that we can make sure we defend ourselves against this in the future. The Intelligence Committees have a role, but not in its entirety.

I think there should be a special prosecutor from the Department of Justice to see if any crimes have been committed. I don't know where the evidence will lead, but we should have someone we trust, a person of integrity, who will step up and assume that role and make that investigation for the Department of Justice.

One other thing: I think this is of sufficient gravity that we should have an independent, transparent, bipartisan commission. My colleague, Senator CARDIN of Maryland, is the sponsor of that legislation, which I am happy to cosponsor. That is the ultimate answer.

Let's get to the bottom of this once and for all to make certain we know what the Russians tried to do to us and to make doubly certain that it never happens again. That is the reality of this challenge.

I hope we can get bipartisan support for it. When it comes to sanctions against Russia, we have had good bipartisan support, and that is encouraging—equal numbers of Democrats and Republicans saying they should pay a price for what they did. Let's get the investigation to its conclusion.

Leon Panetta is a friend of mine and served in our government at many different levels. In the Sunday talk shows, he talked about what he would recommend to the Trump administration. He said to them very simply: Get in front of this. Don't keep reacting to this. Say that if you have done nothing wrong you are going to cooperate fully with any investigation to get to the bottom of it. That is the way to deal with it.

I hope we will have an end to the tweets and a beginning of the cooperation that is necessary so that we can get to the bottom of this situation and know the facts, wherever they may lead us.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, I thank Senator DURBIN, Senator MENENDEZ, and Senator COONS for joining on the floor today to talk about the threat that Russia poses.

Senator DURBIN is absolutely correct, and I thank him for his leadership on this. The only way the American people will have a full accounting of what Russia's intentions were and what they did in attacking our country is to have an independent commission.

We had such a commission after the attack on 9/11. Democrats and Republicans came together. There was no controversy about that. We wanted to find out what and how we were attacked, how they got through our intelligence network, how they put together the horrific attack on our country, and then we wanted to know how we could get recommendations to protect us moving forward.

I am going to tell you, that commission served a very important national security function because we learned a lot. We learned that we were stovepiping too much information. We weren't sharing it. The way the agencies were set up, it was more over turf than it was over mission. Congress acted on the recommendations, and we are safer today as a result of it.

We don't know what Russia's intentions are all about. We suspect that they are trying to undermine our democratic system of government. We suspect that Russia is interested in regaining its reputation of the former Soviet Union. They are looking for a greater geographical footprint. We see that in their military operations, not just on their border countries such as Ukraine or what they are doing in Georgia or Moldova, but we see that also in the Middle East where they have a military presence today, and they want to have a footprint there.

We believe they want to become a greater Russia. We know they don't like democratic systems of government. Their government stays in power through making sure that there is no effective opposition. They have quelled

any opportunity for a Democratic opposition and for the free press.

We know those—but what are their ultimate aspirations? What do they intend to do with the transatlantic partnership? We talked about that. We are safer today because of the transatlantic relations. NATO has made our Nation safer. The strength of the EU has made our Nation stronger.

We know Russia is trying to interfere with that. They interfered with the Montenegro election in an effort to prevent Montenegro from agreeing to join NATO. We know they are trying to pull other nations out of Europe. We know that.

What we need to have, though, is a full accounting as to what happened in the attack on our country and how we can prepare ourselves to defend ourselves. By the way, it might also give us a blueprint for what we need to do to show Russia we will not tolerate that type of activity.

Senator DURBIN is absolutely right. We have responsibilities in Congress. The committee I serve on, the Senate Foreign Relations Committee—our relationship with Russia, we have to have hearings. Senator MENENDEZ was right in calling upon our committee to have additional hearings. What is Russia doing? How does it affect not only our relationship with Russia, but how do we deal with Europe? How do we deal with the authorization for use of military force? If we were attacked, can you use cyber as an attack vehicle? Does that require congressional authorization?

We have to be prepared in our committees. The Intelligence Committee has a responsibility to find out exactly what happened and whether we need to change our intelligence network because Russia was able to invade our country. They were able to get private information and then send it to WikiLeaks to use politically against us. They may compromise some of our classified information. We don't know. We need to find that out.

The Intelligence Committee has a function to play. The Judiciary Committee has a function to play. I know the subcommittee is doing some work under Senators WHITEHOUSE and GRAHAM. The Armed Services Committee certainly has a role to play.

There is only one way the American people will get a clear view of how serious this matter is and that we are taking every conceivable possible step to make sure we protect the national security of the United States and our Democratic institutions, which are part of our national security, and that is to have an independent commission.

There are no turf problems there. They can look at everything. They can have a transparent process, and the American people can get an eye as to what is happening. They can make the recommendations we need.

I thank Senator DURBIN for underscoring that point. It is something I think we will ultimately get to. I was hoping we could get to it sooner rather than later because I think the American people would have a great deal more confidence.

I thank Senator COONS for putting this in historic perspective. He is absolutely right; we go back a long time as to what Russia's intentions are all about. I thought that was extremely helpful to fill in all of the aspects of what we are trying to do.

Senator MENENDEZ's point was very critical; our reasons for being here and our reasons for wanting to take action are to protect our country, the American people. We are not talking about any one person or any one election. This is not challenging the results of this past election. This is all about making sure that we protect the integrity of our free election system and, particularly moving forward, knowing that Russia may very well be engaged, as we speak, in trying to interfere with the elections in the Netherlands and Germany and France. We need to have a better game plan on how to deal with this.

As Senator MENENDEZ said—I think it is a very important point; I want to underscore this: You can't trust Russia. Let's be clear about that. Ask the Ukrainians. They signed the Budapest Declaration. The United States was part of that. They very clearly gave up their nuclear capacity, and in exchange they got the security from Russia on their jurisdiction, on their territory, on their sovereignty. Look how long that lasted before Russia invaded Ukraine, annexed part of Ukraine, and they continue to supply resources to disrupt the eastern part of Ukraine so Ukraine will have a very difficult time in its integration into Europe. That is what Russia is doing today in contravention to their written commitments with Ukraine.

Then I might tell my colleagues: Look at the Minsk agreement set up to try to end this hot war, and Russia has violated all the aspects of the Minsk agreement. You can't trust Russia's agreements.

As Senator MENENDEZ pointed out—he is right—look at the INF. Look at the treaty obligations. Russia is violating their treaty obligations, which directly affect the security of Europe. These are pretty serious things. We counter this by unity.

That is why I am so proud that we have Democrats and Republicans working together. This is not one party. Both parties recognize the danger of Russia. Both parties recognize that we have to protect ourselves. I would just urge my colleagues to follow this vigorous strategy, where we can show the American people that unity and that resolve and that we will not allow Russia to attack our country, that we are

going to prepare to make sure that we defend our democratic system of government and that we will be united in standing up to those types of activities that are against our national security interests.

I yield the floor.

The PRESIDING OFFICER (Mr. LEE). The Senator from Maryland.

TRUMPCARE

Mr. VAN HOLLEN. Mr. President, we have now had a little more than 24 hours to get a peek at the Republican plan to get rid of the Affordable Care Act. Now we know why they kept it in hiding for as long as they did—because it is a total mess and it will wreak havoc on the healthcare system in the United States of America and severely harm millions of Americans. After 7 years in waiting, is this really the best they can do? The first thing people need to know about the Republican plan to replace the Affordable Care Act—let's be clear. This is no replacement. This is a fake replacement. The first thing they need to know about it is, it will strip away affordable healthcare for millions of Americans in order to give the wealthiest households a huge tax cut.

How big is that tax cut? First of all, it goes to households who make over \$250,000 a year. Here is the thing. The richer you are, the more money you make over \$250,000 a year, the bigger the tax cut you are going to get under the Republican healthcare plan, under TrumpCare. In fact, if you are a millionaire, you are going to get a tax cut, on average, of about \$50,000—to be precise, a \$49,370 average tax cut for millionaires. If you are in the top one-tenth percent of American households, you are going to get, on average, a \$200,000 tax cut under the Republican plan to get rid of the Affordable Care Act.

That is great news if your name is Donald Trump or you are one of the billionaires or millionaires in his Cabinet. It is great news if you have loads of money. I want to be clear. I have nothing against millionaires. The more millionaires, the better in terms of growth in the economy, but certainly at this point in time, they don't need a tax cut, and they certainly shouldn't have a tax cut when the impact of that is to harm tens of millions of Americans and hurt their healthcare.

I guess we are beginning to learn exactly what President Trump meant when he said that his healthcare was going to be “much better.” Yes, if you are one of those folks in the top one-tenth percent of American income earners, if you are in the wealthiest strata of this country, you are going to get a big tax break. So I guess it is much better for you from that perspective.

You know whom else this is going to be better for? It is going to be better for insurance companies and their

CEOs. It is really hard to believe, but if you look at the House bill—and now I know why it was under lock and key for so long. If you look at it, you are going to find that their plan gives insurance companies a new tax break when they pay their CEOs multi-million-dollar bonuses. In fact, the bigger the bonus the healthcare company pays to the CEO, the bigger tax break the corporation gets, the more American taxpayers will be subsidizing those bonuses for those insurance CEOs.

So you know what, you are a CEO of an insurance company, you raise the premiums, the company makes more money, and you get a bigger bonus. Taxpayers foot the bill in terms of larger taxpayer subsidies to those CEOs. All in all, when you add up all the tax breaks for these CEOs and the insurance companies and the wealthiest Americans, it is a tax break windfall of \$600 billion. That is the number by the experts in the Joint Committee on Taxation here in the Congress. These are the nonpartisan experts who look at legislation and determine what the fiscal impact will be. What they say is that the TrumpCare bill will provide tax breaks in the amount of \$600 billion over the next 10 years. I guess that is what President Trump must have been referring to the other day when he tweeted about his “wonderful new healthcare bill.” It will be wonderful for those who are getting those big tax breaks.

We know who the winners are. Who are the losers? Well, just about everybody else ends up on the short end of the stick—just about everybody else in America. That is why you are seeing such strong opposition coming from all over the country. First, there are the millions of Americans who are going to lose their healthcare coverage altogether because they can't possibly afford to pay the huge additional premiums and copays and deductions they would be faced with under these plans that would be offered. Then there are tens of millions of more who will pay much more for much less coverage.

Older Americans are going to be especially hard hit, which is why we are all hearing from AARP. You know AARP—they sometimes give their opinion, they weigh in a little bit here and there, but they are out full force against this TrumpCare bill because it is going to have a very negative impact on seniors in America. They call it a sweetheart deal to big drug companies and other special interests. They argue—and we will talk about how it will weaken Medicare. They say it is going to impose an age tax on older Americans, and that is what it does. In fact, they calculate the following:

The change in structure will dramatically increase premiums for older consumers. We estimate that the bill's changes to current law's tax credits could increase premium costs for a 55-year-old earning \$25,000 by

more than \$2,300 a year. For a 64-year-old earning \$25,000 that increase rises to more than \$4,400 a year.

A year extra—\$4,400 more a year for that 64-year-old earning \$25,000 to pay for their health insurance, the health insurance they have today. Then they calculate that it will be \$5,800 more for a 64-year-old earning \$15,000. In other words, compared to the Affordable Care Act, the less income you have, the more you are going to be paying under TrumpCare than you are paying today under ObamaCare, under the Affordable Care Act.

We are also hearing from groups that fight for the rights of people with disabilities from all over the country, that are against this legislation because of its impact on Medicaid and the impact those cuts to Medicaid will have on people with disabilities throughout the country.

We are also hearing about the impact on Medicare. One of the promises Candidate Trump made was that he wasn't going to do anything that would harm Medicare. That is what he said then, but, in fact, in January, Congress received a letter from the Medicare actuaries. These are the professionals who look at the impact of various proposals on the Medicare system. What they concluded was, this proposal to provide tax cuts to wealthy Americans would actually reduce the life of the Medicare program by 3 years.

Here is what they are proposing. We are going to give a tax cut—and one of the tax cuts means that wealthy Americans will not have to pay a portion of their Medicare taxes. That portion of their Medicare taxes today goes into the Medicare trust fund. You say to those wealthy Americans: We are going to give you a tax break that is going back in your pockets. That means it is no longer going into the Medicare trust fund. That shortens the life of the Medicare trust fund. That is the view, that is the opinion, those are the facts stated by the actuaries for Medicare.

As you begin to reduce the life of the Medicare Program, there will be more and more pressure to go to the plan that has been much discussed, especially by House Republicans, to turn Medicare into a voucher program. The AARP raises this issue, as well, in their letter. If you are going to start cutting down on the Medicare trust fund, if you are reducing the revenues going into that trust fund because you are giving wealthier Americans this tax cut, obviously, there is less money in that program to pay for the bills of Medicare.

One of the ideas that has been pushed is: All right, let's save money for Medicare by transferring the risks Medicare currently takes onto the backs of seniors. So we are going to start giving them a voucher, a voucher that does not keep pace with the rising costs of Medicare. That means that over time,

seniors have to pay a lot more, get a lot less in healthcare, and that is how they save the Medicare plan money. Make no mistake, by providing a tax cut, and particularly the tax cut to the wealthy paying into the Medicare Program right now, you are hurting Medicare.

I know that the President says he is a terrific negotiator, just a terrific negotiator, and I have here a book by Trump, “The Art of the Deal.” I don't know whether Donald Trump is a good negotiator or a bad negotiator, but what I know is this: When you look at this TrumpCare plan, whoever did the negotiating was negotiating on behalf of very wealthy special interests at the expense of people in the rest of the country.

So all the talk we heard throughout the campaign and since about looking after the little guy, all the talk we heard about the middle class being squeezed, which is very real out there in America, all the talk we heard about struggling Americans, when you look at TrumpCare, it hurts exactly those people.

If President Trump was negotiating this deal, he got a great deal for the billionaires and millionaires who are in his Cabinet. They are going to see a great tax break windfall. I mean, I would like to get a calculator and take a look at what the size of the tax break will be to the members of the Trump Cabinet because it is going to be huge. But ordinary Americans are going to take it on the chin. They are going to be very badly hurt, which is why apparently people are trying to rush this through the Congress so quickly.

First, it was in some remote room, and you needed bloodhounds to go out to try to find out where it was, and now we know why it was kept so secret—because it is such a bad deal for the American people.

Now that it is in the light of day and the details are coming out and we are getting more and more letters from groups from around the country—AARP, the American Hospital Association, the American Medical Association, hundreds of other groups. The letters are pouring in. What is the response? Let's try to get this through the Congress as fast as possible before the word gets out even farther around the country.

It is ironic because I remember that during the debate over the Affordable Care Act, which took months and months—I mean, it took over 7 or 8 months—our Republican colleagues accused us of moving too quickly, of not having sufficient debate and input. Yet what we are seeing right now, now that the bill has come out of hiding, is an effort to try to move that bill through the House in a matter of weeks without any hearings. And then we are hearing over here in the Senate that the plan will be—and maybe the Republican

leader can clarify this at some point, but the plan will be to not send it to any of the committees in the Senate for a review but to try to bring it up immediately here on the floor of the Senate without any committee consideration, totally outside the regular order, flying directly in the face of the complaints that were made many years ago, when the process took well over 7 months, went through all the committees, and was thoroughly deliberated throughout the country.

Today I am looking at some of the publications, and I see Republican colleagues preemptively criticizing the Congressional Budget Office for what it might say about what TrumpCare is going to cost the American people.

Mr. President, I know you and our colleagues know that CBO is the referee on which we all rely. I know some people like to make up their own alternative facts, but you need to have some referee here in Congress when it comes to budget issues because otherwise people just make up whatever numbers they want.

It is also important to know that the current head of the Congressional Budget Office is somebody who was jointly selected by the Republican chairman of the House Budget Committee and the Republican chairman of the Senate Budget Committee. In other words, the current head of the CBO was picked by the Republican chairmen of the House and Senate Budget Committees. It is very important that we have that nonpartisan referee in these discussions. Yet, in the House of Representatives, they are acting on TrumpCare right now in committees without even the benefit of the analysis from the Congressional Budget Office. Apparently, they are afraid of what it might be and what it might say.

If people want to defend this TrumpCare proposal, they are obviously free to do it, but we should do it in the regular order, and we should do it based on information from sources like the Congressional Budget Office so people can have all the facts when they make these decisions which will impact the American people.

One fact we know right now is the fact that I mentioned at the outset, which is from the Joint Tax Committee, the nonpartisan experts, saying that TrumpCare will provide a \$600 billion tax cut windfall. We also know it is a fact from the Medicare Actuary that by providing very wealthy Americans with this tax break, you are going to take some years off of the life of the Medicare Program. Those are real facts.

So when I look at this deal, whoever negotiated this deal was clearly looking out for the very wealthiest in this country. That is where the facts lead.

Again, I don't know if President Trump is a good negotiator or a bad ne-

gotiator. What I do know is that if he negotiated this TrumpCare deal, he was negotiating on behalf of the millionaires and billionaires in his Cabinet. He was negotiating on behalf of the insurance companies that are now going to get a tax break for the multi-million-dollar bonuses they pay to the CEOs. The larger the bonus, the bigger the tax break under this bill. I know he wasn't negotiating for everyday working Americans and certainly not for older Americans or Americans with disabilities. That is why the AARP and others are weighing in so strongly against this.

We are going to have a little more time to debate here in the Senate, apparently, than in the House, but I would hope we would send this through the regular order because it requires a thorough vetting of the facts, and the American people deserve that kind of transparency and accountability in this process. I am absolutely confident that when the American people get a good look at this deal, they will know it is a very bad deal for the country and for millions of Americans.

I hope we will get on with that process. I hope the bill will never arrive in the Senate. I hope the folks in the House will recognize that it is a bad deal for the country and go back to the drawing board because when I heard the mantra "repeal and replace" and when I heard President Trump say that replacement was going to be much better and cover more people for less cost, I think people took that seriously. Now when they actually take a look at TrumpCare, as it is emerging from the House, they see something very different. They see something that is, quote, wonderful for the 1 percent of Americans who are going to get a tax cut, but it is really lousy for everybody else in the country.

We need to defeat this charade. This is not a replacement. This is a fake. The American people are catching on quickly. That is why it is very important that we not try to rush this through, that we have an opportunity to discuss it in the light of day. I am absolutely confident that if we do the right thing in terms of a full democratic debate, TrumpCare will go down.

The PRESIDING OFFICER. The Senator from Massachusetts.

Ms. WARREN. Mr. President, I rise today to urge my colleagues to reject this resolution to roll back accountability for the billions of dollars that are sent to States to help educate children.

When Congress updated the Elementary and Secondary Education Act in 2015, it was a bipartisan achievement. Republicans and Democrats came together on the 50th anniversary of that landmark civil rights law to rewrite it into what became the Every Student Succeeds Act.

When President Obama signed this K-12 legislation into law in December

of that year, he called it a "Christmas miracle." It received 85 votes in the Senate. It was one of the most important pieces of bipartisan legislation passed in the last Congress.

It wasn't the bill I would have written, but it was a bipartisan compromise. It gave States and districts far more flexibility when it comes to improving their struggling public schools. At the same time, it also maintained critical civil rights and accountability protections to ensure that when the Federal Government gives States billions of dollars to improve the education of their students, that money goes to the schools and students that need those Federal resources the most. It was a critical step toward making sure we are building a future not just for some of our kids but for all of our kids.

When Congress passes big, complex laws like the Every Student Succeeds Act, it always leaves some of the implementation details to the agency that has to enforce the law. That is why I fought hard to make sure the Department of Education had the tools it needs to write clarifying rules and guidelines to enforce the Every Student Succeeds Act. That was a condition of my vote and the votes of lots of other people. We won that fight. The authority to enforce the rules is right there in the law. It was debated in public, and it was part of the bipartisan agreement between Republicans and Democrats.

Last November, the Department of Education—after careful consultation with teachers, school leaders, State education leaders, and parents—issued new rules to enforce this law. Today, congressional Republicans are trying to take a sledgehammer to these new rules.

When these new rules were issued, everyone who works in education agreed that they were critical and necessary. Teachers were fine with the new rules. State education leaders were fine with the new rules. Civil rights leaders were fine with the new rules. Everyone was ready to get to work. Apparently, congressional Republicans do not care. Instead, they want to blow up these critically important accountability rules even though the people who work in or around public education did not ask them to do so. This makes no sense.

Groups that often disagree with each other over public education policies are united in their belief that this resolution is a dumb idea. It is opposed by teachers; civil rights organizations, such as the NAACP and the National Council of La Raza; and organizations representing students with disabilities, such as the National Center for Learning Disabilities. It is even opposed by the U.S. Chamber of Commerce because they know this resolution will only make it more difficult for States as

they try to implement the new education law. And this resolution will undermine the work States are currently doing right now to improve their public schools with the new law.

Last week, many of these groups signed on to a letter that states: "This action will cause unnecessary confusion, disrupting the work in states and wasting time that we cannot afford to waste."

In fact, even conservative education policy experts at the Fordham Institute—a right-leaning educational policy think tank—argue that congressional Republicans should not swing a wrecking ball to these guidelines.

They identified over 20 provisions in these rules that actually provide more flexibility to States by clarifying ambiguous sections in the law, and they concluded: "Senate Republicans, then, should scrap their plan to use the Congressional Review Act to kill all of the accountability regulations outright."

Killing these new rules now would lead to chaos and confusion just when States, districts, and school leaders are beginning to implement this new K-12 education law. States have already spent months drafting their plans for complying. Eighteen States, including Massachusetts, intended to submit their implementation plans to the Department of Education next month. If this resolution passes, all of that work will be thrown into limbo.

These clarifying rules include important provisions that allow States to send additional Federal resources to struggling schools, whether or not those schools already receive Federal dollars; provisions that give States more flexibility in educating their English learners in the manner that best meets the needs of each individual student; provisions that ensure that parents have more information about how their child's public school is doing and sets clear guidelines with what States and districts must disclose to parents and when they must disclose it; and provisions that promote transparency by preventing States from manipulating their graduation rates or data on how much money they are investing in each student. These regulations were carefully crafted over the course of 1 year of input from teachers, school system leaders, and student advocates. Both Republicans and Democrats should support these provisions.

I think we all know what is going on here. Betsy DeVos is the new Secretary of Education. Congressional Republicans have decided they want to hand over the keys to her with no restrictions whatsoever. The resolutions we are debating today would give Secretary DeVos more freedom to push States in whatever direction she felt like. If you are a teacher in Tennessee or a principal in Massachusetts, you should be furious about that. Congress is about to scrap a year of hard work

and a year of careful compromise in order to give Secretary DeVos a blank check.

It is a blank check for Betsy DeVos. This is the same Secretary of Education who has never attended a public school, never taught in a public school, and never led a public school. This is the same Secretary of Education who proved to the world, during her confirmation hearing, that she doesn't have a clue about public schools. This is the same Secretary of Education who still holds shady investments that could be hiding conflicts of interest. This is the same Secretary of Education who has used her vast fortune to advance her extreme privatization agenda. This is the same Secretary of Education whom Jeff Sessions and the Vice President of the United States had to drag across the finish line in an unprecedented tie-breaking confirmation vote. She is the one to whom Senate Republicans want to give a blank check to figure out where she wants to drive public education—a blank check to push her radical privatization agenda.

States and school districts are planning for the next school year right now. They are figuring out how to implement this law and improve the education of kids as I speak. They are doing hero's work every day while Congress wastes time and creates more confusion.

Handing this law over to an Education Secretary with no experience in public education without any accountability rules to guide its implementation is an insult. It is an insult to teachers, an insult to school leaders, and an insult to families everywhere.

This is not a game. Congress should not be playing politics with the education of our children. Instead of disrupting the important work that States and districts are doing to educate our kids, Congress should get out of the way and let States finish what they have already started. Let them get to work. That is why I urge my colleagues to reject this resolution.

Thank you, Mr. President.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

RUSSIA

Mrs. SHAHEEN. Mr. President, I come to the floor this afternoon following my colleagues, Senator MCCAIN and Senator CARDIN, to speak to the legislation that I am cosponsoring and that they have introduced to ramp up sanctions on Russia. I think it is important to emphasize that this is a strongly bipartisan legislative effort.

Indeed, for more than seven decades, Congress has stood strong on a bipartisan basis, first against the Soviet Union and now against Russian threats against the United States and our European allies. Working across the aisle in Congress, we have supported the NATO alliance. Beginning after World War II with the Marshall Plan and continuing to this day with the European Reassurance Initiative, we have helped to build the richest economies and the most robust democracies the world has ever seen, protected in large part in Western Europe by NATO.

Today we face new and unprecedented threats from an increasingly aggressive Russia. Russia continues to illegally occupy territory in Georgia and Ukraine. It is on the march in Syria, and it is building up its military presence and making threatening moves toward the Baltic States and in the Balkans.

There is growing evidence that it is actively interfering to spread disinformation and manipulate the outcome of elections this year in France, Germany, and across Europe. In fact there is evidence to suggest that they were involved in the Brexit vote and in the Dutch referendum last year.

Right here in our own country, Russia has used brazen cyber attacks and other measures to aggressively interfere in our Presidential election last fall. This was an attack on our sovereignty, on our democracy, and on the American people, and it was unprecedented. It requires the strongest possible response, short of armed force, to demonstrate to Vladimir Putin that this behavior will not be tolerated and it must not happen again. That is exactly the purpose of these comprehensive sanctions.

I agree with Senator CARDIN, the ranking member on the Foreign Relations Committee, that the Foreign Relations Committee should play a pivotal leadership role in both our legislative and oversight capacities in pushing back against Russia's aggression in all its forms. By all means, this includes making the case that the skills and experience of our State Department and USAID professionals are more important than ever.

In Eastern Europe, in the Middle East, in Afghanistan, and all across the world, they are working to increase the resilience of our allies by strengthening democratic institutions, fostering the rule of law, and fighting corruption. These initiatives have played an indispensable role in helping the United States prevail in the Cold War, and they are every bit as important today as we oppose Russian aggression.

We had the opportunity in the Armed Services Committee to hear from an expert talking about Russia and about Russia's strategy. One of the things he pointed out is that, just as Russia is

building up its military might, just as it is expanding its propaganda initiatives through television broadcasts like "Russia Today" and "Sputnik," it is also looking at how it can undermine Western democracies as a way to interrupt the transatlantic alliance—the alliance between the United States and Europe that has been so important to stability in the world for the last 70 years.

That is Russia's real goal. They want to undermine Europe. They want to undermine the West and the United States. One of the ways they are trying to do that is by disrupting our elections. We can't allow this kind of aggression to go unpunished. If we do, we will surely face further attacks from an emboldened Russia looking to disrupt our democracy. Indeed, I think this attack should be answered with the most punishing economic and financial sanctions that we can muster, and we need to work even harder to shore up our European allies who are facing Russian aggression and interference.

As we look at the upcoming French and German elections, there is no doubt that Russia is trying to interfere with those elections, as well, with the goal of undermining our democracy. When one begins to mess around with our elections, they strike at the heart of a democracy that is the foundation of this country.

I commend Senator MCCAIN and Senator CARDIN for introducing this bipartisan sanctions legislation, and I hope that Senators on both sides of the aisle will join us in passing these comprehensive sanctions against Russia.

I thank the Presiding Officer, and I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

REMEMBERING JACK ROBINSON

Mr. ROUNDS. Mr. President, I rise today to commemorate the life and legacy of Jack Robinson, who passed away on March 1, 2017, in Pierre, SD, at the age of 92.

Jack dedicated his life to public service—first to his Nation in the U.S. military and later to thousands of students as a teacher in Pierre.

When Jack graduated from high school in 1942, he was awarded a scholarship to Yangton College, but instead of furthering his education, he answered the call of duty amidst World War II and enlisted in the U.S. Army.

After transferring from the infantry to the Army Air Corps, he completed navigation school and became a crew member on a B-17 bomber. He and his

team were eventually sent overseas to England and completed 27 combat missions over Germany before being shot down on March 2, 1945. Shortly afterward, Jack returned home to South Dakota.

Throughout the rest of his life, he was a strong advocate for the military and a true patriot. With the stories he told and the love of country he shared, he showed what it meant to be a true American hero. For that, he affectionately adopted the nickname "Captain Jack."

There are not enough words in a dictionary to describe what we owe to the men and women who fought in World War II to save our Nation and to save democracy for the world. Jack Robinson put his own dreams aside and put his own life in great danger for our country and for all of the future generations of Americans.

After World War II, Jack graduated from Yankton College and taught high school science at Highmore, SD, for 2 years. Then he earned his master's degree in biology from the University of South Dakota. For the next 35 years, Jack was a teacher at Riggs High School in my hometown of Pierre. There, he created advanced biology and aeronautics programs for his students and inspired several young South Dakotans to become doctors. Dr. Brent Lindbloom of Pierre said his father and Jack Robinson were the reasons he became a doctor. "Mr. Robinson was a great teacher," he said. "He taught us how to study and inspired us to pursue our dreams."

I couldn't agree more.

As a teenager, Jack taught me navigational skills needed to properly fly an airplane, fueling a lifelong passion that continues today. As Jack would say, "you have to know the difference between compass course and compass heading."

Over the years he taught many others navigational skills as well. But he didn't just teach young people how to fly in the skies. He was a tremendous role model for all of us and for all the students he taught.

As a bomber crew member, Jack defended our gift of democracy. As a teacher, he gave us what we needed to become responsible adults and pursue our own dreams. In 1994, Jack was inducted into the South Dakota Aviation Hall of Fame as a combat crew member. I can state that he was very proud of that moment. But more important than his many achievements as a war hero and as a teacher was his life as a husband, father, grandfather, and great-grandfather.

We are a better people because Jack touched so many lives with his knowledge, kindness, and passion for living. His loss is felt by countless South Dakotans.

With this, I welcome the opportunity to recognize and commemorate the life

of this great public servant and personal role model of mine, Mr. Jack Robinson.

Thank you, Mr. President.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. TILLIS). Without objection, it is so ordered.

CIVIL RIGHTS AND EDUCATION

Mr. MURPHY. Mr. President, I want to talk about an upcoming CRA that will be on the floor potentially this week that would cancel out an important regulation that is designed to build upon this country's history of making sure there is a marriage between civil rights and education to make sure that children in this country, regardless of their race, regardless of their learning ability, regardless of their religion, regardless of their income, get an equal chance at education.

Frankly, the whole reason the Federal Government is involved in the question of education is due to civil rights. This used to be a purely local concern, and the Federal Government stepped into the question of local education because Black kids throughout the South were not getting an equal education. They were living in segregated schools and getting an education that was of far lesser quality. So the Federal Government has always been involved in education because it is a matter of civil rights.

I want to talk about this issue through the prism of one individual. I am going to call him James, but this is a true story—a story, frankly, that could be told millions of times over across the country.

James went to school in an urban district in Connecticut. He was a 10th grader. At the beginning of James's 10th grade year, he had a habit of walking out of class. In the middle of class, he would just get up and walk out after 10 or 15 or 20 minutes, and he would wander the halls of this big, urban high school until inevitably he was met by a security officer or a teacher or an administrator. They would bring him down to the office, and they would call his grandmother, as he lived with her. He would get suspended for a couple of days, and then he would come back.

It played out so often—this cycle of James walking out of class, being brought down to the principal's office, being suspended—that somewhere around the end of October, during his sophomore year, he had been out of school more days than he had been in school.

One day, though, James goes through this cycle again. He is in the hallway,

and he runs into an assistant principal. He is sort of sick and tired of this story playing out over and over again. He raises his voice. He has some words. James has never hurt anybody in his life, no history of violence, but the assistant principal decides to call the police. The police come and they arrest James for disorderly conduct, essentially for having words with an assistant principal. Now James, at 16 years old, has a criminal record. At the time, he was treated as an adult in Connecticut, so he has an adult criminal record.

It turns out that James was walking out of class every day because he couldn't read, and he was mortified. He was embarrassed because he had been socially promoted through the years. He had a learning disability that was going untreated, and he was in the 10th grade with the ability to only read at an elementary school level. No wonder he was walking out of class every day. He literally couldn't follow along. It was embarrassing. He didn't want to be called on by the teacher so he left. Nobody ever figured that out until he got arrested and finally got a legal aid lawyer, who happened to be my wife, who identified his disability and the fact that it was being unaddressed.

The fact is, a big part of this story is tied up in the fact that James was Black, and he was a big kid. So the police got calls maybe because he appeared to be threatening in a way that he simply was not. I can say that because the data backs up the fact that Black kids and disabled kids are treated very differently in schools today. Wherever you are, whether in Connecticut, in North Carolina, or in California, Black kids—especially Black boys—are suspended and expelled at a rate that is twice that of their White peers for the exact same behavior. Take mouthing off to a teacher. When that happens, Black kids, Black students, are twice as likely to be suspended for mouthing off to a teacher than a White student.

James's story is not unique. It is not unique because it happens in every State across the country, and it is not just in suspension and expulsion rates, it is also in achievement rates as well. We know the statistics. The graduation rate for African-American students is 16 percent lower than their White peers. I can go down the line and tell you about the different story when it comes to achievement and treatment of African-American students as compared to White students.

Racism isn't gone in this country. It might not be overt. Sometimes it might not even be conscious, but it is still there. Discrimination against kids who are different, whether they be poor or disabled, didn't vanish. It is still all over.

JOHN LEWIS is a civil rights icon. We celebrate him every day, Republicans

and Democrats, in the U.S. Congress. He got mercilessly beaten over the head simply because he wanted to vote. JOHN LEWIS is still alive, but you know what, so are the people who beat him. We are only a generation removed from an era of open, unapologetic racism in this country. To think that we don't need civil rights protections for kids any longer is to deny reality. Racism doesn't look the same as it used to. Discrimination against kids who are different isn't as overt as it used to be, but the data is the data. It is still there.

No Child Left Behind got a lot wrong, but one of the things it got right was that it shed a light on this disparate treatment, these disparate outcomes between Black students, Hispanic students, disabled students, and their peers, because it forced States—and this was a Republican and Democratic accomplishment at the time—it forced States to disaggregate results. So you had to look at how were disabled students doing, how were Black students doing, and if they weren't measuring up and if they weren't getting closer to the performance of their nondisabled or White peers, then you had to do something to turn those students around, turn their performance around.

Now, the part that No Child Left Behind got wrong is big and significant. Part of it is that it required every single one of those kids to hit the 100-percent proficiency mark, when progress is important to measure as well. It also told States exactly what to do to turn around the experiences of those kids. It is not the same in Connecticut as it is in North Carolina, and it is not the same in an urban district as it is in a suburban district. So when we got together on this floor and passed, in a bipartisan way, the new Elementary and Secondary Education Act, we did something really important. We preserved those requirements to disaggregate results for Black kids and for Hispanic kids and for kids with disabilities, but then we left it up to States to decide what proficiency is, and we left it up to States as to how they would turn around the experience for these kids if they weren't meeting those State-set goals. We gave an enormous amount of discretion and flexibility to States, but we preserved the basic expectation that our education policy was still going to be civil rights policy: Pay attention to how those vulnerable populations with a history of discrimination levied against them performed and require States to pay attention to the interventions.

That was a bipartisan achievement, and when we did it, we knew the regulation was going to be needed because, as with many education statutes, they are very vague. Republicans and Democrats understood that there was going to have to be a regulation to provide some clarity to States on how you

build these locally driven accountability systems.

So the regulation we are talking about here today was not one of these that came out of left field. It was not one of these regulations that was political in nature; no, it flows from a bipartisan act that preserved accountability requirements for kids.

It is important for a variety of reasons. One, it is important because there are some really vague terms in the statute that do need clarification. For instance, one of the things we voted for, Republicans and Democrats, is we voted to say you have to show that you are providing improvement for African-American students, let's say, and if they are not showing continuous improvement, then you have to have a turnaround plan. By the way, that turnaround plan is totally yours to decide; no sanctions from the Federal Government if it is not X turnaround plan or Y turnaround plan. That is the old law. The new law says it is yours to decide.

"Continuous improvement" is a super vague term. It is one of those obvious terms that has to have some regulatory guardrails put around it because what if the State said "continuous improvement" is improvement over 20 years. Well, kids come in and out of schools in 2 or 3 or 4 years and a 20-year period of looking at a particular subgroup's performance is meaningless to kids.

So the regulation says continuous improvement means 2 years; look at how a kid does over 2 years. And then it says, if 2 years doesn't work for you, you can make it longer but just tell us why. That is an important protection, and it still preserves enormous flexibility for States.

States want this regulation because it also gives them other types of flexibilities. An example is, when you are looking at performance, the statute suggests that you can have students who are meeting goal or students who are not meeting goal. The regulation recognizes that is, frankly, a really arbitrary way to look at performance. So the statute says: Yes, that is what the regulation says. The statute says: Meeting goal and not meeting goal, but you can get extra credit for students who are close to meeting goal, who have shown growth. You can get credit for students who are way above goal, your high-achieving students. You don't have to measure your schools just based on how many students meet goal. That is flexibility States want, that they likely don't have without the regulation.

Another example, for English language learners, proficiency goals should vary based on where you started. If you start here with no English skills, then your proficiency target should be different than if you started with a pretty advanced understanding

of the language. The statute just says you have to have a proficiency goal. It is unclear whether you can have different ones for different levels of learners. The regulation makes it clear: Give States that flexibility.

So that is why States didn't ask for this CRA. This is different than these other CRAs. States didn't ask for this CRA. All of the educational groups we listened to—teachers, superintendents, principals—they weighed in on this regulation. They didn't love every piece of it, but they were ready to implement it. None of these groups were coming up to the Congress asking for this regulation to be withdrawn. Would they have liked it to be fixed or tailored? Sure. But here is what they understood, and here is why I am really concerned.

Secretary DeVos could fix the things she doesn't like or Senator ALEXANDER doesn't like through the regular notice and comment period. I think there is 80 percent of this regulation that everybody agrees on, that just dots the i's and crosses the t's on a bipartisan commitment to accountability, and maybe there is 20 percent or 10 percent that Senator ALEXANDER and some other Members think goes a little bit too far, but when you pass a CRA, you don't allow for a regulation to be passed in the future that is substantially similar to the entirety of the regulation. The courts aren't going to look, or, frankly, even know, what parts of the regulation you didn't like and the 80 percent of the regulation you wanted to preserve.

The Department of Education can't pass anything that is similar to this ever again. So one of the things the regulation says is that you get a 1-year delay because it is just too quick to come up with accountability systems for this coming school year. That is gone. When this CRA passes, every school district in the Nation has to develop an accountability system for this calendar year because without the regulation, you don't have that flexibility.

So what makes me, frankly, so disturbed about this CRA is that it could happen another way, which would preserve the pieces of the civil rights protections that all of us agree on, which is the majority of the regulation. To my mind, it violated the spirit of our agreement when we passed this law. Here was a really amazing achievement; that we were able to rewrite the No Child Left Behind law—essentially repeal it and replace it with something better—that Democrats and Republicans could agree upon. In my mind, that agreement was predicated upon the Department being able to enforce maybe the most important part of the law for big constituency groups in this country—the accountability section, the civil rights protections.

By passing this CRA, we are essentially making it impossible for any

regulation ever again to be passed to implement the accountability sections and the civil rights protections in this law. Why? Because you can't pass anything that is substantially similar—substantially similar to the parts you like, substantially similar to the parts you don't like. This isn't like these other CRAs where Republicans didn't like any part of it, where Republicans didn't see any need for the regulation to go forward. This is different. We agree on 80 percent of this one, but the 80 percent is likely gone by passing this.

I guess part of what disturbs me here is that we worked, locked arm in arm, in passing this law. I really do believe that by passing this CRA, Republican leadership—HELP leadership—is violating the agreement we had to make sure this law went into force and effect in the way we all intended.

It happened in the context of the Health, Education, Labor, and Pensions Committee that isn't working this year like it used to work. I have such great respect for the chairman and the ranking member of that committee. They pulled off some big bipartisan wins during the time of their tenure, including the Workforce Investment Act, the rewrite of the No Child Left Behind Act, and some other smaller wins that people didn't necessarily think as much about, and leading up to the end of last year, the passage of a major new commitment to reforming mental illness and mental health in this country.

That spirit of bipartisanship, which was present in the HELP Committee in a way that it wasn't present in other committees, is disappearing before our eyes. We were mad that we only got 5 minutes to question Betsy DeVos because it felt like the committee was hiding her from public view. Democrats were asking for more time to ask more questions, and we didn't get it. That rarely happens in that committee, where the minority party is just asking to be heard and is shut down.

We begged for the CRA not to come before this body because there was another way to get it done that didn't violate the spirit of our agreement around the rewrite of the No Child Left Behind law, but we were denied in that request. Now we are voting on a CRA that is potentially going to be devastating not just for kids out there who need protection but also for States that want this flexibility.

Finally, we are on a schedule, according to the majority leader, that is going to bring a healthcare bill that will rewrite the rules for one-sixth of the American economy to the floor of the Senate without any debate in the Health, Education, Labor, and Pensions Committee, without a single hearing on the bill, without a markup, and without any ability for amendment.

I listened for 6 years to my Republican friends tell me that the healthcare bill, or the Affordable Care Act, was rammed through Congress and that the biggest problem was the fact that it was done outside of the public view for expediency's sake. Now, I was there in the House of Representatives, and let me express the unbelievable irony of those complaints now that there will be no process for the committees to consider the replacement to the Affordable Care Act.

The House and the Senate had hundreds—hundreds—of meetings and hearings. The HELP Committee alone—I don't have the numbers in front of me—considered hundreds of amendments and adopted over 100 Republican amendments in the markup process. The Senate's session was the second longest in the history of the Senate, in for more than 20 days debating that bill. The reason there was so much tempest out in the American public over the Affordable Care Act was because it was open for debate for so long.

The Finance Committee had a full process. The HELP Committee had a full process. The Ways and Means Committee had a full process. The Energy and Commerce Committee had a full process.

None of that is happening here. This bill is being jammed through, as we speak, the Ways and Means and the Energy and Commerce Committees. This bill is going to be jammed onto the floor, perhaps without any committee process, in the Senate. The target is from introduction Monday to passage in the House in 3 weeks and perhaps just a few more weeks before it passes the Senate. So spare me the complaints about the Affordable Care Act being rushed into place when this process is going to make that look laborious in comparison.

What pains me is not just this CRA, which is unnecessary, but it doesn't have to happen this way. What pains me is a committee process that when I got here had a reputation for being truly bipartisan, for being one of the more functional, if not the most functional, committee processes. That is being blown up most significantly by the rush job—the rush job on the repeal and replacement of the Affordable Care Act, which nobody in the American public is going to have enough time to look at it and see it.

I ask my colleagues one more time to reconsider their votes on this CRA. We are at our best when we come together around the idea that every kid in this country should have a chance at a quality education, no matter what color their skin is, no matter what their learning ability is. I know my colleagues have a couple problems with this regulation. I get it. But by passing this CRA, the regulation is gone and never coming back, and the States that

want the flexibility, that are begging for the flexibility, won't get it. It will just be an unworkable section of the bill. A section that was supposed to be bipartisan now fundamentally won't work because we can't get a regulation passed that is at all substantially similar to the good parts or to the bad parts.

This body is at its best when we stand together—Republicans and Democrats—and say that no matter what you look like, no matter how well you learn, no matter how much money you have, you get a quality education. We did that when we voted together on ESSA, and we are going back on that bipartisan commitment by passing a CRA that is unnecessary. As to the bad stuff you don't like, it can be gone in a matter of months by a regular process of notice and comment in the Department of Education.

This is part of a disturbing new trend line in this committee toward partisanship and away from a history of commitment to our kids—Republican and Democrat.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

ORDER OF PROCEDURE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that following leader remarks on Thursday, March 9, the Senate resume consideration of H.J. Res. 57, with the time equally divided in the usual form until 12 noon, and that at noon, the Senate vote on passage of the resolution with no intervening action or debate. I further ask that, notwithstanding the provisions of rule XXII, the Senate then resume executive session for the consideration of Executive Calendar No. 18, and that the cloture vote on the nomination occur at 1:45 p.m.

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

MORNING BUSINESS

REMEMBERING THE SOLDIERS OF 2ND BATTALION, 131ST FIELD ARTILLERY REGIMENT

Mr. CORNYN. Mr. President, this week, we remember the brave men of Texas who gave so much to preserve freedom in the Pacific and survived the greatest horrors of World War II. Soldiers of 2nd Battalion, 131st Field Artillery Regiment from Camp Bowie, TX, a Texas National Guard unit, were fighting alongside Australian forces on Java, an island in Indonesia, against

invading Japanese forces. On March 8, 1942 the Americans and their Australian allies were captured by the Japanese. A report was never filed by the Japanese to identify the captured unit. As a result, the Texas soldiers had disappeared and were dubbed "the Lost Battalion."

They were combined with survivors of the USS *Houston*, CA-30, which had been sunk in the Battle of Sunda Strait on March 1, 1942, and dispersed to POW labor camps located in Burma, Thailand, and Japan to work as slave laborers. They worked on the Burma-Siam Death Railway, building a railroad through the jungle and into the coal mines, docks, and shipyards in Japan and other Southeast Asian countries. For 42 months, the men of 2nd Battalion, 131st Field Artillery and the USS *Houston* suffered together through humiliation, degradation, physical and mental torture, starvation, and horrible tropical diseases, with no medication.

Five hundred and thirty-two soldiers of the battalion, along with 371 survivors of the USS *Houston* were taken prisoner. As many as 163 soldiers died in captivity, and of those, 133 are estimated to have died working on the railroad.

In August of 1945, after 42 months of captivity and forced labor, the survivors of 2nd Battalion, 131st Field Artillery Regiment and the survivors of the USS *Houston* were returned to the United States. March 8, 2017, marks the 75th year since their capture on the island of Java, and these soldiers deserve to be remembered for their heroic service and sacrifices in the Pacific theater of battle.

TRIBUTE TO DR. ROBERT BACKUS

Mr. LEAHY. Mr. President, today I am honored to recognize a Vermont treasure, Dr. Robert Backus of Grace Cottage Hospital, who is retiring after nearly four decades of dedicated service to the rural community of Townshend, VT.

Dr. Backus, or "Dr. B" as his patients often call him, is a natural healer. He discovered his passion for medical sciences as a young hunter. After serving with the Peace Corps in Brazil, he traveled to Australia to complete a medical internship and his residency. Years later, while on a trek across country from California, Dr. Backus found himself meandering along the winding roads of Vermont's Route 30, and he discovered the place he continues to call home today. The people of Townshend are glad he never left.

After settling in Vermont, Dr. Backus went on to complete his premedical studies at the University of Massachusetts and, later, Dartmouth College. He then received his doctorate in medicine from the University of Vermont in Burlington. Soon after, Dr.

Backus took a job working as deputy to Dr. Carlos Otis, the revered founder of Vermont's Grace Cottage Hospital, one of the State's leading rural providers.

Dr. Backus is perhaps most well-known for always being there for his patients, even if they are admitted to a different hospital. He is also known for his strong commitment to the community. For example, each year, Dr. Backus dedicates his time to collecting items for the Grace Cottage Fair, an event that supports the work and patients of the hospital. He also enjoys singing in the West River Valley Chorus with his wife, Carol.

Dr. Backus remains committed to staying active in his community after retirement, and as a grandfather to six, he is also looking forward to spending more time with his family.

I am proud to honor Dr. Backus's commitment to our State, and to the health and well-being of Vermonters. I know we will continue to see great things from him, and I wish him the very best as he enters a well-deserved retirement.

CRA DISAPPROVAL OF BLM PLANNING 2.0 RULE

Mr. UDALL. Mr. President, yesterday, the Senate approved H.J. Res. 44, a joint resolution of disapproval under the Congressional Review Act, CRA, that overturned the Bureau of Land Management's resource management planning rule, commonly referred to as the planning 2.0 rule. I oppose this misguided revocation of a rule that would have allowed greater public involvement in the land-use planning process, increased government transparency, and improved the efficiency in making sustainable multiple use decisions for our public lands.

The BLM is responsible for administering 245 million acres, or over 10 percent of the total area of the United States, and 700 million acres, or 30 percent, of the Nation's mineral estate. The majority of BLM lands are in the 11 western States and Alaska.

Across the West, the economy has changed significantly in recent decades. From 1990 to 2010, the population in the West grew by 36 percent, and the economy of the West has grown faster than any other region in the country. As new people and new businesses have moved West, demands on public lands for outdoor recreation, hunting, fishing, tourism, conservation, and renewable energy development have been increasing. These demands have the potential to lead to conflicts with uses such as grazing, timber, mining, and oil and gas extraction.

The planning 2.0 rule represented a new approach to addressing increasingly complex challenges on public lands and balancing what are competing uses and, quite frankly, at times

competing values for the use of our public lands. Planning 2.0 was the first update of the BLM's planning regulations in 34 years. It included tools to help local land managers respond to these new challenges and the changing needs of western communities.

Under the BLM's 1983 planning regulations, the BLM's planning process has been far too slow. State, local, and tribal governments and the public have been frustrated with the BLM's inability to complete resource management plans that support key infrastructure projects like pipelines, utility corridors, oil and gas leasing areas, and other management designations. It takes an average of 8 years to complete a resource management plan, and the public is provided few opportunities for input. By the time a plan is completed, it is almost already out of date. Since public involvement doesn't occur until nearly the end of the planning process, new information provided near the end can require revision and cause further delay. Litigation also can stall the process and add significantly more time and costs.

Nullifying planning 2.0 through CRA disapproval permanently forces the BLM to use a planning process that wastes taxpayer money and is inefficient at best.

Planning 2.0 provided earlier and more frequent opportunities for public involvement as part of the new planning assessment step. By inviting State, local, and tribal governments and the public to share information and participate in developing alternatives before the draft resource management plan could be published, planning 2.0 made it possible to discover the issues and potential conflicts and work out solutions before huge investments of time and labor were expended. Early involvement and collaboration with the public and all stakeholders made the planning process more efficient and effective.

Under planning 2.0, the formal planning process remained largely unchanged: a draft environmental impact statement and a draft plan were still required, but with an expanded public comment period, from 90 days to 100 days. Draft plan amendments are often less complex, and so the minimum comment period was reduced from 90 days to 60 days. The rule provided opportunities to extend any comment period as necessary.

Planning 2.0 preserved and enhanced partnerships with State, local, and tribal governments in the planning process. The rule maintained the coordination and consistency requirements, and it recognized the special roles of State, local, and tribal governments, affording opportunities to participate side-by-side with the BLM as cooperating agencies. The final planning 2.0 rule took meaningful steps to accommodate requests from States and

local governments to improve the planning process and to ensure governors were able to raise concerns and fully engage in the planning process, as required by the Federal Lands Policy and Management Act.

As vice chair of the Senate Committee on Indian Affairs, I closely review Federal actions that affect native people and Indian Country. Under planning 2.0, the right of federally recognized tribes to government-to-government consultation was clearly enumerated and protected. The BLM worked extensively to make sure the new planning process was more inclusive. Planning 2.0 recognized the value of the knowledge, history, and culture that tribes bring to the planning effort. By formalizing the tribal consultation role and providing early and more frequent opportunities for tribes to provide input, the BLM had taken an important step to ensure Indian Country was able to be fully engaged in the process. Repealing planning 2.0 through the CRA now risks ignoring the concerns of tribes in favor of commercial interests and their lobbyists in Washington, DC.

Pressures on BLM lands have increased in scale and complexity, and planning 2.0 encouraged the collection and use of high-quality data. It encouraged flexibility to identify a planning area boundary that reflects the resource issues. By looking at larger landscapes, local offices could have collaborated where there are shared resource issues and could have reduced conflicts and litigation for large-scale projects. Planning 2.0 would have enabled the BLM to set clear goals and allowed local offices to work together on landscape-wide planning where resource issues span multiple administrative jurisdictions.

The rule identified important corridors for wildlife and critical habitats early in the planning process so that those important areas could be managed and conserved in balance with other uses and development decisions. Working across boundaries is especially important to tackle wildfire prevention and eradication of invasive species, which are degrading our public lands and placing neighboring private lands at risk of harm. Efficient and collaborative planning is desperately needed to approve infrastructure projects, pipelines, and energy transmission corridors that are stalled under the current planning process. Eliminating planning 2.0 reinstates a cumbersome and inefficient planning process that increases burdens on industries and the public.

Opponents of the planning 2.0 rule mischaracterized the rule as a last minute "midnight rule" that excluded public comment. This is simply not true. The planning 2.0 initiative went through a transparent rulemaking process over 2 and a half years. The BLM responded to over 3,000 public

comments on the draft rule and made critical changes in the final rule. Congress held two hearings on planning 2.0, and the BLM incorporated that information before publishing the final rule. The BLM conducted extensive public outreach through public meetings, webinars, an extended public comment period, and input from a broad spectrum of the public that resulted in significant revisions to the final rule.

However, the CRA resolution disapproving planning 2.0 was accomplished without public hearings and without transparency. Management of our public lands will now revert back to a process that gives commercial interest greater power and the public less opportunity for meaningful involvement.

Opponents of planning 2.0 expressed concern that emphasizing landscape-scale planning could result in the primacy of national objectives over State and local objectives. This is not true. Planning 2.0 did not centralize decisionmaking in Washington, DC, or dilute local control of the planning process. The rule actually allowed for more local community involvement and preserved the priority status for local governments and states in land use planning. Increasing the opportunity for public voices helped develop plans that met the increasingly diverse needs of western communities. Further, the rule did not require all resource management plans to be multistate landscapes. The rule provided the process for planning at larger landscape-scales when it made sense given the resources involved.

The use of the Congressional Review Act to revoke planning 2.0 is a reckless tactic. Specific concerns could and should have been addressed through the regular rulemaking process or targeted legislation by Congress instead. Under the CRA, once Congress passes a resolution of disapproval, the BLM is prohibited from writing a new rule that is "substantially the same" without additional legislative action. As a result, many of the provisions of planning 2.0 that improved the planning process cannot be enacted or proposed again without express congressional approval.

Secretary Zinke has now been confirmed and should have been given the opportunity to consider revising planning 2.0 and making any necessary changes. With passage of H.J. Res. 44, Secretary Zinke will face considerable legal uncertainty, and his authority to reformulate a new planning rule will be limited substantially. This resolution should have been rejected and the new administration given the opportunity to reformulate planning 2.0 and to make sure the public continued to have a voice in decisions that affect their way of life.

KINGSPORT CENTENNIAL

Mr. ALEXANDER. Mr. President, I ask unanimous consent to have printed in the RECORD a copy of the Tennessee General Assembly's proclamation recognizing the city of Kingsport, TN, centennial celebration.

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

KINGSPORT CENTENNIAL

Whereas, it is fitting that the members of this legislative body should pause in their deliberations to recognize and honor those venerable communities of this State that are marking special occasions in their histories; and

Whereas, the new city of Kingsport was incorporated in 1917, using the historical name of a nearby town that was previously incorporated in 1822 but lost its charter after the Civil War; and

Whereas, Kingsport is the first thoroughly diversified, professionally planned, and privately financed city in twentieth-century America; and

Whereas, Kingsport was the first city in Tennessee, and one of the first in the nation, to adopt the "model city charter" establishing a city manager form of government; and

Whereas, Kingsport was produced by the marriage of New South philosophy and Progressivism, born at a time when capitalists turned their attention to Southern Appalachia; and

Whereas, the seeds planted in 1917 grew to become the corporate headquarters of Eastman, a Fortune 300 company with a significant global presence that has provided economic opportunity for generations of Tennesseans; and

Whereas, early founders coined the term "Kingsport Spirit" to describe the work ethic, can-do attitude, and caring culture that are still widely prevalent today; and

Whereas, Kingsport continues to be a leader in innovation and collaboration to redefine the economic future of Tennessee and Tennesseans; and

Whereas, on this milestone occasion, it is fitting that we recognize and honor the city of Kingsport and its residents: Now, therefore,

I, Randy McNally, Speaker of the Senate of the One Hundred Tenth General Assembly of the State of Tennessee, at the request of and in conjunction with Senator Jon Lundberg, do hereby proclaim that we honor and commend the fine citizens of Kingsport as they celebrate their city's centennial and extend to them our best wishes for continued success and prosperity in the future. Proclaimed in Nashville, Tennessee, on this the 13th day of February 2017.

TRIBUTE TO JOHN MEDINGER

Ms. BALDWIN. Mr. President, today I wish to honor John Medinger on his retirement from Federal and public service. John has dedicated his career to improving the lives of individuals in the La Crosse community and across the State of Wisconsin, most recently as my southwestern Wisconsin regional representative. I am so pleased to celebrate John's legacy of dedicated public service and positive social change.

John was born in La Crosse, WI, and has been the community's strongest

advocate ever since. He graduated from Aquinas High School and went on to receive his bachelor's and master's degrees from the University of Wisconsin-La Crosse.

John's public service career began in 1972 with his work at Volunteers in Service to America, VISTA to combat poverty and racial inequality in Virginia. During his time in Virginia, John developed a passion for social justice that guided his future work as a public servant.

In 1976, John was elected to represent the 95th district in the Wisconsin State Legislature, where he ultimately served as assistant majority leader of the assembly. As a State representative, John became known for fighting domestic abuse. He authored one of Wisconsin's first domestic violence bills to create safe houses for victims and worked with Wisconsin police departments to make combating domestic abuse a top priority. He was also known for his early leadership on gay rights issues, fighting for marriage equality, and proudly participating in La Crosse's first PRIDE Fest.

I have known few public servants as dedicated as John in serving the people he represents. He embodies the true meaning of public service. No request was too small for his devoted attention. In fact, John was famous for coming to work on Monday after a weekend of local events with a fist full of paper scraps covered in scribbled notes from people he ran into, describing their concerns. John remembered every one of those concerns as he advocated for his constituents on the assembly floor. During a time of increasing partisanship, he had a knack for bringing opposing sides together in the interest of bettering the lives of Wisconsinites.

After 16 years, John left the State legislature. Although he claimed his departure was to get away from long legislative speeches, it was clear he wanted to be closer to the people he cared so much about in his hometown. Unable to stay out of public service for long, John announced his campaign for mayor in the Spring of 1997. As mayor of La Crosse, John adhered to his fundamental belief that he was there to serve all residents of La Crosse—not just those who supported him. Guided by his VISTA experience, John created the city's first anti-racism task force and encouraged people of color to run for local office. He is especially well-loved by the African-American and Hmong communities in La Crosse.

Three U.S. Senators, myself included, had the privilege of having John represent us in southwestern Wisconsin. Although times have changed and technology has advanced—much to John's chagrin—his knowledge, dedication, and connections are irreplaceable.

John has taught those lucky enough to have worked with him what it means to be a true representative of

the people: take your work—but not yourself—seriously, don't hold a grudge, keep your word, and, above all, put constituents first. I will miss John a great deal, but I am delighted to wish him and his wife Dee the very best in this new chapter.

ADDITIONAL STATEMENTS

REMEMBERING LIEUTENANT GENERAL HAROLD "HAL" GREGORY MOORE, JR.

• Mr. PERDUE. Mr. President, today I mourn the loss of LTG Harold "Hal" Gregory Moore, Jr., and to honor his life and memory as one of Georgia's great citizens and military heroes.

Having served in the U.S. Army for 32 years, Lieutenant General Moore was known for valiantly and courageously protecting his fellow Americans during the Korean and Vietnam wars and for always leading by example.

He is perhaps best known for leading the 1st Battalion, 7th Cavalry Regiment in the first major battle against North Vietnamese forces in the La Drang Valley on November 14, 1965. During that 4-day battle—which would set the tone for the entire conflict—then-Lieutenant Colonel Moore kept the promise he had made to his men: that he would be the first to set foot on the battlefield, the last to step off, and that, dead or alive, he would leave no man behind. For his leadership and dedication to his men at La Drang, he was awarded the Distinguished Service Cross for valor.

Lieutenant General Moore passed away on February 10, 2017, leaving behind 5 children and 11 grandchildren. He was buried with his wife of 55 years, Julia Compton Moore, at the Main Post Cemetery in Fort Benning, GA. His funeral was attended by more than 500 people, showcasing the extent to which his service, sacrifice, and leadership touched the lives of countless others.

We will forever remember and forever aspire to live our lives in the spirit of selflessness, bravery, kindness, and compassion with which Lieutenant General Moore led his. •

REMEMBERING CARMEN DELGADO VOTAW

• Mr. VAN HOLLEN. Mr. President, I wish to pay tribute to a distinguished woman from the State of Maryland. Carmen Delgado Votaw, who passed away on February 18, 2017, was a civil rights pioneer, a public servant, a storyteller, and a beloved community leader.

Ms. Votaw was born on September 29, 1935, in Humacao, PR. She studied at the University of Puerto Rico and graduated from American University in Washington, DC, with a bachelor of

arts in international studies. She was subsequently awarded an honorary doctorate in humanities by Hood College in Frederick, MD.

Ms. Votaw was appointed by President Jimmy Carter to serve as cochair of the National Advisory Committee on Women. She served as president of the Interamerican Commission of Women of the Organization of American States in 1979–80. The first president of that body, she remains just one of two women from the United States to have served as the commission's president.

During her career, Ms. Votaw travelled to more than 80 countries and met with more than 50 heads of state. She was a member of the U.S. delegation to the International Women's Year conference, attending conferences in Mexico City, Copenhagen, Nairobi and Beijing.

Ms. Votaw was chief of staff for Puerto Rico's Resident Commissioner Jaime B. Fuster from 1985–91. As the first Hispanic female chief of staff for a Member of Congress, she worked to address the challenges facing 3.5 million Puerto Ricans living on the island and to build a strong network for women in the Federal Government. After leaving the U.S. House of Representatives, she was involved with the Girl Scouts of the USA, United Way of America, and the Alliance for Children and Families.

Ms. Votaw was an author of a number of publications on women, including "Puerto Rican Women: Mujeres Puertorriquenas," "Notable American Women," "Libro de Oro," and "To Ourselves Be True." These stories highlight the wonderful accomplishments of women, particularly Hispanic women, who led remarkable lives and serve as role models for younger women.

As a stalwart defender of civil rights for diverse populations, especially Hispanics, Ms. Votaw received the Hispanic Heritage Award for Education, the Mexican American Women's Primeras Award, and numerous awards from NASA, FEW, and national and local civic organizations.

Ms. Votaw served on the boards of directors of numerous women's organizations, including the National Conference of Puerto Rican Women, which she served as national president and president of the DC chapter, the Overseas Education Fund of the League of Women's Voters, the Girl Scouts of the USA, the International Girl Guides, the National Women's Political Caucus and its Appointments Coalition, the Mid-Atlantic Equity Center, and the National Coalition for Women and Girls in Education. She was also active with the Congressional Hispanic Caucus Institute, the Gala Hispanic Theatre, and the Maryland Women's Heritage Center, and she was a longtime member of the Council on Foreign Relations.

In 1992, Ms. Votaw was inducted into the Maryland Women's Hall of Fame

for her numerous contributions to the community. In addition, she was recognized by the National Women's History Project for Distinguished Lifetime Achievement in 2014.

Ms. Votaw died on February 18, 2017. She is survived by her husband of more than 50 years, Gregory B. Votaw; three children, Stephen G. Votaw of Arlington, VA, Michael A. and Liz Votaw of Potomac, MD, and Lisa Votaw and Brian Olson of Steamboat Springs, CO; and six grandchildren—Daniel Votaw, Alexandra Votaw, Anna Votaw, Michael Todd Votaw, Taylor Delgado Olson, and Abby Olson.

Ms. Votaw's extraordinary and transformational contributions to our State, Nation, and world will have an impact on the lives of girls, women, and families for generations to come. Her vision of inclusivity and creating opportunities for women broke barriers and shattered institutional societal stigmas that prevented women from achieving their dreams. Ms. Votaw lived a life of extraordinary accomplishment, and we owe her a tremendous debt of gratitude for her outstanding work in increasing equality and opportunity throughout the world. I ask my colleagues to join me in remembering Carmen Delgado Votaw and in expressing our deepest condolences to her family and countless friends.●

MESSAGE FROM THE HOUSE

At 10:10 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 442. An act to authorize the programs of the National Aeronautics and Space Administration, and for other purposes.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 375. An act to designate the Federal building and United States courthouse located at 719 Church Street in Nashville, Tennessee, as the "Fred D. Thompson Federal Building and United States Courthouse".

H.R. 1174. An act to provide a lactation room in public buildings.

H.R. 1362. An act to name the Department of Veterans Affairs community-based outpatient clinic in Pago Pago, American Samoa, the Faleomavaega Eni Fa'a'ua'a Hunkin VA Clinic.

MEASURES REFERRED

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

H.R. 1174. An act to provide a lactation room in public buildings; to the Committee on Environment and Public Works.

H.R. 1362. An act to name the Department of Veterans Affairs community-based outpatient clinic in Pago Pago, American Samoa, the Faleomavaega Eni Fa'a'ua'a Hunkin VA Clinic; to the Committee on Veterans' Affairs.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

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

S. 563. A bill to amend the Flood Disaster Protection Act of 1973 to require that certain buildings and personal property be covered by flood insurance, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MARKEY (for himself and Mr. LEE):

S. 564. A bill to repeal debt collection amendments made by the Bipartisan Budget Act of 2015, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. FISCHER (for herself, Mr. GARDNER, Mr. GRASSLEY, and Mr. CRAPO):

S. 565. A bill to amend title 31, United States Code, to provide for transparency of payments made from the Judgment Fund; to the Committee on the Judiciary.

By Ms. CANTWELL (for herself and Mrs. MURRAY):

S. 566. A bill to withdraw certain land in Okanogan County, Washington, to protect the land, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. HEITKAMP:

S. 567. A bill to amend the Home Owners' Loan Act to allow Federal savings associations to elect to operate as national banks, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BROWN (for himself, Ms. COLLINS, Mr. NELSON, and Mrs. CAPITO):

S. 568. A bill to amend title XVIII of the Social Security Act to count a period of receipt of outpatient observation services in a hospital toward satisfying the 3-day inpatient hospital requirement for coverage of skilled nursing facility services under Medicare; to the Committee on Finance.

By Ms. CANTWELL (for herself, Mr. BURR, Mr. WYDEN, Mrs. FEINSTEIN, Mr. SANDERS, Mr. TESTER, Ms. STABENOW, Mr. HEINRICH, Mr. MANCHIN, Mr. FRANKEN, Mr. MARKEY, Ms. HIRONO, Mr. MERKLEY, Mr. SCHATZ, Ms. KLOBUCHAR, Ms. BALDWIN, Mr. BENNET, Mr. CARDIN, Mr. CASEY, Mrs. GILLIBRAND, Mrs. SHAHEEN, and Mr. COONS):

S. 569. A bill to amend title 54, United States Code, to provide consistent and reliable authority for, and for the funding of, the Land and Water Conservation Fund to maximize the effectiveness of the Fund for future generations, and for other purposes; to the Committee on Energy and Natural Resources.

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

S. 570. A bill to improve the National Oceanic and Atmospheric Administration's weather research through a focused program of investment on affordable and attainable advances in observational, computing, and modeling capabilities to support substantial improvement in weather forecasting and prediction of high impact weather events, to expand commercial opportunities for the provision of weather data, and for other purposes; to the Committee on Commerce, Science, and Transportation.

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

S. 571. A bill to authorize the sale of certain National Forest System land in the State of Georgia; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. BURR (for himself, Ms. CANTWELL, and Mr. TILLIS):

S. 572. A bill to require the Secretary of Commerce to study the coverage gaps of the Next Generation Weather Radar of the National Weather Service and to develop a plan for improving radar coverage and hazardous weather detection and forecasting, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. PETERS (for himself, Mr. GRAHAM, Mr. CORNYN, Ms. STABENOW, Mr. COCHRAN, Mr. CASEY, Mr. BLUNT, Ms. BALDWIN, Mrs. McCASKILL, Mrs. CAPITO, Mr. WARNER, Mr. RUBIO, Ms. HEITKAMP, Mr. MERKLEY, Mr. HATCH, Mrs. GILLIBRAND, Ms. COLLINS, Ms. HARRIS, Mr. NELSON, Mr. KAINE, and Mr. CASSIDY):

S. 573. A bill to establish the National Criminal Justice Commission; to the Committee on the Judiciary.

By Mr. MARKEY (for himself, Mr. MERKLEY, Mrs. FEINSTEIN, Mr. WYDEN, Mr. LEAHY, Mr. FRANKEN, Mr. SANDERS, Mr. VAN HOLLEN, and Mr. BROWN):

S. 574. A bill to restrict the use of funds for the long-range standoff weapon until the Secretary of Defense completes a Nuclear Posture Review that includes an assessment of the capabilities and effects of the use of the long-range standoff weapon, and for other purposes; to the Committee on Armed Services.

By Mr. BOOKER (for himself and Mr. LEE):

S. 575. A bill to amend the Fair Debt Collection Practices Act to restrict the debt collection practices of certain debt collectors; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. JOHNSON (for himself, Mrs. McCASKILL, Mr. GRASSLEY, and Ms. BALDWIN):

S. 576. A bill to amend title 5, United States Code, to extend certain protections against prohibited personnel practices, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. LANKFORD (for himself and Mr. RISCH):

S. 577. A bill to require each agency, in providing notice of a rule making, to include a link to a 100 word plain language summary of the proposed rule; to the Committee on Homeland Security and Governmental Affairs.

By Mr. LANKFORD:

S. 578. A bill to amend title 5, United States Code, to provide requirements for agency decision making based on science; to the Committee on Homeland Security and Governmental Affairs.

By Mr. LANKFORD (for himself and Ms. HEITKAMP):

S. 579. A bill to require agencies to publish an advance notice of proposed rule making for major rules; to the Committee on Homeland Security and Governmental Affairs.

By Mr. LANKFORD:

S. 580. A bill to establish agency procedures for the issuance of guidance documents, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MANCHIN (for himself, Mrs. CAPITO, Ms. KLOBUCHAR, and Mrs. FEINSTEIN):

S. 581. A bill to include information concerning a patient's opioid addiction in certain medical records; to the Committee on Health, Education, Labor, and Pensions.

By Mr. JOHNSON (for himself, Mrs. McCASKILL, and Mr. GRASSLEY):

S. 582. A bill to reauthorize the Office of Special Counsel, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CORNYN (for himself, Ms. KLOBUCHAR, Mr. GRASSLEY, Mr. BLUMENTHAL, Mr. TILLIS, Mrs. FEINSTEIN, Mr. HATCH, Mr. HELLER, and Mr. CRUZ):

S. 583. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to authorize COPS grantees to use grant funds to hire veterans as career law enforcement officers, and for other purposes; to the Committee on the Judiciary.

By Mr. LANKFORD (for himself, Mr. RISCH, and Mr. GRASSLEY):

S. 584. A bill to amend chapter 6 of title 5, United States Code (commonly known as the Regulatory Flexibility Act), to ensure complete analysis of potential impacts on small entities of rules, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. JOHNSON (for himself and Mrs. ERNST):

S. 585. A bill to provide greater whistleblower protections for Federal employees, increased awareness of Federal whistleblower protections, and increased accountability and required discipline for Federal supervisors who retaliate against whistleblowers, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BOOZMAN (for himself, Mr. PERDUE, and Mr. LEAHY):

S.J. Res. 35. A joint resolution providing for the appointment of Michael Govan as a citizen regent of the Board of Regents of the Smithsonian Institution; to the Committee on Rules and Administration.

By Mr. BOOZMAN (for himself, Mr. PERDUE, and Mr. LEAHY):

S.J. Res. 36. A joint resolution providing for the appointment of Roger W. Ferguson as a citizen regent of the Board of Regents of the Smithsonian Institution; to the Committee on Rules and Administration.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. MARKEY (for himself and Mr. RUBIO):

S. Res. 83. A resolution expressing the sense of the Senate regarding the trafficking of illicit fentanyl into the United States from Mexico and China; to the Committee on Foreign Relations.

By Mrs. SHAHEEN (for herself, Ms. COLLINS, Mr. WHITEHOUSE, Mr. MENENDEZ, Mr. COONS, Mrs. GILLIBRAND, Ms. BALDWIN, Mr. DURBIN, Mr. CARDIN, Mr. MURPHY, Mr. MARKEY, Mrs. MURRAY, Ms. CANTWELL, and Mr. WYDEN):

S. Res. 84. A resolution supporting the goals of International Women's Day; considered and agreed to.

ADDITIONAL COSPONSORS

S. 14

At the request of Mr. HELLER, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 14, a bill to provide that Members of Congress may not receive pay after October 1 of any fiscal year in which Congress has not approved a concurrent resolution on the budget and passed the regular appropriations bills.

S. 65

At the request of Ms. WARREN, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 65, a bill to address financial conflicts of interest of the President and Vice President.

S. 67

At the request of Mr. CRUZ, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 67, a bill to direct the Secretary of State to submit to Congress a report on the designation of Iran's Revolutionary Guard Corps as a foreign terrorist organization, and for other purposes.

S. 130

At the request of Ms. BALDWIN, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 130, a bill to require enforcement against misbranded milk alternatives.

S. 147

At the request of Mr. RUBIO, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of S. 147, a bill to prevent a taxpayer bailout of health insurance issuers.

S. 168

At the request of Mr. WICKER, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 168, a bill to amend and enhance certain maritime programs of the Department of Transportation.

S. 175

At the request of Mr. MANCHIN, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 175, a bill to amend the Surface Mining Control and Reclamation Act of 1977 to transfer certain funds to the Multiemployer Health Benefit Plan and the 1974 United Mine Workers of America Pension Plan, and for other purposes.

S. 206

At the request of Mr. KAINE, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 206, a bill to amend the Higher Education Act of 1965 to allow the Secretary of Education to award job training Federal Pell Grants.

S. 251

At the request of Mr. WYDEN, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 251, a bill to repeal the Independent Payment Advisory Board in order to ensure that it cannot be used

to undermine the Medicare entitlement for beneficiaries.

S. 299

At the request of Mr. LEE, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 299, a bill to require the appropriation of funds to use a fee, fine, penalty, or proceeds from a settlement received by a Federal agency, and for other purposes.

S. 362

At the request of Mr. SCHATZ, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 362, a bill to provide that 6 of the 12 weeks of parental leave made available to a Federal employee shall be paid leave, and for other purposes.

S. 382

At the request of Mr. MENENDEZ, the names of the Senator from Vermont (Mr. SANDERS) and the Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of S. 382, a bill to require the Secretary of Health and Human Services to develop a voluntary registry to collect data on cancer incidence among firefighters.

S. 384

At the request of Mr. BLUNT, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 384, a bill to amend the Internal Revenue Code of 1986 to permanently extend the new markets tax credit, and for other purposes.

S. 405

At the request of Mr. COONS, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. 405, a bill to amend the Internal Revenue Code of 1986 and the Higher Education Act of 1965 to provide an exclusion from income for student loan forgiveness for students who have died or become disabled.

S. 407

At the request of Mr. CRAPO, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 407, a bill to amend the Internal Revenue Code of 1986 to permanently extend the railroad track maintenance credit.

S. 422

At the request of Mrs. GILLIBRAND, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 422, a bill to amend title 38, United States Code, to clarify presumptions relating to the exposure of certain veterans who served in the vicinity of the Republic of Vietnam, and for other purposes.

S. 425

At the request of Mr. CARDIN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 425, a bill to amend the Internal Revenue Code of 1986 to improve the historic rehabilitation tax credit, and for other purposes.

S. 438

At the request of Mr. BLUNT, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 438, a bill to encourage effective, voluntary investments to recruit, employ, and retain men and women who have served in the United States military with annual Federal awards to employers recognizing such efforts, and for other purposes.

S. 465

At the request of Mr. ROUNDS, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. 465, a bill to provide for an independent outside audit of the Indian Health Service.

S. 538

At the request of Ms. STABENOW, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 538, a bill to clarify research and development for wood products, and for other purposes.

S. 543

At the request of Mr. TESTER, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 543, a bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs to include in each contract into which the Secretary enters for necessary services authorities and mechanism for appropriate oversight, and for other purposes.

S. 544

At the request of Mr. TESTER, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 544, a bill to amend the Veterans Access, Choice, and Accountability Act of 2014 to modify the termination date for the Veterans Choice Program, and for other purposes.

S. 546

At the request of Mr. BARRASSO, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 546, a bill to reduce temporarily the royalty required to be paid for sodium produced on Federal lands, and for other purposes.

S. 549

At the request of Mr. MURPHY, the names of the Senator from New Hampshire (Ms. HASSAN) and the Senator from Michigan (Mr. PETERS) were added as cosponsors of S. 549, a bill to block implementation of the Executive Order that restricts individuals from certain countries from entering the United States.

S. 550

At the request of Mr. LEAHY, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 550, a bill to restore statutory rights to the people of the United States from forced arbitration.

S. 552

At the request of Mr. BROWN, the name of the Senator from Nevada (Ms.

CORTEZ MASTO) was added as a cosponsor of S. 552, a bill to amend the Truth in Lending Act and the Electronic Fund Transfer Act to provide justice to victims of fraud.

S.J. RES. 16

At the request of Mr. WYDEN, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S.J. Res. 16, a joint resolution approving the discontinuation of the process for consideration and automatic implementation of the annual proposal of the Independent Medicare Advisory Board under section 1899A of the Social Security Act.

S.J. RES. 27

At the request of Mr. CASSIDY, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S.J. Res. 27, a joint resolution disapproving the rule submitted by the Department of Labor relating to "Clarification of Employer's Continuing Obligation to Make and Maintain an Accurate Record of Each Recordable Injury and Illness".

S.J. RES. 32

At the request of Mr. HATCH, the names of the Senator from Texas (Mr. CORNYN) and the Senator from Idaho (Mr. RISCH) were added as cosponsors of S.J. Res. 32, a joint resolution disapproving the rule submitted by the Department of Labor relating to savings arrangements established by States for non-governmental employees.

S.J. RES. 33

At the request of Mr. HATCH, the names of the Senator from Texas (Mr. CORNYN) and the Senator from Idaho (Mr. RISCH) were added as cosponsors of S.J. Res. 33, a joint resolution disapproving the rule submitted by the Department of Labor relating to savings arrangements established by qualified State political subdivisions for non-governmental employees.

S. RES. 23

At the request of Mr. GARDNER, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. Res. 23, a resolution establishing the Select Committee on Cybersecurity.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MANCHIN (for himself, Mrs. CAPITO, Ms. KLOBUCHAR, and Mrs. FEINSTEIN):

S. 581. A bill to include information concerning a patient's opioid addiction in certain medical records; to the Committee on Health, Education, Labor, and Pensions.

Mr. MANCHIN. Mr. President, I rise again today to share the story of this beautiful young lady, Jessie Grubb. She is a West Virginian who passed away a year ago last week, and she was

only 30 years old. She was a bright young lady with a great future ahead of her.

After years of struggling with heroin addiction, she had been doing very well. She had been sober since August of 2015. She had surgery for an infection related to a running injury and died a day after leaving the hospital.

Her story of addiction is known to many. We have told it many times here. Her father David, a former West Virginia State legislator who served with me, a friend of mine, shared their family struggle with addiction when President Obama traveled to West Virginia to bring attention to the growing opiate epidemic that we are all encountering in all of our States.

West Virginia has been hit the hardest by the opioid epidemic, where drug overdose deaths soared by more than 700 percent from 1999 to 2013. More than 600 lives were lost last year—just last year alone—to prescription drug overdose, legal prescription drugs.

Jessie's story and her family's pain are all too common in West Virginia and throughout this Nation. As I said, we lost 627 West Virginians to opiates last year alone.

When you think about it, this is a pill, this is a product that is manufactured by some of the most regarded institutions, pharmaceutical manufacturers in the country. It has been approved by the Food and Drug Administration, which basically says what we can use and what we should consume should be safe for us.

It is then prescribed by the most trusted person who is not in our family—and next to our family is a doctor. You would think that this is something that should be helpful for us, that should be part of the healing process. Instead, it has been part of the killing process. It has no home. It is a silent killer. We kept our mouths shut; we didn't say anything for many years, and now we have an epidemic on our hands, which we are trying to control.

We had 61,000 West Virginians who used prescription pain medications for nonmedical purposes in 2014. This includes 6,000 teenagers. As I have said, our State is not unique. The Presiding Officer's wonderful State of North Carolina is facing the same challenges we are.

Every day in our country, 91 Americans die from a prescription opiate or heroin overdose. Since 1999, we have lost almost 200,000 Americans to prescription opioid abuse.

Jessie's story deeply impacted President Obama, and I spoke with him about her death and the pain her family is going through. He reached out to David and Kate and the entire Grubb family. It is horrific.

When President Obama came to Charleston, Jessie was in a rehab facility in Michigan for the fourth time. Before her life was taken over by addic-

tion in 2009, Jessie's future was bright. She was the beloved daughter of David and Kate Grubb, a beloved sister to her four sisters, and a beloved friend to so many.

She was an excellent student, scoring in the 99th percentile on all of her tests since she had been in education. She was a cheerleader at Roosevelt Junior High School, and she was an avid runner, an athlete.

At the time of her death, she was looking forward to running in her first marathon. She had been training for that. The only trouble she had ever gotten into at school was when she protested the Iraq war, and she was on the right side of that one.

Needless to say, she was a natural-born leader. After graduating from Capital High School, she was thrilled and looking forward to her bright future at the University of North Carolina at Asheville.

She was sexually assaulted during her first semester, which caused her to withdraw from school and return to Charleston. The traumatic event that caused Jessie to turn to heroin to escape the pain was that horrific experience.

Over the next 7 years, Jessie would battle her addiction. She would overdose four times and go into rehab four times. Until her death, she had been sober for 6 months and was focused on making a life for herself in Michigan. All of her hard work was ruined because of a careless mistake.

I introduced this piece of bipartisan legislation; everybody has been so kind on that. It makes so much common sense. I introduced it almost a year ago. At the time, I told David, Kate, and the family: This is something that should be a no-brainer. This is something we should easily pass. It was called Jessie's Law, after this beautiful young lady.

I will explain how the events unfolded, and then I will go into the bill. Her parents, David and Kate, traveled to Michigan for her surgery. They traveled to Michigan, and they told her doctors and the hospital personnel that she was a recovering addict. Jessie confirmed it. She said: Yes, I have struggled. I am clean. I am proud, and I want to get healthy. I want to get my leg injury fixed, and I want to run that marathon.

After Jessie's surgery, the discharging doctor, who said he didn't know she was a recovering addict—the parents were there when she was admitted. She told him. You would have thought they would have asked: Do you have any allergies, penicillin?

You would have thought they would have flagged it: I am a recovering addict.

They sent her home with a prescription for 50 oxycodone—50 oxycodone—because they did not know, because her records had not been properly identi-

fied, that she was very prone, being a recovering addict, to any type of opiate. There are other ways of treating pain. Not knowing, the doctor went ahead and released her with what a normal person would get for pain relief.

Needless to say, she should never have gotten that prescription—no way, shape, or form. We must ensure this never happens again. That is why today I am reintroducing Jessie's Law.

Let me tell you what I ran into. David and Kate accompanied her as the parents. They were with their beautiful daughter. They both confirmed that she had an addiction problem and she was recovering: Please, we want you to notify anybody who handles, anyone who dispenses, anyone who is working with Jessie. Please know what we are dealing with is very fragile.

I said: We will write the legislation. And we did; we wrote the legislation. If you have a consenting guardian, parent, and a consenting patient, it should be flagged. Because of privacy laws, we know we are very concerned about that. For some reason, I cannot get past the bureaucracy of getting this bill to the floor to be voted on because they are saying there is objection to the privacy laws with the parents' being involved. So guess what. I finally called David, and I called Kate, and I said: I know you would think it makes common sense that, basically, we should be able to pass legislation the way we would like to pass it—where the parents acknowledge it and the patient, who is their child, acknowledges it. They both are cooperating, and it should be done.

In order to try to get this piece of legislation passed as quickly as possible, we are taking off the parents. It is only the patient herself. Jessie comes in and says: I want you to know I am a recovering addict. Please make sure that everybody who handles my case knows that. That is all we are asking for. I am hopeful, Mr. President, that you and others will be able to join me because we don't want anybody in North Carolina going through what we have gone through in West Virginia or what the Grubb family has gone through, losing this beautiful, bright, talented young lady. It should never happen in this country.

Even the healthcare providers are saying: We need this legislation to go forward so we can identify that, so we can mark that, hotline that, redline that, and so that anybody who is handling Jessie from the beginning to the end, especially when they are discharged, is going to have knowledge. In no way, shape, or form will anybody prescribe an opiate or any type of addictive painkiller that they are going to be affected by, because their life has been changed by it already.

The bottom line is that we need to go at this problem from every angle with the help of everyone: family assistance,

counseling programs, drug courts, consumer and medical education, law enforcement support, State and Federal legislation. We need everything. This is a fight we can't lose.

This is the first time in my lifetime that my State has fallen under 50 percent of adults of working age not working. We are down to 49.6 percent. We have always had the reputation of having some of the greatest workers—hard workers—giving you a good hard-working day for good hard-working pay. They have always been there. We just have too few of them. There are three things that keep you out of the workforce, basically: a lack of skill sets, if you are addicted or you have a criminal record, or a combination. Addiction has taken over and has basically changed the lives of Americans, changed the lives of West Virginia, and it is ruining families.

There is no way that her sisters and David and Kate, her parents, are ever going to get over losing Jessie. There is no reason they should have lost Jessie and no reason you should lose another North Carolinian—none of us. As to the situation where they are go in and they are identified by all the professionals with the help they need in the systems they are asking for, we owe that to every person in America, and we owe it to Jessie.

So I am asking for the cooperation of all my colleagues—the continuous support, tireless work that everyone has done. Jessie's death is heartbreaking and reminds us all that this is one death that could have been prevented and one death that should never happen again because of a lack of legislation that prevents us, because of the privacy laws, to identify a person that is in need.

If you are looking at addiction and happen to be looking at addiction as an illness, an illness needs care. If they need care, then we are going to give them the care to protect them while they are getting that care. That is all this does. I hope it is something we can do as quickly as possible. We will be forever grateful. In Jessie's memory, her parents are going to be forever grateful. Basically, Jessie's life will not be in vain. That is exactly why I am here. I am not going to sit still and lose a beautiful person who could contribute to society the way this young lady was going to contribute to society and say there is nothing we can do. We can do it and do it in her honor.

By Mr. CORNYN (for himself, Ms. KLOBUCHAR, Mr. GRASSLEY, Mr. BLUMENTHAL, Mr. TILLIS, Mrs. FEINSTEIN, Mr. HATCH, Mr. HELLER, and Mr. CRUZ):

S. 583. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to authorize COPS grantees to use grant funds to hire veterans as career law enforcement officers, and for other

purposes; to the Committee on the Judiciary.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 583

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “American Law Enforcement Heroes Act of 2017”.

SEC. 2. PRIORITIZING HIRING AND TRAINING OF VETERANS.

Section 1701(b)(2) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd(b)(2)) is amended by inserting “, including by prioritizing the hiring and training of veterans (as defined in section 101 of title 38, United States Code)” after “Nation”.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 83—EXPRESSING THE SENSE OF THE SENATE REGARDING THE TRAFFICKING OF ILLICIT FENTANYL INTO THE UNITED STATES FROM MEXICO AND CHINA

Mr. MARKEY (for himself and Mr. RUBIO) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 83

Whereas the United States continues to experience a prescription opioid and heroin overdose epidemic that claimed more than 33,000 lives in 2015;

Whereas fentanyl is a synthetic opioid and the euphoric effects of fentanyl are sometimes indistinguishable from the euphoric effects of heroin or morphine;

Whereas the effect of fentanyl can be up to 50 times stronger than heroin and 100 times stronger than morphine;

Whereas although pharmaceutical fentanyl can be diverted for misuse, most fentanyl deaths are believed to be linked to illicitly manufactured fentanyl and illicit versions of chemically similar compounds known as fentanyl analogs (collectively referred to in this preamble as “illicit fentanyl”);

Whereas illicit fentanyl is potentially lethal even if only a very small quantity is ingested or inhaled;

Whereas across the United States, illicit fentanyl use and related deaths are rising at alarming rates;

Whereas illicit fentanyl is cheaper to manufacture than heroin and the sale of illicit fentanyl is highly profitable for drug dealers;

Whereas illicit fentanyl is sold for its heroin-like effects and illicit fentanyl is often mixed with heroin, cocaine, or methamphetamine as a combination product, with or without the knowledge of the user;

Whereas illicit fentanyl is often produced to physically resemble other opioid pain medicines, such as oxycodone, which sell for high amounts on the street;

Whereas drug users often overdose on illicit fentanyl because users are unaware that they are ingesting illicit fentanyl and do not anticipate the toxicity and potential lethality of illicit fentanyl;

Whereas, according to the Centers for Disease Control and Prevention, between 2014 and 2015, the death rate from overdoses caused by synthetic opioids, including illicit fentanyl and synthetic opioid pain relievers other than methadone and heroin, increased 72 percent;

Whereas, in 2016, the Drug Enforcement Administration (referred to in this preamble as the “DEA”) issued a National Drug Threat Assessment Summary, which found that Mexican transnational criminal organizations are—

(1) the greatest criminal drug threat to the United States; and

(2) poly-drug organizations that use established transportation routes and distribution networks to traffic heroin, methamphetamine, cocaine, and marijuana throughout the United States;

Whereas, in 2016, the DEA issued a National Heroin Threat Assessment Summary, which found that “starting in late 2013, several states reported spikes in overdose deaths due to fentanyl and its analog acetylfentanyl”;

Whereas the 2016 National Heroin Threat Assessment Summary found that—

(1) Mexican drug traffickers are expanding their operations to gain a larger share of eastern United States heroin markets; and

(2) the availability of heroin is increasing throughout the United States;

Whereas in 2015, there were more than 9,580 overdose deaths in the United States caused by synthetic opioids, including—

(1) illicit fentanyl; and

(2) synthetic opioid pain relievers other than methadone and heroin;

Whereas the number of deaths attributable to illicit fentanyl may be significantly underreported because—

(1) coroners and medical examiners do not test, or lack the resources to test, routinely for fentanyl;

(2) crime laboratories lack the resources to test routinely for fentanyl; and

(3) illicit fentanyl deaths may erroneously be attributed to heroin;

Whereas, in March 2015, the DEA issued a nationwide alert on illicit fentanyl as a threat to health and public safety;

Whereas, in October 2015, the Centers for Disease Control and Prevention issued a health advisory through its Health Alert Network—

(1) to make public health officials aware of the increase in fentanyl-related overdose fatalities;

(2) to provide recommendations for improving detection of fentanyl-related overdose outbreaks; and

(3) to encourage States to expand access to, and training on, naloxone;

Whereas, in August 2016, the Centers for Disease Control and Prevention updated the health advisory issued in October 2015 to make public health officials aware of the increasing—

(1) availability of counterfeit pills containing various amounts of fentanyl and fentanyl-related compounds; and

(2) frequency with which fentanyl-related compounds are mixed with, or sold as, heroin;

Whereas illicit fentanyl has the potential to endanger public health workers, first responders, and law enforcement personnel who may unwittingly come into contact with illicit fentanyl by accidentally inhaling airborne powder;

Whereas, according to the DEA—

(1) Mexico is the primary source for illicit fentanyl trafficked into the United States; and

(2) distributors in China are the source of the fentanyl analogs and the precursor chemicals to manufacture fentanyl analogs that are found in Mexico and Canada;

Whereas fentanyl produced illicitly in Mexico is—

(1) smuggled across the southwest border of the United States, or delivered through mail and express consignment couriers; and

(2) often mixed with heroin or diluents in the United States and then distributed in the same United States markets in which white powder heroin is distributed; and

Whereas United States law enforcement officials have recently seen—

(1) an influx of illicit fentanyl into the United States directly from China;

(2) shipments of the equipment to manufacture illicit fentanyl, such as pill presses; and

(3) some illicit fentanyl products being smuggled into the United States across the northern border with Canada: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) the use of illicit fentanyl in the United States and the resulting overdose deaths are a public health crisis;

(2) the trafficking of illicit fentanyl into the United States, especially the trafficking of illicit fentanyl by transnational criminal organizations, is a problem that requires close cooperation between the United States Government and the Governments of Mexico and China;

(3) the United States Government and the Governments of Mexico and China have a shared interest in, and responsibility for, stopping the production of illicit fentanyl and its trafficking into the United States;

(4) the United States should—

(A) support efforts by the Governments of Mexico and China to stop the production of illicit fentanyl and its trafficking into the United States; and

(B) take further measures to reduce and prevent heroin and fentanyl consumption through—

(i) enhanced enforcement to reduce the illegal supply; and

(ii) increased use of evidence-based prevention, treatment, and recovery services; and

(5) the United States Government, including the Secretary of State, the Attorney General, the Secretary of Homeland Security, and the Director of the Office of National Drug Control Policy, should use the broad diplomatic and law enforcement resources of the United States, in partnership with the Governments of Mexico and China, to stop the production of illicit fentanyl and its trafficking into the United States.

SENATE RESOLUTION 84—SUPPORTING THE GOALS OF INTERNATIONAL WOMEN'S DAY

Mrs. SHAHEEN (for herself, Ms. COLLINS, Mr. WHITEHOUSE, Mr. MENENDEZ, Mr. COONS, Mrs. GILLIBRAND, Ms. BALDWIN, Mr. DURBIN, Mr. CARDIN, Mr. MURPHY, Mr. MARKEY, Mrs. MURRAY, Ms. CANTWELL, and Mr. WYDEN) submitted the following resolution; which was considered and agreed to:

S. RES. 84

Whereas, as of March 2017, there are more than 3,672,000,000 women in the world;

Whereas women around the world—

(1) have fundamental rights;

(2) participate in the political, social, and economic lives of their communities;

(3) play a critical role in providing and caring for their families;

(4) contribute substantially to economic growth and the prevention and resolution of conflict; and

(5) as farmers and caregivers, play an important role in the advancement of food security for their communities;

Whereas the advancement of women around the world is a foreign policy priority for the United States;

Whereas at his confirmation hearing, Secretary of State Rex Tillerson—

(1) spoke about the importance of empowering women; and

(2) noted that there is “study after study to confirm that when you empower women in these developing parts of the world, you change the future of the country”;

Whereas 2017 marks—

(1) the 22nd anniversary of the Fourth World Conference on Women, at which 189 countries committed to integrating gender equality into each dimension of society; and

(2) the 6th anniversary of the establishment of the first United States National Action Plan on Women, Peace, and Security, which includes a comprehensive set of commitments by the United States to advance the meaningful participation of women in decisionmaking relating to matters of war or peace;

Whereas the United States National Action Plan on Women, Peace, and Security, revised in June 2016, states that “[d]eadly conflicts can be more effectively avoided, and peace can be best forged and sustained, when women become equal partners in all aspects of peacebuilding and conflict prevention, when their lives are protected, their voices heard, and their perspectives taken into account.”;

Whereas there are 63 national action plans around the world, and there are several additional national action plans known to be in development;

Whereas the joint strategy of the Department of State and the United States Agency for International Development entitled “Department of State & USAID Joint Strategy on Countering Violent Extremism” and dated May 2016—

(1) notes that women can play a critical role in identifying and addressing drivers of violent extremism in their families, communities, and broader society; and

(2) commits to supporting programs that engage women “as key stakeholders in preventing and countering violent extremism in their communities”;

Whereas, despite the historical underrepresentation of women in conflict resolution processes, women in conflict-affected regions have nevertheless achieved significant success in—

(1) moderating violent extremism;

(2) countering terrorism;

(3) resolving disputes through nonviolent mediation and negotiation; and

(4) stabilizing societies by improving access to peace and security—

(A) services;

(B) institutions; and

(C) venues for decisionmaking;

Whereas, according to the United Nations, peace negotiations are more likely to end in a peace agreement when women's groups play an influential role in the negotiation process;

Whereas, according to a study by the International Peace Institute, a peace agreement is 35 percent more likely to last at least 15 years if women participate in the development of the peace agreement;

Whereas, according to the Bureau of International Narcotics and Law Enforcement Affairs of the Department of State, the full and meaningful participation of women in security forces vastly enhances the effectiveness of the security forces;

Whereas, on August 30, 2015, the Secretary of State and the Secretary of State for Foreign and Commonwealth Affairs of the United Kingdom highlighted, “our goal must be to build societies in which sexual violence is treated—legally and by every institution of authority—as the serious and wholly intolerable crime that it is. We have seen global campaigns and calls to action draw attention to this issue and mobilize governments and organizations to act. But transformation requires the active participation of men and women everywhere. We must settle for nothing less than a united world saying no to sexual violence and yes to justice, fairness and peace.”;

Whereas approximately 15,000,000 girls are married every year before they reach the age of 18, which means that—

(1) 41,000 girls are married every day; or

(2) 1 girl is married every 2 seconds;

Whereas, according to UNICEF—

(1) approximately ¼ of girls between the ages of 15 and 19 are victims of physical violence; and

(2) it is estimated that 1 in 3 women around the world has experienced some form of physical or sexual violence;

Whereas, according to the 2016 report of the United Nations Office on Drugs and Crime entitled “Global Report on Trafficking in Persons”—

(1) 79 percent of all detected trafficking victims are women and children; and

(2) while trafficking for the purposes of sexual exploitation and forced labor are the most prominently detected forms of trafficking, the trafficking of women and girls for the purpose of forced marriage is emerging as a more prevalent form of trafficking;

Whereas 603,000,000 women live in countries in which domestic violence is not criminalized;

Whereas, on August 10, 2012, the Federal Government launched a strategy entitled “United States Strategy to Prevent and Respond to Gender-Based Violence Globally”, which is the first interagency strategy that—

(1) addresses gender-based violence around the world;

(2) advances the rights and status of women and girls;

(3) promotes gender equality in United States foreign policy; and

(4) works to bring about a world in which all individuals can pursue their aspirations without the threat of violence;

Whereas, in June 2016, the Department of State released an update to the strategy entitled “United States Strategy to Prevent and Respond to Gender-Based Violence Globally”, based on internal evaluations, lessons learned, and consultations with civil society, that underscores that “preventing and responding to gender-based violence is a cornerstone of the U.S. government's commitment to advancing human rights and promoting gender equality and the empowerment of women and girls”;

Whereas the ability of women and girls to realize their full potential is critical to the ability of a country to achieve—

(1) strong and lasting economic growth; and

(2) political and social stability;

Whereas, according to the United Nations Educational, Scientific, and Cultural Organization—

(1) ⅔ of the 778,000,000 illiterate individuals in the world are female; and

(2) 130,000,000 girls worldwide are not in school;

Whereas, according to the United States Agency for International Development, as compared to uneducated women, educated women are—

(1) less likely to marry as children; and

(2) more likely to have healthier families;

Whereas, although the United Nations Millennium Project reached the goal of achieving gender parity in primary education in most countries in 2015, more work remains to be done to achieve gender equality in primary education worldwide by addressing—

(1) discriminatory practices;

(2) cultural norms;

(3) inadequate sanitation facilities; and

(4) other factors that favor boys;

Whereas, according to the United Nations, women have access to fewer income earning opportunities and are more likely to manage the household or engage in agricultural work than men, making women more vulnerable to economic insecurity caused by—

(1) natural disasters; and

(2) long term changes in weather patterns;

Whereas women around the world—

(1) face a variety of constraints that severely limit their economic participation and productivity; and

(2) are underrepresented in the labor force;

Whereas closing the global gender gap in labor markets could increase worldwide gross domestic product by as much as \$28,000,000,000,000 by 2025;

Whereas despite the achievements of individual female leaders—

(1) women around the world remain vastly underrepresented in—

(A) high-level positions; and

(B) national and local legislatures and governments; and

(2) according to the Inter-Parliamentary Union, women account for only 22 percent of national parliamentarians and 17.7 percent of government ministers;

Whereas, according to the World Health Organization, during the period beginning in 1990 and ending in 2015, global maternal mortality decreased by approximately 44 percent, but approximately 830 women die from preventable causes relating to pregnancy or childbirth each day, and 99 percent of all maternal deaths occur in developing countries;

Whereas according to the World Health Organization—

(1) suicide is the leading cause of death for girls between the ages of 15 and 19; and

(2) complications from pregnancy or childbirth is the second-leading cause of death for those girls;

Whereas the Office of the United Nations High Commissioner for Refugees reports that women and girls comprise approximately ⅓ of the 65,300,000 refugees and internally displaced or stateless individuals in the world;

Whereas it is imperative—

(1) to alleviate violence and discrimination against women; and

(2) to afford women every opportunity to be full and productive members of their communities;

Whereas violence, discrimination, and harmful practices against women and girls are a direct result of negative social norms that undervalue females in society; and

Whereas March 8, 2017, is recognized as International Women's Day, a global day—

(1) to celebrate the economic, political, and social achievements of women in the past, present, and future; and

(2) to recognize the obstacles that women face in the struggle for equal rights and opportunities: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals of International Women's Day;

(2) recognizes that the empowerment of women is inextricably linked to the potential of a country to generate—

(A) economic growth;

(B) sustainable democracy; and

(C) inclusive security;

(3) recognizes and honors individuals in the United States and around the world, including women human rights defenders and civil society leaders, that have worked throughout history to ensure that women are guaranteed equality and basic human rights;

(4) recognizes the unique cultural, historical, and religious differences throughout the world and urges the United States Government to act with respect and understanding toward legitimate differences when promoting any policies;

(5) reaffirms the commitment—

(A) to end discrimination and violence against women and girls;

(B) to ensure the safety and welfare of women and girls;

(C) to pursue policies that guarantee the basic human rights of women and girls worldwide; and

(D) to promote meaningful and significant participation of women in every aspect of society and community;

(6) supports sustainable, measurable, and global development that seeks to achieve gender equality and the empowerment of women; and

(7) encourages the people of the United States to observe International Women's Day with appropriate programs and activities.

AUTHORITY FOR COMMITTEES TO MEET

Mr. GARDNER. Mr. President, I have 6 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to Rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works be authorized to meet during the session of the Senate on Wednesday, March 8, 2017, at 10 a.m., in room 406 of the Dirksen Senate office building, to conduct a hearing entitled, "Legislative Hearing on S512 the Nuclear Energy Innovation and Modernization Act."

COMMERCE, SCIENCE, AND TRANSPORTATION COMMITTEE

The Committee on Commerce, Science, and Transportation be authorized to hold a meeting during the session of the Senate on Wednesday, March 8, 2017, at 10 a.m., in room SH-216 of the Hart Senate Office Building. The Committee will hold a Hearing on "Oversight of the Federal Communications Commission."

HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS COMMITTEE

The Committee on Homeland Security and Governmental Affairs be au-

thorized to meet during the session of the Senate on Wednesday, March 8, 2017, at 9:30 a.m., on the nomination of Hon. Elaine C. Duke to be Deputy Secretary, U.S. Department of Homeland Security.

COMMITTEE ON INDIAN AFFAIRS

The Committee on Indian Affairs be authorized to meet during the session of the Senate on Wednesday, March 8, 2017, in room 628 of the Dirksen Senate Office Building, at 2:15 p.m. to conduct an oversight hearing on "Identifying Indian Affairs Priorities for the Trump Administration."

SUBCOMMITTEE ON CYBERSECURITY

The Subcommittee on Cybersecurity of the Committee on Armed Services be authorized to meet during the session of the Senate on Wednesday, March 8, 2017, at 2:30 p.m., to receive a briefing on Cyber Security from the Defense Science Board.

SUBCOMMITTEE ON STRATEGIC FORCES

The Subcommittee on Strategic Forces of the Committee on Armed Services be authorized to meet during the session of the Senate on Wednesday, March 8, 2017, at 2:30 p.m., to receive testimony on the Global Nuclear Weapons Environment.

PRIVILEGES OF THE FLOOR

Mrs. MURRAY. Mr. President, I ask unanimous consent that Dr. Mary Schuh, a fellow in my Health, Education, Labor, and Pensions Committee, be granted floor privileges for the remainder of the 115th Congress.

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

Mr. DURBIN. Mr. President, on behalf of Senator SHAHEEN of New Hampshire, I ask unanimous consent that Sonia Tarantolo, a foreign policy fellow in her office, be granted floor privileges for the remainder of the 115th Congress.

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

Mr. MURPHY. Mr. President, I ask unanimous consent that Tim Abram, a fellow in my office, be granted floor privileges through July 31, 2017.

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

METROPOLITAN PLANNING ORGANIZATION COORDINATION AND PLANNING AREA REFORM REPEAL ACT

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be discharged from further consideration of S. 496 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 496) to repeal the rule issued by the Federal Highway Administration and the Federal Transit Administration entitled "Metropolitan Planning Organization Coordination and Planning Area Reform."

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

Mr. MCCONNELL. Mr. President, I further ask unanimous consent that the bill be considered read a third time and passed, and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The bill (S. 496) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 496

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REPEAL.

The rule issued by the Federal Highway Administration and the Federal Transit Administration entitled "Metropolitan Planning Organization Coordination and Planning Area Reform" (81 Fed. Reg. 93448 (December 20, 2016)) shall have no force or effect, and any regulation revised by that rule shall be applied as if that rule had not been issued.

APPROVING THE LOCATION OF A MEMORIAL TO COMMEMORATE AND HONOR THE MEMBERS OF THE ARMED FORCES WHO SERVED ON ACTIVE DUTY IN SUPPORT OF OPERATION DESERT STORM OR OPERATION DESERT SHIELD

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Energy and Natural Resources Committee be discharged from further consideration of and the Senate now proceed to the consideration of S.J. Res. 1.

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

The clerk will report the joint resolution by title.

The senior assistant legislative clerk read as follows:

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

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

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the joint resolution be read a third time and passed, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table.

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

The joint resolution (S.J. Res. 1) was ordered to be engrossed for a third reading, was read the third time, and passed.

The preamble was agreed to.

The joint resolution, with its preamble, reads as follows:

S.J. RES. 1

Whereas section 8908(b)(1) of title 40, United States Code, provides that the location of a commemorative work in Area I, as depicted on the map entitled "Commemorative Areas Washington, DC and Environs", numbered 869/86501 B, and dated June 24, 2003, shall be deemed to be authorized only if a recommendation for the location is approved by law not later than 150 calendar days after the date on which Congress is notified of the recommendation;

Whereas section 3093 of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (40 U.S.C. 8903 note; Public Law 113-291) authorized the National Desert Storm Memorial Association to establish a memorial on Federal land in the District of Columbia, to honor the members of the Armed Forces who served on active duty in support of Operation Desert Storm or Operation Desert Shield; and

Whereas the Secretary of the Interior has notified Congress of the determination of the Secretary of the Interior that the memorial should be located in Area I: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the location of a commemorative work to commemorate and honor the members of the Armed Forces who served on active duty in support of Operation Desert Storm or Operation Desert Shield authorized by section 3093 of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (40 U.S.C. 8903 note; Public Law 113-291), within Area I, as depicted on the map entitled "Commemorative Areas Washington, DC and Environs", numbered 869/86501 B, and dated June 24, 2003, is approved.

SUPPORTING THE GOALS OF INTERNATIONAL WOMEN'S DAY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 84, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 84) supporting the goals of International Women's Day.

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

Mrs. SHAHEEN. Mr. President, on this International Women's Day, we celebrate the remarkable social, economic, and political achievements of women around the world, but we also take stock of the barriers that continue to prevent hundreds of millions of women from contributing their talents as equal members of the human family.

As in years past, this year I am again joining with Senator SUSAN COLLINS in submitting a bipartisan resolution commemorating International Women's Day and highlighting its goal of advancing the equality and empower-

ment of women all across the globe. I especially appreciate Senator COLLINS' unwavering support in working with me on this resolution.

It has been said that no nation can get ahead if it leaves half of its people behind, and in the 21st century, wherever women are respected and treated as equals, we excel, as the Presiding Officer knows, as legislators, as scientists, as entrepreneurs, artists, inventors, warriors, and in every other field. But the harsh reality remains that women make up some 51 percent of the world's population, yet we account for an estimated 70 percent of those living in poverty and two-thirds of those denied even a basic education.

So on this International Women's Day, we celebrate women's achievements, and we rededicate ourselves to achieving an equal voice, equal participation, and equal rights for all women. We also acknowledge that we still have much difficult work ahead of us.

Research tells us that women and girls' equality can be transformational for their communities and for entire countries, yet in some of the poorest parts of the world—and even in some wealthier countries—women and girls continue to be held back by injustices such as child marriage, sexual and domestic violence, denial of education, and lack of access to contraception and maternal healthcare.

In recent years, we have learned more about the intersection of so many of these issues that affect women. When girls are forced into early marriage, when women are denied contraception and have children at a very young age, this typically ends any chance to gain an education and income-earning employment. This lack of economic influence means that women remain powerless within their families and, too often, within their communities. And this, in turn, can lead to violence against women and the denial of women's most basic human and civil rights.

The good news is that this same interconnectedness can work to empower women and to lift up communities. When women and girls' rights are respected, when we have access to education and family planning services, this unleashes women's ability to participate equally in the community, in the workplace, and even in the political arena.

Indeed, we can now quantify so many of the positive ripple effects. For example, each additional year of education increases a woman's income by 25 percent. We know that children born to educated mothers are twice as likely to survive past the age of 5. By mobilizing the talents of the previously neglected half of the population—in too many places—we create more stable societies and more rapid economic development.

For decades, the United States has been a world leader in advancing and

protecting the rights of women and girls around the world, including their access to contraception and family planning. In particular, I want to applaud the excellent work of the State Department's Office of Global Women's Issues. I am sponsoring legislation in this session to give this office permanent authorization, with an ambassador leading it.

However, on this International Women's Day, we must also acknowledge actions to abdicate America's leadership role in advancing women's rights. Indeed, both at home and abroad, the Trump administration has exhibited a dangerous obsession with rolling back women's reproductive rights. President Trump has promised to nominate Supreme Court Justices who will overturn *Roe v. Wade*. He has joined with some of the Republican leaders in Congress in pledging to terminate funding for Planned Parenthood.

In one of his first official acts, the President signed an Executive order reinstating and expanding the Mexico City policy, also known as the global gag rule. This rule prohibits U.S. financial aid to many international organizations that offer contraception and comprehensive family planning services to women.

As if the reinstatement of this policy weren't bad enough, the administration's Executive order dramatically expanded the policy to apply to all U.S.-funded global health programs—so not just family planning and counseling programs. But we believe that this expansion will include our HIV/AIDS program, known as PEPFAR, which has been so positive in saving so many lives in Africa. It was started by George W. Bush. We also think it will affect initiatives that fund the fights against the Ebola and Zika outbreaks, and this puts at risk 15 times more funding and millions more women and their families around the world.

Taken together, all of these actions by the new administration I believe amount to an assault on the safety and well-being of women and girls across the globe.

I have joined with Senator SUSAN COLLINS, Senator LISA MURKOWSKI, and 45 other Senators in introducing bipartisan legislation to permanently repeal the global gag rule. I believe—and it is well documented—that this is a misguided policy that ignores decades of research.

We shouldn't allow extreme ideology to triumph over the urgent practical needs of women across the world. The facts make clear that when family planning services are accessible and contraceptives are affordable, rates of unplanned pregnancies and abortions go down.

According to the World Health Organization, there is an estimated 225 million women in the world who would like access to family planning services,

and we know that makes a difference. Here in the United States, the abortion rate has dropped to the lowest level since 1943, a success that is directly attributable to the reduced cost sharing for contraception under the Affordable Care Act. I can attest to that because in New Hampshire, we have one of the lowest incidences of teen pregnancy in the country.

In January, we saw millions of women, men, and children, turn out for marches in Washington, New York, London, Nairobi, Tokyo, in my home capital of Concord, NH, and in dozens of other cities across the country and around the world. I think we can look at that as an early celebration of International Women's Day because what we heard from those marching was that we were marching in defense of the rights of American women, of Muslim women, of women of color, and of all women and girls across the globe.

The world heard our message loudly and clearly. We will not allow our reproductive rights and our human rights to be taken away. We will not allow women to be targeted for discrimination. We will not be taken backward.

That was our message in January, and it is our message on this International Women's Day. We have fought long and hard for equal rights and equal treatment here in the United States.

We are also celebrating women here in the United States. We have many women who have taken the day off to recognize the role that women play that is so significant in our society, and many of us are also wearing red to demonstrate that. So on this day of celebration and solidarity, we are determined to go forward to build on the progress of recent decades, and we rededicate ourselves to achieving respect, equality, and justice for every woman in every community and every country across the globe.

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

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

The resolution (S. Res. 84) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

ORDERS FOR THURSDAY, MARCH 9, 2017

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Thursday, March 9; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved

to date, the time for the two leaders be reserved for their use later in the day, and that morning business be closed; finally, that 30 minutes of the majority time on H.J. Res. 57 be under the control of Senator BLUNT or his designee.

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

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE DEPARTMENT OF EDUCATION—Continued

ORDER FOR ADJOURNMENT

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senators LANKFORD and WARREN.

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

The Senator from Oklahoma.

Mr. LANKFORD. Mr. President, in December of 2015, President Obama signed the Every Student Succeeds Act after it passed this body with overwhelming bipartisan support—85 of 100 Senators supported the bill. The Wall Street Journal called the Every Student Succeeds Act "the largest devolution of federal control to the states in a quarter-century." It also had the support of Governors, State legislators, chief State school officers, school district superintendents, local school boards, principals, and teachers unions, who all agreed on the need to replace No Child Left Behind.

The core of the education reform in the Every Student Succeeds Act was to restore local control to the States—not just control for them but that they would have the responsibility and the authority for things such as school accountability, teacher evaluation, student evaluation. It is very clear. In fact, the Every Student Succeeds Act says things very specifically. States are solely responsible for choosing which standards to adopt. The Secretary cannot mandate, direct, or control State standards. The Secretary of Education cannot require, coerce, or incentivize States to adopt common core State standards. States are responsible for choosing which assessments to adopt. The Secretary of Education cannot mandate, direct, or control State assessments for education. States design their own system for holding schools accountable and decide which schools to identify for school intervention and support. The Secretary cannot add new requirements or criteria on State accountability systems that are not in the law. States and local school districts decide what strategies they will implement to help fix identified schools without Federal interference. The Secretary of Education cannot prescribe how States and local school districts improve those schools.

Congress passed that clear education law to take power out of Washington, DC, and from the Department of Education and the Secretary of Education and hand it back to the States.

Five months after the bill was signed, the Obama administration changed their mind and released regulations to take back school decision-making and accountability, in direct violation of the law.

Eighty-five of one hundred of us agreed that our passion is for every school district, every parent, every State to take care of every child; that no child would be left behind by switching to local control rather than Federal centralized control. But when this new rule was put out by the Obama administration, they reinterpreted that clear law. Let me tell you what they said in the rule.

In the rule, they dictate to States the consequences for schools that don't annually test at least 95 percent of their students.

They prescribe to the States and school districts how they would intervene and improve schools that don't exit from this identification process of being an underperforming school.

They limit how States may measure school quality or student success based on 4-year graduation rates.

They define how much weight States must afford to non-test-based indicators in their accountability systems.

This regulation prescribes the long-term goals and measurements of progress that States would use for their student subgroups.

This new regulation prescribes when schools may exit from comprehensive support based on improvement.

This new regulation mandates that States comply with specific Washington, DC, created requirements instead of letting the school districts or the States determine how best to proceed on those requirements.

This new regulation limits how States award school improvement funding to school districts and schools.

This new regulation adds a new and burdensome reporting requirement every 4 years on States and local school districts that will drive up compliance costs and will divert resources away from students in the classrooms, in direct violation of what we passed.

This new regulation requires States to establish a statewide definition for "infective teacher," requiring a statewide system of evaluation controlled by DC.

This new regulation limits how students are scored when they have exited from special education.

This new regulation controls how the school report cards are created and how long they are.

This is what we were exiting from with No Child Left Behind. We said in that vote for Every Student Succeeds that Washington, DC, should not do

this. This rule directly violated the spirit and the letter of the law and will put the new Secretary of Education, Betsy DeVos, in charge of school evaluation, teacher evaluation, and student success. That is not her role or the intent of this law when we passed it, regardless of who is the Secretary of Education. Our intent was to provide maximum flexibility for the States and the parents. The rule is central control from Washington, DC.

It is essential that we stop this rule right now. While some of my colleagues have said: Let's just wait, and we will do regulations, and we will unwind some of this—they are basically admitting that the Trump administration will fix the Obama administration overreach. I understand that statement. I think there will be some unwinding of regulations, but here is why it must be done right now—two reasons. One is, when we do this right now with a Congressional Review Act, we settle this forever, that no administration ever, as long as this law is in place, can repromulgate a rule and turn right back around and say Washington, DC, is going to control teacher evaluation, student success evaluation, and school evaluation. This ends that forever.

The second thing is, right now schools in Oklahoma have already diverted resources in their administration, and they are filling out forms that are due to Washington, DC, in April to fulfill this new requirement that was put down by the administration. If we don't end this now, the districts in Oklahoma and in all of the States represented by this great Senate—their administrators will be working on forms for Washington, DC, rather than educating children at home. Let's get those folks back in the classroom, working on things that matter, not some form that no one in Washington, DC, will read anyway. Why don't we allow our schools to focus on educating kids instead of filling out forms for the Secretary of Education? That is the reason we passed the Every Student Succeeds Act.

I encourage this body to support H.J. Res. 57 when it comes up. This will fix this overreach and will put a permanent marker down to say we meant it when Congress said to the administration: Do not control local education. Let the States and the parents do it.

With that, I yield back.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. SULIVAN). Without objection, it is so ordered.

The Senator from Massachusetts.

NOMINATION OF SEEMA VERMA AND THE REPUBLICAN HEALTHCARE BILL

Ms. WARREN. Mr. President, I rise today to urge my colleagues to vote against the confirmation of Seema Verma to serve as Administrator of the Centers for Medicare and Medicaid Services.

CMS oversees the administration of the Medicare and Medicaid Programs. These programs provide healthcare coverage to grandparents, people with disabilities, foster kids, seniors living in nursing homes, single mothers, and babies. CMS is also in charge of implementing many parts of the Affordable Care Act and making sure that the protections guaranteed in the law are enforced.

In other words, CMS is the part of government that we entrust with carrying out the commitments we have made to protect our health and our access to healthcare. We need someone to run these programs who is a champion for Medicare, Medicaid, and the Affordable Care Act and someone who can stand up to Republicans in Congress and stand up to the Trump administration when they try to burn these promises and turn their backs on the people who need help.

On Monday night, the Republicans finally revealed their latest plan to rip health insurance away from millions of Americans. After years of railing about how the ACA was too long and too complicated, the Republicans spent weeks working on a secret plan—locked in a room, hidden somewhere in the United States Capitol. They didn't want anyone to see it. Here is a news flash: If you have to hide your plans from the American public, that is a pretty good sign that you are headed in the wrong direction.

Now we know why they were so afraid to let anyone else take a look at the plan. The plan is ugly—really, really, ugly. The Republicans' plan would rip health insurance away from millions of Americans.

Right off the top, the bill will end the Medicaid expansion established in the ACA. Right now, 11 million adults are covered by that expansion, and the Republican plan will end it. That is right—end it. Millions more Americans are using ACA subsidies to buy their health insurance. For the families who need it most, those subsidies will be cut. For seniors, prices will rise, and that means millions more people will not be able to afford health insurance.

The Republican bill promises tax credits to help people pay for their insurance, but this is an empty promise because the tax credits are designed to be too small to actually cover the costs of paying for healthcare. If you have a 2-month break in your health insurance coverage, no matter the reason, the Republican bill would let insurance companies charge you a 30-percent penalty on top of your premium for an entire year. That is right. If you lose

your job and scramble to find a new plan, you have exactly 62 days to lock down that plan because 1 day longer than that, and you are slapped with a 30-percent penalty.

By the way, it is not a penalty paid to the government to help finance healthcare. No. It is a penalty paid to a \$1 billion insurance company. Republicans should be ashamed of themselves.

Too bad if being able to buy affordable coverage on the ACA exchange has given you access to health insurance while you start your small business. Too bad if your healthcare has given you free cancer screening. Too bad if your healthcare has given you access to treatment for substance abuse disorder. All that is gone under the Republican plan.

So there it is—the Republicans' plan to take away health insurance for millions and millions of Americans. The Republican plan is cruel, and it gets worse.

The Republican healthcare plan gets worse because it also delivers a gut punch to the rest of the Medicaid Program—the part that predates the ACA by decades. It does so by putting a cap on overall funding that States can receive and then strictly limiting the growth in that cap. This growth rate is deliberately set lower than the actual growth rate in medical costs for Medicaid beneficiaries. Why? So Republicans can cut the Federal Government's commitment to Medicaid without using the word "cut."

I don't know if they think we are just too dumb to notice, but they are cutting Medicaid. Of course, people will still get sick and will still need medical care, so what the Republicans are doing is shifting hundreds of billions of dollars in Medicaid costs to State governments, which will struggle to pick up the tab, or shifting those costs to hospitals and doctors, who will not get paid, or shifting it to the families themselves, who will try to manage those bills.

Understand what that means. Right now, if you qualify for Medicaid coverage, you get Medicaid coverage. That has been the law for decades, but the Republicans want to change that. With the cap, if you qualify for Medicaid coverage, you will get something. Nobody is really sure what. All we know is that it will not cover your expected costs of care. Think about the impact of that.

The reckless Republican plan will blow huge holes in State budgets. The Republican plan will blow huge holes in rural hospitals' budgets and in the budgets of opioid treatment centers and community health centers all across this country.

Massachusetts is using some of its Medicaid funding right now to fight the opioid crisis, but the Republican plan makes it harder to wage that fight in

Massachusetts and in every other State that is battling this terrible epidemic.

The Republican plan will leave millions of people who have decent Medicaid coverage holding the bag when they get sick. That is not healthcare; that is a con job.

But it gets even worse. The bill cuts funding for Planned Parenthood, which provides maternity care and birth control. It gives insurance companies the green light to jack up costs for people over 50, blowing up the limits that were established in the ACA to make sure seniors could afford healthcare.

But there is one more very, very ugly reason the Republicans should be ashamed, and that is because while they are gutting Medicaid, slashing health coverage for sick Americans, and slapping penalties on people who lose insurance through no fault of their own, Republicans are also handing out hundreds of millions of dollars in tax cuts to rich people and giving a special gift to insurance company CEOs.

The Republican plan repeals two Medicare taxes that apply only to high-income taxpayers. Who benefits most from this repeal? Millionaires. They get a full 80-percent of the tax cut. It is a benefit that is worth an average of \$50,000 each. That is right. The tax cut that millionaires will get from the Republican plan to rip up healthcare is more than many families make in a year.

The Republican plan also hurts Medicare by taking money away from the Medicare trust fund, where it really belongs.

Right now, the law says insurance companies can deduct only \$500,000 in executive compensation, but the Republicans think that is too hard on insurance companies and their CEOs. So sad. So they have lifted the cap to a full \$1 million. The Republicans are determined to help boost the pay of insurance company CEOs. No wonder the Republicans didn't want to let anyone see this plan.

This is literally a backroom deal to strip away lifesaving healthcare from babies, to drive the costs out of sight for seniors, to deny help for people with disabilities, and to make insurance more expensive for hard-working entrepreneurs. In exchange, insurance company CEOs and millionaires get giant tax deductions. Unbelievable. Less health insurance for people who need it; more tax cuts for wealthy insurance company CEOs. This is the deal it took Republicans years to come up with? They should be ashamed.

I have received letters and emails and calls from families in Massachusetts who depend on Medicaid and the ACA. These families are shouting as loudly as they can about how important Medicaid and the ACA are to them. We need someone running the CMS who is listening and someone who has their backs, who will tell Repub-

lican politicians that their secret deals are terrible, who will tell them that their plans to take away coverage will hurt people, who will tell them that their recklessness will blow up State budgets.

Seema Verma has a deep knowledge of the Medicaid Program, having worked at the State level to design and implement Medicaid waivers. Ms. Verma says she wants to help States like Massachusetts invest in innovative ways to improve care for Medicaid beneficiaries while lowering costs—improve care and lower costs. That sounds great, but she has also advocated for changes to Medicaid that violate the fundamental principles of the program. She has designed Medicaid plans that impose work requirements as a condition of receiving Medicaid coverage even when they make no sense. She has sought to increase the out-of-pocket costs that Medicaid beneficiaries must pay and has put in place rules that lock people out of the program just at the moment they most need coverage.

We need a CMS Administrator who will stand up to the backroom bullies who are plotting to gut Medicaid, not one who wants to sneak cuts into the very programs that need to be defended. For that reason, I oppose Ms. Verma's nomination.

One of my constituents who receives Medicaid coverage in Massachusetts, Lee from Holliston, wrote me to say: "I just need to know it is going to be okay."

Lee, I wish I could tell you that it is going to be OK, but I cannot tell you that. What I can tell you is that you are not alone. Americans depend on the ACA and Medicaid to provide healthcare coverage. They depend on it when they get sick, and they depend on it to stay alive. Now that the Republican politicians have finally emerged from their secret basement room and unveiled their ugly plans, I promise you I am in this fight all the way. We need millions of people like you all across this Nation to make their voices heard so that Republican politicians do not destroy your healthcare.

In January, Senator STABENOW and I held a forum for the then-nominee for Secretary of Health and Human Services, Tom Price. At this forum, we heard from individuals who were concerned about the impact that cuts to Medicare and Medicaid would have on their lives. I would like to share some of my interactions with a few of these individuals back in January by reading from the transcript Senator STABENOW introduced into the record at Congressman PRICE's hearing before the Finance Committee.

I started by thanking everyone for being there and said this about where we were:

Yesterday at the hearing for Congressman PRICE to be Secretary of HHS, I asked him

about the cuts that he has proposed to Medicare and Medicaid. He's already proposed \$449 billion in cuts to Medicare and over \$1 trillion in cuts to the Medicaid program. And so I asked him if he would commit to follow through on Donald Trump's promise, "I won't cut Medicare or Medicaid."

There was a lot of dancing back and forth, but the bottom line is that no, he would not make that commitment, which I suppose should not have been a surprise.

What I want to do as briefly as I can is to focus just a little bit on down the line and put a face on that, what it means to put those kinds of cuts into the system.

I started with Ms. Fleming, and here is what I asked her.

I said: "You used to work at United Airlines. . . . How many years did you pay into the Medicare system?"

Ms. Fleming said: "Thirty-nine years."

I asked: "How long have you worked there?"

Ms. Fleming said: "Thirty-nine years."

I said: "Thirty-nine years that you paid into the Medicare system. Where else is it we need to spend \$449 billion so that you can spend more out-of-pocket? So that money can go somewhere else—like tax cuts for rich people?"

I asked Ms. Jensen:

Just because I want to be clear about this, one of the things that Medicaid does is make sure you get access to mental health services. If you lose that access, what happens in your life?

So I had asked Ms. Fleming about the Medicare cuts. Here is what Ms. Jensen told me about the Medicaid cuts:

That would entirely change my life. I wouldn't be able to afford the services I need. My medications alone, right now, run about as much as my rent. And I know that weekly counseling or therapy sessions would really be out of reach. It would threaten not only the growth of my business but the existence of my business.

She runs her own small business.

She said:

Basically: no Medicaid, no business. That would kind of be the end of one of my dreams. And untreated disorders—my untreated disorder—I know I would retreat from society. I would retreat from my loved ones. I would not be a productive citizen. I would probably get into trouble and cost the taxpayers some money. Mental and behavioral health is no joke. There are fatal consequences, and it's a matter of life and death for a lot of people, including me.

Then I turned to the third of our witnesses, Ms. Serafin. She has dealt with both systems—both Medicare and Medicaid—and I asked her to focus just for a minute on the Medicaid part of that. She was taking care of her elderly mother.

I said:

Your mother—after your father passed—your mother declined, needed full time care. And she was supported by Medicaid during

that period of time. She was able to be in a facility that could take care of her.

If Medicaid had not been available to you, if there had been a trillion-dollar cut to Medicaid, what would have happened to you and your husband?

Here is what Ms. Serafin said:

Well, physically, I could not take care of anyone else.

She had her own disabling medical problems. She said:

I can hardly take care of myself. So, we would have had to hire someone, or we would have had to move because our home was not accommodating for another person with a disability.

Secondly, the care my mother received in the nursing home was so personally gratifying. I could sleep at night. My mother was a really strong woman. She could have been a CEO. She was born in the wrong era. But as a daughter—as mothers and daughters often do—we didn't always see eye to eye on everything!

The people in the nursing home loved her—they loved her feisty manner, they loved the things she would say. And I would think, "Oh, God, I would never say that!" But they thought she was wonderful.

I made the point that my mother was a little like that too.

Ms. Serafin said:

I would sleep at night. I could feel good. Because I cannot do things as it is for myself, and there were loving people who would go to her and say, "I love you, Anita," and it just made my heart feel that wonderful feeling.

So that is the face of Medicaid.

We had one more witness, and this witness was Ms. Ornella, who had her son Sam with her.

I said:

Sam is the happy face of Medicaid. Sam is a little boy who was born with multiple difficulties and who flourishes and who receives support from Medicaid.

So I asked:

If there's a trillion dollars in cuts to Medicaid, and Sam is not able to get the help he needs through Medicaid, what happens to Sam?

Ms. Ornella said:

We barely qualified for Medicaid as it was, so if there were any cuts to it, we would have been in that group of people who I believe wouldn't have qualified. Medicaid has provided him to be able to go to his kidney doctors and keep his status check on his kidneys, which is what we think his long-term issues are going to be.

Medicaid has been there to cover tests for swallowing, for swallowing functions, for all the different parts of his body that are affected by his disorder. So my fear is, that if we do get employer-based coverage, anything can happen in life—what if my husband lost his job and then we didn't qualify for Sam to get Medicaid anymore? How would we deal with that double whammy of losing employer coverage and then not qualifying for Medicaid for a medically complex child?

We heard from four people at this forum, and I am very grateful to all four of them for putting a face on what Medicare and Medicaid means. I suggested to Congressman Price that if he is confirmed to be the head of HHS, that he cut out the statement that

Donald Trump had made, "I will not cut Medicare or Medicaid," and that he tape it above his desk and look at it every single day. Because that is what the people at that hearing were all about.

They are the reason we must not cut Medicare and we must not cut Medicaid, and I thanked them all for being with us.

Alice, Sam, Diane, and Ann really put a face on the importance of Medicare and Medicaid at that forum.

I have heard from a number of hospitals, community health centers, and behavioral health organizations in Massachusetts about the importance of Medicaid to them for being able to provide essential services to the people who need it most, and I want to share some of the comments they have given to me.

John Nash, the CEO of Franciscan Children's Hospital, highlighted the importance of Medicaid in providing healthcare coverage for our children. Here is what he wrote to me:

Dear Senator Warren, at Franciscan Children's, our mission is to provide a compassionate and positive environment where children with complex medical, mental health, and educational needs receive specialized care for people who are committed to excellence, innovation, and family support, so that these children can reach their fullest potential and live their best lives. Located in the Boston metropolitan area, we are one of four institutions in the country offering this unique array of services to children with complex needs.

In Massachusetts, we are the only pediatric, post-acute care provider that offers hospital-level care for children with complex medical conditions. We are also one of the largest pediatric mental health providers in Massachusetts, offering a complete continuum of inpatient, residential, and outpatient programming to ensure that children have access to the services they desperately need.

Franciscan Children's is proud to be an independent, unaffiliated provider that coordinates across the healthcare system to deliver high-quality, low-cost, specialty services to children who come to us from every major health system and intensive care unit from across the State. Collectively across our programs, we serve more than 12,000 children a year.

Families who have had a child or children with special needs often face tremendous financial burdens. Many view hospitals like ours as a second home. Almost 60 percent of the families that we serve in our inpatient medical program are on Medicaid.

In federal discussions about the Affordable Care Act, it is crucial to realize that Medicaid is the most important health coverage program for children. As many as 30 million children nationally and 355,000 children in Massachusetts (29.6% of the state population of children) are covered. Children covered by Medicaid—compared with those who are uninsured—generally go on to enjoy better health, lower rates of mortality, and higher educational and economic outcomes as they become adults.

Massachusetts is seeing the returns on investments made in Medicaid. Our rate of uninsured children is at the lowest on record. Cuts to Medicaid will have a negative impact

on children and may increase healthcare costs. Furthermore, any cuts to the Medicaid program will threaten our institution's long-term ability to serve children and their families who may not receive care otherwise. As the population of children with complex needs continues to grow at the rate of 5 percent annually, these funds will be vital to our future and to theirs.

We support the belief that access to affordable care is essential for all individuals. Our families, whose resilience and strength continues to inspire us every day, depend on this principle being upheld. Our children deserve every opportunity to reach their fullest potential and live their best life.

This letter is just a reminder of who gets Medicaid and how Medicaid changes the lives of the children who need it most and of their families. We cannot cut this program without taking away the futures of these children. This is an economic issue, but it is also a moral issue.

I heard from the Behavioral and Health Network, a nonprofit community behavioral health agency in Western Massachusetts, and they shared with me an individual story they wanted to tell me about Tasha.

Tasha went from homelessness to addiction and then to recovery—highlighting the importance of Medicaid funds in supporting individuals who are dealing with substance abuse disorder. The behavioral health network shared a story, and this is how they tell it:

Tasha M. recalls how her addiction started. She never envisioned how and where it would end. As a teenager, she remembers being homeless, her mom surrendering her to foster care twice and living a dysfunctional life, leading to the development of an eating disorder and hospitalization.

It was during that hospital stay where she was also receiving treatment for an injured back, that she was prescribed a bottle of painkillers. That started Tasha on the road to addiction, and ultimately to BHN's, "My Sister's House"—and her eventual recovery.

Once addicted to pain pills she remembers "hospital hopping" to feed the addiction. "I felt so alone," she said. Moving in with an aunt brought the prospect of turning the page and leaving her addiction behind. Instead, Tasha started to work as a bartender, ultimately succumbing to alcohol and hitting bottom. Tasha says, "I lost everything."

Moving back to Massachusetts, she "tried to start anew." But instead she found herself back in the clubs and around alcohol and, eventually, in a detox program through BHN's Carlson Center. After that one-week stay, she entered Hope Center, a BHN 30-day recovery addiction treatment program in Springfield. Once released, the grip of addiction surfaced again. "I remember getting ready to go clubbing with my boyfriend. We were in line to go into a club and I realized I didn't have my ID. I went home and I found my ID lying on top of my AA book. I thought, 'wow, that's a sign'—and I need to get back in the program."

BHN assisted with entry into My Sister's House, a BHN community-based program for women in recovery, where its residents have daily therapy and support, peer meetings and are connected to community resources.

It is also where Tasha met an intern who inspired her. "I remember I was one of her first clients. She said I couldn't go back to my old ways . . . she really believed in me."

Tasha's recovery has come full circle. After successful re-entry into the community, she acquired a job as an administrative assistant at a daycare center, and eventually became a social worker helping mothers of children navigate the complexities of parenting.

Tasha's story doesn't end there. Tasha was offered a position at My Sister's House, where she assists other young women who find themselves on the sometimes bumpy road to recovery. "For me, it's about giving back . . . I'm grateful to them."

About the new opportunity to help others at My Sister's House, Tasha said: "I always said to myself I was going to come back to this House . . . this is my second home."

Tasha's journey was supported by an organization whose funding is 56 percent State and Federal contracts and 42 percent fees from Medicaid, Medicare and a small percentage of private insurances. Clearly, the impact of affordable insurance and funds from CMS and the State creates needed access and opportunities for changing lives [like Tasha's]. Individuals can embrace help, move beyond despair and hardship, and establish meaningful life experiences, employment and self-sufficiency. Without affordable insurance, Medicaid and Federal and State funds, that could not happen.

Thank you, Tasha, for telling your story. Thank you to the Behavioral Network for sharing your story. Thank you for all of the amazing work that you do every single day.

The Boston Medical Center, the State's largest safety net hospital, also shared their perspective on how changes and cuts to Medicaid would seriously impact the progress they have made in working to provide high-quality, cost-effective care to their patients. Here is what Boston Medical Center said:

At Boston Medical Center (BMC), our mission is to provide Exceptional Care without Exception to all of our patients. As the largest health safety net system in Massachusetts and in New England, BMC and the patients we serve would be severely impacted by major changes to the Affordable Care Act.

Massachusetts health care reform in 2008, and subsequently the Affordable Care Act, supported our efforts to provide high-quality, cost effective care to the many, formerly uninsured, patients who became insured through Medicaid and subsidized products. BMC has worked diligently with the Commonwealth of Massachusetts and the Center for Medicare and Medicaid Services (CMS) to transition the payment and delivery of Medicaid services in a more cost effective manner. With a strong understanding of the need to ensure that the future of Medicaid is sustainable, our collective efforts have begun to produce encouraging results.

Medicaid—and access to affordable, subsidized health care insurance—is an important federal/state partnership that allows the most vulnerable in our population to receive the health care they need. At BMC, we see firsthand how it affects the lives of our patients. In addition to providing funding for important primary care services, it is a lifeline for those with chronic diseases and mental health and substance abuse needs.

BMC has used Medicaid funding to develop and implement a number of very promising programs aimed at improving the quality of care for our low-income population and doing it in a manner that is the most cost ef-

fective. We aim to keep our patients out of the hospital while giving them the care necessary to lead fulfilling lives.

Some of these efforts include innovative programs for pregnant women and babies both before and after delivery. Post-partum depression is an all-too-common issue for new mothers. BMC has designed a program that embeds necessary behavioral health services into the OB/GYN visit setting, thereby allowing them to receive the necessary mental health care along with their medical visit.

At the same time, we have several successful programs focusing on newborn infants—ranging from babies born prematurely to those born addicted to drugs. As New England's largest trauma center, we routinely treat large numbers of patients who have been victims of violence. In an effort to help break the trend of violence in the inner city, BMC offers many programs that help those victims break that cycle through counseling, education and support.

Boston, like many cities across the country, has seen an unacceptable level of opioid related deaths. Probably our most critical efforts today include programs that successfully treat opioid and other drug addictions while guiding patients toward prevention of future drug abuse and a life where they can hold a job and maintain their relationships with their families.

Working with the Commonwealth, BMC has also used Medicaid funding to redesign how health care is provided in a manner that ensures the highest quality patient care in the most affordable, patient-centric manner. The groundwork has been laid over the last several years with Medicaid waiver funding. As we prepare for implementation of the Medicaid waiver extension, we have just begun to roll-out our Medicaid Accountable Care Organization, (ACO). The ACO structure requires that we will be accountable for the full cost of each Medicaid patient's health care, while it will allow the flexibility to provide the right care that might not have previously been covered (e.g. purchase of humidifier for an asthmatic child that will help prevent hospitalizations). Patients will benefit through further integration of care across the delivery system continuum, while reimbursement for the cost of treating those patients will be contained in a defined agreement.

These important Massachusetts efforts of transforming the delivery and payment system for Medicaid will be dealt a serious blow if the underlying Medicaid funding is changed. Additionally, if Medicaid and subsidized healthcare eligibility changes result in our patients losing access to affordable health care, not only will the patient's quality of life suffer, but the lack of funding will not allow [us] to continue to provide those patients with many of these critical services.

BMC is committed to maintaining the provision of exceptional care without exception and it will require the financial partnership with the federal and state government to ensure that our low-income patients have access to that care.

Boston Medical Center absolutely provides "Exceptional Care without Exception," and Medicaid helps them carry out that critical work.

The Boston Center for Independent Living shared with me a story from a constituent named Ty who receives healthcare from One Care, a program in Massachusetts that integrates care for beneficiaries who are dually eligible

for both Medicare and Medicaid. So I will tell a little bit about Ty's story.

Ty Muto, a 39-year-old transgender man, was recovering from colon surgery in 2014 when he stopped outside of his work and was assaulted by three men yelling homophobic slurs. He survived the attack with a traumatic brain injury and spinal cord injury and is only alive thanks to several necessary, timely medical interventions. A former mediator and American Friends Service Committee volunteer, Ty is enrolled in One Care with the Commonwealth Care Alliance. They provide medical care, visiting nurse support, physical therapy, and medical rides. His Care Manager helped him apply for Social Security and find housing, which really improved his life! On several occasions his visiting nurse has identified urgent medical conditions and he has been able to take a medical ride to the hospital where he receives care—avoiding lengthy and expensive emergency room visits at local hospitals that aren't equipped to care for his specific condition. Ty says the only reason he's alive today is because of all of the services and care he gets through One Care.

That is the work being done at the Boston Center for Independent Living, and it can only be done because they receive the support of Medicare and Medicaid.

The Boston Center for Independent Living also shared with me a story from another constituent named Olivia.

Olivia Richards is a 33-year-old woman on One Care and, as she emphasizes, a lifelong Bruins fan! Her plan with CCA allows her to be an active member of the community and her care coordinator assists her in managing her seizure disorder, paraplegia, PTSD, and ADHD. Olivia grew up in the foster care system and, after college, rather than move in with an abusive family member, she tried to make it on her own and she ended up homeless. Left without insurance—and trying to keep up with her di-lanthin, ADHD and asthma medications from seven- to fourteen-day sample packs from a free clinic—she went on and off medication and eventually ended up in a psychiatric hospital for a month.

If she had been making that transition in the post-Romney care age, she would have maintained her health insurance and been able to stay on MassHealth. Olivia raves about her coordinated care manager (CCA) and how she's helped stabilize Olivia's health—recognizing issues before they become emergencies. Prior to One Care, Olivia went to the emergency room every few months with a severe UTI that landed her in the hospital. Her care coordinator recommended she see an infectious disease doctor, who prescribed a preventive antibiotic—something none of the many doctors she'd seen had put together. Olivia hasn't been to the hospital for a UTI since.

This time around, when Olivia needed emergency care, her care coordinator sent community medics to her apartment—providing her with better care and avoiding an expensive emergency room visit and other complications. Before One Care, Olivia was using a third-hand wheelchair with a bent frame and a wheel that she had to weld back together every few months. Medicare and Medicaid kept dodging responsibility for wheelchair repairs. Olivia's care coordinator helped her get a new chair.

That is a real quality-of-life improvement for Olivia.

I want to say a special thank you to both Ty and to Olivia for sharing their stories, for letting us make them public, and a very big thanks to the Boston Center for Independent Living for all that you are doing every single day to help the people of Massachusetts. We are all deeply grateful for your work, and we want to continue to support it here in Congress.

Many of my constituents have written to me, fearful of what changes to Medicare or Medicaid might actually mean to them. Jeffrey, who is from Gardner, wrote to me to share his constant worries about health insurance coverage. This is what he wrote:

Dear Senator Warren,

I hope this message finds you well, and I want to thank you for your continued fight for the rights of everyone in Massachusetts & the nation.

Unfortunately, this election has left me with some constant worry, as I'm sure it has many. I'm a graduate student and have a year and a half left until I complete my masters degree in counseling psychology.

Obviously because of this, I work part-time, and am not offered health insurance through my employer. I have been on MassHealth (Tufts Network Health, to be exact) since 2013 when I decided to make a career change.

I have some issues that require prescriptions and doctors visits monthly. I'm not sure if they can be deemed as preexisting conditions, but these are prescriptions I can certainly not go without, nor could I go without insurance for a year and a half.

Obviously I don't enjoy being on MassHealth, but for right now it's what is necessary. My question may be a difficult one to answer, due to the fact that no one truly knows what will happen after inauguration day. I do know Massachusetts is better protected than other states to keep its citizens insured, and I know that you and Governor Baker have vowed to fight for this right, as well as for many others—which I could not be more thankful for!

If the new establishment has their way and repeals federal funding to Medicaid, will people in Massachusetts such as myself be thrown off their insurance? I know we rely heavily on a waiver that was signed recently, and it's a "wait and see matter," but I suppose my question is, will I be protected since I have documented needs for insurance already in place? Or are my conditions going to be deemed "not severe enough?"

All I can say, Jeffrey, is we don't know yet, but I can promise you that I am fighting to make sure you remain protected.

Elise from Scituate wrote to me about the importance of Medicare and Medicaid funds in supporting nursing homes, adult day health programs, and other needs of older adults. Here is what Elise had to say:

Dear Senator Warren,

I am writing to you because I am very concerned about the direction of the incoming administration, President-Elect Trump, and his cabinet choices. It was certainly a difficult election period. The policies and direction of these individuals is particularly troubling for those who are older, or who may have mental illness, disabilities, or developmental challenges.

As many are not aware, the federal rules, regulations, and budget do affect the management of services in the states. As a consultant in Massachusetts in both nursing homes and adult day health programs, I see the strong need for cooperative and supportive federal and state funding as well as regulatory processes for ongoing care. Very few of the individuals in these settings are paying privately. Medicare and Medicaid—as well as the VA—are the major funders for these programs.

In Massachusetts, we have 45,000 nursing home beds, or approximately 400 skilled nursing facilities. Home care incorporates adult day health, and we have roughly 14,600 participants in Massachusetts alone. Our population is aging, and access to good services are critical to good care and quality of life.

In addition, there are many programs that continue to need commitment and funding to manage necessary services to individuals. These include: housing (Section 8), elder and those with disabilities home care, services to the blind, and community mental health care—to name a few.

Changes in these benefits would jeopardize the delicate balance of home and community care, rehabilitation, and perhaps ultimately end up costing more for care. For example, if we don't have resources to assist people to return to the community, institutional care may be the only answer—and a costly one.

The notion of having poor individuals pay for their Medicaid benefits, and/or privatizing this to an insurance base is ill-founded and often becomes costly to manage, as well as lowers benefits. Aside from providing services to our citizens, the reduction in these programs will drag the overall economy down.

The healthcare industry (private enterprise) is dependent upon a multitude of programs to generate profit. For example, if Mr. X needs a wheel chair and Medicare does not pay for one, Mr. X will not pay for a new wheel chair. He will either borrow one, or purchase one used, or perhaps "do without." This scenario, regardless of the product, will duplicate itself throughout health care and service provision. Companies that have dependency upon Medicare funds may have to close or cut back. Service providers, such as Visiting Nurses, will be facing similar results.

I have been in the older adult/health care/medical field since 1969. I have seen changes over time to services from government provisions to privatization. Privatization is the one of the poor outcomes when government monies are used to pay for services rendered. I remain a very strong advocate for individuals and their families as they try to meet the challenges of obtaining just and fair services.

Thank you, Elise. I appreciate your writing. Medicare and Medicaid provide critical funds to support nursing homes and senior citizens in Massachusetts. I agree that we must fight to protect these programs.

I have many constituents writing in. My constituents are shouting as loudly as they can about the need to protect Medicare and Medicaid. We need a CMS Administrator who will stand up for Tasha and for other individuals who are struggling with addiction, who will stand up for those who are relying on Medicare to help with Parkinson's, who will stand up for our hospitals and

healthcare providers to ensure that they have the resources they need to adequately serve their patients. I am listening. I am fighting.

Republicans are trying to cut back-room deals to end these protections. I promise you, I will do everything in my power to prevent them from destroying

your healthcare. That is why I am here.

ADJOURNMENT UNTIL 10 A.M.
TOMORROW

The PRESIDING OFFICER. The Senate stands adjourned until 10 a.m. tomorrow.

Thereupon, the Senate, at 8:34 p.m., adjourned until Thursday, March 9, 2017, at 10 a.m.

HOUSE OF REPRESENTATIVES—Wednesday, March 8, 2017

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Ms. ROS-LEHTINEN).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
March 8, 2017.

I hereby appoint the Honorable ILEANA ROS-LEHTINEN to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2017, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

THE WAR IN AFGHANISTAN

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

Mr. JONES. Madam Speaker, for the past few years, I have been on the floor from time to time railing on the loss of life and waste of money in Afghanistan. I believe we have too many in Congress who are not listening to our men and women in uniform and are actually not even listening to the taxpayers who are paying the bill to be in Afghanistan.

From articles written about paying for ghost soldiers—that means that they don't exist—to the Department of Defense spending \$6 million to buy nine goats, the stories just go on and on and on.

There are so many examples of waste, fraud, and abuse, it is time that we in Congress realize that it is not in our best interest to stay there for 16 more years. We have already been there 16 years. And, you know, you get to a point that you just wonder. And so many of our young men and women who have fought for our country in Iraq and Afghanistan are special heroes

to all of us, and we know that. This is about the policy of the Congress, not the military policy.

Recently, I read an article that the former President of Afghanistan, Hamid Karzai, has actually been meeting with the Russians and asking the Russians to come back to Afghanistan, and he, Hamid Karzai, will set up meetings with the Taliban. But sometimes you just wonder who in the world is watching this absolutely wild crazy world of Afghanistan.

Then this past week, there was another article, and I will read the title of the article, Madam Speaker: "Chinese Troops Appear to Be Operating in Afghanistan and the Pentagon is Okay With It."

Again, I repeat myself: after 16 years of war in Afghanistan, hasn't the American soldier done enough? Hasn't the American taxpayer paid enough for goats and paying ghost soldiers? 200,000 Afghans who don't even exist are getting paid, so that means that the money ends up in the hands of the Taliban or the village leaders.

You know, if the Chinese want to spend 16 years in Afghanistan, so be it. Let them have it.

Think about the history of Afghanistan, Madam Speaker. Alexander the Great was the first, and then we had the Brits that went in. In fact, Winston Churchill was a young reporter when they were in Afghanistan and he was very disillusioned with that world. Then the Russians went in for 10 years and then they left, and now we have been there 16 years. Afghanistan is a graveyard of empires.

It is time for us to start looking at the sensibility of what we are doing there and does it make any sense, which is a better way of saying it.

I think that at some time, Afghanistan being the graveyard of empires, there is probably a headstone that says "Russia." After 16 years, maybe there will be a headstone that says "USA." And who knows? If the Chinese go and stay 16 years, there might be another headstone that says "China." At that time, maybe the ghost soldiers can take the \$6 million goats out to the graveyard and let them eat the grass or something.

I don't know, Madam Speaker. It gets a little bit crazy. It really does. It is time for this Congress to debate whether our policy is to stay in Afghanistan or to come home from Afghanistan.

I close with this. These two little girls from my district are Eden and Stephanie Balduf. Their daddy, Kevin

Balduf, was a sergeant from Camp Lejeune, which is in my district. He and Colonel Palmer, from Cherry Point Marine Air Station, which also is in my district, were sent to Afghanistan to train Afghans to be policemen.

These two little girls are at the funeral of their daddy. Their daddy, Sergeant Kevin Balduf, emailed his wife the day before he was shot and killed, along with Colonel Palmer, and said: I don't trust them. I don't trust them. I don't trust any of them.

So I say to these two little girls, your United States Congress needs to debate whether we need to stay in Afghanistan longer than the 16 years we have been there, or is it time to say we have done our job and it is time to come home.

DAY WITHOUT A WOMAN

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

Ms. BARRAGÁN. Madam Speaker, today I rise to stand in solidarity on a Day Without a Woman. You will see women in red today and men with red ties in honor of today.

It is 2017 and we still need a Day Without a Woman to remind this administration and Republicans in Congress that women deserve equal pay and access to affordable health care.

Just yesterday, the assault on women continued with the GOP's plan to pay more for less in healthcare legislation that will restrict a woman's right to comprehensive healthcare coverage.

The Republican bill also defunds Planned Parenthood. Women with nowhere else to turn will lose access to essential preventative care and affordable contraception.

This is very personal for me. When I was growing up, we were poor. I had a sister that got pregnant at 15 and another one that got pregnant at 16. I, myself, had a condition that required me to get on a contraceptive to deal with pain that I had. I had nowhere to turn. I, myself, had to go to a clinic that saw me on a sliding scale; otherwise, I would have had nowhere to go.

The fact that we are facing the threat of losing this today for women and preventive care is beyond incomprehensible to me and scary.

On this day today, without a woman, I also think about women, women like Rosa Parks, the mothers, the daughters and grandchildren that took part in the Women's March on January 21,

women at the forefront of every fight for equality.

I stand today with women like my mother, Teresa, an immigrant from Mexico, who raised a large family and who took care of my father when he was sick and continues to support me today.

I stand today to fight for equal pay for equal work because women—and Latinas in particular—are paid only 54 cents for every \$1 paid to White men.

I fight in Congress for American families so that they have economic stability and can make ends meet and set their kids off to a brighter future. I will continue to fight with my sisters in Congress for health care, for immigration, and for human rights. All of these are women's rights.

SUPPORTING THE 2017 MONKEY MADNESS 5K RUN AND WALK

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

Ms. ROS-LEHTINEN. Mr. Speaker, I want to encourage everyone in south Florida to come out to Zoo Miami this Sunday, March 12, for the Families for Fragile X Monkey Madness 5K Run/Walk.

Fragile X syndrome is the most common cause of inherited intellectual disability, which results in a wide range of mental and physical impairments. It is also the most common known genetic cause of autism.

Through events like the upcoming 5K run/walk, organizations like the National Fragile X Foundation and the Families for Fragile X are working to raise awareness and advance groundbreaking research. These events also bring together those impacted by fragile X in our community and provide them with essential support and encouragement so that no one family has to go through this journey alone.

I ask everyone in south Florida to join Michele and her son Matthew, as well as hundreds of other patients, caregivers, and friends whose lives have been impacted by fragile X, this Sunday for the Monkey Madness 5K Run/Walk. You can register at familiesforfragilex.com.

RECOGNIZING THE FRIENDSHIP CIRCLE OF MIAMI

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to recognize the Friendship Circle of Miami, a program provided by the Chabad of Kendall & Pinecrest that offers much-needed acceptance to children and young individuals with special needs by providing them with the skills to become our future leaders.

Since its inception, the Friendship Circle has provided these vulnerable members of our society the opportunity to participate in many programs like organized sports or visual and performing arts, all while building lasting friendships.

The Friendship Circle has grown from a small organization that started in Detroit to now having chapters all across our Nation and, indeed, around the world. I would like to offer a special congratulations to our Miami chapter, as it recently held its annual Walk for Friendship, raising awareness and support for the programs and services offered to our youth.

Mr. Speaker, it is organizations like Friendship Circle that serve as the pillar of equality and celebrate each person's individual qualities that make them great. I ask south Florida to join members of our community like the Pardo family—Angel, Rosie, and Andrew—in bringing a smile to the faces of some very special children in our community.

CELEBRATING THE 56TH ANNIVERSARY OF THE PEACE CORPS

Ms. ROS-LEHTINEN. Mr. Speaker, March 1 marked the 56th anniversary of the Peace Corps. The Peace Corps' talented volunteers have accomplished a lot over the years, serving in over 140 countries across the globe. They have changed millions of lives, provided immeasurable technical assistance to communities in need, and helped create a better understanding between Americans and peoples abroad.

In 2011, I was proud to author a bill that helped protect Peace Corps volunteers. The Senate companion to that bill became law as the Kate Puzey Act, establishing policies that improved volunteer safety and ensured that they would have the resources necessary to contend with emergencies.

Peace Corps volunteers exemplify the extraordinary compassion and leadership of our great Nation, and their security is paramount as they carry out their missions abroad. I congratulate the Peace Corps on its 56th anniversary, and I wish it even greater success in the years ahead.

CONGRATULATING JONATHAN AGUIAR AND THE KNOW MORE CAMPAIGN

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to recognize Jonathan Aguiar, a wonderful student at Christopher Columbus High School, whom I recently met, for his efforts that are known as KNOW MORE. He started this organization KNOW MORE, and it is an organization founded to raise awareness about sexual assault on high school campuses in south Florida.

Anyone, regardless of age, can become a victim of sexual assault. Unfortunately, it is a crime that often goes unreported due to the detrimental scars felt by some victims. By joining together to create KNOW MORE, Jonathan and his friends have undertaken a noble effort to support victims, protect others from harm, and prepare high school students to make informed decisions.

I thank Jonathan and Christopher Columbus High School for their work and advocacy to combat this issue that

affects so many in our community and across the Nation.

MARINES UNITED

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

Ms. SPEIER. Mr. Speaker, 4 years ago, I stood on this same floor and condemned the online bullying of U.S. Marine Corps servicewomen on a public Facebook page. Today I stand before you again, incredulous, angry, and sad, to say that absolutely nothing has changed.

This weekend, news broke that the Department of Defense is investigating scores of enlisted marines for compiling thousands of naked photos of other marines—servicewomen—often surreptitiously, and distributing them through Facebook and Google Drive. The site in question is called "Marines United," claiming a membership of over 30,000 people.

The photos are being tightly held due to the ongoing investigation, but all indications are they are just as repulsive as what we saw 4 years ago.

□ 1015

The report contains samples of the comments posted about female marines, which are too obscene to read on the House floor. Online commentators also reportedly called for the rape of some of the marines portrayed in the photos, which is terrifying, given many of the women are identified by name and base.

This is not about sex or fun or boys will be boys. This is about marines deliberately trying to degrade, humiliate, and threaten fellow marines. They encouraged stalking, distributed stolen intimate photos, and reduced their comrades to a collection of body parts.

Well, I am here to say that women marines will not be treated like sides of beef. They are warriors and should be treated as such.

As one female marine who recently completed the once male-only infantry training said: "Right now I'm supposed to be able to trust every male marine. And with some of the stuff I see them saying about women, that's just not happening."

This cultural rot, which has clearly regressed even further since 2013, harms our troops and our readiness. It is abundantly clear that this is not a few bad marines; rather, it is another example of a culture of rot. It is a blight that infects not just the ranks of the enlisted, but also the officer corps.

Military leadership has utterly failed in their responsibility to protect their troops, punish those involved, and uphold the professed values of the Corps. That is why the survivors of this latest atrocity did not have the confidence to notify their superiors, for fear of retribution. It took a marine veteran and

blogger to blow the whistle, and for that, he has been threatened with death and his wife has been threatened with rape.

Back in 2013, then-Commandant General Amos wrote to me saying, "We share your indignation," regarding deplorable images on social media that denigrate women in the United States Marine Corps. They were words—just words. I fear that military leadership will say anything to placate Congress and an outraged public, but then do nothing.

I recently had the opportunity to meet with Secretary of Defense James Mattis. I found him to be engaging, thoughtful, and committed to our troops. Secretary Mattis is also a retired marine.

Secretary Mattis, I hope that you are deeply disturbed by what we are seeing within the Corps. I hope that you are listening to servicewomen like the one whose private photos were posted in the 2013 Facebook group.

One left the service in 2015, and says that just knowing her pictures are still out there has silenced her. She said: "I wanted to be a positive influence on the community. And this diminished me. It took away everything."

Secretary Mattis, this must change now. I call on you to hold your leadership accountable for these failures; to establish a culture of dramatic change. That means heads should roll.

Talk is cheap. Action is what is needed for the integrity of the military. Survivors must be supported. That will only happen if those bad marines are drummed out of the Corps, with no exceptions.

JCC THREATS

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

Mr. MAST. Madam Speaker, I rise today because there have now recently been at least 100 threats made against more than 75 Jewish community centers across the country. These threats and the recent vandalism of Jewish cemeteries are despicable. I can probably find much more harsh language to use, but we probably shouldn't use it here on the House floor.

Community centers of all faiths should be places where people can find peace and not feel targeted for their beliefs. As a nation, we have to demonstrate that we will do everything within our power to prevent future threats and stop potential attacks.

One of my first acts as a new Member of Congress was to join the bipartisan task force to combat anti-Semitism. I am sad that we even have to do this. Our group works across the aisle to combat global anti-Semitism. I have also cosponsored the Combating European Anti-Semitism Act, which in-

structs the Secretary of State to track anti-Semitism in Europe.

But it is clear from these attacks, Madam Speaker, that we must also do far more here at home to combat anti-Semitism. In the coming days, I will be working with my colleagues, both Republicans and Democrats, to determine the additional steps that we can take to combat anti-Semitism in the United States and keep our communities safe.

I make this encouragement. I encourage all of my colleagues to ask themselves one question: What if it were their child's elementary school? What if it were their child's daycare? What if it were their child's afterschool program that had the threat of a bomb, just like the one that took my own legs?

RESIST APPEAL PROPOSAL

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

Mr. BROWN of Maryland. Madam Speaker, I rise today to speak out against the proposal offered by the Republican majority to replace the Affordable Care Act.

After nearly 7 years of repeal votes, House Republicans finally released their healthcare proposal on Monday. Simply stated, this proposal is bad for seniors, it is bad for the poor, and it is bad for the sick. It costs more and offers less. It raises cost on middle class Americans while giving huge tax breaks to the wealthy and to special interests.

Madam Speaker, more than 12,000 of my constituents receive financial assistance to buy health insurance on the exchange in the commercial market. Almost all of them will get less help under the Republican proposal.

Why is that?

Because the proposed tax credits will vary by age and income, which means premiums will be unaffordable for the low- to moderate-income families and seniors. As premiums go up with healthcare costs over time, these tax credits don't rise, making insurance less affordable year after year.

Regarding the individual mandate, while removing it may be politically popular, experts who have studied this expect premiums to increase 25 percent when the individual mandate is eliminated. When the employer mandate is eliminated under the GOP proposal, fewer employers will offer insurance to their employees.

Furthermore, Madam Speaker, I am opposed to the GOP proposal because it will significantly raise healthcare costs on individuals in their fifties and sixties.

And why is that?

Because the plan will allow insurers to charge them five times more than younger policyholders. In fact, if you are 60 years or older and making an av-

erage income, under the GOP proposal your insurance bill will go up by \$3,200 each year while you lose \$6,000 in tax credits and subsidies.

Madam Speaker, nearly 30,000 men, women, and children in my district are currently covered by the Medicaid expansion provisions of the Affordable Care Act. Each of them now stands to lose coverage if the Republican Congress eliminates Maryland's Medicaid expansion. Even our Republican Governor understands that much.

The GOP plan to so-called modernize Medicaid essentially turns the program into a block grant program that shifts the costs to States. States simply cannot afford that. As a result, we will eventually see massive cuts to this cost-efficient program.

This plan to turn Medicaid into a block grant program would hurt the working poor, children, seniors, and people with disabilities that rely on this program. This is wrong and disgraceful.

And why do Republicans want to cut Medicaid, Madam Speaker?

I am not sure, but I do know they are also proposing huge tax cuts for the wealthy.

Under Monday's midnight proposal, we now see that the 400 wealthiest households in America will receive annual tax cuts of \$7 million. The proposal also includes a tax break for insurance companies that pay their CEOs over half a million dollars a year.

Madam Speaker, the Republicans kept this proposal under lock and key for a reason. They scheduled a committee markup without a single hearing or even a CBO score.

The American people and their Representatives deserve to see the numbers. That means every Member of this Congress needs to hear from the Congressional Budget Office: How much will it cost taxpayers? How will it impact our hospitals and health centers? How many people will lose the health coverage they have right now?

The American public demands and deserves to know.

Madam Speaker, this is not regular order and this is not why I came to Congress. When Democrats introduced the Affordable Care Act, whether you supported it or not, we held 79 hearings over 2 years, heard from 181 witnesses from both sides of the aisle, and posted the bill online 30 days before markup.

The Republicans have done none of these things. That is hypocritical and shameful. We will resist this dangerous repeal proposal, Madam Speaker.

TRUMP HOTEL

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

Mr. JOHNSON of Georgia. Madam Speaker, I rise today to discuss another glaring and scandalous drama involving President Trump's conflict of

interest that has been lost in the shuffle of the President's nightly tweets and the daily Russian revelations. I would like to talk about the Old Post Office Building down the street on Pennsylvania Avenue.

The General Services Administration solicited proposals for redevelopment of the Old Post Office Building in 2011, selected The Trump Organization in 2012, and signed a 60-year lease in 2013 to redevelop the building.

For the first time in U.S. history, a sitting President now operates and profits from a private business in a taxpayer-owned Federal building. The Old Post Office Building lease agreement explicitly prohibits any elected official of the U.S. Government from serving as a lessee or from profiting under the lease.

Before the President took office, career officials at GSA confirmed that the prohibition on elected officials benefiting from the lease is a categorical ban on any elected official, including the President, being a party to or benefiting from the lease. The prohibition not allowing elected officials to benefit from GSA leases exists because of the outsized influence elected officials, especially the President, have over the funding and management of GSA.

President Trump has violated the very terms of the lease agreement that his company entered into with the United States Government for the Trump International Hotel the very moment that he took the oath of office to become President of the United States of America.

Soon, President Trump will appoint the administrator who serves at the pleasure of the President. That same administrator will be responsible for administering and managing the lease where the guy who signs his paycheck is the guy who benefits from the lease. That, ladies and gentlemen, is a classic conflict of interest.

To try to hide this conflict, President Trump has announced a so-called divestment plan that has two of his adult children responsible for negotiating with the GSA on behalf of daddy. If you think daddy's kids won't make sure that daddy is happy with the administrator and if you think that the administrator won't make sure that the kids are happy with him, then you would be the one who would buy some oceanfront property in Chicago. Essentially, the President controls the man exercising judgment on his lease.

The Transportation and Infrastructure Committee has repeatedly written to the GSA trying to get more information about this glaring problem, but we have not received a substantial response. On March 7, 2017, Ranking Member PETER DEFazio and I wrote to the GSA Inspector General requesting that they examine administration and management of the Old Post Office Building lease.

□ 1030

Congress needs an independent investigation to determine how and when GSA plans to resolve this breach of the lease and eliminate this conflict of interest, how GSA is shielding the career officials working through this conflict, and whether GSA is receiving fair market value for any amendments to the lease. This lease has already been amended five times, without any congressional oversight.

There is also the elephant in the room as to whether this Trump hotel business is violating the U.S. Constitution. It is unclear whether payments by foreign governments to the Trump International Hotel provide evidence of a violation of the Emoluments Clause of the Constitution. There are also serious allegations of whether foreign diplomats are steering business toward the Trump International Hotel. Could it be that Putin has already made arrangements to rent the presidential penthouse suite in the Trump Hotel for \$10 million a year for the next 4 years? Or perhaps he has paid \$100 million for an option to lease the Grand Ballroom at the Trump Hotel over the next 4 years. The American people need and deserve answers to these very important questions.

President Trump and GSA need to come clean and address these conflict of interest issues in a transparent fashion that protects the interests of the American taxpayers.

COACH STEVE CHAPMAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. FARENTHOLD) for 5 minutes.

Mr. FARENTHOLD. Madam Speaker, today I am here to congratulate Calallen High School baseball coach Steve Chapman on his recent induction into the Texas High School Baseball Coaches Hall of Fame.

Coach Chapman was born and raised in Hallettsville, Texas. After graduating from Hallettsville High School, he attended Blinn College and the University of Mary Hardin-Baylor, where he received a degree in education. After graduation, he began his coaching career at Victoria Stroman High School as an assistant coach. In 1983, he became head baseball coach at Calallen High School.

In Coach Chapman's 33 years at Calallen, his Wildcats have won or shared 25 district championships and have been to the Region 4 finals 19 times. The Wildcats have reached the UIL State tournament on 12 occasions, played in the State championship game 8 times, and have won 3 State championships. Coach Chapman's overall record is 967 wins, 204 losses, and 2 ties.

Coach Chapman's induction into the Hall of Fame is a testament to his hard work and the thousands of lives he has touched while coaching the Wildcats,

including my long-time legislative director, Blake Adami. I offer my congratulations to Coach Chapman, his family, and everyone at Calallen.

REPLACING THE ACA

The SPEAKER pro tempore. The Chair recognizes the gentleman from Washington (Mr. HECK) for 5 minutes.

Mr. HECK. Madam Speaker, today I would like to share a letter I received from Sherry, who lives back in my hometown of Olympia, Washington.

Sherry writes to me:

My husband was a veteran. He worked as a civilian with high security clearance at White Sands Missile Range and later as a paramedic and firefighter. When I met him, I was working as a paramedic, also. We were crazy in love. But I lost him to cancer in 2009, at the age of 56.

Since the day my husband died, we lost his income. I had to figure out how to raise our son, who was then 6. I sold my business on the Oregon coast, lost my house in Newport, and moved to Washington to be with my sister. I found Olympia a year later and have been here since. I have qualified for food stamps for the last 8 years. We have depended on the food bank on and off.

When all this happened, that was before ObamaCare, and the \$1,000 monthly premium for insurance for my family was simply not sustainable. At first, I was able to keep my insurance through COBRA. But after that ran out, we were left to paying for some cut-rate insurance that provided very little coverage.

When the Affordable Care Act was enacted, I finally felt relief. I got covered through the ACA, and that allowed me to direct some of the money I was paying to insurance toward food, books, clothing, or tuition. My son is now 13, and 6 foot 1, with a size 14 shoe, so we go through clothes and shoes for him like crazy.

I still struggle. I still have medical bills and collections. I still struggle with food and clothes for both myself and my son. I still go to the Thurston County Food Bank in downtown Olympia. But ObamaCare allows me to follow my health closely and helps me pay for the medical care my son and I require.

I have a spot on my lung that needs constant monitoring, and ObamaCare has allowed me to go in for those routine MRIs. Preventative services like mammograms are also paid for.

Since my husband died, I have been focused on raising my son and getting a higher education degree. I went to massage school, and then I earned my degree at The Evergreen State College. I will graduate with a master's degree in psychology in August. Not only will I be employable and be able to help others in the mental health field, I will also get to start whittling away at paying old medical bills and my student loans.

Although I will no longer need ObamaCare since I will have health insurance through my employer, the ACA has forever changed the insurance marketplace. The insurers can't charge me more for my preexisting condition like they could before.

If the ACA had been in place when my husband died, I would have been able to keep my business on the Oregon coast. If the ACA had been in place when my husband died, I would have immediately qualified for insurance under the ACA, and I may have been able to keep our house. I want you to know, I am

not lazy. I am a determined, self-improving mom who is raising her son alone. Before the ACA, I had to decide whether to pay for insurance or food. I depend on the ACA.

That is the letter from Sherry.

Madam Speaker, this past Saturday, I had the opportunity to meet with more than 300 of my constituents who support accessible, affordable health care in our country. I heard from many, but still a small portion of the 750,000 Washingtonians who gained coverage through the ACA.

The ACA is working for many people across America, and Congress should not reverse the progress we have made under it. That being said, I know there are parts of the ACA that could be improved upon. We all know that. We can and should make improvements in order to make healthcare insurance more affordable and more accessible to more people across our Nation. As we began this Congress, I had hope that we could have a productive, bipartisan discussion about the steps we could take to do just that, but I was saddened and, frankly, dismayed by the lack of serious policy efforts from my friends on the other side of the aisle.

Well, the majority finally released their proposed replacement for the ACA, the so-called American Health Care Act, after weeks of hiding this secret bill behind closed doors. Frankly, I am not impressed by the bill. This bill offers no attempts to improve healthcare coverage or insurance coverage, no attempts to reduce healthcare costs or the rate of inflation. This bill allows insurance to charge older people more while, at the same time, reducing the subsidies for many of those very same people. The bill was presented without any indication of how it will affect our budget or how many people will be kicked off their insurance under this plan.

This bill does not address the barriers that prevent working class and middle class people from accessing and securing health insurance. In fact, the bill would likely put health insurance out of reach for millions of Americans who are in the working and middle classes.

Madam Speaker, to earn the label "American," a bill had better be exceptional. The American Health Care Act is a lot of things, but exceptional is not one of them. People like Sherry are exceptional. Let's put Sherry and people in her circumstances first.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 39 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: God of the universe, we give You thanks for giving us another day.

We ask Your blessing upon us this day. During these days, the American people can see the difficulties of legislating for this great Nation of ours. Disagreements between and within parties emerge when important and sweeping laws are being considered.

So also the push and pull of local, State, and national governmental interests and responsibilities can be seen to contribute to the enormity of our way of government. Be it health care or immigration, the wisdom of our Founders can perhaps be seen in their designing a governmental process that is difficult, resistant to hasty solutions, and demanding of those who engage.

May the American people be patient with and supportive of this process, and may the Members of this House, especially, merit the trust of their constituents, those who voted for them and those who did not.

And may all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Georgia (Mr. WOODALL) come forward and lead the House in the Pledge of Allegiance.

Mr. WOODALL led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

AMERICAN HEALTH CARE ACT

(Mr. COLLINS of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COLLINS of Georgia. Mr. Speaker, I rise today in gratitude—yes, gratitude—for the opportunity that we have to serve the American people and by beginning the process of repealing and replacing ObamaCare.

As Republicans, we understand that even \$1 trillion in new taxes—as the Affordable Care Act dropped on our friends and families—cannot save a healthcare system that is based on government interference and overreach. We as conservatives defend compassion, fairness, and freedom. These values are mutually inclusive, and I submit the American Health Care Act is a case study in their application.

As insurance markets contract and healthcare options for Americans evaporate across the country, Medicaid continues to give more Federal dollars toward able-bodied Americans than toward the elderly and disabled neighbors that the program was designed to help.

ObamaCare has ushered in a brave new world of diminished health care and skyrocketing costs, and we cannot let these directives stand. Republicans are protecting our most vulnerable neighbors by putting conservative principles back in place. Limiting government, thoughtful budgets for Federal programs, free markets, and choices are the best medicine we have to bring relief to struggling Americans, and we are here to deliver.

AMERICAN HEALTH CARE ACT

(Mr. COHEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COHEN. Mr. Speaker, the Republicans have introduced their healthcare plan. The President said it would be better and more cost effective than the Affordable Care Act and it would offer insurance to everybody.

Well, if you believe that, you believe the President has got a secret plan to defeat ISIS which he was going to give us within 30 days, that there were thousands of Muslims in New Jersey cheering 9/11, and that President Obama was born in Kenya. It is not true.

What the plan they have introduced is is something that will give the wealthy unbelievable tax breaks. The 400 wealthiest people in America will get tax breaks of \$7 million apiece; and the Americans who earn \$200,000 a year or less will get none of those breaks, but they will pay more for their insurance and get less for it.

The fact is property taxes will go up as less and less people are covered by insurance and they go to emergency rooms for primary care; and as hospitals give more uncompensated care, they have to raise your insurance rates in public hospitals and raise your property taxes.

The American Hospital Association has come out against this. The American Medical Association has come out

against this. Next thing you know, the people living the lifestyles of the rich and famous at Mar-a-Lago will come out against it.

PEACE CORPS VOLUNTEERS

(Mr. POE of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE of Texas. Mr. Speaker, Elizabeth Oddy returned from east Africa after spending 2½ years as a Peace Corps volunteer. Before returning home, she was examined by a Peace Corps physician. She was deemed healthy and okay to come back to America.

Two days after coming home, Elizabeth went to her doctor for a regular checkup where she was diagnosed with a life-threatening illness. She had stage I thyroid cancer. Her Peace Corps insurance ended the next day.

Peace Corps volunteers often have severe health problems upon their return from abroad. Health issues that are a direct result of serving in the Peace Corps should be covered by the Peace Corps.

Volunteers like Elizabeth are the spirit of humanitarian assistance. It is our responsibility to ensure they are properly cared for both at home and abroad.

My bill, the Sam Farr Peace Corps Enhancement Act, improves health care for all current volunteers and returned Peace Corps volunteers that contract illnesses during their service. We must continue providing support for our American angels abroad.

And that is just the way it is.

AMERICAN HEALTH CARE ACT

(Mr. LANGEVIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LANGEVIN. Mr. Speaker, I am deeply troubled and disappointed that Republicans have chosen to move forward with their plans to dismantle the Affordable Care Act rather than working in a bipartisan fashion to improve this landmark legislation.

Republicans have had 7 years to work across the aisle to find solutions. Instead, they have chosen to ignore the ACA's success in pursuit of their single-minded focus on gutting the law. They have voted over 60 times to repeal the ACA. Could not even one of those votes have been to try to improve it if they saw these shortcomings?

Mr. Speaker, the ACA expanded healthcare access to over 100,000 Rhode Islanders and 20 million people nationwide who otherwise did not have health insurance. Unfortunately, the Republican proposal jeopardizes the comprehensive, affordable, quality coverage Americans received under the ACA.

Mr. Speaker, the Republican plan will lead to higher costs and less accessible coverage, and it will strain, not strengthen, our healthcare system. Their plan disproportionately harms seniors, people with disabilities, and those who rely on Medicaid.

I have long said, Mr. Speaker, that the ACA isn't perfect, but it is an important first step toward fulfilling our Nation's promise of compassion and opportunity because health care is a necessity. It is something that is a right, not a privilege. Unfortunately, the Republicans' American Health Care Act will break this fundamental promise by undermining the healthcare coverage of millions.

AMERICAN HEALTH CARE ACT

(Mr. WOODALL asked and was given permission to address the House for 1 minute.)

Mr. WOODALL. Mr. Speaker, I rarely come down during the 1-minute time of the day, and I am glad I came down this morning for Father Conroy's prayer because there really is a lot of anxiety in this country as it relates to health care. Every family in this country has health care on their mind.

The gentleman from Rhode Island is exactly right. We have an opportunity to work together to fix it because we all know the ObamaCare system is failing. That is why we talk about how to fix it because we know that it is failing.

President Trump said on Monday that the Republican alternative is now open for review and negotiation. He didn't say take it or leave it. He didn't say pass it before you can read it. He said open for review and negotiation.

I challenge my colleagues to think about our opportunity to serve not just one constituent, but all of our constituents. Think about our opportunity to come together and put this healthcare discord behind us for a generation.

I thank Father Conroy for that admonition this morning. I hope we will rise to that challenge.

EPA PUGET SOUND BUDGET CUTS

(Ms. JAYAPAL asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JAYAPAL. Mr. Speaker, I strongly oppose potential deep cuts to the Environmental Protection Agency.

According to many recent press reports, the EPA budget to restore our critical Puget Sound in my home State of Washington is facing a 93 percent cut. What is worse is the EPA, overall, is potentially facing a 25 percent budget cut, resulting in a loss of 15,000 jobs.

Let us be clear that the EPA is the entity that ensures clean air, clean water, and strong human health. Be-

cause of the EPA's work on accountability and oversight of strong environmental regulations, we have seen progress on pollution mitigation, shoreline restoration, water treatment, and education projects that are aimed at protecting our sound and our environment.

This administration's cuts will be devastating to our environment. By signing an executive order to move forward on Keystone and the DAPL pipeline, appointing Scott Pruitt to lead the EPA, and rolling back environmental regulations, we are showing overt hostility to protecting our environment.

We need to be investing in our environment and not slashing it, and we need to make sure that we restore our environment and preserve it for our future generations.

NORWICH BOYS BASKETBALL SECTION 4 CHAMPIONS

(Ms. TENNEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. TENNEY. Mr. Speaker, today I am honored to rise and recognize and congratulate the new Section 4, Class B boys' basketball champions, the Norwich Purple Tornadoes. The hard work, dedication, and sportsmanship of these young men helped lead their team to claim the Section 4 victory for the second year in a row.

In the game against the Waverly Wolverines, senior forward Chris Jeffrey scored 17 hard-fought points, taking Norwich into the second half leading 18-17. In the final half, Norwich took the court by storm to claim the title of Section 4 champion with a final score of 49-35.

On behalf of the 22nd District, congratulations to Norwich and Coach Brian Collier on an outstanding win. We wish you luck in the State quarter-final on March 11 against the Section 3 champions.

INTERNATIONAL WOMEN'S DAY AND A DAY WITHOUT A WOMAN

(Mrs. BEATTY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BEATTY. Mr. Speaker, I rise today in support of International Women's Day and to join the countless women across this Nation in participating today and, yes, dressed in red to celebrate our achievements of women across the world in many fields.

I stand with the women today to highlight the economic injustices women face: unequal pay, unpaid leave, gender discrimination, and the list goes on. Oh, yes, to repeal the Affordable Care Act.

Women are the primary breadwinners. Six out of 10 American women

are paid only 80 cents on the dollar, and for women of color like me, 64 cents.

But today it is so important for us to say we are faced with the dangerous and irresponsible repeal of the Affordable Care Act, which will once again make being a female a preexisting condition and take away access to free preventative services like mammograms and cervical cancer screening.

You should ask yourself: Why are they doing this markup without hearings? You should ask yourself: Why should families pay more? Why should those with disabilities and preexisting conditions pay more? Why should billionaires benefit more?

Stand with us women on International Women's Day.

□ 1215

INTERNATIONAL WOMEN'S DAY

(Mrs. BUSTOS asked and was given permission to address the House for 1 minute.)

Mrs. BUSTOS. Mr. Speaker, it is an honor to join so many of my women Members of Congress to recognize and celebrate International Women's Day. In my lifetime, women have made so much progress, but our journey toward full equality still has so far to go.

More than five decades ago, a half a century, we began the work to achieve equality in the workplace when President John F. Kennedy signed the Equal Pay Act. We took another important step forward when President Obama signed his first bill into law, the Lilly Ledbetter Fair Pay Act. Even with those laws, women in my congressional district still only make 72 cents on a man's dollar. For women of color, the wage gap is even worse, 63 cents for African-American women and 54 cents for Latinas.

When you consider that women make up almost half of the workforce, and women are either the sole or primary breadwinner in 40 percent of the homes, this isn't just a women's issue; it is a family issue. This is why we must pass the Paycheck Fairness Act to give every woman additional tools to fight for equal pay they earn on each and every payday.

In a country as great as ours, we must guarantee that our daughters have the same opportunity to earn a fair and equal wage.

STEPHANIE CHANEY AND THE ACA

(Ms. CLARK of Massachusetts asked and was given permission to address the House for 1 minute.)

Ms. CLARK of Massachusetts. Mr. Speaker, well, here we are, on International Women's Day, 7 years from when we started the Affordable Care Act, 60 votes to repeal behind us, and yet only this week we have had the big

reveal of what the plan will be for replacement. What are we seeing? We don't have any cost information, but we know we are going to protect wealthy insurance executives, and we know that an estimated 15 to 20 million Americans will have their health insurance ripped away from them.

Let me introduce you to one who is concerned about her ongoing coverage. Her name is Stephanie Chaney, and she is from my district in Framingham, Massachusetts. She is a recent grad student at Lesley University, where she studied to be a clinical counselor and dance therapist. She was diagnosed with a rare and extremely painful joint disease, and because of the ACA, she got the treatment she needed.

Because she was a student and not employed, the healthcare law and the changes we make are going to have a direct impact on her life. She worries that if she cannot find another affordable plan, she will have to start over again. Let's think of her and do the right thing by Americans with their health care.

DEFENSE SPENDING IS IMPORTANT

(Ms. ROSEN asked and was given permission to address the House for 1 minute.)

Ms. ROSEN. Mr. Speaker, as a member of the House Committee on Armed Services, I rise to voice my full support for the fiscal year 2017 Defense Appropriations bill. This legislation supports our Armed Forces by helping pay our troops and provide care for our men and women in uniform and their families, and it gives our military the resources necessary to combat terrorism, deter our adversaries, and support our allies.

The Defense Appropriations bill includes a 2.1 percent pay raise for our servicemen and -women, which will help our military families like those who are currently struggling in Nevada to make ends meet.

One of the most important investments proposed is increasing our military readiness, which helps strengthen our national security. The legislation fully funds troop number increases authorized and provides an additional \$6.8 billion in procurement spending. This is especially important for helping modernize our Armed Forces by fulfilling unmet requirements for additional ships, weapons, and aircraft, such as the F-35 Joint Strike Fighters at Nellis Air Force Base and unmanned aerial vehicles flying counter-ISIL operations missions from Creech Air Force Base.

Finally, the NDAA helps support programs that strengthen relations with our allies. I urge my colleagues to pass this important legislation.

TODAY WE RAISE OUR VOICES

(Ms. FRANKEL of Florida asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. FRANKEL of Florida. Mr. Speaker, today is International Women's Day, a day without women. I am going to join millions of women in recognizing the important economic power of women in the United States and around the globe.

In a few minutes, I will exit this Chamber with colleagues to show solidarity with our sisters, who are staying away from normal duties and mainstream commerce to call attention to the inequities that women and gender nonconforming people continue to face. We are wearing red to signify our love for our sisterhood and our passionate energy to pursue measures that will advance the lives of women and families, such as equal pay, paid family leave, quality affordable child care, access to Federal health care, and freedom from violence.

In Congress, Democrats will resist efforts to take us back from hard-earned gains, standing strong against the unrelenting attempts by Republicans to repeal the Affordable Care Act, defund Planned Parenthood, and block access to full reproductive care. In the words of the Women's March, today we raise our voices to say that women's rights are human rights, regardless of a woman's race, ethnicity, religion, immigration status, and so forth. When women succeed, the world succeeds.

OPPOSING REPEAL OF THE ACA

(Mr. PANETTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PANETTA. Mr. Speaker, I rise today in opposition of the plan to repeal the ACA. A recent analysis of this plan concludes that 10 million people would lose their health insurance. That is mainly due to the fact that the plan would stop Medicaid expansion and shorten the Medicare trust fund.

Many people in my district would be affected by this plan. 68,000 of my constituents are covered by the Medicaid expansion, 23,000 constituents receive assistance to afford health insurance through the exchange. If the ACA is repealed and the new plan implemented, thousands of my constituents, my neighbors, and my friends would lose their coverage.

But don't just take my word for it or my constituents' word for it. Let's ask the nonpartisan Congressional Budget Office to look at the plan carefully and to give a report as to who and how many people it will affect. If you are going to take on something that affects so many Americans, then America deserves to know how our health care and our lives will be impacted by your plan.

INTERNATIONAL WOMEN'S DAY STRIKE

(Ms. LEE asked and was given permission to address the House for 1 minute.)

Ms. LEE. Mr. Speaker, I rise today in strong support of International Women's Day, A Day Without a Woman strike. Today we are here and are joined by many of our sisters around the Nation to declare, once and for all, that women's rights are human rights. We are here to stand in solidarity with women across the country to send a clear message: We will not rest until we create a society where all women—all women—have equal rights under the law.

We are resisting and letting President Trump and the Republicans know that we will not go back. We stand with the millions around the Nation who have walked out today, and today we are walking out for them. We are raising our voices for the millions of women who can't because they might get fired or because they can't afford to lose their meager wages.

I encourage all of my Democratic colleagues to join us, along with Leader PELOSI, the Democratic Women's Working Group, Congresswoman KATHERINE CLARK, and so many others, for a walkout following these 1 minutes and attend the press conference on the House steps right outside in solidarity and in honor of all of the women in the world who are marching today and striking today for equal rights.

PROTECT THE RIGHTS OF WOMEN

(Ms. MICHELLE LUJAN GRISHAM of New Mexico asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, it is ironic today that we are celebrating the international success and celebration of women when we are also working to repeal affordable quality health care for women and families.

I am reminded, in fact, of my own mother, who fought during a time in the 1960s and 1970s to ensure that my sister, who was very sick and disabled, would have access to a quality public education and also to affordable health care. Quite frankly, it was not available. My mother and father were financially destitute. Today, as a result of trying to provide that health care, I am my mother's caregiver.

Today, I am reminded of all of the women primarily—49 million of us—providing more than \$500 billion worth of long-term care and caregiving support to our families, that this is a day to really celebrate that leadership, that support, and the efforts made by women. Congress, as a body, should do much, much more to preserve and protect those rights of women and their families all across America.

PROVIDING FOR CONSIDERATION OF H.R. 1301, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2017

Ms. CHENEY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 174 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 174

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 1301) making appropriations for the Department of Defense for the fiscal year ending September 30, 2017, and for other purposes. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations; and (2) one motion to recommit.

SEC. 2. The chair of the Committee on Appropriations may insert in the Congressional Record not later than Wednesday, March 8, 2017, such material as he may deem explanatory of H.R. 1301.

The SPEAKER pro tempore (Mr. HILL). The gentlewoman from Wyoming is recognized for 1 hour.

Ms. CHENEY. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Ms. CHENEY. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Wyoming?

There was no objection.

Ms. CHENEY. Mr. Speaker, I rise in support of House Resolution 174, which provides a closed rule for consideration of H.R. 1301, the Department of Defense Appropriations Act for fiscal 2017. I would like to thank, in particular, Chairman FRELINGHUYSEN, Chairman GRANGER, and Ranking Member VISCLOSKEY for their hard and dedicated work on this bill.

Mr. Speaker, we have no higher obligation as elected representatives of the people of this great Republic than ensuring for the security and defense of our Nation. We are gathered here at a tremendous time of action and achievement across an array of crucial policy areas, regulatory relief for the citizens and businesses of our Nation, restoration of authority to our States and local communities, tax reform, ObamaCare repeal and replacement, and the list goes on.

President Trump is doing what he promised during his campaign, and it is an honor to serve the people of Wyoming at this historic moment. But, Mr. Speaker, it is no exaggeration to say that if we fail to provide the resources our military needs to defend our Nation, if we fail to do what is necessary to ensure America's Armed Forces remain superior to all others in the world, if we fail to provide the support our men and women in uniform need to recover from 8 years of devastating policies, nothing else we are doing in this body will matter.

Mr. Speaker, the need is urgent. As we meet today to debate the 2017 Defense appropriation, our Nation faces a more complex and grave threat environment than we have faced at anytime since World War II, and possibly, Mr. Speaker, more than at anytime in our history. For 8 years, our adversaries' strength has grown, while our relative capabilities have stagnated and, in some instances, declined.

□ 1230

North Korea continues its ballistic missile launches as it threatens our allies and interests.

The Iranian nuclear agreement has bought time for Iran to continue to advance its nuclear weapons program, as it reaps the windfall of at least \$1 trillion of U.S. taxpayer funds provided to it by the Obama administration. Iran continues to threaten U.S. naval vessels in the Strait of Hormuz, support terrorism across the Middle East, and test ballistic missiles despite its U.N. obligations.

China is rapidly building up its military, and it is targeting, in particular, technologies to try to level the playing field with our capabilities. It continues to threaten freedom of navigation and trade in the South China Sea, and to conduct cyber operations against the United States.

Russia has invaded Ukraine, threatens Eastern Europe and the Baltics, is violating INF Treaty obligations, and openly threatening the use of nuclear weapons.

Al-Qaida today exists in more countries than ever before, and ISIS continues to recruit and hold territory as it plans and launches attacks against the West.

Most of the actors I just mentioned are also responsible for cyber attacks against the United States.

Against this backdrop, Mr. Speaker, the U.S. military is vastly under-resourced. At a recent House Armed Services Committee hearing, the vice chief of staff of the Army told members that of the 58 brigade combat teams, only three are ready to "fight tonight." The vice chief of naval operations, Admiral William Moran, recently testified that more than half of all Navy aircraft are grounded due to maintenance issues and an inability to

acquire the necessary parts. Our nuclear force is aging, even as our adversaries continue to make advancements in their own nuclear forces and capabilities. Our Air Force is the oldest, smallest, and least ready it has ever been.

These stories and shortfalls, Mr. Speaker, exist across nearly every aspect of our military. America's fighting men and women are the greatest fighting force and the greatest force for good our world has ever known. They deserve the resources to do their job.

We have prevailed over great challenges in the past, from our unlikely and miraculous founding, through our Civil War, two world wars, the Cold War, and the early years of the war on terror. We must, Mr. Speaker, marshal our forces to do so again. To prevail, Congress—this Congress—must do its job.

That job begins with passing this 2017 Defense Appropriations bill. Then, Mr. Speaker, we must repeal the Budget Control Act and end sequestration. There is a rational and responsible way for us to undertake defense budgeting. The process in place today is neither.

The last time our military was able to assess the threats we face and then recommend the necessary funding levels to defeat those threats was fiscal year 2011, over 6 years ago. We must return to this standard budgeting process. In describing the effects of sequestration several years ago, our current Defense Secretary put it this way: "No foe in the field can wreak such havoc on our security as mindless sequestration is achieving today." We must end this practice with all speed.

This should not be a partisan issue, Mr. Speaker. It has not been in our past. Since World War II, every American President, Republican and Democrat alike, has understood the importance of American military superiority of ensuring a world in which America and our allies set the rules.

Threatened by the Nazis and the Japanese, Franklin Roosevelt and George C. Marshall knew America had to be the "arsenal of democracy." At the beginning of the Cold War, Harry Truman, Dwight Eisenhower, and John F. Kennedy roused the Nation to defeat freedom and liberty against communism. John F. Kennedy knew America had to be "the watchmen on the walls of freedom." In the 1980s, President Reagan oversaw the defense buildup we are still benefiting from today. He knew that "war comes not when the forces of freedom are strong, it is when they are weak that tyrants are tempted." And in the aftermath of 9/11, it was George Bush and Dick Cheney who kept us safe, who knew we could not win this war on defense, who understood we had to have a military strong and capable enough to deny terrorists the safe havens from which they plot and plan and launch attacks against our fellow citizens.

Mr. Speaker, now it is our turn. Across the globe, our adversaries challenge us, from China to North Korea, to Iran, to Russia; across the Middle East, in Syria, Iraq, and Afghanistan. Thirty-four years ago, Ronald Reagan described our duty at another time, against another enemy, this way:

It is up to us in our time to choose, and choose wisely, between the hard but necessary task of preserving peace and freedom, and the temptation to ignore our duty and blindly hope for the best while the enemies of freedom grow stronger day by day.

Mr. Speaker, we can no longer ignore our duty while our enemies grow stronger. We must take the first step today to begin rebuilding our military. H.R. 1301 is that first step. It increases defense spending, provides a full pay raise for our servicemen and -women, and begins to address our readiness shortfalls. This bill provides funds based on our military's priorities for fiscal year 2017 and gets us off the cycle of continuing resolutions, which are doing real damage to our readiness and capacity.

Therefore, I urge support for the rule to allow for consideration of H.R. 1301, and I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank the gentlewoman from Wyoming (Ms. CHENEY) for the customary 30 minutes.

Mr. Speaker, I want to express my appreciation to Defense Subcommittee Chairmen GRANGER and FRELINGHUYSEN, and Ranking Member VISCLOSKEY, for their hard work in bringing this bill to the House floor today. The Defense Subcommittee is known for its ability to work in a bipartisan manner, and this bill demonstrates that this tradition continues.

Last year, the House approved its version of the FY 2017 Defense Appropriations bill. It was a deeply flawed bill filled with funding gimmicks, including a funding cliff that cut off funding for the war budget in order to boost base defense spending by \$18 billion. The Senate version of the Defense Appropriations bill did not contain such gimmicks and was marked up by the Senate Defense Subcommittee, the full committee, and reported out of the Senate Appropriations Committee, but it never went to the Senate floor for consideration.

The FY 2017 Defense Appropriations bill that the House will consider later today is not, therefore, a conference report. It is being treated as if it were a conference report, namely by having a closed rule, but let us be perfectly clear that this is not a conference report.

Let me also be clear, Mr. Speaker, that we could have had this type of final bill come before us last December, just as we could have brought up all of the pending FY 2017 appropriations bills before the House last December for final action. Instead, Republican

leadership chose to keep nearly the entire Federal Government, including the Pentagon, operating at FY 2016 levels without any clarity about what their annual budgets might be.

So when we hear talk about problems with military readiness or shortfalls in defense budgets, I suggest the Republican leadership hold a mirror up to their faces and take some responsibility.

This bill is 5 months late. It could also have been taken care of 3 months ago in December, and, in fact, it should have been taken care of in December. It is now making its way through another convoluted process today. But we still have no idea about the fate of the other pending ten appropriations bills that the Republican leadership failed to complete last December.

And I say convoluted, Mr. Speaker, because when the House votes on H.R. 1301 today, it still needs to go back to the Senate, and we really have no idea what they are going to do with it. Are they going to pass it without any changes and send it to the President for signature? Or are they going to use it as a vehicle to attach the other ten appropriations bills and send it back to us as the FY 2017 omnibus that we should have completed in December? Perhaps they might consider holding on to it until the President gets around to sending Congress his request for the FY 2017 supplemental so that we finally know how much Congress is actually being asked to approve for Pentagon spending in FY 2017?

So hold on to your hats because we are not done today with the defense spending bills for fiscal year 2017, one way or the other.

Mr. Speaker, I know that everyone in this House wants to make sure that our men and women in uniform are well staffed, trained, and equipped to carry out the missions and duties that we have asked them to carry out. In these areas, in particular, there is much to recommend in this latest version of the FY 2017 defense bill. The same is true for the funding included in H.R. 1301 for suicide prevention, sexual assault, and medical research.

I would also like to point out that H.R. 1301 totals \$577.9 billion. This includes \$516.1 billion in the base bill and \$61.8 billion in the overseas contingency operations account to fund the many wars in which we are engaged. Coupled with the \$5.8 billion FY 2017 supplemental Congress approved last year, total defense spending for FY 2017 currently stands at \$583.7 billion; and that is before we receive still another FY 2017 supplemental from the President.

Mr. Speaker, that is well over half a trillion dollars for the Pentagon, more than the combined total military spending of the next seven greatest military powers in the world. So for those who bemoan how underfunded

the Pentagon is, I would argue it is more a matter of failing to set priorities and tens, if not hundreds, of billions of dollars of waste, fraud, and abuse. Every report on every attempted audit of the Defense Department reveals that the Pentagon doesn't have a clue about where the money goes. Billions and billions of dollars cannot be accounted for. No other agency in the U.S. Government gets so much money or is allowed such sloppy accounting, yet the White House and the Congress can't wait to throw even more billions at the Pentagon, rather than demanding accountability and setting clear spending priorities.

There are also other matters of concern with this bill, Mr. Speaker. H.R. 1301 not only continues, but adds to the prohibitions regarding the detention facility at Guantanamo. This is all an effort to prevent Guantanamo from shutting down, which hurts America's ability to do human rights work around the world and remains a stain on our own values and ideals.

This bill continues to spend billions of dollars on the insane trillion-dollar effort to modernize and produce new generations of nuclear weapons when what we should be doing is continuing to reduce our nuclear arsenal and enter hard negotiations with other nations that have nuclear weapons to eliminate them altogether.

Finally, H.R. 1301 continues to provide so-called emergency funding through the OCO account to continue wars in Iraq, Syria, Yemen, and elsewhere. These wars are hardly unexpected or an emergency and should, therefore, be fully incorporated into the base budget for the Pentagon. They are also wars for which Congress has not debated or approved any authorization for the use of military force.

We do not have an AUMF to deploy our military forces against the Islamic State, yet we have deployed military forces in the air, at sea, and on the ground in Iraq, in Syria, and elsewhere in the region.

We do not have an AUMF to deploy our military forces in the civil war in Yemen, yet we have deployed them to Yemen where one of our Navy SEALs was killed in combat and several others wounded in January.

The Republican leadership continues to fail at its constitutional responsibilities by not bringing any AUMF before the House for consideration, despite promises to do so. So here we are in the 115th Congress, following in the failed footsteps of the 113th and 114th Congresses, getting ready to vote on tens of billions of dollars for wars that Congress has failed to authorize.

I am proud of the courage demonstrated every single day by our men and women in uniform. I wish I could say the same thing about Congress and this House.

Finally, Mr. Speaker, while I am glad that at least one of the pending appro-

priations bills is going to see some action today, I wonder about the fate of the other ten.

When will we see those bills, Mr. Speaker?

In fact, speaking of urgent pending matters, when will we see a jobs bill?

□ 1245

When are we going to see legislation to repair and modernize America's infrastructure? Will extra funds be included in the fiscal year 2017 Transportation—HUD Appropriations bill, in the Energy and Water Appropriations bill, in the Interior Appropriations bill for similar improvements on Federal lands?

We have all read about the replacement proposed by the Republican leadership for the Affordable Care Act, and correct me if I'm wrong, Mr. Speaker, but I am having trouble remembering how many hearings were held on that proposal so that Congress could benefit from experts in the healthcare field about whether this replacement bill will provide health care to even more Americans at less cost than the ACA. Oh, that is right, Mr. Speaker. The proposal is being marked up today without any hearings or expert testimony whatsoever.

Especially for the new Members of this body, it is important to remember that, when the Democrats drafted the Affordable Care Act, there were dozens of hearings and 30 days prenotification before Energy and Commerce held its markup, a markup that continued over many days. And then the bill, as reported out of committee, was posted for over 2 months online before coming before the full House for debate on amendments and final passage.

Quite frankly, Mr. Speaker, if a replacement bill to the ACA is not able to make sure that more Americans have health insurance at a lower cost, then what is the point other than politics?

We don't need to see any bill that covers fewer people and forces workers, families, and individuals to pay even more for their healthcare coverage and get even less in terms of healthcare protections. In fact, Mr. Speaker, the Republican replacement bill is being marked up in committee without a score by the Congressional Budget Office; and without a CBO score, then no one in this Chamber, in this city, in this Nation has any idea, has any clue how much this replacement bill will cost the taxpayer, let alone who will benefit and who will suffer under its provisions.

That is simply a scandal, Mr. Speaker, completely unacceptable. It is a cruel joke on American families, American workers, and the States, local communities, hospitals, doctors, nurses, and healthcare providers who will have to struggle with the consequences of people losing their health insurance.

Mr. Speaker, let's see America's priorities taken care of: a jobs bill, an infrastructure bill. Let's make sure we don't weaken healthcare protections for people in this country, and let's see all of the FY 2017 appropriations bills come before the House in the next few days so that we can complete the work that should have been done last December.

Mr. Speaker, I reserve the balance of my time.

Ms. CHENEY. Mr. Speaker, I yield 5 minutes to the gentleman from Oklahoma (Mr. COLE), the vice chairman of the Rules Committee.

Mr. COLE. Mr. Speaker, I want to thank the gentlewoman for yielding, and, frankly, I want to thank her for taking on this rule and the role she plays in this House. She came to Congress with an extraordinary expertise in national security, probably unsurpassed by any new Member. So she is not only a valuable member of the Rules Committee, she is an important voice for the security of the United States of America in a very dangerous era.

Before I begin, I want to actually agree with my friend from Massachusetts on a couple of very important points that he made. First, I want to agree with him that this should have been done earlier. My friend is exactly right about this. This could have been done, in my view, in November and December. We should have gotten it done then. We would have avoided a lot of problems that come with a continuing resolution.

I am very pleased that we are moving it now, but earlier would have been better, no question about it. And that is true with every other bill, and my friend made that point as well. We really should make sure that each of the appropriations bills are passed. All of the problems associated with the continuing resolution are so evident for our military, are evident, frankly, in every other department. So I would hope my leadership continues to do what they are doing today and that is move these bills forward.

My friend is also right, in my opinion, about the authorization of the use of military force. This is something we have agreed on, even when we disagree on other things. This is a congressional responsibility. The President has announced he is going to announce a new strategy going forward on ISIS. I would suggest to my side of the aisle and to the administration, now would be a great time to come to the Congress so we could have this robust debate on deploying and using our military and discharge our constitutional responsibilities.

I am less persuaded by my friend's arguments about the spending levels here. I just point out for the record this is well below what former Secretary of Defense Gates, when he was

Secretary in the Obama administration, recommended we should be doing at this time. Frankly, that is because the last administration dropped the ball and simply didn't listen to its own experts as to what the appropriate level of our forces should be.

The underlying legislation here is an excellent bill. My friends have already talked about it in detail. I am going to take a 30,000-foot look at the bill and remind our listeners and our colleagues, there are three important objectives that this bill achieves:

The first is stopping the erosion in end strength, something that went on for years under the last administration that somehow thought we would be safer if our military got smaller. That was a bad assumption.

The second is to restart the procurement cycle. We have fallen far, far behind what we should be doing in terms of replacing, upgrading, and improving the weapons systems and the communication systems, every system that we move into war with and that we ask our men and women to use.

And finally, this actually begins to address a problem that my friend from Wyoming discussed in great detail: readiness. We simply are not ready now to fight with the effectiveness. Now, I don't have any doubt, if we had to deploy massively, that our forces would do well and they would win, but a lot of people would die because they hadn't had the appropriate training, the appropriate time on task to get ready.

The other great objective that this bill meets is that we finally match up spending with the authorization. Last year, we had an excellent authorization bill out of the House Armed Services Committee. Unfortunately, that doesn't get you very far if the money doesn't match the policies and the recommendations that they advanced. This now takes care of that problem.

I also remind our colleagues that passing this bill is only a first step. As my friend from Wyoming pointed out, we are going to need a supplemental later this year, just for this year. We are going to need a robust increase in the fiscal year 2018 authorization and appropriation, something that the President has committed to and something I hope we can advance on a bipartisan basis.

Finally, again, as my friend pointed out, real military buildups take years, not months and weeks. We are going to have to be at this task for several years to restore and strengthen, frankly, what we allowed to decline, what the last administration allowed to decline over several years.

So this is an extraordinary first step, but it is only a first step; and I would hope my colleagues would join us on a bipartisan basis, while we have differences, but come together and put the defense of the country in a very dangerous time ahead of all else that we do.

Mr. Speaker, I urge the adoption of the bill and the underlying legislation, and I urge the passage of the rule.

Again, I want to thank my friend from Wyoming. I want to thank my friend from Massachusetts. We sometimes disagree, but he makes very valuable and very important points in some of the critiques he offers, and I hope that we heed them well.

With that, again, Mr. Speaker, I urge the passage of the underlying legislation and the adoption of the rule.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

I want to thank the gentleman from Oklahoma for his kind words and for understanding that it is inappropriate for Congress to continue these wars without having a vote on an AUMF. I hope that that changes, but I appreciate his support, and there is bipartisan support for having this body actually do its job. That shouldn't be a radical idea, but, unfortunately, nowadays, doing our job seems to be something that a lot of people don't want to do.

Mr. Speaker, at the very beginning of the year, the Republican majority adopted a rule to explicitly exempt the cost of any bill that repeals or amends the Affordable Care Act from a requirement that it not increase spending by \$5 billion. They effectively adopted a legislative blindfold to completely ignore the cost of repeal.

Let me show you the poster of the language, and I am happy to provide this to my colleagues on the Republican side. I will even give you my bifocals if you want to read it, because I think it is important that people understand what it says. It says:

Point of order: It shall not be in order to consider any bill that would cause a net increase in direct spending in excess of \$5 billion.

Limitation: This subsection shall not apply to any bill repealing the Patient Protection and Affordable Care Act.

Mr. Speaker, as you can see, with this act, the majority declared that they were not going to let the rules of this House, which are purportedly in place to ensure fiscal discipline, stand in the way of repealing the Affordable Care Act no matter how much it would cost American families.

But, Mr. Speaker, it gets even worse. As we stand here today, Republicans have taken their head-in-the-sand approach to the Affordable Care Act to a new low. Right now, both the Energy and Commerce and Ways and Means Committees are considering Republican legislation to repeal healthcare reform without providing any analysis from the nonpartisan experts at the Congressional Budget Office on the cost of their legislation.

So let me put this another way. Earlier this year, the Republicans said: It does not matter how much it will cost to take health care away from millions

of Americans. Now they are saying they don't even want to know how much it will cost or what impact it will have on American families.

Mr. Speaker, we have over 200 employees at the Congressional Budget Office. That office costs nearly \$50 million a year. We pay them to advise us precisely at times like this. Republicans have talked about repeal and replace for 7 years. Acting like they had not enough time to weigh the cost of their actions would be laughable if it were not so irresponsible.

Now, we Democrats care about health care and we care about costs and we demand to know what the impact of this repeal bill will be. Members should not be asked to vote on this legislation until they know the full weight of their decision.

Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule that would require a CBO cost estimate to be made publicly available before any legislation that amends or repeals the Affordable Care Act may be considered in the Energy and Commerce or Ways and Means Committee or on the House floor.

Mr. Speaker, I ask unanimous consent to insert the text of that amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

The SPEAKER pro tempore (Mr. AUSTIN SCOTT of Georgia). Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MCGOVERN. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from California (Mr. KHANNA), who has been a leader on this issue, and he will explain this even further.

Mr. KHANNA. Mr. Speaker, I thank the gentleman from Massachusetts for yielding time.

The issue before us is far more basic than one's view on the Affordable Care Act. I recognize that there is a philosophical difference about the Affordable Care Act: on our side of the aisle, we think it is good legislation; on the opposite side of the aisle, they have concerns. But the issue is whether the American people, whether taxpayers, ought to know the cost of the repeal legislation, whether they have the right to know how much a legislation introduced in this House costs.

Now, here is the irony: the Speaker of the House, the distinguished gentleman from Wisconsin, made his entire career demanding that we know numbers behind legislation. That was his mantra in his time of service in the House.

You talk to Doug Elmendorf, who was the former Congressional Budget Office Director, and he said that the one thing he respected about the Speaker is that he would actually insist on the numbers, that he would want to know how much we are adding

to a \$20 trillion deficit. That is why it is incomprehensible to me that, in this Congress, under this Speaker, we would ever be asked to vote on legislation without knowing the financial impact of that legislation.

These are basic issues:

How much is the repeal legislation going to add to our deficit?

How much is it going to finance tax cuts for the wealthy?

How many people will it leave out of insurance or how many people would it add to insurance?

There just ought to be a transparent discussion.

Now, it is not just Democrats who want this transparent discussion; actually, a Republican, the gentleman from Ohio, a founder of the Freedom Caucus, has expressed similar concerns. He has expressed concerns that this repeal legislation will balloon the deficit and explode the deficit, and he wants to know the numbers.

We can have as much respectful disagreement about how to cover people and whether the Affordable Care Act is a good piece of legislation or not, but what we should not be debating is the public's right to transparency. That is why I urge my colleagues to reject the previous question so that we can hold an immediate vote on requiring the Congressional Budget Office to score the repeal legislation and provide the American people with the basic financial costs of the legislation.

□ 1300

Ms. CHENEY. Mr. Speaker, I yield myself such time as I may consume.

What is incomprehensible to me is that our colleagues on the other side of the aisle seem so fundamentally confused about what the actual issue before us today is. The issue before us today is whether or not this House is going to undertake its fundamental, most important, most sacred obligation under our Constitution and provide for the defense of this Nation.

Now, they can choose to dedicate their time to another very important topic. It is a hugely important topic and one that we will have many days to debate and discuss on this floor. Unlike under the previous leadership, Speaker PELOSI, our leadership, Speaker RYAN, has not told us we have to pass the bill before we know what is in it.

Today, the issue before us in this House is whether or not we are going to provide for the defense of this Nation.

Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. GAETZ).

Mr. GAETZ. Mr. Speaker, I am so grateful that our colleagues across the aisle have become so interested in the impact of the national debt on the American people. I only wish that, during their time in control of the White House, we had not doubled the national debt.

I am similarly grateful that Members on the other side of the aisle would say that we should know the impact of legislation before we vote for it because, after all, it was former Speaker PELOSI who said: Let's vote for it so that we know what is in the Affordable Care Act.

Mr. Speaker, I rise today because following an 8-year cycle of abandonment, it is time we do right by our military members and their families. I rise in support of the brave warriors stationed at Eglin Air Force Base, Naval Air Station Pensacola, and all across the globe. The 2.1 percent pay raise we provide in this appropriation is a modest downpayment on what is owed to those who put themselves in harm's way for our freedom.

Our current state of military readiness is not acceptable. Half of the planes in our Navy cannot fly. Pilots are leaving. Marines are harvesting parts out of museums. Soldiers downrange don't have the unrivaled equipment they need to match their unrivaled patriotism.

This \$583 billion appropriation is a first step. It means 74 new F-35 aircraft. The F-35 is the most capable aircraft in the sky. Pilots have greater survivability in the F-35. This matters so much to me. In my district, we are training the next generation of F-35 pilots to fight and win against any enemy we encounter in the skies.

This legislation also reflects our values by investing in cancer research and traumatic brain injury research.

Now, some say we cannot focus on defense; we should focus on other domestic priorities. I would simply say our adversaries are not waiting. Our warfighters and military families are tired of waiting and so am I.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

I appreciated the gentleman from Florida's comments, but I would just ask him: Why is the Republican leadership 5 months late in bringing a defense appropriations bill to the floor?

We could have done this months ago. So if there was this urgency, it seems to escape the Republican leadership.

I want to take issue with the gentleman from Wyoming when she says that what is important today and what we are debating today is only this Defense Appropriations bill.

As you know, we are currently debating the rule, and the rule is a tool used to set the House agenda and to prioritize consideration of legislation. For that very reason, this is, in fact, the appropriate time for us to explain to the American people what legislation we would like to prioritize, what is of grave concern to us, and what agenda we would like to pursue in this House.

The fact of the matter is that, as we are speaking, the House Ways and Means Committee and the Energy and

Commerce Committee are marking up TrumpCare, which we know, in all likelihood, is going to result in millions of Americans losing their health insurance. We also are concerned that it is going to cost the American taxpayer a boatload of money.

What we are simply saying here today is that the Congressional Budget Office, which we fund and we rely on, ought to be able to give us a cost estimate, ought to tell us how much this is going to add to our deficit, how much it is going to cost the American people, how many people are going to lose their health care.

Why in the world would you rush a major piece of legislation through committee and onto the floor without even knowing what you are talking about?

I mean, this process constitutes mindless legislating. This is not doing your job, and that is all we are requesting.

We can argue over whether or not you like the Affordable Care Act or you don't. But whatever you are going to do, we ought to bring it to the floor with everybody's eyes wide open and knowing what the impacts are going to be.

Talk about lack of transparency, this TrumpCare bill was under lock and key until just a couple of days ago. It was the best-kept secret in the world. For 7 years, my friends have been talking about a replacement bill. No one ever saw it. But all of a sudden, it is brought out before the American people at a press conference and, again, in a way that doesn't answer a lot of questions. It is being rushed through committee, and it is going to be rushed onto the House floor. That is not a good process.

I will remind my colleagues that when the Affordable Care Act was considered here in the House, the House held 79 bipartisan hearings and markups on the health insurance reform in 2009 and 2010. You have held no hearings. None. There has been no expert testimony, no healthcare professionals, no doctors, no patients, no nurses, no families, nothing. There have been no hearings. The bill went right to markup.

House Members spent nearly 100 hours in hearings, heard from 181 witnesses from both sides of the aisle, considered 239 amendments, both Democratic and Republican, accepted 21 amendments. Again, there have been no hearings.

In markup, the Energy and Commerce Committee adopted 24 GOP amendments. In markup, the Education and the Workforce Committee adopted six GOP amendments. The original House bill was posted online for 30 days before the first committee began their markup and more than 100 days before the tricommittees formally introduced their merged bill in the House.

House Democrats posted their first House bill online for the promised 72-hour review. The Senate bill voted on in the House was online for 3 months, and the reconciliation bill was online for 72 hours of review before the final vote.

House Democrats heard and answered questions from constituents at more than 3,000 healthcare townhalls and public events. Tens of thousands of emails, calls, and letters were logged in congressional offices to register public comment. My friends are busy trying to avoid public town meetings.

I am just simply saying that we are raising this issue because we are deeply concerned about the prospect of millions of Americans losing health care and about you adding God knows what to our deficit. I don't think it is too much to come together in a bipartisan way to say: Let us know what the costs are going to be, let us know what the impacts are going to be. And if you still want to vote for TrumpCare, you can vote for it, but you ought to know what you are voting for.

Mr. Speaker, I reserve the balance of my time.

Ms. CHENEY. Mr. Speaker, I yield myself such time as I may consume.

I would say that not knowing what they are talking about is something with which our colleagues on the other side of the aisle are quite familiar. Accounts of public input really bear little relationship to what actually happened when ObamaCare itself was drafted in the dark of night.

Imagine what it must be like if you are tuning in to this conversation and this discussion thinking that the U.S. House of Representatives is taking up the rule to debate, discuss, and pass our FY17 Defense Appropriations. Instead, what we are hearing is a list of when bills were posted online—a list—which, as I said, bears little reality to what actually happened when ObamaCare was passed.

Now, those are hugely important issues. I am incredibly proud of the job we are doing as Republicans in this body to help save a collapsing healthcare system.

Mr. Speaker, I think there is no higher duty and obligation we have than to ensure that our military is second to none. No matter what kind of a job we do, as important as that is to repeal and replace ObamaCare, if we fail to address this fundamental issue and fail to provide the resources our military needs, nothing else we do in this body matters.

I believe, frankly, that my colleagues on the other side of the aisle owe our men and women in uniform, they owe the policymakers at the Pentagon, they owe those people who are serving this Nation the respect of talking about the resources they need to do their job and focusing on the true issue before us today.

Mr. Speaker, I yield 2 minutes to the gentleman from Colorado (Mr. LAMBORN).

Mr. LAMBORN. Mr. Speaker, I rise in support of the rule for H.R. 1301, which will fund our national defense for fiscal year 2017. This bill is a vital first step as we begin to work on rebuilding our military. The best way to look at defense spending over time is as a percentage of U.S. gross domestic product.

Since World War II, we have spent an average of 5 percent of our GDP on defense during peacetime. Despite a world that has gotten more dangerous, the defense drawdown in recent years cut defense spending from 5 percent of GDP to 3 percent of GDP. And in a \$17 trillion economy, that is real money.

Meanwhile, since Vietnam, we have spent an average of 21 percent of the Federal budget on defense. Today, we spend well below that, about 15 percent of the overall budget.

Things are so bad today—and I don't have time in 2 minutes to go into all the details—that we are actually at risk of losing more American lives than we should in the event of another war.

The next step is to pass a robust defense supplemental and then to fund defense for fiscal year 2018 at a minimum level of \$640 billion. Anything less will not keep Americans safe and will not allow us to rebuild our military as we desperately must do.

Congress must deal with sequestration. Trying to fund defense at BCA levels is like trying to put a size 10 foot into a size 7 shoe. It simply doesn't work and it is dangerous for our own security and it is dangerous for the world.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

I want to say to my colleagues on the other side: I know you don't like me talking about health care. If I were you, I wouldn't want to talk about health care either. This is a serious matter, and it is a matter of security for millions and millions of Americans in our country.

Again, maybe somebody over there can tell me: How much is this new TrumpCare bill going to cost? How much is it going to add to the deficit? How much are the American taxpayers going to have to pay for it? Does anyone know how many people will lose their coverage? Hello?

I guess I would ask the questions: Why do we have over 200 employees at the Congressional Budget Office, who we pay \$50 million a year to be able to give us these estimates, if we are not going to utilize them? Why are we doing this?

It seems to me that before we do something that could harm millions of people in this country, before we could do something that could result in an increase in our deficit, why don't we ask the experts? And we all acknowl-

edge that they are experts and we pay them lots of money. Why don't we get their advice?

This whole process seems backwards. You ought not to be marking up bills when you don't know what their impact is going to be.

Part of our job as Members of Congress, in addition to holding hearings and listening to experts and listening to citizens tell us their perspective—which, again, has been totally ignored in this process of the repeal of the healthcare bill—is also to make sure that when we are voting, we know what the impact is going to be, we know whether or not it is going to have a positive impact or whether it is going to have a negative impact.

Again, one of the reasons why I want to defeat the previous question is so that we can vote in a, hopefully, bipartisan way to get a CBO score so we know what is what.

I get it. I know my colleagues don't want to talk about health care. They would rather talk about something we should have done months ago. That is what we are doing now, we are doing old work now. This should have been done 4 or 5 months ago. I am just baffled why you don't want to do your job.

Mr. Speaker, I reserve the balance of my time.

Ms. CHENEY. Mr. Speaker, I yield myself such time as I may consume.

We on this side of the aisle are more than happy to talk about health care. We are more than happy to talk about the really crucial work that is underway to rescue our healthcare system from the collapse and the train wreck of ObamaCare, which my colleague's party put into place in the dark of night with no reading of the bill.

We are thrilled actually that our bill is 120 pages and that it is readable and that it is available online right now. So when he leaves the floor, Mr. Speaker, the gentleman from Massachusetts can go read the bill.

It is also not surprising that our colleagues do not want to talk about our national defense because the record of the last 8 years, the record of the last President is unparalleled in American history. The mess that we are having to clean up with respect to our healthcare system is matched perhaps only—and maybe even exceeded—by the damage that was done to our military and to our national security under the last administration.

We think, on this side of the aisle, that it is crucially important that we do our job when the time is now to debate, discuss, and vote on this bill and address this topic.

Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. TAYLOR).

□ 1315

Mr. TAYLOR. Mr. Speaker, I rise to speak in favor of the 2017 Defense Appropriations bill, a bill providing vital

funding for the United States military and intelligence communities who continue to be engaged in responding, engaging, and destroying threats around the world.

Mr. Speaker, I have the honor and the great responsibility of representing the largest concentration of Active-Duty military and veterans of any congressional district in the Nation. Who are they? Fathers, mothers, sisters, brothers, sons, daughters, soccer coaches, neighbors.

Our district has thousands of the less than 1 percent of the Nation that has gone forth over and over to fight for us; the best among us, fighting the worst in the world.

In our district, Mr. Speaker, we have the largest naval base in the world, NASA, SEAL teams, Marines, Army soldiers, Air Force Combat Command, coastguardsmen, Oceana Naval Master Jet Base, national guardsmen, and many, many more.

Mr. Speaker, we are moving toward the smallest Army since World War II, the smallest Air Force ever, Navy ships not being properly maintained due to budget, Marine planes not combat-ready. This is unacceptable. Our Nation requires a military, but our force is voluntary. We owe them more.

We must take up this 2017 Defense Appropriations bill to help maintain a technological advantage. If we must send our men and women into harm's way, let us always send these warfighters with an unfair advantage.

This bill provides essential equipment, platforms, and upgrades. We must give our force and our industrial base predictability and stability, the right equipment, the right training, and the right military superiority.

This bill not only supports the warfighters, but their families as well who, Mr. Speaker, are the very backbone of our forces and an integral part of the tremendous sacrifice that has taken place for our Nation. This bill provides important investments in traumatic brain injury, suicide prevention, sexual assault prevention, and much more.

The SPEAKER pro tempore (Mr. WEBSTER of Florida). The time of the gentleman has expired.

Ms. CHENEY. Mr. Speaker, I yield the gentleman an additional 30 seconds.

Mr. TAYLOR. Mr. Speaker, this bill gives a well-deserved pay raise, enhances health care, and eases the burden our Nation demands on military families moving forward. I urge all of my colleagues on both sides of the aisle to vote in support of this bill.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I surely want to make sure that we support our warfighters. My problem with the Defense bill is that we are spending so much money on things that I think are question-

able. I would rather spend money on supporting our troops more than spending \$1 trillion over the next 3 decades building more nuclear weapons. We have more nuclear weapons than any other country in the world, and we ought to be talking about limiting nuclear weapons and eliminating them altogether.

I want to support our men and women who we put in harm's way, but I want this Congress, I want Members of this House, to do their job. It doesn't take any courage to sit back and have troops deployed all over the world, in harm's way, and we don't even take the time to actually debate an authorization for the use of military force. We are too afraid to talk about those issues.

So when we talk about supporting our men and women in uniform, people ought to do a little bit of reflection on how we have not been doing our job.

Again, I note my friends don't want to talk about health care. My colleague actually said she would like to talk about health care more. Well, we should, because the fact of the matter is, as I said, as we are speaking here, the Republicans have unveiled this bill that has been in secret, that nobody has really had a chance to digest. No hearings. They want to talk about health care so much—no hearings, no expert testimony, no nothing. Right to markup; trying to rush it to the floor before we find out the true cost to the American people about what this TrumpCare bill is going to be all about; when they find out how many of them are going to lose their care; how it is going to cut Medicare; how senior citizens are going to see an increase in their healthcare costs; how average Americans are going to pay more for health care and get less protections; how people who are struggling in poverty are going to be out of luck because they are going to do away with the Medicaid guarantee to States.

Health care ought to be a fundamental right in this country, and they are taking that right away, and they are doing it in a fashion so that CBO, again, 200 employees at the Congressional Budget Office that Congress appropriates \$50 million a year to support so they can do their expert work, they are doing this in a way so we are not even asking for their expert advice. What sense does that make?

This is the rule. This is where we set our priorities about what our legislative agenda ought to be; and all I am simply saying is vote "no" on the previous question so we can vote on an amendment so we can demand a CBO score in the healthcare bill.

By the way, that doesn't slow down the Defense Appropriations bill. It still goes forward. Nothing stops. So let's do what is right. Let there be a little sunshine on this House of Representatives.

There is a pattern that has developed under the Republican leadership where

everything is closed. This bill that we are dealing with right now, closed rule. It is not a conference report, closed rule.

We have had more closed rules in the first few months in this Congress than any Congress, I think, in history, and that is the pattern. No hearings, no discussion, just go right to markup. We don't want to know how much it is going to cost. We don't want to know how many people are going to be thrown off of health care. Let's just rush something through. That is mindless legislating, and it has to stop.

Mr. Speaker, I reserve the balance of my time.

Ms. CHENEY. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. GALLAGHER).

Mr. GALLAGHER. Mr. Speaker, over the last 8 years, the United States has experienced a sharp rise in the number of military threats from foreign aggressors. Last month, Russia secretly deployed two batteries of new nuclear-capable cruise missiles. North Korea test-launched four ballistic missiles just this week, and China continues to bolster its military presence in the South China Sea, while going toward a naval fleet that may surpass 351 ships by 2020.

Meanwhile, our own Navy is the smallest it has been in 99 years, satisfying only 40 percent of the demand from regional commanders. Fifty-four percent of the Air Force's major weapons systems now qualify for antique vehicle license plates in the State of Virginia.

The Army, to quote the Vice Chief of Staff, is "outraged, outgunned, and outdated."

These are the bitter fruits of defense sequester; defense sequester which must be pulled out, root and branch. To quote Secretary Mattis: "No foe in the field can wreak such havoc on our security that mindless sequestration is achieving."

I agree with General Mattis. I agree that defense sequester is mindless. It is also dangerous. So today, while I speak in support of this rule and this bill, I applaud the Appropriations Committee for its critical work, and I urge my colleagues to support final passage.

This is just the first step. We will not have fulfilled our first and foremost constitutional duty to keep the country safe until we have completely eliminated defense sequester and truly begun the process of restoring peace through strength.

Einstein's words are as true today as they were in 1931, when he said of America: "The part of passive spectator is unworthy of this country and is bound in the end to lead to disaster all around."

If we do not act now to rebuild and modernize our military, if we continue to play the role of passive spectator, not only will it lead to disaster, at

some point we will no longer be worthy of global leadership.

So to my colleague, I will say that this is our job. This is our most basic job. So let's do what the American people sent us here to do to keep the country safe, restore peace through strength. That is doing our job.

Mr. MCGOVERN. Mr. Speaker, I reserve the balance of my time.

Ms. CHENEY. Mr. Speaker, I yield 2 minutes to the gentlewoman from Arizona (Ms. MCSALLY).

Ms. MCSALLY. Mr. Speaker, I thank my colleague from Wyoming, and I appreciate the hard work of Chairman FRELINGHUYSEN and Chairman GRANGER on this very important bill.

Mr. Speaker, I rise today in support of the FY17 Department of Defense Appropriations bill, and I urge voting and adoption of this bill.

I served 26 years in uniform, and I can say, firsthand, that continuing resolutions are bad for our troops. It is urgent that we pass this bill. One reason is that we are in a military readiness crisis like I have not seen in my lifetime.

This bill provides over \$215 billion for readiness, an increase of \$5.2 billion above the FY16 enacted budget. This increase includes funding for flight time for our pilots, maintenance for our aircraft, and base operations, among other things. It also provides more than \$6.8 billion for procurement of aircraft, ships, and helicopters for our troops.

The bill fully funds the mighty A-10 Warthog, and it has continued funding for upgrades for this critical plane, extending its service life by starting the re-winged of the remaining 110 aircraft in the fleet. It also increases funding to maintain our asymmetric electronic warfare advantage, developed and tested at Fort Huachuca, in my district.

Finally, it provides funding for important missile programs, from air-to-air missiles to missile defense.

Our troops are counting on us. Let's stop the bickering, and let's pass this bill.

Mr. MCGOVERN. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I am going to again urge my colleagues on both sides of the aisle to vote to defeat the previous question so we can actually bring an amendment to the floor to demand CBO tell us how much the Republican healthcare bill is going to cost and what its impact is going to be on the American people.

Mr. Speaker, let me tell you why I am worried. The AARP estimates that the Republican repeal bill could increase premium costs by \$8,400 for a 64-year-old earning \$15,000 a year, and it could put at risk the health care of millions of vulnerable Americans.

Now, we have over 200 employees at the Congressional Budget Office. That

office costs nearly \$50 million a year. We pay them to advise us precisely at times like this. We ought to rely on their information. We ought to ask for their guidance. Before marking up bills, before rushing bills to the floor that could adversely impact millions and millions of Americans that could break the bank in this country, we ought to find out what we are talking about.

We can walk and chew gum at the same time. You can pass the Defense bill and you can also pass an amendment that tells us how much this Republican healthcare bill is going to cost. We ought to do both.

So defeat the previous question so that we can bring this amendment to the floor. Let a little sunshine in on this process. Let the American people know what is going on here. I think that is the appropriate way to proceed.

Mr. Speaker, I yield back the balance of my time.

Ms. CHENEY. Mr. Speaker, I yield myself such time as I may consume.

H.R. 1301 is the first step we must take in rebuilding our military. It is only a first step. We must also repeal the Budget Control Act and end sequestration if we are going to truly address our shortfalls. We must return to a rational budgeting process at the Pentagon, where spending is based upon defending the defeating threats to this Nation, not arbitrary and devastating across-the-board cuts.

Mr. Speaker, nearly 70 years ago, President Harry Truman addressed this body about the growing Soviet threat to Eastern Europe. He said: "There are times in world history when it is far wiser to act than to hesitate. There is some risk in action. There always is. But there is far more risk in failure to act."

President Truman continued: "We must be prepared to pay the price for peace or, assuredly, we shall pay the price for war."

Today, Mr. Speaker, I urge that we begin to pay the price for peace. I urge support for the rule and for the underlying bill.

The material previously referred to by Mr. MCGOVERN is as follows:

AN AMENDMENT TO H. RES. 174 OFFERED BY
MR. MCGOVERN

At the end of the resolution, add the following new section:

SEC. 2. In rule XXI add the following new clause:

13. (a) It shall not be in order to consider a bill or joint resolution proposing to repeal or amend the Patient Protection and Affordable Care Act (PL 111-148) and the Health Care and Education Affordability Reconciliation Act of 2010 (PL 111-152), or part thereof, in the House, in the Committee of the Whole House on the state of the Union, or in the Committees on Energy and Commerce and Ways and Means, unless an easily searchable electronic estimate and comparison prepared by the Director of the Congressional Budget Office is made available on a publicly available website of the House.

(b) It shall not be in order to consider a rule or order that waives the application of paragraph (a).

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Ms. CHENEY. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MCGOVERN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

□ 1330

PROVIDING FOR CONSIDERATION OF H.R. 725, INNOCENT PARTY PROTECTION ACT

Mr. BUCK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 175 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 175

Resolved, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 725) to amend title 28, United States Code, to prevent fraudulent joinder. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. All points of order against provisions in the bill are waived. No amendment to the bill shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Colorado is recognized for 1 hour.

Mr. BUCK. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman

from Florida (Mr. HASTINGS) pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. BUCK. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. BUCK. Mr. Speaker, I rise today in support of the rule and the underlying legislation. Current Federal court rules allow trial lawyers to engage in picking their preferred venue. In particular, trial lawyers are able to file suit against the defendant in one State while keeping their case in a different State's court.

When a lawsuit is filed against a defendant in another State, trial lawyers may also sue a defendant in the State where they want the trial to occur. This keeps the case in the lawyers' preferred State court.

Many times the target of the lawsuit is a large, national business. But if the only defendant in the case is an out-of-State business, then the case can be heard in Federal court. Because of this, the trial lawyer will then also sue an innocent local individual or a small business in order to keep the case before a local court.

Usually, the case against the innocent local defendant is dropped once the case is safely back in State court, but it is dropped only after the innocent local defendant has spent time and money dealing with the lawsuit.

This practice is wrong. This practice perverts our justice system and causes needless pain. Trial lawyers should not have the power to subject innocent local individuals and small businesses to costly and time-consuming lawsuits just to rig the system. This kind of abuse of litigation is unjust and must be stopped.

A well-respected Federal appeals court judge, J. Harvie Wilkinson of the Fourth Circuit Court of Appeals, has publicly supported Congress putting an end to this abuse. He has suggested that Congress provide judges greater leeway in making the proper decision on whether a case should be removed to Federal court. He has also suggested that Congress give Federal judges greater discretion to determine early on in a case whether a local party has been fraudulently sued. The Innocent Party Protection Act provides these exact changes.

In 2014 Judge Wilkinson addressed these proposals and said:

That is exactly the kind of approach to Federal jurisdiction reform that I like because it is targeted.

And there is a problem with fraudulent jurisdiction law as it exists today, I think, and

that is that you have to establish that the joinder of a nondiverse local defendant is totally ridiculous and that there is no possibility of ever recovering.

That is very hard to do.

So Judge Wilkinson went on:

So I think making the fraudulent joinder law a little bit more realistic appeals to me because it seems to me the kind of intermediate step that addresses some real problems.

The legislation that this rule makes in order is the solution to the problem that Judge Wilkinson identifies. The underlying legislation would protect innocent local defendants in two main ways. First, the Innocent Party Protection Act allows Federal judges more leeway when determining whether a defendant has been fraudulently joined to a lawsuit for the purpose of keeping the case out of Federal court.

When a judge has a case before his or her court, the judge will have clear guidelines for determining whether the locality of a defendant can be disregarded in establishing whether the case will proceed in Federal or State court. However, this in no way infringes on our State court systems.

The judge must conclude that the defendant will not face a liability under applicable State law. Once that conclusion is reached, the judge then may release the innocent defendant from the case. This provision keeps legal claims in Federal Court that properly belong there by allowing Federal judges to decide whether a local party is truly a legitimate defendant and not simply ensnared in a case for the sole purpose of keeping the case in a trial lawyer-friendly State court. This is a fair and efficient solution to the problem.

Secondly, the Innocent Party Protection Act establishes a uniform approach for evaluating whether a plaintiff has a good-faith intention of seeking judgment against a local defendant.

While the U.S. Supreme Court has long recognized the right of courts to consider whether a plaintiff has a good-faith intention of seeking a judgment against a local defendant, the application of this principle has not been uniform.

The Innocent Party Protection Act simply codifies this longstanding principle and permits Federal judges to limit a lawsuit to the appropriate defendant.

Plaintiffs with legitimate claims against both a local and out-of-State defendant will be able to pursue their case in State court. However, if no legitimate claim exists, the out-of-State defendant will have the opportunity to have the case heard in a neutral forum. By codifying this principle, we effectively protect innocent individuals and small businesses from bad-faith litigation.

Mr. Speaker, the underlying legislation is a fair solution to one type of frivolous litigation. I support this effort, and I thank Chairman GOODLATTE

and the Judiciary Committee for bringing this bill to the floor.

Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank the gentleman from Colorado for yielding me the customary 30 minutes for debate.

Mr. Speaker, I rise today to debate a rule for a piece of legislation that will, in the final analysis, make it more difficult for hardworking Americans to stand up to corporate malfeasance; a piece of legislation that jettisons a history of legal precedent in the blink of an eye because, well, it helps keep the deep pockets of the ultrawealthy as deep as possible.

I learned this law in law school in 1959, but it was in existence way before that time, and now my friends across the aisle are going to tell us that this legislation is needed because it will protect small businesses. This is a feint, folks. Small businesses—indeed all of us—have been and continue to be protected by the century-old jurisprudential rule that the Republicans come here today to upend. In reality, all this bill will do is make it more difficult for regular folks across this country to bring lawsuits against massive corporations.

I shudder to think what would have happened in the critically important asbestos case had this particular law been in effect; and there are many more.

This bill will make it more expensive both in time and treasure for our fellow Americans to hold corporations responsible in the courtroom, a need all the more prevalent today as my friends across the aisle have been busy gutting regulations at a dizzying pace.

Let me make it clear, after we finish, my colleague from Colorado and I are going to go back to the Rules Committee to discuss some more judicial reform. A lot of it is stuff that is going to harm little people in the courts and to cause them not to have access to the court system, as have many of the regulations that we have already disapproved.

Let us be clear, the American people didn't vote for dirty water, but that is what they got with this Republican majority when it voted to repeal a rule that barred corporations from dumping mining debris into our drinking water, helping powerful mining companies by hurting all of the rest of the people in their near curtilage.

The American people didn't vote to weaken the Securities and Exchange Commission, but that is what this majority did when it passed a bill adding more hurdles to the SEC rulemaking process, making it more difficult for the agency to protect consumers, helping Wall Street while putting our economy at risk. I will make a prediction here. It may not happen right away,

but just like we saw the Great Depression that we are just coming out of, we are likely to see that same kind of situation again by virtue of lessening the rules against violations in securities.

The American people didn't vote to drug test Americans on unemployment insurance—degrading the hardworking men and women in this country—but that is what this Republican majority did without delay.

Mr. Speaker, the list really does go on and on. In fact, just yesterday, Republicans continued to chant the corporate clarion call with the unveiling of what I now will call their shameful replacement of the Affordable Care Act. Until there is a resolution, I am going to call it TrumpCare.

My colleagues like to tout how short the bill is compared to the Affordable Care Act. Well, the American people will be surprised to find that, in that brevity, Republicans managed to repeal an Affordable Care Act provision that placed a limit on insurance executives' compensation. Let me repeat that. They managed to repeal a provision that placed a limit on insurance executives' compensation. The insurance executives shouldn't be too surprised by this, however. Repeatedly, Republicans have shown they represent corporate interests over the interests of the American people.

But my Republican colleagues didn't stop there. Their so-called replacement, the Trump bill, also claims to have done away with the individual mandate. What they don't tell you is that, instead, their plan calls for funneling money to the insurance companies in the form of a 30 percent surcharge if an individual goes without health insurance.

Let me tell all the older Americans and 80-year-old people like me to get ready because they are going to be able to charge you just exactly what they want to charge you, and all—mine and yours—insurance is going to go up if this particular measure were to become law.

That is right. Under the Republican healthcare proposal, if you, the American worker, goes without healthcare coverage for longer than 2 months—say you couldn't after a new plan between jobs—then Republicans give insurance companies the right to charge you 30 percent higher premiums. That is ridiculous.

Republicans didn't get rid of the individual mandate. They just turned the mandate into a windfall for insurance companies—a windfall that is going to work out great for insurance executives now that Republicans also removed the cap on their compensation tax deductions.

Mr. Speaker, let us not lose sight of the fact that it took Republicans 7 years of undermining the Affordable Care Act to finally come up with this proposal for replacing it.

□ 1345

Their plan would kick millions of Americans off their health insurance and force millions more to pay higher premiums. It would take health care away from the poor, give tax cuts to the rich, and pull the rug out from under seniors, families, and children.

In fact, this plan is so bad that Republicans literally hid not only their horrific proposal, but themselves, from their constituents. Many of their Members are seeing it just in the last 36 hours. They did this by callously brushing off townhall meeting after townhall meeting.

Why all the smoke and mirrors regarding something as simple as this measure is in light of the fact that they ran on replacing it? Why hide it and why rush it and why go through this charade that most of us know and several Senators said yesterday will be dead on arrival?

Actually, let me ask the American people. Who do you think the Republican Party is representing, you or corporate America?

Mr. Speaker, we are not even a full 2 months into the Republican-led government and, in addition to the unconstitutional Muslim bans—and notice I said “bans,” because the old one is nothing but the new one, and the new one is the old one, minus one, and that is the country of Iraq—we have the Republican denial of clear Russian influence in our most recent election.

Let me be very clear about this particular aspect. All of the intelligence agencies have indicated that there was Russian interference in this last election. I don't understand why we are not totally outraged and why there is not extraordinary emphasis on this kind of action against our fundamental democracy.

It is ridiculous that we are around here doing things that we know are not likely to pass the United States Senate and that we are disapproving regulations, yet we cannot get an independent commission to make a determination of how this impact occurred. And we do know that it occurred. I am outraged, and I would hope more Americans would be as well.

We have also seen the almost immediate recusal of the Attorney General due to his inability to be forthright with our Senate colleagues; wild and baseless claims emanating from late-night Twitter storms from 1600 Pennsylvania Avenue or Mar-a-Lago; and we have a Republican Party dedicated to ensuring that their corporate benefactors can rest easy, no matter the harm they cause to everyday working Americans.

Are we addressing any of these concerns here today?

I would imagine my colleague, rightly, will come back and argue that all the things that I just talked about are not this particular rule. Well, this rule

is not even deserving of that kind of consideration, largely for the reason it is yet another structured rule disallowing Members of this House to have an opportunity to have input into a measure that is getting rid of a century of precedent in our judiciary. No, what we are doing is debating obscure civil procedure rules that date back to the days of President Teddy Roosevelt.

Mr. Speaker, I reserve the balance of my time.

Mr. BUCK. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like to remind the gentleman from Florida that we are debating the special order of business from rules and that all comments must be relevant to the rule or the underlying bill.

This particular underlying bill has to do with a rule of civil procedure and fraudulent joinders. It does not have to do with the gentleman's healthcare replacement act or his thoughts on the healthcare replacement act, insurance executive's compensation, individual mandates, tax cuts for the rich, Russia, Iraq, although I did appreciate the gentleman's memories from law school the year that I was born.

Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. SESSIONS).

Mr. SESSIONS. Mr. Speaker, it is a delight for me to join the gentleman from Colorado (Mr. BUCK) on a piece of legislation that actually has his name on it, he is responsible for, understands, and is prepared today to fully debate.

I would also like to thank the gentleman from Florida, a member of the Rules Committee, for not only coming down to offer his argument against the facts of the case as they reside today on this important piece of legislation, but I also want to acknowledge that I know the frustration.

I know there is a lot of frustration. There is a lot of frustration from our colleagues who have lost the House, the Senate, and the Presidency. They are in the middle of what might be called wandering, as they have called it, in the darkness or in the doldrums of being deep in the minority.

With that said, there is an agenda that is being laid out before the American people. It happened, Mr. Speaker, directly as a result of what we call an election—an election where all these issues, or most of them that have been discussed by the gentleman, were fully debated not only in a theater near you, but directly in congressional contests, in senatorial contests and the debates for the President of the United States.

The facts of the case are really pretty simple. The Republican Party will be talking about all the issues that the gentleman brought up today right before our eyes. Probably on C-SPAN, trying to compete against us, is a hearing in the Energy and Commerce Committee.

The gentleman, GREG WALDEN, the chairman of the committee, over the weekend released the text of the chairman's mark, the "bill" of the Republican Party of how we are going to look at health care.

It is true that we have Chairman DEVIN NUNES of the Intelligence Committee looking at the issue that was brought up of Russia. We have forthrightly, over the weekend, said: All right. We are being asked to look at this. Just so you know, media, American people, we are going to do that. We are going to do what you have asked because we believe it is the right thing to do: open hearings, open debate, acknowledgement of the issues, and a certainty that we will go look into it, and we are going to let you know what we find. That is really where we are.

This morning, at 8 a.m. in my office, I cohoused with the gentleman from Florida an opportunity for the American Bar Association. We brought in, from across this country—I didn't bring them in; they came into my office from across the country—a number of well-established, thoughtful, and articulate people. We didn't ask: Are you Republican? We didn't ask: Are you Democrat? We said: You represent your organization, and we want to hear from you.

This is the kind of leadership that I believe not only myself but also the gentleman, Mr. HASTINGS, wants to be associated with. We want to be associated with listening to the American people, trying to be thoughtful about what we do and have equal participation.

The gentleman knows that at the Rules Committee yesterday we had a very thoughtful person representing the Republican Party. The gentleman from Iowa (Mr. KING) came up. We had Mr. BUCK, who was able to come and talk about this issue today.

In fact, it might be an arcane issue to the American people, but it consumes a lot of time, and it has a deliberative effect on the outcome of important cases in Federal courts and State courts across the country. We feel like it is worthy of an afternoon, an afternoon at the Rules Committee, to fully vet the legislation and an afternoon here on the floor of the House of Representatives.

But like any other good majority, we have a lot of other things going on, and we are looking at the Affordable Care Act, how it worked and how we might thoughtfully replace it. We are looking at the issues related to Russia. We are looking at the American Bar Association.

Members of Congress are extremely busy, but, Mr. Speaker, I think, with great respect, we should give the author of the bill, Mr. BUCK, his time to come and thoughtfully explain why we are doing what we are doing.

I am just a dadgum chairman of the committee. I just do the things that I hope are necessary to look at every single item and being fair—being fair in the ability that people have to come and bring their ideas and trying to be fair in trying to bring them down here.

So I want to thank the gentleman for acknowledging this body is busy. This body is engaged in, as we speak, a public, open debate about what direction health care should go.

What I would like to offer is my evaluation of where we are going to be. We are going to be at a point where we do not have to scare people about where we have been or why we are going to a place.

I am on what is known as ObamaCare. As a Member of Congress, I am legally required to be on ObamaCare for health care. But, Mr. Speaker, it is twice as expensive as what I had before; and it is not working for me, it is not working for my family, and it is not working for a lot of people.

So we are trying to look at how we might carefully, thoughtfully, artfully work with the American people, so we put the bill up and let you see it. We don't have to pass it to find out what is in it. We are trying to read the bill and understand it first.

Mr. Speaker, it is not a pledge. It is a hope that every single Member of this body will understand what is in the bill before they can respectfully, whether somebody disagrees or agrees with it, explain the bill for what is correct.

What is correct about the bill is this: if you like your own doctor, you can keep your own doctor. If you like your own healthcare plan, even if it is ObamaCare, you can do that, too.

The Republican Party is open about what we believe. We are trying to be thoughtful with the American people.

Mr. Speaker, I believe, with the leadership that we have of PAUL RYAN who has attempted to work through a difficult issue, the American people will understand why Republicans not only won the election, but why Republicans have better ideas in health care, too.

Mr. HASTINGS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I have great respect for the chairman of the Rules Committee and he knows that.

I just heard him say his insurance went up under ObamaCare. Mine did, too. I also want to remind him that, if this measure as offered yesterday were to become law, his and my insurance is going to go up again.

So we weren't doing all of the things that you said you were going to do by bringing the price down. In addition, we don't even know what CBO's score is with respect to this matter.

You said that you are reading it to understand it now, yet Members are in the Energy and Commerce Committee,

as you explained, marking it up, and they don't even know what CBO's score is. I will get back to that in a few minutes about all these people we pay over there to do that work, and then we are not utilizing them.

I also want to address my friend from Colorado and have him understand that I am not precluded from presenting to the American public what legislation we wish to prioritize.

As the gentleman knows, we are currently debating the rule. This is a tool used to set the House agenda and to prioritize consideration of legislation. For that very reason, this is, in fact, the appropriate time for us to explain to the American people what legislation we would like to prioritize and what agenda we would like to pursue in this House. I won't reiterate it, in the interest of time.

I will have a previous question that will demonstrably show what legislation we think we should be addressing. I will do that for as long as I am given the opportunity to manage rules. I will come down here and present the position of the Democratic Party so that they understand our priorities and not necessarily am I hidebound by this rule.

Mr. Speaker, I reserve the balance of my time.

□ 1400

Mr. BUCK. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. SESSIONS).

Mr. SESSIONS. Mr. Speaker, without continuing the dialogue, I would like to at least respond to the gentleman and look right at you, Mr. Speaker, and tell you, in fact, we are going to have a CBO score. We are going to have a CBO score when we have an agreed-upon bill. This is a process that is open. The bill is being proposed. The bill is going to be debated. Then there are going to be votes.

For them to presume that they know the score before they know the outcome is not the way the chairman of the committee looks at it. Mr. WALDEN looks at it that he is going to let the committee vote and come up with a bill, and there are significant changes that could happen one way or another. I think it would be a presumptuous viewpoint to say here is the bill and here is the score, take it or leave it. I know Chairman WALDEN very well, and GREG WALDEN is trying to operate off openness and the agreement to look at the bill. When it is finalized, a score will become available. I appreciate the gentleman bringing this issue up.

Mr. BUCK. Mr. Speaker, I yield 5 minutes to the gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. Mr. Speaker, I thank the gentleman from Colorado for yielding. I especially thank him for bringing this legislation before this Congress.

I rise in support of this rule and the underlying bill. We are addressing the topic that we used to call fraudulent joinder. I like the title of this bill better, as pointed out by Ms. SLAUGHTER last night. We call it the Innocent Party Protection Act. It is more accurate and it is more descriptive. The other fraudulent joinder piece tends to put people to sleep who aren't operating in this arena.

I know that the gentleman from Colorado (Mr. BUCK) has operated in this arena. He has significant experience and frustrating experience watching innocent parties being drug into litigation just so that an opposing attorney can utilize that jurisdiction within a particular State where they think they have a friendly venue.

First, Mr. Speaker, I make the point from the beginning, which we don't often enough do here, and that is our pledge we made some years ago that all of our legislation would be indexed back to the Constitution. We don't always address that in the debate.

I just turn my pocket Constitution to Article III, section 1. It says: "The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish."

We agree with that. I have made this point that all of the Federal courts are completely under the jurisdiction of the United States Congress. If we decided that we wanted to abolish a Federal district, we could do that. In fact, it happened 200 years ago, two districts. I don't propose such a thing, but I am just asserting the power of Congress, which hasn't been questioned or challenged, I would point out.

Under section 2, it says: "The judicial Power shall extend to all Cases, in Law and Equity, arising . . . between Citizens of different States. . . ."

This is a tool, then, that the fraudulent joinder attorneys use to drag people into litigation who may have nothing to do with it whatsoever. It is a problem. It is a problem, we know, not just because there are complaints out there from innocent parties that have been wrapped up in litigation and required to defend themselves and hire attorneys and spend thousands of dollars—tens of thousands—hundreds of thousands of dollars in order to protect their economic interests even though they have zero involvement in the case and perhaps zero chance of having any judgment brought against them.

So apparently the judges who make these decisions look at rule 11 and they find enough latitude in there that they allow the defendants to stay on the case, and I will call them being fraudulently joined to the case. We need to tighten up these rules. We need to send a very clear message to the courts so that they have got some guidelines to live by because it is their job, of

course, to read the law, take their directions from the United States Congress, and act accordingly. I think just this debate and the debate we had in the last Congress help us in that cause.

The next thing I pick up from the Constitution, the next thing is the bill itself, and prevention of fraudulent joinder is under section 2. It sets out four different categories that would be cause for the court to release a defendant. And it says the joinder of the defendant is described in this paragraph. It says it is fraudulent if the court finds that in one of four different categories there is actual fraud in the pleading of jurisdictional facts, which, with respect to that defendant, if there is actual fraud, that is pretty much a no-brainer, should be released from the case. That is pretty simple. I am glad it is now an opportunity to go into statute.

Second is if it is based on a complaint and the materials submitted under the paragraph, it is not plausible to conclude that the applicable State law would impose liability on that defendant. In other words, if it is implausible for the defendant to have a liability, then the court can release that defendant under this act should it become law. That is also, to me, a no-brainer.

As one who has been a defendant in lawsuits, I would reflect, Mr. Speaker, that when I first ran for office, there were some people who thought that I should just simply capitulate to whatever their legal demands were. Even though I have only been in the courtroom a couple handful of times throughout the 40-some years of business that we have done as King Construction, I had four of them lined up against me at the same time. They thought that I would just have to settle out of court. It is a frustrating thing to not see a liability but have that leverage brought against you. I have experienced that, and that animates me on this.

The third component is if a State or Federal law clearly bars all claims in the complaint against that defendant. All right, that is also a simple provision.

But the fourth one is another one that deserves consideration, and that is that there be a good faith intention. Otherwise, if there is no good faith intention to prosecute the action against that defendant or to seek a joint judgment which would include that defendant, then that defendant can be released from the case. We need to streamline our courts, Mr. Speaker.

The SPEAKER pro tempore (Mr. ROTHFUS). The time of the gentleman has expired.

Mr. BUCK. Mr. Speaker, I yield an additional 1 minute to the gentleman from Iowa.

Mr. KING of Iowa. Mr. Speaker, I would just summarize this case in that

it is not only me, it is not Mr. BUCK alone, it is not Mr. SESSIONS alone, it is the American people who are calling out for this kind of relief. It is not just the American people—we might consider them to be laypersons in this—but it is also the courts. The Fourth Circuit Court of Appeals, Judge Harvie Wilkinson, as Mr. BUCK quoted, spoke to this issue. The Supreme Court of the United States has spoken to this issue under “plausible” versus “speculative.” Professor Martin Redish also has spoken on this subject matter.

The Third Circuit spoke to the Briscoe issue. The final piece of the Fifth Circuit has essentially adopted a very similar, if not identical, policy. We need to codify this. This is our chance to do so. I urge adoption of the rule and support of the underlying rule.

Mr. BUCK. Mr. Speaker, I thank the gentleman from Iowa for his thoughts.

May I inquire how much time is remaining on my side?

The SPEAKER pro tempore. The gentleman from Colorado has 10 minutes remaining.

Mr. BUCK. Mr. Speaker, I would advise the gentleman from Florida (Mr. HASTINGS) that I have no additional speakers.

Mr. HASTINGS. Mr. Speaker, I yield myself the balance of my time to close.

Mr. Speaker, if we defeat the previous question, I am going to offer an amendment to the rule which would modify the rules of the House to require a cost estimate from the Congressional Budget Office before any legislation that would amend or repeal the Affordable Care Act may be considered in committee or on the House floor.

The Committee on Ways and Means and the Committee on Energy and Commerce are marking up repeal legislation today. Legislation this significant should not advance through the committee process, let alone the House, without first hearing from our nonpartisan budget experts at the Congressional Budget Office on what the cost and overall impact will be.

Mr. Speaker, we have over 200 employees at the Congressional Budget Office. We pay them collectively—and administrative duties—nearly \$50 million a year to advise us at times exactly like this.

House rules already require the Congressional Budget Office cost estimates to be included in committee reports. We are simply trying to improve and strengthen this principle of transparency in order to ensure that we know the cost of this repeal legislation before we vote, and that includes the members in the Committee on Energy and Commerce today who are marking this up so as how they would know the cost before they vote in committee today.

Mr. Speaker, I ask unanimous consent to insert the text of my amendment in the RECORD along with extra-

neous material immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HASTINGS. Mr. Speaker, it is not too late for my friends across the aisle to tether themselves to the ideals that have made this country great for generations; ideals that, if we are to be saved from the rushing current we presently find ourselves being dragged down by, will be, as they always have been, those ideals which save us from ourselves.

We are a nation built upon the strength of immigrants, of teachers, of doctors, of mill workers, garbagemen and -women, small-business owners, and farmers. We are a nation of dreamers and innovators, respectful of our individuality and mindful of our unparalleled power once unified in common cause.

At some point, my Republican friends will, I hope, realize that their unabashed and wholesale championing of corporate interests at the expense of hardworking Americans is a losing cause. For the sake of our environment, our children, our grandchildren, and our unborn children, I hope this day is earlier rather than later.

Mr. Speaker, I urge a “no” vote on the rule and the underlying measure, and I yield back the balance of my time.

Mr. BUCK. Mr. Speaker, I yield myself the balance of my time to close.

Mr. Speaker, the rule before the House today is simple. It provides for the consideration of the Innocent Party Protection Act.

Mr. Speaker, we often speak of the Federal regulations or taxes inhibiting job growth in our country, but there are other headwinds that our Nation's job creators face as well. One of those headwinds is frivolous litigation.

I believe strongly that anyone and everyone should have access to justice. Everyone who is injured deserves to have their day in court, and they should have the opportunity to make their case. However, sometimes trial lawyers take advantage of our justice system and seek to gain an unfair advantage against a defendant. Trial lawyers may try to go court shopping in order to rig the case against the defendant.

One way they may seek to secure their preferred venue is to sue a perfectly innocent individual or a small business who happens to reside in the jurisdiction within which the trial lawyer desires to pursue the case. After some time, the innocent party is often released from the litigation, but not before incurring legal costs as well as emotional and opportunity costs. Each time an innocent small-business man or woman has to divert their attention from growing their business and divert

resources away from investing in their employees and creating jobs and divert energy away from expanding their involvement in our communities, and instead they are forced to direct their attention toward defending themselves from a frivolous legal claim, each time this happens is a missed opportunity for creating jobs and for realizing economic growth.

The Innocent Party Protection Act defends our small-business men and women from bad faith lawsuits. It provides relief from trial lawyers who seek out friendly courts in order to pursue their cases. It balances the needs of justice with proper restraints on decidedly unjust actions. The Innocent Party Protection Act is a good and equitable solution. I ask my colleagues in the House to support our local businesses and defend them against frivolous lawsuits. Vote “yes” on the resolution. Vote “yes” on the underlying bill. Rein in this abuse of our justice system. I thank Chairman GOODLATTE and Chairman SESSIONS for bringing this bill before us.

The material previously referred to by Mr. HASTINGS is as follows:

AN AMENDMENT TO H. RES. 175 OFFERED BY
MR. HASTINGS

At the end of the resolution, add the following new section:

SEC. 2. In rule XXI add the following new clause:

13. (a) It shall not be in order to consider a bill or joint resolution proposing to repeal or amend the Patient Protection and Affordable Care Act (PL 111-148) and the Health Care and Education Affordability Reconciliation Act of 2010 (PL 111-152), or part thereof, in the House, in the Committee of the Whole House on the state of the Union, or in the Committees on Energy and Commerce and Ways and Means, unless an easily searchable electronic estimate and comparison prepared by the Director of the Congressional Budget Office is made available on a publicly available website of the House.

(b) It shall not be in order to consider a rule or order that waives the application of paragraph (a).

THE VOTE ON THE PREVIOUS QUESTION: WHAT
IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on the rule as “a motion to direct or control the consideration of the subject before the House being made by the Member in charge.” To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that “the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition” in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated

the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. BUCK. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HASTINGS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question on House Resolution 175 will be followed by 5-minute votes on adoption of House Resolution 175, if ordered; ordering the previous question on House Resolution 174; and adoption of House Resolution 174, if ordered.

The vote was taken by electronic device, and there were—yeas 230, nays 184, not voting 15, as follows:

[Roll No. 129]

YEAS—230

Abraham	Goodlatte	Palmer
Aderholt	Gosar	Paulsen
Allen	Govdy	Pearce
Amash	Granger	Perry
Amodei	Graves (GA)	Poe (TX)
Arrington	Graves (LA)	Poliquin
Babin	Graves (MO)	Posey
Bacon	Griffith	Ratcliffe
Banks (IN)	Grothman	Reed
Barletta	Guthrie	Reichert
Barr	Harper	Renacci
Barton	Harris	Rice (SC)
Bergman	Hartzler	Roby
Biggs	Hensarling	Roe (TN)
Bilirakis	Herrera Beutler	Rogers (AL)
Bishop (MI)	Hice, Jody B.	Rogers (KY)
Bishop (UT)	Higgins (LA)	Rohrabacher
Black	Hill	Rokita
Blackburn	Holding	Rooney, Francis
Blum	Hollingsworth	Rooney, Thomas J.
Bost	Hudson	Ros-Lehtinen
Brady (TX)	Huizenga	Roskam
Brat	Hultgren	Ross
Bridenstine	Hunter	Rothfus
Brooks (IN)	Hurd	Rouzer
Buchanan	Issa	Royce (CA)
Buck	Jenkins (WV)	Russell
Bucshon	Johnson (LA)	Rutherford
Budd	Johnson (OH)	Sanford
Burgess	Johnson, Sam	Scalise
Byrne	Joyce (OH)	Schweikert
Calvert	Katko	Scott, Austin
Carter (GA)	Kelly (MS)	Sensenbrenner
Carter (TX)	Kelly (PA)	Sessions
Chabot	King (IA)	Shimkus
Chaffetz	King (NY)	Shuster
Cheney	Kinzinger	Simpson
Coffman	Knight	Smith (MO)
Cole	Kustoff (TN)	Smith (NE)
Collins (GA)	Labrador	Smith (NJ)
Collins (NY)	LaHood	Smith (TX)
Comer	LaMalfa	Smucker
Comstock	Lamborn	Stefanik
Conaway	Lance	Stewart
Cook	Latta	Stivers
Costello (PA)	Lewis (MN)	Taylor
Cramer	LoBiondo	Tenney
Crawford	Long	Thompson (PA)
Culberson	Loudermilk	Thornberry
Curbelo (FL)	Love	Tiberi
Davidson	Lucas	Tipton
Davis, Rodney	Luetkemeyer	Trott
Denham	MacArthur	Turner
Dent	Marchant	Upton
DeSantis	Marino	Valadao
DesJarlais	Marshall	Wagner
Diaz-Balart	Massie	Walberg
Donovan	Mast	Walden
Duffy	McCarthy	Walker
Duncan (SC)	McCaul	Walorski
Duncan (TN)	McClintock	Walters, Mimi
Dunn	McHenry	Weber (TX)
Emmer	McKinley	Webster (FL)
Farenthold	McMorris	Wenstrup
Faso	Rodgers	Westerman
Ferguson	McSally	Williams
Fitzpatrick	Meadows	Wilson (SC)
Fleischmann	Meehan	Wittman
Flores	Messer	Womack
Fortenberry	Mitchell	Woodall
Fox	Moolenaar	Yoder
Franks (AZ)	Mooney (WV)	Yoho
Frelinghuysen	Mullin	Young (AK)
Gaetz	Murphy (PA)	Young (IA)
Gallagher	Newhouse	Zeldin
Garrett	Noem	
Gibbs	Nunes	
Gohmert	Olson	

NAYS—184

Adams	Brady (PA)	Chu, Judy
Aguilar	Brown (MD)	Cicilline
Barragán	Brownley (CA)	Clark (MA)
Bass	Bustos	Clarke (NY)
Beatty	Butterfield	Clay
Bera	Capuano	Clyburn
Beyer	Carbajal	Cohen
Blumenauer	Cárdenas	Connolly
Blunt Rochester	Carson (IN)	Conyers
Bonamici	Cartwright	Cooper
Boyle, Brendan	Castor (FL)	Correa
F.	Castro (TX)	Costa

Courtney	Kihuen	Pocan
Crowley	Kildee	Polis
Cuellar	Kilmer	Price (NC)
Davis (CA)	Kind	Quigley
Davis, Danny	Krishnamoorthi	Raskin
DeFazio	Kuster (NH)	Rice (NY)
DeGette	Langevin	Richmond
Delaney	Larsen (WA)	Rosen
DeLauro	Larson (CT)	Roybal-Allard
DelBene	Lawrence	Ruiz
Demings	Lawson (FL)	Ruppersberger
DeSaulnier	Lee	Rush
Deutch	Levin	Ryan (OH)
Dingell	Lewis (GA)	Sánchez
Doggett	Lieu, Ted	Sarbanes
Doyle, Michael	Lipinski	Schakowsky
F.	Loebach	Schiff
Ellison	Loftgren	Schneider
Engel	Lowenthal	Schrader
Eshoo	Lowey	Scott (VA)
Espallat	Lujan Grisham,	Scott, David
Esty	M.	Serrano
Evans	Lujan, Ben Ray	Sewell (AL)
Foster	Lynch	Shea-Porter
Frankel (FL)	Maloney,	Sherman
Fudge	Carolyn B.	Sinema
Gabbard	Maloney, Sean	Sires
Gallo	Matsui	Slaughter
Garamendi	McColum	Smith (WA)
Gottheimer	McEachin	Soto
Green, Al	McGovern	Speier
Green, Gene	McNerney	Suozzi
Grijalva	Meng	Swalwell (CA)
Gutiérrez	Moulton	Takano
Hanabusa	Murphy (FL)	Thompson (CA)
Hastings	Nadler	Thompson (MS)
Heck	Napolitano	Tonko
Higgins (NY)	Neal	Torres
Himes	Nolan	Tsongas
Hoyer	Norcross	Vargas
Huffman	O'Halleran	Veasey
Jackson Lee	O'Rourke	Vela
Jayapal	Pallone	Velázquez
Johnson (GA)	Panetta	Visclosky
Johnson, E. B.	Pascarell	Walz
Jones	Payne	Wasserman
Kaptur	Pelosi	Schultz
Keating	Perlmutter	Waters, Maxine
Kelly (IL)	Peters	Watson Coleman
Kennedy	Peterson	Wilson (FL)
Khanna	Pingree	Yarmuth

NOT VOTING—15

Bishop (GA)	Gonzalez (TX)	Moore
Brooks (AL)	Jeffries	Palazzo
Cleaver	Jenkins (KS)	Pittenger
Crist	Jordan	Titus
Cummings	Meeks	Welch

□ 1436

Messrs. O'HALLERAN, MOULTON, and WALZ changed their vote from "yea" to "nay."

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Mr. PITTENGER. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "yea" on rollcall No. 129.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. HASTINGS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 235, noes 185, not voting 9, as follows:

[Roll No. 130]

AYES—235

Abraham	Gosar	Olson
Aderholt	Gowdy	Palazzo
Amash	Granger	Palmer
Amodei	Graves (GA)	Paulsen
Arrington	Graves (LA)	Pearce
Babin	Graves (MO)	Perry
Bacon	Griffith	Pittenger
Banks (IN)	Grothman	Poe (TX)
Barletta	Guthrie	Poliquin
Barr	Harper	Posey
Barton	Harris	Ratcliffe
Bergman	Hartzler	Reed
Biggs	Hensarling	Reichert
Bilirakis	Herrera Beutler	Renacci
Bishop (MI)	Hice, Jody B.	Rice (SC)
Bishop (UT)	Higgins (LA)	Roby
Black	Hill	Roe (TN)
Blackburn	Holding	Rogers (AL)
Blum	Hollingsworth	Rogers (KY)
Bost	Hudson	Rohrabacher
Brady (TX)	Huizenga	Rokita
Brat	Hultgren	Rooney, Francis
Bridenstine	Hunter	Rooney, Thomas J.
Brooks (AL)	Hurd	Ros-Lehtinen
Brooks (IN)	Issa	Roskam
Buchanan	Jenkins (WV)	Ross
Buck	Johnson (LA)	Rothfus
Bucshon	Johnson (OH)	Rouzer
Budd	Johnson, Sam	Royce (CA)
Burgess	Jones	Russell
Byrne	Jordan	Rutherford
Calvert	Joyce (OH)	Sanford
Carter (GA)	Katko	Scalise
Carter (TX)	Kelly (MS)	Schweikert
Chabot	Kelly (PA)	Scott, Austin
Chaffetz	King (IA)	Sensenbrenner
Cheney	King (NY)	Sessions
Coffman	Kinzinger	Shimkus
Cole	Knight	Shuster
Collins (GA)	Kustoff (TN)	Simpson
Collins (NY)	Labrador	Smith (MO)
Comer	LaHood	Smith (NE)
Comstock	LaMalfa	Smith (NJ)
Conaway	Lamborn	Smith (TX)
Cook	Lance	Smucker
Costello (PA)	Latta	Stefanik
Cramer	Lewis (MN)	Stewart
Crawford	LoBiondo	Stivers
Culberson	Long	Taylor
Curbelo (FL)	Loudermilk	Tenney
Davidson	Love	Thompson (PA)
Davis, Rodney	Lucas	Thornberry
Denham	Luetkemeyer	Tiberi
Dent	MacArthur	Tipton
DeSantis	Marchant	Trott
DesJarlais	Marino	Turner
Diaz-Balart	Marshall	Upton
Donovan	Massie	Valadao
Duffy	Mast	Wagner
Duncan (SC)	McCarthy	Walberg
Duncan (TN)	McCaul	Walden
Dunn	McClintock	Walker
Emmer	McHenry	Walorski
Farenthold	McKinley	Walters, Mimi
Faso	McMorris	Weber (TX)
Ferguson	Rodgers	Webster (FL)
Fitzpatrick	McSally	Wenstrup
Fleischmann	Meadows	Westerman
Flores	Meehan	Williams
Fortenberry	Messer	Wilson (SC)
Fox	Mitchell	Wittman
Franks (AZ)	Moolenaar	Womack
Frelinghuysen	Mooney (WV)	Woodall
Gaetz	Mullin	Yoder
Gallagher	Murphy (PA)	Yoho
Garrett	Newhouse	Young (AK)
Gibbs	Noem	Young (IA)
Gohmert	Nunes	Zeldin
Goodlatte	O'Halleran	

NOES—185

Adams	Boyle, Brendan F.	Cartwright
Aguiar		Castor (FL)
Barragán	Brady (PA)	Castro (TX)
Bass	Brown (MD)	Chu, Judy
Beatty	Brownley (CA)	Cicilline
Bera	Bustos	Clark (MA)
Beyer	Butterfield	Clarke (NY)
Bishop (GA)	Capuano	Clay
Blumenauer	Carbajal	Clyburn
Blunt Rochester	Cárdenas	Cohen
Bonamici	Carson (IN)	Connolly

Conyers	Kelly (IL)	Pingree
Cooper	Kennedy	Pocan
Correa	Khanna	Polis
Costa	Kihuen	Price (NC)
Courtney	Kildee	Quigley
Crist	Kilmer	Raskin
Crowley	Kind	Rice (NY)
Cuellar	Krishnamoorthi	Richmond
Davis (CA)	Kuster (NH)	Rosen
Davis, Danny	Langevin	Roybal-Allard
DeFazio	Larsen (WA)	Ruiz
DeGette	Larson (CT)	Ruppersberger
Delaney	Lawrence	Rush
DeLauro	Lawson (FL)	Ryan (OH)
DeBene	Lee	Sánchez
Demings	Levin	Sarbanes
DeSaulnier	Lewis (GA)	Schakowsky
Deutch	Lieu, Ted	Schiff
Dingell	Lipinski	Schneider
Doggett	Loeb sack	Schrader
Doyle, Michael F.	Lofgren	Scott (VA)
Ellison	Lowenthal	Scott, David
Engel	Lowey	Serrano
Eshoo	Lujan Grisham, M.	Sewell (AL)
Espallat	Luján, Ben Ray	Shea-Porter
Esty	Lynch	Sherman
Evans	Maloney,	Sinema
Foster	Carolyn B.	Sires
Frankel (FL)	Maloney, Sean	Slaughter
Fudge	Meeks	Smith (WA)
Gabbard	McCollum	Soto
Gallego	McEachin	Speier
Garamendi	McGovern	Swalwell (CA)
Gonzalez (TX)	McNerney	Takano
Gottheimer	Meng	Thompson (CA)
Green, Al	Moore	Thompson (MS)
Green, Gene	Moulton	Tonko
Grijalva	Murphy (FL)	Torres
Gutiérrez	Nader	Tsongas
Hanabusa	Napolitano	Vargas
Hastings	Neal	Veasey
Heck	Nolan	Vela
Higgins (NY)	Norcross	Velázquez
Himes	O'Rourke	Visclosky
Hoyer	Pallone	Walz
Huffman	Panetta	Wasserman
Jackson Lee	Pascrell	Schultz
Jayapal	Payne	Waters, Maxine
Johnson (GA)	Perlmutter	Watson Coleman
Johnson, E. B.	Peters	Wilson (FL)
Kaptur	Peterson	Yarmuth
Keating		

NOT VOTING—9

Allen	Jeffries	Suozi
Cleaver	Jenkins (KS)	Titus
Cummings	Pelosi	Welch

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1444

So the resolution was agreed to.
The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. ALLEN. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "yea" on rollcall No. 130.

Stated against:

Mr. SUOZZI. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "nay" on rollcall No. 130.

PROVIDING FOR CONSIDERATION OF H.R. 1301, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2017

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 174) providing for con-

sideration of the bill (H.R. 1301) making appropriations for the Department of Defense for the fiscal year ending September 30, 2017, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 232, nays 189, not voting 8, as follows:

[Roll No. 131]

YEAS—232

Abraham	Frelinghuysen	Meadows
Aderholt	Gaetz	Meehan
Allen	Gallagher	Messer
Amash	Garrett	Mitchell
Amodei	Gibbs	Moolenaar
Arrington	Gohmert	Mooney (WV)
Babin	Goodlatte	Mullin
Bacon	Gosar	Murphy (PA)
Banks (IN)	Gowdy	Newhouse
Barletta	Granger	Noem
Barr	Graves (GA)	Nunes
Barton	Graves (LA)	Olson
Bergman	Graves (MO)	Palazzo
Biggs	Griffith	Palmer
Bilirakis	Grothman	Paulsen
Bishop (MI)	Guthrie	Pearce
Bishop (UT)	Harper	Perry
Black	Harris	Pittenger
Blackburn	Hartzler	Poe (TX)
Blum	Hensarling	Poliquin
Bost	Herrera Beutler	Posey
Brady (TX)	Hice, Jody B.	Ratcliffe
Brat	Higgins (LA)	Reichert
Bridenstine	Hill	Renacci
Brooks (AL)	Holding	Rice (SC)
Brooks (IN)	Hollingsworth	Roby
Buchanan	Hudson	Roe (TN)
Buck	Huizenga	Rogers (AL)
Bucshon	Hultgren	Rogers (KY)
Budd	Hunter	Rohrabacher
Burgess	Hurd	Rokita
Byrne	Issa	Rooney, Francis
Calvert	Jenkins (WV)	Rooney, Thomas J.
Carter (GA)	Johnson (LA)	Ros-Lehtinen
Carter (TX)	Johnson (OH)	Ross
Chabot	Johnson, Sam	Rothfus
Chaffetz	Jordan	Rouzer
Cheney	Joyce (OH)	Royce (CA)
Coffman	Katko	Russell
Cole	Kelly (MS)	Rutherford
Collins (GA)	Kelly (PA)	Sanford
Collins (NY)	King (IA)	Scalise
Comer	King (NY)	Schweikert
Comstock	Kinzinger	Scott, Austin
Conaway	Knight	Sensenbrenner
Cook	Kustoff (TN)	Sessions
Costello (PA)	Labrador	Shimkus
Cramer	LaHood	Shuster
Crawford	LaMalfa	Simpson
Culberson	Lamborn	Smith (MO)
Curbelo (FL)	Lance	Smith (NE)
Davidson	Latta	Smith (NJ)
Davis, Rodney	Lewis (MN)	Smith (TX)
Denham	LoBiondo	Smucker
Dent	Long	Stefanik
DeSantis	Loudermilk	Stewart
DesJarlais	Love	Stivers
Diaz-Balart	Lucas	Taylor
Donovan	Luetkemeyer	Tenney
Duffy	MacArthur	Thompson (PA)
Duncan (SC)	Marchant	Thornberry
Duncan (TN)	Marino	Tiberi
Dunn	Marshall	Tipton
Emmer	Massie	Trott
Farenthold	Mast	Turner
Faso	McCarthy	Upton
Ferguson	McCaul	Valadao
Fitzpatrick	McClintock	Wagner
Fleischmann	McHenry	Walberg
Flores	McKinley	Walden
Fortenberry	McMorris	Walker
Fox	Rodgers	Walorski
Franks (AZ)	McSally	

Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman

NAYS—189

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan
F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cuellar
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael
F.
Ellison
Engel
Eshoo
Españat
Esty
Evans
Foster
Frankel (FL)
Fudge
Gabbard

NOT VOTING—8

Cleaver
Cummins
Jeffries

□ 1451

So the previous question was ordered.
The result of the vote was announced
as above recorded.

Stated for:

Mr. REED. Mr. Speaker, I was unavoidably
detained. Had I been present, I would have
voted “yea” on Roll Call No. 131.

PARLIAMENTARY INQUIRY

Mr. HOYER. Mr. Speaker, I have a
parliamentary inquiry of the Chair.

The SPEAKER pro tempore (Mr.
DUNCAN of Tennessee). The gentleman
will state his parliamentary inquiry.

Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

Nolan
Norcross
O’Halloran
O’Rourke
Pallone
Panetta
Pascarell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schradler
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Soto
Speier
Suozzi
Swalwell (CA)
Bass
Takano
Thompson (CA)
Thompson (MS)
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Wilson (FL)
Yarmuth

Jenkins (KS)
Reed
Roskam
Titus
Welch

Mr. HOYER. Can the Chair tell me
whether the CBO has scored the Amer-
ican Health Care Act, which is cur-
rently being marked up in the Ways
and Means Committee?

The SPEAKER pro tempore. The gen-
tleman has not stated a proper par-
liamentary inquiry.

Mr. HOYER. Mr. Speaker, I regret
that the Speaker will not respond.

MOTION TO ADJOURN

Mr. HOYER. Mr. Speaker, I move
that the House do now adjourn.

The SPEAKER pro tempore. The
question is on the motion to adjourn
offered by the gentleman from Mary-
land (Mr. HOYER).

The question was taken; and the
Speaker pro tempore announced that
the noes appeared to have it.

RECORDED VOTE

Mr. HOYER. Mr. Speaker, I demand a
recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursu-
ant to clause 8 of rule XX, this 15-vote
minute vote on the motion to adjourn
will be followed by a 5-minute vote on
adoption of House Resolution 174, if or-
dered.

The vote was taken by electronic de-
vice, and there were—ayes 127, noes 295,
answered “present” 1, not voting 6, as
follows:

[Roll No. 132]

AYES—127

Adams
Barragán
Bass
Beatty
Beyer
Bishop (GA)
Blunt Rochester
Boyle, Brendan
F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Carbajal
Cárdenas
Carson (IN)
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Cooper
Correa
Costa
Courtney
Crowley
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael
F.
Ellison
Engel

Eshoo
Españat
Evans
Foster
Frankel (FL)
Fudge
Gallego
Garamendi
Gonzalez (TX)
Grijalva
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Jackson Lee
Jayapal
Johnson (GA)
Johnson, E. B.
Kaptur
Kennedy
Khanna
Kihuen
Krishnamoorthi
Kuster (NH)
Langevin
Larson (CT)
Lawrence
Lee
Levin
Lewis (GA)
Lieu, Ted
Lowenthal
Lowe
Lujan, Ben Ray
Matsui
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Nadler

Abraham
Aderholt
Aguilar
Allen
Amash
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bera
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bonamici
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Capuano
Carter (GA)
Carter (TX)
Cartwright
Chabot
Chaffetz
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Connolly
Conyers
Cook
Costello (PA)
Cramer
Crawford
Crist
Cuellar
Culberson
Curbelo (FL)
Davidson
Davis (CA)
Davis, Rodney
DelBene
Demings
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Esty
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Fox
Franks (AZ)
Frelinghuysen
Gabbard
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte

NOES—295

Gosar
Gottheimer
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Grothman
Guthrie
Gutiérrez
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huffman
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce (OH)
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Larsen (WA)
Latta
Lawson (FL)
Lewis (MN)
Lipinski
LoBiondo
Loebach
Lofgren
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lujan Grisham,
M.
Lynch
MacArthur
Maloney,
Carolyn B.
Maloney, Sean
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McPatrick
McCaul
McClintock
McCollum
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar

Mooney (WV)
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Napolitano
Newhouse
Noem
Nolan
Nunes
O’Rourke
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peters
Peterson
Pittenger
Poe (TX)
Poliquin
Polis
Posey
Price (NC)
Ratcliffe
Reed
Reichert
Renacci
Rice (NY)
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas
J.
Ros-Lehtinen
Rosen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce (CA)
Ruiz
Russell
Rutherford
Ryan (OH)
Sanford
Scalise
Schradler
Schweikert
Scott (VA)
Scott, Austin
Sensenbrenner
Sessions
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Smucker
Stefanik
Stewart
Stivers
Swalwell (CA)
Takano
Taylor
Tenney
Thompson (CA)
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Tsongas
Turner
Upton
Valadao
Visclosky
Wagner
Walberg
Walden
Walker

Walorski	Westerman	Yoder
Walters, Mimi	Williams	Yoho
Walz	Wilson (SC)	Young (AK)
Weber (TX)	Wittman	Young (IA)
Webster (FL)	Womack	Zeldin
Wenstrup	Woodall	

ANSWERED "PRESENT"—1

Amodei

NOT VOTING—6

Cleaver	Jeffries	Titus
Cummings	Jenkins (KS)	Welch

□ 1509

Mr. SCHWEIKERT, Mr. KILMER, Mrs. McMORRIS RODGERS, and Ms. HERRERA BEUTLER changed their vote from "aye" to "no."

Ms. DELAURO and Mr. LARSON of Connecticut changed their vote from "no" to "aye."

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

PROVIDING FOR CONSIDERATION OF H.R. 1301, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2017

The SPEAKER pro tempore. The unfinished business is the vote on adoption of the resolution (H. Res. 174) providing for consideration of the bill (H.R. 1301) making appropriations for the Department of Defense for the fiscal year ending September 30, 2017, and for other purposes.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. McGOVERN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 233, noes 185, not voting 11, as follows:

[Roll No. 133]

AYES—233

Abraham	Brooks (AL)	Costello (PA)
Aderholt	Brooks (IN)	Cramer
Allen	Buchanan	Crawford
Amodei	Buck	Crist
Arrington	Bucshon	Culberson
Babin	Budd	Curbelo (FL)
Bacon	Burgess	Davidson
Banks (IN)	Byrne	Davis, Rodney
Barletta	Calvert	Delaney
Barr	Carter (GA)	Denham
Barton	Carter (TX)	Dent
Bergman	Chabot	DeSantis
Biggs	Chaffetz	DesJarlais
Billakis	Cheney	Diaz-Balart
Bishop (MI)	Coffman	Donovan
Bishop (UT)	Cole	Duffy
Black	Collins (GA)	Duncan (SC)
Blackburn	Collins (NY)	Duncan (TN)
Blum	Comer	Emmer
Bost	Comstock	Farenthold
Brady (TX)	Conaway	Faso
Brat	Cook	Ferguson
Bridenstine	Cooper	Fitzpatrick

Fleischmann	Lance	Rooney, Thomas
Flores	Latta	J.
Fortenberry	Lewis (MN)	Ros-Lehtinen
Fox	LoBiondo	Roskam
Franks (AZ)	Long	Ross
Frelinghuysen	Loudermilk	Rothfus
Gaetz	Love	Rouzer
Gallagher	Lucas	Royce (CA)
Garrett	Luetkemeyer	Russell
Gibbs	MacArthur	Rutherford
Gohmert	Marchant	Sanford
Goodlatte	Marino	Scalise
Gosar	Marshall	Schweikert
Gottheimer	Mast	Scott, Austin
Granger	McCarthy	Sessions
Graves (GA)	McCaul	Shimkus
Graves (LA)	McClintock	Shuster
Graves (MO)	McHenry	Simpson
Griffith	McKinley	Smith (MO)
Grothman	McMorris	Smith (NE)
Guthrie	Rodgers	Smith (TX)
Harper	McSally	Smucker
Harris	Meadows	Stefanik
Hartzler	Meehan	Stewart
Hensarling	Messer	Stivers
Herrera Beutler	Mitchell	Taylor
Hice, Jody B.	Moolenaar	Tenney
Higgins (LA)	Mooney (WV)	Thompson (PA)
Hill	Mullin	Thornberry
Himes	Murphy (PA)	Tiberi
Holding	Newhouse	Tipton
Hollingsworth	Noem	Trott
Hudson	Nunes	Turner
Huizenga	Olson	Upton
Hultgren	Palazzo	Valadao
Hurd	Palmer	Wagner
Issa	Paulsen	Walberg
Jenkins (WV)	Pearce	Walden
Johnson (LA)	Perry	Walker
Johnson (OH)	Pittenger	Walorski
Johnson, Sam	Poe (TX)	Walters, Mimi
Jordan	Poliquin	Weber (TX)
Joyce (OH)	Posey	Webster (FL)
Katko	Ratcliffe	Wenstrup
Kelly (MS)	Reed	Westerman
Kelly (PA)	Reichert	Williams
King (IA)	Renacci	Wilson (SC)
King (NY)	Rice (SC)	Wittman
Kinzinger	Roe	Womack
Knight	Roe (TN)	Woodall
Kustoff (TN)	Rogers (AL)	Yoder
Labrador	Rogers (KY)	Yoho
LaHood	Rohrabacher	Young (AK)
LaMalfa	Rokita	Young (IA)
Lamborn	Rooney, Francis	Zeldin

NOES—185

Adams	Courtney	Hoyer
Aguilar	Crowley	Huffman
Amash	Cuellar	Jackson Lee
Barragán	Davis (CA)	Jayapal
Bass	Davis, Danny	Johnson (GA)
Beatty	DeFazio	Johnson, E. B.
Bera	DeGette	Jones
Beyer	DeLauro	Kaptur
Bishop (GA)	DelBene	Keating
Blumenauer	Demings	Kelly (IL)
Blunt Rochester	DeSaulnier	Kennedy
Bonamici	Deutch	Khanna
Boyle, Brendan F.	Dingell	Kihuen
Brady (PA)	Doggett	Kildee
Brown (MD)	Doyle, Michael F.	Kilmer
Brownley (CA)	Ellison	Kind
Bustos	Engel	Krishnamoorthi
Butterfield	Eshoo	Kuster (NH)
Capuano	Espallat	Langevin
Carbajal	Esty	Larsen (WA)
Cardenas	Evans	Larson (CT)
Carson (IN)	Foster	Lawrence
Cartwright	Frankel (FL)	Lawson (FL)
Castor (FL)	Fudge	Lee
Castro (TX)	Gabbard	Levin
Chu, Judy	Galleo	Lewis (GA)
Cicilline	Garamendi	Lieu, Ted
Clark (MA)	Gonzalez (TX)	Lipinski
Clarke (NY)	Green, Al	Loeback
Clay	Green, Gene	Lofgren
Clyburn	Grijalva	Lowenthal
Cohen	Gutiérrez	Lowey
Connolly	Hanabusa	Lujan Grisham, M.
Conyers	Hastings	Luján, Ben Ray
Correa	Heck	Lynch
Costa	Higgins (NY)	

Maloney, Carolyn B.	Peterson	Sinema
Maloney, Sean	Pingree	Sires
Massie	Pocan	Slaughter
Matsui	Polis	Smith (WA)
McCollum	Price (NC)	Soto
McEachin	Quigley	Speier
McGovern	Raskin	Suozi
McNerney	Rice (NY)	Swalwell (CA)
Meeks	Richmond	Takano
Meng	Rosen	Thompson (CA)
Moore	Roybal-Allard	Thompson (MS)
Murphy (FL)	Ruiz	Tonko
Nadler	Ruppersberger	Torres
Napolitano	Rush	Tsongas
Neal	Ryan (OH)	Vargas
Nolan	Sánchez	Veasey
Norcross	Sarbanes	Vela
O'Halleran	Schakowsky	Velázquez
O'Rourke	Schiff	Visclosky
Pallone	Schneider	Walz
Panetta	Schrader	Wasserman
Pascrell	Scott (VA)	Schultz
Payne	Scott, David	Waters, Maxine
Pelosi	Serrano	Watson Coleman
Perlmutter	Sewell (AL)	Wilson (FL)
Peters	Shea-Porter	Yarmuth
	Sherman	

NOT VOTING—11

Cleaver	Jeffries	Smith (NJ)
Cummings	Jenkins (KS)	Titus
Dunn	Moulton	Welch
Hunter	Sensenbrenner	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1516

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PARLIAMENTARY INQUIRY

Mr. McGOVERN. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. McGOVERN. Mr. Speaker, I am wondering whether or not you could inform us whether or not a CBO score has been completed on the Republican repeal of the Affordable Care Act because many of us are worried it will kick up to 20 million Americans off their health coverage. It will increase out-of-pocket expenses for millions of families.

The SPEAKER pro tempore. The gentleman is not stating a proper parliamentary inquiry.

Mr. McGOVERN. Mr. Speaker, I will give the Republicans a little bit more time to request a CBO score.

MOTION TO ADJOURN

Mr. McGOVERN. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion to adjourn offered by the gentleman from Massachusetts (Mr. McGOVERN).

The question was taken; and the Speaker announced that the noes appeared to have it.

RECORDED VOTE

Mr. McGOVERN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 107, noes 277, not voting 45, as follows:

[Roll No. 134]

AYES—107

Adams	Engel	Napolitano
Beatty	Eshoo	Neal
Bishop (GA)	Españillat	Norcross
Blunt Rochester	Foster	O'Halleran
Boyle, Brendan F.	Fudge	Pallone
Brady (PA)	Gallego	Panetta
Brownley (CA)	Garamendi	Payne
Bustos	Gonzalez (TX)	Pingree
Butterfield	Gutiérrez	Quigley
Carbajal	Hastings	Raskin
Cárdenas	Himes	Richmond
Carson (IN)	Hoyer	Ruppersberger
Castor (FL)	Jackson Lee	Rush
Chu, Judy	Jayapal	Sánchez
Ciçilline	Johnson (GA)	Sarbanes
Clark (MA)	Kaptur	Schakowsky
Clarke (NY)	Kelly (IL)	Schiff
Clay	Kennedy	Serrano
Clyburn	Khanna	Sewell (AL)
Cohen	Kihuen	Sires
Conyers	Krishnamoorthi	Slaughter
Cooper	Kuster (NH)	Soto
Correa	Langevin	Speier
Costa	Larson (CT)	Suozzi
Crist	Lawrence	Takano
Crowley	Lee	Thompson (MS)
Davis, Danny	Lieu, Ted	Tonko
DeGette	Lowenthal	Vargas
Delaney	Lowe	Veasey
DeLauro	Luján, Ben Ray	Velázquez
Demings	McEachin	Wasserman
DeSaulnier	McGovern	Schultz
Dingell	McNerney	Waters, Maxine
Doggett	Meeke	Watson Coleman
Doyle, Michael F.	Meng	Wilson (FL)
	Moore	Yarmuth
	Nadler	

NOES—277

Abraham	Comstock	Green, Gene
Aderholt	Conaway	Griffith
Aguiar	Connolly	Grothman
Allen	Cook	Guthrie
Amash	Costello (PA)	Harper
Amodei	Courtney	Harris
Arrington	Cramer	Hartzler
Babin	Crawford	Hensarling
Bacon	Cuellar	Herrera Beutler
Banks (IN)	Culberson	Hice, Jody B.
Barletta	Curbelo (FL)	Higgins (LA)
Barr	Davis (CA)	Hill
Barton	Davis, Rodney	Holding
Bera	DeFazio	Hollingsworth
Bergman	DeBene	Hudson
Biggs	Denham	Huffman
Bilirakis	DeSantis	Huizenga
Bishop (MI)	Diaz-Balart	Hultgren
Bishop (UT)	Donovan	Hunter
Black	Duffy	Hurd
Blackburn	Duncan (SC)	Issa
Blum	Duncan (TN)	Jenkins (WV)
Bonamici	Ellison	Johnson (LA)
Bost	Emmer	Johnson (OH)
Brady (TX)	Esty	Johnson, Sam
Brat	Farenthold	Jones
Bridenstine	Faso	Jordan
Brooks (AL)	Ferguson	Joyce (OH)
Brooks (IN)	Fitzpatrick	Katko
Buchanan	Fleischmann	Keating
Buck	Flores	Kelly (MS)
Bucshon	Fortenberry	Kelly (PA)
Budd	Fox	Kildee
Burgess	Franks (AZ)	Kilmer
Byrne	Frelinghuysen	Kind
Calvert	Gabbard	King (IA)
Capuano	Gaetz	King (NY)
Carter (GA)	Garrett	Kustoff (TN)
Carter (TX)	Gibbs	Labrador
Cartwright	Gohmert	LaHood
Chabot	Goodlatte	LaMalfa
Chaffetz	Gottheimer	Lamborn
Cheney	Gowdy	Lance
Coffman	Granger	Larsen (WA)
Cole	Graves (GA)	Latta
Collins (GA)	Graves (LA)	Lawson (FL)
Collins (NY)	Graves (MO)	Levin
Comer	Green, Al	Lewis (MN)

Lipinski	Pearce	Simpson
LoBiondo	Perlmutter	Sinema
Loeb	Perry	Smith (MO)
Lofgren	Peters	Smith (NE)
Long	Peterson	Smith (NJ)
Loudermilk	Poe (TX)	Smith (TX)
Love	Poliquin	Smith (WA)
Lucas	Posey	Smucker
Luetkemeyer	Price (NC)	Stefanik
Lujan Grisham, M.	Reed	Stewart
Lynch	Reichert	Stivers
MacArthur	Renacci	Swalwell (CA)
Maloney	Rice (NY)	Taylor
Malone, Carolyn B.	Rice (SC)	Tenney
Maloney, Sean	Roby	Thompson (CA)
Marino	Roe (TN)	Thompson (PA)
Marshall	Rogers (AL)	Thornberry
Massie	Rogers (KY)	Tiberi
Mast	Rohrabacher	Tipton
Matsui	Rokita	Tsongas
Rush	Rooney, Francis	Turner
Sánchez	Rooney, Thomas J.	Upton
Sarbanes	Ros-Lehtinen	Valadao
McHenry	Rosen	Visclosky
McKinley	Roskam	Wagner
McMorris	Rothfus	Walberg
Rodgers	Rouzer	Walden
McSally	Roybal-Allard	Walker
Meadows	Royce (CA)	Walorski
Meehan	Ruiz	Walters, Mimi
Messer	Russell	Walz
Mitchell	Rutherford	Weber (TX)
Moolenaar	Ryan (OH)	Webster (FL)
Mooney (WV)	Sanford	Wenstrup
Moulton	Scalise	Westerman
Mullin	Schneider	Williams
Murphy (FL)	Schrader	Wilson (SC)
Murphy (PA)	Schweikert	Wittman
Newhouse	Scott (VA)	Womack
Noem	Scott, Austin	Woodall
Nolan	Sensenbrenner	Yoder
Nunes	Sessions	Yoho
Palazzo	Shea-Porter	Young (AK)
Palmer	Sherman	Young (IA)
Paulsen	Shimkus	Zeldin

NOT VOTING—45

Barragán	Gallagher	Olson
Bass	Gosar	Pascarella
Beyer	Grijalva	Pelosi
Blumenauer	Hanabusa	Pittenger
Brown (MD)	Heck	Pocan
Castro (TX)	Higgins (NY)	Polis
Cleaver	Jeffries	Ratcliffe
Cummings	Jenkins (KS)	Ross
Davidson	Johnson, E. B.	Scott, David
Dent	Kinzing	Shuster
DesJarlais	Knight	Titus
Deutch	Lewis (GA)	Torres
Dunn	Marchant	Trott
Evans	McCollum	Vela
Frankel (FL)	O'Rourke	Welch

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1533

Mr. JENKINS of West Virginia changed his vote from “aye” to “no.”

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

Stated for:

Ms. BARRAGÁN. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted “yea” on roll call No. 134.

Stated against:

Mr. GALLAGHER. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted “nay” on roll call No. 134.

PRIVILEGED REPORT ON RESOLUTION OF INQUIRY DIRECTING THE ATTORNEY GENERAL TO TRANSMIT CERTAIN DOCUMENTS TO THE HOUSE OF REPRESENTATIVES RELATING TO THE FINANCIAL PRACTICES OF THE PRESIDENT

Mr. GOODLATTE, from the Committee on the Judiciary, submitted an adverse privileged report (Rept. No. 115-28) on the resolution (H. Res. 111) of inquiry directing the Attorney General to transmit certain documents to the House of Representatives relating to the financial practices of the President, which was referred to the House Calendar and ordered to be printed.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2017

Mr. FRELINGHUYSEN. Mr. Speaker, pursuant to House Resolution 174, I call up the bill (H.R. 1301) making appropriations for the Department of Defense for the fiscal year ending September 30, 2017, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 174, the bill is considered read.

The text of the bill is as follows:

H.R. 1301

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2017, for military functions administered by the Department of Defense and for other purposes, namely:

TITLE I

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Army on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, \$40,042,962,000.

MILITARY PERSONNEL, NAVY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Navy on active duty (except members of the Reserve provided for elsewhere), midshipmen, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), and to the Department of

Defense Military Retirement Fund, \$27,889,405,000.

MILITARY PERSONNEL, MARINE CORPS

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Marine Corps on active duty (except members of the Reserve provided for elsewhere); and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, \$12,735,182,000.

MILITARY PERSONNEL, AIR FORCE

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Air Force on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, \$27,958,795,000.

RESERVE PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army Reserve on active duty under sections 10211, 10302, and 3038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$4,524,863,000.

RESERVE PERSONNEL, NAVY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Navy Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$1,921,045,000.

RESERVE PERSONNEL, MARINE CORPS

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Marine Corps Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and for members of the Marine Corps platoon leaders class, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$744,795,000.

RESERVE PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for

personnel of the Air Force Reserve on active duty under sections 10211, 10305, and 8038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$1,725,526,000.

NATIONAL GUARD PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army National Guard while on duty under sections 10211, 10302, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$7,899,423,000.

NATIONAL GUARD PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air National Guard on duty under sections 10211, 10305, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$3,283,982,000.

TITLE II

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Army, as authorized by law, \$32,738,173,000: *Provided*, That not to exceed \$12,478,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Army, and payments may be made on his certificate of necessity for confidential military purposes.

OPERATION AND MAINTENANCE, NAVY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Navy and the Marine Corps, as authorized by law, \$38,552,017,000: *Provided*, That not to exceed \$15,055,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Navy, and payments may be made on his certificate of necessity for confidential military purposes.

OPERATION AND MAINTENANCE, MARINE CORPS

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Marine Corps, as authorized by law, \$5,676,152,000.

OPERATION AND MAINTENANCE, AIR FORCE

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Air Force, as authorized by law, \$36,247,724,000: *Provided*, That not to exceed

\$7,699,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Air Force, and payments may be made on his certificate of necessity for confidential military purposes.

OPERATION AND MAINTENANCE, DEFENSE-WIDE (INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for the operation and maintenance of activities and agencies of the Department of Defense (other than the military departments), as authorized by law, \$32,373,949,000: *Provided*, That not more than \$15,000,000 may be used for the Combatant Commander Initiative Fund authorized under section 166a of title 10, United States Code: *Provided further*, That not to exceed \$36,000,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of Defense, and payments may be made on his certificate of necessity for confidential military purposes: *Provided further*, That of the funds provided under this heading, not less than \$34,964,000 shall be made available for the Procurement Technical Assistance Cooperative Agreement Program, of which not less than \$3,600,000 shall be available for centers defined in 10 U.S.C. 2411(1)(D): *Provided further*, That none of the funds appropriated or otherwise made available by this Act may be used to plan or implement the consolidation of a budget or appropriations liaison office of the Office of the Secretary of Defense, the office of the Secretary of a military department, or the service headquarters of one of the Armed Forces into a legislative affairs or legislative liaison office: *Provided further*, That \$5,023,000, to remain available until expended, is available only for expenses relating to certain classified activities, and may be transferred as necessary by the Secretary of Defense to operation and maintenance appropriations or research, development, test and evaluation appropriations, to be merged with and to be available for the same time period as the appropriations to which transferred: *Provided further*, That any ceiling on the investment item unit cost of items that may be purchased with operation and maintenance funds shall not apply to the funds described in the preceding proviso: *Provided further*, That of the funds provided under this heading, \$480,000,000, to remain available until September 30, 2018, shall be available to provide support and assistance to foreign security forces or other groups or individuals to conduct, support or facilitate counterterrorism, crisis response, or other Department of Defense security cooperation programs: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

OPERATION AND MAINTENANCE, ARMY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Army Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, \$2,743,688,000.

OPERATION AND MAINTENANCE, NAVY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Navy Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation;

care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, \$929,656,000.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Marine Corps Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, \$271,133,000.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Air Force Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, \$3,069,229,000.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For expenses of training, organizing, and administering the Army National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; hire of passenger motor vehicles; personnel services in the National Guard Bureau; travel expenses (other than mileage), as authorized by law for Army personnel on active duty, for Army National Guard division, regimental, and battalion commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau; supplying and equipping the Army National Guard as authorized by law; and expenses of repair, modification, maintenance, and issue of supplies and equipment (including aircraft), \$6,861,478,000.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For expenses of training, organizing, and administering the Air National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; transportation of things, hire of passenger motor vehicles; supplying and equipping the Air National Guard, as authorized by law; expenses for repair, modification, maintenance, and issue of supplies and equipment, including those furnished from stocks under the control of agencies of the Department of Defense; travel expenses (other than mileage) on the same basis as authorized by law for Air National Guard personnel on active Federal duty, for Air National Guard commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau, \$6,615,095,000.

UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES

For salaries and expenses necessary for the United States Court of Appeals for the Armed Forces, \$14,194,000, of which not to exceed \$5,000 may be used for official representation purposes.

ENVIRONMENTAL RESTORATION, ARMY (INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, \$170,167,000, to remain available until trans-

ferred: *Provided*, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Army, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, NAVY

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Navy, \$289,262,000, to remain available until transferred: *Provided*, That the Secretary of the Navy shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Navy, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Navy, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, AIR FORCE

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Air Force, \$371,521,000, to remain available until transferred: *Provided*, That the Secretary of the Air Force shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Air Force, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Air Force, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For the Department of Defense, \$9,009,000, to remain available until transferred: *Provided*, That the Secretary of Defense shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the

Department of Defense, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of Defense, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, FORMERLY USED DEFENSE SITES

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, \$222,084,000, to remain available until transferred: *Provided*, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris at sites formerly used by the Department of Defense, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

For expenses relating to the Overseas Humanitarian, Disaster, and Civic Aid programs of the Department of Defense (consisting of the programs provided under sections 401, 402, 404, 407, 2557, and 2561 of title 10, United States Code), \$123,125,000, to remain available until September 30, 2018.

COOPERATIVE THREAT REDUCTION ACCOUNT

For assistance, including assistance provided by contract or by grants, under programs and activities of the Department of Defense Cooperative Threat Reduction Program authorized under the Department of Defense Cooperative Threat Reduction Act, \$325,604,000, to remain available until September 30, 2019.

TITLE III PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$4,587,598,000, to remain available for obligation until September 30, 2019.

MISSILE PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of missiles, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$1,533,804,000, to remain available for obligation until September 30, 2019.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For construction, procurement, production, and modification of weapons and tracked combat vehicles, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$2,229,455,000, to remain available for obligation until September 30, 2019.

PROCUREMENT OF AMMUNITION, ARMY

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$1,483,566,000, to remain available for obligation until September 30, 2019.

OTHER PROCUREMENT, ARMY

For construction, procurement, production, and modification of vehicles, including tactical, support, and non-tracked combat vehicles; the purchase of passenger motor vehicles for replacement only; communications and electronic equipment; other support equipment; spare parts, ordnance, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$6,147,328,000, to remain available for obligation until September 30, 2019.

AIRCRAFT PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of air-

craft, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, \$16,135,335,000, to remain available for obligation until September 30, 2019.

WEAPONS PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of missiles, torpedoes, other weapons, and related support equipment including spare parts, and accessories therefor; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, \$3,265,285,000, to remain available for obligation until September 30, 2019.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$633,678,000, to remain available for obligation until September 30, 2019.

SHIPBUILDING AND CONVERSION, NAVY

For expenses necessary for the construction, acquisition, or conversion of vessels as authorized by law, including armor and armament thereof, plant equipment, appliances, and machine tools and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; procurement of critical, long lead time components and designs for vessels to be constructed or converted in the future; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, as follows:

Ohio Replacement Submarine (AP), \$773,138,000;
Carrier Replacement Program, \$1,255,783,000;
Carrier Replacement Program (AP), \$1,370,784,000;
Virginia Class Submarine, \$3,187,985,000;
Virginia Class Submarine (AP), \$1,852,234,000;
CVN Refueling Overhauls, \$1,699,120,000;
CVN Refueling Overhauls (AP), \$233,149,000;
DDG-1000 Program, \$271,756,000;
DDG-51 Destroyer, \$3,614,792,000;
Littoral Combat Ship, \$1,563,692,000;
LPD-17, \$1,786,000,000;
LHA Replacement, \$1,617,719,000;
TAO Fleet Oiler (AP), \$73,079,000;
Moored Training Ship, \$624,527,000;

Ship to Shore Connector, \$128,067,000;
Service Craft, \$65,192,000;
LCAC Service Life Extension Program, \$82,074,000;
YP Craft Maintenance/ROH/SLEP, \$21,363,000;

For outfitting, post delivery, conversions, and first destination transportation, \$626,158,000;

Completion of Prior Year Shipbuilding Programs, \$160,274,000; and
Polar Icebreakers (AP), \$150,000,000.

In all: \$21,156,886,000, to remain available for obligation until September 30, 2021: *Provided*, That additional obligations may be incurred after September 30, 2021, for engineering services, tests, evaluations, and other such budgeted work that must be performed in the final stage of ship construction: *Provided further*, That none of the funds provided under this heading for the construction or conversion of any naval vessel to be constructed in shipyards in the United States shall be expended in foreign facilities for the construction of major components of such vessel: *Provided further*, That none of the funds provided under this heading shall be used for the construction of any naval vessel in foreign shipyards: *Provided further*, That funds appropriated or otherwise made available by this Act for production of the common missile compartment of nuclear-powered vessels may be available for multiyear procurement of critical components to support continuous production of such compartments only in accordance with the provisions of subsection (i) of section 2218a of title 10, United States Code (as added by section 1023 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328)).

OTHER PROCUREMENT, NAVY

For procurement, production, and modernization of support equipment and materials not otherwise provided for, Navy ordnance (except ordnance for new aircraft, new ships, and ships authorized for conversion); the purchase of passenger motor vehicles for replacement only; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, \$6,308,919,000, to remain available for obligation until September 30, 2019.

PROCUREMENT, MARINE CORPS

For expenses necessary for the procurement, manufacture, and modification of missiles, armament, military equipment, spare parts, and accessories therefor; plant equipment, appliances, and machine tools, and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; vehicles for the Marine Corps, including the purchase of passenger motor vehicles for replacement only; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, \$1,307,456,000, to remain available for obligation until September 30, 2019.

AIRCRAFT PROCUREMENT, AIR FORCE

For construction, procurement, and modification of aircraft and equipment, including armor and armament, specialized ground handling equipment, and training devices,

spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, \$14,253,623,000, to remain available for obligation until September 30, 2019.

MISSILE PROCUREMENT, AIR FORCE

For construction, procurement, and modification of missiles, rockets, and related equipment, including spare parts and accessories therefor; ground handling equipment, and training devices; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, \$2,348,121,000, to remain available for obligation until September 30, 2019.

SPACE PROCUREMENT, AIR FORCE

For construction, procurement, and modification of spacecraft, rockets, and related equipment, including spare parts and accessories therefor; ground handling equipment, and training devices; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, \$2,733,243,000, to remain available for obligation until September 30, 2019.

PROCUREMENT OF AMMUNITION, AIR FORCE

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$1,589,219,000, to remain available for obligation until September 30, 2019.

OTHER PROCUREMENT, AIR FORCE

For procurement and modification of equipment (including ground guidance and electronic control equipment, and ground electronic and communication equipment), and supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of passenger motor vehicles for replacement only; lease of passenger motor vehicles; and expansion of public and private

plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon, prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, \$17,768,224,000, to remain available for obligation until September 30, 2019.

PROCUREMENT, DEFENSE-WIDE

For expenses of activities and agencies of the Department of Defense (other than the military departments) necessary for procurement, production, and modification of equipment, supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of passenger motor vehicles for replacement only; expansion of public and private plants, equipment, and installation thereof in such plants, erection of structures, and acquisition of land for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, \$4,881,022,000, to remain available for obligation until September 30, 2019.

DEFENSE PRODUCTION ACT PURCHASES

For activities by the Department of Defense pursuant to sections 108, 301, 302, and 303 of the Defense Production Act of 1950 (50 U.S.C. 4518, 4531, 4532, and 4533), \$64,065,000, to remain available until expended.

TITLE IV

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, \$8,332,965,000, to remain available for obligation until September 30, 2018.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, \$17,214,530,000, to remain available for obligation until September 30, 2018: *Provided*, That funds appropriated in this paragraph which are available for the V-22 may be used to meet unique operational requirements of the Special Operations Forces.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, \$27,788,548,000, to remain available for obligation until September 30, 2018.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE (INCLUDING TRANSFER OF FUNDS)

For expenses of activities and agencies of the Department of Defense (other than the military departments), necessary for basic and applied scientific research, development, test and evaluation; advanced research projects as may be designated and determined by the Secretary of Defense, pursuant to law; maintenance, rehabilitation, lease, and operation of facilities and equipment,

\$18,778,550,000, to remain available for obligation until September 30, 2018: *Provided*, That, of the funds made available in this paragraph, \$250,000,000 for the Defense Rapid Innovation Program shall only be available for expenses, not otherwise provided for, to include program management and oversight, to conduct research, development, test and evaluation to include proof of concept demonstration; engineering, testing, and validation; and transition to full-scale production: *Provided further*, That the Secretary of Defense may transfer funds provided herein for the Defense Rapid Innovation Program to appropriations for research, development, test and evaluation to accomplish the purpose provided herein: *Provided further*, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the Secretary of Defense shall, not fewer than 30 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer.

OPERATIONAL TEST AND EVALUATION, DEFENSE

For expenses, not otherwise provided for, necessary for the independent activities of the Director, Operational Test and Evaluation, in the direction and supervision of operational test and evaluation, including initial operational test and evaluation which is conducted prior to, and in support of, production decisions; joint operational testing and evaluation; and administrative expenses in connection therewith, \$186,994,000, to remain available for obligation until September 30, 2018.

TITLE V

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For the Defense Working Capital Funds, \$1,511,613,000.

TITLE VI

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For expenses, not otherwise provided for, for medical and health care programs of the Department of Defense as authorized by law, \$33,781,270,000; of which \$31,277,002,000 shall be for operation and maintenance, of which not to exceed one percent shall remain available for obligation until September 30, 2018, and of which up to \$15,315,832,000 may be available for contracts entered into under the TRICARE program; of which \$402,161,000, to remain available for obligation until September 30, 2019, shall be for procurement; and of which \$2,102,107,000, to remain available for obligation until September 30, 2018, shall be for research, development, test and evaluation: *Provided*, That, notwithstanding any other provision of law, of the amount made available under this heading for research, development, test and evaluation, not less than \$8,000,000 shall be available for HIV prevention educational activities undertaken in connection with United States military training, exercises, and humanitarian assistance activities conducted primarily in African nations: *Provided further*, That of the funds provided under this heading for research, development, test and evaluation, not less than \$1,014,600,000 shall be made available to the United States Army Medical Research and Materiel Command to carry out the congressionally directed medical research programs.

CHEMICAL AGENTS AND MUNITIONS
DESTRUCTION, DEFENSE

For expenses, not otherwise provided for, necessary for the destruction of the United States stockpile of lethal chemical agents and munitions in accordance with the provisions of section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and for the destruction of other chemical warfare materials that are not in the chemical weapon stockpile, \$523,726,000, of which \$119,985,000 shall be for operation and maintenance, of which no less than \$49,533,000 shall be for the Chemical Stockpile Emergency Preparedness Program, consisting of \$20,368,000 for activities on military installations and \$29,165,000, to remain available until September 30, 2018, to assist State and local governments, and of which not more than \$13,700,000, to remain available until September 30, 2018, shall be for the destruction of eight United States-origin chemical munitions in the Republic of Panama, to the extent authorized by law; \$15,132,000 shall be for procurement, to remain available until September 30, 2019, of which \$15,132,000 shall be for the Chemical Stockpile Emergency Preparedness Program to assist State and local governments; and \$388,609,000, to remain available until September 30, 2018, shall be for research, development, test and evaluation, of which \$380,892,000 shall only be for the Assembled Chemical Weapons Alternatives program.

DRUG INTERDICTION AND COUNTER-DRUG
ACTIVITIES, DEFENSE

(INCLUDING TRANSFER OF FUNDS)

For drug interdiction and counter-drug activities of the Department of Defense, for transfer to appropriations available to the Department of Defense for military personnel of the reserve components serving under the provisions of title 10 and title 32, United States Code; for operation and maintenance; for procurement; and for research, development, test and evaluation, \$998,800,000, of which \$626,087,000 shall be for counter-narcotics support; \$118,713,000 shall be for the drug demand reduction program; \$234,000,000 shall be for the National Guard counter-drug program; and \$20,000,000 shall be for the National Guard counter-drug schools program: *Provided*, That the funds appropriated under this heading shall be available for obligation for the same time period and for the same purpose as the appropriation to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority contained elsewhere in this Act.

OFFICE OF THE INSPECTOR GENERAL

For expenses and activities of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, \$312,035,000, of which \$308,882,000 shall be for operation and maintenance, of which not to exceed \$700,000 is available for emergencies and extraordinary expenses to be expended on the approval or authority of the Inspector General, and payments may be made on the Inspector General's certificate of necessity for confidential military purposes; and of which \$3,153,000, to remain available until September 30, 2018, shall be for research, development, test and evaluation.

TITLE VII
RELATED AGENCIES

CENTRAL INTELLIGENCE AGENCY RETIREMENT
AND DISABILITY SYSTEM FUND

For payment to the Central Intelligence Agency Retirement and Disability System Fund, to maintain the proper funding level for continuing the operation of the Central Intelligence Agency Retirement and Disability System, \$514,000,000.

INTELLIGENCE COMMUNITY MANAGEMENT
ACCOUNT

For necessary expenses of the Intelligence Community Management Account, \$515,596,000.

TITLE VIII
GENERAL PROVISIONS

SEC. 8001. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 8002. During the current fiscal year, provisions of law prohibiting the payment of compensation to, or employment of, any person not a citizen of the United States shall not apply to personnel of the Department of Defense: *Provided*, That salary increases granted to direct and indirect hire foreign national employees of the Department of Defense funded by this Act shall not be at a rate in excess of the percentage increase authorized by law for civilian employees of the Department of Defense whose pay is computed under the provisions of section 5332 of title 5, United States Code, or at a rate in excess of the percentage increase provided by the appropriate host nation to its own employees, whichever is higher: *Provided further*, That this section shall not apply to Department of Defense foreign service national employees serving at United States diplomatic missions whose pay is set by the Department of State under the Foreign Service Act of 1980: *Provided further*, That the limitations of this provision shall not apply to foreign national employees of the Department of Defense in the Republic of Turkey.

SEC. 8003. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year, unless expressly so provided herein.

SEC. 8004. No more than 20 percent of the appropriations in this Act which are limited for obligation during the current fiscal year shall be obligated during the last 2 months of the fiscal year: *Provided*, That this section shall not apply to obligations for support of active duty training of reserve components or summer camp training of the Reserve Officers' Training Corps.

(TRANSFER OF FUNDS)

SEC. 8005. Upon determination by the Secretary of Defense that such action is necessary in the national interest, he may, with the approval of the Office of Management and Budget, transfer not to exceed \$4,500,000,000 of working capital funds of the Department of Defense or funds made available in this Act to the Department of Defense for military functions (except military construction) between such appropriations or funds or any subdivision thereof, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: *Provided*, That such authority to transfer may not be used unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by the Congress: *Provided further*,

That the Secretary of Defense shall notify the Congress promptly of all transfers made pursuant to this authority or any other authority in this Act: *Provided further*, That no part of the funds in this Act shall be available to prepare or present a request to the Committees on Appropriations for reprogramming of funds, unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which reprogramming is requested has been denied by the Congress: *Provided further*, That a request for multiple reprogrammings of funds using authority provided in this section shall be made prior to June 30, 2017: *Provided further*, That transfers among military personnel appropriations shall not be taken into account for purposes of the limitation on the amount of funds that may be transferred under this section.

SEC. 8006. (a) With regard to the list of specific programs, projects, and activities (and the dollar amounts and adjustments to budget activities corresponding to such programs, projects, and activities) contained in the tables titled Explanation of Project Level Adjustments in the explanatory statement regarding this Act, the obligation and expenditure of amounts appropriated or otherwise made available in this Act for those programs, projects, and activities for which the amounts appropriated exceed the amounts requested are hereby required by law to be carried out in the manner provided by such tables to the same extent as if the tables were included in the text of this Act.

(b) Amounts specified in the referenced tables described in subsection (a) shall not be treated as subdivisions of appropriations for purposes of section 8005 of this Act: *Provided*, That section 8005 shall apply when transfers of the amounts described in subsection (a) occur between appropriation accounts.

SEC. 8007. (a) Not later than 60 days after enactment of this Act, the Department of Defense shall submit a report to the congressional defense committees to establish the baseline for application of reprogramming and transfer authorities for fiscal year 2017: *Provided*, That the report shall include—

(1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(2) a delineation in the table for each appropriation both by budget activity and program, project, and activity as detailed in the Budget Appendix; and

(3) an identification of items of special congressional interest.

(b) Notwithstanding section 8005 of this Act, none of the funds provided in this Act shall be available for reprogramming or transfer until the report identified in subsection (a) is submitted to the congressional defense committees, unless the Secretary of Defense certifies in writing to the congressional defense committees that such reprogramming or transfer is necessary as an emergency requirement: *Provided*, That this subsection shall not apply to transfers from the following appropriations accounts:

- (1) "Environmental Restoration, Army";
- (2) "Environmental Restoration, Navy";
- (3) "Environmental Restoration, Air Force";
- (4) "Environmental Restoration, Defense-wide";
- (5) "Environmental Restoration, Formerly Used Defense Sites"; and

(6) “Drug Interdiction and Counter-drug Activities, Defense”.

(TRANSFER OF FUNDS)

SEC. 8008. During the current fiscal year, cash balances in working capital funds of the Department of Defense established pursuant to section 2208 of title 10, United States Code, may be maintained in only such amounts as are necessary at any time for cash disbursements to be made from such funds: *Provided*, That transfers may be made between such funds: *Provided further*, That transfers may be made between working capital funds and the “Foreign Currency Fluctuations, Defense” appropriation and the “Operation and Maintenance” appropriation accounts in such amounts as may be determined by the Secretary of Defense, with the approval of the Office of Management and Budget, except that such transfers may not be made unless the Secretary of Defense has notified the Congress of the proposed transfer: *Provided further*, That except in amounts equal to the amounts appropriated to working capital funds in this Act, no obligations may be made against a working capital fund to procure or increase the value of war reserve material inventory, unless the Secretary of Defense has notified the Congress prior to any such obligation.

SEC. 8009. Funds appropriated by this Act may not be used to initiate a special access program without prior notification 30 calendar days in advance to the congressional defense committees.

SEC. 8010. None of the funds provided in this Act shall be available to initiate: (1) a multiyear contract that employs economic order quantity procurement in excess of \$20,000,000 in any one year of the contract or that includes an unfunded contingent liability in excess of \$20,000,000; or (2) a contract for advance procurement leading to a multiyear contract that employs economic order quantity procurement in excess of \$20,000,000 in any one year, unless the congressional defense committees have been notified at least 30 days in advance of the proposed contract award: *Provided*, That no part of any appropriation contained in this Act shall be available to initiate a multiyear contract for which the economic order quantity advance procurement is not funded at least to the limits of the Government's liability: *Provided further*, That no part of any appropriation contained in this Act shall be available to initiate multiyear procurement contracts for any systems or component thereof if the value of the multiyear contract would exceed \$500,000,000 unless specifically provided in this Act: *Provided further*, That no multiyear procurement contract can be terminated without 30-day prior notification to the congressional defense committees: *Provided further*, That the execution of multiyear authority shall require the use of a present value analysis to determine lowest cost compared to an annual procurement: *Provided further*, That none of the funds provided in this Act may be used for a multiyear contract executed after the date of the enactment of this Act unless in the case of any such contract—

(1) the Secretary of Defense has submitted to Congress a budget request for full funding of units to be procured through the contract and, in the case of a contract for procurement of aircraft, that includes, for any aircraft unit to be procured through the contract for which procurement funds are requested in that budget request for production beyond advance procurement activities in the fiscal year covered by the budget, full funding of procurement of such unit in that fiscal year;

(2) cancellation provisions in the contract do not include consideration of recurring manufacturing costs of the contractor associated with the production of unfunded units to be delivered under the contract;

(3) the contract provides that payments to the contractor under the contract shall not be made in advance of incurred costs on funded units; and

(4) the contract does not provide for a price adjustment based on a failure to award a follow-on contract.

Funds appropriated in title III of this Act may be used for a multiyear procurement contract as follows: AH-64E Apache Helicopter and UH-60M Blackhawk Helicopter.

SEC. 8011. Within the funds appropriated for the operation and maintenance of the Armed Forces, funds are hereby appropriated pursuant to section 401 of title 10, United States Code, for humanitarian and civic assistance costs under chapter 20 of title 10, United States Code. Such funds may also be obligated for humanitarian and civic assistance costs incidental to authorized operations and pursuant to authority granted in section 401 of chapter 20 of title 10, United States Code, and these obligations shall be reported as required by section 401(d) of title 10, United States Code: *Provided*, That funds available for operation and maintenance shall be available for providing humanitarian and similar assistance by using Civic Action Teams in the Trust Territories of the Pacific Islands and freely associated states of Micronesia, pursuant to the Compact of Free Association as authorized by Public Law 99-239: *Provided further*, That upon a determination by the Secretary of the Army that such action is beneficial for graduate medical education programs conducted at Army medical facilities located in Hawaii, the Secretary of the Army may authorize the provision of medical services at such facilities and transportation to such facilities, on a nonreimbursable basis, for civilian patients from American Samoa, the Commonwealth of the Northern Mariana Islands, the Marshall Islands, the Federated States of Micronesia, Palau, and Guam.

SEC. 8012. (a) During fiscal year 2017, the civilian personnel of the Department of Defense may not be managed on the basis of any end-strength, and the management of such personnel during that fiscal year shall not be subject to any constraint or limitation (known as an end-strength) on the number of such personnel who may be employed on the last day of such fiscal year.

(b) The fiscal year 2018 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2018 Department of Defense budget request shall be prepared and submitted to the Congress as if subsections (a) and (b) of this provision were effective with regard to fiscal year 2018.

(c) As required by section 1107 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66; 10 U.S.C. 2358 note) civilian personnel at the Department of Army Science and Technology Reinvention Laboratories may not be managed on the basis of the Table of Distribution and Allowances, and the management of the workforce strength shall be done in a manner consistent with the budget available with respect to such Laboratories.

(d) Nothing in this section shall be construed to apply to military (civilian) technicians.

SEC. 8013. None of the funds appropriated by this Act shall be used for the support of any nonappropriated funds activity of the

Department of Defense that procures malt beverages and wine with nonappropriated funds for resale (including such alcoholic beverages sold by the drink) on a military installation located in the United States unless such malt beverages and wine are procured within that State, or in the case of the District of Columbia, within the District of Columbia, in which the military installation is located: *Provided*, That, in a case in which the military installation is located in more than one State, purchases may be made in any State in which the installation is located: *Provided further*, That such local procurement requirements for malt beverages and wine shall apply to all alcoholic beverages only for military installations in States which are not contiguous with another State: *Provided further*, That alcoholic beverages other than wine and malt beverages, in contiguous States and the District of Columbia shall be procured from the most competitive source, price and other factors considered.

SEC. 8014. None of the funds made available by this Act shall be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before the Congress.

SEC. 8015. None of the funds appropriated by this Act shall be available for the basic pay and allowances of any member of the Army participating as a full-time student and receiving benefits paid by the Secretary of Veterans Affairs from the Department of Defense Education Benefits Fund when time spent as a full-time student is credited toward completion of a service commitment: *Provided*, That this section shall not apply to those members who have reenlisted with this option prior to October 1, 1987: *Provided further*, That this section applies only to active components of the Army.

(TRANSFER OF FUNDS)

SEC. 8016. Funds appropriated in title III of this Act for the Department of Defense Pilot Mentor-Protégé Program may be transferred to any other appropriation contained in this Act solely for the purpose of implementing a Mentor-Protégé Program developmental assistance agreement pursuant to section 831 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101-510; 10 U.S.C. 2302 note), as amended, under the authority of this provision or any other transfer authority contained in this Act.

SEC. 8017. None of the funds in this Act may be available for the purchase by the Department of Defense (and its departments and agencies) of welded shipboard anchor and mooring chain 4 inches in diameter and under unless the anchor and mooring chain are manufactured in the United States from components which are substantially manufactured in the United States: *Provided*, That for the purpose of this section, the term “manufactured” shall include cutting, heat treating, quality control, testing of chain and welding (including the forging and shot blasting process): *Provided further*, That for the purpose of this section substantially all of the components of anchor and mooring chain shall be considered to be produced or manufactured in the United States if the aggregate cost of the components produced or manufactured in the United States exceeds the aggregate cost of the components produced or manufactured outside the United States: *Provided further*, That when adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis, the Secretary of the service responsible for the procurement may waive this restriction on a case-by-case basis by

certifying in writing to the Committees on Appropriations that such an acquisition must be made in order to acquire capability for national security purposes.

SEC. 8018. Of the amounts appropriated for "Working Capital Fund, Army", \$140,000,000 shall be available to maintain competitive rates at the arsenals.

SEC. 8019. None of the funds available to the Department of Defense may be used to demilitarize or dispose of M-1 Carbines, M-1 Garand rifles, M-14 rifles, .22 caliber rifles, .30 caliber rifles, or M-1911 pistols, or to demilitarize or destroy small arms ammunition or ammunition components that are not otherwise prohibited from commercial sale under Federal law, unless the small arms ammunition or ammunition components are certified by the Secretary of the Army or designee as unserviceable or unsafe for further use.

SEC. 8020. No more than \$500,000 of the funds appropriated or made available in this Act shall be used during a single fiscal year for any single relocation of an organization, unit, activity or function of the Department of Defense into or within the National Capital Region: *Provided*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the congressional defense committees that such a relocation is required in the best interest of the Government.

SEC. 8021. Of the funds made available in this Act, \$15,000,000 shall be available for incentive payments authorized by section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544): *Provided*, That a prime contractor or a subcontractor at any tier that makes a subcontract award to any subcontractor or supplier as defined in section 1544 of title 25, United States Code, or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code, shall be considered a contractor for the purposes of being allowed additional compensation under section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544) whenever the prime contract or subcontract amount is over \$500,000 and involves the expenditure of funds appropriated by an Act making appropriations for the Department of Defense with respect to any fiscal year: *Provided further*, That notwithstanding section 1906 of title 41, United States Code, this section shall be applicable to any Department of Defense acquisition of supplies or services, including any contract and any subcontract at any tier for acquisition of commercial items produced or manufactured, in whole or in part, by any subcontractor or supplier defined in section 1544 of title 25, United States Code, or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code.

SEC. 8022. Funds appropriated by this Act for the Defense Media Activity shall not be used for any national or international political or psychological activities.

SEC. 8023. During the current fiscal year, the Department of Defense is authorized to incur obligations of not to exceed \$350,000,000 for purposes specified in section 2350j(c) of title 10, United States Code, in anticipation of receipt of contributions, only from the Government of Kuwait, under that section: *Provided*, That, upon receipt, such contributions from the Government of Kuwait shall be credited to the appropriations or fund which incurred such obligations.

SEC. 8024. (a) Of the funds made available in this Act, not less than \$40,021,000 shall be available for the Civil Air Patrol Corporation, of which—

(1) \$28,000,000 shall be available from "Operation and Maintenance, Air Force" to support Civil Air Patrol Corporation operation and maintenance, readiness, counter-drug activities, and drug demand reduction activities involving youth programs;

(2) \$10,337,000 shall be available from "Air-craft Procurement, Air Force"; and

(3) \$1,684,000 shall be available from "Other Procurement, Air Force" for vehicle procurement.

(b) The Secretary of the Air Force should waive reimbursement for any funds used by the Civil Air Patrol for counter-drug activities in support of Federal, State, and local government agencies.

SEC. 8025. (a) None of the funds appropriated in this Act are available to establish a new Department of Defense (department) federally funded research and development center (FFRDC), either as a new entity, or as a separate entity administrated by an organization managing another FFRDC, or as a nonprofit membership corporation consisting of a consortium of other FFRDCs and other nonprofit entities.

(b) No member of a Board of Directors, Trustees, Overseers, Advisory Group, Special Issues Panel, Visiting Committee, or any similar entity of a defense FFRDC, and no paid consultant to any defense FFRDC, except when acting in a technical advisory capacity, may be compensated for his or her services as a member of such entity, or as a paid consultant by more than one FFRDC in a fiscal year: *Provided*, That a member of any such entity referred to previously in this subsection shall be allowed travel expenses and per diem as authorized under the Federal Joint Travel Regulations, when engaged in the performance of membership duties.

(c) Notwithstanding any other provision of law, none of the funds available to the department from any source during the current fiscal year may be used by a defense FFRDC, through a fee or other payment mechanism, for construction of new buildings not located on a military installation, for payment of cost sharing for projects funded by Government grants, for absorption of contract overruns, or for certain charitable contributions, not to include employee participation in community service and/or development.

(d) Notwithstanding any other provision of law, of the funds available to the department during fiscal year 2017, not more than 5,750 staff years of technical effort (staff years) may be funded for defense FFRDCs: *Provided*, That, of the specific amount referred to previously in this subsection, not more than 1,125 staff years may be funded for the defense studies and analysis FFRDCs: *Provided further*, That this subsection shall not apply to staff years funded in the National Intelligence Program (NIP) and the Military Intelligence Program (MIP).

(e) The Secretary of Defense shall, with the submission of the department's fiscal year 2018 budget request, submit a report presenting the specific amounts of staff years of technical effort to be allocated for each defense FFRDC during that fiscal year and the associated budget estimates.

(f) Notwithstanding any other provision of this Act, the total amount appropriated in this Act for FFRDCs is hereby reduced by \$60,000,000.

SEC. 8026. None of the funds appropriated or made available in this Act shall be used to procure carbon, alloy, or armor steel plate for use in any Government-owned facility or property under the control of the Department of Defense which were not melted and rolled in the United States or Canada: *Pro-*

vided, That these procurement restrictions shall apply to any and all Federal Supply Class 9515, American Society of Testing and Materials (ASTM) or American Iron and Steel Institute (AISI) specifications of carbon, alloy or armor steel plate: *Provided further*, That the Secretary of the military department responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: *Provided further*, That these restrictions shall not apply to contracts which are in being as of the date of the enactment of this Act.

SEC. 8027. For the purposes of this Act, the term "congressional defense committees" means the Armed Services Committee of the House of Representatives, the Armed Services Committee of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

SEC. 8028. During the current fiscal year, the Department of Defense may acquire the modification, depot maintenance and repair of aircraft, vehicles and vessels as well as the production of components and other Defense-related articles, through competition between Department of Defense depot maintenance activities and private firms: *Provided*, That the Senior Acquisition Executive of the military department or Defense Agency concerned, with power of delegation, shall certify that successful bids include comparable estimates of all direct and indirect costs for both public and private bids: *Provided further*, That Office of Management and Budget Circular A-76 shall not apply to competitions conducted under this section.

SEC. 8029. (a)(1) If the Secretary of Defense, after consultation with the United States Trade Representative, determines that a foreign country which is party to an agreement described in paragraph (2) has violated the terms of the agreement by discriminating against certain types of products produced in the United States that are covered by the agreement, the Secretary of Defense shall rescind the Secretary's blanket waiver of the Buy American Act with respect to such types of products produced in that foreign country.

(2) An agreement referred to in paragraph (1) is any reciprocal defense procurement memorandum of understanding, between the United States and a foreign country pursuant to which the Secretary of Defense has prospectively waived the Buy American Act for certain products in that country.

(b) The Secretary of Defense shall submit to the Congress a report on the amount of Department of Defense purchases from foreign entities in fiscal year 2017. Such report shall separately indicate the dollar value of items for which the Buy American Act was waived pursuant to any agreement described in subsection (a)(2), the Trade Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any international agreement to which the United States is a party.

(c) For purposes of this section, the term "Buy American Act" means chapter 83 of title 41, United States Code.

SEC. 8030. During the current fiscal year, amounts contained in the Department of Defense Overseas Military Facility Investment

Recovery Account established by section 2921(c)(1) of the National Defense Authorization Act of 1991 (Public Law 101-510; 10 U.S.C. 2687 note) shall be available until expended for the payments specified by section 2921(c)(2) of that Act.

SEC. 8031. (a) Notwithstanding any other provision of law, the Secretary of the Air Force may convey at no cost to the Air Force, without consideration, to Indian tribes located in the States of Nevada, Idaho, North Dakota, South Dakota, Montana, Oregon, Minnesota, and Washington relocatable military housing units located at Grand Forks Air Force Base, Malmstrom Air Force Base, Mountain Home Air Force Base, Ellsworth Air Force Base, and Minot Air Force Base that are excess to the needs of the Air Force.

(b) The Secretary of the Air Force shall convey, at no cost to the Air Force, military housing units under subsection (a) in accordance with the request for such units that are submitted to the Secretary by the Operation Walking Shield Program on behalf of Indian tribes located in the States of Nevada, Idaho, North Dakota, South Dakota, Montana, Oregon, Minnesota, and Washington. Any such conveyance shall be subject to the condition that the housing units shall be removed within a reasonable period of time, as determined by the Secretary.

(c) The Operation Walking Shield Program shall resolve any conflicts among requests of Indian tribes for housing units under subsection (a) before submitting requests to the Secretary of the Air Force under subsection (b).

(d) In this section, the term "Indian tribe" means any recognized Indian tribe included on the current list published by the Secretary of the Interior under section 104 of the Federally Recognized Indian Tribe Act of 1994 (Public Law 103-454; 108 Stat. 4792; 25 U.S.C. 479a-1).

SEC. 8032. During the current fiscal year, appropriations which are available to the Department of Defense for operation and maintenance may be used to purchase items having an investment item unit cost of not more than \$250,000.

SEC. 8033. None of the funds made available by this Act may be used to—

(1) disestablish, or prepare to disestablish, a Senior Reserve Officers' Training Corps program in accordance with Department of Defense Instruction Number 1215.08, dated June 26, 2006; or

(2) close, downgrade from host to extension center, or place on probation a Senior Reserve Officers' Training Corps program in accordance with the information paper of the Department of the Army titled "Army Senior Reserve Officers' Training Corps (SROTC) Program Review and Criteria", dated January 27, 2014.

SEC. 8034. The Secretary of Defense shall issue regulations to prohibit the sale of any tobacco or tobacco-related products in military resale outlets in the United States, its territories and possessions at a price below the most competitive price in the local community: *Provided*, That such regulations shall direct that the prices of tobacco or tobacco-related products in overseas military retail outlets shall be within the range of prices established for military retail system stores located in the United States.

SEC. 8035. (a) During the current fiscal year, none of the appropriations or funds available to the Department of Defense Working Capital Funds shall be used for the purchase of an investment item for the purpose of acquiring a new inventory item for

sale or anticipated sale during the current fiscal year or a subsequent fiscal year to customers of the Department of Defense Working Capital Funds if such an item would not have been chargeable to the Department of Defense Business Operations Fund during fiscal year 1994 and if the purchase of such an investment item would be chargeable during the current fiscal year to appropriations made to the Department of Defense for procurement.

(b) The fiscal year 2018 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2018 Department of Defense budget shall be prepared and submitted to the Congress on the basis that any equipment which was classified as an end item and funded in a procurement appropriation contained in this Act shall be budgeted for in a proposed fiscal year 2018 procurement appropriation and not in the supply management business area or any other area or category of the Department of Defense Working Capital Funds.

SEC. 8036. None of the funds appropriated by this Act for programs of the Central Intelligence Agency shall remain available for obligation beyond the current fiscal year, except for funds appropriated for the Reserve for Contingencies, which shall remain available until September 30, 2018: *Provided*, That funds appropriated, transferred, or otherwise credited to the Central Intelligence Agency Central Services Working Capital Fund during this or any prior or subsequent fiscal year shall remain available until expended: *Provided further*, That any funds appropriated or transferred to the Central Intelligence Agency for advanced research and development acquisition, for agent operations, and for covert action programs authorized by the President under section 503 of the National Security Act of 1947 (50 U.S.C. 3093) shall remain available until September 30, 2018.

SEC. 8037. Notwithstanding any other provision of law, funds made available in this Act and hereafter for the Defense Intelligence Agency may be used for the design, development, and deployment of General Defense Intelligence Program intelligence communications and intelligence information systems for the Services, the Unified and Specified Commands, and the component commands.

SEC. 8038. Of the funds appropriated to the Department of Defense under the heading "Operation and Maintenance, Defense-Wide", not less than \$12,000,000 shall be made available only for the mitigation of environmental impacts, including training and technical assistance to tribes, related administrative support, the gathering of information, documenting of environmental damage, and developing a system for prioritization of mitigation and cost to complete estimates for mitigation, on Indian lands resulting from Department of Defense activities.

SEC. 8039. (a) None of the funds appropriated in this Act may be expended by an entity of the Department of Defense unless the entity, in expending the funds, complies with the Buy American Act. For purposes of this subsection, the term "Buy American Act" means chapter 83 of title 41, United States Code.

(b) If the Secretary of Defense determines that a person has been convicted of intentionally affixing a label bearing a "Made in America" inscription to any product sold in or shipped to the United States that is not made in America, the Secretary shall determine, in accordance with section 2410f of title 10, United States Code, whether the per-

son should be debarred from contracting with the Department of Defense.

(c) In the case of any equipment or products purchased with appropriations provided under this Act, it is the sense of the Congress that any entity of the Department of Defense, in expending the appropriation, purchase only American-made equipment and products, provided that American-made equipment and products are cost-competitive, quality competitive, and available in a timely fashion.

SEC. 8040. Notwithstanding any other provision of law, none of the funds appropriated or otherwise made available by this or any other Act may be used to consolidate or relocate any element of a United States Air Force Rapid Engineer Deployable Heavy Operational Repair Squadron Engineer (RED HORSE) outside of the United States until the Secretary of the Air Force—

(1) completes an analysis and comparison of the cost and infrastructure investment required to consolidate or relocate a RED HORSE squadron outside of the United States versus within the United States;

(2) provides to the congressional defense committees a report detailing the findings of the cost analysis; and

(3) certifies in writing to the congressional defense committees that the preferred site for the consolidation or relocation yields the greatest savings for the Air Force:

Provided, That the term "United States" in this section does not include any territory or possession of the United States.

SEC. 8041. (a) Except as provided in subsections (b) and (c), none of the funds made available by this Act may be used—

(1) to establish a field operating agency; or

(2) to pay the basic pay of a member of the Armed Forces or civilian employee of the department who is transferred or reassigned from a headquarters activity if the member or employee's place of duty remains at the location of that headquarters.

(b) The Secretary of Defense or Secretary of a military department may waive the limitations in subsection (a), on a case-by-case basis, if the Secretary determines, and certifies to the Committees on Appropriations of the House of Representatives and the Senate that the granting of the waiver will reduce the personnel requirements or the financial requirements of the department.

(c) This section does not apply to—

(1) field operating agencies funded within the National Intelligence Program;

(2) an Army field operating agency established to eliminate, mitigate, or counter the effects of improvised explosive devices, and, as determined by the Secretary of the Army, other similar threats;

(3) an Army field operating agency established to improve the effectiveness and efficiencies of biometric activities and to integrate common biometric technologies throughout the Department of Defense; or

(4) an Air Force field operating agency established to administer the Air Force Mortuary Affairs Program and Mortuary Operations for the Department of Defense and authorized Federal entities.

SEC. 8042. (a) None of the funds appropriated by this Act shall be available to convert to contractor performance an activity or function of the Department of Defense that, on or after the date of the enactment of this Act, is performed by Department of Defense civilian employees unless—

(1) the conversion is based on the result of a public-private competition that includes a most efficient and cost effective organization plan developed by such activity or function;

(2) the Competitive Sourcing Official determines that, over all performance periods stated in the solicitation of offers for performance of the activity or function, the cost of performance of the activity or function by a contractor would be less costly to the Department of Defense by an amount that equals or exceeds the lesser of—

(A) 10 percent of the most efficient organization's personnel-related costs for performance of that activity or function by Federal employees; or

(B) \$10,000,000; and

(3) the contractor does not receive an advantage for a proposal that would reduce costs for the Department of Defense by—

(A) not making an employer-sponsored health insurance plan available to the workers who are to be employed in the performance of that activity or function under the contract; or

(B) offering to such workers an employer-sponsored health benefits plan that requires the employer to contribute less towards the premium or subscription share than the amount that is paid by the Department of Defense for health benefits for civilian employees under chapter 89 of title 5, United States Code.

(b)(1) The Department of Defense, without regard to subsection (a) of this section or subsection (a), (b), or (c) of section 2461 of title 10, United States Code, and notwithstanding any administrative regulation, requirement, or policy to the contrary shall have full authority to enter into a contract for the performance of any commercial or industrial type function of the Department of Defense that—

(A) is included on the procurement list established pursuant to section 2 of the Javits-Wagner-O'Day Act (section 8503 of title 41, United States Code);

(B) is planned to be converted to performance by a qualified nonprofit agency for the blind or by a qualified nonprofit agency for other severely handicapped individuals in accordance with that Act; or

(C) is planned to be converted to performance by a qualified firm under at least 51 percent ownership by an Indian tribe, as defined in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)), or a Native Hawaiian Organization, as defined in section 8(a)(15) of the Small Business Act (15 U.S.C. 637(a)(15)).

(2) This section shall not apply to depot contracts or contracts for depot maintenance as provided in sections 2469 and 2474 of title 10, United States Code.

(c) The conversion of any activity or function of the Department of Defense under the authority provided by this section shall be credited toward any competitive or outsourcing goal, target, or measurement that may be established by statute, regulation, or policy and is deemed to be awarded under the authority of, and in compliance with, subsection (h) of section 2304 of title 10, United States Code, for the competition or outsourcing of commercial activities.

(RESCISSIONS)

SEC. 8043. Of the funds appropriated in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts and programs in the specified amounts: *Provided*, That no amounts may be rescinded from amounts that were designated by the Congress for Overseas Contingency Operations/Global War on Terrorism or as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended:

"Aircraft Procurement, Army", 2015/2017, \$15,000,000;

"Other Procurement, Army", 2015/2017, \$23,045,000;

"Aircraft Procurement, Navy", 2015/2017, \$88,000,000;

"Weapons Procurement, Navy", 2015/2017, \$11,933,000;

"Procurement of Ammunition, Navy and Marine Corps", 2015/2017, \$43,600,000;

"Aircraft Procurement, Air Force", 2015/2017, \$57,000,000;

"Other Procurement, Air Force", 2015/2017, \$25,500,000;

"Aircraft Procurement, Army", 2016/2018, \$34,594,000;

"Procurement of Ammunition, Army", 2016/2018, \$5,000,000;

"Other Procurement, Army", 2016/2018, \$84,100,000;

"Aircraft Procurement, Navy", 2016/2018, \$6,755,000;

"Weapons Procurement, Navy", 2016/2018, \$5,307,000;

"Procurement of Ammunition, Navy and Marine Corps", 2016/2018, \$6,968,000;

"Shipbuilding and Conversion, Navy", 2016/2020: DDG-51 Destroyer, \$50,000,000;

"Shipbuilding and Conversion, Navy", 2016/2020: LPD-17, \$14,906,000;

"Shipbuilding and Conversion, Navy", 2016/2020: LX (R), (AP), \$236,000,000;

"Other Procurement, Navy", 2016/2018, \$56,374,000;

"Aircraft Procurement, Air Force", 2016/2018, \$383,200,000;

"Missile Procurement, Air Force", 2016/2018, \$34,700,000;

"Space Procurement, Air Force", 2016/2018, \$100,000,000;

"Other Procurement, Air Force", 2016/2018, \$56,369,000;

"Procurement, Defense-Wide", 2016/2018, \$2,600,000;

"Research, Development, Test and Evaluation, Army", 2016/2017, \$33,402,000;

"Research, Development, Test and Evaluation, Navy", 2016/2017, \$31,219,000;

"Research, Development, Test and Evaluation, Air Force", 2016/2017, \$532,550,000; and

"Research, Development, Test and Evaluation, Defense-Wide", 2016/2017, \$64,500,000.

SEC. 8044. None of the funds available in this Act may be used to reduce the authorized positions for military technicians (dual status) of the Army National Guard, Air National Guard, Army Reserve and Air Force Reserve for the purpose of applying any administratively imposed civilian personnel ceiling, freeze, or reduction on military technicians (dual status), unless such reductions are a direct result of a reduction in military force structure.

SEC. 8045. None of the funds appropriated or otherwise made available in this Act may be obligated or expended for assistance to the Democratic People's Republic of Korea unless specifically appropriated for that purpose.

SEC. 8046. Funds appropriated in this Act for operation and maintenance of the Military Departments, Combatant Commands and Defense Agencies shall be available for reimbursement of pay, allowances and other expenses which would otherwise be incurred against appropriations for the National Guard and Reserve when members of the National Guard and Reserve provide intelligence or counterintelligence support to Combatant Commands, Defense Agencies and Joint Intelligence Activities, including the activities and programs included within the National Intelligence Program and the Military Intelligence Program: *Provided*, That

nothing in this section authorizes deviation from established Reserve and National Guard personnel and training procedures.

SEC. 8047. (a) None of the funds available to the Department of Defense for any fiscal year for drug interdiction or counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

(b) None of the funds available to the Central Intelligence Agency for any fiscal year for drug interdiction or counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

SEC. 8048. None of the funds appropriated by this Act may be used for the procurement of ball and roller bearings other than those produced by a domestic source and of domestic origin: *Provided*, That the Secretary of the military department responsible for such procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate, that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: *Provided further*, That this restriction shall not apply to the purchase of "commercial items", as defined by section 103 of title 41, United States Code, except that the restriction shall apply to ball or roller bearings purchased as end items.

SEC. 8049. None of the funds made available by this Act may be used to retire, divest, realign, or transfer RQ-4B Global Hawk aircraft, or to disestablish or convert units associated with such aircraft.

SEC. 8050. None of the funds made available by this Act for Evolved Expendable Launch Vehicle service competitive procurements may be used unless the competitive procurements are open for award to all certified providers of Evolved Expendable Launch Vehicle-class systems: *Provided*, That the award shall be made to the provider that offers the best value to the government.

SEC. 8051. In addition to the amounts appropriated or otherwise made available elsewhere in this Act, \$44,000,000 is hereby appropriated to the Department of Defense: *Provided*, That upon the determination of the Secretary of Defense that it shall serve the national interest, the Secretary shall make grants in the amounts specified as follows: \$20,000,000 to the United Service Organizations and \$24,000,000 to the Red Cross.

SEC. 8052. None of the funds in this Act may be used to purchase any supercomputer which is not manufactured in the United States, unless the Secretary of Defense certifies that such an acquisition must be made in order to acquire capability for national security purposes that is not available from United States manufacturers.

SEC. 8053. Notwithstanding any other provision in this Act, the Small Business Innovation Research program and the Small Business Technology Transfer program set-asides shall be taken proportionally from all programs, projects, or activities to the extent they contribute to the extramural budget.

SEC. 8054. None of the funds available to the Department of Defense under this Act shall be obligated or expended to pay a contractor under a contract with the Department of Defense for costs of any amount paid by the contractor to an employee when—

(1) such costs are for a bonus or otherwise in excess of the normal salary paid by the contractor to the employee; and

(2) such bonus is part of restructuring costs associated with a business combination.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8055. During the current fiscal year, no more than \$30,000,000 of appropriations made in this Act under the heading "Operation and Maintenance, Defense-Wide" may be transferred to appropriations available for the pay of military personnel, to be merged with, and to be available for the same time period as the appropriations to which transferred, to be used in support of such personnel in connection with support and services for eligible organizations and activities outside the Department of Defense pursuant to section 2012 of title 10, United States Code.

SEC. 8056. During the current fiscal year, in the case of an appropriation account of the Department of Defense for which the period of availability for obligation has expired or which has closed under the provisions of section 1552 of title 31, United States Code, and which has a negative unliquidated or unexpended balance, an obligation or an adjustment of an obligation may be charged to any current appropriation account for the same purpose as the expired or closed account if—

(1) the obligation would have been properly chargeable (except as to amount) to the expired or closed account before the end of the period of availability or closing of that account;

(2) the obligation is not otherwise properly chargeable to any current appropriation account of the Department of Defense; and

(3) in the case of an expired account, the obligation is not chargeable to a current appropriation of the Department of Defense under the provisions of section 1405(b)(8) of the National Defense Authorization Act for Fiscal Year 1991, Public Law 101-510, as amended (31 U.S.C. 1551 note): *Provided*, That in the case of an expired account, if subsequent review or investigation discloses that there was not in fact a negative unliquidated or unexpended balance in the account, any charge to a current account under the authority of this section shall be reversed and recorded against the expired account: *Provided further*, That the total amount charged to a current appropriation under this section may not exceed an amount equal to 1 percent of the total appropriation for that account.

SEC. 8057. (a) Notwithstanding any other provision of law, the Chief of the National Guard Bureau may permit the use of equipment of the National Guard Distance Learning Project by any person or entity on a space-available, reimbursable basis. The Chief of the National Guard Bureau shall establish the amount of reimbursement for such use on a case-by-case basis.

(b) Amounts collected under subsection (a) shall be credited to funds available for the National Guard Distance Learning Project and be available to defray the costs associated with the use of equipment of the project under that subsection. Such funds shall be available for such purposes without fiscal year limitation.

SEC. 8058. None of the funds available to the Department of Defense may be obligated to modify command and control relationships to give Fleet Forces Command operational and administrative control of United States Navy forces assigned to the Pacific fleet: *Provided*, That the command and control relationships which existed on October 1, 2004, shall remain in force until a written modification has been proposed to the House

and Senate Appropriations Committees: *Provided further*, That the proposed modification may be implemented 30 days after the notification unless an objection is received from either the House or Senate Appropriations Committees: *Provided further*, That any proposed modification shall not preclude the ability of the commander of United States Pacific Command to meet operational requirements.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8059. Of the funds appropriated in this Act under the heading "Operation and Maintenance, Defense-wide", \$25,000,000 shall be for continued implementation and expansion of the Sexual Assault Special Victims' Counsel Program: *Provided*, That the funds are made available for transfer to the Department of the Army, the Department of the Navy, and the Department of the Air Force: *Provided further*, That funds transferred shall be merged with and available for the same purposes and for the same time period as the appropriations to which the funds are transferred: *Provided further*, That this transfer authority is in addition to any other transfer authority provided in this Act.

SEC. 8060. None of the funds appropriated in title IV of this Act may be used to procure end-items for delivery to military forces for operational training, operational use or inventory requirements: *Provided*, That this restriction does not apply to end-items used in development, prototyping, and test activities preceding and leading to acceptance for operational use: *Provided further*, That this restriction does not apply to programs funded within the National Intelligence Program: *Provided further*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

SEC. 8061. (a) The Secretary of Defense may, on a case-by-case basis, waive with respect to a foreign country each limitation on the procurement of defense items from foreign sources provided in law if the Secretary determines that the application of the limitation with respect to that country would invalidate cooperative programs entered into between the Department of Defense and the foreign country, or would invalidate reciprocal trade agreements for the procurement of defense items entered into under section 2531 of title 10, United States Code, and the country does not discriminate against the same or similar defense items produced in the United States for that country.

(b) Subsection (a) applies with respect to—

(1) contracts and subcontracts entered into on or after the date of the enactment of this Act; and

(2) options for the procurement of items that are exercised after such date under contracts that are entered into before such date if the option prices are adjusted for any reason other than the application of a waiver granted under subsection (a).

(c) Subsection (a) does not apply to a limitation regarding construction of public vessels, ball and roller bearings, food, and clothing or textile materials as defined by section XI (chapters 50-65) of the Harmonized Tariff Schedule of the United States and products classified under headings 4010, 4202, 4203, 6401 through 6406, 6505, 7019, 7218 through 7229, 7304.41 through 7304.49, 7306.40, 7502 through 7508, 8105, 8108, 8109, 8211, 8215, and 9404.

SEC. 8062. None of the funds appropriated or otherwise made available by this or other Department of Defense Appropriations Acts may be obligated or expended for the purpose

of performing repairs or maintenance to military family housing units of the Department of Defense, including areas in such military family housing units that may be used for the purpose of conducting official Department of Defense business.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8063. Of the amounts appropriated for "Operation and Maintenance, Navy", up to \$1,000,000 shall be available for transfer to the John C. Stennis Center for Public Service Development Trust Fund established under section 116 of the John C. Stennis Center for Public Service Training and Development Act (2 U.S.C. 1105).

SEC. 8064. Notwithstanding any other provision of law, funds appropriated in this Act under the heading "Research, Development, Test and Evaluation, Defense-Wide" for any new start advanced concept technology demonstration project or joint capability demonstration project may only be obligated 45 days after a report, including a description of the project, the planned acquisition and transition strategy and its estimated annual and total cost, has been provided in writing to the congressional defense committees: *Provided*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying to the congressional defense committees that it is in the national interest to do so.

SEC. 8065. The Secretary of Defense shall continue to provide a classified quarterly report to the House and Senate Appropriations Committees, Subcommittees on Defense on certain matters as directed in the classified annex accompanying this Act.

SEC. 8066. Notwithstanding section 12310(b) of title 10, United States Code, a Reserve who is a member of the National Guard serving on full-time National Guard duty under section 502(f) of title 32, United States Code, may perform duties in support of the ground-based elements of the National Ballistic Missile Defense System.

SEC. 8067. None of the funds provided in this Act may be used to transfer to any non-governmental entity ammunition held by the Department of Defense that has a center-fire cartridge and a United States military nomenclature designation of "armor penetrator", "armor piercing (AP)", "armor piercing incendiary (API)", or "armor-piercing incendiary tracer (API-T)", except to an entity performing demilitarization services for the Department of Defense under a contract that requires the entity to demonstrate to the satisfaction of the Department of Defense that armor piercing projectiles are either: (1) rendered incapable of reuse by the demilitarization process; or (2) used to manufacture ammunition pursuant to a contract with the Department of Defense or the manufacture of ammunition for export pursuant to a License for Permanent Export of Unclassified Military Articles issued by the Department of State.

SEC. 8068. Notwithstanding any other provision of law, the Chief of the National Guard Bureau, or his designee, may waive payment of all or part of the consideration that otherwise would be required under section 2667 of title 10, United States Code, in the case of a lease of personal property for a period not in excess of 1 year to any organization specified in section 508(d) of title 32, United States Code, or any other youth, social, or fraternal nonprofit organization as may be approved by the Chief of the National Guard Bureau, or his designee, on a case-by-case basis.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8069. Of the amounts appropriated in this Act under the heading "Operation and

Maintenance, Army”, \$75,950,170 shall remain available until expended: *Provided*, That, notwithstanding any other provision of law, the Secretary of Defense is authorized to transfer such funds to other activities of the Federal Government: *Provided further*, That the Secretary of Defense is authorized to enter into and carry out contracts for the acquisition of real property, construction, personal services, and operations related to projects carrying out the purposes of this section: *Provided further*, That contracts entered into under the authority of this section may provide for such indemnification as the Secretary determines to be necessary: *Provided further*, That projects authorized by this section shall comply with applicable Federal, State, and local law to the maximum extent consistent with the national security, as determined by the Secretary of Defense.

SEC. 8070. (a) None of the funds appropriated in this or any other Act may be used to take any action to modify—

(1) the appropriations account structure for the National Intelligence Program budget, including through the creation of a new appropriation or new appropriation account;

(2) how the National Intelligence Program budget request is presented in the unclassified P-1, R-1, and O-1 documents supporting the Department of Defense budget request;

(3) the process by which the National Intelligence Program appropriations are apportioned to the executing agencies; or

(4) the process by which the National Intelligence Program appropriations are allotted, obligated and disbursed.

(b) Nothing in section (a) shall be construed to prohibit the merger of programs or changes to the National Intelligence Program budget at or below the Expenditure Center level, provided such change is otherwise in accordance with paragraphs (a)(1)–(3).

(c) The Director of National Intelligence and the Secretary of Defense may jointly, only for the purposes of achieving auditable financial statements and improving fiscal reporting, study and develop detailed proposals for alternative financial management processes. Such study shall include a comprehensive counterintelligence risk assessment to ensure that none of the alternative processes will adversely affect counterintelligence.

(d) Upon development of the detailed proposals defined under subsection (c), the Director of National Intelligence and the Secretary of Defense shall—

(1) provide the proposed alternatives to all affected agencies;

(2) receive certification from all affected agencies attesting that the proposed alternatives will help achieve auditability, improve fiscal reporting, and will not adversely affect counterintelligence; and

(3) not later than 30 days after receiving all necessary certifications under paragraph (2), present the proposed alternatives and certifications to the congressional defense and intelligence committees.

SEC. 8071. In addition to amounts provided elsewhere in this Act, \$5,000,000 is hereby appropriated to the Department of Defense, to remain available for obligation until expended: *Provided*, That notwithstanding any other provision of law, that upon the determination of the Secretary of Defense that it shall serve the national interest, these funds shall be available only for a grant to the Fisher House Foundation, Inc., only for the construction and furnishing of additional Fisher Houses to meet the needs of military family members when confronted with the illness or hospitalization of an eligible military beneficiary.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8072. Of the amounts appropriated in this Act under the headings “Procurement, Defense-Wide” and “Research, Development, Test and Evaluation, Defense-Wide”, \$600,735,000 shall be for the Israeli Cooperative Programs: *Provided*, That of this amount, \$62,000,000 shall be for the Secretary of Defense to provide to the Government of Israel for the procurement of the Iron Dome defense system to counter short-range rocket threats, subject to the U.S.-Israel Iron Dome Procurement Agreement, as amended; \$266,511,000 shall be for the Short Range Ballistic Missile Defense (SRBMD) program, including cruise missile defense research and development under the SRBMD program, of which \$150,000,000 shall be for co-production activities of SRBMD missiles in the United States and in Israel to meet Israel’s defense requirements consistent with each nation’s laws, regulations, and procedures, of which not more than \$90,000,000, subject to previously established transfer procedures, may be obligated or expended until establishment of a U.S.-Israeli co-production agreement for SRBMD; \$204,893,000 shall be for an upper-tier component to the Israeli Missile Defense Architecture, of which \$120,000,000 shall be for co-production activities of Arrow 3 Upper Tier missiles in the United States and in Israel to meet Israel’s defense requirements consistent with each nation’s laws, regulations, and procedures, of which not more than \$70,000,000 subject to previously established transfer procedures, may be obligated or expended until establishment of a U.S.-Israeli co-production agreement for Arrow 3 Upper Tier; and \$67,331,000 shall be for the Arrow System Improvement Program including development of a long range, ground and airborne, detection suite: *Provided further*, That the transfer authority provided under this provision is in addition to any other transfer authority contained in this Act.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8073. Of the amounts appropriated in this Act under the heading “Shipbuilding and Conversion, Navy”, \$160,274,000 shall be available until September 30, 2017, to fund prior year shipbuilding cost increases: *Provided*, That upon enactment of this Act, the Secretary of the Navy shall transfer funds to the following appropriations in the amounts specified: *Provided further*, That the amounts transferred shall be merged with and be available for the same purposes as the appropriations to which transferred to:

(1) Under the heading “Shipbuilding and Conversion, Navy”, 2012/2017: LPD-17 Amphibious Transport Dock Program \$45,060,000;

(2) Under the heading “Shipbuilding and Conversion, Navy”, 2011/2017: DDG-51 Destroyer \$15,959,000;

(3) Under the heading “Shipbuilding and Conversion, Navy”, 2012/2017: Littoral Combat Ship \$3,600,000;

(4) Under the heading “Shipbuilding and Conversion, Navy”, 2013/2017: Littoral Combat Ship \$82,400,000;

(5) Under the heading “Shipbuilding and Conversion, Navy”, 2012/2017: Expeditionary Fast Transport \$6,710,000; and

(6) Under the heading “Shipbuilding and Conversion, Navy”, 2013/2017: Expeditionary Fast Transport \$6,545,000.

SEC. 8074. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 3094) during fiscal year 2017 until the enactment of the Intelligence Authorization Act for Fiscal Year 2017.

SEC. 8075. None of the funds provided in this Act shall be available for obligation or expenditure through a reprogramming of funds that creates or initiates a new program, project, or activity unless such program, project, or activity must be undertaken immediately in the interest of national security and only after written prior notification to the congressional defense committees.

SEC. 8076. The budget of the President for fiscal year 2018 submitted to the Congress pursuant to section 1105 of title 31, United States Code, shall include separate budget justification documents for costs of United States Armed Forces’ participation in contingency operations for the Military Personnel accounts, the Operation and Maintenance accounts, the Procurement accounts, and the Research, Development, Test and Evaluation accounts: *Provided*, That these documents shall include a description of the funding requested for each contingency operation, for each military service, to include all Active and Reserve components, and for each appropriations account: *Provided further*, That these documents shall include estimated costs for each element of expense or object class, a reconciliation of increases and decreases for each contingency operation, and programmatic data including, but not limited to, troop strength for each Active and Reserve component, and estimates of the major weapons systems deployed in support of each contingency: *Provided further*, That these documents shall include budget exhibits OP-5 and OP-32 (as defined in the Department of Defense Financial Management Regulation) for all contingency operations for the budget year and the two preceding fiscal years.

SEC. 8077. None of the funds in this Act may be used for research, development, test, evaluation, procurement or deployment of nuclear armed interceptors of a missile defense system.

SEC. 8078. Notwithstanding any other provision of this Act, to reflect savings due to favorable foreign exchange rates, the total amount appropriated in this Act is hereby reduced by \$157,000,000.

SEC. 8079. None of the funds appropriated or made available in this Act shall be used to reduce or disestablish the operation of the 53rd Weather Reconnaissance Squadron of the Air Force Reserve, if such action would reduce the WC-130 Weather Reconnaissance mission below the levels funded in this Act: *Provided*, That the Air Force shall allow the 53rd Weather Reconnaissance Squadron to perform other missions in support of national defense requirements during the non-hurricane season.

SEC. 8080. None of the funds provided in this Act shall be available for integration of foreign intelligence information unless the information has been lawfully collected and processed during the conduct of authorized foreign intelligence activities: *Provided*, That information pertaining to United States persons shall only be handled in accordance with protections provided in the Fourth Amendment of the United States Constitution as implemented through Executive Order No. 12333.

SEC. 8081. (a) None of the funds appropriated by this Act may be used to transfer research and development, acquisition, or other program authority relating to current tactical unmanned aerial vehicles (TUAVs) from the Army.

(b) The Army shall retain responsibility for and operational control of the MQ-1C Gray Eagle Unmanned Aerial Vehicle (UAV)

in order to support the Secretary of Defense in matters relating to the employment of unmanned aerial vehicles.

SEC. 8082. Up to \$10,120,000 of the funds appropriated under the heading “Operation and Maintenance, Navy” may be made available for the Asia Pacific Regional Initiative Program for the purpose of enabling the Pacific Command to execute Theater Security Cooperation activities such as humanitarian assistance, and payment of incremental and personnel costs of training and exercising with foreign security forces: *Provided*, That funds made available for this purpose may be used, notwithstanding any other funding authorities for humanitarian assistance, security assistance or combined exercise expenses: *Provided further*, That funds may not be obligated to provide assistance to any foreign country that is otherwise prohibited from receiving such type of assistance under any other provision of law.

SEC. 8083. None of the funds appropriated by this Act for programs of the Office of the Director of National Intelligence shall remain available for obligation beyond the current fiscal year, except for funds appropriated for research and technology, which shall remain available until September 30, 2018.

SEC. 8084. For purposes of section 1553(b) of title 31, United States Code, any subdivision of appropriations made in this Act under the heading “Shipbuilding and Conversion, Navy” shall be considered to be for the same purpose as any subdivision under the heading “Shipbuilding and Conversion, Navy” appropriations in any prior fiscal year, and the 1 percent limitation shall apply to the total amount of the appropriation.

SEC. 8085. (a) Not later than 60 days after the date of enactment of this Act, the Director of National Intelligence shall submit a report to the congressional intelligence committees to establish the baseline for application of reprogramming and transfer authorities for fiscal year 2017: *Provided*, That the report shall include—

(1) a table for each appropriation with a separate column to display the President’s budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(2) a delineation in the table for each appropriation by Expenditure Center and project; and

(3) an identification of items of special congressional interest.

(b) None of the funds provided for the National Intelligence Program in this Act shall be available for reprogramming or transfer until the report identified in subsection (a) is submitted to the congressional intelligence committees, unless the Director of National Intelligence certifies in writing to the congressional intelligence committees that such reprogramming or transfer is necessary as an emergency requirement.

SEC. 8086. None of the funds made available by this Act may be used to eliminate, restructure, or realign Army Contracting Command—New Jersey or make disproportionate personnel reductions at any Army Contracting Command—New Jersey sites without 30-day prior notification to the congressional defense committees.

(RESCISSION)

SEC. 8087. Of the unobligated balances available to the Department of Defense, the following funds are permanently rescinded from the following accounts and programs in the specified amounts to reflect excess cash balances in Department of Defense Acquisition

Workforce Development Fund: *Provided*, That no amounts may be rescinded from amounts that were designated by the Congress for Overseas Contingency Operations/Global War on Terrorism or as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended:

From “Department of Defense Acquisition Workforce Development Fund, Defense”, \$531,000,000.

SEC. 8088. None of the funds made available by this Act for excess defense articles, assistance under section 1206 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163; 119 Stat. 3456), or peace-keeping operations for the countries designated annually to be in violation of the standards of the Child Soldiers Prevention Act of 2008 (Public Law 110-457; 22 U.S.C. 2370c-1) may be used to support any military training or operation that includes child soldiers, as defined by the Child Soldiers Prevention Act of 2008, unless such assistance is otherwise permitted under section 404 of the Child Soldiers Prevention Act of 2008.

SEC. 8089. Of the amounts appropriated for “Operation and Maintenance, Defense-Wide”, \$67,500,000, to remain available until expended, shall be available, notwithstanding any other provision of law, to the Secretary of Defense acting through the Office of Economic Adjustment of the Department of Defense to make grants, conclude cooperative agreements, and supplement other Federal funds to address the need for assistance to support critical existing and enduring military installations and missions on Guam, as well as any potential Department of Defense growth, for purposes of addressing the need for civilian water and wastewater improvements.

SEC. 8090. (a) None of the funds provided for the National Intelligence Program in this or any prior appropriations Act shall be available for obligation or expenditure through a reprogramming or transfer of funds in accordance with section 102A(d) of the National Security Act of 1947 (50 U.S.C. 3024(d)) that—

(1) creates a new start effort;

(2) terminates a program with appropriated funding of \$10,000,000 or more;

(3) transfers funding into or out of the National Intelligence Program; or

(4) transfers funding between appropriations, unless the congressional intelligence committees are notified 30 days in advance of such reprogramming of funds; this notification period may be reduced for urgent national security requirements.

(b) None of the funds provided for the National Intelligence Program in this or any prior appropriations Act shall be available for obligation or expenditure through a reprogramming or transfer of funds in accordance with section 102A(d) of the National Security Act of 1947 (50 U.S.C. 3024(d)) that results in a cumulative increase or decrease of the levels specified in the classified annex accompanying the Act unless the congressional intelligence committees are notified 30 days in advance of such reprogramming of funds; this notification period may be reduced for urgent national security requirements.

SEC. 8091. The Director of National Intelligence shall submit to Congress each year, at or about the time that the President’s budget is submitted to Congress that year under section 1105(a) of title 31, United States Code, a future-years intelligence program (including associated annexes) reflecting the estimated expenditures and proposed

appropriations included in that budget. Any such future-years intelligence program shall cover the fiscal year with respect to which the budget is submitted and at least the four succeeding fiscal years.

SEC. 8092. For the purposes of this Act, the term “congressional intelligence committees” means the Permanent Select Committee on Intelligence of the House of Representatives, the Select Committee on Intelligence of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives, and the Subcommittee on Defense of the Committee on Appropriations of the Senate.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8093. During the current fiscal year, not to exceed \$11,000,000 from each of the appropriations made in title II of this Act for “Operation and Maintenance, Army”, “Operation and Maintenance, Navy”, and “Operation and Maintenance, Air Force” may be transferred by the military department concerned to its central fund established for Fisher Houses and Suites pursuant to section 2493(d) of title 10, United States Code.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8094. Funds appropriated by this Act for operation and maintenance may be available for the purpose of making remittances and transfer to the Defense Acquisition Workforce Development Fund in accordance with section 1705 of title 10, United States Code.

SEC. 8095. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public Web site of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

(2) the report contains proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.

SEC. 8096. (a) None of the funds appropriated or otherwise made available by this Act may be expended for any Federal contract for an amount in excess of \$1,000,000, unless the contractor agrees not to—

(1) enter into any agreement with any of its employees or independent contractors that requires, as a condition of employment, that the employee or independent contractor agree to resolve through arbitration any claim under title VII of the Civil Rights Act of 1964 or any tort related to or arising out of sexual assault or harassment, including assault and battery, intentional infliction of emotional distress, false imprisonment, or negligent hiring, supervision, or retention; or

(2) take any action to enforce any provision of an existing agreement with an employee or independent contractor that mandates that the employee or independent contractor resolve through arbitration any claim under title VII of the Civil Rights Act of 1964 or any tort related to or arising out of sexual assault or harassment, including assault and battery, intentional infliction of emotional distress, false imprisonment, or negligent hiring, supervision, or retention.

(b) None of the funds appropriated or otherwise made available by this Act may be expended for any Federal contract unless the

contractor certifies that it requires each covered subcontractor to agree not to enter into, and not to take any action to enforce any provision of, any agreement as described in paragraphs (1) and (2) of subsection (a), with respect to any employee or independent contractor performing work related to such subcontract. For purposes of this subsection, a “covered subcontractor” is an entity that has a subcontract in excess of \$1,000,000 on a contract subject to subsection (a).

(c) The prohibitions in this section do not apply with respect to a contractor's or subcontractor's agreements with employees or independent contractors that may not be enforced in a court of the United States.

(d) The Secretary of Defense may waive the application of subsection (a) or (b) to a particular contractor or subcontractor for the purposes of a particular contract or subcontract if the Secretary or the Deputy Secretary personally determines that the waiver is necessary to avoid harm to national security interests of the United States, and that the term of the contract or subcontract is not longer than necessary to avoid such harm. The determination shall set forth with specificity the grounds for the waiver and for the contract or subcontract term selected, and shall state any alternatives considered in lieu of a waiver and the reasons each such alternative would not avoid harm to national security interests of the United States. The Secretary of Defense shall transmit to Congress, and simultaneously make public, any determination under this subsection not less than 15 business days before the contract or subcontract addressed in the determination may be awarded.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8097. From within the funds appropriated for operation and maintenance for the Defense Health Program in this Act, up to \$122,375,000, shall be available for transfer to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund in accordance with the provisions of section 1704 of the National Defense Authorization Act for Fiscal Year 2010, Public Law 111-84: *Provided*, That for purposes of section 1704(b), the facility operations funded are operations of the integrated Captain James A. Lovell Federal Health Care Center, consisting of the North Chicago Veterans Affairs Medical Center, the Navy Ambulatory Care Center, and supporting facilities designated as a combined Federal medical facility as described by section 706 of Public Law 110-417: *Provided further*, That additional funds may be transferred from funds appropriated for operation and maintenance for the Defense Health Program to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Defense to the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 8098. None of the funds appropriated or otherwise made available by this Act may be used by the Department of Defense or a component thereof in contravention of the provisions of section 130h of title 10, United States Code.

SEC. 8099. Appropriations available to the Department of Defense may be used for the purchase of heavy and light armored vehicles for the physical security of personnel or for force protection purposes up to a limit of \$450,000 per vehicle, notwithstanding price or other limitations applicable to the purchase of passenger carrying vehicles.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8100. Upon a determination by the Director of National Intelligence that such ac-

tion is necessary and in the national interest, the Director may, with the approval of the Office of Management and Budget, transfer not to exceed \$1,500,000,000 of the funds made available in this Act for the National Intelligence Program: *Provided*, That such authority to transfer may not be used unless for higher priority items, based on unforeseen intelligence requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by the Congress: *Provided further*, That a request for multiple reprogrammings of funds using authority provided in this section shall be made prior to June 30, 2017.

SEC. 8101. None of the funds appropriated or otherwise made available in this or any other Act may be used to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after June 24, 2009, at United States Naval Station, Guantánamo Bay, Cuba, by the Department of Defense.

SEC. 8102. (a) None of the funds appropriated or otherwise made available in this or any other Act may be used to construct, acquire, or modify any facility in the United States, its territories, or possessions to house any individual described in subsection (c) for the purposes of detention or imprisonment in the custody or under the effective control of the Department of Defense.

(b) The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantánamo Bay, Cuba.

(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantánamo Bay, Cuba, and who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—

(A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantánamo Bay, Cuba.

SEC. 8103. None of the funds appropriated or otherwise made available in this Act may be used to transfer any individual detained at United States Naval Station Guantánamo Bay, Cuba, to the custody or control of the individual's country of origin, any other foreign country, or any other foreign entity except in accordance with section 1034 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92) and section 1034 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328).

SEC. 8104. None of the funds made available by this Act may be used in contravention of the War Powers Resolution (50 U.S.C. 1541 et seq.).

SEC. 8105. (a) None of the funds appropriated or otherwise made available by this or any other Act may be used by the Secretary of Defense, or any other official or officer of the Department of Defense, to enter into a contract, memorandum of understanding, or cooperative agreement with, or make a grant to, or provide a loan or loan guarantee to Rosoboronexport or any subsidiary of Rosoboronexport.

(b) The Secretary of Defense may waive the limitation in subsection (a) if the Secretary, in consultation with the Secretary of

State and the Director of National Intelligence, determines that it is in the vital national security interest of the United States to do so, and certifies in writing to the congressional defense committees that, to the best of the Secretary's knowledge:

(1) Rosoboronexport has ceased the transfer of lethal military equipment to, and the maintenance of existing lethal military equipment for, the Government of the Syrian Arab Republic;

(2) The armed forces of the Russian Federation have withdrawn from Crimea, other than armed forces present on military bases subject to agreements in force between the Government of the Russian Federation and the Government of Ukraine; and

(3) Agents of the Russian Federation have ceased taking active measures to destabilize the control of the Government of Ukraine over eastern Ukraine.

(c) The Inspector General of the Department of Defense shall conduct a review of any action involving Rosoboronexport with respect to a waiver issued by the Secretary of Defense pursuant to subsection (b), and not later than 90 days after the date on which such a waiver is issued by the Secretary of Defense, the Inspector General shall submit to the congressional defense committees a report containing the results of the review conducted with respect to such waiver.

SEC. 8106. None of the funds made available in this Act may be used for the purchase or manufacture of a flag of the United States unless such flags are treated as covered items under section 2533a(b) of title 10, United States Code.

SEC. 8107. (a) Of the funds appropriated in this Act for the Department of Defense, amounts may be made available, under such regulations as the Secretary of Defense may prescribe, to local military commanders appointed by the Secretary, or by an officer or employee designated by the Secretary, to provide at their discretion ex gratia payments in amounts consistent with subsection (d) of this section for damage, personal injury, or death that is incident to combat operations of the Armed Forces in a foreign country.

(b) An ex gratia payment under this section may be provided only if—

(1) the prospective foreign civilian recipient is determined by the local military commander to be friendly to the United States;

(2) a claim for damages would not be compensable under chapter 163 of title 10, United States Code (commonly known as the “Foreign Claims Act”); and

(3) the property damage, personal injury, or death was not caused by action by an enemy.

(c) NATURE OF PAYMENTS.—Any payments provided under a program under subsection (a) shall not be considered an admission or acknowledgement of any legal obligation to compensate for any damage, personal injury, or death.

(d) AMOUNT OF PAYMENTS.—If the Secretary of Defense determines a program under subsection (a) to be appropriate in a particular setting, the amounts of payments, if any, to be provided to civilians determined to have suffered harm incident to combat operations of the Armed Forces under the program should be determined pursuant to regulations prescribed by the Secretary and based on an assessment, which should include such factors as cultural appropriateness and prevailing economic conditions.

(e) LEGAL ADVICE.—Local military commanders shall receive legal advice before

making ex gratia payments under this subsection. The legal advisor, under regulations of the Department of Defense, shall advise on whether an ex gratia payment is proper under this section and applicable Department of Defense regulations.

(f) WRITTEN RECORD.—A written record of any ex gratia payment offered or denied shall be kept by the local commander and on a timely basis submitted to the appropriate office in the Department of Defense as determined by the Secretary of Defense.

(g) REPORT.—The Secretary of Defense shall report to the congressional defense committees on an annual basis the efficacy of the ex gratia payment program including the number of types of cases considered, amounts offered, the response from ex gratia payment recipients, and any recommended modifications to the program.

SEC. 8108. None of the funds available in this Act to the Department of Defense, other than appropriations made for necessary or routine refurbishments, upgrades or maintenance activities, shall be used to reduce or to prepare to reduce the number of deployed and non-deployed strategic delivery vehicles and launchers below the levels set forth in the report submitted to Congress in accordance with section 1042 of the National Defense Authorization Act for Fiscal Year 2012.

SEC. 8109. The Secretary of Defense shall post grant awards on a public Web site in a searchable format.

SEC. 8110. None of the funds made available by this Act may be used to fund the performance of a flight demonstration team at a location outside of the United States: *Provided*, That this prohibition applies only if a performance of a flight demonstration team at a location within the United States was canceled during the current fiscal year due to insufficient funding.

SEC. 8111. None of the funds made available by this Act may be used by the National Security Agency to—

(1) conduct an acquisition pursuant to section 702 of the Foreign Intelligence Surveillance Act of 1978 for the purpose of targeting a United States person; or

(2) acquire, monitor, or store the contents (as such term is defined in section 2510(8) of title 18, United States Code) of any electronic communication of a United States person from a provider of electronic communication services to the public pursuant to section 501 of the Foreign Intelligence Surveillance Act of 1978.

SEC. 8112. None of the funds made available by this Act may be obligated or expended to implement the Arms Trade Treaty until the Senate approves a resolution of ratification for the Treaty.

SEC. 8113. None of the funds made available in this or any other Act may be used to pay the salary of any officer or employee of any agency funded by this Act who approves or implements the transfer of administrative responsibilities or budgetary resources of any program, project, or activity financed by this Act to the jurisdiction of another Federal agency not financed by this Act without the express authorization of Congress: *Provided*, That this limitation shall not apply to transfers of funds expressly provided for in Defense Appropriations Acts, or provisions of Acts providing supplemental appropriations for the Department of Defense.

SEC. 8114. None of the funds made available in this Act may be obligated for activities authorized under section 1208 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 112-81; 125 Stat. 1621) to initiate support for, or ex-

pand support to, foreign forces, irregular forces, groups, or individuals unless the congressional defense committees are notified in accordance with the direction contained in the classified annex accompanying this Act, not less than 15 days before initiating such support: *Provided*, That none of the funds made available in this Act may be used under section 1208 for any activity that is not in support of an ongoing military operation being conducted by United States Special Operations Forces to combat terrorism: *Provided further*, That the Secretary of Defense may waive the prohibitions in this section if the Secretary determines that such waiver is required by extraordinary circumstances and, by not later than 72 hours after making such waiver, notifies the congressional defense committees of such waiver.

SEC. 8115. None of the funds made available by this Act may be used with respect to Iraq in contravention of the War Powers Resolution (50 U.S.C. 1541 et seq.), including for the introduction of United States armed forces into hostilities in Iraq, into situations in Iraq where imminent involvement in hostilities is clearly indicated by the circumstances, or into Iraqi territory, airspace, or waters while equipped for combat, in contravention of the congressional consultation and reporting requirements of sections 3 and 4 of such Resolution (50 U.S.C. 1542 and 1543).

SEC. 8116. None of the funds made available by this Act may be used to divest, retire, transfer, or place in storage or on backup aircraft inventory status, or prepare to divest, retire, transfer, or place in storage or on backup aircraft inventory status, any A-10 aircraft, or to disestablish any units of the active or reserve component associated with such aircraft.

SEC. 8117. None of the funds provided in this Act for the T-AO(X) program shall be used to award a new contract that provides for the acquisition of the following components unless those components are manufactured in the United States: Auxiliary equipment (including pumps) for shipboard services; propulsion equipment (including engines, reduction gears, and propellers); shipboard cranes; and spreaders for shipboard cranes.

SEC. 8118. The amount appropriated in title II of this Act for “Operation and Maintenance, Army” is hereby reduced by \$336,000,000 to reflect excess cash balances in Department of Defense Working Capital Funds.

SEC. 8119. Notwithstanding any other provision of this Act, to reflect savings due to lower than anticipated fuel costs, the total amount appropriated in title II of this Act is hereby reduced by \$1,155,000,000.

SEC. 8120. None of the funds made available by this Act may be used to divest or retire, or to prepare to divest or retire, KC-10 aircraft.

SEC. 8121. None of the funds made available by this Act may be used to divest, retire, transfer, or place in storage or on backup aircraft inventory status, or prepare to divest, retire, transfer, or place in storage or on backup aircraft inventory status, any EC-130H aircraft.

SEC. 8122. None of the funds made available by this Act may be used for Government Travel Charge Card expenses by military or civilian personnel of the Department of Defense for gaming, or for entertainment that includes topless or nude entertainers or participants, as prohibited by Department of Defense FMR, Volume 9, Chapter 3 and Department of Defense Instruction 1015.10 (enclosure 3, 14a and 14b).

SEC. 8123. None of the funds made available by this Act may be used to propose, plan for, or execute a new or additional Base Realignment and Closure (BRAC) round.

SEC. 8124. Of the amounts appropriated in this Act for “Operation and Maintenance, Navy”, \$274,524,000, to remain available until expended, may be used for any purposes related to the National Defense Reserve Fleet established under section 11 of the Merchant Ship Sales Act of 1946 (50 U.S.C. 4405): *Provided*, That such amounts are available for reimbursements to the Ready Reserve Force, Maritime Administration account of the United States Department of Transportation for programs, projects, activities, and expenses related to the National Defense Reserve Fleet.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8125. Of the amounts appropriated in this Act, the Secretary of Defense may use up to \$20,000,000 under the heading “Operation and Maintenance, Defense-Wide”, and up to \$75,000,000 under the heading “Research, Development, Test and Evaluation, Defense-Wide” to develop, replace, and sustain Federal Government security and suitability background investigation information technology systems of the Office of Personnel Management or other Federal agency responsible for conducting such investigations: *Provided*, That the Secretary may reprogram or transfer additional amounts into these headings or into “Procurement, Defense-Wide” using established reprogramming procedures applicable to congressional special interest items: *Provided further*, That such funds shall supplement, not supplant any other amounts made available to other Federal agencies for such purposes.

SEC. 8126. None of the funds made available by this Act for the Joint Surveillance Target Attack Radar System recapitalization program may be obligated or expended for pre-milestone B activities after March 31, 2018.

SEC. 8127. None of the funds made available by this Act may be used to carry out the closure or realignment of the United States Naval Station, Guantanamo Bay, Cuba.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8128. Additional readiness funds made available in title II of this Act for “Operation and Maintenance, Army”, “Operation and Maintenance, Navy”, “Operation and Maintenance, Marine Corps”, and “Operation and Maintenance, Air Force” may be transferred to and merged with any appropriation of the Department of Defense for activities related to the Zika virus in order to provide health support for the full range of military operations and sustain the health of the members of the Armed Forces, civilian employees of the Department of Defense, and their families, to include: research and development, disease surveillance, vaccine development, rapid detection, vector controls and surveillance, training, and outbreak response: *Provided*, That the authority provided in this section is subject to the same terms and conditions as the authority provided in section 8005 of this Act.

SEC. 8129. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network is designed to block access to pornography websites.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities, or for any activity necessary for the national defense, including intelligence activities.

(RESCISSION)

SEC. 8130. (a) The Ship Modernization, Operations and Sustainment Fund established by section 8103 of the Department of Defense Appropriations Act, 2013 (division C of Public Law 113-6; 127 Stat. 321) is hereby terminated, effective as of the date of the enactment of this Act.

(b) Any unobligated balances in the Ship Modernization, Operations and Sustainment Fund as of the date of the enactment of this Act are hereby rescinded.

SEC. 8131. None of the funds made available by this Act may be used to provide arms, training, or other assistance to the Azov Battalion.

SEC. 8132. Notwithstanding any other provision of law, any transfer of funds appropriated or otherwise made available by this Act to the Global Engagement Center pursuant to section 1287 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328) shall be made in accordance with section 8005 or 9002 of this Act, as applicable.

SEC. 8133. No amounts credited or otherwise made available in this or any other Act to the Department of Defense Acquisition Workforce Development Fund may be transferred to:

(1) the Rapid Prototyping Fund established under section 804(d) of the National Defense Authorization Act for Fiscal Year 2016 (10 U.S.C. 2302 note); or

(2) credited to a military-department specific fund established under section 804(d)(2) of the National Defense Authorization Act for Fiscal Year 2016 (as amended by section 897 of the National Defense Authorization Act for Fiscal Year 2017).

SEC. 8134. The explanatory statement regarding this Act, printed in the House of Representatives section of the Congressional Record on or about March 8, 2017, by the Chairman of the Committee on Appropriations of the House of Representatives, shall have the same effect with respect to the allocation of funds and implementation of this Act as if it were a Report of the Committee on Appropriations.

SEC. 8135. No funds provided in this Act shall be used to deny an Inspector General funded under this Act timely access to any records, documents, or other materials available to the department or agency over which that Inspector General has responsibilities under the Inspector General Act of 1978, or to prevent or impede that Inspector General's access to such records, documents, or other materials, under any provision of law, except a provision of law that expressly refers to the Inspector General and expressly limits the Inspector General's right of access. A department or agency covered by this section shall provide its Inspector General with access to all such records, documents, and other materials in a timely manner. Each Inspector General shall ensure compliance with statutory limitations on disclosure relevant to the information provided by the establishment over which that Inspector General has responsibilities under the Inspector General Act of 1978. Each Inspector General covered by this section shall report to the Committees on Appropriations of the House of Representatives and the Senate within 5 calendar days any failures to comply with this requirement.

TITLE IX

OVERSEAS CONTINGENCY OPERATIONS/
GLOBAL WAR ON TERRORISM

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For an additional amount for "Military Personnel, Army", \$1,948,648,000: *Provided*,

That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY PERSONNEL, NAVY

For an additional amount for "Military Personnel, Navy", \$327,427,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY PERSONNEL, MARINE CORPS

For an additional amount for "Military Personnel, Marine Corps", \$179,733,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY PERSONNEL, AIR FORCE

For an additional amount for "Military Personnel, Air Force", \$705,706,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESERVE PERSONNEL, ARMY

For an additional amount for "Reserve Personnel, Army", \$42,506,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESERVE PERSONNEL, NAVY

For an additional amount for "Reserve Personnel, Navy", \$11,929,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESERVE PERSONNEL, MARINE CORPS

For an additional amount for "Reserve Personnel, Marine Corps", \$3,764,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESERVE PERSONNEL, AIR FORCE

For an additional amount for "Reserve Personnel, Air Force", \$20,535,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL GUARD PERSONNEL, ARMY

For an additional amount for "National Guard Personnel, Army", \$196,472,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL GUARD PERSONNEL, AIR FORCE

For an additional amount for "National Guard Personnel, Air Force", \$5,288,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For an additional amount for "Operation and Maintenance, Army", \$15,693,068,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, NAVY

For an additional amount for "Operation and Maintenance, Navy", \$7,887,349,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for "Operation and Maintenance, Marine Corps", \$1,607,259,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for "Operation and Maintenance, Air Force", \$10,556,598,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

For an additional amount for "Operation and Maintenance, Defense-Wide", \$6,476,649,000: *Provided*, That of the funds provided under this heading, not to exceed \$920,000,000, to remain available until September 30, 2018, shall be for payments to reimburse key cooperating nations for logistical, military, and other support, including access, provided to United States military and stability operations in Afghanistan and to counter the Islamic State of Iraq and the Levant: *Provided further*, That such reimbursement payments may be made in such amounts as the Secretary of Defense, with the concurrence of the Secretary of State, and in consultation with the Director of the Office of Management and Budget, may determine, based on documentation determined by the Secretary of Defense to adequately account for the support provided, and such determination is final and conclusive upon the accounting officers of the United States, and 15 days following notification to the appropriate congressional committees: *Provided further*, That these funds may be used for the purpose of providing specialized training and procuring supplies and specialized equipment and providing such supplies and loaning such equipment on a non-reimbursable basis to coalition forces supporting United States military and stability operations in Afghanistan and to counter the Islamic State of Iraq and the Levant, and 15 days following notification to the appropriate congressional committees: *Provided further*, That these funds may be used to support the Government of Jordan, in such amounts as the Secretary of Defense may determine, to enhance the ability of the armed forces of Jordan to increase or sustain security along its borders, upon 15 days prior written notification to the congressional defense committees outlining the amounts intended to be provided and the nature of the

expenses incurred: *Provided further*, That of the funds provided under this heading, not to exceed \$750,000,000, to remain available until September 30, 2018, shall be available to provide support and assistance to foreign security forces or other groups or individuals to conduct, support or facilitate counterterrorism, crisis response, or other Department of Defense security cooperation programs: *Provided further*, That of the funds provided under this heading, up to \$30,000,000 shall be for Operation Observant Compass: *Provided further*, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees on the use of funds provided in this paragraph: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, ARMY RESERVE

For an additional amount for "Operation and Maintenance, Army Reserve", \$38,679,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, NAVY RESERVE

For an additional amount for "Operation and Maintenance, Navy Reserve", \$26,265,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For an additional amount for "Operation and Maintenance, Marine Corps Reserve", \$3,304,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For an additional amount for "Operation and Maintenance, Air Force Reserve", \$57,586,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For an additional amount for "Operation and Maintenance, Army National Guard", \$127,035,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For an additional amount for "Operation and Maintenance, Air National Guard", \$20,000,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AFGHANISTAN SECURITY FORCES FUND

For the "Afghanistan Security Forces Fund", \$4,262,715,000, to remain available until September 30, 2018: *Provided*, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Commander, Combined Security Transition Command—Afghanistan, or the Secretary's designee, to provide assistance, with the concurrence of the Secretary of State, to the security forces of Afghanistan, including the provision of equipment, supplies, services, training, facility and infrastructure repair, renovation, construction, and funding: *Provided further*, That the Secretary of Defense may obligate and expend funds made available to the Department of Defense in this title for additional costs associated with existing projects previously funded with amounts provided under the heading "Afghanistan Infrastructure Fund" in prior Acts: *Provided further*, That such costs shall be limited to contract changes resulting from inflation, market fluctuation, rate adjustments, and other necessary contract actions to complete existing projects, and associated supervision and administration costs and costs for design during construction: *Provided further*, That the Secretary may not use more than \$50,000,000 under the authority provided in this section: *Provided further*, That the Secretary shall notify in advance such contract changes and adjustments in annual reports to the congressional defense committees: *Provided further*, That the authority to provide assistance under this heading is in addition to any other authority to provide assistance to foreign nations: *Provided further*, That contributions of funds for the purposes provided herein from any person, foreign government, or international organization may be credited to this Fund, to remain available until expended, and used for such purposes: *Provided further*, That the Secretary of Defense shall notify the congressional defense committees in writing upon the receipt and upon the obligation of any contribution, delineating the sources and amounts of the funds received and the specific use of such contributions: *Provided further*, That the Secretary of Defense shall, not fewer than 15 days prior to obligating from this appropriation account, notify the congressional defense committees in writing of the details of any such obligation: *Provided further*, That the Secretary of Defense shall notify the congressional defense committees of any proposed new projects or transfer of funds between budget sub-activity groups in excess of \$20,000,000: *Provided further*, That the United States may accept equipment procured using funds provided under this heading in this or prior Acts that was transferred to the security forces of Afghanistan and returned by such forces to the United States: *Provided further*, That equipment procured using funds provided under this heading in this or prior Acts, and not yet transferred to the security forces of Afghanistan or transferred to the security forces of Afghanistan and returned by such forces to the United States, may be treated as stocks of the Department of Defense upon written notification to the congressional defense committees: *Provided further*, That of the funds provided under this heading, not less than \$10,000,000 shall be for recruitment and retention of women in the Afghanistan National Security Forces, and the recruitment and training of female security personnel: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Ter-

rorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

COUNTER-ISIL TRAIN AND EQUIP FUND

For the "Counter-Islamic State of Iraq and the Levant Train and Equip Fund", \$980,000,000, to remain available until September 30, 2018: *Provided*, That such funds shall be available to the Secretary of Defense in coordination with the Secretary of State, to provide assistance, including training; equipment; logistics support, supplies, and services; stipends; infrastructure repair and renovation; and sustainment, to foreign security forces, irregular forces, groups, or individuals participating, or preparing to participate in activities to counter the Islamic State of Iraq and the Levant, and their affiliated or associated groups: *Provided further*, That these funds may be used, in such amounts as the Secretary of Defense may determine, to enhance the border security of nations adjacent to conflict areas, including Jordan and Lebanon, resulting from actions of the Islamic State of Iraq and the Levant: *Provided further*, That amounts made available under this heading shall be available to provide assistance only for activities in a country designated by the Secretary of Defense, in coordination with the Secretary of State, as having a security mission to counter the Islamic State of Iraq and the Levant, and following written notification to the congressional defense committees of such designation: *Provided further*, That the Secretary of Defense shall ensure that prior to providing assistance to elements of any forces or individuals, such elements or individuals are appropriately vetted, including at a minimum, assessing such elements for associations with terrorist groups or groups associated with the Government of Iran; and receiving commitments from such elements to promote respect for human rights and the rule of law: *Provided further*, That the Secretary of Defense shall, not fewer than 15 days prior to obligating from this appropriation account, notify the congressional defense committees in writing of the details of any such obligation: *Provided further*, That the Secretary of Defense may accept and retain contributions, including assistance in-kind, from foreign governments, including the Government of Iraq and other entities, to carry out assistance authorized under this heading: *Provided further*, That contributions of funds for the purposes provided herein from any foreign government or other entity may be credited to this Fund, to remain available until expended, and used for such purposes: *Provided further*, That the Secretary of Defense may waive a provision of law relating to the acquisition of items and support services or sections 40 and 40A of the Arms Export Control Act (22 U.S.C. 2780 and 2785) if the Secretary determines that such provision of law would prohibit, restrict, delay or otherwise limit the provision of such assistance and a notice of and justification for such waiver is submitted to the congressional defense committees, the Committees on Appropriations and Foreign Relations of the Senate and the Committees on Appropriations and Foreign Affairs of the House of Representatives: *Provided further*, That the United States may accept equipment procured using funds provided under this heading, or under the heading, "Iraq Train and Equip Fund" in prior Acts, that was transferred to security forces, irregular forces, or groups participating, or preparing to participate in activities to counter the Islamic State of Iraq and the Levant and returned by such forces or groups to the United

States, may be treated as stocks of the Department of Defense upon written notification to the congressional defense committees: *Provided further*, That equipment procured using funds provided under this heading, or under the heading, "Iraq Train and Equip Fund" in prior Acts, and not yet transferred to security forces, irregular forces, or groups participating, or preparing to participate in activities to counter the Islamic State of Iraq and the Levant may be treated as stocks of the Department of Defense when determined by the Secretary to no longer be required for transfer to such forces or groups and upon written notification to the congressional defense committees: *Provided further*, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees on the use of funds provided under this heading, including, but not limited to, the number of individuals trained, the nature and scope of support and sustainment provided to each group or individual, the area of operations for each group, and the contributions of other countries, groups, or individuals: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For an additional amount for "Aircraft Procurement, Army", \$313,171,000, to remain available until September 30, 2019: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MISSILE PROCUREMENT, ARMY

For an additional amount for "Missile Procurement, Army", \$405,317,000, to remain available until September 30, 2019: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For an additional amount for "Procurement of Weapons and Tracked Combat Vehicles, Army", \$395,944,000, to remain available until September 30, 2019: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF AMMUNITION, ARMY

For an additional amount for "Procurement of Ammunition, Army", \$290,670,000, to remain available until September 30, 2019: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER PROCUREMENT, ARMY

For an additional amount for "Other Procurement, Army", \$1,343,010,000, to remain available until September 30, 2019: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AIRCRAFT PROCUREMENT, NAVY

For an additional amount for "Aircraft Procurement, Navy", \$367,930,000, to remain available until September 30, 2019: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

WEAPONS PROCUREMENT, NAVY

For an additional amount for "Weapons Procurement, Navy", \$8,600,000, to remain available until September 30, 2019: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For an additional amount for "Procurement of Ammunition, Navy and Marine Corps", \$65,380,000, to remain available until September 30, 2019: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER PROCUREMENT, NAVY

For an additional amount for "Other Procurement, Navy", \$99,786,000, to remain available until September 30, 2019: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT, MARINE CORPS

For an additional amount for "Procurement, Marine Corps", \$118,939,000, to remain available until September 30, 2019: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AIRCRAFT PROCUREMENT, AIR FORCE

For an additional amount for "Aircraft Procurement, Air Force", \$927,249,000, to remain available until September 30, 2019: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MISSILE PROCUREMENT, AIR FORCE

For an additional amount for "Missile Procurement, Air Force", \$235,095,000, to remain available until September 30, 2019: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF AMMUNITION, AIR FORCE

For an additional amount for "Procurement of Ammunition, Air Force", \$273,345,000, to remain available until September 30, 2019: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER PROCUREMENT, AIR FORCE

For an additional amount for "Other Procurement, Air Force", \$3,529,456,000, to remain available until September 30, 2019: *Pro-*

vided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT, DEFENSE-WIDE

For an additional amount for "Procurement, Defense-Wide", \$244,184,000, to remain available until September 30, 2019: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL GUARD AND RESERVE EQUIPMENT ACCOUNT

For procurement of rotary-wing aircraft; combat, tactical and support vehicles; other weapons; and other procurement items for the reserve components of the Armed Forces, \$750,000,000, to remain available for obligation until September 30, 2019: *Provided*, That the Chiefs of National Guard and Reserve components shall, not later than 30 days after enactment of this Act, individually submit to the congressional defense committees the modernization priority assessment for their respective National Guard or Reserve component: *Provided further*, That none of the funds made available by this paragraph may be used to procure manned fixed wing aircraft, or procure or modify missiles, munitions, or ammunition: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For an additional amount for "Research, Development, Test and Evaluation, Army", \$100,522,000, to remain available until September 30, 2018: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For an additional amount for "Research, Development, Test and Evaluation, Navy", \$78,323,000, to remain available until September 30, 2018: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For an additional amount for "Research, Development, Test and Evaluation, Air Force", \$67,905,000, to remain available until September 30, 2018: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For an additional amount for "Research, Development, Test and Evaluation, Defense-Wide", \$159,919,000, to remain available until September 30, 2018: *Provided*, That such amount is designated by the Congress for

Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For an additional amount for “Defense Working Capital Funds”, \$140,633,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For an additional amount for “Defense Health Program”, \$331,764,000, which shall be for operation and maintenance: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

For an additional amount for “Drug Interdiction and Counter-Drug Activities, Defense”, \$215,333,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

JOINT IMPROVISED-THREAT DEFEAT FUND (INCLUDING TRANSFER OF FUNDS)

For the “Joint Improvised-Threat Defeat Fund”, \$339,472,000, to remain available until September 30, 2019: *Provided*, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Director of the Joint Improvised-Threat Defeat Organization to investigate, develop and provide equipment, supplies, services, training, facilities, personnel and funds to assist United States forces in the defeat of improvised explosive devices: *Provided further*, That the Secretary of Defense may transfer funds provided herein to appropriations for military personnel; operation and maintenance; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purpose provided herein: *Provided further*, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the Secretary of Defense shall, not fewer than 5 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OFFICE OF THE INSPECTOR GENERAL

For an additional amount for the “Office of the Inspector General”, \$22,062,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS—THIS TITLE

SEC. 9001. Notwithstanding any other provision of law, funds made available in this title are in addition to amounts appropriated

or otherwise made available for the Department of Defense for fiscal year 2017.

(INCLUDING TRANSFER OF FUNDS)

SEC. 9002. Upon the determination of the Secretary of Defense that such action is necessary in the national interest, the Secretary may, with the approval of the Office of Management and Budget, transfer up to \$2,500,000,000 between the appropriations or funds made available to the Department of Defense in this title: *Provided*, That the Secretary shall notify the Congress promptly of each transfer made pursuant to the authority in this section: *Provided further*, That the authority provided in this section is in addition to any other transfer authority available to the Department of Defense and is subject to the same terms and conditions as the authority provided in section 8005 of this Act.

SEC. 9003. Supervision and administration costs and costs for design during construction associated with a construction project funded with appropriations available for operation and maintenance or the “Afghanistan Security Forces Fund” provided in this Act and executed in direct support of overseas contingency operations in Afghanistan, may be obligated at the time a construction contract is awarded: *Provided*, That, for the purpose of this section, supervision and administration costs and costs for design during construction include all in-house Government costs.

SEC. 9004. From funds made available in this title, the Secretary of Defense may purchase for use by military and civilian employees of the Department of Defense in the United States Central Command area of responsibility: (1) passenger motor vehicles up to a limit of \$75,000 per vehicle; and (2) heavy and light armored vehicles for the physical security of personnel or for force protection purposes up to a limit of \$450,000 per vehicle, notwithstanding price or other limitations applicable to the purchase of passenger carrying vehicles.

SEC. 9005. Not to exceed \$5,000,000 of the amounts appropriated by this title under the heading “Operation and Maintenance, Army” may be used, notwithstanding any other provision of law, to fund the Commanders’ Emergency Response Program (CERP), for the purpose of enabling military commanders in Afghanistan to respond to urgent, small-scale, humanitarian relief and reconstruction requirements within their areas of responsibility: *Provided*, That each project (including any ancillary or related elements in connection with such project) executed under this authority shall not exceed \$2,000,000: *Provided further*, That not later than 45 days after the end of each 6 months of the fiscal year, the Secretary of Defense shall submit to the congressional defense committees a report regarding the source of funds and the allocation and use of funds during that 6-month period that were made available pursuant to the authority provided in this section or under any other provision of law for the purposes described herein: *Provided further*, That, not later than 30 days after the end of each fiscal year quarter, the Army shall submit to the congressional defense committees quarterly commitment, obligation, and expenditure data for the CERP in Afghanistan: *Provided further*, That, not less than 15 days before making funds available pursuant to the authority provided in this section or under any other provision of law for the purposes described herein for a project with a total anticipated cost for completion of \$500,000 or more, the Secretary shall submit to the con-

gressional defense committees a written notice containing each of the following:

(1) The location, nature and purpose of the proposed project, including how the project is intended to advance the military campaign plan for the country in which it is to be carried out.

(2) The budget, implementation timeline with milestones, and completion date for the proposed project, including any other CERP funding that has been or is anticipated to be contributed to the completion of the project.

(3) A plan for the sustainment of the proposed project, including the agreement with either the host nation, a non-Department of Defense agency of the United States Government or a third-party contributor to finance the sustainment of the activities and maintenance of any equipment or facilities to be provided through the proposed project.

SEC. 9006. Funds available to the Department of Defense for operation and maintenance may be used, notwithstanding any other provision of law, to provide supplies, services, transportation, including airlift and sealift, and other logistical support to allied forces participating in a combined operation with the armed forces of the United States and coalition forces supporting military and stability operations in Afghanistan and to counter the Islamic State of Iraq and the Levant: *Provided*, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees regarding support provided under this section.

SEC. 9007. None of the funds appropriated or otherwise made available by this or any other Act shall be obligated or expended by the United States Government for a purpose as follows:

(1) To establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Iraq.

(2) To exercise United States control over any oil resource of Iraq.

(3) To establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Afghanistan.

SEC. 9008. None of the funds made available in this Act may be used in contravention of the following laws enacted or regulations promulgated to implement the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (done at New York on December 10, 1984):

(1) Section 2340A of title 18, United States Code.

(2) Section 2242 of the Foreign Affairs Reform and Restructuring Act of 1998 (division G of Public Law 105-277; 112 Stat. 2681-822; 8 U.S.C. 1231 note) and regulations prescribed thereto, including regulations under part 208 of title 8, Code of Federal Regulations, and part 95 of title 22, Code of Federal Regulations.

(3) Sections 1002 and 1003 of the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006 (Public Law 109-148).

SEC. 9009. None of the funds provided for the “Afghanistan Security Forces Fund” (ASFF) may be obligated prior to the approval of a financial and activity plan by the Afghanistan Resources Oversight Council (AROC) of the Department of Defense: *Provided*, That the AROC must approve the requirement and acquisition plan for any service requirements in excess of \$50,000,000 annually and any non-standard equipment requirements in excess of \$100,000,000 using

ASFF: *Provided further*, That the Department of Defense must certify to the congressional defense committees that the AROC has convened and approved a process for ensuring compliance with the requirements in the preceding proviso and accompanying report language for the ASFF.

SEC. 9010. Funds made available in this title to the Department of Defense for operation and maintenance may be used to purchase items having an investment unit cost of not more than \$250,000: *Provided*, That, upon determination by the Secretary of Defense that such action is necessary to meet the operational requirements of a Commander of a Combatant Command engaged in contingency operations overseas, such funds may be used to purchase items having an investment item unit cost of not more than \$500,000.

SEC. 9011. From funds made available to the Department of Defense in this title under the heading “Operation and Maintenance, Air Force”, up to \$60,000,000 may be used by the Secretary of Defense, notwithstanding any other provision of law, to support United States Government transition activities in Iraq by funding the operations and activities of the Office of Security Cooperation in Iraq and security assistance teams, including life support, transportation and personal security, and facilities renovation and construction, and site closeout activities prior to returning sites to the Government of Iraq: *Provided*, That to the extent authorized under the National Defense Authorization Act for Fiscal Year 2017, the operations and activities that may be carried out by the Office of Security Cooperation in Iraq may, with the concurrence of the Secretary of State, include non-operational training activities in support of Iraqi Minister of Defense and Counter Terrorism Service personnel in an institutional environment to address capability gaps, integrate processes relating to intelligence, air sovereignty, combined arms, logistics and maintenance, and to manage and integrate defense-related institutions: *Provided further*, That not later than 30 days following the enactment of this Act, the Secretary of Defense and the Secretary of State shall submit to the congressional defense committees a plan for transitioning any such training activities that they determine are needed after the end of fiscal year 2017, to existing or new contracts for the sale of defense articles or defense services consistent with the provisions of the Arms Export Control Act (22 U.S.C. 2751 et seq.): *Provided further*, That, not less than 15 days before making funds available pursuant to the authority provided in this section, the Secretary of Defense shall submit to the congressional defense committees a written notice containing a detailed justification and timeline for the operations and activities of the Office of Security Cooperation in Iraq at each site where such operations and activities will be conducted during fiscal year 2017: *Provided further*, That amounts made available by this section are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 9012. Up to \$500,000,000 of funds appropriated by this Act for the Defense Security Cooperation Agency in “Operation and Maintenance, Defense-Wide” may be used to provide assistance to the Government of Jordan to support the armed forces of Jordan and to enhance security along its borders.

SEC. 9013. None of the funds made available by this Act under the heading “Counter-ISIL

Train and Equip Fund” may be used to procure or transfer man-portable air defense systems.

SEC. 9014. For the “Ukraine Security Assistance Initiative”, \$150,000,000 is hereby appropriated, to remain available until September 30, 2017: *Provided*, That such funds shall be available to the Secretary of Defense, in coordination with the Secretary of State, to provide assistance, including training; equipment; lethal weapons of a defensive nature; logistics support, supplies and services; sustainment; and intelligence support to the military and national security forces of Ukraine, and for replacement of any weapons or defensive articles provided to the Government of Ukraine from the inventory of the United States: *Provided further*, That the Secretary of Defense shall, not less than 15 days prior to obligating funds provided under this heading, notify the congressional defense committees in writing of the details of any such obligation: *Provided further*, That the United States may accept equipment procured using funds provided under this heading in this or prior Acts that was transferred to the security forces of Ukraine and returned by such forces to the United States: *Provided further*, That equipment procured using funds provided under this heading in this or prior Acts, and not yet transferred to the military or National Security Forces of Ukraine or returned by such forces to the United States, may be treated as stocks of the Department of Defense upon written notification to the congressional defense committees: *Provided further*, That amounts made available by this section are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 9015. Funds appropriated in this title shall be available for replacement of funds for items provided to the Government of Ukraine from the inventory of the United States to the extent specifically provided for in section 9014 of this Act.

SEC. 9016. None of the funds made available by this Act under section 9014 for “Assistance and Sustainment to the Military and National Security Forces of Ukraine” may be used to procure or transfer man-portable air defense systems.

SEC. 9017. (a) None of the funds appropriated or otherwise made available by this Act under the heading “Operation and Maintenance, Defense-Wide” for payments under section 1233 of Public Law 110–181 for reimbursement to the Government of Pakistan may be made available unless the Secretary of Defense, in coordination with the Secretary of State, certifies to the congressional defense committees that the Government of Pakistan is—

(1) cooperating with the United States in counterterrorism efforts against the Haqqani Network, the Quetta Shura Taliban, Lashkar e-Tayyiba, Jaish-e-Mohammed, Al Qaeda, and other domestic and foreign terrorist organizations, including taking steps to end support for such groups and prevent them from basing and operating in Pakistan and carrying out cross border attacks into neighboring countries;

(2) not supporting terrorist activities against United States or coalition forces in Afghanistan, and Pakistan’s military and intelligence agencies are not intervening extra-judicially into political and judicial processes in Pakistan;

(3) dismantling improvised explosive device (IED) networks and interdicting precursor chemicals used in the manufacture of IEDs;

(4) preventing the proliferation of nuclear-related material and expertise;

(5) implementing policies to protect judicial independence and due process of law;

(6) issuing visas in a timely manner for United States visitors engaged in counterterrorism efforts and assistance programs in Pakistan; and

(7) providing humanitarian organizations access to detainees, internally displaced persons, and other Pakistani civilians affected by the conflict.

(b) The Secretary of Defense, in coordination with the Secretary of State, may waive the restriction in subsection (a) on a case-by-case basis by certifying in writing to the congressional defense committees that it is in the national security interest to do so: *Provided*, That if the Secretary of Defense, in coordination with the Secretary of State, exercises such waiver authority, the Secretaries shall report to the congressional defense committees on both the justification for the waiver and on the requirements of this section that the Government of Pakistan was not able to meet: *Provided further*, That such report may be submitted in classified form if necessary.

(INCLUDING TRANSFER OF FUNDS)

SEC. 9018. In addition to amounts otherwise made available in this Act, \$500,000,000 is hereby appropriated to the Department of Defense and made available for transfer only to the operation and maintenance, military personnel, and procurement accounts, to improve the intelligence, surveillance, and reconnaissance capabilities of the Department of Defense: *Provided*, That the transfer authority provided in this section is in addition to any other transfer authority provided elsewhere in this Act: *Provided further*, That not later than 30 days prior to exercising the transfer authority provided in this section, the Secretary of Defense shall submit a report to the congressional defense committees on the proposed uses of these funds: *Provided further*, That the funds provided in this section may not be transferred to any program, project, or activity specifically limited or denied by this Act: *Provided further*, That amounts made available by this section are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That the authority to provide funding under this section shall terminate on September 30, 2017.

SEC. 9019. None of the funds made available by this Act may be used with respect to Syria in contravention of the War Powers Resolution (50 U.S.C. 1541 et seq.), including for the introduction of United States armed or military forces into hostilities in Syria, into situations in Syria where imminent involvement in hostilities is clearly indicated by the circumstances, or into Syrian territory, airspace, or waters while equipped for combat, in contravention of the congressional consultation and reporting requirements of sections 3 and 4 of that law (50 U.S.C. 1542 and 1543).

SEC. 9020. None of the funds in this Act may be made available for the transfer of additional C-130 cargo aircraft to the Afghanistan National Security Forces or the Afghanistan Air Force until the Department of Defense provides a report to the congressional defense committees of the Afghanistan Air Force’s medium airlift requirements. The report should identify Afghanistan’s ability to utilize and maintain existing medium lift aircraft in the inventory and

the best alternative platform, if necessary, to provide additional support to the Afghanistan Air Force's current medium airlift capacity.

(RESCISSIONS)

SEC. 9021. Of the funds appropriated in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts and programs in the specified amounts: *Provided*, That such amounts are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985:

“Operation and Maintenance, Defense-Wide, DSCA Coalition Support Fund”, 2016/2017, \$300,000,000;

“Counterterrorism Partnerships Fund”, 2016/2017, \$200,000,000;

“Afghanistan Security Forces Fund”, 2016/2017, \$150,000,000; and

“Other Procurement, Air Force”, 2016/2018, \$169,000,000.

(RESCISSION)

SEC. 9022. Of the funds appropriated in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts and programs in the specified amounts: *Provided*, That amounts rescinded pursuant to this section that were previously designated by the Congress for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress) are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985:

“Operation and Maintenance, Defense-Wide: Coalition Support Funds”, XXXX, \$11,524,000.

SEC. 9023. (a) The Mine Resistant Ambush Protected Vehicle Fund provided for by section 123 of Public Law 110-92 (121 Stat. 992) is hereby terminated, effective as of the date of the enactment of this Act.

(b) Any unobligated balances in the Mine Resistant Ambush Protected Vehicle Fund as of the date of the enactment of this Act shall, notwithstanding any provision of subchapter IV of chapter 15 of title 31, United States Code, or the procedures under such subchapter, be deposited in the Treasury as miscellaneous receipts.

SEC. 9024. Each amount designated in this Act by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available (or rescinded, if applicable) only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

This Act may be cited as the “Department of Defense Appropriations Act, 2017”.

The SPEAKER pro tempore. The gentleman from New Jersey (Mr. FRELINGHUYSEN) and the gentleman from Indiana (Mr. VISCLOSKEY) each will control 30 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. FRELINGHUYSEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their re-

marks and include extraneous material on H.R. 1301, and that I may include tabular material on the same.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. FRELINGHUYSEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today to present H.R. 1301, the Defense Appropriations bill for fiscal year 2017.

In total, this bill provides \$577.9 billion in funding for the Department of Defense: \$516.1 billion in discretionary funding and \$61.8 billion in overseas contingency operations and global war on terrorism funding.

When combined with the funding provided in the continuing resolution supplemental enacted in December, total defense funding for fiscal year 2017 equals \$584 billion, consistent with the top line provided in the National Defense Authorization Act, and \$10.9 billion more than fiscal year 2016 levels.

Mr. Speaker, strengthening our national security and rebuilding our military starts today, with this agreement, the first step after years of cutbacks. Our Armed Forces and intelligence community are currently operating under a continuing resolution, which denies them stability and predictability, both of which they have not had for many years.

H.R. 1301 provides that stability, removing defense funding from under continuing resolution autopilot, preventing further damage to our national defense and providing additional support for our men and women in uniform and their families.

Our troops serve with honor in Iraq, Afghanistan, Syria, South Korea, Japan, across the Baltics, the Sinai, and Africa on the ground, in the air, and aboard ships across the globe doing the work of freedom.

Mr. Speaker, this agreement rejects the troop reductions proposed by the previous administration, providing for increased end-strength levels authorized by the NDAA: 1.3 million Active Duty troops and 813,000 National Guard and Reserve troops, all of whom work as one team.

Our bill also fully funds the authorized 2.1 percent pay raise and provides increased funding for Defense Health Programs to ensure full care for all of our warfighters, their families, and military retirees.

This agreement also ensures that our Armed Forces have the training and equipment they need to conduct successful missions. Funding is increased for key readiness programs that prepare and train our troops and that modernize essential military installations. It reverses the previous administration's cuts to procurement, providing for additional production of state-of-the-art aircraft and ships.

In addition, we enhance cyber and ISR programs, or intelligence, surveillance and reconnaissance programs, capabilities our combatant commanders badly need.

This reflects congressional priorities. We took into account the views of each and every Member who worked with us throughout the process. This is a bipartisan, bicameral agreement that deserves the support of the House.

I thank Chairwoman KAY GRANGER for her efforts in bringing this bill to the floor today and for taking over the leadership of the Defense Subcommittee in January.

I also thank the subcommittee's ranking member, Mr. VISCLOSKEY, for his contributions to this bill and the earlier bill. He has been an excellent partner throughout this process, and I am grateful for our continued strong working relationship.

In addition, I commend NITA LOWEY, the ranking member of the full committee, for her partnership and commitment to completing all of our appropriations work.

Lastly, I thank the staff of the subcommittee that is behind me, both minority and majority, as well as our personal offices and the full Appropriations Committee for their tireless work putting this bill together.

In particular, I would like to acknowledge Will Smith and David Pomerantz, the outgoing staff directors for the Appropriations Committee, both majority and minority, in this remarkable committee. Both have made immeasurable contributions to the Appropriations Committee in this institution, and we are indebted for their service. We thank both of them and wish them both the best.

Mr. Speaker, today our Nation faces a dangerous and unpredictable world. At the same time, our Armed Forces are struggling to have our soldiers, sailors, airmen, and marines fully trained and ready to meet every conceivable threat. That important work to address that critical situation starts with this bill.

Mr. Speaker, I urge support of the agreement, and I reserve the balance of my time.

EXPLANATORY STATEMENT SUBMITTED BY MR. FRELINGHUYSEN, CHAIRMAN OF THE HOUSE COMMITTEE ON APPROPRIATIONS REGARDING H.R. 1301

The following is an explanation of the effects of this Act, which makes appropriations for the Department of Defense for fiscal year 2017. Unless otherwise noted, references to the House and Senate reports are to House Report 114-577 and Senate Report 114-263, respectively. The language contained in the House and Senate reports warrant full compliance and carry the same weight as language included in this explanatory statement unless specifically addressed to the contrary in the bill or this explanatory statement. While repeating some language from the House or Senate reports for emphasis, this explanatory statement does not intend to negate the language referred to above unless expressly provided herein.

DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

For the purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99-177), as amended by the Balanced Budget and Emergency Deficit Control Reaffirmation Act of 1987 (Public Law 100-119), and by the Budget Enforcement Act of 1990 (Public Law 101-508), the terms “program, project, and activity” for appropriations contained in this Act shall be defined as the most specific level of budget items identified in the Department of Defense Appropriations Act, 2017, the related classified annexes and explanatory statements, and the P-1 and R-1 budget justification documents as subsequently modified by congressional action.

The following exception to the above definition shall apply: the military personnel and the operation and maintenance accounts, for which the term “program, project, and activity” is defined as the appropriations accounts contained in the Department of Defense Appropriations Act.

At the time the President submits the budget request for fiscal year 2018, the Secretary of Defense is directed to transmit to the congressional defense committees budget justification documents to be known as the “M-1” and the “O-1” which shall identify, at the budget activity, activity group, and sub-activity group level, the amounts requested by the President to be appropriated to the Department of Defense for military personnel and operation and maintenance in any budget request, or amended budget request, for fiscal year 2018.

REPROGRAMMING GUIDANCE

The Secretary of Defense is directed to continue to follow the reprogramming guidance for acquisition accounts as specified in the report accompanying the House version of the Department of Defense Appropriations bill for Fiscal Year 2008 (House Report 110-279). For operation and maintenance accounts, the Secretary of Defense shall continue to follow the reprogramming guidelines specified in the conference report accompanying H.R. 3222, the Department of Defense Appropriations Act, 2008. The dollar threshold for reprogramming funds shall remain at \$10,000,000 for military personnel; \$15,000,000 for operation and maintenance; \$20,000,000 for procurement; and \$10,000,000 for research, development, test and evaluation.

Also, the Under Secretary of Defense (Comptroller) is directed to continue to provide the congressional defense committees annual DD Form 1416 reports for titles I and II and quarterly, spreadsheet-based DD Form 1416 reports for Service and defense-wide accounts in titles III and IV of this Act. Reports for titles III and IV shall comply with guidance specified in the explanatory statement accompanying the Department of Defense Appropriations Act, 2006. The Department shall continue to follow the limitation that prior approval reprogrammings are set at either the specified dollar threshold or 20 percent of the procurement or research, development, test and evaluation line, whichever is less. These thresholds are cumulative from the base for reprogramming value as modified by any adjustments. Therefore, if the combined value of transfers into or out of a military personnel (M-1), an operation and maintenance (O-1), a procurement (P-1), or a research, development, test and evaluation (R-1) line exceeds the identified threshold, the Secretary of Defense must submit a prior approval reprogramming to the con-

gressional defense committees. In addition, guidelines on the application of prior approval reprogramming procedures for congressional special interest items are established elsewhere in this statement.

FUNDING INCREASES

The funding increases outlined in the tables for each appropriation account shall be provided only for the specific purposes indicated in the tables.

CONGRESSIONAL SPECIAL INTEREST ITEMS

Items for which additional funds have been provided or items for which funding is specifically reduced as shown in the project level tables or in paragraphs using the phrase “only for” or “only to” are congressional special interest items for the purpose of the Base for Reprogramming (DD Form 1414). Each of these items must be carried on the DD Form 1414 at the stated amount, as specifically addressed in the explanatory statement.

CLASSIFIED ANNEX

Adjustments to classified programs are addressed in the accompanying classified annex.

BUDGET LIAISON SUPPORT TO THE HOUSE AND SENATE DEFENSE APPROPRIATIONS SUBCOMMITTEES

The House and Senate Defense Appropriations Subcommittees rely heavily on offices within the Comptroller organizations of the military departments and the Office of the Secretary of Defense to conduct their oversight responsibilities and make funding recommendations for the Department of Defense. Established in the 1970s in accordance with a recommendation of the Blue Ribbon Defense Panel, these offices facilitate the appropriate flow of information between the House and Senate Defense Appropriations Subcommittees and the Comptroller of the respective department or agency. In the early 1990s, the House and Senate Defense Appropriations Subcommittees restated the support these organizations provide to the Committees and noted that “while the various offices of legislative affairs offer great assistance to DoD and the Congress, they do not provide the expertise and the direct relationship to the Comptroller organizations which are essential to the effective communication between DoD and the Committees on Appropriations.”

Further, the explanatory statement accompanying the Department of Defense Appropriations Act, 2016 echoed the imperative to maintain the existing liaison structure to achieve the highest level of communication and trust between the Department of Defense and the House and Senate Defense Appropriations Subcommittees.

The House and Senate Defense Appropriations Subcommittees repeat this support for the budget liaison organizations and reiterate previously stated concerns that efforts to incorporate these organizations into the military and Office of the Secretary of Defense legislative affairs offices would be deleterious to the appropriations process and to the utility of the budget liaison operation. Therefore, the agreement retains a provision in title II of this Act from previous years that prohibits the use of funds in this Act to plan or implement the consolidation of a budget or appropriations liaison office of the Office of the Secretary of Defense, the office of the Secretary of a military department, or the Service headquarters of one of the Armed Forces into a legislative affairs or legislative liaison office.

CYBERSPACE ACTIVITIES

The agreement fully funds the fiscal year 2017 base budget requirement of \$6,734,000,000 for the Army, Navy, Marine Corps, Air Force, and the defense agencies cyberspace activities, an increase of \$992,000,000 over the fiscal year 2016 enacted level.

While the Service and defense-wide budget justification material, as well as the Department of Defense classified cyberspace activities information technology investments budget justification materials, provide some level of detail, much of the funding is encompassed within larger programs and funding lines, which limits visibility and congressional oversight of requested funding for cyberspace activities specifically.

Beginning in fiscal year 2018, the Department of Defense Chief Information Officer is directed to modify the cyberspace activities exhibit in order to provide increased visibility and clarity into the cyberspace activities funding requirements and changes to funding requirements from the previous fiscal year enacted levels, to segregate civilian and military pay, and to provide a crosswalk between the cyberspace activities justification books and the Services and defense-wide budget justification material.

Further, in order to provide additional clarity and to enhance oversight, the Department of Defense Chief Information Officer, in coordination with the Under Secretary of Defense (Comptroller) and the Service Secretaries, is directed to conduct a review of the budget justification material and provide a proposal to the House and Senate Appropriations Committees not later than September 1, 2017, for how to clearly delineate the Department of Defense cyber investment activities requested in the operation and maintenance, procurement, and research, development, test and evaluation accounts as part of the budget justification material beginning with the fiscal year 2019 budget submission. The Under Secretary of Defense (Comptroller) and the Chief Information Officer are encouraged to consider establishing a unique cyber sub-activity group for operation and maintenance accounts and individual cost codes, projects, or program elements for procurement and research, development, test and evaluation accounts as part of this review.

The Department of Defense cyberspace activities table provided shows the amount of funding provided to each Service and defense-wide account in fiscal years 2016 and 2017. Funding appropriated therein may be used only for cyberspace activities as defined by the classified cyberspace activities information technology investment budget request for fiscal year 2017. The Secretary of Defense is directed to use normal prior approval reprogramming procedures to transfer funding out of any operation and maintenance, procurement, or research, development, test and evaluation accounts as identified in the table titled “Department of Defense Cyberspace Activities” for any purpose other than cyberspace activities. The Department of Defense Chief Information Officer shall submit to the House and Senate Appropriations Committees two reports not later than May 30, 2017, and November 30, 2017, which provide the mid-year and end of fiscal year financial obligation and execution data for cyberspace activities of each year.

This language replaces the language included under the heading “Cyberspace Operations” in House Report 114-577.

DEPARTMENT OF DEFENSE
CYBERSPACE ACTIVITIES

(Includes cybersecurity, cyberspace operations, and research and development)

[In thousands of dollars]

	Fiscal Year 2016 Enacted	Fiscal Year 2017 Recommended
DEPARTMENT OF ARMY		
Military Personnel	159,366	163,409
Operation and Maintenance	606,353	760,989
Procurement	94,268	233,789
Research, Development, Test and Evaluation	85,131	171,389
TOTAL, DEPARTMENT OF ARMY	945,118	1,329,576
DEPARTMENT OF NAVY		
Working Capital Fund, Defense	116,954	127,484
Military Personnel	220,828	263,388
Operation and Maintenance	395,951	452,003
Procurement	150,890	104,228
Research, Development, Test and Evaluation	65,580	91,057
TOTAL, DEPARTMENT OF NAVY	950,203	1,038,160
DEPARTMENT OF AIR FORCE		
Military Personnel	257,054	286,464
Operation and Maintenance	766,756	1,020,518
Procurement	268,253	326,627
Research, Development, Test and Evaluation	253,519	356,922
TOTAL, DEPARTMENT OF AIR FORCE	1,545,582	1,990,531
DEFENSE-WIDE		
Working Capital Fund, Defense	345,221	323,513
Operation and Maintenance	1,222,789	1,311,556
Procurement	74,125	60,628
Research, Development, Test and Evaluation	658,702	679,723
TOTAL, DEFENSE-WIDE	2,300,837	2,375,420
TOTAL, CYBERSPACE OPERATIONS	5,741,740	6,733,687

QUARTERLY CYBER OPERATIONS
BRIEFING

The Secretary of Defense is directed to provide quarterly briefings to the House and Senate Appropriations Committees on all of-

fensive and significant defensive military operations in cyberspace carried out by the Department of Defense not later than 30 days after the end of each fiscal quarter.

TITLE I—MILITARY PERSONNEL

The agreement provides \$128,725,978,000 in Title I, Military Personnel. The agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL

RECAPITULATION		
MILITARY PERSONNEL, ARMY.....	40,028,182	40,042,962
MILITARY PERSONNEL, NAVY.....	27,951,605	27,889,405
MILITARY PERSONNEL, MARINE CORPS.....	12,813,412	12,735,182
MILITARY PERSONNEL, AIR FORCE.....	27,944,615	27,958,795
RESERVE PERSONNEL, ARMY.....	4,561,703	4,524,863
RESERVE PERSONNEL, NAVY.....	1,924,155	1,921,045
RESERVE PERSONNEL, MARINE CORPS.....	744,995	744,795
RESERVE PERSONNEL, AIR FORCE.....	1,742,906	1,725,526
NATIONAL GUARD PERSONNEL, ARMY.....	7,910,694	7,899,423
NATIONAL GUARD PERSONNEL, AIR FORCE.....	3,280,065	3,283,982
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GRAND TOTAL, MILITARY PERSONNEL.....	128,902,332	128,725,978
	=====	=====

SUMMARY OF MILITARY PERSONNEL END STRENGTH

	Fiscal year 2016 authorized	Fiscal Year 2017			
		Budget request	Final bill	Change from request	Change from fiscal year 2016
Active Forces (End Strength)					
Army	475,000	460,000	476,000	16,000	1,000
Navy	329,200	322,900	323,900	1,000	-5,300
Marine Corps	184,000	182,000	185,000	3,000	1,000
Air Force	320,715	317,000	321,000	4,000	285
Total, Active Forces	1,308,915	1,281,900	1,305,900	24,000	-3,015
Guard and Reserve Forces (End Strength)					
Army Reserve	198,000	195,000	199,000	4,000	1,000
Navy Reserve	57,400	58,000	58,000	- - -	600
Marine Corps Reserve	38,900	38,500	38,500	- - -	-400
Air Force Reserve	69,200	69,000	69,000	- - -	-200
Army National Guard	342,000	335,000	343,000	8,000	1,000
Air National Guard	105,500	105,700	105,700	- - -	200
Total, Selected Reserve	811,000	801,200	813,200	12,000	2,200
Total, Military Personnel	2,119,915	2,083,100	2,119,100	36,000	-815

SUMMARY OF GUARD AND RESERVE FULL-TIME STRENGTH

	Fiscal year 2016 authorized	Fiscal Year 2017			
		Budget request	Final bill	Change from request	Change from fiscal year 2016
Army Reserve:					
AGR	16,261	16,261	16,261	- - -	- - -
Technicians	7,395	7,570	7,570	- - -	175
Navy Reserve:					
AR	9,934	9,955	9,955	- - -	21
Marine Corps Reserve:					
AR	2,260	2,261	2,261	- - -	1
Air Force Reserve:					
AGR	3,032	2,955	2,955	- - -	-77
Technicians	9,814	10,061	10,061	- - -	247
Army National Guard:					
AGR	30,770	30,155	30,155	- - -	-615
Technicians	26,099	25,507	25,507	- - -	-592
Air National Guard					
AGR	14,748	14,764	14,764	- - -	16
Technicians	22,104	22,103	22,103	- - -	-1
Totals:					
AGR/AR	77,005	76,351	76,351	- - -	-654
Technicians	65,412	65,241	65,241	- - -	-171
Total, Full-Time Support	142,417	141,592	141,592	- - -	-825

MILITARY PERSONNEL OVERVIEW

The agreement provides the resources required for an additional 24,000 active forces and 12,000 selected reserve forces, as authorized by current law and above the requested end strength levels, in order to meet operational needs for fiscal year 2017. The agreement also provides the funding necessary to support a 2.1 percent pay raise for all military personnel, as authorized, effective January 1, 2017.

REPROGRAMMING GUIDANCE FOR MILITARY PERSONNEL ACCOUNTS

The Secretary of Defense is directed to submit the Base for Reprogramming (DD Form 1414) for each of the fiscal year 2017 appropriations accounts not later than 60 days after the enactment of this Act. The Secretary of Defense is prohibited from executing any reprogramming or transfer of funds for any purpose other than originally appropriated until the aforementioned re-

port is submitted to the House and Senate Appropriations Committees.

The Secretary of Defense is directed to use the normal prior approval reprogramming procedures to transfer funds in the Services' military personnel accounts between budget activities in excess of \$10,000,000.

MILITARY PERSONNEL SPECIAL INTEREST ITEMS

Items for which additional funds have been provided or have been specifically reduced as shown in the project level tables or in paragraphs using the phrase "only for" or "only to" in the explanatory statement are congressional special interest items for the purpose of the Base for Reprogramming (DD Form 1414). Each of these items must be carried on the DD Form 1414 at the stated amount as specifically addressed in the explanatory statement. Below Threshold Reprogrammings may not be used to either restore or reduce funding from congressional special interest items as identified on the DD Form 1414.

MILITARY BANDS

Military bands honor and celebrate warfighters, promote patriotism during community events, inspire servicemembers, and enhance efforts to recruit and retain troops. Band engagements play an important support role for national security and joint operations, opening diplomatic doors for political and military discussions while building trust and confidence with foreign military and civilian authorities. However, the activities of military bands must not detract from the core competencies of the military. The Secretary of Defense should review opportunities to ensure that only the critical functions of military bands are supported while minimizing impacts on funding for essential readiness, military personnel, modernization, and research and development activities.

MILITARY PERSONNEL, ARMY

The agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL
50 MILITARY PERSONNEL, ARMY		
100 ACTIVITY 1: PAY AND ALLOWANCES OF OFFICERS		
150 BASIC PAY.....	6,846,876	6,846,876
200 RETIRED PAY ACCRUAL.....	2,015,554	2,015,554
250 BASIC ALLOWANCE FOR HOUSING.....	2,241,563	2,241,563
300 BASIC ALLOWANCE FOR SUBSISTENCE.....	285,488	285,488
350 INCENTIVE PAYS.....	85,542	85,542
400 SPECIAL PAYS.....	367,175	367,175
450 ALLOWANCES.....	212,392	212,392
500 SEPARATION PAY.....	201,125	201,125
550 SOCIAL SECURITY TAX.....	521,218	521,218
600 TOTAL, BUDGET ACTIVITY 1.....	12,776,933	12,776,933
650 ACTIVITY 2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL		
700 BASIC PAY.....	12,429,886	12,429,886
750 RETIRED PAY ACCRUAL.....	3,663,328	3,663,328
800 BASIC ALLOWANCE FOR HOUSING.....	4,701,364	4,701,364
850 INCENTIVE PAYS.....	90,342	90,342
900 SPECIAL PAYS.....	395,840	395,840
950 ALLOWANCES.....	707,120	707,120
1000 SEPARATION PAY.....	523,385	523,385
1050 SOCIAL SECURITY TAX.....	950,887	950,887
1100 TOTAL, BUDGET ACTIVITY 2.....	23,462,152	23,462,152
1150 ACTIVITY 3: PAY AND ALLOWANCES OF CADETS		
1200 ACADEMY CADETS.....	81,184	81,184
1250 ACTIVITY 4: SUBSISTENCE OF ENLISTED PERSONNEL		
1300 BASIC ALLOWANCE FOR SUBSISTENCE.....	1,240,112	1,240,112
1350 SUBSISTENCE-IN-KIND.....	594,481	574,481
1400 FAMILY SUBSISTENCE SUPPLEMENTAL ALLOWANCE.....	813	813
1450 TOTAL, BUDGET ACTIVITY 4.....	1,835,406	1,815,406

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL
1500 ACTIVITY 5: PERMANENT CHANGE OF STATION		
1550 ACCESSION TRAVEL.....	155,211	155,211
1600 TRAINING TRAVEL.....	149,240	149,240
1650 OPERATIONAL TRAVEL	428,891	428,891
1700 ROTATIONAL TRAVEL	710,007	710,007
1750 SEPARATION TRAVEL.....	302,576	302,576
1800 TRAVEL OF ORGANIZED UNITS.....	4,033	4,033
1850 NON-TEMPORARY STORAGE.....	14,073	14,073
1900 TEMPORARY LODGING EXPENSE.....	47,766	47,766
1950 TOTAL, BUDGET ACTIVITY 5.....	1,811,797	1,811,797
2000 ACTIVITY 6: OTHER MILITARY PERSONNEL COSTS		
2050 APPREHENSION OF MILITARY DESERTERS.....	621	621
2100 INTEREST ON UNIFORMED SERVICES SAVINGS.....	132	132
2150 DEATH GRATUITIES.....	38,000	38,000
2200 UNEMPLOYMENT BENEFITS.....	168,656	168,656
2250 EDUCATION BENEFITS.....	634	634
2300 ADOPTION EXPENSES.....	576	576
2350 TRANSPORTATION SUBSIDY.....	11,284	11,284
2400 PARTIAL DISLOCATION ALLOWANCE.....	251	251
2450 RESERVE OFFICERS TRAINING CORPS (ROTC).....	97,362	97,362
2500 JUNIOR ROTC.....	27,522	27,522
2550 TOTAL, BUDGET ACTIVITY 6.....	345,038	345,038
2600 LESS REIMBURSABLES.....	-284,328	-284,328
2650 UNDISTRIBUTED ADJUSTMENT.....	---	34,780
	=====	=====
2700 TOTAL, ACTIVE FORCES, ARMY.....	40,028,182	40,042,962
6300 TOTAL, MILITARY PERSONNEL, ARMY.....	40,028,182	40,042,962
	=====	=====

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

M-1	Budget Request	Final Bill
BA-4: SUBSISTENCE OF ENLISTED PERSONNEL		
SUBSISTENCE-IN-KIND	594,481	574,481
Excess growth		-20,000
UNDISTRIBUTED ADJUSTMENTS		34,780
Unobligated/Unexpended balances		-37,220
Increase in Army end strength/pay raise		843,000
Excess to requirement		-771,000

MILITARY PERSONNEL, NAVY

The agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL
6400 MILITARY PERSONNEL, NAVY		
6450 ACTIVITY 1: PAY AND ALLOWANCES OF OFFICERS		
6500 BASIC PAY.....	4,120,767	4,120,767
6550 RETIRED PAY ACCRUAL.....	1,214,093	1,214,093
6600 BASIC ALLOWANCE FOR HOUSING.....	1,497,045	1,497,045
6650 BASIC ALLOWANCE FOR SUBSISTENCE.....	170,255	170,255
6700 INCENTIVE PAYS.....	132,868	132,868
6750 SPECIAL PAYS.....	428,731	428,731
6800 ALLOWANCES.....	118,231	118,231
6850 SEPARATION PAY.....	47,200	47,200
6900 SOCIAL SECURITY TAX.....	313,964	313,964
6950 TOTAL, BUDGET ACTIVITY 1.....	8,043,154	8,043,154
7000 ACTIVITY 2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL		
7050 BASIC PAY.....	8,940,145	8,940,145
7100 RETIRED PAY ACCRUAL.....	2,636,817	2,636,817
7150 BASIC ALLOWANCE FOR HOUSING.....	4,254,377	4,254,377
7200 INCENTIVE PAYS.....	103,685	103,685
7250 SPECIAL PAYS.....	752,380	752,380
7300 ALLOWANCES.....	544,072	544,072
7350 SEPARATION PAY.....	161,985	161,985
7400 SOCIAL SECURITY TAX.....	683,920	683,920
7450 TOTAL, BUDGET ACTIVITY 2.....	18,077,381	18,077,381
7500 ACTIVITY 3: PAY AND ALLOWANCES OF MIDSHIPMEN		
7550 MIDSHIPMEN.....	81,580	81,580
7600 ACTIVITY 4: SUBSISTENCE OF ENLISTED PERSONNEL		
7650 BASIC ALLOWANCE FOR SUBSISTENCE.....	804,972	804,972
7700 SUBSISTENCE-IN-KIND.....	378,674	378,674
7750 FAMILY SUBSISTENCE SUPPLEMENTAL ALLOWANCE.....	10	10
7800 TOTAL, BUDGET ACTIVITY 4.....	1,183,656	1,183,656

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL
7850 ACTIVITY 5: PERMANENT CHANGE OF STATION		
7900 ACCESSION TRAVEL.....	84,530	84,530
7950 TRAINING TRAVEL.....	66,298	66,298
8000 OPERATIONAL TRAVEL	184,700	184,700
8050 ROTATIONAL TRAVEL	228,489	228,489
8100 SEPARATION TRAVEL.....	123,633	123,633
8150 TRAVEL OF ORGANIZED UNITS.....	24,746	24,746
8200 NON-TEMPORARY STORAGE.....	12,686	12,686
8250 TEMPORARY LODGING EXPENSE.....	16,225	16,225
8350 TOTAL, BUDGET ACTIVITY 5.....	741,307	741,307
8400 ACTIVITY 6: OTHER MILITARY PERSONNEL COSTS		
8450 APPREHENSION OF MILITARY DESERTERS.....	71	71
8500 INTEREST ON UNIFORMED SERVICES SAVINGS.....	1,060	1,060
8550 DEATH GRATUITIES.....	13,500	13,500
8600 UNEMPLOYMENT BENEFITS.....	78,956	78,956
8650 EDUCATION BENEFITS.....	16,505	16,505
8700 ADOPTION EXPENSES.....	250	250
8750 TRANSPORTATION SUBSIDY.....	8,434	8,434
8800 PARTIAL DISLOCATION ALLOWANCE.....	30	30
8900 RESERVE OFFICERS TRAINING CORPS (ROTC).....	20,234	20,234
8950 JUNIOR ROTC.....	14,990	14,990
9000 TOTAL, BUDGET ACTIVITY 6.....	154,030	154,030
9050 LESS REIMBURSABLES.....	-329,503	-329,503
9100 UNDISTRIBUTED ADJUSTMENT.....	---	-62,200
	=====	=====
9200 TOTAL, ACTIVE FORCES, NAVY.....	27,951,605	27,889,405
11000 TOTAL, MILITARY PERSONNEL, NAVY.....	27,951,605	27,889,405
	=====	=====

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

M-1	Budget Request	Final Bill
UNDISTRIBUTED ADJUSTMENTS		-62,200
Unobligated/Unexpended balances		-175,000
Increase in Navy end strength/pay raise		112,800

MILITARY PERSONNEL, MARINE CORPS

The agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL
12000 MILITARY PERSONNEL, MARINE CORPS		
12050 ACTIVITY 1: PAY AND ALLOWANCES OF OFFICERS		
12100 BASIC PAY.....	1,543,145	1,543,145
12150 RETIRED PAY ACCRUAL.....	454,866	454,866
12200 BASIC ALLOWANCE FOR HOUSING.....	511,997	511,997
12250 BASIC ALLOWANCE FOR SUBSISTENCE.....	65,927	65,927
12300 INCENTIVE PAYS.....	31,661	31,661
12350 SPECIAL PAYS.....	3,582	3,582
12400 ALLOWANCES.....	35,359	35,359
12450 SEPARATION PAY.....	13,077	13,077
12500 SOCIAL SECURITY TAX.....	117,478	117,478
12550 TOTAL, BUDGET ACTIVITY 1.....	2,777,092	2,777,092
12600 ACTIVITY 2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL		
12650 BASIC PAY.....	4,840,416	4,840,416
12700 RETIRED PAY ACCRUAL.....	1,425,856	1,425,856
12750 BASIC ALLOWANCE FOR HOUSING.....	1,557,367	1,557,367
12800 INCENTIVE PAYS.....	9,137	9,137
12850 SPECIAL PAYS.....	116,757	116,757
12900 ALLOWANCES.....	289,349	289,349
12950 SEPARATION PAY.....	97,926	97,926
13000 SOCIAL SECURITY TAX.....	369,924	369,924
13050 TOTAL, BUDGET ACTIVITY 2.....	8,706,732	8,706,732
13100 ACTIVITY 4: SUBSISTENCE OF ENLISTED PERSONNEL		
13150 BASIC ALLOWANCE FOR SUBSISTENCE.....	440,800	440,800
13200 SUBSISTENCE-IN-KIND.....	386,455	386,455
13250 FAMILY SUBSISTENCE SUPPLEMENTAL ALLOWANCE.....	10	10
13300 TOTAL, BUDGET ACTIVITY 4.....	827,265	827,265

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL
13350 ACTIVITY 5: PERMANENT CHANGE OF STATION		
13400 ACCESSION TRAVEL.....	64,291	64,291
13450 TRAINING TRAVEL.....	7,185	7,185
13500 OPERATIONAL TRAVEL	130,620	130,620
13550 ROTATIONAL TRAVEL	107,630	107,630
13600 SEPARATION TRAVEL.....	109,224	109,224
13650 TRAVEL OF ORGANIZED UNITS.....	380	380
13700 NON-TEMPORARY STORAGE.....	7,942	7,942
13750 TEMPORARY LODGING EXPENSE.....	5,473	5,473
13850 TOTAL, BUDGET ACTIVITY 5.....	432,745	432,745
13900 ACTIVITY 6: OTHER MILITARY PERSONNEL COSTS		
13950 APPREHENSION OF MILITARY DESERTERS.....	395	395
14000 INTEREST ON UNIFORMED SERVICES SAVINGS.....	19	19
14050 DEATH GRATUITIES.....	12,900	12,900
14100 UNEMPLOYMENT BENEFITS.....	77,928	77,928
14150 EDUCATION BENEFITS.....	7,125	7,125
14200 ADOPTION EXPENSES.....	116	116
14250 TRANSPORTATION SUBSIDY.....	2,122	2,122
14300 PARTIAL DISLOCATION ALLOWANCE.....	101	101
14400 JUNIOR ROTC.....	3,589	3,589
14450 TOTAL, BUDGET ACTIVITY 6.....	104,295	104,295
14500 LESS REIMBURSABLES.....	-34,717	-34,717
14600 UNDISTRIBUTED ADJUSTMENT.....	---	-78,230
	=====	=====
14650 TOTAL, ACTIVE FORCES, MARINE CORPS.....	12,813,412	12,735,182
16000 TOTAL, MILITARY PERSONNEL, MARINE CORPS.....	12,813,412	12,735,182
	=====	=====

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

M-1	Budget Request	Final Bill
UNDISTRIBUTED ADJUSTMENTS		-78,230
Unobligated/Unexpended balances		-112,030
Permanent change of station restoral		20,000
Increase in Marine Corps end strength/pay raise		13,800

MILITARY PERSONNEL, AIR FORCE

The agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL
17000 MILITARY PERSONNEL, AIR FORCE		
17050 ACTIVITY 1: PAY AND ALLOWANCES OF OFFICERS		
17100 BASIC PAY.....	4,886,786	4,886,786
17150 RETIRED PAY ACCRUAL.....	1,433,571	1,433,571
17200 BASIC ALLOWANCE FOR HOUSING.....	1,507,570	1,507,570
17250 BASIC ALLOWANCE FOR SUBSISTENCE.....	199,210	199,210
17300 INCENTIVE PAYS.....	230,325	230,325
17350 SPECIAL PAYS.....	303,925	303,925
17400 ALLOWANCES.....	110,509	110,509
17450 SEPARATION PAY	54,540	54,540
17500 SOCIAL SECURITY TAX.....	373,187	373,187
17550 TOTAL, BUDGET ACTIVITY 1.....	9,099,623	9,099,623
17600 ACTIVITY 2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL		
17650 BASIC PAY.....	8,811,898	8,811,898
17700 RETIRED PAY ACCRUAL.....	2,591,637	2,591,637
17750 BASIC ALLOWANCE FOR HOUSING.....	3,674,509	3,674,509
17800 INCENTIVE PAYS.....	35,601	35,601
17850 SPECIAL PAYS.....	357,581	357,581
17900 ALLOWANCES.....	503,008	503,008
17950 SEPARATION PAY.....	109,908	109,908
18000 SOCIAL SECURITY TAX	674,109	674,109
18050 TOTAL, BUDGET ACTIVITY 2.....	16,758,251	16,758,251
18100 ACTIVITY 3: PAY AND ALLOWANCES OF CADETS		
18150 ACADEMY CADETS.....	72,144	72,144
18200 ACTIVITY 4: SUBSISTENCE OF ENLISTED PERSONNEL		
18250 BASIC ALLOWANCE FOR SUBSISTENCE.....	1,007,662	1,007,662
18300 SUBSISTENCE-IN-KIND.....	131,986	131,986
18350 FAMILY SUBSISTENCE SUPPLEMENTAL ALLOWANCE.....	8	8
18400 TOTAL, BUDGET ACTIVITY 4.....	1,139,656	1,139,656

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL
18450 ACTIVITY 5: PERMANENT CHANGE OF STATION		
18500 ACCESSION TRAVEL.....	90,791	90,791
18550 TRAINING TRAVEL.....	71,207	71,207
18600 OPERATIONAL TRAVEL	265,682	265,682
18650 ROTATIONAL TRAVEL	567,998	567,998
18700 SEPARATION TRAVEL.....	147,938	147,938
18750 TRAVEL OF ORGANIZED UNITS.....	9,204	9,204
18800 NON-TEMPORARY STORAGE.....	23,664	23,664
18850 TEMPORARY LODGING EXPENSE.....	34,701	34,701
18950 TOTAL, BUDGET ACTIVITY 5.....	1,211,185	1,211,185
19000 ACTIVITY 6: OTHER MILITARY PERSONNEL COSTS		
19050 APPREHENSION OF MILITARY DESERTERS.....	16	16
19100 INTEREST ON UNIFORMED SERVICES SAVINGS.....	2,691	2,691
19150 DEATH GRATUITIES.....	16,000	16,000
19200 UNEMPLOYMENT BENEFITS.....	53,431	53,431
19300 EDUCATION BENEFITS.....	79	79
19350 ADOPTION EXPENSES.....	435	435
19400 TRANSPORTATION SUBSIDY.....	4,841	4,841
19450 PARTIAL DISLOCATION ALLOWANCE.....	723	723
19550 RESERVE OFFICERS TRAINING CORPS (ROTC).....	29,445	29,445
19600 JUNIOR ROTC.....	18,200	18,200
19650 TOTAL, BUDGET ACTIVITY 6.....	125,861	125,861
19700 LESS REIMBURSABLES.....	-462,105	-462,105
19750 UNDISTRIBUTED ADJUSTMENT.....	---	14,180
	=====	=====
19800 TOTAL, ACTIVE FORCES, AIR FORCE.....	27,944,615	27,958,795
21000 TOTAL, MILITARY PERSONNEL, AIR FORCE.....	27,944,615	27,958,795
	=====	=====

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

M-1	Budget Request	Final Bill
UNDISTRIBUTED ADJUSTMENTS		14,180
Unobligated/Unexpended balances		-192,220
Increase in Air Force end strength/pay raise		206,400

RESERVE PERSONNEL, ARMY

The agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL
23000 RESERVE PERSONNEL, ARMY		
23050 ACTIVITY 1: RESERVE COMPONENT TRAINING AND SUPPORT		
23100 PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48).....	1,549,028	1,549,028
23150 PAY GROUP B TRAINING (BACKFILL FOR ACTIVE DUTY).....	41,018	41,018
23200 PAY GROUP F TRAINING (RECRUITS).....	216,524	216,524
23250 PAY GROUP P TRAINING (PIPELINE RECRUITS).....	11,514	11,514
23300 MOBILIZATION TRAINING	326	326
23350 SCHOOL TRAINING.....	224,758	224,758
23400 SPECIAL TRAINING.....	281,611	281,611
23450 ADMINISTRATION AND SUPPORT.....	2,120,835	2,120,835
23500 EDUCATION BENEFITS.....	4,124	4,124
23550 HEALTH PROFESSION SCHOLARSHIP	59,937	59,937
23600 OTHER PROGRAMS	52,028	52,028
23650 TOTAL, BUDGET ACTIVITY 1.....	4,561,703	4,561,703
23800 UNDISTRIBUTED ADJUSTMENT.....	---	-36,840
24000 TOTAL RESERVE PERSONNEL, ARMY.....	4,561,703	4,524,863

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

M-1	Budget Request	Final Bill
UNDISTRIBUTED ADJUSTMENTS		-36,840
Unobligated/Unexpended balances		-89,940
Increase in Army Reserve end strength/pay raise		53,100

RESERVE PERSONNEL, NAVY

The agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL
26000 RESERVE PERSONNEL, NAVY		
26050 ACTIVITY 1: RESERVE COMPONENT TRAINING AND SUPPORT		
26100 PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48).....	625,660	625,660
26150 PAY GROUP B TRAINING (BACKFILL FOR ACTIVE DUTY).....	7,369	7,369
26200 PAY GROUP F TRAINING (RECRUITS).....	62,904	62,904
26250 MOBILIZATION TRAINING.....	8,732	8,732
26300 SCHOOL TRAINING.....	50,441	50,441
26350 SPECIAL TRAINING.....	112,504	112,504
26400 ADMINISTRATION AND SUPPORT.....	1,004,041	1,004,041
26450 EDUCATION BENEFITS.....	105	105
26500 HEALTH PROFESSION SCHOLARSHIP.....	52,399	52,399
26550 TOTAL, BUDGET ACTIVITY 1.....	1,924,155	1,924,155
26600 UNDISTRIBUTED ADJUSTMENT.....	---	-3,110
27000 TOTAL, RESERVE PERSONNEL, NAVY.....	1,924,155	1,921,045

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

M-1	Budget Request	Final Bill
UNDISTRIBUTED ADJUSTMENTS		-3,110
Unobligated/Unexpended balances		-8,010
Navy Reserve pay raise		4,900

RESERVE PERSONNEL, MARINE CORPS

The agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL
28000 RESERVE PERSONNEL, MARINE CORPS		
28050 ACTIVITY 1: RESERVE COMPONENT TRAINING AND SUPPORT		
28100 PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48).....	274,555	274,555
28150 PAY GROUP B TRAINING (BACKFILL FOR ACT DUTY).....	43,539	43,539
28200 PAY GROUP F TRAINING (RECRUITS).....	124,902	124,902
28300 MOBILIZATION TRAINING.....	2,096	2,096
28350 SCHOOL TRAINING.....	24,607	24,607
28400 SPECIAL TRAINING.....	29,000	29,000
28450 ADMINISTRATION AND SUPPORT.....	237,484	237,484
28500 PLATOON LEADER CLASS.....	8,124	8,124
28550 EDUCATION BENEFITS.....	688	688
28600 TOTAL, BUDGET ACTIVITY 1.....	744,995	744,995
28700 UNDISTRIBUTED ADJUSTMENT.....	---	-200
29000 TOTAL, RESERVE PERSONNEL, MARINE CORPS.....	744,995	744,795

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

M-1	Budget Request	Final Bill
UNDISTRIBUTED ADJUSTMENTS		-200
Unobligated/Unexpended balances		-2,100
Marine Corps Reserve pay raise		1,900

RESERVE PERSONNEL, AIR FORCE

The agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL

30000 RESERVE PERSONNEL, AIR FORCE		
30050 ACTIVITY 1: RESERVE COMPONENT TRAINING AND SUPPORT		
30100 PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48).....	696,068	696,068
30150 PAY GROUP B TRAINING (BACKFILL FOR ACTIVE DUTY).....	98,133	98,133
30200 PAY GROUP F TRAINING (RECRUITS).....	55,568	55,568
30250 PAY GROUP P TRAINING (PIPELINE RECRUITS).....	2,559	2,559
30300 MOBILIZATION TRAINING.....	703	703
30350 SCHOOL TRAINING.....	159,593	159,593
30400 SPECIAL TRAINING.....	244,844	244,844
30450 ADMINISTRATION AND SUPPORT.....	409,615	409,615
30500 EDUCATION BENEFITS.....	12,533	12,533
30550 HEALTH PROFESSION SCHOLARSHIP.....	60,301	60,301
30600 OTHER PROGRAMS (ADMIN & SUPPORT).....	2,989	2,989
	-----	-----
30650 TOTAL, BUDGET ACTIVITY 1.....	1,742,906	1,742,906
30750 UNDISTRIBUTED ADJUSTMENT.....	---	-17,380
	-----	-----
31000 TOTAL, RESERVE PERSONNEL, AIR FORCE.....	1,742,906	1,725,526
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EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

M-1	Budget Request	Final Bill
UNDISTRIBUTED ADJUSTMENTS		-17,380
Unobligated/Unexpended balances		-21,780
Air Force Reserve pay raise		4,400

NATIONAL GUARD PERSONNEL, ARMY

The agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL

32000 NATIONAL GUARD PERSONNEL, ARMY		
32050 ACTIVITY 1: RESERVE COMPONENT TRAINING AND SUPPORT		
32100 PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48).....	2,561,418	2,561,418
32150 PAY GROUP F TRAINING (RECRUITS).....	551,868	551,868
32200 PAY GROUP P TRAINING (PIPELINE RECRUITS).....	46,202	46,202
32250 SCHOOL TRAINING.....	546,563	536,563
32300 SPECIAL TRAINING.....	570,009	590,659
32350 ADMINISTRATION AND SUPPORT.....	3,632,138	3,632,138
32400 EDUCATION BENEFITS.....	2,496	2,496
	-----	-----
32450 TOTAL, BUDGET ACTIVITY 1.....	7,910,694	7,921,344
32600 UNDISTRIBUTED ADJUSTMENT.....	---	-21,921
	-----	-----
33000 TOTAL, NATIONAL GUARD PERSONNEL, ARMY.....	7,910,694	7,899,423
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EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

M-1	Budget Request	Final Bill
SCHOOL TRAINING	546,563	536,563
Unjustified increase		-10,000
SPECIAL TRAINING	570,009	590,659
Program increase - State Partnership Program		3,750
Cyber protection teams		6,900
Operation Phalanx		10,000
UNDISTRIBUTED ADJUSTMENTS		-21,921
Unobligated/Unexpended balances		-120,000
Program increase - trauma training		1,579
Increase in Army National Guard end strength/pay raise		96,500

NATIONAL GUARD PERSONNEL, AIR FORCE

The agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL
34000 NATIONAL GUARD PERSONNEL, AIR FORCE		
34050 ACTIVITY 1: RESERVE COMPONENT TRAINING AND SUPPORT		
34100 PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48).....	934,650	934,650
34150 PAY GROUP F TRAINING (RECRUITS).....	131,022	131,022
34200 PAY GROUP P TRAINING (PIPELINE RECRUITS).....	10,555	10,555
34250 SCHOOL TRAINING.....	349,904	349,904
34300 SPECIAL TRAINING.....	167,077	169,027
34350 ADMINISTRATION AND SUPPORT.....	1,678,355	1,678,355
34400 EDUCATION BENEFITS.....	8,502	8,502
34450 TOTAL, BUDGET ACTIVITY 1.....	3,280,065	3,282,015
34700 UNDISTRIBUTED ADJUSTMENT.....	---	1,967
35000 TOTAL, NATIONAL GUARD PERSONNEL, AIR FORCE.....	3,280,065	3,283,982
	=====	=====

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

M-1	Budget Request	Final Bill
SPECIAL TRAINING	167,077	169,027
Program increase - State Partnership Program		1,950
UNDISTRIBUTED ADJUSTMENTS		1,967
Unobligated/Unexpended balances		-8,000
Program increase - trauma training		1,367
Air National Guard pay raise		8,600

TITLE II—OPERATION AND MAINTENANCE

The agreement provides \$167,603,260,000 in Title II, Operation and Maintenance. The agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL

RECAPITULATION		
OPERATION & MAINTENANCE, ARMY.....	33,809,040	32,738,173
OPERATION & MAINTENANCE, NAVY.....	39,483,581	38,552,017
OPERATION & MAINTENANCE, MARINE CORPS.....	5,954,258	5,676,152
OPERATION & MAINTENANCE, AIR FORCE.....	37,518,056	36,247,724
OPERATION & MAINTENANCE, DEFENSE-WIDE.....	32,571,590	32,373,949
OPERATION & MAINTENANCE, ARMY RESERVE.....	2,712,331	2,743,688
OPERATION & MAINTENANCE, NAVY RESERVE.....	927,656	929,656
OPERATION & MAINTENANCE, MARINE CORPS RESERVE.....	270,633	271,133
OPERATION & MAINTENANCE, AIR FORCE RESERVE.....	3,067,929	3,069,229
OPERATION & MAINTENANCE, ARMY NATIONAL GUARD.....	6,825,370	6,861,478
OPERATION & MAINTENANCE, AIR NATIONAL GUARD.....	6,703,578	6,615,095
UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES...	14,194	14,194
ENVIRONMENTAL RESTORATION, ARMY.....	170,167	170,167
ENVIRONMENTAL RESTORATION, NAVY.....	281,762	289,262
ENVIRONMENTAL RESTORATION, AIR FORCE.....	371,521	371,521
ENVIRONMENTAL RESTORATION, DEFENSE-WIDE.....	9,009	9,009
ENVIRONMENTAL RESTORATION, FORMERLY USED DEFENSE SITES	197,084	222,084
OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID.....	105,125	123,125
COOPERATIVE THREAT REDUCTION ACCOUNT.....	325,604	325,604
	=====	=====
GRAND TOTAL, OPERATION & MAINTENANCE.....	171,318,488	167,603,260
	=====	=====

REPROGRAMMING GUIDANCE FOR OPERATION AND MAINTENANCE ACCOUNTS

The Secretary of Defense is directed to submit the Base for Reprogramming (DD Form 1414) for each of the fiscal year 2017 appropriation accounts not later than 60 days after the enactment of this Act. The Secretary of Defense is prohibited from executing any reprogramming or transfer of funds for any purpose other than originally appropriated until the aforementioned report is submitted to the House and Senate Appropriations Committees.

The Secretary of Defense is directed to use the normal prior approval reprogramming procedures to transfer funds in the Services' operation and maintenance accounts between O-1 budget activities in excess of \$15,000,000. In addition, the Secretary of Defense should follow prior approval reprogramming procedures for transfers in excess of \$15,000,000 out of the following budget sub-activities:

Army:

- Maneuver units
- Modular support brigades
- Land forces operations support
- Force readiness operations support
- Land forces depot maintenance
- Base operations support
- Facilities sustainment, restoration, and modernization

Navy:

- Mission and other flight operations
- Aircraft depot maintenance
- Mission and other ship operations
- Ship depot maintenance
- Facilities sustainment, restoration, and modernization

Marine Corps:

- Depot maintenance
- Facilities sustainment, restoration, and modernization

Air Force:

- Primary combat forces
- Combat enhancement forces
- Operating forces depot maintenance
- Facilities sustainment, restoration, and modernization
- Mobilization depot maintenance
- Training and recruiting depot maintenance
- Administration and service-wide depot maintenance

Air Force Reserve:

- Depot maintenance

Air National Guard:

Depot maintenance

Additionally, the Secretary of Defense should follow prior approval reprogramming procedures for transfers in excess of \$15,000,000 into the following budget sub-activity:

Operation and Maintenance, Army National Guard:

Other personnel support/recruiting and advertising

With respect to Operation and Maintenance, Defense-Wide, proposed transfers of funds to or from the levels specified for defense agencies in excess of \$15,000,000 shall be subject to prior approval reprogramming procedures.

OPERATION AND MAINTENANCE SPECIAL INTEREST ITEMS

Items for which additional funds have been provided or have been specifically reduced as shown in the project level tables or in paragraphs using the phrase "only for" or "only to" in the explanatory statement are congressional special interest items for the purpose of the Base for Reprogramming (DD Form 1414). Each of these items must be carried on the DD Form 1414 at the stated amount as specifically addressed in the explanatory statement. Below Threshold Reprogrammings may not be used to either restore or reduce funding from congressional special interest items as identified on the DD Form 1414.

READINESS

The agreement provides additional readiness funds for the Services within the operation and maintenance accounts. This funding shall be used only to improve military readiness, including increased training, depot maintenance, and base operations support. None of the funding provided may be used for recruiting, marketing, or advertising programs. The funding provided is a congressional special interest item. The Secretary of Defense and the Service Secretaries are directed to submit a detailed spending plan by sub-activity group to the House and Senate Appropriations Committees not less than 30 days prior to the obligation of these funds. These transfers may be implemented 30 days after congressional notification unless an objection is received from either the House or Senate Appropriations Committees.

ENERGY INDEPENDENCE AND SECURITY ACT

The agreement does not include a provision included in the House-passed version of

H.R. 5293 that referenced the Energy Independence and Security Act of 2007. It is noted that the enforcement of section 526 of the Energy Independence and Security Act of 2007 may lead to higher fuel costs for federal fleets in the absence of competitively priced new generation fuels that emit fewer emissions. In carrying out this statute, the Secretary of Defense and the Service Secretaries should work to ensure that costs associated with fuel purchases necessary to carry out their respective missions should be minimized to the greatest extent possible.

CIVILIAN PAY RAISE

Although the agreement does not include additional funds specifically for the civilian pay increase from 1.6 percent to 2.1 percent, sufficient funding is available within the appropriations accounts to fully fund the increase due to assets created by the civilian hiring freeze and the extended length of H.R. 2028, the Further Continuing and Security Assistance Appropriations Act, 2017.

AQUEOUS FILM FORMING FOAM

The use of the fire-extinguishing agent Aqueous Film Forming Foam (AFFF) by the Department of Defense has been linked to elevated levels of perfluorinated chemicals (PFCs) on military bases and in neighboring communities. According to the Centers for Disease Control and Prevention and the National Institutes of Health, PFCs have adverse impacts on human health. The Navy and Air Force have begun remediation of PFC contamination. The Secretary of Defense is encouraged to require all Services to establish procedures for prompt and cost-effective remediation. In addition, the Secretary of Defense is directed to submit a report to the congressional defense committees not later than 120 days after the enactment of this Act that assesses the number of formerly used and current military installations where AFFF was or is currently used and the impact of PFC contaminated drinking water on surrounding communities. The report should also include plans for prompt community notification of such contamination, when the contamination was detected, and the procedures for timely remediation.

OPERATION AND MAINTENANCE, ARMY

The agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL

OPERATION AND MAINTENANCE, ARMY		
BUDGET ACTIVITY 1: OPERATING FORCES		
10	LAND FORCES MANEUVER UNITS.....	791,450 561,026
20	MODULAR SUPPORT BRIGADES.....	68,373 68,373
30	ECHELONS ABOVE BRIGADES.....	438,823 436,313
40	THEATER LEVEL ASSETS.....	660,258 650,258
50	LAND FORCES OPERATIONS SUPPORT.....	863,928 863,928
60	AVIATION ASSETS.....	1,360,597 1,357,686
70	LAND FORCES READINESS FORCE READINESS OPERATIONS SUPPORT.....	3,086,443 2,537,011
80	LAND FORCES SYSTEMS READINESS.....	439,488 439,488
90	LAND FORCES DEPOT MAINTENANCE.....	1,013,452 376,128
100	LAND FORCES READINESS SUPPORT BASE OPERATIONS SUPPORT.....	7,816,343 7,816,343
110	FACILITIES SUSTAINMENT, RESTORATION, & MODERNIZATION..	2,234,546 2,259,546
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS.....	452,105 441,256
130	COMBATANT COMMANDER'S CORE OPERATIONS.....	155,658 155,658
170	COMBATANT COMMANDERS ANCILLARY MISSIONS.....	441,143 441,143
	TOTAL, BUDGET ACTIVITY 1.....	19,822,607 18,404,157

BUDGET ACTIVITY 2: MOBILIZATION		
180	MOBILITY OPERATIONS STRATEGIC MOBILITY.....	336,329 336,329
190	ARMY PREPOSITIONED STOCKS.....	390,848 415,848
200	INDUSTRIAL PREPAREDNESS.....	7,401 7,401
	TOTAL, BUDGET ACTIVITY 2.....	734,578 759,578

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL

BUDGET ACTIVITY 3: TRAINING AND RECRUITING		
210	ACCESSION TRAINING OFFICER ACQUISITION.....	131,942 131,942
220	RECRUIT TRAINING.....	47,846 47,846
230	ONE STATION UNIT TRAINING.....	45,419 45,419
240	SENIOR RESERVE OFFICERS TRAINING CORPS.....	482,747 482,747
250	BASIC SKILL AND ADVANCED TRAINING SPECIALIZED SKILL TRAINING.....	921,025 927,525
260	FLIGHT TRAINING.....	902,845 902,845
270	PROFESSIONAL DEVELOPMENT EDUCATION.....	216,583 214,583
280	TRAINING SUPPORT.....	607,534 593,534
290	RECRUITING AND OTHER TRAINING AND EDUCATION RECRUITING AND ADVERTISING.....	550,599 535,599
300	EXAMINING.....	187,263 187,263
310	OFF-DUTY AND VOLUNTARY EDUCATION.....	189,556 189,556
320	CIVILIAN EDUCATION AND TRAINING.....	182,835 182,835
330	JUNIOR RESERVE OFFICERS TRAINING CORPS.....	171,167 176,667
	TOTAL, BUDGET ACTIVITY 3.....	4,637,361 4,618,361

BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES		
350	LOGISTICS OPERATIONS SERVICEWIDE TRANSPORTATION.....	230,739 230,739
360	CENTRAL SUPPLY ACTIVITIES.....	850,060 850,060
370	LOGISTICS SUPPORT ACTIVITIES.....	778,757 743,757
380	AMMUNITION MANAGEMENT.....	370,010 370,010

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL
390 SERVICEWIDE SUPPORT ADMINISTRATION.....	451,556	451,556
400 SERVICEWIDE COMMUNICATIONS.....	1,888,123	1,896,523
410 MANPOWER MANAGEMENT.....	276,403	276,403
420 OTHER PERSONNEL SUPPORT.....	369,443	369,443
430 OTHER SERVICE SUPPORT.....	1,096,074	1,096,074
440 ARMY CLAIMS ACTIVITIES.....	207,800	207,800
450 REAL ESTATE MANAGEMENT.....	240,641	240,641
460 BASE OPERATIONS SUPPORT.....	250,612	250,612
470 SUPPORT OF OTHER NATIONS SUPPORT OF NATO OPERATIONS.....	416,587	416,587
480 MISC. SUPPORT OF OTHER NATIONS.....	36,666	36,666
OTHER PROGRAMS OTHER PROGRAMS.....	1,151,023	1,120,423
TOTAL, BUDGET ACTIVITY 4.....	8,614,494	8,557,294
EXCESS WORKING CAPITAL FUND CARRYOVER.....	---	-150,000
OVERESTIMATION OF CIVILIAN FTE TARGETS.....	---	-60,000
RESTORE READINESS.....	---	285,000
PROGRAMMED SAVINGS UNACCOUNTED FOR.....	---	-15,000
OPERATIONAL SUPPORT FOR INCREASE IN ARMY END STRENGTH.....	---	337,000
LONG TERM TDY WAIVERS.....	---	1,783
TOTAL, OPERATION AND MAINTENANCE, ARMY.....	33,809,040	32,738,173

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

O-1	Budget Request	Final Bill
111 MANEUVER UNITS	791,450	561,026
Unjustified growth		-5,424
OCO/GWOT operations - transfer to title IX		-225,000
113 ECHELONS ABOVE BRIGADE	438,823	436,313
Unjustified program growth		-2,510
114 THEATER LEVEL ASSETS	660,258	650,258
Unjustified growth		-10,000
116 AVIATION ASSETS	1,360,597	1,357,686
Unjustified program growth		-2,911
121 FORCE READINESS OPERATIONS SUPPORT	3,086,443	2,537,011
Travel - unjustified program growth		-6,592
Program decrease not properly accounted for		-43,000
Program increase - trauma training		160
OCO/GWOT operations - transfer to title IX		-500,000
123 LAND FORCES DEPOT MAINTENANCE	1,013,452	376,128
Program increase		5,000
OCO/GWOT operations - transfer to title IX		-642,324
132 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	2,234,546	2,259,546
Program increase		25,000
133 MANAGEMENT AND OPERATIONAL HEADQUARTERS	452,105	441,256
Unjustified program growth		-10,849
212 ARMY PREPOSITIONED STOCKS	390,848	415,848
Program increase		25,000
321 SPECIALIZED SKILL TRAINING	921,025	927,525
Program increase - language capabilities		6,500
323 PROFESSIONAL DEVELOPMENT EDUCATION	216,583	214,583
Unjustified program growth		-2,000
324 TRAINING SUPPORT	607,534	593,534
Unjustified growth		-14,000
331 RECRUITING AND ADVERTISING	550,599	535,599
Unjustified program growth		-15,000
335 JUNIOR ROTC	171,167	176,667
Program increase		5,500
411 SECURITY PROGRAMS	1,151,023	1,120,423
Classified adjustment		-6,600
OPM rates - unjustified growth		-24,000
423 LOGISTIC SUPPORT ACTIVITIES	778,757	743,757
Program decrease not properly accounted for		-35,000

O-1	Budget Request	Final Bill
432 SERVICEWIDE COMMUNICATIONS	1,888,123	1,896,523
Program increase - Biometrics Identity Management Activity		8,400
435 OTHER SERVICE SUPPORT	1,096,074	1,096,074
Remove one-time fiscal year 2016 funding increase		-5,500
Army support to Capitol 4th		5,500
LONG-TERM TEMPORARY DUTY WAIVERS		1,783
OVERESTIMATION OF CIVILIAN FTE TARGETS		-60,000
WORKING CAPITAL FUND CARRYOVER		-150,000
PROGRAMMED SAVINGS NOT PROPERLY ACCOUNTED FOR		-15,000
RESTORE READINESS		285,000
OPERATIONAL SUPPORT FOR INCREASE IN ARMY END STRENGTH		337,000

OPERATION AND MAINTENANCE, NAVY

The agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL

OPERATION AND MAINTENANCE, NAVY		
BUDGET ACTIVITY 1: OPERATING FORCES		
AIR OPERATIONS		
10	MISSION AND OTHER FLIGHT OPERATIONS.....	4,094,765 3,674,765
20	FLEET AIR TRAINING.....	1,722,473 1,703,873
30	AVIATION TECHNICAL DATA AND ENGINEERING SERVICES.....	52,670 52,670
40	AIR OPERATIONS AND SAFETY SUPPORT.....	97,584 97,584
50	AIR SYSTEMS SUPPORT.....	446,733 449,233
60	AIRCRAFT DEPOT MAINTENANCE.....	1,007,681 990,681
70	AIRCRAFT DEPOT OPERATIONS SUPPORT.....	38,248 38,248
80	AVIATION LOGISTICS.....	564,720 582,220
SHIP OPERATIONS		
90	MISSION AND OTHER SHIP OPERATIONS.....	3,513,083 3,088,083
100	SHIP OPERATIONS SUPPORT AND TRAINING.....	743,765 743,765
110	SHIP DEPOT MAINTENANCE.....	5,168,273 4,790,873
120	SHIP DEPOT OPERATIONS SUPPORT.....	1,575,578 1,652,338
COMBAT COMMUNICATIONS/SUPPORT		
130	COMBAT COMMUNICATIONS.....	558,727 558,727
140	ELECTRONIC WARFARE.....	105,680 105,680
150	SPACE SYSTEMS AND SURVEILLANCE.....	180,406 180,406
160	WARFARE TACTICS.....	470,032 470,032
170	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY.....	346,703 351,703
180	COMBAT SUPPORT FORCES.....	1,158,688 1,154,688
190	EQUIPMENT MAINTENANCE.....	113,692 113,692
200	DEPOT OPERATIONS SUPPORT.....	2,509 2,509
210	COMBATANT COMMANDERS CORE OPERATIONS.....	91,019 91,019
220	COMBATANT COMMANDERS DIRECT MISSION SUPPORT.....	74,780 74,780

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL
230 WEAPONS SUPPORT CRUISE MISSILE.....	106,030	106,030
240 FLEET BALLISTIC MISSILE.....	1,233,805	1,239,891
250 IN-SERVICE WEAPONS SYSTEMS SUPPORT.....	163,025	163,025
260 WEAPONS MAINTENANCE.....	553,269	553,269
270 OTHER WEAPON SYSTEMS SUPPORT	350,010	350,010
280 BASE SUPPORT ENTERPRISE INFORMATION TECHNOLOGY.....	790,685	790,685
290 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION ..	1,642,742	1,667,742
300 BASE OPERATING SUPPORT.....	4,206,136	4,176,136
TOTAL, BUDGET ACTIVITY 1.....	31,173,511	30,014,357
BUDGET ACTIVITY 2: MOBILIZATION		
310 READY RESERVE AND PREPOSITIONING FORCES SHIP PREPOSITIONING AND SURGE.....	893,517	893,517
320 READY RESERVE FORCE.....	274,524	274,524
320 ACTIVATIONS/INACTIVATIONS AIRCRAFT ACTIVATIONS/INACTIVATIONS.....	6,727	6,727
330 SHIP ACTIVATIONS/INACTIVATIONS.....	288,154	234,154
340 MOBILIZATION PREPAREDNESS FLEET HOSPITAL PROGRAM.....	95,720	95,720
360 INDUSTRIAL READINESS.....	2,109	2,109
370 COAST GUARD SUPPORT.....	21,114	21,114
TOTAL, BUDGET ACTIVITY 2.....	1,581,865	1,527,865

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL

BUDGET ACTIVITY 3: TRAINING AND RECRUITING		
380	ACCESSION TRAINING OFFICER ACQUISITION.....	143,815 143,815
390	RECRUIT TRAINING.....	8,519 8,519
400	RESERVE OFFICERS TRAINING CORPS.....	143,445 143,445
410	BASIC SKILLS AND ADVANCED TRAINING SPECIALIZED SKILL TRAINING.....	699,214 699,214
420	FLIGHT TRAINING.....	5,310 5,310
430	PROFESSIONAL DEVELOPMENT EDUCATION.....	172,852 172,852
440	TRAINING SUPPORT.....	222,728 222,728
450	RECRUITING, AND OTHER TRAINING AND EDUCATION RECRUITING AND ADVERTISING.....	225,647 225,639
460	OFF-DUTY AND VOLUNTARY EDUCATION.....	130,569 130,569
470	CIVILIAN EDUCATION AND TRAINING.....	73,730 73,730
480	JUNIOR ROTC.....	50,400 50,400
	TOTAL, BUDGET ACTIVITY 3.....	1,876,229 1,876,221

BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES		
490	SERVICEWIDE SUPPORT ADMINISTRATION.....	917,453 893,453
500	EXTERNAL RELATIONS.....	14,570 14,570
510	CIVILIAN MANPOWER AND PERSONNEL MANAGEMENT.....	124,070 124,070
520	MILITARY MANPOWER AND PERSONNEL MANAGEMENT.....	369,767 365,767
530	OTHER PERSONNEL SUPPORT.....	285,927 285,927
540	SERVICEWIDE COMMUNICATIONS.....	319,908 319,908

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL
570 LOGISTICS OPERATIONS AND TECHNICAL SUPPORT SERVICEWIDE TRANSPORTATION.....	171,659	171,659
590 PLANNING, ENGINEERING AND DESIGN.....	270,863	270,863
600 ACQUISITION AND PROGRAM MANAGEMENT.....	1,112,766	1,112,766
610 HULL, MECHANICAL AND ELECTRICAL SUPPORT.....	49,078	49,078
620 COMBAT/WEAPONS SYSTEMS.....	24,989	24,989
630 SPACE AND ELECTRONIC WARFARE SYSTEMS.....	72,966	72,966
640 SECURITY PROGRAMS NAVAL INVESTIGATIVE SERVICE.....	595,711	595,711
700 SUPPORT OF OTHER NATIONS INTERNATIONAL HEADQUARTERS AND AGENCIES.....	4,809	4,809
OTHER PROGRAMS OTHER PROGRAMS.....	517,440	511,840
TOTAL, BUDGET ACTIVITY 4.....	4,851,976	4,818,376
RESTORE READINESS.....	---	280,000
OPERATIONAL SUPPORT FOR INCREASE IN NAVY END STRENGTH.	---	33,800
LONG TERM TDY WAIVERS.....	---	1,398
TOTAL, OPERATION AND MAINTENANCE, NAVY.....	39,483,581	38,552,017

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

O-1	Budget Request	Final Bill
1A1A MISSION AND OTHER FLIGHT OPERATIONS	4,094,765	3,674,765
Unjustified growth		-20,000
OCO/GWOT operations - transfer to title IX		-400,000
1A2A FLEET AIR TRAINING	1,722,473	1,703,873
Unjustified growth		-18,600
1A4N AIR SYSTEMS SUPPORT	446,733	449,233
Program increase - MV-22B readiness		1,200
Program increase - H-1 readiness		5,300
Unjustified growth		-4,000
1A5A AIRCRAFT DEPOT MAINTENANCE	1,007,681	990,681
Remove one-time fiscal year 2016 costs		-17,000
1A9A AVIATION LOGISTICS	564,720	582,220
Program increase - MV-22B readiness		10,700
Program increase - KC-130J readiness		6,800
1B1B MISSION AND OTHER SHIP OPERATIONS	3,513,083	3,088,083
OCO/GWOT operations - transfer to title IX		-425,000
1B4B SHIP DEPOT MAINTENANCE	5,168,273	4,790,873
Program increase		5,000
Program increase		9,500
Cruiser modernization - transfer from SMOSF		8,100
OCO/GWOT operations - transfer to title IX		-400,000
1B5B SHIP DEPOT OPERATIONS SUPPORT	1,575,578	1,652,338
Unjustified program growth		-2,500
Program increase		2,500
Cruiser modernization - transfer from SMOSF		76,760
1C5C OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	346,703	351,703
Program increase		5,000
1C6C COMBAT SUPPORT FORCES	1,158,688	1,154,688
Reduce duplication		-4,000
1D2D FLEET BALLISTIC MISSILE	1,233,805	1,239,891
Program increase		6,086
BSM1 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	1,642,742	1,667,742
Program increase		25,000
BSS1 BASE OPERATING SUPPORT	4,206,136	4,176,136
Excess to requirement		-15,000
Remove one-time fiscal year 2016 costs		-15,000
2B2G SHIP ACTIVATIONS/INACTIVATIONS	288,154	234,154
Navy-identified asset for inactivation costs for the CVN 65 due to change in acquisition strategy		-54,000

O-1	Budget Request	Final Bill
3C1L RECRUITING AND ADVERTISING	225,647	225,639
Unjustified program growth		-1,230
Naval Sea Cadet Corps		1,222
4A1M ADMINISTRATION	917,453	893,453
Unjustified growth		-24,000
4A4M MILITARY MANPOWER AND PERSONNEL MANAGEMENT	369,767	365,767
Excess to need		-4,000
9999 OTHER PROGRAMS	517,440	511,840
Classified adjustment		-5,600
LONG-TERM TEMPORARY DUTY WAIVERS		1,398
RESTORE READINESS		280,000
OPERATIONAL SUPPORT FOR INCREASE IN NAVY END STRENGTH		33,800

READINESS COST ASSESSMENT TOOL

The recently published Naval Aviation Vision 2016–2025 offered strong support for the Readiness Cost Assessment Tool, which is the first phase of the Proficiency Optimization initiative. In lieu of the reporting re-

quirement in House Report 114–577, the Secretary of the Navy is directed to submit a report to the congressional defense committees not later than 60 days after the enactment of this Act that describes the Naval Aviation Enterprise Proficiency Optimization initiative, the current funding profile,

and the potential to accelerate or streamline the program strategy.

OPERATION AND MAINTENANCE,
MARINE CORPS

The agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL

OPERATION AND MAINTENANCE, MARINE CORPS		
BUDGET ACTIVITY 1: OPERATING FORCES		
10		
	EXPEDITIONARY FORCES	
	OPERATIONAL FORCES.....	674,613 519,613
20	FIELD LOGISTICS.....	947,424 954,624
30	DEPOT MAINTENANCE.....	206,783 208,783
40	USMC PREPOSITIONING	
	MARITIME PREPOSITIONING.....	85,276 85,276
50	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION ..	632,673 640,424
60	BASE OPERATING SUPPORT.....	2,136,626 1,933,626

	TOTAL, BUDGET ACTIVITY 1.....	4,683,395 4,342,346
BUDGET ACTIVITY 3: TRAINING AND RECRUITING		
70	ACCESSION TRAINING	
	RECRUIT TRAINING.....	15,946 15,946
80	OFFICER ACQUISITION.....	935 935
90	BASIC SKILLS AND ADVANCED TRAINING	
	SPECIALIZED SKILLS TRAINING.....	99,305 99,305
100	PROFESSIONAL DEVELOPMENT EDUCATION.....	45,495 45,495
110	TRAINING SUPPORT.....	369,979 369,979
120	RECRUITING AND OTHER TRAINING EDUCATION	
	RECRUITING AND ADVERTISING.....	165,566 165,566
130	OFF-DUTY AND VOLUNTARY EDUCATION.....	35,133 35,133
140	JUNIOR ROTC.....	23,622 23,622

	TOTAL, BUDGET ACTIVITY 3.....	755,981 755,981

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL

BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES		
150	SERVICEWIDE SUPPORT SERVICEWIDE TRANSPORTATION.....	34,534 34,534
160	ADMINISTRATION.....	355,932 341,932
180	ACQUISITION AND PROGRAM MANAGEMENT.....	76,896 76,896
	SECURITY PROGRAMS SECURITY PROGRAMS.....	47,520 47,520

	TOTAL, BUDGET ACTIVITY 4.....	514,882 500,882
	OVERESTIMATION OF CIVILIAN FTE TARGETS.....	--- -35,000
	RESTORE READINESS.....	--- 59,000
	OPERATIONAL SUPPORT FOR INCREASE IN MARINE CORPS END STRENGTH.....	--- 52,600
	LONG TERM TDY WAIVERS.....	--- 343
=====		
	TOTAL, OPERATION AND MAINTENANCE, MARINE CORPS.....	5,954,258 5,676,152
=====		

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

O-1	Budget Request	Final Bill
1A1A OPERATIONAL FORCES	674,613	519,613
Program decrease not properly accounted		-7,000
Program increase - enhanced combat helmets		22,000
Program increase - corrosion control		5,000
OCO/GWOT operations - transfer to title IX		-175,000
1A2A FIELD LOGISTICS	947,424	954,624
Program increase - rifle sights		13,200
Unjustified growth		-6,000
1A3A DEPOT MAINTENANCE	206,783	208,783
Program increase - corrosion control		2,000
BSM1 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	632,673	640,424
Program increase		7,751
BSS1 BASE OPERATING SUPPORT	2,136,626	1,933,626
Unjustified program growth		-3,000
OCO/GWOT operations - transfer to title IX		-200,000
4A4G ADMINISTRATION	355,932	341,932
Program decrease not properly accounted		-14,000
LONG-TERM TEMPORARY DUTY WAIVERS		343
OVERESTIMATION OF CIVILIAN FTE TARGETS		-35,000
RESTORE READINESS		59,000
OPERATIONAL SUPPORT FOR INCREASE IN MARINE CORPS END STRENGTH		52,600

OPERATION AND MAINTENANCE, AIR FORCE

The agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL

OPERATION AND MAINTENANCE, AIR FORCE		
BUDGET ACTIVITY 1: OPERATING FORCES		
AIR OPERATIONS		
10	PRIMARY COMBAT FORCES.....	3,294,124 2,871,874
20	COMBAT ENHANCEMENT FORCES.....	1,682,045 1,650,045
30	AIR OPERATIONS TRAINING.....	1,730,757 1,730,757
40	DEPOT MAINTENANCE.....	7,042,988 6,957,988
50	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION ..	1,657,019 1,682,019
60	BASE OPERATING SUPPORT.....	2,787,216 2,785,216
COMBAT RELATED OPERATIONS		
70	GLOBAL C3I AND EARLY WARNING.....	887,831 890,831
80	OTHER COMBAT OPERATIONS SUPPORT PROGRAMS.....	1,070,178 1,070,678
SPACE OPERATIONS		
100	LAUNCH FACILITIES.....	208,582 208,582
110	SPACE CONTROL SYSTEMS.....	362,250 362,250
120	COMBATANT COMMANDERS DIRECT MISSION SUPPORT.....	907,245 907,245
130	COMBATANT COMMANDERS CORE OPERATIONS.....	199,171 199,171
OPERATING FORCES		
	CLASSIFIED PROGRAMS.....	930,757 932,850

TOTAL, BUDGET ACTIVITY 1.....		22,760,163 22,249,506

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL
BUDGET ACTIVITY 2: MOBILIZATION		
140		
MOBILITY OPERATIONS		
AIRLIFT OPERATIONS.....	1,703,059	1,273,059
150		
MOBILIZATION PREPAREDNESS.....	138,899	138,899
160		
DEPOT MAINTENANCE.....	1,553,439	1,139,439
170		
FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION ..	258,328	262,328
180		
BASE SUPPORT.....	722,756	722,756
TOTAL, BUDGET ACTIVITY 2.....	4,376,481	3,536,481
BUDGET ACTIVITY 3: TRAINING AND RECRUITING		
190		
ACCESSION TRAINING		
OFFICER ACQUISITION.....	120,886	115,886
200		
RECRUIT TRAINING.....	23,782	23,782
210		
RESERVE OFFICER TRAINING CORPS (ROTC).....	77,692	77,692
220		
FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION ..	236,254	240,454
230		
BASE SUPPORT (ACADEMIES ONLY).....	819,915	831,615
240		
BASIC SKILLS AND ADVANCED TRAINING		
SPECIALIZED SKILL TRAINING.....	387,446	395,246
250		
FLIGHT TRAINING.....	725,134	725,134
260		
PROFESSIONAL DEVELOPMENT EDUCATION.....	264,213	262,213
270		
TRAINING SUPPORT.....	86,681	86,681
280		
DEPOT MAINTENANCE.....	305,004	305,004
290		
RECRUITING, AND OTHER TRAINING AND EDUCATION		
RECRUITING AND ADVERTISING.....	104,754	104,754
300		
EXAMINING.....	3,944	3,944
310		
OFF DUTY AND VOLUNTARY EDUCATION.....	184,841	184,841
320		
CIVILIAN EDUCATION AND TRAINING.....	173,583	171,883
330		
JUNIOR ROTC.....	58,877	58,877
TOTAL, BUDGET ACTIVITY 3.....	3,573,006	3,588,006

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL

BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES		
340	LOGISTICS OPERATIONS	
	LOGISTICS OPERATIONS.....	1,107,846 1,087,846
350	TECHNICAL SUPPORT ACTIVITIES.....	924,185 912,185
360	DEPOT MAINTENANCE.....	48,778 48,778
370	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION ..	321,013 321,013
380	BASE SUPPORT.....	1,115,910 1,115,910
390	SERVICEWIDE ACTIVITIES	
	ADMINISTRATION.....	811,650 811,650
400	SERVICEWIDE COMMUNICATIONS.....	269,809 269,809
410	OTHER SERVICEWIDE ACTIVITIES.....	961,304 956,304
420	CIVIL AIR PATROL CORPORATION.....	25,735 28,000
450	SUPPORT TO OTHER NATIONS	
	INTERNATIONAL SUPPORT.....	90,573 90,573
	SECURITY PROGRAMS	
	SECURITY PROGRAMS.....	1,131,603 1,123,403

	TOTAL, BUDGET ACTIVITY 4.....	6,808,406 6,765,471
	OVERESTIMATION OF CIVILIAN FTE TARGETS.....	--- -40,000
	RESTORE READINESS.....	--- 124,000
	UNJUSTIFIED GROWTH.....	--- -57,000
	OPERATIONAL SUPPORT FOR INCREASE IN AIR FORCE END STRENGTH.....	--- 79,900
	LONG TERM TDY WAIVERS.....	--- 1,360
	TOTAL, OPERATION AND MAINTENANCE, AIR FORCE.....	===== 37,518,056 36,247,724 =====

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

O-1	Budget Request	Final Bill
011A PRIMARY COMBAT FORCES	3,294,124	2,871,874
Unjustified program growth		-4,250
Program increase - Air Force RCS turntable modification		7,000
OCO/GWOT operations - transfer to title IX		-425,000
011C COMBAT ENHANCEMENT FORCES	1,682,045	1,650,045
Unjustified program growth		-17,000
Classified program transfer		-15,000
011M DEPOT MAINTENANCE	7,042,988	6,957,988
Unjustified program growth		-85,000
011R FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	1,657,019	1,682,019
Program increase		25,000
011Z BASE OPERATING SUPPORT	2,787,216	2,785,216
Unjustified program growth		-2,000
012A GLOBAL C3I AND EARLY WARNING	887,831	890,831
Removal of one-time fiscal year 2016 costs		-7,000
Program increase - Global C3I and early warning		10,000
012C OTHER COMBAT OPS SUPPORT PROGRAMS	1,070,178	1,070,678
Unjustified program growth		-10,000
Program increase - Eagle Vision		10,500
012F CLASSIFIED PROGRAMS	930,757	932,850
Classified adjustment		2,093
021A AIRLIFT OPERATIONS	1,703,059	1,273,059
Program decrease not properly accounted		-30,000
OCO/GWOT operations - transfer to title IX		-400,000
021M DEPOT MAINTENANCE	1,553,439	1,139,439
Removal of one-time fiscal year 2016 costs		-14,000
OCO/GWOT operations - transfer to title IX		-400,000
021R FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	258,328	262,328
Program increase		4,000
031A OFFICER ACQUISITION	120,886	115,886
Unjustified program growth		-5,000
031R FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	236,254	240,454
Program increase - cybersecurity training		4,200
031Z BASE SUPPORT	819,915	831,615
Program increase - cybersecurity training		11,700
032A SPECIALIZED SKILL TRAINING	387,446	395,246
Program increase - cybersecurity training		7,800
032C PROFESSIONAL DEVELOPMENT EDUCATION	264,213	262,213
Unjustified program growth		-2,000

O-1	Budget Request	Final Bill
033D CIVILIAN EDUCATION AND TRAINING	173,583	171,883
Unjustified program growth		-1,700
041A LOGISTICS OPERATIONS	1,107,846	1,087,846
Unjustified growth		-20,000
041B TECHNICAL SUPPORT ACTIVITIES	924,185	912,185
Program transfer not properly accounted		-12,000
042G OTHER SERVICEWIDE ACTIVITIES	961,304	956,304
Price growth requested as program growth		-5,000
042I CIVIL AIR PATROL	25,735	28,000
Program increase		2,265
043A SECURITY PROGRAMS	1,131,603	1,123,403
Classified adjustment		-8,200
LONG-TERM TEMPORARY DUTY WAIVERS		1,360
OVERESTIMATION OF CIVILIAN FTE TARGETS		-40,000
UNJUSTIFIED GROWTH		-57,000
RESTORE READINESS		124,000
OPERATIONAL SUPPORT FOR INCREASE IN AIR FORCE END STRENGTH		79,900

OPERATION AND MAINTENANCE, DEFENSE-WIDE

The agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL

OPERATION AND MAINTENANCE, DEFENSE-WIDE		
BUDGET ACTIVITY 1: OPERATING FORCES		
10	JOINT CHIEFS OF STAFF.....	506,113 504,113
20	OFFICE OF THE SECRETARY OF DEFENSE.....	524,439 524,439
30	SPECIAL OPERATIONS COMMAND.....	4,898,159 4,814,759
	TOTAL, BUDGET ACTIVITY 1.....	5,928,711 5,843,311

BUDGET ACTIVITY 3: TRAINING AND RECRUITING		
40	DEFENSE ACQUISITION UNIVERSITY.....	138,658 138,658
50	JOINT CHIEFS OF STAFF RECRUITING, AND OTHER TRAINING AND EDUCATION.....	85,701 85,701
70	SPECIAL OPERATIONS COMMAND.....	365,349 361,349
	TOTAL, BUDGET ACTIVITY 3.....	589,708 585,708

BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES		
80	CIVIL MILITARY PROGRAMS.....	160,480 205,819
100	DEFENSE CONTRACT AUDIT AGENCY.....	630,925 623,925
110	DEFENSE CONTRACT MANAGEMENT AGENCY.....	1,356,380 1,346,380
120	DEFENSE HUMAN RESOURCES ACTIVITY.....	683,620 718,620
130	DEFENSE INFORMATION SYSTEMS AGENCY.....	1,439,891 1,427,591
150	DEFENSE LEGAL SERVICES AGENCY.....	24,984 24,984
160	DEFENSE LOGISTICS AGENCY.....	357,964 352,664
170	DEFENSE MEDIA ACTIVITY.....	223,422 224,122
180	DEFENSE POW /MISSING PERSONS OFFICE.....	112,681 112,681
170	DEFENSE SECURITY COOPERATION AGENCY.....	496,754 495,504
180	DEFENSE SECURITY SERVICE.....	538,711 535,711
200	DEFENSE TECHNOLOGY SECURITY AGENCY.....	35,417 35,417
210	DEFENSE THREAT REDUCTION AGENCY.....	448,146 444,346
230	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY.....	2,671,143 2,618,143

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL
240 MISSILE DEFENSE AGENCY.....	446,975	440,725
260 OFFICE OF ECONOMIC ADJUSTMENT.....	155,399	136,199
270 OFFICE OF THE SECRETARY OF DEFENSE.....	1,481,643	1,478,205
280 SPECIAL OPERATIONS COMMAND.....	89,429	88,929
290 WASHINGTON HEADQUARTERS SERVICES.....	629,874	625,874
OTHER PROGRAMS.....	14,069,333	13,973,975
TOTAL, BUDGET ACTIVITY 4.....	26,053,171	25,909,814
IMPACT AID.....	---	30,000
IMPACT AID FOR CHILDREN WITH DISABILITIES.....	---	5,000
LONG-TERM TEMP DUTY WAIVERS.....	---	116
TOTAL, OPERATION AND MAINTENANCE, DEFENSE-WIDE.....	32,571,590	32,373,949

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

O-1	Budget Request	Final Bill
1PL1 JOINT CHIEFS OF STAFF	506,113	504,113
Support to info ops capabilities - unjustified growth		-2,000
1PL2 SPECIAL OPERATIONS COMMAND	4,898,159	4,814,759
Overestimation of civilian FTE targets		-15,000
Contract support - unjustified growth		-6,000
Base support - unjustified growth		-8,000
Combat development activities - unjustified growth for equipment purchases		-3,000
Flight operations - unjustified growth for flight operations		-12,000
Intelligence - unjustified growth		-5,600
Maintenance - unjustified growth		-15,000
Other operations - unjustified growth		-1,300
Program decrease		-4,500
Operational support - program decrease not properly accounted		-5,000
Management headquarters - unjustified growth		-8,000
3EV7 SPECIAL OPERATIONS COMMAND / TRAINING AND RECRUITING	365,349	361,349
Specialized skill training - unjustified growth		-4,000
4GT3 CIVIL MILITARY PROGRAMS	160,480	205,819
Program increase - National Guard Youth Challenge		10,339
Program increase - STARBASE		30,000
Program increase - innovative readiness training		5,000
4GT6 DEFENSE CONTRACT AUDIT AGENCY	630,925	623,925
Reduce planned growth		-7,000
4GTC DEFENSE CONTRACT MANAGEMENT AGENCY	1,356,380	1,346,380
Unjustified growth and removal of one-time fiscal year 2016 costs		-10,000
4GT8 DEFENSE HUMAN RESOURCES AGENCY	683,620	718,620
Enterprise Human Resources Information System - unjustified growth		-4,000
Defense Travel Management Office - unjustified growth		-7,000
Program increase - Joint Advertising, Market Research, and Studies		1,000
Program increase - Special Victims' Counsel		25,000
Program increase - Beyond Yellow Ribbon		20,000
4GT9 DEFENSE INFORMATION SYSTEMS AGENCY	1,439,891	1,427,591
Program increase - secure communications		5,000
Remove one-time fiscal year 2016 costs		-7,300
Unjustified growth		-10,000
4GTE DEFENSE LOGISTICS AGENCY	357,964	352,664
Program increase - Procurement Technical Assistance Program		11,700
Enterprise Business Systems - unjustified growth		-6,000
Remove one-time fiscal year 2016 congressional increase		-11,000

O-1	Budget Request	Final Bill
ES18 DEFENSE MEDIA ACTIVITY	223,422	224,122
Imagery services - unjustified growth		-3,000
Remove one-time fiscal year 2016 costs		-1,300
Program increase - IP streaming upgrades		5,000
4GTE DEFENSE SECURITY COOPERATION AGENCY	496,754	495,504
Administration expenses - unjustified growth		-250
Fellowship programs - unjustified growth		-1,000
4GTE DEFENSE SECURITY SERVICE	538,711	535,711
Overestimation of civilian FTE targets		-3,000
4GTI DEFENSE THREAT REDUCTION AGENCY	448,146	444,346
CWMD sustainment - unjustified growth		-3,800
4GTJ DEPARTMENT OF DEFENSE EDUCATION ACTIVITY	2,671,143	2,618,143
Overestimation of civilian FTE targets		-30,000
Unjustified program growth		-3,000
Remove one-time fiscal year 2016 costs		-3,000
Program increase - youth serving organizations		5,000
Armed Forces Retirement Home addressed in the Military Construction, Veterans Affairs, and Related Agencies Appropriations Act		-22,000
011A MISSILE DEFENSE AGENCY	446,975	440,725
THAAD sustainment early to need		-6,250
4GTN OFFICE OF ECONOMIC ADJUSTMENT	155,399	136,199
Authorization adjustment - public health laboratory funding ahead of need		-19,200
4GTN OFFICE OF THE SECRETARY OF DEFENSE	1,481,643	1,478,205
Overestimation of civilian FTE targets		-14,000
OSD policy rewards program - unjustified growth		-1,000
OSD Strategy Development - unjustified growth		-820
BRAC 2016 round planning and analyses - program decrease		-3,500
Program increase - Readiness and Environmental Protection Initiative		14,980
CWMD - program decrease		-4,498
Program decrease not properly accounted		-7,000
OUSD (AT&L) - unjustified growth		-2,600
Program increase - Operation Live Well		3,000
Program increase - fresh fruit and vegetable prescription plan		2,000
Program increase - Women in Military Service Memorial		5,000
Program increase - information assurance scholarship program		5,000
4GT1 SPECIAL OPERATIONS COMMAND	89,429	88,929
Acquisition/program management - unjustified growth		-500
4GTC WASHINGTON HEADQUARTERS SERVICES	629,874	625,874
Unjustified growth		-4,000
999 OTHER PROGRAMS	14,069,333	13,973,975
Classified adjustment		-95,358
IMPACT AID		30,000
IMPACT AID for children with disabilities		5,000
LONG-TERM TEMPORARY DUTY WAIVERS		116

BACKGROUND INVESTIGATION SYSTEMS

The agreement fully funds the budget request for the Department of Defense to develop, replace, and sustain federal government security and suitability background investigation technology systems. In lieu of the language included under this heading in House Report 114-577, the Director of the Defense Information Systems Agency is di-

rected to submit a progress report to the congressional defense committees not later than 90 days after the enactment of this Act, and semiannually thereafter, that includes the information technology development and implementation plan, associated timeline with milestones, costs for each phase of implementation, anticipated outyear costs, personnel structure, and any other signifi-

cant issues related to the establishment and sustainment of a new federal government background information technology system housed within the Department of Defense.

OPERATION AND MAINTENANCE, ARMY
RESERVE

The agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL

OPERATION AND MAINTENANCE, ARMY RESERVE		
BUDGET ACTIVITY 1: OPERATING FORCES		
LAND FORCES		
20	MODULAR SUPPORT BRIGADES.....	11,435 11,435
30	ECHELONS ABOVE BRIGADES.....	491,772 491,772
40	THEATER LEVEL ASSETS.....	116,163 116,163
50	LAND FORCES OPERATIONS SUPPORT.....	563,524 563,524
60	AVIATION ASSETS.....	91,162 91,162
LAND FORCES READINESS		
70	FORCES READINESS OPERATIONS SUPPORT.....	347,459 344,659
80	LAND FORCES SYSTEM READINESS.....	101,926 101,926
90	DEPOT MAINTENANCE.....	56,219 56,219
LAND FORCES READINESS SUPPORT		
100	BASE OPERATIONS SUPPORT.....	573,843 566,043
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION ..	214,955 223,912
120	MANAGEMENT AND OPERATIONS HEADQUARTERS.....	37,620 37,620

TOTAL, BUDGET ACTIVITY 1.....		2,606,078 2,604,435
BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES		
ADMINISTRATION AND SERVICEWIDE ACTIVITIES		
130	SERVICEWIDE TRANSPORTATION.....	11,027 11,027
140	ADMINISTRATION.....	16,749 16,749
150	SERVICEWIDE COMMUNICATIONS.....	17,825 17,825
160	PERSONNEL/FINANCIAL ADMINISTRATION	6,177 6,177
170	RECRUITING AND ADVERTISING.....	54,475 53,475

TOTAL, BUDGET ACTIVITY 4.....		106,253 105,253
RESTORE READINESS.....		--- 12,000
OPERATIONAL SUPPORT FOR INCREASE IN ARMY RESERVE END STRENGTH.....		--- 22,000
=====		
TOTAL, OPERATION AND MAINTENANCE, ARMY RESERVE.....		2,712,331 2,743,688
=====		

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

O-1	Budget Request	Final Bill
121 FORCES READINESS OPERATIONS SUPPORT	347,459	344,659
Unjustified program growth		-3,000
Program increase - language capabilities		200
131 BASE OPERATIONS SUPPORT	573,843	566,043
Program decrease not properly accounted		-7,800
132 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	214,955	223,912
Program increase		8,957
434 RECRUITING AND ADVERTISING	54,475	53,475
Unjustified program growth		-1,000
RESTORE READINESS		12,000
OPERATIONAL SUPPORT FOR INCREASE IN ARMY RESERVE END STRENGTH		22,000

OPERATION AND MAINTENANCE, NAVY RESERVE

The agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL

OPERATION AND MAINTENANCE, NAVY RESERVE		
BUDGET ACTIVITY 1: OPERATING FORCES		
10	RESERVE AIR OPERATIONS MISSION AND OTHER FLIGHT OPERATIONS.....	526,190 523,690
20	INTERMEDIATE MAINTENANCE.....	6,714 6,714
40	AIRCRAFT DEPOT MAINTENANCE.....	86,209 86,209
50	AIRCRAFT DEPOT OPERATIONS SUPPORT.....	389 389
60	AVIATION LOGISTICS.....	10,189 10,189
70	RESERVE SHIP OPERATIONS SHIP OPERATIONAL SUPPORT AND TRAINING.....	560 560
90	RESERVE COMBAT OPERATIONS SUPPORT COMBAT COMMUNICATIONS.....	13,173 13,173
100	COMBAT SUPPORT FORCES.....	109,053 109,053
120	RESERVE WEAPONS SUPPORT ENTERPRISE INFORMATION TECHNOLOGY.....	27,226 27,226
130	BASE OPERATING SUPPORT FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION ..	27,571 30,071
140	BASE OPERATING SUPPORT.....	99,166 99,166
	TOTAL, BUDGET ACTIVITY 1.....	906,440 906,440
BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES		
150	ADMINISTRATION AND SERVICEWIDE ACTIVITIES ADMINISTRATION.....	1,351 1,351
160	MILITARY MANPOWER & PERSONNEL.....	13,251 13,251
170	SERVICEWIDE COMMUNICATIONS.....	3,445 3,445
180	ACQUISITION AND PROGRAM MANAGEMENT.....	3,169 3,169
	TOTAL, BUDGET ACTIVITY 4.....	21,216 21,216
	RESTORE READINESS.....	--- 2,000
	TOTAL, OPERATION AND MAINTENANCE, NAVY RESERVE.....	927,656 929,656
	=====	=====

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

O-1	Budget Request	Final Bill
1A1A MISSION AND OTHER FLIGHT OPERATIONS	526,190	523,690
Projected underexecution		-2,500
BSMR FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	27,571	30,071
Program increase		2,500
RESTORE READINESS		2,000

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

The agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE		
BUDGET ACTIVITY 1: OPERATING FORCES		
EXPEDITIONARY FORCES		
10	OPERATING FORCES.....	94,154 94,154
20	DEPOT MAINTENANCE.....	18,594 18,594
30	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION ..	25,470 26,470
40	BASE OPERATING SUPPORT.....	111,550 110,050

	TOTAL, BUDGET ACTIVITY 1.....	249,768 249,268
BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES		
ADMINISTRATION AND SERVICEWIDE ACTIVITIES		
50	SERVICEWIDE TRANSPORTATION.....	902 902
60	ADMINISTRATION.....	11,130 11,130
70	RECRUITING AND ADVERTISING.....	8,833 8,833

	TOTAL, BUDGET ACTIVITY 4.....	20,865 20,865
	RESTORE READINESS.....	--- 1,000
=====		
	TOTAL, OPERATION & MAINTENANCE, MARINE CORPS RESERVE	270,633 271,133
=====		

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

O-1	Budget Request	Final Bill
BSM1 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	25,470	26,470
Program increase		1,000
BSS1 BASE OPERATING SUPPORT	111,550	110,050
Unjustified program growth		-1,500
RESTORE READINESS		1,000

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

The agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL

OPERATION AND MAINTENANCE, AIR FORCE RESERVE		
BUDGET ACTIVITY 1: OPERATING FORCES		
AIR OPERATIONS		
10	PRIMARY COMBAT FORCES.....	1,707,882 1,690,882
20	MISSION SUPPORT OPERATIONS.....	230,016 228,516
30	DEPOT MAINTENANCE.....	541,743 541,743
40	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION ..	113,470 132,270
50	BASE OPERATING SUPPORT.....	384,832 384,832
	TOTAL, BUDGET ACTIVITY 1.....	2,977,943 2,978,243
BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES		
ADMINISTRATION AND SERVICEWIDE ACTIVITIES		
60	ADMINISTRATION.....	54,939 54,939
70	RECRUITING AND ADVERTISING.....	14,754 14,754
80	MILITARY MANPOWER AND PERSONNEL MANAGEMENT.....	12,707 12,707
90	OTHER PERSONNEL SUPPORT.....	7,210 7,210
100	AUDIOVISUAL.....	376 376
	TOTAL, BUDGET ACTIVITY 4.....	89,986 89,986
	RESTORE READINESS.....	--- 1,000
	TOTAL, OPERATION AND MAINTENANCE, AIR FORCE RESERVE.	===== 3,067,929 3,069,229 =====

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

O-1	Budget Request	Final Bill
011A PRIMARY COMBAT FORCES	1,707,882	1,690,882
Unjustified growth		-17,000
011G MISSION SUPPORT OPERATIONS	230,016	228,516
Justification does not match summary of price and program changes		-1,500
011R FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	113,470	132,270
Program increase		18,800
RESTORE READINESS		1,000

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

The agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD		
BUDGET ACTIVITY 1: OPERATING FORCES		
LAND FORCES		
10	MANEUVER UNITS.....	708,251 708,251
20	MODULAR SUPPORT BRIGADES.....	197,251 197,251
30	ECHELONS ABOVE BRIGADE.....	792,271 788,271
40	THEATER LEVEL ASSETS.....	80,341 84,341
50	LAND FORCES OPERATIONS SUPPORT.....	37,138 37,138
60	AVIATION ASSETS.....	887,625 881,125
LAND FORCES READINESS		
70	FORCE READINESS OPERATIONS SUPPORT.....	696,267 669,993
80	LAND FORCES SYSTEMS READINESS.....	61,240 56,240
90	LAND FORCES DEPOT MAINTENANCE.....	219,948 219,948
LAND FORCES READINESS SUPPORT		
100	BASE OPERATIONS SUPPORT.....	1,040,012 1,029,512
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION ..	676,715 692,947
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS.....	1,021,144 1,011,144

TOTAL, BUDGET ACTIVITY 1.....		6,418,203 6,376,161
BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES		
ADMINISTRATION AND SERVICEWIDE ACTIVITIES		
130	SERVICEWIDE TRANSPORTATION.....	6,396 6,396
140	ADMINISTRATION.....	68,528 69,678
150	SERVICEWIDE COMMUNICATIONS.....	76,524 76,524
160	MANPOWER MANAGEMENT.....	7,712 7,712
170	RECRUITING AND ADVERTISING.....	245,046 245,046
180	REAL ESTATE MANAGEMENT.....	2,961 2,961

TOTAL, BUDGET ACTIVITY 4.....		407,167 408,317
RESTORE READINESS.....		--- 20,000
OPERATIONAL SUPPORT FOR INCREASE IN ARMY NATIONAL GUARD END STRENGTH.....		--- 57,000
=====		
TOTAL, OPERATION & MAINTENANCE, ARMY NATIONAL GUARD.		6,825,370 6,861,478
=====		

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

O-1	Budget Request	Final Bill
113 ECHELONS ABOVE BRIGADE	792,271	788,271
Unjustified program growth		-4,000
114 THEATER LEVEL ASSETS	80,341	84,341
Program increase - Operation Phalanx		4,000
116 AVIATION ASSETS	887,625	881,125
Program increase - Operation Phalanx		5,000
Unjustified program growth		-11,500
121 FORCE READINESS OPERATIONS SUPPORT	696,267	669,993
Unjustified program growth		-30,000
Program increase - cyber protection teams		3,000
Program increase - language capabilities		200
Program increase - trauma training		526
122 LAND FORCES SYSTEMS READINESS	61,240	56,240
Program decrease not properly accounted		-5,000
131 BASE OPERATIONS SUPPORT	1,040,012	1,029,512
Unjustified program growth		-10,500
132 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	676,715	692,947
Program increase		16,232
133 MANAGEMENT AND OPERATIONAL HEADQUARTERS	1,021,144	1,011,144
Unjustified program growth		-10,000
431 ADMINISTRATION	68,528	69,678
Program increase - State Partnership Program		1,150
RESTORE READINESS		20,000
OPERATIONAL SUPPORT FOR INCREASE IN ARMY NATIONAL GUARD END STRENGTH		57,000

NATIONAL GUARD STATE PARTNERSHIP
PROGRAM LANGUAGE ENHANCEMENT PROGRAM

For more than twenty years, the National Guard State Partnership Program (SPP) has been successfully building unique security relationships with more than 75 nations around the globe. To build on the success of this program, the agreement recommends that the Chief of the National Guard Bureau

encourage the enhancement of individual language skills and prioritize language school appointments of soldiers and airmen within the program to help further strengthen these international relationships. Additionally, servicemembers of the National Guard that participate in, and are from states with units assigned to state partnership activities should strive to attend lan-

guage schools, both defense-sponsored and otherwise; obtain computer-assisted language-learning software; and use international visits through the SPP as a means of language skill immersion.

OPERATION AND MAINTENANCE, AIR
NATIONAL GUARD

The agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD		
BUDGET ACTIVITY 1: OPERATING FORCES		
AIR OPERATIONS		
10	AIRCRAFT OPERATIONS.....	3,282,238 3,193,238
20	MISSION SUPPORT OPERATIONS.....	723,062 713,579
30	DEPOT MAINTENANCE.....	1,824,329 1,816,329
40	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION ..	245,840 255,840
50	BASE OPERATING SUPPORT.....	575,548 566,548

	TOTAL, BUDGET ACTIVITY 1.....	6,651,017 6,545,534
BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES		
SERVICEWIDE ACTIVITIES		
60	ADMINISTRATION.....	23,715 23,715
70	RECRUITING AND ADVERTISING.....	28,846 28,846

	TOTAL, BUDGET ACTIVITY 4.....	52,561 52,561
	RESTORE READINESS.....	--- 17,000
=====		
	TOTAL, OPERATION & MAINTENANCE, AIR NATIONAL GUARD..	6,703,578 6,615,095
=====		

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

O-1	Budget Request	Final Bill
011F AIRCRAFT OPERATIONS	3,282,238	3,193,238
Unjustified growth		-74,000
MIP program decrease not properly accounted		-15,000
011G MISSION SUPPORT OPERATIONS	723,062	713,579
Program increase - State Partnership Program		1,150
Maintain program affordability - unjustified growth		-12,000
Program increase - trauma training		1,367
011M DEPOT MAINTENANCE	1,824,329	1,816,329
MIP program unjustified growth		-8,000
011R FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	245,840	255,840
Program increase		10,000
011Z BASE OPERATING SUPPORT	575,548	566,548
Unjustified growth		-9,000
RESTORE READINESS		17,000

UNITED STATES COURT OF APPEALS
FOR THE ARMED FORCES

The agreement provides \$14,194,000 for the United States Court of Appeals for the Armed Forces.

ENVIRONMENTAL RESTORATION, ARMY

The agreement provides \$170,167,000 for Environmental Restoration, Army.

ENVIRONMENTAL RESTORATION, NAVY

The agreement provides \$289,262,000, an increase of \$7,500,000 above the budget request, for Environmental Restoration, Navy.

ENVIRONMENTAL RESTORATION, AIR FORCE

The agreement provides \$371,521,000 for Environmental Restoration, Air Force.

ENVIRONMENTAL RESTORATION, DEFENSE-WIDE

The agreement provides \$9,009,000 for Environmental Restoration, Defense-Wide.

ENVIRONMENTAL RESTORATION,
FORMERLY USED DEFENSE SITES

The agreement provides \$222,084,000, an increase of \$25,000,000 above the budget request, for Environmental Restoration, Formerly Used Defense Sites.

OVERSEAS HUMANITARIAN, DISASTER,
AND CIVIC AID

The agreement provides \$123,125,000, an increase of \$18,000,000 above the budget request, for Overseas Humanitarian, Disaster, and Civic Aid. Specifically, \$3,000,000 is a general increase and \$15,000,000 is for South China Sea Regional Engagement.

COOPERATIVE THREAT REDUCTION
ACCOUNT

The agreement provides \$325,604,000 for the Cooperative Threat Reduction Account, as follows:

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS		
[In thousands of dollars]		
	Budget request	Final bill
Strategic Offensive Arms Elimination	11,791	11,791
Chemical Weapons Destruction	2,942	2,942
Biological Threat Reduction	213,984	213,984
Threat Reduction Engagement	2,000	2,000
Other Assessments/Admin Costs	27,279	27,279
Global Nuclear Security	16,899	16,899
WMD Proliferation Prevention	50,709	50,709
TOTAL, COOPERATIVE THREAT REDUCTION ACCOUNT	325,604	325,604

TITLE III—PROCUREMENT

The agreement provides \$108,426,827,000 in Title III, Procurement. The agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL

SUMMARY		
ARMY		
AIRCRAFT.....	3,614,787	4,587,598
MISSILES.....	1,519,966	1,533,804
WEAPONS AND TRACKED COMBAT VEHICLES.....	2,265,177	2,229,455
AMMUNITION.....	1,513,157	1,483,566
OTHER.....	5,873,949	6,147,328
	-----	-----
TOTAL, ARMY.....	14,787,036	15,981,751
NAVY		
AIRCRAFT.....	14,109,148	16,135,335
WEAPONS.....	3,209,262	3,265,285
AMMUNITION.....	664,368	633,678
SHIPS.....	18,354,874	21,156,886
OTHER.....	6,338,861	6,308,919
MARINE CORPS.....	1,362,769	1,307,456
	-----	-----
TOTAL, NAVY.....	44,039,282	48,807,559
AIR FORCE		
AIRCRAFT.....	13,922,917	14,253,623
MISSILES.....	2,426,621	2,348,121
SPACE.....	3,055,743	2,733,243
AMMUNITION.....	1,677,719	1,589,219
OTHER.....	17,438,056	17,768,224
	-----	-----
TOTAL, AIR FORCE.....	38,521,056	38,692,430
DEFENSE-WIDE		
DEFENSE-WIDE.....	4,524,918	4,881,022
DEFENSE PRODUCTION ACT PURCHASES.....	44,065	64,065
	=====	=====
TOTAL PROCUREMENT.....	101,916,357	108,426,827
	=====	=====

REPROGRAMMING GUIDANCE FOR ACQUISITION
ACCOUNTS

The Secretary of Defense is directed to continue to follow the reprogramming guidance as specified in the report accompanying the House version of the Department of Defense Appropriations bill for Fiscal Year 2008 (House Report 110-279). Specifically, the dollar threshold for reprogramming funds shall remain at \$20,000,000 for procurement and \$10,000,000 for research, development, test and evaluation.

Also, the Under Secretary of Defense (Comptroller) is directed to continue to provide the congressional defense committees quarterly, spreadsheet-based DD Form 1416 reports for Service and defense-wide accounts in titles III and IV of this Act. Reports for titles III and IV shall comply with the guidance specified in the explanatory statement accompanying the Department of Defense Appropriations Act, 2006. The Department shall continue to follow the limitation that prior approval reprogrammings are set at either the specified dollar threshold or 20 percent of the procurement or research, development, test and evaluation line, whichever is less. These thresholds are cumulative from the base for reprogramming value as modified by any adjustments. Therefore, if the combined value of transfers into or out of a procurement (P-1) or research, development, test and evaluation (R-1) line exceeds the identified threshold, the Secretary of Defense must submit a prior approval reprogramming to the congressional defense committees. In addition, guidelines

on the application of prior approval reprogramming procedures for congressional special interest items are established elsewhere in this statement.

FUNDING INCREASES

The funding increases outlined in these tables shall be provided only for the specific purposes indicated in the tables.

PROCUREMENT SPECIAL INTEREST ITEMS

Items for which additional funds have been provided as shown in the project level tables or in paragraphs using the phrase “only for” or “only to” in the explanatory statement are congressional special interest items for the purpose of the Base for Reprogramming (DD Form 1414). Each of these items must be carried on the DD Form 1414 at the stated amount as specifically addressed in the explanatory statement.

JOINT STRIKE FIGHTER BUDGET JUSTIFICATIONS
AND CONTRACTING

Throughout the fiscal year 2017 budget review process, the Joint Strike Fighter (JSF) Joint Program Office provided insufficient justification and incomplete information in an untimely manner. It is imperative that requested information is received promptly for proper congressional oversight of this major defense acquisition program.

It is understood that the Secretary of Defense is reviewing potential alternative management structures for the JSF program as directed by the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328). This review will provide an oppor-

tunity to improve communication between the JSF Program Executive Officer (PEO), the Services, and the congressional defense committees to ensure the program's funding requirements are fully understood, communicated, and justified.

Additionally, there is concern that the number of F-35s enacted in annual Department of Defense Appropriations Acts are not being placed on contract by the JSF PEO in a timely manner. Four F-35s included in the Department of Defense Appropriations Act, 2015 and 13 F-35s included in the Department of Defense Appropriations Act, 2016 were not part of their respective low rate initial production (LRIP) contracts due to the PEO's contracting strategy. Specifically, only four F-35Cs were included on LRIPs 9 and 10, rather than the ten F-35Cs enacted in the Department of Defense Appropriations Acts, 2015 and 2016, impeding production efficiencies. The agreement directs the JSF PEO to use a contracting approach that would award all aircraft included in each Department of Defense Appropriations Act on the respective production contract for that fiscal year. The agreement includes funding for 74 F-35 aircraft. The JSF PEO is directed to brief the congressional defense committees not later than 45 days after the enactment of this Act on the contracting strategy for these aircraft.

AIRCRAFT PROCUREMENT, ARMY

The agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL

AIRCRAFT PROCUREMENT, ARMY		
AIRCRAFT FIXED WING		
1 UTILITY F/W CARGO AIRCRAFT.....	57,529	41,342
3 MQ-1 UAV.....	55,388	250,388
ROTARY		
5 UH-72 LAKOTA LIGHT UTILITY HELICOPTER.....	---	187,000
6 AH-64 APACHE BLOCK IIIA REMAN.....	803,084	774,072
6A AH-64 APACHE BLOCK IIIA NEW BUILD.....	---	190,100
7 AH-64 APACHE BLOCK IIIA REMAN (AP-CY).....	185,160	185,160
7A AH-64 APACHE BLOCK IIIA NEW BUILD (AP-CY).....	---	71,800
8 UH-60 BLACKHAWK (MYP).....	755,146	1,085,046
9 UH-60 BLACKHAWK (MYP) (AP-CY).....	174,107	174,107
10 UH-60 BLACKHAWK A AND L MODELS.....	46,173	46,173
11 CH-47 HELICOPTER.....	556,257	553,257
12 CH-47 HELICOPTER (AP-CY).....	8,707	8,707

TOTAL, AIRCRAFT.....	2,641,551	3,567,152
MODIFICATION OF AIRCRAFT		
13 MQ-1 PAYLOAD - UAS.....	43,735	63,735
15 MULTI SENSOR ABN RECON (MIP).....	94,527	94,527
16 AH-64 MODS.....	137,883	137,883
17 CH-47 CARGO HELICOPTER MODS.....	102,943	102,943
18 GRCS SEMA MODS (MIP).....	4,055	4,055
19 ARL SEMA MODS (MIP).....	6,793	6,793

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL
20 EMARSS SEMA MODS (MIP).....	13,197	12,197
21 UTILITY/CARGO AIRPLANE MODS.....	17,526	17,526
22 UTILITY HELICOPTER MODS.....	10,807	10,807
23 NETWORK AND MISSION PLAN.....	74,752	74,752
24 COMMS, NAV SURVEILLANCE.....	69,960	76,960
25 GATM ROLLUP.....	45,302	45,302
26 RQ-7 UAV MODS.....	71,169	71,169
27 UAS MODS.....	21,804	21,804
TOTAL, MODIFICATION OF AIRCRAFT.....	714,453	740,453
SUPPORT EQUIPMENT AND FACILITIES		
GROUND SUPPORT AVIONICS		
28 AIRCRAFT SURVIVABILITY EQUIPMENT.....	67,377	89,377
29 SURVIVABILITY CM.....	9,565	9,565
30 CMWS.....	41,626	41,626
OTHER SUPPORT		
32 AVIONICS SUPPORT EQUIPMENT.....	7,007	6,217
33 COMMON GROUND EQUIPMENT.....	48,234	48,234
34 AIRCREW INTEGRATED SYSTEMS.....	30,297	30,297
35 AIR TRAFFIC CONTROL.....	50,405	50,405
36 INDUSTRIAL FACILITIES.....	1,217	1,217
37 LAUNCHER, 2.75 ROCKET.....	3,055	3,055
TOTAL, SUPPORT EQUIPMENT AND FACILITIES.....	258,783	279,993
TOTAL, AIRCRAFT PROCUREMENT, ARMY.....	3,614,787	4,587,598

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

P-1	Budget Request	Final Bill
1 UTILITY F/W CARGO AIRCRAFT	57,529	41,342
Excess program management		-3,587
Unit cost growth		-12,600
3 MQ-1 UAV	55,388	250,388
Program increase - 12 aircraft		195,000
5 UH-72 LAKOTA LIGHT UTILITY HELICOPTER	0	187,000
Program increase - 28 aircraft		187,000
6 AH-64 APACHE BLOCK IIIA REMAN	803,084	774,072
Unit cost efficiencies from multiyear procurement contract		-9,600
Excess government furnished equipment		-19,412
6A AH-64 APACHE BLOCK IIIA NEW BUILD	0	190,100
Program increase - five aircraft		190,100
7A AH-64 APACHE BLOCK IIIA NEW BUILD (AP-CY)	0	71,800
Program increase		71,800
8 UH-60 BLACKHAWK (MYP)	755,146	1,085,046
Program increase - 15 for Army National Guard and ten for active Army		339,900
Excess tooling		-10,000
11 CH-47 HELICOPTER	556,257	553,257
Excess program management cost growth		-1,500
Excess support cost growth		-1,500
13 MQ-1 PAYLOAD - UAS	43,735	63,735
Program increase - CSP HD upgrade		20,000
20 EMARSS SEMA MODS (MIP)	13,197	12,197
Excess program management		-1,000
24 COMMS, NAV SURVEILLANCE	69,960	76,960
Program increase - assured PNT		7,000
28 AIRCRAFT SURVIVABILITY EQUIPMENT	67,377	89,377
Program increase - modernized radar warning system		22,000
32 AVIONICS SUPPORT EQUIPMENT	7,007	6,217
ANVIS unit cost growth		-790

UH-72 LAKOTA LIGHT UTILITY HELICOPTER

The agreement provides \$187,000,000 to procure 28 UH-72 Lakota Light Utility Helicopters for the Army in support of ongoing mission requirements at the Army Aviation Center of Excellence at Fort Rucker, the

Combat Training Centers, and the Army Test and Evaluation Center. The agreement notes that this investment is consistent with previous appropriations and was included in the Army's unfunded priority list. The Secretary of the Army is encouraged to request

funding for UH-72 Lakota Light Utility Helicopters to address ongoing mission requirements in future budget submissions.

MISSILE PROCUREMENT, ARMY

The agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL

MISSILE PROCUREMENT, ARMY		
OTHER MISSILES		
SURFACE-TO-AIR MISSILE SYSTEM		
1 LOWER TIER AIR AND MISSILE DEFENSE (AMD).....	126,470	126,470
2 MSE MISSILE.....	423,201	423,201
3 INDIRECT FIRE PROTECTION CAPABILITY.....	19,319	19,319
AIR-TO-SURFACE MISSILE SYSTEM		
4 HELLFIRE SYS SUMMARY.....	42,013	42,013
5 JOINT AIR-TO-GROUND MSLS (JAGM)	64,751	61,911
6 JOINT AIR-TO-GROUND MSLS (JAGM) (AP-CY).....	37,100	37,100
ANTI-TANK/ASSAULT MISSILE SYSTEM		
7 JAVELIN (AAWS-M) SYSTEM SUMMARY.....	73,508	102,808
8 TOW 2 SYSTEM SUMMARY.....	64,922	64,922
9 TOW 2 SYSTEM SUMMARY (AP-CY).....	19,949	10,716
10 GUIDED MLRS ROCKET (GMLRS).....	172,088	172,088
11 MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR).....	18,004	18,004

TOTAL, OTHER MISSILES.....	1,061,325	1,078,552
MODIFICATION OF MISSILES		
MODIFICATIONS		
13 PATRIOT MODS.....	197,107	197,107
14 ATACMS MODS.....	150,043	150,043
15 GMLRS MOD.....	395	395
17 AVENGER MODS.....	33,606	33,606
18 ITAS/TOW MODS.....	383	383
19 MLRS MODS.....	34,704	31,315
20 HIMARS MODIFICATIONS.....	1,847	1,847

TOTAL, MODIFICATION OF MISSILES.....	418,085	414,696

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL

SPARES AND REPAIR PARTS		
21 SPARES AND REPAIR PARTS.....	34,487	34,487
SUPPORT EQUIPMENT AND FACILITIES		
22 AIR DEFENSE TARGETS.....	4,915	4,915
24 PRODUCTION BASE SUPPORT.....	1,154	1,154
TOTAL, SUPPORT EQUIPMENT AND FACILITIES.....	6,069	6,069

TOTAL, MISSILE PROCUREMENT, ARMY.....	1,519,966	1,533,804
	=====	=====

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

P-1	Budget Request	Final Bill
5 JOINT AIR-TO-GROUND MSLS (JAGM)	64,751	61,911
Unjustified increase		-2,840
7 JAVELIN (AAWS-M) SYSTEM SUMMARY	73,508	102,808
Engineering services cost growth		-1,700
Program increase		31,000
9 TOW 2 SYSTEM SUMMARY (AP-CY)	19,949	10,716
Advance procurement excess to need		-9,233
19 MLRS MODS	34,704	31,315
Program cost growth		-3,389

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

The agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES (W&TCV), ARMY		
TRACKED COMBAT VEHICLES		
1 STRYKER VEHICLE.....	71,680	71,680
MODIFICATION OF TRACKED COMBAT VEHICLES		
2 STRYKER (MOD).....	74,348	74,348
3 STRYKER UPGRADE.....	444,561	418,561
5 BRADLEY PROGRAM (MOD).....	276,433	265,333
7 HOWITZER, MED SP FT 155MM M109A6 (MOD).....	63,138	63,138
8 PALADIN PIPM MOD IN SERVICE.....	469,305	461,505
9 IMPROVED RECOVERY VEHICLE (M88A2 HERCULES).....	91,963	91,963
10 ASSAULT BRIDGE (MOD).....	3,465	3,465
11 ARMORED BREACHER VEHICLE.....	2,928	2,928
12 M88 FOV MODS.....	8,685	8,685
13 JOINT ASSAULT BRIDGE.....	64,752	64,752
14 M1 ABRAMS TANK (MOD).....	480,166	492,044
SUPPORT EQUIPMENT AND FACILITIES		
TOTAL, TRACKED COMBAT VEHICLES.....	2,051,424	2,018,402

WEAPONS AND OTHER COMBAT VEHICLES		
17 INTEGRATED AIR BURST WEAPON SYSTEM FAMILY.....	9,764	7,064
18 MORTAR SYSTEMS.....	8,332	8,332
19 XM320 GRENADE LAUNCHER MODULE (GLM).....	3,062	3,062
20 COMPACT SEMI-AUTOMATIC SNIPER SYSTEM.....	992	---
21 CARBINE.....	40,493	40,493
22 COMMON REMOTELY OPERATED WEAPONS STATION.....	25,164	25,164
23 MODULAR HANDGUN SYSTEM.....	---	2,000

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL
MOD OF WEAPONS AND OTHER COMBAT VEH		
24 MK-19 GRENADE MACHINE GUN MODS.....	4,959	4,959
25 M777 MODS.....	11,913	11,913
26 M4 CARBINE MODS.....	29,752	27,752
27 M2 50 CAL MACHINE GUN MODS.....	48,582	48,582
28 M249 SAW MACHINE GUN MODS.....	1,179	1,179
29 M240 MEDIUM MACHINE GUN MODS.....	1,784	1,784
30 SNIPER RIFLES MODIFICATIONS.....	971	1,963
31 M119 MODIFICATIONS.....	6,045	6,045
32 MORTAR MODIFICATION.....	12,118	12,118
33 MODIFICATIONS LESS THAN \$5.0M (WOCV-WTCV).....	3,157	3,157
SUPPORT EQUIPMENT AND FACILITIES		
34 ITEMS LESS THAN \$5.0M (WOCV-WTCV).....	2,331	2,331
37 SMALL ARMS EQUIPMENT (SOLDIER ENH PROG).....	3,155	3,155
TOTAL, WEAPONS AND OTHER COMBAT VEHICLES.....	213,753	211,053
TOTAL, PROCUREMENT OF W&TCV, ARMY.....	2,265,177	2,229,455

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

P-1	Budget Request	Final Bill
3 STRYKER UPGRADE	444,561	418,561
Unjustified growth		-26,000
5 BRADLEY PROGRAM (MOD)	276,433	265,333
Contractor support unjustified growth		-8,000
Excess to need - negotiated contract savings		-3,100
8 PALADIN PIM MOD IN SERVICE	469,305	461,505
Estimated contract savings		-7,800
14 M1 ABRAMS TANK (MOD)	480,166	492,044
Excess program engineering support		-4,400
Industrial support		16,278
17 INTEGRATED AIR BURST WEAPON SYSTEM FAMILY	9,764	7,064
Program delay		-2,700
20 COMPACT SEMI-AUTOMATIC SNIPER SYSTEM	992	0
Army requested transfer to line 30		-992
23 MODULAR HANDGUN SYSTEM	0	2,000
Army requested transfer from line 26		2,000
26 M4 CARBINE MODS	29,752	27,752
Army requested transfer to line 23		-2,000
30 SNIPER RIFLES MODIFICATIONS	971	1,963
Army requested transfer from line 20		992

PROCUREMENT OF AMMUNITION, ARMY

The agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL

PROCUREMENT OF AMMUNITION, ARMY		
AMMUNITION		
SMALL/MEDIUM CAL AMMUNITION		
1 CTG, 5.56MM, ALL TYPES.....	40,296	40,296
2 CTG, 7.62MM, ALL TYPES.....	39,237	39,237
3 CTG, HANDGUN, ALL TYPES.....	5,193	5,193
4 CTG, .50 CAL, ALL TYPES.....	46,693	46,693
5 CTG, 20MM, ALL TYPES.....	7,000	7,000
6 CTG, 25MM, ALL TYPES.....	7,753	7,753
7 CTG, 30MM, ALL TYPES.....	47,000	47,000
8 CTG, 40MM, ALL TYPES.....	118,178	111,824
MORTAR AMMUNITION		
9 60MM MORTAR, ALL TYPES.....	69,784	69,784
10 81MM MORTAR, ALL TYPES.....	36,125	36,125
11 120MM MORTAR, ALL TYPES.....	69,133	69,133
TANK AMMUNITION		
12 CTG TANK 105MM AND 120MM: ALL TYPES.....	120,668	117,853
ARTILLERY AMMUNITION		
13 CTG, ARTY, 75MM AND 105MM: ALL TYPES.....	64,800	61,300
14 ARTILLERY PROJECTILE, 155MM, ALL TYPES.....	109,515	94,515
15 PROJ 155MM EXTENDED RANGE XM982.....	39,200	36,025
16 ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL TYPES...	70,881	66,881
ROCKETS		
19 SHOULDER LAUNCHED MUNITIONS, ALL TYPES.....	38,000	33,000
20 ROCKET, HYDRA 70, ALL TYPES.....	87,213	87,213

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL

OTHER AMMUNITION		
21 CAD/PAD ALL TYPES.....	4,914	4,914
22 DEMOLITION MUNITIONS, ALL TYPES.....	6,380	6,380
23 GRENADES, ALL TYPES.....	22,760	22,760
24 SIGNALS, ALL TYPES.....	10,666	6,166
25 SIMULATORS, ALL TYPES.....	7,412	7,412
MISCELLANEOUS		
26 AMMO COMPONENTS, ALL TYPES.....	12,726	12,726
27 NON-LETHAL AMMUNITION, ALL TYPES.....	6,100	5,100
28 ITEMS LESS THAN \$5 MILLION.....	10,006	9,506
29 AMMUNITION PECULIAR EQUIPMENT.....	17,275	13,528
30 FIRST DESTINATION TRANSPORTATION (AMMO).....	14,951	14,951

TOTAL, AMMUNITION.....	1,129,859	1,080,268
AMMUNITION PRODUCTION BASE SUPPORT		
PRODUCTION BASE SUPPORT		
32 PROVISION OF INDUSTRIAL FACILITIES.....	222,269	242,269
33 CONVENTIONAL MUNITIONS DEMILITARIZATION, ALL.....	157,383	157,383
34 ARMS INITIATIVE.....	3,646	3,646

TOTAL, AMMUNITION PRODUCTION BASE SUPPORT.....	383,298	403,298
TOTAL, PROCUREMENT OF AMMUNITION, ARMY.....	1,513,157	1,483,566
	=====	=====

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1	Budget Request	Final Bill
8 CTG, 40MM, ALL TYPES	118,178	111,824
Program delays		-6,354
12 CTG TANK 105MM AND 120MM: ALL TYPES	120,668	117,853
Excess to requirement		-2,815
13 CTG, ARTY, 75MM AND 105MM: ALL TYPES	64,800	61,300
Change to acquisition strategy for 75mm blank		-3,500
14 ARTILLERY PROJECTILE, 155MM, ALL TYPES	109,515	94,515
Unjustified growth		-15,000
15 PROJ 155MM EXTENDED RANGE XM982	39,200	36,025
Eliminate program growth		-3,175
16 ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL TYPES	70,881	66,881
Maintain level of effort for PGK		-4,000
19 SHOULDER LAUNCHED MUNITIONS, ALL TYPES	38,000	33,000
Change to acquisition strategy		-5,000
24 SIGNALS, ALL TYPES	10,666	6,166
Excess to requirement		-4,500
27 NON-LETHAL AMMUNITION, ALL TYPES	6,100	5,100
Unobligated balances		-1,000
28 ITEMS LESS THAN \$5 MILLION	10,006	9,506
Unobligated balances		-500
29 AMMUNITION PECULIAR EQUIPMENT	17,275	13,528
Excess to requirement		-3,747
32 PROVISION OF INDUSTRIAL FACILITIES	222,269	242,269
Program increase		20,000

OTHER PROCUREMENT, ARMY

The agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL

OTHER PROCUREMENT, ARMY		
TACTICAL AND SUPPORT VEHICLES		
TACTICAL VEHICLES		
1 TACTICAL TRAILERS/DOLLY SETS.....	3,733	2,578
2 SEMITRAILERS, FLATBED:.....	3,716	3,716
3 HIGH MOBILITY MULTI-PURPOSE WHEELED VEHICLE (HMMWV)...	---	50,000
4 GROUND MOBILITY VEHICLES (GMV).....	4,907	4,907
5 ARNG HMMWV MODERNIZATION PROGRAM.....	---	160,000
6 JOINT LIGHT TACTICAL VEHICLE.....	587,514	587,514
7 TRUCK, DUMP, 20t (CCE).....	3,927	3,927
8 FAMILY OF MEDIUM TACTICAL VEH (FMTV).....	53,293	53,293
9 FIRETRUCKS & ASSOCIATED FIREFIGHTING EQUIPMEN.....	7,460	7,460
10 FAMILY OF HEAVY TACTICAL VEHICLES (FHTV).....	39,564	33,594
11 PLS ESP.....	11,856	11,856
13 TACTICAL WHEELED VEHICLE PROTECTION KITS.....	49,751	45,251
14 MODIFICATION OF IN SVC EQUIP.....	64,000	64,000
15 MINE-RESISTANT AMBUSH-PROTECTED MODS.....	10,611	10,611
NON-TACTICAL VEHICLES		
16 HEAVY ARMORED SEDAN.....	394	394
18 NONTACTICAL VEHICLES, OTHER.....	1,755	1,755
TOTAL, TACTICAL AND SUPPORT VEHICLES.....	842,481	1,040,856
COMMUNICATIONS AND ELECTRONICS EQUIPMENT		
COMM - JOINT COMMUNICATIONS		
19 WIN-T - GROUND FORCES TACTICAL NETWORK.....	427,598	541,598
20 SIGNAL MODERNIZATION PROGRAM.....	58,250	58,250
21 JOINT INCIDENT SITE COMMUNICATIONS CAPABILITY.....	5,749	5,749
22 JCSE EQUIPMENT (USREDCOM).....	5,068	5,068
COMM - SATELLITE COMMUNICATIONS		
23 DEFENSE ENTERPRISE WIDEBAND SATCOM SYSTEMS.....	143,805	143,805
24 TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS.....	36,580	36,580
25 SHF TERM.....	1,985	1,985
27 SMART-T (SPACE).....	9,165	9,165

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL
COMM - C3 SYSTEM		
31 ARMY GLOBAL CMD & CONTROL SYS (AGCCS).....	2,530	2,530
COMM - COMBAT COMMUNICATIONS		
33 HANDHELD MANPACK SMALL FORM FIT (HMS).....	273,645	273,645
34 MID-TIER NETWORKING VEHICULAR RADIO (MNVR).....	25,017	25,017
35 RADIO TERMINAL SET, MIDS LVT(2).....	12,326	12,326
37 TRACTOR DESK.....	2,034	2,034
38 TRACTOR RIDE.....	2,334	2,334
39 SPIDER APLA REMOTE CONTROL UNIT.....	1,985	1,428
40 SPIDER FAMILY OF NETWORKED MUNITIONS INCREASE.....	10,796	8,796
42 TACTICAL COMMUNICATIONS AND PROTECTIVE SYSTEM.....	3,607	3,607
43 UNIFIED COMMAND SUITE.....	14,295	14,295
45 FAMILY OF MED COMM FOR COMBAT CASUALTY CARE.....	19,893	19,893
COMM - INTELLIGENCE COMM		
47 CI AUTOMATION ARCHITECTURE (MIP).....	1,388	1,388
48 ARMY CA/MISO GPF EQUIPMENT.....	5,494	5,494
49 FAMILY OF BIOMETRICS.....	2,978	2,978
INFORMATION SECURITY		
51 COMMUNICATIONS SECURITY (COMSEC).....	131,356	131,356
52 DEFENSIVE CYBER OPERATIONS.....	15,132	19,132
COMM - LONG HAUL COMMUNICATIONS		
53 BASE SUPPORT COMMUNICATIONS.....	27,452	32,852
COMM - BASE COMMUNICATIONS		
54 INFORMATION SYSTEMS.....	122,055	114,555
55 EMERGENCY MANAGEMENT MODERNIZATION PROGRAM.....	4,286	4,286
56 INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM.....	131,794	126,794

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL
ELECT EQUIP		
ELECT EQUIP - TACT INT REL ACT (TIARA)		
59 JTT/CIBS-M (MIP).....	5,337	5,337
62 DCGS-A (MIP).....	242,514	230,214
63 JOINT TACTICAL GROUND STATION (JTAGS).....	4,417	4,417
64 TROJAN (MIP).....	17,455	17,455
65 MOD OF IN-SVC EQUIP (INTEL SPT) (MIP).....	44,965	44,965
66 CI HUMINT AUTO REPRING AND COLL(CHARCS)(MIP).....	7,658	7,658
67 CLOSE ACCESS TARGET RECONNAISSANCE (CATR).....	7,970	7,970
68 MACHINE FOREIGN LANGUAGE TRANSLATION SYSTEM.....	545	545
ELECT EQUIP - ELECTRONIC WARFARE (EW)		
70 LIGHTWEIGHT COUNTER MORTAR RADAR.....	74,038	68,453
71 EW PLANNING AND MANAGEMENT TOOLS.....	3,235	3,235
72 AIR VIGILANCE (AV).....	733	733
74 FAMILY OF PERSISTENT SURVEILLANCE CAPABILITIES.....	1,740	1,740
75 COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES.....	455	455
76 CI MODERNIZATION (MIP).....	176	176
ELECT EQUIP - TACTICAL SURV. (TAC SURV)		
77 SENTINEL MODS.....	40,171	40,171
78 NIGHT VISION DEVICES.....	163,029	151,029
79 SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF.....	15,885	15,885
80 INDIRECT FIRE PROTECTION FAMILY OF SYSTEMS.....	48,427	58,427
81 FAMILY OF WEAPON SIGHTS (FWS).....	55,536	49,536
82 ARTILLERY ACCURACY EQUIP.....	4,187	4,187
85 JOINT BATTLE COMMAND - PLATFORM (JBC-P).....	137,501	137,501
86 JOINT EFFECTS TARGETING SYSTEM (JETS).....	50,726	48,375
87 MOD OF IN-SERVICE EQUIPMENT (LLDR).....	28,058	28,058
88 COMPUTER BALLISTICS: LHMCB XM32.....	5,924	5,924
89 MORTAR FIRE CONTROL SYSTEM.....	22,331	22,331
90 COUNTERFIRE RADARS.....	314,509	297,509

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL

ELECT EQUIP - TACTICAL C2 SYSTEMS		
91 FIRE SUPPORT C2 FAMILY.....	8,660	8,660
92 AIR & MSL DEFENSE PLANNING & CONTROL SYS (AMD).....	54,376	54,376
93 IAMD BATTLE COMMAND SYSTEM.....	204,969	204,969
94 LIFE CYCLE SOFTWARE SUPPORT (LCSS).....	4,718	4,718
95 NETWORK MANAGEMENT INITIALIZATION AND SERVICE.....	11,063	11,063
96 MANEUVER CONTROL SYSTEM (MCS).....	151,318	151,318
97 GLOBAL COMBAT SUPPORT SYSTEM-ARMY.....	155,660	135,809
98 INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY.....	4,214	4,214
99 RECONNAISSANCE AND SURVEYING INSTRUMENT SET.....	16,185	16,185
100 MOD OF IN-SERVICE EQUIPMENT (ENFIRE).....	1,565	1,565
 ELECT EQUIP - AUTOMATION		
101 ARMY TRAINING MODERNIZATION.....	17,693	17,693
102 AUTOMATED DATA PROCESSING EQUIPMENT.....	107,960	107,960
103 GENERAL FUND ENTERPRISE BUSINESS SYSTEM.....	6,416	6,416
104 HIGH PERF COMPUTING MOD PROGRAM.....	58,614	58,614
105 CONTRACT WRITING SYSTEM.....	986	986
106 RESERVE COMPONENT AUTOMATION SYS (RCAS).....	23,828	23,828
 ELECT EQUIP - AUDIO VISUAL SYS (A/V)		
107 TACTICAL DIGITAL MEDIA.....	1,191	1,191
108 ITEMS LESS THAN \$5M (SURVEYING EQUIPMENT).....	1,995	1,995
 ELECT EQUIP - SUPPORT		
109 PRODUCTION BASE SUPPORT (C-E).....	403	403
999 CLASSIFIED PROGRAMS.....	4,436	4,436

TOTAL, COMMUNICATIONS AND ELECTRONICS EQUIPMENT.....	3,632,369	3,675,625

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL

OTHER SUPPORT EQUIPMENT		
CHEMICAL DEFENSIVE EQUIPMENT		
111 PROTECTIVE SYSTEMS.....	2,966	2,966
112 FAMILY OF NON-LETHAL EQUIPMENT (FNLE).....	9,795	9,795
114 CBRN SOLDIER PROTECTION.....	17,922	17,922
BRIDGING EQUIPMENT		
115 TACTICAL BRIDGING.....	13,553	13,553
116 TACTICAL BRIDGE, FLOAT-RIBBON.....	25,244	25,244
117 BRIDGE SUPPLEMENTAL SET.....	983	---
118 COMMON BRIDGE TRANSPORTER RECAP.....	25,176	25,176
ENGINEER (NON-CONSTRUCTION) EQUIPMENT		
119 GROUND STANDOFF MINE DETECTION SYSTEM (GSTAMIDS).....	39,350	39,350
120 AREA MINE DETECTION SYSTEM (AMIDS).....	10,500	10,500
121 HUSKY MOUNTED DETECTION SYSTEM (HMDS).....	274	274
122 ROBOTIC COMBAT SUPPORT SYSTEM.....	2,951	2,951
123 EOD ROBOTICS SYSTEMS RECAPITALIZATION.....	1,949	1,949
124 ROBOTICS AND APPLIQUE SYSTEMS.....	5,203	5,203
125 EXPLOSIVE ORDNANCE DISPOSAL EQPMT (EOD EQPMT).....	5,570	5,570
126 REMOTE DEMOLITION SYSTEMS.....	6,238	5,238
127 ITEMS LESS THAN \$5M, COUNTERMINE EQUIPMENT.....	836	836
128 FAMILY OF BOATS AND MOTORS.....	3,171	3,171
COMBAT SERVICE SUPPORT EQUIPMENT		
129 HEATERS AND ECU'S.....	18,707	17,707
130 SOLDIER ENHANCEMENT.....	2,112	2,112
131 PERSONNEL RECOVERY SUPPORT SYSTEM (PRSS).....	10,856	10,856
132 GROUND SOLDIER SYSTEM.....	32,419	32,419
133 MOBILE SOLDIER POWER.....	30,014	22,014
135 FIELD FEEDING EQUIPMENT.....	12,544	12,544
136 CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM.....	18,509	18,509
137 FAMILY OF ENGR COMBAT AND CONSTRUCTION SETS.....	29,384	29,384

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL

PETROLEUM EQUIPMENT		
139 QUALITY SURVEILLANCE EQUIPMENT.....	4,487	3,407
140 DISTRIBUTION SYSTEMS, PETROLEUM & WATER.....	42,656	35,656
MEDICAL EQUIPMENT		
141 COMBAT SUPPORT MEDICAL.....	59,761	69,761
MAINTENANCE EQUIPMENT		
142 MOBILE MAINTENANCE EQUIPMENT SYSTEMS.....	35,694	33,694
143 ITEMS LESS THAN \$5.0M (MAINT EQ).....	2,716	2,716
CONSTRUCTION EQUIPMENT		
144 GRADER, ROAD MTZD, HVY, 6X4 (CCE).....	1,742	1,742
145 SCRAPERS, EARTHMOVING.....	26,233	26,233
147 HYDRAULIC EXCAVATOR.....	1,123	1,123
149 ALL TERRAIN CRANES.....	65,285	65,285
151 HIGH MOBILITY ENGINEER EXCAVATOR (HMEE) FOS.....	1,743	16,743
152 ENHANCED RAPID AIRFIELD CONSTRUCTION CAPAP.....	2,779	2,779
154 CONST EQUIP ESP.....	26,712	19,172
155 ITEMS LESS THAN \$5.0M (CONST EQUIP).....	6,649	6,649
RAIL FLOAT CONTAINERIZATION EQUIPMENT		
156 ARMY WATERCRAFT ESP.....	21,860	21,860
157 ITEMS LESS THAN \$5.0M (FLOAT/RAIL).....	1,967	1,967
GENERATORS		
158 GENERATORS AND ASSOCIATED EQUIPMENT.....	113,266	113,266
MATERIAL HANDLING EQUIPMENT		
159 TACTICAL ELECTRIC POWER RECAPITALIZATION.....	7,867	7,867
160 FAMILY OF FORKLIFTS.....	2,307	2,307

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL

TRAINING EQUIPMENT		
161 COMBAT TRAINING CENTERS SUPPORT.....	75,359	75,359
162 TRAINING DEVICES, NONSYSTEM.....	253,050	253,050
163 CLOSE COMBAT TACTICAL TRAINER.....	48,271	48,271
164 AVIATION COMBINED ARMS TACTICAL TRAINER (AVCA.....	40,000	40,000
165 GAMING TECHNOLOGY IN SUPPORT OF ARMY TRAINING.....	11,543	11,543
TEST MEASURE AND DIG EQUIPMENT (TMD)		
166 CALIBRATION SETS EQUIPMENT.....	4,963	4,963
167 INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE).....	29,781	29,781
168 TEST EQUIPMENT MODERNIZATION (TEMOD).....	6,342	6,342
OTHER SUPPORT EQUIPMENT		
169 M25 STABILIZED BINOCULAR.....	3,149	3,149
170 RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT.....	18,003	20,003
171 PHYSICAL SECURITY SYSTEMS (OPA3).....	44,082	44,082
172 BASE LEVEL COM'L EQUIPMENT.....	2,168	2,168
173 MODIFICATION OF IN-SVC EQUIPMENT (OPA-3).....	67,367	74,867
174 PRODUCTION BASE SUPPORT (OTH).....	1,528	1,528
175 SPECIAL EQUIPMENT FOR USER TESTING.....	8,289	14,289
177 TRACTOR YARD.....	6,888	6,888

TOTAL, OTHER SUPPORT EQUIPMENT.....	1,371,856	1,383,753
SPARE AND REPAIR PARTS		
179 INITIAL SPARES - C&E.....	27,243	27,243
XX LOGISTICS AUTOMATION.....	---	19,851

TOTAL, OTHER PROCUREMENT, ARMY.....	5,873,949	6,147,328
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EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1	Budget Request	Final Bill
1 TACTICAL TRAILERS/DOLLY SETS	3,733	2,578
PVT early to need		-1,155
3 HI MOB MULTI-PURP WHLD VEH (HMMWV)	0	50,000
Program increase - HMMWV ambulance modernization for active Army		50,000
5 ARMY NATIONAL GUARD HMMWV MODERNIZATION PROGRAM	0	160,000
Program increase - HMMWV for Army National Guard		100,000
Program increase - HMMWV ambulances for Army National Guard and Army Reserve		60,000
10 FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)	39,564	33,594
Unit cost growth		-5,970
13 TACTICAL WHEELED VEHICLE PROTECTION KITS	49,751	45,251
Unit cost growth		-4,500
19 WIN-T - GROUND FORCES TACTICAL NETWORK	427,598	541,598
Program increase		114,000
39 SPIDER APLA REMOTE CONTROL UNIT	1,985	1,428
Fielding cost growth		-557
40 SPIDER FAMILY OF NETWORKED MUNITIONS INCREASE	10,796	8,796
Engineering cost growth		-2,000
52 DEFENSIVE CYBER OPERATIONS	15,132	19,132
Program increase		4,000
53 BASE SUPPORT COMMUNICATIONS	27,452	32,852
Program increase - USAEUR land mobile radio upgrade		5,400
54 INFORMATION SYSTEMS	122,055	114,555
Underexecution		-7,500
56 INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM	131,794	126,794
Excess government management cost growth		-5,000
62 DCGS-A (MIP)	242,514	230,214
Technology refresh growth		-12,300
70 LIGHTWEIGHT COUNTER MORTAR RADAR	74,038	68,453
Unit cost growth		-5,585
78 NIGHT VISION DEVICES	163,029	151,029
Maintain level of effort		-12,000
80 INDIRECT FIRE PROTECTION FAMILY OF SYSTEMS	48,427	58,427
Program increase - RAM warn communication enhancement		10,000
81 FAMILY OF WEAPON SIGHTS (FWS)	55,536	49,536
Underexecution		-6,000

P-1	Budget Request	Final Bill
86 JOINT EFFECTS TARGETING SYSTEM (JETS) Non-recurring engineering previously funded	50,726	48,375 -2,351
90 COUNTERFIRE RADARS Unit cost growth	314,509	297,509 -17,000
97 GLOBAL COMBAT SUPPORT SYSTEM-ARMY Army requested transfer to Logistics Automation	155,660	135,809 -19,851
117 BRIDGE SUPPLEMENTAL SET Procurement early to need	983	0 -983
126 REMOTE DEMOLITION SYSTEMS Schedule slip	6,238	5,238 -1,000
129 HEATERS AND ECUS Underexecution	18,707	17,707 -1,000
133 MOBILE SOLDIER POWER Underexecution	30,014	22,014 -8,000
139 QUALITY SURVEILLANCE EQUIPMENT Unit cost growth	4,487	3,407 -1,080
140 DISTRIBUTION SYSTEMS, PETROLEUM & WATER Maintain level of effort	42,656	35,656 -7,000
141 COMBAT SUPPORT MEDICAL Program increase	59,761	69,761 10,000
142 MOBILE MAINTENANCE EQUIPMENT SYSTEMS Maintain level of effort	35,694	33,694 -2,000
151 HIGH MOBILITY ENGINEER EXCAVATOR (HMEE) Program increase	1,743	16,743 15,000
154 CONST EQUIP ESP Unit cost growth	26,712	19,172 -7,540
170 RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT Program increase	18,003	20,003 2,000
173 MODIFICATION OF IN-SVC EQUIPMENT (OPA-3) Program increase - laser leveling systems	67,367	74,867 7,500
175 SPECIAL EQUIPMENT FOR USER TESTING Program increase	8,289	14,289 6,000
XX LOGISTICS AUTOMATION Army requested transfer from line 97	0	19,851 19,851

AIRCRAFT PROCUREMENT, NAVY

The agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL

AIRCRAFT PROCUREMENT, NAVY		
COMBAT AIRCRAFT		
2 F/A-18E/F (FIGHTER) HORNET (MYP).....	---	979,000
3 JOINT STRIKE FIGHTER	890,650	1,312,250
4 JOINT STRIKE FIGHTER (AP-CY).....	80,908	80,908
5 JSF STOVL.....	2,037,768	2,291,968
6 JSF STOVL (AP-CY).....	233,648	233,648
7 CH-53K (HEAVY LIFT)	348,615	332,315
8 CH-53K (HEAVY LIFT) (AP-CY).....	88,365	84,169
9 V-22 (MEDIUM LIFT).....	1,264,134	1,392,134
10 V-22 (MEDIUM LIFT) (AP-CY).....	19,674	19,674
11 UH-1Y/AH-1Z.....	759,778	805,778
12 UH-1Y/AH-1Z (AP-CY).....	57,232	49,208
14 MH-60R.....	61,177	53,177
16 P-8A POSEIDON.....	1,940,238	1,820,238
17 P-8A POSEIDON (AP-CY).....	123,140	123,140
18 E-2D ADV HAWKEYE.....	916,483	916,483
19 E-2D ADV HAWKEYE (AP-CY).....	125,042	125,042

TOTAL, COMBAT AIRCRAFT.....	8,946,852	10,619,132
TRAINER AIRCRAFT		
20 JPATS.....	5,849	5,849

TOTAL, TRAINER AIRCRAFT.....	5,849	5,849

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL

OTHER AIRCRAFT		
21 KC-130J.....	128,870	118,882
22 KC-130J (AP-CY).....	24,848	24,848
23 MQ-4 TRITON.....	409,005	444,242
24 MQ-4 TRITON (AP-CY).....	55,652	55,652
25 MQ-8 UAV.....	72,435	113,635
27A C-40.....	---	207,000

TOTAL, OTHER AIRCRAFT.....	690,810	964,259

MODIFICATION OF AIRCRAFT		
29 AEA SYSTEMS.....	51,900	50,457
30 AV-8 SERIES.....	60,818	54,895
31 ADVERSARY.....	5,191	5,191
32 F-18 SERIES.....	1,023,492	988,192
34 H-53 SERIES.....	46,095	48,895
35 SH-60 SERIES.....	108,328	106,506
36 H-1 SERIES.....	46,333	69,733
37 EP-3 SERIES.....	14,681	14,681
38 P-3 SERIES.....	2,781	2,781
39 E-2 SERIES.....	32,949	30,949
40 TRAINER A/C SERIES.....	13,199	11,328
41 C-2A.....	19,066	19,066
42 C-130 SERIES.....	61,788	53,788
43 FEWSG.....	618	618
44 CARGO/TRANSPORT A/C SERIES.....	9,822	9,822
45 E-6 SERIES.....	222,077	208,544
46 EXECUTIVE HELICOPTERS SERIES.....	66,835	63,754

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL
47 SPECIAL PROJECT AIRCRAFT.....	16,497	16,497
48 T-45 SERIES.....	114,887	105,267
49 POWER PLANT CHANGES.....	16,893	14,893
50 JPATS SERIES.....	17,401	13,414
51 COMMON ECM EQUIPMENT.....	143,773	140,773
52 COMMON AVIONICS CHANGES.....	164,839	159,839
53 COMMON DEFENSIVE WEAPON SYSTEM.....	4,403	4,403
54 ID SYSTEMS.....	45,768	42,270
55 P-8 SERIES.....	18,836	18,036
56 MAGTF EW FOR AVIATION.....	5,676	4,244
57 MQ-8 SERIES.....	19,003	19,003
58 RQ-7 SERIES.....	3,534	1,534
59 V-22 (TILT/ROTOR ACFT) OSPREY.....	141,545	141,545
60 F-35 STOVL SERIES.....	34,928	31,436
61 F-35 CV SERIES.....	26,004	21,833
62 QUICK REACTION CAPABILITY (QRC).....	5,476	5,476
TOTAL, MODIFICATION OF AIRCRAFT.....	2,565,436	2,479,663
AIRCRAFT SPARES AND REPAIR PARTS		
63 SPARES AND REPAIR PARTS.....	1,407,626	1,602,551
AIRCRAFT SUPPORT EQUIPMENT AND FACILITIES		
64 COMMON GROUND EQUIPMENT.....	390,103	365,282
65 AIRCRAFT INDUSTRIAL FACILITIES.....	23,194	23,194
66 WAR CONSUMABLES.....	40,613	36,740
67 OTHER PRODUCTION CHARGES.....	860	860
68 SPECIAL SUPPORT EQUIPMENT.....	36,282	36,282
69 FIRST DESTINATION TRANSPORTATION.....	1,523	1,523
TOTAL, AIRCRAFT SUPPORT EQUIPMENT & FACILITIES.....	492,575	463,881
TOTAL, AIRCRAFT PROCUREMENT, NAVY.....	14,109,148	16,135,335

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1	Budget Request	Final Bill
2 F/A-18E/F (FIGHTER) HORNET (MYP)	0	979,000
Program increase - 12 additional aircraft		979,000
3 JOINT STRIKE FIGHTER	890,650	1,312,250
Program increase - two additional aircraft for the Navy and two additional aircraft for the Marine Corps		500,000
Unit cost growth		-78,400
5 JSF STOVL	2,037,768	2,291,968
Program increase - two additional aircraft		254,200
7 CH-53K (HEAVY LIFT)	348,615	332,315
Recurring costs excess to need		-6,300
Support equipment early to need		-10,000
8 CH-53K (HEAVY LIFT) (AP-CY)	88,365	84,169
Excess to need		-4,196
9 V-22 (MEDIUM LIFT)	1,264,134	1,392,134
Program adjustment		-5,000
Support cost growth		-15,000
Program increase - two additional aircraft		148,000
11 UH-1Y/AH-1Z	759,778	805,778
Unit cost growth		-12,000
Excess program growth		-6,000
Program increase - two additional aircraft		64,000
12 UH-1Y/AH-1Z (AP-CY)	57,232	49,208
Funding carryover from reduction in aircraft		-8,024
14 MH-60R	61,177	53,177
Field activity funding early to need		-8,000
16 P-8A POSEIDON	1,940,238	1,820,238
Unit cost growth		-77,000
Excess program growth		-43,000
21 KC-130J	128,870	118,882
Contract savings carryover		-9,988
23 MQ-4 TRITON	409,005	444,242
Unit cost savings		-12,880
Unit cost growth		-32,750
Production engineering support excess growth		-14,133
Program increase - one additional system		95,000
25 MQ-8 UAV	72,435	113,635
Unit cost savings		-6,400
Program increase - four additional aircraft		47,600
27A C-40	0	207,000
Two additional aircraft for the Navy Reserve		207,000

P-1	Budget Request	Final Bill
29 AEA SYSTEMS	51,900	50,457
Other support growth (OSIP 007-11)		-1,033
Hardback cost growth (OSIP 007-11)		-410
30 AV-8 SERIES	60,818	54,895
Installation kit cost growth (OSIP 006-06)		-1,500
Excess installation (OSIP 006-06)		-4,423
32 F-18 SERIES	1,023,492	988,192
Program adjustment		-40,300
Program increase - electronic warfare upgrades		5,000
34 H-53 SERIES	46,095	48,895
Program increase - CH-53 readiness		2,800
35 SH-60 SERIES	108,328	106,506
Installations kit non-recurring cost growth (OSIP 018-12)		-1,822
36 H-1 SERIES	46,333	69,733
Program increase - H-1 readiness		23,400
39 E-2 SERIES	32,949	30,949
Excess support growth (OSIP 009-16)		-2,000
40 TRAINER A/C SERIES	13,199	11,328
Installation kit carryover (OSIP 005-04)		-1,871
42 C-130 SERIES	61,788	53,788
Prior year carryover		-8,000
45 E-6 SERIES	222,077	208,544
Installation kit non-recurring growth (OSIP 003-04)		-3,000
Excess support growth (OSIP 003-04)		-5,309
Installation kit non-recurring growth (OSIP 012-07)		-3,000
Training growth (OSIP 008-10)		-424
APU kit cost growth (OSIP 002-12)		-1,800
46 EXECUTIVE HELICOPTERS SERIES	66,835	63,754
Excess support growth (OSIP 014-02)		-3,081
48 T-45 SERIES	114,887	105,267
Main landing gear kit previously funded (OSIP 008-95)		-169
Installation previously funded (OSIP 008-95)		-2,858
Installation kits previously funded (OSIP 003-03)		-2,602
Support carryover (OSIP 006-16)		-3,991
49 POWER PLANT CHANGES	16,893	14,893
Excess support growth		-2,000
50 JPATS SERIES	17,401	13,414
Aircraft retrofit kits previously funded (OSIP 007-16)		-3,050
Installation cost growth (OSIP 007-16)		-937
51 COMMON ECM EQUIPMENT	143,773	140,773
ALQ-214 kit cost growth (OSIP 004-12)		-3,000
52 COMMON AVIONICS CHANGES	164,839	159,839
Excess cost growth		-5,000

P-1	Budget Request	Final Bill
54 ID SYSTEMS	45,768	42,270
Installation kit cost growth (OSIP 15-03)		-3,498
55 P-8 SERIES	18,836	18,036
Prior year carryover		-800
56 MAGTF EW FOR AVIATION	5,676	4,244
ALQ-23(V)3 installation kits previously funded (OSIP 010-13)		-1,432
58 RQ-7 SERIES	3,534	1,534
Prior year carryover		-2,000
60 F-35 STOVL SERIES	34,928	31,436
Support carryover (OSIP 023-14)		-3,492
61 F-35 CV SERIES	26,004	21,833
Support carryover (OSIP 016-14)		-1,050
Support carryover (OSIP 024-14)		-3,121
63 SPARES AND REPAIR PARTS	1,407,626	1,602,551
MQ-4 Triton spares excess to need		-10,575
Program increase - spares and repair parts for the Marine Corps		205,500
64 COMMON GROUND EQUIPMENT	390,103	365,282
H-60S technology refresh upgrades contract delay		-5,821
Prior year carryover		-19,000
66 WAR CONSUMABLES	40,613	36,740
BRU-66 unit cost growth		-3,873

WEAPONS PROCUREMENT, NAVY

The agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL

WEAPONS PROCUREMENT, NAVY		
BALLISTIC MISSILES		
MODIFICATION OF MISSILES		
1 TRIDENT II MODS.....	1,103,086	1,099,086
SUPPORT EQUIPMENT AND FACILITIES		
2 MISSILE INDUSTRIAL FACILITIES.....	6,776	6,776

TOTAL, BALLISTIC MISSILES.....	1,109,862	1,105,862
OTHER MISSILES		
STRATEGIC MISSILES		
3 TOMAHAWK.....	186,905	219,105
TACTICAL MISSILES		
4 AMRAAM.....	204,697	197,263
5 SIDEWINDER.....	70,912	70,912
6 JSOW.....	2,232	2,232
7 STANDARD MISSILE.....	501,212	491,212
8 RAM.....	71,557	71,557
9 JOINT AIR GROUND MISSILE (JAGM).....	26,200	21,922
12 STAND OFF PRECISION GUIDED MUNITION.....	3,316	3,316
13 AERIAL TARGETS.....	137,484	136,684
14 OTHER MISSILE SUPPORT.....	3,248	3,248
15 LRASM.....	29,643	29,643
MODIFICATION OF MISSILES		
16 ESSM.....	52,935	50,817
18 HARM MODS.....	178,213	176,252
19 STANDARD MISSILES MODS.....	8,164	8,164
SUPPORT EQUIPMENT AND FACILITIES		
20 WEAPONS INDUSTRIAL FACILITIES.....	1,964	1,964
21 FLEET SATELLITE COMM FOLLOW-ON.....	36,723	33,723
ORDNANCE SUPPORT EQUIPMENT		
22 ORDNANCE SUPPORT EQUIPMENT.....	59,096	59,096

TOTAL, OTHER MISSILES.....	1,574,501	1,577,110

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL

TORPEDOES AND RELATED EQUIPMENT		
TORPEDOES AND RELATED EQUIP		
23 SSTD.....	5,910	5,910
24 MK-48 TORPEDO.....	44,537	43,037
25 ASW TARGETS.....	9,302	9,106
26 MK-54 TORPEDO MODS.....	98,092	97,092
MOD OF TORPEDOES AND RELATED EQUIP		
27 MK-48 TORPEDO ADCAP MODS.....	46,139	46,139
28 QUICKSTRIKE MINE.....	1,236	1,236
SUPPORT EQUIPMENT		
29 TORPEDO SUPPORT EQUIPMENT.....	60,061	54,971
30 ASW RANGE SUPPORT.....	3,706	3,706
DESTINATION TRANSPORTATION		
31 FIRST DESTINATION TRANSPORTATION.....	3,804	3,804

TOTAL, TORPEDOES AND RELATED EQUIPMENT.....	272,787	265,001
OTHER WEAPONS		
GUNS AND GUN MOUNTS		
32 SMALL ARMS AND WEAPONS.....	18,002	18,002
MODIFICATION OF GUNS AND GUN MOUNTS		
33 CIWS MODS.....	50,900	50,900
34 COAST GUARD WEAPONS.....	25,295	25,295
35 GUN MOUNT MODS.....	77,003	77,003
36 LCS MODULE WEAPONS.....	2,776	2,776
37 CRUISER MODERNIZATION WEAPONS.....	---	67,200
38 AIRBORNE MINE NEUTRALIZATION SYSTEMS.....	15,753	13,753

TOTAL, OTHER WEAPONS.....	189,729	254,929
40 SPARES AND REPAIR PARTS.....	62,383	62,383

TOTAL, WEAPONS PROCUREMENT, NAVY.....	3,209,262	3,265,285
=====		

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1	Budget Request	Final Bill
1 TRIDENT II MODS	1,103,086	1,099,086
Excess program growth		-4,000
3 TOMAHAWK	186,905	219,105
Tomahawk unit cost growth		-22,000
MK 14 canister unit cost growth		-2,000
Program increase		56,200
4 AMRAAM	204,697	197,263
Unit cost growth		-7,434
7 STANDARD MISSILE	501,212	491,212
ECP cost growth		-10,000
9 JOINT AIR GROUND MISSILE (JAGM)	26,200	21,922
Unit cost savings		-4,278
13 AERIAL TARGETS	137,484	136,684
Other targets cost savings		-500
Excess support growth		-300
16 ESSM	52,935	50,817
Excess program growth		-2,118
18 HARM MODS	178,213	176,252
Training equipment prior year carryover		-1,961
21 FLEET SATELLITE COMM FOLLOW-ON	36,723	33,723
Ground system updates excess growth		-3,000
24 MK-48 TORPEDO	44,537	43,037
Excess program growth		-1,500
25 ASW TARGETS	9,302	9,106
MK-39 targets unit cost growth		-196
26 MK-54 TORPEDO MODS	98,092	97,092
Diminishing manufacturing sources excess growth		-1,000
29 TORPEDO SUPPORT EQUIPMENT	60,061	54,971
VLA kits excess growth		-3,000
F8100 contract delays		-2,090
37 CRUISER MODERNIZATION WEAPONS	0	67,200
Transfer from SMOSF		67,200
38 AIRBORNE MINE NEUTRALIZATION SYSTEMS	15,753	13,753
Contract delay		-2,000

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

The agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL

PROCUREMENT OF AMMO, NAVY & MARINE CORPS		
PROC AMMO, NAVY		
NAVY AMMUNITION		
1 GENERAL PURPOSE BOMBS.....	91,659	91,659
2 AIRBORNE ROCKETS, ALL TYPES.....	65,759	63,381
3 MACHINE GUN AMMUNITION.....	8,152	8,152
4 PRACTICE BOMBS.....	41,873	41,873
5 CARTRIDGES & CART ACTUATED DEVICES.....	54,002	48,635
6 AIR EXPENDABLE COUNTERMEASURES.....	57,034	56,609
7 JATOS.....	2,735	2,735
9 5 INCH/54 GUN AMMUNITION.....	19,220	17,620
10 INTERMEDIATE CALIBER GUN AMMUNITION.....	30,196	28,096
11 OTHER SHIP GUN AMMUNITION.....	39,009	46,209
12 SMALL ARMS & LANDING PARTY AMMO.....	46,727	46,727
13 PYROTECHNIC AND DEMOLITION.....	9,806	9,806
14 AMMUNITION LESS THAN \$5 MILLION.....	2,900	2,900

TOTAL, PROC AMMO, NAVY.....	469,072	464,402

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL
PROC AMMO, MARINE CORPS		
MARINE CORPS AMMUNITION		
15 SMALL ARMS AMMUNITION.....	27,958	27,022
17 40 MM, ALL TYPES.....	14,758	13,188
18 60MM, ALL TYPES.....	992	992
20 120MM, ALL TYPES.....	16,757	10,427
21 GRENADES, ALL TYPES.....	972	---
22 ROCKETS, ALL TYPES.....	14,186	12,436
23 ARTILLERY, ALL TYPES.....	68,656	64,906
24 DEMOLITION MUNITIONS, ALL TYPES.....	1,700	1,700
25 FUZE, ALL TYPES.....	26,088	20,640
27 AMMO MODERNIZATION.....	14,660	13,396
28 ITEMS LESS THAN \$5 MILLION.....	8,569	4,569
TOTAL, PROC AMMO, MARINE CORPS.....	195,296	169,276
TOTAL, PROCUREMENT OF AMMO, NAVY & MARINE CORPS.....	664,368	633,678

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1	Budget Request	Final Bill
2 AIRBORNE ROCKETS, ALL TYPES	65,759	63,381
APKWS product improvement and production engineering support growth		-2,378
5 CARTRIDGES & CART ACTUATED DEVICES	54,002	48,635
CCU-107 impulse CTG previously funded		-295
MK-122 rockets unit cost growth		-367
MK-123 and MK-124 underseat rocket motors contract delays		-615
Miscellaneous devices program growth		-4,090
6 AIR EXPENDABLE COUNTERMEASURES	57,034	56,609
ALE-55 unit cost growth		-425
9 5 INCH/54 GUN AMMUNITION	19,220	17,620
Renovation components previously funded		-1,600
10 INTERMEDIATE CALIBER GUN AMMUNITION	30,196	28,096
57MM MK 296 contract delay		-2,100
11 OTHER SHIP GUN AMMUNITION	39,009	46,209
Program increase		7,200
15 SMALL ARMS AMMUNITION	27,958	27,022
Production engineering excess growth		-936
17 40 MM, ALL TYPES	14,758	13,188
MK281 unit cost growth		-1,570
20 120MM, ALL TYPES	16,757	10,427
Precision extended range munition developmental delay		-6,330
21 GRENADES, ALL TYPES	972	0
Excess production engineering		-972
22 ROCKETS, ALL TYPES	14,186	12,436
HX07 contract delay		-1,750
23 ARTILLERY, ALL TYPES	68,656	64,906
HE M795 previously funded		-3,750
25 FUZE, ALL TYPES	26,088	20,640
Precision guided fuze unit cost savings		-4,320
Excess production engineering and ECP growth		-1,128
27 AMMO MODERNIZATION	14,660	13,396
Program underexecution		-1,264
28 ITEMS LESS THAN \$5 MILLION	8,569	4,569
Unobligated balances		-4,000

SHIPBUILDING AND CONVERSION, NAVY

The agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL
SHIPBUILDING & CONVERSION, NAVY		
FLEET BALLISTIC MISSILE SHIPS		
1 OHIO REPLACEMENT SUBMARINE.....	773,138	773,138
OTHER WARSHIPS		
2 CARRIER REPLACEMENT PROGRAM.....	1,291,783	1,255,783
3 CARRIER REPLACEMENT PROGRAM (AP-CY).....	1,370,784	1,370,784
4 VIRGINIA CLASS SUBMARINE.....	3,187,985	3,187,985
5 VIRGINIA CLASS SUBMARINE (AP-CY).....	1,767,234	1,852,234
6 CVN REFUELING OVERHAUL.....	1,743,220	1,699,120
7 CVN REFUELING OVERHAULS (AP-CY).....	248,599	233,149
8 DDG 1000.....	271,756	271,756
9 DDG-51.....	3,211,292	3,614,792
11 LITTORAL COMBAT SHIP.....	1,125,625	1,563,692
TOTAL, OTHER WARSHIPS.....	14,218,278	15,049,295
AMPHIBIOUS SHIPS		
14 LPD-17.....	---	1,786,000
16 LHA REPLACEMENT	1,623,024	1,617,719
TOTAL, AMPHIBIOUS SHIPS.....	1,623,024	3,403,719

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL

AUXILIARIES, CRAFT, AND PRIOR-YEAR PROGRAM COSTS		
20 TAO FLEET OILER (AP-CY).....	73,079	73,079
22 MOORED TRAINING SHIP.....	624,527	624,527
25 OUTFITTING.....	666,158	626,158
26 SHIP TO SHORE CONNECTOR.....	128,067	128,067
27 SERVICE CRAFT.....	65,192	65,192
28 LCAC SLEP.....	1,774	82,074
29 YP CRAFT MAINTENANCE/ROH/SLEP.....	21,363	21,363
30 COMPLETION OF PY SHIPBUILDING PROGRAMS.....	160,274	160,274
31 POLAR ICEBREAKERS (AP).....	---	150,000

TOTAL, AUXILIARIES, CRAFT, AND PRIOR-YEAR PROGRAM...	1,740,434	1,930,734

TOTAL, SHIPBUILDING & CONVERSION, NAVY.....	18,354,874	21,156,886
=====		

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1	Budget Request	Final Bill
2 CARRIER REPLACEMENT PROGRAM	1,291,783	1,255,783
Excess cost growth		-20,000
Reduction in change orders growth		-16,000
5 VIRGINIA CLASS SUBMARINE (AP-CY)	1,767,234	1,852,234
Program increase		85,000
6 CVN REFUELING OVERHAUL	1,743,220	1,699,120
C4ISR cost growth		-7,500
Integrated communication network cost growth		-5,000
UCLASS early to need		-26,700
Aviation equipment and support cost growth		-2,100
ROAR cost growth		-2,800
7 CVN REFUELING OVERHAULS (AP-CY)	248,599	233,149
Other costs growth		-7,500
Basic plans growth		-4,300
Electronics cost growth		-3,650
9 DDG-51	3,211,292	3,614,792
Program increase - only for DDG-51 Flight IIA ship partially funded in fiscal year 2016		433,000
Change orders reduction from two ships requested for fiscal year 2017		-29,500
11 LITTORAL COMBAT SHIP	1,125,625	1,563,692
Basic construction excess growth		-21,000
Other electronics cost growth		-3,933
Other costs excess growth		-12,000
Program increase - one additional ship		475,000
14 LPD-17	0	1,786,000
Program increase - additional funding to support LPD 29		1,550,000
Realignment of fiscal year 2016 funds to support LPD 29		236,000
16 LHA REPLACEMENT	1,623,024	1,617,719
Excess change orders		-5,305
25 OUTFITTING	666,158	626,158
Outfitting and post delivery funds early to need		-40,000
28 LCAC SLEP	1,774	82,074
Program increase		80,300
31 POLAR ICEBREAKERS (AP)	0	150,000
Program increase - advance procurement for the polar icebreaker recapitalization project		150,000

DDG-51 FLIGHT IIA DESTROYERS

The Navy currently is procuring DDG-51 Flight IIA destroyers under a fiscal year 2013 to fiscal year 2017 multi-year procurement shipbuilding contract awarded in June 2013, as authorized by section 8010 of Public Law 113-6. Additionally, the Navy is addressing increasing ballistic and cruise missile threats through the development and acquisition of an Air and Missile Defense Radar, which is planned for integration on the DDG-51 class of ships through an engineering change proposal, resulting in a new Flight III configuration. However, a recent Government Accountability Office report (GAO 16-613) details concerns regarding a lack of suf-

ficient acquisition and limited detail design knowledge to support the Navy's current Flight III procurement strategy. Further concerns remain regarding the full costs of DDG-51 Flight III destroyers. Therefore, the Secretary of the Navy should award and complete the additional DDG-51 ship, fully funded in fiscal years 2016 and 2017, as an additional DDG-51 Flight IIA ship. The Secretary of the Navy is directed to expeditiously award this ship construction contract.

POLAR ICEBREAKER RECAPITALIZATION PROJECT

The Navy and the Coast Guard are collaborating to refine requirements and an acquisi-

tion strategy for procurement of an affordable polar icebreaker. This collaboration continues to refine program costs and requirements in an effort to award a detailed design and construction contract for the lead ship in fiscal year 2019. The agreement supports this effort and provides \$150,000,000 in advance procurement funding to buy long-lead time material for the program's initial ship. The Coast Guard is encouraged to budget for follow-on efforts.

OTHER PROCUREMENT, NAVY

The agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL

OTHER PROCUREMENT, NAVY		
SHIPS SUPPORT EQUIPMENT		
SHIP PROPULSION EQUIPMENT		
3	SURFACE POWER EQUIPMENT.....	15,514 15,514
4	HYBRID ELECTRIC DRIVE (HED).....	40,132 35,933
GENERATORS		
5	SURFACE COMBATANT HM&E.....	29,974 27,447
NAVIGATION EQUIPMENT		
6	OTHER NAVIGATION EQUIPMENT.....	63,942 62,971
PERISCOPES		
7	SUB PERISCOPES AND IMAGING SUPPORT EQUIPMENT PROGRAM..	136,421 133,963
OTHER SHIPBOARD EQUIPMENT		
9	DDG MOD.....	367,766 364,614
10	FIREFIGHTING EQUIPMENT.....	14,743 13,752
11	COMMAND AND CONTROL SWITCHBOARD.....	2,140 2,140
12	LHA/LHD MIDLIFE.....	24,939 22,768
14	POLLUTION CONTROL EQUIPMENT.....	20,191 16,510
15	SUBMARINE SUPPORT EQUIPMENT.....	8,995 8,995
16	VIRGINIA CLASS SUPPORT EQUIPMENT.....	66,838 63,908
17	LCS CLASS SUPPORT EQUIPMENT.....	54,823 43,819
18	SUBMARINE BATTERIES.....	23,359 22,459
19	LPD CLASS SUPPORT EQUIPMENT.....	40,321 33,992
20	DOG-1000 SUPPORT EQUIPMENT.....	33,404 33,404
21	STRATEGIC PLATFORM SUPPORT EQUIP.....	15,836 14,571
22	DSSP EQUIPMENT.....	806 806
23	CRUISER MODERNIZATION.....	--- 248,820
24	LCAC.....	3,090 3,090
25	UNDERWATER EOD PROGRAMS.....	24,350 24,350
26	ITEMS LESS THAN \$5 MILLION.....	88,719 64,054

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL
27 CHEMICAL WARFARE DETECTORS.....	2,873	2,873
28 SUBMARINE LIFE SUPPORT SYSTEM.....	6,043	4,543
REACTOR PLANT EQUIPMENT		
30 REACTOR COMPONENTS.....	342,158	342,158
OCEAN ENGINEERING		
31 DIVING AND SALVAGE EQUIPMENT.....	8,973	8,176
SMALL BOATS		
32 STANDARD BOATS.....	43,684	59,033
PRODUCTION FACILITIES EQUIPMENT		
34 OPERATING FORCES IPE.....	75,421	71,921
OTHER SHIP SUPPORT		
35 NUCLEAR ALTERATIONS.....	172,718	172,718
36 LCS COMMON MISSION MODULES EQUIPMENT.....	27,840	15,670
37 LCS MCM MISSION MODULES.....	57,146	29,724
38 LCS ASW MISSION MODULES.....	31,952	---
39 LCS SUW MISSION MODULES.....	22,466	21,064
LOGISTICS SUPPORT		
41 LSD MIDLIFE.....	10,813	10,813
TOTAL, SHIPS SUPPORT EQUIPMENT.....	1,878,390	1,996,573
COMMUNICATIONS AND ELECTRONICS EQUIPMENT		
SHIP SONARS		
42 SPQ-9B RADAR.....	14,363	10,376
43 AN/SQQ-89 SURF ASW COMBAT SYSTEM.....	90,029	87,824
45 SSN ACOUSTICS EQUIPMENT.....	248,765	268,765
46 UNDERSEA WARFARE SUPPORT EQUIPMENT.....	7,163	7,163

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL

ASW ELECTRONIC EQUIPMENT		
48 SUBMARINE ACOUSTIC WARFARE SYSTEM.....	21,291	21,291
49 SSTD.....	6,893	6,893
50 FIXED SURVEILLANCE SYSTEM.....	145,701	145,701
51 SURTASS.....	36,136	33,743
ELECTRONIC WARFARE EQUIPMENT		
53 AN/SLQ-32.....	274,892	244,001
RECONNAISSANCE EQUIPMENT		
54 SHIPBOARD IW EXPLOIT.....	170,733	169,021
55 AUTOMATED IDENTIFICATION SYSTEM (AIS).....	958	764
OTHER SHIP ELECTRONIC EQUIPMENT		
57 COOPERATIVE ENGAGEMENT CAPABILITY.....	22,034	17,965
59 NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCSS).....	12,336	12,336
60 ATDLS.....	30,105	27,921
61 NAVY COMMAND AND CONTROL SYSTEM (NCCS).....	4,556	4,556
62 MINESWEEPING SYSTEM REPLACEMENT.....	56,675	35,444
63 SHALLOW WATER MCM.....	8,875	8,875
64 NAVSTAR GPS RECEIVERS (SPACE).....	12,752	7,701
65 ARMED FORCES RADIO AND TV.....	4,577	4,577
66 STRATEGIC PLATFORM SUPPORT EQUIP.....	8,972	8,972
AVIATION ELECTRONIC EQUIPMENT		
69 ASHORE ATC EQUIPMENT.....	75,068	71,892
70 AFLOAT ATC EQUIPMENT.....	33,484	32,011
76 ID SYSTEMS.....	22,177	22,177
77 NAVAL MISSION PLANNING SYSTEMS.....	14,273	13,910
80 TACTICAL/MOBILE C41 SYSTEMS.....	27,927	24,178

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL
OTHER SHORE ELECTRONIC EQUIPMENT		
81 DCGS-N.....	12,676	11,610
82 CANES.....	212,030	207,730
83 RADIAC.....	8,092	8,092
84 CANES-INTELL.....	36,013	35,313
85 GPETE.....	6,428	6,428
87 INTEG COMBAT SYSTEM TEST FACILITY.....	8,376	8,376
88 EMI CONTROL INSTRUMENTATION.....	3,971	3,971
89 ITEMS LESS THAN \$5 MILLION.....	58,721	47,664
SHIPBOARD COMMUNICATIONS		
90 SHIPBOARD TACTICAL COMMUNICATIONS.....	17,366	10,383
91 SHIP COMMUNICATIONS AUTOMATION.....	102,479	101,087
92 COMMUNICATIONS ITEMS UNDER \$5M.....	10,403	10,403
SUBMARINE COMMUNICATIONS		
93 SUBMARINE BROADCAST SUPPORT.....	34,151	31,459
94 SUBMARINE COMMUNICATION EQUIPMENT.....	64,529	62,879
SATELLITE COMMUNICATIONS		
95 SATELLITE COMMUNICATIONS SYSTEMS.....	14,414	14,414
96 NAVY MULTIBAND TERMINAL (NMT).....	38,365	33,992
SHORE COMMUNICATIONS		
97 JCS COMMUNICATIONS EQUIPMENT.....	4,156	4,156
CRYPTOGRAPHIC EQUIPMENT		
99 INFO SYSTEMS SECURITY PROGRAM (ISSP).....	85,694	93,205
100 MIO INTEL EXPLOITATION TEAM.....	920	920
CRYPTOLOGIC EQUIPMENT		
101 CRYPTOLOGIC COMMUNICATIONS EQUIP.....	21,098	21,098
OTHER ELECTRONIC SUPPORT		
102 COAST GUARD EQUIPMENT.....	32,291	32,291
TOTAL, COMMUNICATIONS AND ELECTRONICS EQUIPMENT.....	2,122,908	2,033,528

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL

AVIATION SUPPORT EQUIPMENT		
SONOBUOYS		
103 SONOBUOYS - ALL TYPES.....	162,588	158,588
AIRCRAFT SUPPORT EQUIPMENT		
104 WEAPONS RANGE SUPPORT EQUIPMENT.....	58,116	58,116
105 AIRCRAFT SUPPORT EQUIPMENT.....	120,324	115,551
106 METEOROLOGICAL EQUIPMENT.....	29,253	29,253
107 OTHER PHOTOGRAPHIC EQUIPMENT (DCRS/DPL).....	632	632
108 AIRBORNE MINE COUNTERMEASURES.....	29,097	27,542
109 AVIATION SUPPORT EQUIPMENT.....	39,099	29,528
	-----	-----
TOTAL, AVIATION SUPPORT EQUIPMENT.....	439,109	419,210
ORDNANCE SUPPORT EQUIPMENT		
SHIP GUN SYSTEM EQUIPMENT		
110 SHIP GUN SYSTEMS EQUIPMENT.....	6,191	6,191
SHIP MISSILE SYSTEMS EQUIPMENT		
111 SHIP MISSILE SUPPORT EQUIPMENT.....	320,446	307,446
112 TOMAHAWK SUPPORT EQUIPMENT.....	71,046	67,062
FBM SUPPORT EQUIPMENT		
113 STRATEGIC MISSILE SYSTEMS EQUIP.....	215,138	215,138
ASW SUPPORT EQUIPMENT		
114 SSN COMBAT CONTROL SYSTEMS.....	130,715	130,715
115 ASW SUPPORT EQUIPMENT.....	26,431	26,431
OTHER ORDNANCE SUPPORT EQUIPMENT		
116 EXPLOSIVE ORDNANCE DISPOSAL EQUIP.....	11,821	11,821
117 ITEMS LESS THAN \$5 MILLION.....	6,243	6,243
OTHER EXPENDABLE ORDNANCE		
118 SUBMARINE TRAINING DEVICE MODS.....	48,020	46,746
120 SURFACE TRAINING EQUIPMENT.....	97,514	87,714
	-----	-----
TOTAL, ORDNANCE SUPPORT EQUIPMENT.....	933,565	905,507

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL

CIVIL ENGINEERING SUPPORT EQUIPMENT		
121 PASSENGER CARRYING VEHICLES.....	8,853	8,853
122 GENERAL PURPOSE TRUCKS.....	4,928	4,794
123 CONSTRUCTION & MAINTENANCE EQUIP.....	18,527	18,527
124 FIRE FIGHTING EQUIPMENT.....	13,569	13,569
125 TACTICAL VEHICLES.....	14,917	13,824
126 AMPHIBIOUS EQUIPMENT.....	7,676	7,676
127 POLLUTION CONTROL EQUIPMENT.....	2,321	2,321
128 ITEMS UNDER \$5 MILLION.....	12,459	8,436
129 PHYSICAL SECURITY VEHICLES.....	1,095	1,095

TOTAL, CIVIL ENGINEERING SUPPORT EQUIPMENT.....	84,345	79,095
SUPPLY SUPPORT EQUIPMENT		
131 SUPPLY EQUIPMENT.....	16,023	16,023
133 FIRST DESTINATION TRANSPORTATION.....	5,115	5,115
134 SPECIAL PURPOSE SUPPLY SYSTEMS.....	295,471	295,471

TOTAL, SUPPLY SUPPORT EQUIPMENT.....	316,609	316,609

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL
PERSONNEL AND COMMAND SUPPORT EQUIPMENT		
TRAINING DEVICES		
136 TRAINING AND EDUCATION EQUIPMENT.....	9,504	6,347
COMMAND SUPPORT EQUIPMENT		
137 COMMAND SUPPORT EQUIPMENT.....	37,180	29,980
139 MEDICAL SUPPORT EQUIPMENT.....	4,128	11,959
141 NAVAL MIP SUPPORT EQUIPMENT.....	1,925	1,925
142 OPERATING FORCES SUPPORT EQUIPMENT.....	4,777	4,777
143 C4ISR EQUIPMENT.....	9,073	9,073
144 ENVIRONMENTAL SUPPORT EQUIPMENT.....	21,107	19,439
145 PHYSICAL SECURITY EQUIPMENT.....	100,906	100,906
146 ENTERPRISE INFORMATION TECHNOLOGY.....	67,544	66,200
150 NEXT GENERATION ENTERPRISE SERVICE.....	98,216	98,216
TOTAL, PERSONNEL AND COMMAND SUPPORT EQUIPMENT.....	354,360	348,822
151 SPARES AND REPAIR PARTS.....	199,660	199,660
CLASSIFIED PROGRAMS.....	9,915	9,915
TOTAL, OTHER PROCUREMENT, NAVY.....	6,338,861	6,308,919

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1	Budget Request	Final Bill
4 HYBRID ELECTRIC DRIVE (HED)	40,132	35,933
Installation early to need		-4,199
5 SURFACE COMBATANT HM&E	29,974	27,447
Ship control systems unit cost growth		-2,180
Excess installation		-347
6 OTHER NAVIGATION EQUIPMENT	63,942	62,971
Surface AN/WSN-9 excess installation		-971
8 SUB PERISCOPES, IMAGING AND SUPT EQUIP PROG	136,421	133,963
ISIS technical insertion NRE growth		-2,458
9 DDG MOD	367,766	364,614
Wireless communications installation early to need		-796
AWS upgrade kit cost growth		-1,500
VLS upgrades engineering services excess growth		-856
10 FIREFIGHTING EQUIPMENT	14,743	13,752
EEBD prior year carryover		-262
Magazine sprinkling improvement prior year carryover		-255
Firefighter access kits early to need		-474
12 LHA/LHD MIDLIFE	24,939	22,768
Brushless generator for PMP installation early to need		-1,000
HESC engineering services excess growth		-1,171
14 POLLUTION CONTROL EQUIPMENT	20,191	16,510
HF062 lightering systems unit cost growth		-850
HF031 pollution control equipment field changes (expeditionary warfare) previously funded		-2,831
16 VIRGINIA CLASS SUPPORT EQUIPMENT	66,838	63,908
Ship control system modernization backfit excess installation		-2,930
17 LCS CLASS SUPPORT EQUIPMENT	54,823	43,819
MT-30 gas turbine engine unit cost growth		-10,000
Prior year carryover		-1,004
18 SUBMARINE BATTERIES	23,359	22,459
OHIO class main storage battery previously funded		-900
19 LPD CLASS SUPPORT EQUIPMENT	40,321	33,992
HM&E electrical upgrades kits unit cost growth		-1,463
Installation funding early to need due to contract delays		-4,866
21 STRATEGIC PLATFORM SUPPORT EQUIP	15,836	14,571
Equipment HM&E SWS/SS alteration previously funded		-1,265
23 CG MODERNIZATION	0	248,820
Transfer from SMOSF		248,820

P-1	Budget Request	Final Bill
26 ITEMS LESS THAN \$5 MILLION	88,719	64,054
Propellers and shafts unit cost growth		-849
Training test equipment unjustified request		-3,800
LHD/LHA davits excess installation		-790
JSF support prior year carryover		-838
Machinery plant upgrades installation early to need		-6,135
LSD boat davit installation early to need		-2,153
PCMS excess to need		-10,100
28 SUBMARINE LIFE SUPPORT SYSTEM	6,043	4,543
Prior year carryover		-1,500
31 DIVING AND SALVAGE EQUIPMENT	8,973	8,176
Contaminated water diving equipment unit cost growth		-213
Submarine support system unit cost growth		-584
32 STANDARD BOATS	43,684	59,033
Prior year carryover		-1,051
Program increase		16,400
34 OPERATING FORCES IPE	75,421	71,921
Shipyard capital investment program excess growth		-3,500
36 LCS COMMON MISSION MODULES EQUIPMENT	27,840	15,670
Mission bay training devices excess growth		-12,170
37 LCS MCM MISSION MODULES	57,146	29,724
ALMDS unit cost growth		-4,822
Unmanned surface sweep system early to need		-11,800
Knifefish early to need		-10,800
38 LCS ASW MISSION MODULES	31,952	0
ASW mission module early to need		-31,952
39 LCS SUW MISSION MODULES	22,466	21,064
MK-46 gun weapons system prior year contract savings		-1,402
42 SPQ-9B RADAR	14,363	10,376
AN/SPQ-9B engineering change proposals contract delays		-3,636
AN/SPQ-9B radar FMP kit cost growth		-351
43 AN/SQQ-89 SURF ASW COMBAT SYSTEM	90,029	87,824
Flight I/II upgrade installation funding early to need		-2,205
45 SSN ACOUSTIC EQUIPMENT	248,765	268,765
Program increase		20,000
51 SURTASS	36,136	33,743
Integrated common processor kit cost growth		-2,393
53 AN/SLQ-32	274,892	244,001
Block 3 excess support		-4,270
Block 3T installation prior year carryover		-2,981
Block 2 unit cost growth		-2,640
Block 3 concurrency		-21,000
54 SHIPBOARD IW EXPLOIT	170,733	169,021
Increment F kit cost growth		-1,712

P-1	Budget Request	Final Bill
55 AUTOMATED IDENTIFICATION SYSTEM (AIS)	958	764
AIS procurement unit cost growth		-194
57 COOPERATIVE ENGAGEMENT CAPABILITY	22,034	17,965
SDP processor backfits prior year carryover		-755
Common array block antenna prior year carryover		-3,314
60 ATDLS	30,105	27,921
Installation funding early to need		-2,184
62 MINESWEEPING SYSTEM REPLACEMENT	56,675	35,444
SSQ-94 trainer excess growth		-916
MSF measurement system upgrade excess growth		-4,518
Knifefish early to need		-11,807
Unmanned influence sweep system trainers early to need		-3,990
64 NAVSTAR GPS RECEIVERS (SPACE)	12,752	7,701
NAVWAR kit cost growth		-5,051
69 ASHORE ATC EQUIPMENT	75,068	71,892
AN/FPN-63 par tech refresh kit cost growth		-3,176
70 AFLOAT ATC EQUIPMENT	33,484	32,011
Production engineering excess growth		-1,473
77 NAVAL MISSION PLANNING SYSTEMS	14,273	13,910
JMPS-M flight planning seat unit cost growth		-363
80 TACTICAL/MOBILE C41 SYSTEMS	27,927	24,178
MTOC kit cost growth		-2,986
Excess installation		-763
81 DCGS-N	12,676	11,610
DCGS-N tech refresh kit cost growth		-526
Excess installation		-540
82 CANES	212,030	207,730
Installation funding early to need		-4,300
84 CANES-INTELL	36,013	35,313
Installation funding early to need		-700
89 ITEMS LESS THAN \$5 MILLION	58,721	47,664
Calibration standards unit cost growth		-1,798
DBR engineering change proposals excess growth		-5,259
AN/SPS-48G radar excess installation		-4,000
90 SHIPBOARD TACTICAL COMMUNICATIONS	17,366	10,383
DMR IW and MUOS waveforms upgrade kits previously funded		-5,869
Installation funding early to need		-1,114
91 SHIP COMMUNICATIONS AUTOMATION	102,479	101,087
Shore tactical assured command and control kit cost growth		-1,392
93 SUBMARINE BROADCAST SUPPORT	34,151	31,459
TACAMO unit cost growth		-2,692

P-1	Budget Request	Final Bill
94 SUBMARINE COMMUNICATION EQUIPMENT	64,529	62,879
Reliability improvements unit cost growth		-1,650
96 NAVY MULTIBAND TERMINAL (NMT)	38,365	33,992
Afloat sub kit cost growth		-1,319
Ashore excess installation		-3,054
99 INFO SYSTEMS SECURITY PROGRAM (ISSP)	85,694	93,205
Key management - ashore previously funded		-2,489
Program increase		10,000
103 SONOBUOYS - ALL TYPES	162,588	158,588
Unit cost growth		-4,000
105 AIRCRAFT SUPPORT EQUIPMENT	120,324	115,551
Lighting engineering change proposals excess growth		-1,118
Blk I/ISNS kits excess installation		-751
SRQ(KU)-4 kit cost growth		-2,904
108 AIRBORNE MINE COUNTERMEASURES	29,097	27,542
Modifications unjustified growth		-1,555
109 AVIATION SUPPORT EQUIPMENT	39,099	29,528
EPUK HW/SW excess growth		-861
JHMCS night vision unit cost growth		-1,172
Program delay		-7,538
111 SHIP MISSILE SUPPORT EQUIPMENT	320,446	307,446
AEGIS training and readiness center upgrade early to need		-8,000
NATO seasparrow previously funded		-5,000
112 TOMAHAWK SUPPORT EQUIPMENT	71,046	67,062
TTWCS product improvement previously funded		-3,984
118 SUBMARINE TRAINING DEVICE MODS	48,020	46,746
Navigation training unjustified growth		-1,274
120 SURFACE TRAINING EQUIPMENT	97,514	87,714
Unjustified growth		-5,000
BFFT ship sets previously funded		-4,800
122 GENERAL PURPOSE TRUCKS	4,928	4,794
Truck unit cost growth		-134
125 TACTICAL VEHICLES	14,917	13,824
JLTV unit cost savings		-1,093
128 ITEMS UNDER \$5 MILLION	12,459	8,436
Prior year carryover		-4,023
136 TRAINING AND EDUCATION EQUIPMENT	9,504	6,347
Lifecycle management unit cost growth		-363
Ballistic missile defense unit cost growth		-2,794
137 COMMAND SUPPORT EQUIPMENT	37,180	29,980
CNIC building control systems unjustified request		-7,200

P-1	Budget Request	Final Bill
139 MEDICAL SUPPORT EQUIPMENT	4,128	11,959
Program increase - expeditionary medical facilities		7,831
144 ENVIRONMENTAL SUPPORT EQUIPMENT	21,107	19,439
Master clock systems unit cost growth		-879
Integrated sub bottom profiler unit cost growth		-789
146 ENTERPRISE INFORMATION TECHNOLOGY	67,544	66,200
Telephony replacement excess installation		-1,344

PROCUREMENT, MARINE CORPS

The agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL

PROCUREMENT, MARINE CORPS		
WEAPONS AND COMBAT VEHICLES		
TRACKED COMBAT VEHICLES		
1 AAV7A1 PIP.....	73,785	69,785
2 LAV PIP.....	53,423	48,219
ARTILLERY AND OTHER WEAPONS		
3 EXPEDITIONARY FIRE SUPPORT SYSTEM.....	3,360	3,360
4 155MM LIGHTWEIGHT TOWED HOWITZER.....	3,318	3,318
5 HIGH MOBILITY ARTILLERY ROCKET SYSTEM.....	33,725	31,169
6 WEAPONS AND COMBAT VEHICLES UNDER \$5 MILLION.....	8,181	7,191
OTHER SUPPORT		
7 MODIFICATION KITS.....	15,250	15,250
8 WEAPONS ENHANCEMENT PROGRAM.....	---	1,000

TOTAL, WEAPONS AND COMBAT VEHICLES.....	191,042	179,292
GUIDED MISSILES AND EQUIPMENT		
GUIDED MISSILES		
9 GROUND BASED AIR DEFENSE.....	9,170	9,170
10 JAVELIN.....	1,009	1,009
11 FOLLOW ON TO SHAW.....	24,666	22,918
12 ANTI-ARMOR WEAPONS SYSTEM-HEAVY (AAWS-H).....	17,080	17,080

TOTAL, GUIDED MISSILES AND EQUIPMENT.....	51,925	50,177

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL

COMMUNICATIONS AND ELECTRONICS EQUIPMENT		
COMMAND AND CONTROL SYSTEMS		
15 COMMON AVIATION COMMAND AND CONTROL SYS.....	47,312	52,487
REPAIR AND TEST EQUIPMENT		
16 REPAIR AND TEST EQUIPMENT.....	16,469	14,469
COMMAND AND CONTROL		
19 ITEMS UNDER \$5 MILLION (COMM & ELEC).....	7,433	6,839
20 AIR OPERATIONS C2 SYSTEMS.....	15,917	15,917
RADAR + EQUIPMENT (NON-TEL)		
21 RADAR SYSTEMS.....	17,772	17,772
22 GROUND/AIR TASK ORIENTED RADAR.....	123,758	122,693
23 RQ-21 UAS.....	80,217	78,217
INTELL/COMM EQUIPMENT (NON-TEL)		
24 GCSS-MC.....	1,089	1,089
25 FIRE SUPPORT SYSTEM.....	13,258	13,258
26 INTELLIGENCE SUPPORT EQUIPMENT.....	56,379	51,213
29 RQ-11 UAV.....	1,976	1,976
31 DCGS-MC.....	1,149	1,149
32 UAS PAYLOADS.....	2,971	2,971
OTHER COMM/ELEC EQUIPMENT (NON-TEL)		
34 NEXT GENERATION ENTERPRISE NETWORK (NGEN).....	76,302	68,083
OTHER SUPPORT (NON-TEL)		
35 COMMON COMPUTER RESOURCES.....	41,802	38,802
36 COMMAND POST SYSTEMS.....	90,924	90,924
37 RADIO SYSTEMS.....	43,714	43,714
38 COMM SWITCHING & CONTROL SYSTEMS.....	66,383	62,383
39 COMM & ELEC INFRASTRUCTURE SUPPORT.....	30,229	30,229

TOTAL, COMMUNICATIONS AND ELECTRONICS EQUIPMENT.....	735,054	714,185
SUPPORT VEHICLES		
ADMINISTRATIVE VEHICLES		
41 COMMERCIAL CARGO VEHICLES.....	88,312	84,812

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL

TACTICAL VEHICLES		
43 MOTOR TRANSPORT MODIFICATIONS.....	13,292	13,292
45 JOINT LIGHT TACTICAL VEHICLE.....	113,230	104,230
46 FAMILY OF TACTICAL TRAILERS.....	2,691	2,691

TOTAL, SUPPORT VEHICLES.....	217,525	205,025
ENGINEER AND OTHER EQUIPMENT		
ENGINEER AND OTHER EQUIPMENT		
48 ENVIRONMENTAL CONTROL EQUIP ASSORT.....	18	---
50 TACTICAL FUEL SYSTEMS.....	78	---
51 POWER EQUIPMENT ASSORTED.....	17,973	17,973
52 AMPHIBIOUS SUPPORT EQUIPMENT.....	7,371	7,371
53 EOD SYSTEMS.....	14,021	14,021
MATERIALS HANDLING EQUIPMENT		
54 PHYSICAL SECURITY EQUIPMENT.....	31,523	24,582
GENERAL PROPERTY		
58 TRAINING DEVICES.....	33,658	33,658
60 FAMILY OF CONSTRUCTION EQUIPMENT.....	21,315	20,278
61 FAMILY OF INTERNALLY TRANSPORTABLE VEHICLE (ITV).....	9,654	9,282
OTHER SUPPORT		
62 ITEMS LESS THAN \$5 MILLION.....	6,026	6,026

TOTAL, ENGINEER AND OTHER EQUIPMENT.....	141,637	133,191
64 SPARES AND REPAIR PARTS.....	22,848	22,848
CLASSIFIED PROGRAMS.....	2,738	2,738

TOTAL, PROCUREMENT, MARINE CORPS.....	1,362,769	1,307,456
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EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1	Budget Request	Final Bill
1 AAV7A1 PIP	73,785	69,785
Excess program growth		-4,000
2 LAV PIP	53,423	48,219
Unit cost savings		-3,024
Program management support excess growth		-964
Training devices prior year carryover		-1,216
5 HIGH MOBILITY ARTILLERY ROCKET SYSTEM	33,725	31,169
Unit cost growth		-2,556
6 WEAPONS AND COMBAT VEHICLES UNDER \$5 MILLION	8,181	7,191
Unjustified growth		-990
8 WEAPONS ENHANCEMENT PROGRAM	0	1,000
Program increase		1,000
11 FOLLOW ON TO SMAW	24,666	22,918
Unjustified growth		-1,748
15 COMMON AVIATION COMMAND AND CONTROL SYS	47,312	52,487
Unit cost growth		-825
Program increase		6,000
16 REPAIR AND TEST EQUIPMENT	16,469	14,469
Lack of budget justification materials		-2,000
19 ITEMS UNDER \$5 MILLION (COMM & ELEC)	7,433	6,839
Unjustified growth		-594
22 GROUND/AIR TASK ORIENTED RADAR	123,758	122,693
Excess engineering change orders		-1,065
23 RQ-21 UAS	80,217	78,217
Inconsistent budget justification		-2,000
26 INTELLIGENCE SUPPORT EQUIPMENT	56,379	51,213
Software enhancement unjustified growth		-5,166
34 NEXT GENERATION ENTERPRISE NETWORK (NGEN)	76,302	68,083
Unjustified growth		-8,219
35 COMMON COMPUTER RESOURCES	41,802	38,802
Prior year carryover		-3,000
38 COMM SWITCHING & CONTROL SYSTEMS	66,383	62,383
Program execution		-4,000
41 COMMERCIAL CARGO VEHICLES	88,312	84,812
Excess program growth		-3,500
45 JOINT LIGHT TACTICAL VEHICLE	113,230	104,230
Test support unjustified growth		-9,000

P-1	Budget Request	Final Bill
48 ENVIRONMENTAL CONTROL EQUIP ASSORT	18	0
Unjustified request		-18
50 TACTICAL FUEL SYSTEMS	78	0
Unjustified request		-78
54 PHYSICAL SECURITY EQUIPMENT	31,523	24,582
Collateral equipment early to need		-6,941
60 FAMILY OF CONSTRUCTION EQUIPMENT	21,315	20,278
Garrison mobile engineering equipment excess growth		-1,037
61 FAMILY OF INTERNALLY TRANSPORTABLE VEHICLE (ITV)	9,654	9,282
Testing and FDT excess growth		-372

AIRCRAFT PROCUREMENT, AIR FORCE

The agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL

AIRCRAFT PROCUREMENT, AIR FORCE		
COMBAT AIRCRAFT		
TACTICAL FORCES		
1 F-35.....	4,401,894	4,602,894
2 F-35 (AP-CY).....	404,500	404,500
TOTAL, COMBAT AIRCRAFT.....	4,806,394	5,007,394

AIRLIFT AIRCRAFT		
OTHER AIRLIFT		
3 KC-46A TANKER.....	2,884,591	2,567,191
4 C-130J.....	145,655	305,655
6 HC-130J.....	317,576	317,576
7 HC-130J.....	20,000	20,000
8 MC-130J.....	548,358	499,358
9 MC-130J (AP).....	50,000	50,000
TOTAL, AIRLIFT AIRCRAFT.....	3,966,180	3,759,780

OTHER AIRCRAFT		
HELICOPTERS		
10 UH-1N REPLACEMENT.....	18,337	93,337
MISSION SUPPORT AIRCRAFT		
12 CIVIL AIR PATROL A/C.....	2,637	10,337
OTHER AIRCRAFT		
13 TARGET DRONES.....	114,656	114,656
14 RQ-4 UAV.....	12,966	7,217
15 MQ-9.....	122,522	122,522
15X COMPASS CALL.....	---	103,000
TOTAL, OTHER AIRCRAFT.....	271,118	451,069

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL

MODIFICATION OF INSERVICE AIRCRAFT		
STRATEGIC AIRCRAFT		
16 B-2A.....	46,729	46,729
17 B-1B.....	116,319	116,319
18 B-52.....	109,020	109,020
TACTICAL AIRCRAFT		
20 A-10.....	1,289	1,289
21 F-15.....	105,685	145,405
22 F-16.....	97,331	113,231
23 F-22A.....	163,008	146,008
24 F-35 MODIFICATIONS.....	175,811	115,811
25 INCREMENT 3.2b.....	76,410	76,410
26 INCREMENT 3.2b (AP-CY).....	2,000	2,000
AIRLIFT AIRCRAFT		
27 C-5.....	24,192	24,192
29 C-17A.....	21,555	17,455
30 C-21.....	5,439	439
31 C-32A.....	35,235	30,235
32 C-37A.....	5,004	5,004
TRAINER AIRCRAFT		
33 GLIDER MODS.....	394	394
34 T6.....	12,765	12,765
35 T-1.....	25,073	13,373
36 T-38.....	45,090	33,590

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL
OTHER AIRCRAFT		
37 U-2 MODS.....	36,074	36,074
38 KC-10A (ATCA).....	4,570	4,570
39 C-12.....	1,995	1,995
40 VC-25A MOD.....	102,670	102,670
41 C-40.....	13,984	13,984
42 C-130.....	9,168	106,668
43 C130J MODS.....	89,424	89,424
44 C-135.....	64,161	64,161
45 COMPASS CALL MODS.....	130,257	130,257
46 RC-135.....	211,438	211,438
47 E-3.....	82,786	82,786
48 E-4.....	53,348	53,348
49 E-8.....	6,244	25,944
50 AIRBORNE WARNING AND CONTROL SYSTEM.....	223,427	223,427
51 FAMILY OF BEYOND LINE-OF-SIGHT TERMINALS.....	4,673	4,673
52 H-1.....	9,007	9,007
54 H-60.....	91,357	86,357
55 RQ-4 UAV MODS.....	32,045	32,045
56 HC/MC-130 MODIFICATIONS.....	30,767	30,767
57 OTHER AIRCRAFT.....	33,886	33,886
59 MQ-9 MODS.....	141,929	149,929
60 CV-22 MODS.....	63,395	63,395
TOTAL, MODIFICATION OF INSERVICE AIRCRAFT.....	2,504,954	2,566,474

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL

AIRCRAFT SPARES AND REPAIR PARTS		
61 INITIAL SPARES/REPAIR PARTS.....	686,491	834,691
AIRCRAFT SUPPORT EQUIPMENT AND FACILITIES		
COMMON SUPPORT EQUIPMENT		
62 AIRCRAFT REPLACEMENT SUPPORT EQUIP.....	121,935	48,935
POST PRODUCTION SUPPORT		
63 B-2A.....	154	154
64 B-2A.....	43,330	43,330
65 B-52.....	28,125	28,125
66 C-17A.....	23,559	83,859
69 F-15 POST PRODUCTION SUPPORT.....	2,980	2,980
70 F-16 POST PRODUCTION SUPPORT.....	15,155	28,190
71 F-22A.....	48,505	48,505
72 RQ-4 POST PRODUCTION CHARGES.....	99	99
INDUSTRIAL PREPAREDNESS		
75 INDUSTRIAL PREPAREDNESS.....	14,126	14,126
WAR CONSUMABLES		
76 WAR CONSUMABLES.....	120,036	120,036
OTHER PRODUCTION CHARGES		
77 OTHER PRODUCTION CHARGES.....	1,252,824	1,198,924
TOTAL, AIRCRAFT SUPPORT EQUIPMENT AND FACILITIES....	1,670,828	1,617,263
CLASSIFIED PROGRAMS.....	16,952	16,952
TOTAL, AIRCRAFT PROCUREMENT, AIR FORCE.....	13,922,917	14,253,623
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EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[in thousands of dollars]

P-1	Budget Request	Final Bill
1 F-35	4,401,894	4,602,894
Program increase - five aircraft		495,000
Program efficiencies		-96,000
Prior year carryover		-198,000
3 KC-46	2,884,591	2,567,191
Program excess		-167,200
Air Force requested transfer to line 61 for initial spares		-150,200
4 C-130J	145,655	305,655
Program increase - two additional aircraft for Air National Guard		160,000
8 MC-130J	548,358	499,358
Excess due to multiyear savings		-49,000
10 UH-1N REPLACEMENT	18,337	93,337
Program increase		75,000
12 CIVIL AIR PATROL (CAP) AIRCRAFT	2,637	10,337
Program increase		7,700
14 RQ-4	12,966	7,217
Excess other production support		-5,749
15X COMPASS CALL	0	103,000
Program increase		103,000
21 F-15	105,685	145,405
Cost efficiencies		-5,280
Program increase - F-15E AESA radars		45,000
22 F-16	97,331	113,231
Program increase - fully fund AESA radar upgrades		15,900
23 F-22A	163,008	146,008
RAMMP kits unit cost growth		-17,000
24 F-35 MODIFICATIONS	175,811	115,811
Prior year carryover		-60,000
29 C-17A	21,555	17,455
Program management growth		-4,100
30 C-21	5,439	439
Unobligated balances		-5,000
31 C-32	35,235	30,235
Prior year carryover		-5,000
35 T-1	25,073	13,373
Production schedule slip		-11,700
36 T-38	45,090	33,590
Pacer Classic installs ahead of need		-11,500

P-1	Budget Request	Final Bill
42 C-130	9,168	106,668
Program increase - eight-blade propeller upgrade		16,000
Program increase - electronic propeller control system		13,500
Program increase - in-flight propeller balancing system		1,500
Program increase - engine enhancement program		41,500
Program increase - C-130H modernization		25,000
49 E-8	6,244	25,944
Program increase - PME-DMS		19,700
54 H-60	91,357	86,357
Gun replacement		-5,000
59 MQ-9 MODS	141,929	149,929
Unjustified request		-12,000
Program increase - wide-area sensors		20,000
61 INITIAL SPARES AND REPAIR PARTS	686,491	834,691
MQ-9 spares underexecution		-13,000
Air Force requested transfer from line 3 for KC-46 initial spares		150,200
Air Force requested transfer from line 62 for initial spares to support C-17 base conversions		11,000
62 AIRCRAFT REPLACEMENT SUPPORT EQUIPMENT	121,935	48,935
Air Force requested transfer to lines 61 and 66 to support C-17 base conversions		-73,000
66 C-17 POST PRODUCTION SUPPORT	23,559	83,859
Prior year carryover		-1,700
Air Force requested transfer from line 62 for peculiar support equipment to support C-17 base conversions		20,000
Air Force requested transfer from line 62 for common support equipment to support C-17 base conversions		42,000
70 F-16 POST PRODUCTION SUPPORT	15,155	28,190
Program increase - F-16 mission training center simulators		24,800
Excess production line shutdown costs		-11,765
77 OTHER PRODUCTION CHARGES	1,252,824	1,198,924
Prior year carryover for unclassified programs		-34,000
Transfer to RDTE,AF line 999 for classified programs		-19,900

MISSILE PROCUREMENT, AIR FORCE

The agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL
MISSILE PROCUREMENT, AIR FORCE		
BALLISTIC MISSILES		
MISSILE REPLACEMENT EQUIPMENT - BALLISTIC		
1 MISSILE REPLACEMENT EQ-BALLISTIC.....	70,247	50,247
OTHER MISSILES		
TACTICAL		
2 JOINT AIR-SURFACE STANDOFF MISSILE (JASSM).....	431,645	431,645
3 LONG RANGE ANTI-SHIP MISSILE (LRASMO).....	59,511	59,511
4 SIDEWINDER (AIM-9X).....	127,438	127,438
5 AMRAAM.....	350,144	337,844
6 PREDATOR HELLFIRE MISSILE.....	33,955	33,955
7 SMALL DIAMETER BOMB.....	92,361	92,361
INDUSTRIAL FACILITIES		
8 INDUSTRIAL PREPAREDNESS/POLLUTION PREVENTION.....	977	977
TOTAL, OTHER MISSILES.....	1,096,031	1,083,731
MODIFICATION OF INSERVICE MISSILES		
CLASS IV		
9 ICBM FUZE MOD.....	17,095	17,095
10 MM III MODIFICATIONS.....	68,692	68,692
11 AGM-65D MAVERICK.....	282	282
13 AIR LAUNCH CRUISE MISSILE.....	21,762	21,762
14 SMALL DIAMETER BOMB.....	15,349	15,349
TOTAL, MODIFICATION OF INSERVICE MISSILES.....	123,180	123,180
SPARES AND REPAIR PARTS		
15 INITIAL SPARES/REPAIR PARTS.....	81,607	70,607
SPECIAL PROGRAMS		
30 SPECIAL UPDATE PROGRAMS.....	46,125	46,125
CLASSIFIED PROGRAMS.....	1,009,431	974,231
TOTAL, MISSILE PROCUREMENT, AIR FORCE.....	2,426,621	2,348,121

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1	Budget Request	Final Bill
1 MISSILE REPLACEMENT EQUIPMENT-BALLISTIC TERP program delays	70,247	50,247 -20,000
5 AMRAAM Pricing adjustment	350,144	337,844 -12,300
15 INITIAL SPARES/REPAIR PARTS Unjustified growth	81,607	70,607 -11,000
999 CLASSIFIED PROGRAMS Classified adjustment	1,009,431	974,231 -35,200

SPACE PROCUREMENT, AIR FORCE

The agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL

SPACE PROCUREMENT, AIR FORCE		
SPACE PROGRAMS		
1 ADVANCED EHF.....	645,569	645,569
2 AF SATELLITE COMM SYSTEM.....	42,375	37,375
3 COUNTERSPACE SYSTEMS.....	26,984	26,984
4 FAMILY OF BEYOND LINE-OF-SIGHT TERMINALS.....	88,963	88,963
5 WIDEBAND GAPFILLER SATELLITES.....	86,272	48,772
6 GPS III SPACE SEGMENT.....	34,059	34,059
7 GLOBAL POSITIONING (SPACE).....	2,169	2,169
8 SPACEBORNE EQUIP (COMSEC).....	46,708	31,708
9 GLOBAL POSITIONING (SPACE).....	13,171	10,171
10 MILSATCOM.....	41,799	41,799
11 EVOLVED EXPENDABLE LAUNCH VEH INFRASTRUCTURE (SPACE)..	768,586	716,586
12 EVOLVED EXPENDABLE LAUNCH VEH (SPACE).....	737,853	536,853
13 SBIR HIGH (SPACE).....	362,504	357,504
14 NUDET DETECTION SYSTEM SPACE.....	4,395	4,395
15 SPACE MODS SPACE.....	8,642	8,642
16 SPACELIFT RANGE SYSTEM SPACE.....	123,088	121,088
SPARES AND REPAIR PARTS		
17 INITIAL SPARES/REPAIR PARTS.....	22,606	20,606

TOTAL, SPACE PROCUREMENT, AIR FORCE.....	3,055,743	2,733,243
	=====	=====

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1	Budget Request	Final Bill
2 AIR FORCE SATELLITE CONTROL NETWORK	42,375	37,375
Unjustified request		-5,000
5 WIDEBAND GAPFILLER SATELLITES	86,272	48,772
Prior year carryover		-7,500
COMSATCOM Pathfinder 3 - transfer to RDTE,AF line 82		-30,000
8 SPACEBORNE EQUIPMENT	46,708	31,708
Unjustified request		-15,000
9 GLOBAL POSITIONING SATELLITES SPACE AND CONTROL	13,171	10,171
Unjustified support services and launch and checkout growth		-3,000
11 EVOLVED EXPENDABLE LAUNCH CAPABILITY	768,586	716,586
Change to acquisition strategy		-52,000
12 EVOLVED EXPENDABLE LAUNCH VEHICLE	737,853	536,853
Change to acquisition strategy		-201,000
13 SPACE BASED INFRARED SYSTEMS	362,504	357,504
Prior year carryover		-5,000
16 SPACELIFT RANGE SYSTEM	123,088	121,088
Unjustified request		-2,000
17 SPARE AND REPAIR PARTS	22,606	20,606
Unjustified request		-2,000

PROCUREMENT OF AMMUNITION, AIR FORCE

The agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL

PROCUREMENT OF AMMUNITION, AIR FORCE		
1 PROCUREMENT OF AMMO, AIR FORCE		
ROCKETS.....	18,734	18,734
2 CARTRIDGES.....	220,237	224,237
BOMBS		
3 PRACTICE BOMBS.....	97,106	97,106
4 GENERAL PURPOSE BOMBS.....	581,561	501,561
5 MASSIVE ORDNANCE PENETRATOR (MOP).....	3,600	3,600
6 JOINT DIRECT ATTACK MUNITION.....	303,988	291,488
FLARE, IR MJU-7B		
7 CAD/PAD.....	38,890	38,890
8 EXPLOSIVE ORDNANCE DISPOSAL (EOD).....	5,714	5,714
9 SPARES AND REPAIR PARTS.....	740	740
10 MODIFICATIONS.....	573	573
11 ITEMS LESS THAN \$5,000,000.....	5,156	5,156
FUZES		
12 FLARES.....	134,709	134,709
13 FUZES.....	229,252	229,252

TOTAL, PROCUREMENT OF AMMO, AIR FORCE.....	1,640,260	1,551,760

WEAPONS		
14 SMALL ARMS.....	37,459	37,459

TOTAL, PROCUREMENT OF AMMUNITION, AIR FORCE.....	1,677,719	1,589,219
	=====	=====

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1	Budget Request	Final bill
2 CARTRIDGES	220,237	224,237
PGU-48 unit cost		-2,000
Program increase - PGU-27		6,000
4 GENERAL PURPOSE BOMBS	581,561	501,561
BLU-134 ahead of need		-80,000
6 JOINT DIRECT ATTACK MUNITION (JDAM)	303,988	291,488
Unit cost pricing adjustment		-12,500

OTHER PROCUREMENT, AIR FORCE

The agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL

OTHER PROCUREMENT, AIR FORCE		
VEHICULAR EQUIPMENT		
PASSENGER CARRYING VEHICLES		
1 PASSENGER CARRYING VEHICLE.....	14,437	11,437
CARGO + UTILITY VEHICLES		
2 FAMILY MEDIUM TACTICAL VEHICLE.....	24,812	16,812
3 CAP VEHICLES.....	984	1,684
4 ITEMS LESS THAN \$5M (CARGO).....	11,191	7,191
SPECIAL PURPOSE VEHICLES		
5 SECURITY AND TACTICAL VEHICLES.....	5,361	5,361
6 ITEMS LESS THAN \$5M (SPECIAL).....	4,623	4,623
FIRE FIGHTING EQUIPMENT		
7 FIRE FIGHTING/CRASH RESCUE VEHICLES.....	12,451	12,451
MATERIALS HANDLING EQUIPMENT		
8 ITEMS LESS THAN \$5,000,000.....	18,114	18,114
BASE MAINTENANCE SUPPORT		
9 RUNWAY SNOW REMOVAL & CLEANING EQUIP.....	2,310	2,310
10 ITEMS LESS THAN \$5M.....	46,868	46,868

TOTAL, VEHICULAR EQUIPMENT.....	141,151	126,851
ELECTRONICS AND TELECOMMUNICATIONS EQUIP		
COMM SECURITY EQUIPMENT(COMSEC)		
12 COMSEC EQUIPMENT.....	72,359	81,859
INTELLIGENCE PROGRAMS		
14 INTELLIGENCE TRAINING EQUIPMENT.....	6,982	6,982
15 INTELLIGENCE COMM EQUIP.....	30,504	30,504
ELECTRONICS PROGRAMS		
16 TRAFFIC CONTROL/LANDING.....	55,803	49,403
17 NATIONAL AIRSPACE SYSTEM.....	2,673	2,673
18 BATTLE CONTROL SYSTEM - FIXED.....	5,677	5,677
19 THEATER AIR CONTROL SYS IMPRO.....	1,163	1,163
20 WEATHER OBSERVATION FORECAST.....	21,667	21,667
21 STRATEGIC COMMAND AND CONTROL.....	39,803	39,803
22 CHEYENNE MOUNTAIN COMPLEX.....	24,618	24,618
23 MISSION PLANNING SYSTEMS.....	15,868	15,868
25 INTEGRATED STRAT PLAN AND ANALY NETWORK (ISPAN).....	9,331	9,331

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL

SPECIAL COMM-ELECTRONICS PROJECTS		
26 GENERAL INFORMATION TECHNOLOGY.....	41,779	50,679
27 AF GLOBAL COMMAND & CONTROL SYSTEM.....	15,729	15,729
28 MOBILITY COMMAND AND CONTROL.....	9,814	9,814
29 AIR FORCE PHYSICAL SECURITY SYSTEM.....	99,460	99,460
30 COMBAT TRAINING RANGES.....	34,850	34,850
31 MINIMUM ESSENTIAL EMERGENCY COMM N.....	198,925	198,925
32 WIDE AREA SURVEILLANCE (WAS).....	6,943	6,943
33 C3 COUNTERMEASURES.....	19,580	14,580
34 GCSS-AF FOS.....	1,743	1,743
36 THEATER BATTLE MGT C2 SYS.....	9,659	9,659
37 AIR AND SPACE OPERATIONS CTR-WPN SYSTEM.....	15,474	15,474
38 AIR OPERATIONS CENTER (AOC).....	30,623	8,180
AIR FORCE COMMUNICATIONS		
39 INFORMATION TRANSPORT SYSTEMS.....	40,043	40,043
40 AFNET.....	146,897	131,897
41 JOINT COMMUNICATIONS SUPPORT ELEMENT (JCSE).....	5,182	5,182
42 USCENTCOM.....	13,418	13,418

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL
ORGANIZATION AND BASE		
52 TACTICAL C-E EQUIPMENT.....	109,836	109,836
53 RADIO EQUIPMENT.....	16,266	16,266
54 CCTV/AUDIOVISUAL EQUIPMENT.....	7,449	7,449
55 BASE COMM INFRASTRUCTURE.....	109,215	88,215
MODIFICATIONS		
56 COMM ELECT MODS.....	65,700	65,700
TOTAL, ELECTRONICS AND TELECOMMUNICATIONS EQUIP.....	1,285,033	1,233,590
OTHER BASE MAINTENANCE AND SUPPORT EQUIP		
PERSONAL SAFETY AND RESCUE EQUIP		
58 ITEMS LESS THAN \$5,000,000 (SAFETY).....	54,416	46,416
DEPOT PLANT + MATERIALS HANDLING EQ		
59 MECHANIZED MATERIAL HANDLING.....	7,344	7,344
BASE SUPPORT EQUIPMENT		
60 BASE PROCURED EQUIPMENT.....	6,852	6,852
63 MOBILITY EQUIPMENT.....	8,146	23,146
64 ITEMS LESS THAN \$5M (BASE SUPPORT).....	28,427	28,427
SPECIAL SUPPORT PROJECTS		
66 DARP RC135.....	25,287	25,287
67 DISTRIBUTED GROUND SYSTEMS.....	169,201	169,201
69 SPECIAL UPDATE PROGRAM.....	576,710	576,710
TOTAL, OTHER BASE MAINTENANCE AND SUPPORT EQUIP.....	876,383	883,383
SPARE AND REPAIR PARTS		
72 SPARES AND REPAIR PARTS.....	15,784	15,784
CLASSIFIED PROGRAMS.....	15,119,705	15,508,616
TOTAL, OTHER PROCUREMENT, AIR FORCE.....	17,438,056	17,768,224

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1	Budget Request	Final bill
1 PASSENGER CARRYING VEHICLES	14,437	11,437
Unjustified growth		-3,000
2 MEDIUM TACTICAL VEHICLES	24,812	16,812
Unobligated balances		-8,000
3 CIVIL AIR PATROL VEHICLES	984	1,684
Program increase		700
4 ITEMS LESS THAN \$5 MILLION (CARGO/UTILITY)	11,191	7,191
Unjustified growth		-4,000
12 COMSEC EQUIPMENT	72,359	81,859
Program increase - cybersecurity upgrades		9,500
16 AIR TRAFFIC CONTROL & LANDING SYSTEMS	55,803	49,403
RAPCON schedule slip		-6,400
26 GENERAL INFORMATION TECHNOLOGY	41,779	50,679
Program increase - cybersecurity training		8,900
33 C3 COUNTERMEASURES	19,580	14,580
Unjustified increase		-5,000
38 AOC 10.2	30,623	8,180
Fielding		-22,443
40 AFNET	146,897	131,897
Unobligated balances		-15,000
55 BASE COMM INFRASTRUCTURE	109,215	88,215
Unobligated balances		-21,000
58 ITEMS LESS THAN \$5 MILLION (SAFETY & RESCUE)	54,416	46,416
LSS program delays		-8,000
63 MOBILITY EQUIPMENT	8,146	23,146
Program increase		10,000
Program increase - other base maintenance and support equipment		5,000
999 CLASSIFIED PROGRAMS	15,119,705	15,508,616
Classified adjustment		388,911

PROCUREMENT, DEFENSE-WIDE

The agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL

PROCUREMENT, DEFENSE-WIDE		
MAJOR EQUIPMENT		
MAJOR EQUIPMENT, DCAA		
1 MAJOR EQUIPMENT ITEMS LESS THAN \$5M.....	2,964	2,964
MAJOR EQUIPMENT, DCMA		
2 MAJOR EQUIPMENT.....	92	---
MAJOR EQUIPMENT, DHRA		
3 PERSONNEL ADMINISTRATION.....	14,232	14,232
MAJOR EQUIPMENT, DISA		
6 INFORMATION SYSTEMS SECURITY.....	21,347	21,347
7 TELEPORT PROGRAM.....	50,597	50,597
8 ITEMS LESS THAN \$5M.....	10,420	10,420
9 NET CENTRIC ENTERPRISE SERVICES (NCES).....	1,634	1,634
10 DEFENSE INFORMATION SYSTEMS NETWORK.....	87,235	87,235
11 CYBER SECURITY INITIATIVE.....	4,528	4,528
12 WHITE HOUSE COMMUNICATION AGENCY.....	36,846	36,846
13 SENIOR LEADERSHIP ENTERPRISE.....	599,391	599,391
15 JOINT REGIONAL SECURITY STOCKS (JRSS).....	150,221	150,221
MAJOR EQUIPMENT, DLA		
17 MAJOR EQUIPMENT.....	2,055	2,055
MAJOR EQUIPMENT, DMACT		
18 A - WEAPON SYSTEM COST.....	8,060	8,060
MAJOR EQUIPMENT, DODEA		
19 AUTOMATION/EDUCATIONAL SUPPORT & LOGISTICS.....	288	288
20 MAJOR EQUIPMENT.....	1,057	1,057
MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY		
21 VEHICLES.....	200	200
22 OTHER MAJOR EQUIPMENT.....	6,437	6,437

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL
MAJOR EQUIPMENT, MDA		
23 THAAD SYSTEM.....	369,608	415,504
24 AEGIS BMD.....	463,801	513,801
25 BMDS AN/TPY-2 RADARS.....	5,503	5,503
26 ARROW WEAPON SYSTEM.....	---	120,000
27 DAVID'S SLING WEAPON SYSTEM.....	---	150,000
28 AEGIS ASHORE PHASE III.....	57,493	57,493
29 IRON DOME SYSTEM.....	42,000	62,000
30 AEGIS BMD HARDWARE AND SOFTWARE.....	50,098	50,098
30X REDESIGNED KILL VEHICLE--AP.....	---	50,000
MAJOR EQUIPMENT, NSA		
36 INFORMATION SYSTEMS SECURITY PROGRAM (ISSP).....	4,399	4,399
MAJOR EQUIPMENT, OSD		
37 MAJOR EQUIPMENT, OSD.....	29,211	29,211
MAJOR EQUIPMENT, TJS		
38 MAJOR EQUIPMENT, TJS.....	7,988	7,988
MAJOR EQUIPMENT, WHS		
40 MAJOR EQUIPMENT, WHS.....	24,979	24,979
TOTAL, MAJOR EQUIPMENT.....	2,052,684	2,488,488
SPECIAL OPERATIONS COMMAND AVIATION PROGRAMS		
42 SOF ROTARY WING UPGRADES AND SUSTAINMENT.....	150,396	150,396
43 UNMANNED ISR.....	21,190	21,190
45 NON-STANDARD AVIATION.....	4,905	4,905
46 SOF U-28.....	3,970	3,970
47 MH-47 CHINOOK.....	25,022	25,022
49 CV-22 SOF MODIFICATION.....	19,008	19,008
51 MQ-9 UNMANNED AERIAL VEHICLE.....	10,598	10,598
53 PRECISION STRIKE PACKAGE.....	213,122	213,122
54 AC/MC-130J.....	73,548	60,498
55 C-130 MODIFICATIONS.....	32,970	41,020

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL
SHIPBUILDING		
56 UNDERWATER SYSTEMS.....	37,098	37,098
AMMUNITION PROGRAMS		
57 SOF ORDNANCE ITEMS UNDER \$5,000,000.....	105,267	105,267
OTHER PROCUREMENT PROGRAMS		
58 SOF INTELLIGENCE SYSTEMS.....	79,963	79,963
59 DCGS-SOF.....	13,432	13,432
60 OTHER ITEMS UNDER \$5,000,000.....	66,436	66,436
61 SOF COMBATANT CRAFT SYSTEMS.....	55,820	55,820
62 SPECIAL PROGRAMS.....	107,432	107,432
63 TACTICAL VEHICLES.....	67,849	67,849
64 WARRIOR SYSTEMS UNDER \$5,000,000.....	245,781	245,781
65 COMBAT MISSION REQUIREMENTS.....	19,566	19,566
66 SOF GLOBAL VIDEO SURVEILLANCE ACTIVITIES.....	3,437	3,437
67 SOF OPERATIONAL ENHANCEMENTS INTELLIGENCE.....	17,299	17,299
69 SOF OPERATIONAL ENHANCEMENTS.....	219,945	180,245
TOTAL, SPECIAL OPERATIONS COMMAND.....	1,594,054	1,549,354
CHEMICAL/BIOLOGICAL DEFENSE		
70 CHEMICAL BIOLOGICAL SITUATIONAL AWARENESS.....	148,203	148,203
71 CB PROTECTION AND HAZARD MITIGATION.....	161,113	161,113
TOTAL, CHEMICAL/BIOLOGICAL DEFENSE.....	309,316	309,316
CLASSIFIED PROGRAMS.....	568,864	533,864
TOTAL, PROCUREMENT, DEFENSE-WIDE.....	4,524,918	4,881,022

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1	Budget Request	Final Bill
2 MAJOR EQUIPMENT	92	0
Ahead of need		-92
23 THAAD SYSTEM	369,608	415,504
Training previously funded		-4,104
Program increase - obsolescence upgrades		50,000
24 AEGIS BMD	463,801	513,801
Program increase - obsolescence upgrades		50,000
26 ARROW WEAPON SYSTEM	0	120,000
Program increase for co-production		120,000
27 DAVID'S SLING WEAPON SYSTEM	0	150,000
Program increase for co-production		150,000
29 IRON DOME SYSTEM	42,000	62,000
Program increase for co-production		20,000
30X REDESIGNED KILL VEHICLE (AP)	0	50,000
Program increase - RKV long lead materials only		50,000
54 AC/MC-130J	73,548	60,498
Precision Strike Package - SOCOM requested transfer to line 55		-13,050
55 C-130 MODIFICATIONS	32,970	41,020
Precision Strike Package - SOCOM requested transfer from line 54		13,050
Program delays		-5,000
64 SOF WARRIOR SYSTEMS UNDER \$5M	245,781	245,781
SCAMPI - level funding profile		-4,000
Program increase - weapons accessories		4,000
69 SOF OPERATIONAL ENHANCEMENTS	219,945	180,245
Classified adjustment		-44,700
Program increase - rotary wing ammunition		5,000
999 CLASSIFIED PROGRAMS	568,864	533,864
Classified adjustment		-35,000

DEFENSE PRODUCTION ACT PURCHASES

The agreement on items addressed by either the House or the Senate is as follows:

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS		
[In thousands of dollars]		
	Budget request	Final bill
DEFENSE PRODUCTION ACT PURCHASES	44,065	64,065
Program increase		20,000
TOTAL DEFENSE PRODUCTION ACT PURCHASES	44,065	64,065

TITLE IV—RESEARCH, DEVELOPMENT, TEST AND EVALUATION

The agreement provides \$72,301,587,000 in Title IV, Research, Development, Test and Evaluation. The agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL

RECAPITULATION		
RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY.....	7,515,399	8,332,965
RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY.....	17,276,301	17,214,530
RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE.	28,112,251	27,788,548
RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE.....	18,308,826	18,778,550
OPERATIONAL TEST AND EVALUATION, DEFENSE.....	178,994	186,994
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GRAND TOTAL, RDT&E.....	71,391,771	72,301,587
	=====	=====

REPROGRAMMING GUIDANCE FOR ACQUISITION ACCOUNTS

The Secretary of Defense is directed to continue to follow the reprogramming guidance as specified in the report accompanying the House version of the Department of Defense Appropriations bill for Fiscal Year 2008 (House Report 110-279). Specifically, the dollar threshold for reprogramming funds shall remain at \$20,000,000 for procurement and \$10,000,000 for research, development, test and evaluation.

Also, the Under Secretary of Defense (Comptroller) is directed to continue to provide the congressional defense committees quarterly, spreadsheet-based DD Form 1416 reports for Service and defense-wide accounts in titles III and IV of this Act. Reports for titles III and IV shall comply with the guidance specified in the explanatory statement accompanying the Department of Defense Appropriations Act, 2006. The Department shall continue to follow the limitation that prior approval reprogrammings are set at either the specified dollar threshold or

20 percent of the procurement or research, development, test and evaluation line, whichever is less. These thresholds are cumulative from the base for reprogramming value as modified by any adjustments. Therefore, if the combined value of transfers into or out of a procurement (P-1) or research, development, test and evaluation (R-1) line exceeds the identified threshold, the Secretary of Defense must submit a prior approval reprogramming to the congressional defense committees. In addition, guidelines on the application of prior approval reprogramming procedures for congressional special interest items are established elsewhere in this statement.

FUNDING INCREASES

The funding increases outlined in these tables shall be provided only for the specific purposes indicated in the tables.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION SPECIAL INTEREST ITEMS

Items for which additional funds have been provided as shown in the project level tables or in paragraphs using the phrase “only for”

or “only to” in the explanatory statement are congressional special interest items for the purpose of the Base for Reprogramming (DD Form 1414). Each of these items must be carried on the DD Form 1414 at the stated amount as specifically addressed in the explanatory statement.

JOINT STRIKE FIGHTER FOLLOW-ON MODERNIZATION

The Joint Strike Fighter Program Executive Officer is directed to comply with the reporting requirement included under the heading “Joint Strike Fighter Follow-on Modernization” in Senate Report 114-263. The Secretary of Defense is not required to comply with the reporting requirement included under the heading “Joint Strike Fighter Follow-on Development” in House Report 114-577.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

The agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL
RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY		
BASIC RESEARCH		
1 IN-HOUSE LABORATORY INDEPENDENT RESEARCH.....	12,381	12,381
2 DEFENSE RESEARCH SCIENCES.....	253,116	293,116
3 UNIVERSITY RESEARCH INITIATIVES.....	69,166	69,166
4 UNIVERSITY AND INDUSTRY RESEARCH CENTERS.....	94,280	112,280
TOTAL, BASIC RESEARCH.....	428,943	486,943
APPLIED RESEARCH		
5 MATERIALS TECHNOLOGY.....	31,533	82,533
6 SENSORS AND ELECTRONIC SURVIVABILITY.....	36,109	51,109
7 TRACTOR HIP.....	6,995	6,995
8 AVIATION TECHNOLOGY.....	65,914	69,914
9 ELECTRONIC WARFARE TECHNOLOGY.....	25,466	35,466
10 MISSILE TECHNOLOGY.....	44,313	67,813
11 ADVANCED WEAPONS TECHNOLOGY.....	28,803	53,803
12 ADVANCED CONCEPTS AND SIMULATION.....	27,688	30,688
13 COMBAT VEHICLE AND AUTOMOTIVE TECHNOLOGY.....	67,959	92,959
14 BALLISTICS TECHNOLOGY.....	85,436	105,436
15 CHEMICAL, SMOKE AND EQUIPMENT DEFEATING TECHNOLOGY....	3,923	3,923
16 JOINT SERVICE SMALL ARMS PROGRAM.....	5,545	5,545
17 WEAPONS AND MUNITIONS TECHNOLOGY.....	53,581	120,081
18 ELECTRONICS AND ELECTRONIC DEVICES.....	56,322	74,322
19 NIGHT VISION TECHNOLOGY.....	36,079	36,079
20 COUNTERMINE SYSTEMS.....	26,497	30,497
21 HUMAN FACTORS ENGINEERING TECHNOLOGY.....	23,671	23,671
22 ENVIRONMENTAL QUALITY TECHNOLOGY.....	22,151	30,151
23 COMMAND, CONTROL, COMMUNICATIONS TECHNOLOGY.....	37,803	37,803
24 COMPUTER AND SOFTWARE TECHNOLOGY.....	13,811	13,811
25 MILITARY ENGINEERING TECHNOLOGY.....	67,416	82,416
26 MANPOWER/PERSONNEL/TRAINING TECHNOLOGY.....	26,045	26,045

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL
27 WARFIGHTER TECHNOLOGY.....	37,403	60,103
28 MEDICAL TECHNOLOGY.....	77,111	79,111
TOTAL, APPLIED RESEARCH.....	907,574	1,220,274
29 ADVANCED TECHNOLOGY DEVELOPMENT WARFIGHTER ADVANCED TECHNOLOGY.....	38,831	51,331
30 MEDICAL ADVANCED TECHNOLOGY.....	68,365	107,365
31 AVIATION ADVANCED TECHNOLOGY.....	94,280	112,280
32 WEAPONS AND MUNITIONS ADVANCED TECHNOLOGY.....	68,714	192,714
33 COMBAT VEHICLE AND AUTOMOTIVE ADVANCED TECHNOLOGY.....	122,132	168,132
34 SPACE APPLICATION ADVANCED TECHNOLOGY.....	3,904	3,904
35 MANPOWER, PERSONNEL AND TRAINING ADVANCED TECHNOLOGY..	14,417	14,417
37 TRACTOR HIKE.....	8,074	8,074
38 NEXT GENERATION TRAINING & SIMULATION SYSTEMS.....	18,969	18,969
39 TRACTOR ROSE.....	11,910	11,910
40 COMBATING TERRORISM, TECHNOLOGY DEVELOPMENT.....	27,686	35,686
41 TRACTOR NAIL.....	2,340	2,340
42 TRACTOR EGGS.....	2,470	2,470
43 ELECTRONIC WARFARE TECHNOLOGY.....	27,893	41,893
44 MISSILE AND ROCKET ADVANCED TECHNOLOGY.....	52,190	115,690
45 TRACTOR CAGE.....	11,107	11,107
46 HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM.....	177,190	222,190
47 LANDMINE WARFARE AND BARRIER ADVANCED TECHNOLOGY.....	17,451	17,451
48 JOINT SERVICE SMALL ARMS PROGRAM.....	5,839	5,839
49 NIGHT VISION ADVANCED TECHNOLOGY.....	44,468	44,468
50 ENVIRONMENTAL QUALITY TECHNOLOGY DEMONSTRATIONS.....	11,137	21,137
51 MILITARY ENGINEERING ADVANCED TECHNOLOGY.....	20,684	58,684
52 ADVANCED TACTICAL COMPUTER SCIENCE & SENSOR TECHNOLOGY	44,239	54,239
53 COMMAND, CONTROL, COMMUNICATIONS ADVANCED TECHNOLOGY..	35,775	37,775
TOTAL, ADVANCED TECHNOLOGY DEVELOPMENT.....	930,065	1,360,065

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL
54 DEMONSTRATION & VALIDATION		
ARMY MISSILE DEFENSE SYSTEMS INTEGRATION.....	9,433	47,433
55 ARMY MISSILE DEFENSE SYSTEMS INTEGRATION (SPACE).....	23,056	23,056
56 LANDMINE WARFARE AND BARRIER - ADV DEV.....	72,117	72,117
57 SMOKE, OBSCURANT AND TARGET DEFEATING SYS-ADV DEV.....	28,244	28,244
58 TANK AND MEDIUM CALIBER AMMUNITION.....	40,096	48,096
59 SOLDIER SUPPORT AND SURVIVABILITY.....	10,506	14,006
60 TACTICAL ELECTRONIC SURVEILLANCE SYSTEM - AD.....	15,730	15,730
61 NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT.....	10,321	10,321
62 ENVIRONMENTAL QUALITY TECHNOLOGY.....	7,785	7,785
63 NATO RESEARCH AND DEVELOPMENT.....	2,300	2,300
64 AVIATION - ADV DEV.....	10,014	10,014
65 LOGISTICS AND ENGINEER EQUIPMENT - ADV DEV.....	20,834	18,126
66 MEDICAL SYSTEMS - ADV DEV.....	33,503	41,003
67 SOLDIER SYSTEMS - ADVANCED DEVELOPMENT.....	31,120	54,120
68 ANALYSIS OF ALTERNATIVES.....	6,608	6,608
69 LOWER TIER AIR MISSILE DEFENSE (LTAMID) SENSOR.....	35,132	35,132
70 TECHNOLOGY MATURATION INITIATIVES.....	70,047	60,047
71 ASSURED POSITIONING, NAVIGATION AND TIMING (PNT).....	83,279	83,279
73 CYBERSPACE OPERATIONS FORCES AND FORCE SUPPORT.....	40,510	30,510
TOTAL, DEMONSTRATION & VALIDATION.....	550,635	607,927

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL
74 ENGINEERING & MANUFACTURING DEVELOPMENT AIRCRAFT AVIONICS.....	83,248	62,248
75 ELECTRONIC WARFARE DEVELOPMENT.....	34,642	34,642
77 MID-TIER NETWORKING VEHICULAR RADIO.....	12,172	12,172
78 ALL SOURCE ANALYSIS SYSTEM.....	3,958	11,958
79 TRACTOR CAGE.....	12,525	12,525
80 INFANTRY SUPPORT WEAPONS.....	66,943	67,503
82 JAVELIN.....	20,011	20,011
83 FAMILY OF HEAVY TACTICAL VEHICLES.....	11,429	11,429
84 AIR TRAFFIC CONTROL.....	3,421	3,421
85 TACTICAL UNMANNED GROUND VEHICLE.....	39,282	33,532
86 LIGHT TACTICAL WHEELED VEHICLES.....	494	494
87 ARMORED SYSTEMS MODERNIZATION (ASM) - ENG DEV.....	9,678	9,678
88 NIGHT VISION SYSTEMS - SDD.....	84,519	79,519
89 COMBAT FEEDING, CLOTHING, AND EQUIPMENT.....	2,054	2,054
90 NON-SYSTEM TRAINING DEVICES - SDD.....	30,774	29,801
91 AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE -SDD....	53,332	58,332
92 CONSTRUCTIVE SIMULATION SYSTEMS DEVELOPMENT.....	17,887	17,887
93 AUTOMATIC TEST EQUIPMENT DEVELOPMENT.....	8,813	8,813
94 DISTRIBUTIVE INTERACTIVE SIMULATIONS (DIS) - SDD.....	10,487	10,487
95 COMBINED ARMS TACTICAL TRAINER (CATT) CORE.....	15,068	15,068
96 BRIGADE ANALYSIS, INTEGRATION AND EVALUATION.....	89,716	89,716
97 WEAPONS AND MUNITIONS - SDD.....	80,365	80,365
98 LOGISTICS AND ENGINEER EQUIPMENT - SDD.....	75,098	78,860
99 COMMAND, CONTROL, COMMUNICATIONS SYSTEMS - SDD.....	4,245	4,245
100 MEDICAL MATERIEL/MEDICAL BIOLOGICAL DEFENSE EQUIPMENT.	41,124	41,124
101 LANDMINE WARFARE/BARRIER - SDD.....	39,630	33,354
102 ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE...	205,590	203,274
103 RADAR DEVELOPMENT.....	15,983	15,983
104 GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GFEBS).....	6,805	6,805
105 FIREFINDER.....	9,235	6,425
106 SOLDIER SYSTEMS - WARRIOR DEM/VAL.....	12,393	12,393

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL
107 ARTILLERY SYSTEMS.....	1,756	1,756
108 INFORMATION TECHNOLOGY DEVELOPMENT.....	74,236	73,732
109 ARMY INTEGRATED MILITARY HUMAN RESOURCES SYSTEM (A-IMH)	155,584	155,584
110 ARMORED MULTI-PURPOSE VEHICLE.....	184,221	184,221
111 INTEGRATED GROUND SECURITY SURVEILLANCE RESPONSE CAPABILITY (IGSSR-C).....	4,980	4,980
112 JOINT TACTICAL NETWORK CENTER (JTNC).....	15,041	15,041
113 JOINT TACTICAL NETWORK (JTN).....	16,014	16,014
114 TRACTOR TIRE.....	27,254	27,254
115 GROUND-BASED OPERATIONAL SURVEILLANCE SYSTEM - EXPEDITIONARY (GBOSS-E).....	5,032	5,032
116 TACTICAL SECURITY SYSTEM (TSS).....	2,904	2,904
117 COMMON INFRARED COUNTERMEASURES (CIRCM).....	96,977	82,977
118 COMBATING WEAPONS OF MASS DESTRUCTION (CWMD).....	2,089	2,089
119 DEFENSIVE CYBER TOOL DEVELOPMENT.....	33,836	33,836
120 TACTICAL NETWORK RADIO SYSTEMS (LOW-TIER).....	18,824	14,765
121 CONTRACT WRITING SYSTEM.....	20,663	20,663
122 AIRCRAFT SURVIVABILITY DEVELOPMENT.....	41,133	34,133
123 INDIRECT FIRE PROTECTION CAPABILITY INC 2 - BLOCK 1...	83,995	83,995
125 AMF JOINT TACTICAL RADIO SYSTEM.....	5,028	5,028
126 JOINT AIR-TO-GROUND MISSILE (JAGM).....	42,972	48,972
128 ARMY INTEGRATED AIR AND MISSILE DEFENSE (AIAMD).....	252,811	282,811
131 NATIONAL CAPABILITIES INTEGRATION.....	4,955	4,955
132 JOINT LIGHT TACTICAL VEHICLE ENG AND MANUFACTURING....	11,530	11,530
133 AVIATION GROUND SUPPORT EQUIPMENT.....	2,142	2,142
134 PALADIN INTEGRATED MANAGEMENT (PIM).....	41,498	41,498
135 TROJAN - RH12.....	4,273	4,273
136 ELECTRONIC WARFARE DEVELOPMENT.....	14,425	14,425
TOTAL, ENGINEERING & MANUFACTURING DEVELOPMENT.....	2,265,094	2,248,728

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL
137 RDT&E MANAGEMENT SUPPORT THREAT SIMULATOR DEVELOPMENT.....	25,675	29,675
138 TARGET SYSTEMS DEVELOPMENT.....	19,122	19,122
139 MAJOR T&E INVESTMENT.....	84,777	96,777
140 RAND ARROYO CENTER.....	20,658	20,658
141 ARMY KWAJALEIN ATOLL.....	236,648	227,451
142 CONCEPTS EXPERIMENTATION PROGRAM.....	25,596	25,596
144 ARMY TEST RANGES AND FACILITIES.....	293,748	293,748
145 ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS.....	52,404	72,404
146 SURVIVABILITY/LETHALITY ANALYSIS.....	38,571	38,571
147 AIRCRAFT CERTIFICATION.....	4,665	4,665
148 METEOROLOGICAL SUPPORT TO RDT&E ACTIVITIES.....	6,925	6,925
149 MATERIEL SYSTEMS ANALYSIS.....	21,677	21,677
150 EXPLOITATION OF FOREIGN ITEMS.....	12,415	12,415
151 SUPPORT OF OPERATIONAL TESTING.....	49,684	49,684
152 ARMY EVALUATION CENTER.....	55,905	55,905
153 ARMY MODELING AND SIMULATION X-CMD COLLABORATION AND INTEG.....	7,959	7,959
154 PROGRAMWIDE ACTIVITIES.....	51,822	51,822
155 TECHNICAL INFORMATION ACTIVITIES.....	33,323	33,323
156 MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY...	40,545	65,545
157 ENVIRONMENTAL QUALITY TECHNOLOGY MGMT SUPPORT.....	2,130	2,130
158 MANAGEMENT HEADQUARTERS (RESEARCH AND DEVELOPMENT)....	49,885	49,885
159 DEFENSE MILITARY DECEPTION INITIATIVE.....	2,000	2,000
TOTAL, RDT&E MANAGEMENT SUPPORT.....	1,136,134	1,187,937

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL
161 OPERATIONAL SYSTEMS DEVELOPMENT MLRS PRODUCT IMPROVEMENT PROGRAM.....	9,663	9,663
162 TRACTOR PULL.....	3,960	3,960
163 ANTI-TAMPER TECHNOLOGY SUPPORT.....	3,638	3,638
164 WEAPONS AND MUNITIONS PRODUCT IMPROVEMENT PROGRAMS....	14,517	14,517
165 TRACTOR SMOKE.....	4,479	4,479
166 LONG RANGE PRECISION FIRES (LRPF).....	39,275	37,775
167 APACHE PRODUCT IMPROVEMENT PROGRAM.....	66,441	64,441
168 BLACKHAWK RECAP/MODERNIZATION.....	46,765	46,765
169 CHINOOK HELICOPTER PRODUCT IMPROVEMENT PROGRAM.....	91,848	91,848
170 FIXED WING AIRCRAFT.....	796	796
171 IMPROVED TURBINE ENGINE PROGRAM.....	126,105	116,105
172 EMERGING TECHNOLOGIES FROM NIE.....	2,369	2,369
173 LOGISTICS AUTOMATION.....	4,563	1,736
174 FAMILY OF BIOMETRICS.....	12,098	12,098
175 PATRIOT PRODUCT IMPROVEMENT.....	49,482	49,482
176 AEROSTAT JOINT PROJECT OFFICE.....	45,482	6,400
178 JOINT AUTOMATED DEEP OPERATION COORDINATION SYSTEM....	30,455	30,455
179 COMBAT VEHICLE IMPROVEMENT PROGRAMS.....	316,857	304,031
180 MANEUVER CONTROL SYSTEM.....	4,031	4,031
181 AIRCRAFT MODIFICATIONS/PRODUCT IMPROVEMENT PROGRAMS...	35,793	33,693
182 AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM.....	259	259
183 DIGITIZATION.....	6,483	6,483
184 MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM.....	5,122	5,122
185 OTHER MISSILE PRODUCT IMPROVEMENT PROGRAMS.....	7,491	7,491
186 TRACTOR CARD.....	20,333	20,333
188 MATERIALS HANDLING EQUIPMENT.....	124	124
190 LOWER TIER AIR AND MISSILE DEFENSE (AMD) SYSTEM.....	69,417	63,889
191 GUIDED MULTIPLE-LAUNCH ROCKET SYSTEM (GMLRS).....	22,044	22,044

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL
192 JOINT TACTICAL GROUND SYSTEM.....	12,649	12,649
194 SECURITY AND INTELLIGENCE ACTIVITIES.....	11,619	11,619
195 INFORMATION SYSTEMS SECURITY PROGRAM.....	38,280	38,280
196 GLOBAL COMBAT SUPPORT SYSTEM.....	27,223	27,223
197 SATCOM GROUND ENVIRONMENT (SPACE).....	18,815	18,815
198 WWMCCS/GLOBAL COMMAND AND CONTROL SYSTEM.....	4,718	4,718
202 TACTICAL UNMANNED AERIAL VEHICLES.....	8,218	8,218
203 AIRBORNE RECONNAISSANCE SYSTEMS.....	11,799	11,799
204 DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS.....	32,284	32,284
205 MQ-1 SKY WARRIOR A UAV (MQ-1C GRAY EAGLE UAS).....	13,470	13,470
206 RQ-11 UAV.....	1,613	1,613
207 RQ-7 UAV.....	4,597	4,597
209 WIN-T INCREMENT 2 - INITIAL NETWORKING.....	4,867	4,867
210 END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES.....	62,287	62,287
TOTAL, OPERATIONAL SYSTEMS DEVELOPMENT.....	740,393	719,939
9999 CLASSIFIED PROGRAMS.....	4,625	4,625
TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY.....	7,515,399	8,332,965

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

R-1	Budget Request	Final Bill
2 DEFENSE RESEARCH SCIENCES	253,116	293,116
Program increase - basic research		40,000
4 UNIVERSITY AND INDUSTRY RESEARCH CENTERS	94,280	112,280
Materials in extreme dynamic environments		5,000
Program increase - basic research		13,000
5 MATERIALS TECHNOLOGY	31,533	82,533
High performance polymers research		20,000
Program increase		31,000
6 SENSORS AND ELECTRONIC SURVIVABILITY	36,109	51,109
Program increase		5,000
Signals detection research		3,000
Space and small satellites technology demonstration		7,000
8 AVIATION TECHNOLOGY	65,914	69,914
Program increase		4,000
9 ELECTRONIC WARFARE TECHNOLOGY	25,466	35,466
Program increase		10,000
10 MISSILE TECHNOLOGY	44,313	67,813
Weapon effectiveness in urban engagement		8,500
Program increase		15,000
11 ADVANCED WEAPONS TECHNOLOGY	28,803	53,803
Program increase		25,000
12 ADVANCED CONCEPTS AND SIMULATION	27,688	30,688
Program increase		3,000
13 COMBAT VEHICLE AND AUTOMOTIVE TECHNOLOGY	67,959	92,959
Program increase		10,000
Program increase - alternative energy research		15,000
14 BALLISTICS TECHNOLOGY	85,436	105,436
Program increase		20,000
17 WEAPONS AND MUNITIONS TECHNOLOGY	53,581	120,081
Program increase		18,000
High-speed vehicle mounted fire detection technology		5,000
Railgun weapon technology		20,000
Medium caliber lightweight composite barrel technology		5,000
Guided tank fired round development for high mobility targets		8,500
Armament systems concepts		5,000
Hybrid projectile technology		5,000
18 ELECTRONICS AND ELECTRONIC DEVICES	56,322	74,322
Tactical and component power technology		2,000
Payload agnostic unmanned aerial systems		4,000
Silicon carbide research		10,000
Flexible printable electronics		2,000
20 COUNTERMINE SYSTEMS	26,497	30,497
Program increase		4,000

R-1	Budget Request	Final Bill
22 ENVIRONMENTAL QUALITY TECHNOLOGY	22,151	30,151
Program increase		8,000
25 MILITARY ENGINEERING TECHNOLOGY	67,416	82,416
Program increase		15,000
27 WARFIGHTER TECHNOLOGY	37,403	60,103
H98 clothing and equipment		5,000
Advanced active environmental control technology for expeditionary mobile base		6,000
Program increase		10,000
Soldier protection		1,700
28 MEDICAL TECHNOLOGY	77,111	79,111
Military operational medical research program		2,000
29 WARFIGHTER ADVANCED TECHNOLOGY	38,831	51,331
Program increase		12,500
30 MEDICAL ADVANCED TECHNOLOGY	68,365	107,365
Peer-reviewed neurotoxin exposure treatment Parkinson's research		16,000
Peer-reviewed neurofibromatosis research		15,000
Peer-reviewed military burn research		8,000
31 AVIATION ADVANCED TECHNOLOGY	94,280	112,280
Ballistic seating system		7,000
Future Vertical Lift		11,000
32 WEAPONS AND MUNITIONS ADVANCED TECHNOLOGY	68,714	192,714
Program increase		42,000
Weapons mounts		2,500
Accelerate extended range cannon artillery		21,000
Laser defense system for small UAS		15,000
Weapon effectiveness in urban engagement		8,500
Armament systems integration		5,000
High energy laser research		30,000
COMBAT VEHICLE AND AUTOMOTIVE ADVANCED TECHNOLOGY		
33	122,132	168,132
Combat vehicle weight reduction initiative		10,000
Advanced water harvesting technology		6,000
Program increase		30,000
40 COMBATING TERRORISM, TECHNOLOGY DEVELOPMENT	27,686	35,686
Force protection radar development		8,000
43 ELECTRONIC WARFARE TECHNOLOGY	27,893	41,893
Program increase		14,000
44 MISSILE AND ROCKET ADVANCED TECHNOLOGY	52,190	115,690
Cybersecurity and supply chain risk management research		10,000
GPS-guided weapon performance improvement		5,000
Next generation close combat missile		8,500
Armament systems concepts		5,000
Armament systems integration		5,000
Program increase		30,000
46 HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM	177,190	222,190
Program increase		45,000

R-1	Budget Request	Final Bill
50 ENVIRONMENTAL QUALITY TECHNOLOGY DEMONSTRATIONS	11,137	21,137
Program increase		10,000
51 MILITARY ENGINEERING ADVANCED TECHNOLOGY	20,684	58,684
Secure management of energy generation and storage		3,000
Program increase		30,000
Installation energy efficiency enhancements		5,000
ADVANCED TACTICAL COMPUTER SCIENCE & SENSOR		
52 TECHNOLOGY	44,239	54,239
Program increase		10,000
COMMAND, CONTROL, COMMUNICATIONS ADVANCED		
53 TECHNOLOGY	35,775	37,775
Program increase		2,000
54 ARMY MISSILE DEFENSE SYSTEMS INTEGRATION	9,433	47,433
High power microwave analysis and radio frequency platform protection		5,000
Program increase		25,000
High energy laser research		8,000
58 TANK AND MEDIUM CALIBER AMMUNITION	40,096	48,096
Stryker 30mm programmable air burst ammunition		8,000
59 SOLDIER SUPPORT AND SURVIVABILITY	10,506	14,006
Program increase		3,500
65 LOGISTICS AND ENGINEER EQUIPMENT - ADV DEV	20,834	18,126
Prior year carryover		-2,708
66 MEDICAL SYSTEMS - ADV DEV	33,503	41,003
Program increase		7,500
67 SOLDIER SYSTEMS - ADVANCED DEVELOPMENT	31,120	54,120
Enhanced lightweight body armor		23,000
70 TECHNOLOGY MATURATION INITIATIVES	70,047	60,047
Ground vehicle prototyping excess growth		-10,000
73 CYBERSPACE OPERATIONS FORCES AND FORCE SUPPORT	40,510	30,510
Lack of validated requirements		-10,000
74 AIRCRAFT AVIONICS	83,248	62,248
Excess DVE product development funding		-21,000
78 ALL SOURCE ANALYSIS SYSTEM	3,958	11,958
Program increase		8,000
80 INFANTRY SUPPORT WEAPONS	66,943	67,503
Cannon life extension		1,500
Program increase		3,000
Modular handgun system delay		-3,940
85 TACTICAL UNMANNED GROUND VEHICLE	39,282	33,532
EMD contract delay		-5,750
88 NIGHT VISION SYSTEMS - SDD	84,519	79,519
Prior year carryover		-5,000

R-1	Budget Request	Final Bill
90 NON-SYSTEM TRAINING DEVICES - SDD	30,774	29,801
Solider fitness program unjustified		-973
91 AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE -SDD	53,332	58,332
Counter rocket, artillery, and mortar systems		5,000
98 LOGISTICS AND ENGINEER EQUIPMENT - SDD	75,098	78,860
Maneuver Support Vessel-Light contract delay		-3,000
Next generation vehicle camouflage technology		11,100
Program increase		2,500
Engine driven generators schedule delay		-6,838
101 LANDMINE WARFARE/BARRIER - SDD	39,630	33,354
Mine-neutral and detection schedule delay		-6,276
ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE	205,590	203,274
Solider borne sensor personal reconnaissance technology		7,500
TNOM funding ahead of acquisition strategy		-9,816
105 FIREFINDER	9,235	6,425
Enhanced AN/TPQ 36 carryover		-2,810
108 INFORMATION TECHNOLOGY DEVELOPMENT	74,236	73,732
Army human resource system VACE unjustified		-504
117 COMMON INFRARED COUNTERMEASURES (CIRCM)	96,977	82,977
Program of record prior year carryover		-14,000
120 TACTICAL NETWORK RADIO SYSTEMS (LOW-TIER)	18,824	14,765
Manpack operational test funding ahead of need		-4,059
122 AIRCRAFT SURVIVABILITY DEVELOPMENT	41,133	34,133
Advanced missile warning system development funding		-7,000
126 JOINT AIR-TO-GROUND MISSILE (JAGM)	42,972	48,972
Improved lethality and range		6,000
128 ARMY INTEGRATED AIR AND MISSILE DEFENSE (AIAMD)	252,811	282,811
Program increase		15,000
Cybersecurity research		15,000
137 THREAT SIMULATOR DEVELOPMENT	25,675	29,675
Program increase		4,000
139 MAJOR T&E INVESTMENT	84,777	96,777
Cyber vulnerabilities research		12,000
141 ARMY KWAJALEIN ATOLL	236,648	227,451
Installation services excess growth		-9,197
145 ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS	52,404	72,404
Cybersecurity of space and missile defense assets		10,000
Program increase		10,000
156 MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY	40,545	65,545
Munitions standardization, effectiveness, and safety		10,000
Program increase		15,000

R-1	Budget Request	Final Bill
166 LONG RANGE PRECISION FIRES (LRPF)	39,275	37,775
Prior year carryover		-1,500
167 APACHE PRODUCT IMPROVEMENT PROGRAM	66,441	64,441
Support funding carryover		-1,000
Management services excess growth		-1,000
171 IMPROVED TURBINE ENGINE PROGRAM	126,105	116,105
PDR contract delay		-10,000
173 LOGISTICS AUTOMATION	4,563	1,736
Prior year carryover		-2,827
176 AEROSTAT JOINT PROJECT OFFICE	45,482	6,400
Excess funding due to program cancellation		-39,082
179 COMBAT VEHICLE IMPROVEMENT PROGRAMS	316,857	304,031
Abrams program support excess growth		-5,000
Excess funding		-1,026
Stryker ECP 2 funding ahead of need		-6,800
181 AIRCRAFT MODIFICATIONS/PRODUCT IMPROVEMENT	35,793	33,693
Modification funding ahead of need		-2,100
190 LOWER TIER AIR AND MISSILE DEFENSE (AMD) SYSTEM	69,417	63,889
Prior year carryover		-5,528

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

The agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL

RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY		
BASIC RESEARCH		
1	UNIVERSITY RESEARCH INITIATIVES.....	101,714 121,714
2	IN-HOUSE LABORATORY INDEPENDENT RESEARCH.....	18,508 18,508
3	DEFENSE RESEARCH SCIENCES.....	422,748 422,748

	TOTAL, BASIC RESEARCH.....	542,970 562,970
APPLIED RESEARCH		
4	POWER PROJECTION APPLIED RESEARCH.....	41,371 61,371
5	FORCE PROTECTION APPLIED RESEARCH.....	158,745 201,745
6	MARINE CORPS LANDING FORCE TECHNOLOGY.....	51,590 69,765
7	COMMON PICTURE APPLIED RESEARCH.....	41,185 41,185
8	WARFIGHTER SUSTAINMENT APPLIED RESEARCH.....	45,467 50,467
9	ELECTROMAGNETIC SYSTEMS APPLIED RESEARCH.....	118,941 120,941
10	OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH.....	42,618 81,618
11	JOINT NON-LETHAL WEAPONS APPLIED RESEARCH.....	6,327 6,327
12	UNDERSEA WARFARE APPLIED RESEARCH.....	126,313 126,313
13	FUTURE NAVAL CAPABILITIES APPLIED RESEARCH.....	165,103 157,103
14	MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH.....	33,916 33,916
15	SCIENCE AND TECHNOLOGY MANAGEMENT - ONR HEADQUARTERS..	29,575 29,575

	TOTAL, APPLIED RESEARCH.....	861,151 980,326

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	FINAL BILL
16	ADVANCED TECHNOLOGY DEVELOPMENT POWER PROJECTION ADVANCED TECHNOLOGY.....	96,406	96,406
17	FORCE PROTECTION ADVANCED TECHNOLOGY.....	48,438	85,338
18	ELECTROMAGNETIC SYSTEMS ADVANCED TECHNOLOGY.....	26,421	26,421
19	MARINE CORPS ADVANCED TECHNOLOGY DEMONSTRATION (ATD)...	140,416	140,416
20	JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT.....	13,117	13,117
21	FUTURE NAVAL CAPABILITIES ADVANCED TECHNOLOGY DEV.....	249,092	266,092
22	MANUFACTURING TECHNOLOGY PROGRAM.....	56,712	56,712
23	WARFIGHTER PROTECTION ADVANCED TECHNOLOGY.....	4,789	40,789
24	UNDERSEA WARFARE ADVANCED TECHNOLOGY.....	25,880	25,880
25	NAVY WARFIGHTING EXPERIMENTS AND DEMONSTRATIONS.....	60,550	59,550
26	MINE AND EXPEDITIONARY WARFARE ADVANCED TECHNOLOGY....	15,167	13,167
	TOTAL, ADVANCED TECHNOLOGY DEVELOPMENT.....	736,988	823,888
27	DEMONSTRATION & VALIDATION AIR/OCEAN TACTICAL APPLICATIONS.....	48,536	44,936
28	AVIATION SURVIVABILITY.....	5,239	15,239
30	AIRCRAFT SYSTEMS.....	1,519	1,519
31	ASW SYSTEMS DEVELOPMENT.....	7,041	7,041
32	TACTICAL AIRBORNE RECONNAISSANCE.....	3,274	3,274
33	ADVANCED COMBAT SYSTEMS TECHNOLOGY.....	57,034	3,651
34	SURFACE AND SHALLOW WATER MINE COUNTERMEASURES.....	165,775	120,775
35	SURFACE SHIP TORPEDO DEFENSE.....	87,066	71,553
36	CARRIER SYSTEMS DEVELOPMENT.....	7,605	7,605
37	PILOT FISH.....	132,068	132,068
38	RETRACT LARCH.....	14,546	14,546
39	RETRACT JUNIPER.....	115,435	115,435
40	RADIOLOGICAL CONTROL.....	702	702
41	SURFACE ASW.....	1,081	1,081
42	ADVANCED SUBMARINE SYSTEM DEVELOPMENT.....	100,565	118,023
43	SUBMARINE TACTICAL WARFARE SYSTEMS.....	8,782	8,782
44	SHIP CONCEPT ADVANCED DESIGN.....	14,590	14,590

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	FINAL BILL
45	SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES.....	15,805	13,805
46	ADVANCED NUCLEAR POWER SYSTEMS.....	453,313	453,313
47	ADVANCED SURFACE MACHINERY SYSTEMS.....	36,655	30,858
48	CHALK EAGLE.....	367,016	367,016
49	LITTORAL COMBAT SHIP (LCS).....	51,630	51,630
50	COMBAT SYSTEM INTEGRATION.....	23,530	23,530
51	OHIO REPLACEMENT PROGRAM.....	700,811	700,811
52	LITTORAL COMBAT SHIP (LCS) MISSION MODULES.....	160,058	153,608
53	AUTOMATED TEST AND RE-TEST.....	---	15,000
54	FRIGATE DEVELOPMENT.....	84,900	84,900
55	CONVENTIONAL MUNITIONS.....	8,342	8,342
56	MARINE CORPS ASSAULT VEHICLES.....	158,682	138,762
57	MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM.....	1,303	1,303
58	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT.....	46,911	45,411
60	OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT.....	4,556	4,556
61	ENVIRONMENTAL PROTECTION.....	20,343	19,121
62	NAVY ENERGY PROGRAM.....	52,479	70,879
63	FACILITIES IMPROVEMENT.....	5,458	5,458
64	CHALK CORAL.....	245,860	230,860
65	NAVY LOGISTIC PRODUCTIVITY.....	3,089	3,089
66	RETRACT MAPLE.....	323,526	314,776
67	LINK PLUMERIA.....	318,497	284,297
68	RETRACT ELM.....	52,834	52,834
69	LINK EVERGREEN.....	48,116	48,116
70	SPECIAL PROCESSES.....	13,619	13,619
71	NATO RESEARCH AND DEVELOPMENT.....	9,867	8,567
72	LAND ATTACK TECHNOLOGY.....	6,015	18,015
73	JOINT NONLETHAL WEAPONS TESTING.....	27,904	27,904
74	JOINT PRECISION APPROACH AND LANDING SYSTEMS.....	104,144	102,722
75	DIRECTED ENERGY AND ELECTRIC WEAPON SYSTEMS.....	32,700	32,700
76	GERALD R. FORD CLASS NUCLEAR AIRCRAFT CARRIER.....	70,528	70,528

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL
77 REMOTE MINEHUNTING SYSTEM (RMS).....	3,001	3,001
78 TACTICAL AIR DIRECTIONAL INFRARED COUNTERMEASURES.....	34,920	26,920
80 MH-XX.....	1,620	1,620
81 LX (R).....	6,354	25,354
82 ADVANCED UNDERSEA PROTOTYPING.....	78,589	59,479
84 PRECISION STRIKE WEAPONS DEVELOPMENT PROGRAM.....	9,910	4,910
85 SPACE & ELECTRONIC WARFARE (SEW) ARCHITECTURE/ENGINE..	23,971	20,651
86 OFFENSIVE ANTI-SURFACE WARFARE WEAPON DEVELOPMENT.....	252,409	300,971
87 JOINT LIGHT TACTICAL VEHICLE ENGINEERING/MANUFACTURING	23,197	9,597
88 ASW SYSTEMS DEVELOPMENT - MIP.....	9,110	9,110
89 ELECTRONIC WARFARE DEVELOPMENT - MIP.....	437	437
TOTAL, DEMONSTRATION & VALIDATION.....	4,662,867	4,539,200
ENGINEERING & MANUFACTURING DEVELOPMENT		
90 TRAINING SYSTEM AIRCRAFT.....	19,938	17,938
91 OTHER HELO DEVELOPMENT.....	6,268	5,968
92 AV-8B AIRCRAFT - ENG DEV.....	33,664	32,664
93 STANDARDS DEVELOPMENT.....	1,300	1,300
94 MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT.....	5,275	5,275
95 AIR/OCEAN EQUIPMENT ENGINEERING.....	3,875	3,875
96 P-3 MODERNIZATION PROGRAM.....	1,909	1,909
97 WARFARE SUPPORT SYSTEM.....	13,237	11,537
98 TACTICAL COMMAND SYSTEM.....	36,323	36,323
99 ADVANCED HAWKEYE.....	363,792	365,178
100 H-1 UPGRADES.....	27,441	27,441
101 ACOUSTIC SEARCH SENSORS.....	34,525	29,525
102 V-22A.....	174,423	154,245
103 AIR CREW SYSTEMS DEVELOPMENT.....	13,577	7,477
104 EA-18.....	116,761	104,444
105 ELECTRONIC WARFARE DEVELOPMENT.....	48,766	42,378
106 EXECUTIVE HELO DEVELOPMENT.....	338,357	338,357
107 NEXT GENERATION JAMMER (NGJ).....	577,822	577,822

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL
108 JOINT TACTICAL RADIO SYSTEM - NAVY (JTRS-NAVY).....	2,365	2,365
109 NEXT GENERATION JAMMER (NGJ) INCREMENT II.....	52,065	18,965
110 SURFACE COMBATANT COMBAT SYSTEM ENGINEERING.....	282,764	275,764
111 LPD-17 CLASS SYSTEMS INTEGRATION.....	580	580
112 SMALL DIAMETER BOMB (SDB).....	97,622	91,622
113 STANDARD MISSILE IMPROVEMENTS.....	120,561	120,561
114 AIRBORNE MCM.....	45,622	45,622
116 NAVAL INTEGRATED FIRE CONTROL-COUNTER AIR SYSTEMS ENG.	25,750	25,750
118 ADVANCED ABOVE WATER SENSORS.....	85,868	72,868
119 SSN-688 AND TRIDENT MODERNIZATION.....	117,476	123,476
120 AIR CONTROL.....	47,404	44,858
121 SHIPBOARD AVIATION SYSTEMS.....	112,158	116,158
122 COMBAT INFORMATION CENTER CONVERSION.....	6,283	6,283
123 AIR AND MISSILE DEFENSE RADAR (AMDR) SYSTEM.....	144,395	144,395
124 NEW DESIGN SSN.....	113,013	130,013
125 SUBMARINE TACTICAL WARFARE SYSTEM.....	43,160	52,160
126 SHIP CONTRACT DESIGN/LIVE FIRE T&E.....	65,002	85,002
127 NAVY TACTICAL COMPUTER RESOURCES.....	3,098	3,098
128 VIRGINIA PAYLOAD MODULE (VPM).....	97,920	97,920
129 MINE DEVELOPMENT.....	10,490	10,490
130 LIGHTWEIGHT TORPEDO DEVELOPMENT.....	20,178	30,178
131 JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT.....	7,369	7,369
132 PERSONNEL, TRAINING, SIMULATION, AND HUMAN FACTORS....	4,995	4,995
133 JOINT STANDOFF WEAPON SYSTEMS.....	412	412
134 SHIP SELF DEFENSE (DETECT & CONTROL).....	134,619	134,619
135 SHIP SELF DEFENSE (ENGAGE: HARD KILL).....	114,475	119,475
136 SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EW).....	114,211	103,889
137 INTELLIGENCE ENGINEERING.....	11,029	9,029
138 MEDICAL DEVELOPMENT.....	9,220	25,220
139 NAVIGATION/ID SYSTEM.....	42,723	42,723
140 JOINT STRIKE FIGHTER (JSF) - EMD.....	531,426	531,426

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL
141 JOINT STRIKE FIGHTER (JSF).....	528,716	528,716
142 JSF FOLLOW ON DEVELOPMENT-MARINE CORPS.....	74,227	29,691
143 JSF FOLLOW ON DEVELOPMENT-NAVY.....	63,387	25,355
144 INFORMATION TECHNOLOGY DEVELOPMENT.....	4,856	4,856
145 INFORMATION TECHNOLOGY DEVELOPMENT.....	97,066	90,566
146 ANTI-TAMPER TECHNOLOGY SUPPORT.....	2,500	500
147 CH-53K.....	404,810	350,810
148 MISSION PLANNING.....	33,570	33,570
149 COMMON AVIONICS.....	51,599	49,512
150 SHIP TO SHORE CONNECTOR (SSC).....	11,088	11,088
151 T-AO (X).....	1,095	1,095
152 CARRIER BASED AERIAL REFUELING SYSTEM (CBARS).....	89,000	76,422
153 JOINT AIR-TO-GROUND MISSILE (JAGM).....	17,880	17,880
154 MULTI-MISSION MARITIME AIRCRAFT (MMA).....	59,126	64,126
155 MULTI-MISSION MARITIME AIRCRAFT (MMA) INCREMENT 3.....	182,220	112,320
156 DDG-1000.....	45,642	45,642
159 TACTICAL COMMAND SYSTEM - MIP.....	676	676
160 TACTICAL CRYPTOLOGIC SYSTEMS.....	36,747	34,047
161 SPECIAL APPLICATIONS PROGRAM.....	35,002	35,002
162 CYBER OPERATIONS TECHNOLOGY DEVELOPMENT.....	4,942	2,442
TOTAL, ENGINEERING & MANUFACTURING DEVELOPMENT.....	6,025,655	5,755,257
RDT&E MANAGEMENT SUPPORT		
163 THREAT SIMULATOR DEVELOPMENT.....	16,633	16,633
164 TARGET SYSTEMS DEVELOPMENT.....	36,662	36,662
165 MAJOR T&E INVESTMENT.....	42,109	52,109
166 JOINT THEATER AIR AND MISSILE DEFENSE ORGANIZATION....	2,998	2,998
167 STUDIES AND ANALYSIS SUPPORT - NAVY.....	3,931	3,931
168 CENTER FOR NAVAL ANALYSES.....	46,634	46,634
169 NEXT GENERATION FIGHTER.....	1,200	1,200
171 TECHNICAL INFORMATION SERVICES.....	903	903
172 MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT.....	87,077	100,077

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL
173 STRATEGIC TECHNICAL SUPPORT.....	3,597	3,597
174 RDT&E SCIENCE AND TECHNOLOGY MANAGEMENT.....	62,811	62,811
175 RDT&E SHIP AND AIRCRAFT SUPPORT.....	106,093	106,093
176 TEST AND EVALUATION SUPPORT.....	349,146	349,146
177 JOOPERATIONAL TEST AND EVALUATION CAPABILITY.....	18,160	18,160
178 NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT.....	9,658	9,658
179 SEW SURVEILLANCE/RECONNAISSANCE SUPPORT.....	6,500	6,500
180 MARINE CORPS PROGRAM WIDE SUPPORT.....	22,247	19,766
181 MANAGEMENT HEADQUARTERS - R&D.....	16,254	16,254
182 WARFARE INNOVATION MANAGEMENT.....	21,123	15,423
TOTAL, RDT&E MANAGEMENT SUPPORT.....	853,736	868,555
188 OPERATIONAL SYSTEMS DEVELOPMENT COOPERATIVE ENGAGEMENT CAPABILITY (CEC).....	84,501	77,001
189 DEPLOYABLE JOINT COMMAND AND CONTROL.....	2,970	2,970
190 STRATEGIC SUB & WEAPONS SYSTEM SUPPORT.....	136,556	131,056
191 SSBN SECURITY TECHNOLOGY PROGRAM.....	33,845	33,845
192 SUBMARINE ACOUSTIC WARFARE DEVELOPMENT.....	9,329	9,329
193 NAVY STRATEGIC COMMUNICATIONS.....	17,218	17,218
195 F/A-18 SQUADRONS.....	189,125	174,425
196 FLEET TELECOMMUNICATIONS (TACTICAL).....	48,225	48,225
197 SURFACE SUPPORT.....	21,156	21,156
198 TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPC)...	71,355	43,016
199 INTEGRATED SURVEILLANCE SYSTEM.....	58,542	57,058
200 AMPHIBIOUS TACTICAL SUPPORT UNITS.....	13,929	13,929
201 GROUND/AIR TASK ORIENTED RADAR.....	83,538	81,038
202 CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT.....	38,593	45,343
203 CRYPTOLOGIC DIRECT SUPPORT.....	1,122	1,122
204 ELECTRONIC WARFARE (EW) READINESS SUPPORT.....	99,998	83,292
205 HARM IMPROVEMENT.....	48,635	38,435
206 TACTICAL DATA LINKS.....	124,785	124,785

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL
207 SURFACE ASW COMBAT SYSTEM INTEGRATION.....	24,583	24,583
208 MK-48 ADCAP.....	39,134	49,134
209 AVIATION IMPROVEMENTS.....	120,861	118,861
210 OPERATIONAL NUCLEAR POWER SYSTEMS.....	101,786	101,786
211 MARINE CORPS COMMUNICATIONS SYSTEMS.....	82,159	99,359
212 COMMON AVIATION COMMAND AND CONTROL SYSTEM	11,850	8,976
213 MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS....	47,877	41,877
214 MARINE CORPS COMBAT SERVICES SUPPORT.....	13,194	11,700
215 USMC INTELLIGENCE/ELECTRONIC WARFARE SYSTEMS (MIP)....	17,171	17,171
216 AMPHIBIOUS ASSAULT VEHICLE.....	38,020	38,020
217 TACTICAL AIM MISSILES.....	56,285	56,285
218 ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)....	40,350	40,350
219 GLOBAL COMBAT SUPPORT SYSTEM - MARINE CORPS (GCSS-MC)..	9,128	9,128
223 SATELLITE COMMUNICATIONS (SPACE).....	37,372	32,116
224 CONSOLIDATED AFLOAT NETWORK ENTERPRISE SERVICES.....	23,541	23,541
225 INFORMATION SYSTEMS SECURITY PROGRAM.....	38,510	33,310
228 JOINT MILITARY INTELLIGENCE PROGRAMS.....	6,019	6,019
229 TACTICAL UNMANNED AERIAL VEHICLES.....	8,436	8,436
230 UAS INTEGRATION AND INTEROPERABILITY.....	36,509	21,909
231 DISTRIBUTED COMMON GROUND SYSTEMS/SURFACE SYSTEMS....	2,100	2,100
232 DISTRIBUTED COMMON GROUND SYSTEMS/SURFACE SYSTEMS....	44,571	44,571
233 MQ-4C TRITON.....	111,729	111,729
234 MQ-8 UAV.....	26,518	26,518
235 RQ-11 UAV.....	418	---
236 RQ-7 UAV.....	716	---
237 SMALL (LEVEL 0) TACTICAL UAS (STUASLO).....	5,071	5,071
238 RQ-21A.....	9,497	8,379
239 MULTI-INTELLIGENCE SENSOR DEVELOPMENT.....	77,965	64,765
240 UNMANNED AERIAL SYSTEMS (UAS) PAYLOADS (MIP).....	11,181	11,181
241 RQ-4 MODERNIZATION.....	181,266	144,566
242 MODELING AND SIMULATION SUPPORT.....	4,709	4,709

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL
243 DEPOT MAINTENANCE (NON-IF).....	49,322	38,277
245 MARITIME TECHNOLOGY (MARITECH).....	3,204	3,204
TOTAL, OPERATIONAL SYSTEMS DEVELOPMENT.....	2,364,474	2,210,874
9999 CLASSIFIED PROGRAMS.....	1,228,460	1,473,460
TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY.....	17,276,301	17,214,530

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

R-1	Budget Request	Final Bill
1 UNIVERSITY RESEARCH INITIATIVES	101,714	121,714
Program increase - basic research		20,000
4 POWER PROJECTION APPLIED RESEARCH	41,371	61,371
Program increase		20,000
5 FORCE PROTECTION APPLIED RESEARCH	158,745	201,745
Program increase - littoral threat research		5,000
Program increase		15,000
Program increase - battery storage and safety		3,000
Program increase - alternative energy research		20,000
6 MARINE CORPS LANDING FORCE TECHNOLOGY	51,590	69,765
Littoral combat/power projection unjustified growth		-1,825
Program increase		20,000
8 WARFIGHTER SUSTAINMENT APPLIED RESEARCH	45,467	50,467
Program increase		5,000
9 ELECTROMAGNETIC SYSTEMS APPLIED RESEARCH	118,941	120,941
Electronic warfare technology previously funded efforts		-2,000
Program increase - conformal phased array antenna research		4,000
10 OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH	42,618	81,618
Program increase - AGOR mid-life refit		30,000
Program increase - naval special warfare maritime science and technology		5,000
Program increase - space-based monitoring in the arctic basin		4,000
13 FUTURE NAVAL CAPABILITIES APPLIED RESEARCH	165,103	157,103
FORCENET excess growth		-5,000
Power and energy previously funded efforts		-2,000
Sea shield previously funded efforts		-1,000
17 FORCE PROTECTION ADVANCED TECHNOLOGY	48,438	85,338
Aircraft technology excess growth		-3,100
Program increase - autonomous surface unmanned vehicle research		40,000
21 FUTURE NAVAL CAPABILITIES ADVANCED TECHNOLOGY DEV	249,092	266,092
Program increase - ASW research		7,000
Program increase		10,000
23 WARFIGHTER PROTECTION ADVANCED TECHNOLOGY	4,789	40,789
Program increase - bone marrow registry program		31,500
Program increase - tactical athlete program		4,500
25 NAVY WARFIGHTING EXPERIMENTS AND DEMONSTRATIONS	60,550	59,550
Operations analysis unjustified growth		-1,000
MINE AND EXPEDITIONARY WARFARE ADVANCED		
26 TECHNOLOGY	15,167	13,167
Mine technology excess growth		-2,000

R-1	Budget Request	Final Bill
27 AIR/OCEAN TACTICAL APPLICATIONS	48,536	44,936
Naval integrated tactical environmental system next generation excess growth		-3,000
Precise timing and astrometry contract delays		-600
28 AVIATION SURVIVABILITY	5,239	15,239
Program increase		10,000
33 ADVANCED COMBAT SYSTEMS TECHNOLOGY	57,034	3,651
Rapid prototype development excess growth		-39,356
Unmanned rapid prototype development excess growth		-14,027
34 SURFACE AND SHALLOW WATER MINE COUNTERMEASURES	165,775	120,775
LDUUV support excess growth		-2,000
Project 2094 LDUUV - continue risk reduction and technology maturation efforts only		-43,000
35 SURFACE SHIP TORPEDO DEFENSE	87,066	71,553
Long lead material early to need		-15,513
42 ADVANCED SUBMARINE SYSTEM DEVELOPMENT	100,565	118,023
Flank array demonstration unjustified growth		-450
Stealth product development excess growth		-2,500
Universal launch and recovery module excess growth		-4,592
Program increase - advance materials propeller research		25,000
45 SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES	15,805	13,805
Shipboard energy conservation excess growth		-2,000
47 ADVANCED SURFACE MACHINERY SYSTEMS	36,655	30,858
Energy efficiency previously funded efforts		-1,797
Cybersecurity boundary defense capability excess growth		-4,000
52 LITTORAL COMBAT SHIP (LCS) MISSION MODULES	160,058	153,608
System test and evaluation prior year carryover		-6,450
53 AUTOMATED TEST AND RE-TEST	0	15,000
Program increase		15,000
56 MARINE CORPS ASSAULT VEHICLES	158,682	138,762
Product development prior year carryover		-19,920
58 JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	46,911	45,411
VSW MCM next generation UUV early to need		-1,500
61 ENVIRONMENTAL PROTECTION	20,343	19,121
Environmental sustainability development excess growth		-1,222
62 NAVY ENERGY PROGRAM	52,479	70,879
Aircraft energy conservation systems engineering prior year carryover		-1,600
Program increase - installation energy efficiency enhancements		5,000
Program increase - renewable energy development		15,000
64 CHALK CORAL	245,860	230,860
Program adjustment		-15,000
66 RETRACT MAPLE	323,526	314,776
Program reduction		-8,750

R-1	Budget Request	Final Bill
67 LINK PLUMERIA	318,497	284,297
Program adjustment		-34,200
71 NATO RESEARCH AND DEVELOPMENT	9,867	8,567
Cooperative research and development unjustified growth		-1,300
72 LAND ATTACK TECHNOLOGY	6,015	18,015
Program increase - fly off competition		12,000
74 JOINT PRECISION APPROACH AND LANDING SYSTEMS	104,144	102,722
UCLASS test support unjustified request		-1,422
78 TACTICAL AIR DIRECTIONAL INFRARED COUNTERMEASURES	34,920	26,920
CIRCM schedule delays		-8,000
81 LX (R)	6,354	25,354
Program increase - accelerate LX (R) class of ships		19,000
82 ADVANCED UNDERSEA PROTOTYPING	78,589	59,479
Program adjustment - reflects change to competitive acquisition strategy		-35,000
Navy requested program increase		15,890
84 PRECISION STRIKE WEAPONS DEVELOPMENT PROGRAM	9,910	4,910
NGLAW program delay		-5,000
SPACE & ELECTRONIC WARFARE (SEW)		
85 ARCHITECTURE/ENGINEERING SUPPORT	23,971	20,651
Maritime concept generation and development excess growth		-3,320
OFFENSIVE ANTI-SURFACE WARFARE WEAPON		
86 DEVELOPMENT	252,409	300,971
Increment II early to need		-2,038
Program increase - Increment I Navy identified funding shortfall		50,600
JOINT LIGHT TACTICAL VEHICLE		
87 ENGINEERING/MANUFACTURING	23,197	9,597
Prior year carryover		-13,600
90 TRAINING SYSTEM AIRCRAFT	19,938	17,938
T-45 schedule delays		-2,000
91 OTHER HELO DEVELOPMENT	6,268	5,968
H-53 avionics previously funded		-300
92 AV-8B AIRCRAFT - ENG DEV	33,664	32,664
Support carryover		-1,000
97 WARFARE SUPPORT SYSTEM	13,237	11,537
Navy irregular warfare excess growth		-1,700
99 ADVANCED HAWKEYE	363,792	365,178
Mode 5/S previously funded		-225
New start efforts excess growth		-8,389
Program increase - radar development		10,000
101 ACOUSTIC SEARCH SENSORS	34,525	29,525
Multi-static active coherent schedule delays		-5,000

R-1	Budget Request	Final Bill
102 V-22A	174,423	154,245
Navy variant development contract award delays		-11,927
Aerial refueling system development contract award delay		-8,251
103 AIR CREW SYSTEMS DEVELOPMENT	13,577	7,477
Enhanced visual acuity program delays		-6,100
104 EA-18	116,761	104,444
Design and avionics integration excess growth		-10,000
Developmental and operational testing excess growth		-2,317
105 ELECTRONIC WARFARE DEVELOPMENT	48,766	42,378
Technology development unjustified new start		-2,016
Intrepid Tiger II excess growth		-4,372
109 NEXT GENERATION JAMMER (NGJ) INCREMENT II	52,065	18,965
Program growth		-33,100
110 SURFACE COMBATANT COMBAT SYSTEM ENGINEERING	282,764	275,764
AEGIS baseline 5.3X upgrade excess growth		-10,000
Program increase - small business technology insertion		3,000
112 SMALL DIAMETER BOMB (SDB)	97,622	91,622
F-18 integration test asset cost growth		-6,000
113 STANDARD MISSILE IMPROVEMENTS	120,561	120,561
Defer future capability demonstration efforts until completion of program of record test events		-14,000
Fully fund unfunded program of record test events		14,000
118 ADVANCED ABOVE WATER SENSORS	85,868	72,868
Program adjustment		-13,000
119 SSN-688 AND TRIDENT MODERNIZATION	117,476	123,476
Towed buoy antenna previously funded efforts		-1,000
Program increase		7,000
120 AIR CONTROL	47,404	44,858
AN/SPN-50 cost growth		-2,546
121 SHIPBOARD AVIATION SYSTEMS	112,158	116,158
Program increase		4,000
124 NEW DESIGN SSN	113,013	130,013
Program increase - small business technology insertion		10,000
Program increase		7,000
125 SUBMARINE TACTICAL WARFARE SYSTEM	43,160	52,160
Program increase - advanced weapons enhanced by submarine unmanned aerial system against mobile targets		9,000
126 SHIP CONTRACT DESIGN/LIVE FIRE T&E	65,002	85,002
Program increase - CVN cost reduction initiatives		20,000
130 LIGHTWEIGHT TORPEDO DEVELOPMENT	20,178	30,178
Program increase - small business technology insertion		10,000

R-1	Budget Request	Final Bill
135 SHIP SELF DEFENSE (ENGAGE: HARD KILL)	114,475	119,475
Program increase - electronics enclosure redesign efforts		5,000
136 SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EW)	114,211	103,889
EW RCIP unjustified growth		-2,322
Project 3316 decoy development effort contract award delay		-8,000
137 INTELLIGENCE ENGINEERING	11,029	9,029
Excess growth		-2,000
138 MEDICAL DEVELOPMENT	9,220	25,220
Program increase - military dental research		6,000
Program increase - wound care research		10,000
139 NAVIGATION/ID SYSTEM	42,723	42,723
ISIS and photonics common software and hardware capabilities prior year carryover		-3,000
NAVSTAR GPS equipment excess support growth		-3,000
Improved GPS - Department requested transfer of funds from multiple RDTE,AF lines		6,000
142 JSF FOLLOW ON DEVELOPMENT-MARINE CORPS	74,227	29,691
Follow-on development excess funds		-44,536
143 JSF FOLLOW ON DEVELOPMENT-NAVY	63,387	25,355
Follow-on development excess funds		-38,032
145 INFORMATION TECHNOLOGY DEVELOPMENT	97,066	90,566
Excess support growth		-1,800
NAVSEA IT excess growth		-2,200
BUPERS IT excess growth		-2,500
146 ANTI-TAMPER TECHNOLOGY SUPPORT	2,500	500
Unjustified request		-2,000
147 CH-53K	404,810	350,810
Program delay		-54,000
149 COMMON AVIONICS	51,599	49,512
CNS/ATM prior year carryover		-2,087
152 CARRIER BASED AERIAL REFUELING SYSTEM (CBARS)	89,000	76,422
Air segment product development early to need		-12,578
154 MULTI-MISSION MARITIME AIRCRAFT (MMA)	59,126	64,126
Program execution		-5,000
Program increase - small business technology insertion		10,000
155 MULTI-MISSION MARITIME AIRCRAFT (MMA) INCREMENT 3	182,220	112,320
Engineering change proposals 6 and 7 funding concurrent with combat systems architecture early to need		-69,900
160 TACTICAL CRYPTOLOGIC SYSTEMS	36,747	34,047
Excess support growth		-2,700
162 CYBER OPERATIONS TECHNOLOGY DEVELOPMENT	4,942	2,442
Excess growth		-2,500

R-1	Budget Request	Final Bill
165 MAJOR T&E INVESTMENT	42,109	52,109
Program increase - modeling and simulation for ground testing capabilities		10,000
172 MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT	87,077	100,077
Program increase - printed circuit board executive agent		13,000
180 MARINE CORPS PROGRAM WIDE SUPPORT	22,247	19,766
Studies and analysis excess growth		-2,481
182 WARFARE INNOVATION MANAGEMENT	21,123	15,423
Fleet experimentation excess growth		-5,700
188 COOPERATIVE ENGAGEMENT CAPABILITY (CEC)	84,501	77,001
Program delays		-7,500
190 STRATEGIC SUB & WEAPONS SYSTEM SUPPORT	136,556	131,056
Technical applications programs contract delays		-5,500
195 F/A-18 SQUADRONS	189,125	174,425
Multi-system integration excess growth		-4,000
Radar upgrade product development previously funded		-2,700
Infrared search and track excess growth		-10,000
Program increase - noise reduction research		2,000
198 TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER	71,355	43,016
Theater mission planning center previously funded		-4,000
Support prior year carryover		-6,339
Maritime modernization program adjustment		-18,000
199 INTEGRATED SURVEILLANCE SYSTEM	58,542	57,058
TASW prototypes excess growth		-1,484
201 GROUND/AIR TASK ORIENTED RADAR	83,538	81,038
EDM-1 refurbishment previously funded		-500
Insufficient budget documentation		-2,000
202 CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT	38,593	45,343
TACTS/LATR replacement contract delay		-2,250
Program increase - project 0604 training range enhancements		9,000
204 ELECTRONIC WARFARE (EW) READINESS SUPPORT	99,998	83,292
Electronic warfare/information operations countermeasure capability research and development prior year carryover		-3,206
Twisted web excess growth		-9,300
Mocking jay excess growth		-4,200
205 HARM IMPROVEMENT	48,635	38,435
AARGM threat data library unjustified growth		-1,800
AARGM ER change to acquisition strategy		-8,400
208 MK-48 ADCAP	39,134	49,134
Program increase		10,000
209 AVIATION IMPROVEMENTS	120,861	118,861
F135 engine unjustified growth		-2,000

R-1	Budget Request	Final Bill
211 MARINE CORPS COMMUNICATIONS SYSTEMS	82,159	99,359
CREW product development prior year carryover		-800
Program increase		6,000
Program increase - radar enhancements		12,000
212 COMMON AVIATION COMMAND AND CONTROL SYSTEM	11,850	8,976
Product development excess growth		-2,874
MARINE CORPS GROUND COMBAT/SUPPORTING ARMS		
213 SYSTEMS	47,877	41,877
Project 1555 prior year carryover		-6,000
214 MARINE CORPS COMBAT SERVICES SUPPORT	13,194	11,700
Advanced power sources contract delay		-1,494
223 SATELLITE COMMUNICATIONS (SPACE)	37,372	32,116
Joint aerial layer network maritime unjustified growth		-2,000
MUOS contract delay		-3,256
225 INFORMATION SYSTEMS SECURITY PROGRAM	38,510	33,310
Excess growth		-5,200
230 UAS INTEGRATION AND INTEROPERABILITY	36,509	21,909
Prior year carryover		-3,000
Increment II increase early to need		-11,600
235 RQ-11 UAV	418	0
Fully developed program		-418
236 RQ-7 UAV	716	0
Fully developed program		-716
238 RQ-21A	9,497	8,379
Inconsistent budget justification		-1,118
239 MULTI-INTELLIGENCE SENSOR DEVELOPMENT	77,965	64,765
Excess growth		-5,000
Project 3329 increase early to need		-8,200
241 RQ-4 MODERNIZATION	181,266	144,566
Test and evaluation excess growth		-2,550
Excess concurrency		-34,150
243 DEPOT MAINTENANCE (NON-IF)	49,322	38,277
Project 3384 funding early to need		-11,045
999 CLASSIFIED PROGRAMS	1,228,460	1,473,460
Classified adjustment		245,000

STANDARD MISSILE-6

The agreement includes \$120,561,000, as requested, for Standard Missile-6 (SM-6) improvements. It is understood that the Navy's top priority for the SM-6 research, develop-

ment, test and evaluation program in fiscal year 2017 is the completion of program of record flight tests and achieving full operational capability for the SM-6 Block I. The Secretary of the Navy is encouraged to prioritize funding allocations accordingly.

RESEARCH, DEVELOPMENT, TEST AND
EVALUATION, AIR FORCE

The agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	FINAL BILL

RESEARCH, DEVELOPMENT, TEST & EVAL, AIR FORCE			
1	BASIC RESEARCH		
	DEFENSE RESEARCH SCIENCES.....	340,812	380,812
2	UNIVERSITY RESEARCH INITIATIVES.....	145,044	150,044
3	HIGH ENERGY LASER RESEARCH INITIATIVES.....	14,168	14,168
	TOTAL, BASIC RESEARCH.....	500,024	545,024

4	APPLIED RESEARCH		
	MATERIALS.....	126,152	159,152
5	AEROSPACE VEHICLE TECHNOLOGIES.....	122,831	132,831
6	HUMAN EFFECTIVENESS APPLIED RESEARCH.....	111,647	111,647
7	AEROSPACE PROPULSION.....	185,671	195,671
8	AEROSPACE SENSORS.....	155,174	162,674
9	SPACE TECHNOLOGY.....	117,915	117,915
10	CONVENTIONAL MUNITIONS.....	109,649	109,649
11	DIRECTED ENERGY TECHNOLOGY.....	127,163	127,163
12	DOMINANT INFORMATION SCIENCES AND METHODS.....	161,650	166,650
13	HIGH ENERGY LASER RESEARCH.....	42,300	42,300
	TOTAL, APPLIED RESEARCH.....	1,260,152	1,325,652

14	ADVANCED TECHNOLOGY DEVELOPMENT		
	ADVANCED MATERIALS FOR WEAPON SYSTEMS.....	35,137	53,137
15	SUSTAINMENT SCIENCE AND TECHNOLOGY (S&T).....	20,636	20,636
16	ADVANCED AEROSPACE SENSORS.....	40,945	40,945
17	AEROSPACE TECHNOLOGY DEV/DEMO.....	130,950	130,950
18	AEROSPACE PROPULSION AND POWER TECHNOLOGY.....	94,594	109,594
19	ELECTRONIC COMBAT TECHNOLOGY.....	58,250	66,150
20	ADVANCED SPACECRAFT TECHNOLOGY.....	61,593	71,593
21	MAUI SPACE SURVEILLANCE SYSTEM (MSSS).....	11,681	11,681
22	HUMAN EFFECTIVENESS ADVANCED TECHNOLOGY DEVELOPMENT...	26,492	26,492

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL
23 CONVENTIONAL WEAPONS TECHNOLOGY.....	102,009	107,009
24 ADVANCED WEAPONS TECHNOLOGY.....	39,064	49,064
25 MANUFACTURING TECHNOLOGY PROGRAM.....	46,344	62,344
26 BATTLESPACE KNOWLEDGE DEVELOPMENT & DEMONSTRATION.....	58,110	58,110
TOTAL, ADVANCED TECHNOLOGY DEVELOPMENT.....	725,805	807,705
27 ADVANCED COMPONENT DEVELOPMENT INTELLIGENCE ADVANCED DEVELOPMENT.....	5,598	5,598
28 SPACE CONTROL TECHNOLOGY.....	7,534	7,534
29 COMBAT IDENTIFICATION TECHNOLOGY.....	24,418	24,418
30 NATO RESEARCH AND DEVELOPMENT.....	4,333	4,333
32 SPACE PROTECTION PROGRAM (SPP).....	32,399	32,399
33 INTERCONTINENTAL BALLISTIC MISSILE.....	108,663	113,663
34 POLLUTION PREVENTION (DEM/VAL).....	---	3,500
35 LONG RANGE STRIKE.....	1,358,309	1,338,309
36 ADVANCED TECHNOLOGY AND SENSORS.....	34,818	34,818
37 TECHNOLOGY TRANSFER.....	3,368	8,368
38 HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM.....	74,308	54,708
39 WEATHER SATELLITE FOLLOW-ON.....	118,953	93,953
40 SPACE SITUATION AWARENESS SYSTEMS.....	9,901	9,901
41 DEPLOYMENT AND DISTRIBUTION ENTERPRISE R&D.....	25,890	25,890
42 OPERATIONALLY RESPONSIVE SPACE.....	7,921	18,421
43 TECH TRANSITION PROGRAM.....	347,304	385,304
44 GROUND BASED STRATEGIC DETERRENT.....	113,919	113,919
46 NEXT GENERATION AIR DOMINANCE.....	20,595	20,595
47 THREE DIMENSIONAL LONG-RANGE RADAR.....	49,491	49,491
48 NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT)....	278,147	309,047
49 COMMON DATA LINK EXECUTIVE AGENT (CDL EA).....	42,338	42,338
50 CYBER OPERATIONS TECHNOLOGY DEVELOPMENT.....	158,002	158,002
51 ENABLED CYBER ACTIVITIES.....	15,842	15,842
52 CONTRACTING INFORMATION TECHNOLOGY SYSTEM.....	5,782	5,782
TOTAL, ADVANCED COMPONENT DEVELOPMENT.....	2,847,833	2,876,133

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL
54 ENGINEERING & MANUFACTURING DEVELOPMENT ELECTRONIC WARFARE DEVELOPMENT.....	12,476	5,176
55 TACTICAL DATA NETWORKS ENTERPRISE.....	82,380	82,380
56 PHYSICAL SECURITY EQUIPMENT.....	8,458	8,458
57 SMALL DIAMETER BOMB (SDB).....	54,838	39,138
58 COUNTERSPACE SYSTEMS.....	34,394	34,394
59 SPACE SITUATION AWARENESS SYSTEMS.....	23,945	23,945
60 SPACE FENCE.....	168,364	168,364
61 AIRBORNE ELECTRONIC ATTACK.....	9,187	9,187
62 SPACE BASED INFRARED SYSTEM (SBIRS) HIGH EMD.....	181,966	161,966
63 ARMAMENT/ORDNANCE DEVELOPMENT.....	20,312	20,312
64 SUBMUNITIONS.....	2,503	2,503
65 AGILE COMBAT SUPPORT.....	53,680	50,680
66 JOINT DIRECT ATTACK MUNITION.....	9,901	9,901
67 LIFE SUPPORT SYSTEMS.....	7,520	7,520
68 COMBAT TRAINING RANGES.....	77,409	68,409
69 F-35 - EMD.....	450,467	450,467
70 EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM (SPACE).....	296,572	396,572
71 LONG RANGE STANDOFF WEAPON.....	95,604	95,604
72 ICBM FUZE MODERNIZATION.....	189,751	189,751
73 JOINT TACTICAL NETWORK CENTER (JTNC).....	1,131	1,131
74 F-22 MODERNIZATION INCREMENT 3.2B.....	70,290	70,290
75 GROUND ATTACK WEAPONS FUZE DEVELOPMENT.....	937	937
76 NEXT GENERATION AERIAL REFUELING AIRCRAFT KC-46.....	261,724	229,924

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	FINAL BILL
77	ADVANCED PILOT TRAINING.....	12,377	7,377
78	CSAR HH-60 RECAPITALIZATION.....	319,331	273,331
80	ADVANCED EHF MILSATCOM (SPACE).....	259,131	229,131
81	POLAR MILSATCOM (SPACE).....	50,815	45,815
82	WIDEBAND GLOBAL SATCOM (SPACE).....	41,632	76,632
83	AIR AND SPACE OPS CENTER 10.2.....	28,911	21,911
84	B-2 DEFENSIVE MANAGEMENT SYSTEM.....	315,615	289,015
85	NUCLEAR WEAPONS MODERNIZATION.....	137,909	137,909
86	F-15 EPAWSS.....	256,669	250,669
87	FULL COMBAT MISSION TRAINING.....	12,051	12,051
88	COMBAT SURVIVOR EVADER LOCATOR.....	29,253	29,253
89	NEXTGEN JSTARS.....	128,019	128,019
90	PRESIDENTIAL AIRCRAFT REPLACEMENT.....	351,220	322,220
91	AUTOMATED TEST SYSTEMS.....	19,062	14,562
	TOTAL, ENGINEERING & MANUFACTURING DEVELOPMENT.....	4,075,804	3,964,904

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL
92 RDT&E MANAGEMENT SUPPORT THREAT SIMULATOR DEVELOPMENT.....	21,630	21,630
93 MAJOR T&E INVESTMENT.....	66,385	66,385
94 RAND PROJECT AIR FORCE.....	34,641	34,641
96 INITIAL OPERATIONAL TEST & EVALUATION.....	11,529	11,529
97 TEST AND EVALUATION SUPPORT.....	661,417	676,417
98 ROCKET SYSTEMS LAUNCH PROGRAM (SPACE).....	11,198	11,198
99 SPACE TEST PROGRAM (STP).....	27,070	42,070
100 FACILITIES RESTORATION & MODERNIZATION - TEST & EVAL..	134,111	134,111
101 FACILITIES SUSTAINMENT - TEST AND EVALUATION SUPPORT..	28,091	28,091
102 REQUIREMENTS ANALYSIS AND MATURATION.....	29,100	34,100
103 SPACE TEST AND TRAINING RANGE DEVELOPMENT.....	18,528	18,528
104 SPACE AND MISSILE CENTER (SMC) CIVILIAN WORKFORCE.....	176,666	171,666
105 ENTERPRISE INFORMATION SERVICES (EIS).....	4,410	4,410
106 ACQUISITION AND MANAGEMENT SUPPORT.....	14,613	14,613
107 GENERAL SKILL TRAINING.....	1,404	1,404
109 INTERNATIONAL ACTIVITIES.....	4,784	4,784
TOTAL, RDT&E MANAGEMENT SUPPORT.....	1,245,577	1,275,577

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL
OPERATIONAL SYSTEMS DEVELOPMENT		
110 GPS III - OPERATIONAL CONTROL SEGMENT.....	393,268	393,268
111 SPECIALIZED UNDERGRADUATE FLIGHT TRAINING.....	15,427	18,427
112 WIDE AREA SURVEILLANCE.....	46,695	46,695
115 AIR FORCE INTEGRATED MILITARY HUMAN RESOURCES SYSTEM..	10,368	10,368
116 ANTI-TAMPER TECHNOLOGY EXECUTIVE AGENCY.....	31,952	31,952
117 FOREIGN MATERIEL ACQUISITION AND EXPLOITATION.....	42,960	42,960
118 HC/MC-130 RECAP RDT&E.....	13,987	8,987
119 B-52 SQUADRONS.....	78,267	83,267
120 AIR-LAUNCHED CRUISE MISSILE (ALCM).....	453	453
121 B-1B SQUADRONS.....	5,830	3,930
122 B-2 SQUADRONS.....	152,458	127,458
123 MINUTEMAN SQUADRONS.....	182,958	178,958
124 STRAT WAR PLANNING SYSTEM - USSTRATCOM.....	39,148	39,148
126 WORLDWIDE JOINT STRATEGIC COMMUNICATIONS.....	6,042	13,042
128 UH-1N REPLACEMENT PROGRAM.....	14,116	14,116
129 REGION/SECTOR OPERATION CONTROL CENTER MODERNIZATION..	10,868	10,868
130 SERVICE SUPPORT TO STRATCOM - SPACE ACTIVITIES.....	8,674	8,674
131 MQ-9 UAV.....	151,373	138,373
133 A-10 SQUADRONS.....	14,853	4,853
134 F-16 SQUADRONS.....	132,795	120,195
135 F-15E SQUADRONS.....	356,717	356,717
136 MANNED DESTRUCTIVE SUPPRESSION.....	14,773	14,773
137 F-22 SQUADRONS.....	387,564	376,464
138 F-35 SQUADRONS.....	153,045	76,713
139 TACTICAL AIM MISSILES.....	52,898	52,898
140 ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM).....	62,470	62,470
143 COMBAT RESCUE - PARARESCUE.....	362	362
144 AF TENCAP.....	28,413	28,413
145 PRECISION ATTACK SYSTEMS PROCUREMENT.....	649	649
146 COMPASS CALL.....	13,723	13,723
147 AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM.....	109,859	109,859

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL
148 JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM).....	30,002	21,902
149 AIR AND SPACE OPERATIONS CENTER (AOC).....	37,621	30,343
150 CONTROL AND REPORTING CENTER (CRC).....	13,292	13,292
151 AIRBORNE WARNING AND CONTROL SYSTEM (AWACS).....	86,644	86,644
152 TACTICAL AIRBORNE CONTROL SYSTEMS.....	2,442	2,442
154 COMBAT AIR INTELLIGENCE SYSTEM ACTIVITIES.....	10,911	15,911
155 TACTICAL AIR CONTROL PARTY--MOD.....	11,843	11,843
156 C2ISR TACTICAL DATA LINK.....	1,515	1,515
157 DCAPEs.....	14,979	14,979
158 SEEK EAGLE.....	25,308	25,308
159 USAF MODELING AND SIMULATION.....	16,666	16,666
160 WARGAMING AND SIMULATION CENTERS.....	4,245	4,245
161 DISTRIBUTED TRAINING AND EXERCISES.....	3,886	3,886
162 MISSION PLANNING SYSTEMS.....	71,785	71,785
164 AF OFFENSIVE CYBERSPACE OPERATIONS.....	25,025	25,025
165 AF DEFENSIVE CYBERSPACE OPERATIONS.....	29,439	39,439
168 GLOBAL SENSOR INTEGRATED ON NETWORK (GSIN).....	3,470	3,470
169 NUCLEAR PLANNING AND EXECUTION SYSTEM (NPES).....	4,060	4,060
175 SPACE SUPERIORITY INTELLIGENCE.....	13,880	12,380
176 E-4B NATIONAL AIRBORNE OPERATIONS CENTER (NAOC).....	30,948	26,048
177 FAMILY OF ADVANCED BLoS TERMINALS (FAB-T).....	42,378	42,378
178 MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK....	47,471	40,171
179 INFORMATION SYSTEMS SECURITY PROGRAM.....	46,388	37,388
180 GLOBAL COMBAT SUPPORT SYSTEM.....	52	52
181 GLOBAL FORCE MANAGEMENT - DATA INITIATIVE.....	2,099	2,099
184 AIRBORNE SIGINT ENTERPRISE.....	90,762	90,762
187 GLOBAL AIR TRAFFIC MANAGEMENT (GATM).....	4,354	4,354
188 SATELLITE CONTROL NETWORK (SPACE).....	15,624	14,624
189 WEATHER SERVICE.....	19,974	19,974

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL
190 AIR TRAFFIC CONTROL, APPROACH, & LANDING SYSTEM (ATC).	9,770	17,770
191 AERIAL TARGETS.....	3,051	3,051
194 SECURITY AND INVESTIGATIVE ACTIVITIES.....	405	405
195 ARMS CONTROL IMPLEMENTATION.....	4,844	4,844
196 DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES.....	339	339
199 SPACE AND MISSILE TEST AND EVALUATION CENTER.....	3,989	3,989
200 SPACE INNOVATION, INTEGRATION AND RAPID TECHNOLOGY DEVELOPMENT.....	3,070	1,570
201 INTEGRATED BROADCAST SERVICE.....	8,833	8,833
202 SPACELIFT RANGE SYSTEM (SPACE).....	11,867	21,867
203 DRAGON U-2.....	37,217	37,217
204 ENDURANCE UNMANNED AERIAL VEHICLES.....	---	50,000
205 AIRBORNE RECONNAISSANCE SYSTEMS.....	3,841	13,841
206 MANNED RECONNAISSANCE SYSTEMS.....	20,975	20,975
207 DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS.....	18,902	18,902
208 RQ-4 UAV.....	256,307	244,807
209 NETWORK-CENTRIC COLLABORATIVE TARGET (TIARA).....	22,610	22,610
211 NATO AGS.....	38,904	38,904
212 SUPPORT TO DCGS ENTERPRISE.....	23,084	23,084
213 ADVANCED EVALUATION PROGRAM.....	116,143	---
214 GPS III SPACE SEGMENT.....	141,888	171,888

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL
215 INTERNATIONAL INTELLIGENCE TECHNOLOGY AND ARCHITECTURES.....	2,360	2,360
216 JSPOC MISSION SYSTEM.....	72,889	72,889
217 RAPID CYBER ACQUISITION.....	4,280	4,280
218 NCMC -TW/AA SYSTEM.....	4,951	4,951
219 NUDET DETECTION SYSTEM (SPACE).....	21,093	21,093
220 SPACE SITUATION AWARENESS OPERATIONS.....	35,002	35,002
222 SHARED EARLY WARNING (SEW).....	6,366	6,366
223 C-130 AIRLIFT SQUADRON.....	15,599	15,599
224 C-5 AIRLIFT SQUADRONS.....	66,146	66,146
225 C-17 AIRCRAFT.....	12,430	12,430
226 C-130J PROGRAM.....	16,776	16,776

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL
227 LARGE AIRCRAFT IR COUNTERMEASURES (LAIRCM).....	5,166	5,166
228 KC-10S.....	---	3,500
229 OPERATIONAL SUPPORT AIRLIFT.....	13,817	13,817
230 CV-22.....	16,702	16,702
231 SPECIAL TACTICS / COMBAT CONTROL.....	7,164	7,164
232 DEPOT MAINTENANCE (NON-IF).....	1,518	1,518
233 LOGISTICS INFORMATION TECHNOLOGY (LOGIT).....	61,676	57,676
238 SUPPORT SYSTEMS DEVELOPMENT.....	9,128	9,128
235 OTHER FLIGHT TRAINING.....	1,653	1,653
236 OTHER PERSONNEL ACTIVITIES.....	57	57
237 JOINT PERSONNEL RECOVERY AGENCY.....	3,663	3,663
238 CIVILIAN COMPENSATION PROGRAM.....	3,735	3,735
239 PERSONNEL ADMINISTRATION.....	5,157	5,157
240 AIR FORCE STUDIES AND ANALYSIS AGENCY.....	1,523	1,523
242 FINANCIAL MANAGEMENT INFORMATION SYSTEMS DEVELOPMENT..	10,581	10,581
TOTAL, OPERATIONAL SYSTEMS DEVELOPMENT.....	4,365,499	4,175,846
9999 CLASSIFIED PROGRAMS.....	13,091,557	12,817,707
TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, AIR FORCE	28,112,251	27,788,548

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EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

R-1	Budget Request	Final Bill
1 DEFENSE RESEARCH SCIENCES	340,812	380,812
Program increase - basic research		40,000
2 UNIVERSITY RESEARCH INITIATIVES	145,044	150,044
Program increase		5,000
4 MATERIALS	126,152	159,152
Program increase - electronics, optics and survivability		8,000
Program increase - structures, propulsion, and subsystems		5,000
Program increase - Air Force education and outreach program		10,000
Program increase - coating technologies		4,000
Program increase - certification of advanced materials		6,000
5 AEROSPACE VEHICLE TECHNOLOGIES	122,831	132,831
Program increase - hypersonic vehicle structures		10,000
7 AEROSPACE PROPULSION	185,671	195,671
Program increase - aerospace power technology		5,000
Program increase		5,000
8 AEROSPACE SENSORS	155,174	162,674
Program increase - electronic component technology		4,000
Program increase - spectrum monitoring		3,500
12 DOMINANT INFORMATION SCIENCES AND METHODS	161,650	166,650
Program increase		5,000
14 ADVANCED MATERIALS FOR WEAPON SYSTEMS	35,137	53,137
Program increase - metals affordability research		17,000
Program increase - protective equipment		1,000
18 AEROSPACE PROPULSION AND POWER TECHNOLOGY	94,594	109,594
Program increase - silicon carbide research		15,000
19 ELECTRONIC COMBAT TECHNOLOGY	58,250	66,150
Improved GPS - Department requested realignment of funds from lines 38, 54, 57, 121, 137, and 148		7,900
20 ADVANCED SPACECRAFT TECHNOLOGY	61,593	71,593
Program increase		10,000
23 CONVENTIONAL WEAPONS TECHNOLOGY	102,009	107,009
Program increase		5,000
24 ADVANCED WEAPONS TECHNOLOGY	39,064	49,064
Program increase		10,000
25 MANUFACTURING TECHNOLOGY PROGRAM	46,344	62,344
Program increase - additive manufacturing		10,000
Program increase		6,000
33 ICBM DEM/VAL	108,663	113,663
Program growth		-5,000
Program increase - solid rocket motor technology		10,000
34 POLLUTION PREVENTION DEM/VAL	0	3,500
Program increase - aviation ground equipment		3,500

R-1	Budget Request	Final Bill
35 LONG RANGE STRIKE-BOMBER	1,358,309	1,338,309
Forward financing		-20,000
37 TECHNOLOGY TRANSFER	3,368	8,368
Program increase		5,000
HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM		
38 (HDBTDS)	74,308	54,708
Improved GPS - Department requested realignment of funds to lines 19 and 48 and RDTE,N line 139		-19,600
39 WEATHER SYSTEM FOLLOW-ON	118,953	93,953
Unjustified request		-30,000
Program increase - commercial weather pilot program		5,000
42 OPERATIONALLY RESPONSIVE SPACE	7,921	18,421
Program increase - maintain fiscal year 2016 funding level		10,500
43 TECH TRANSITION PROGRAM	347,304	385,304
Program increase - alternative energy research		20,000
Program increase - logistics technologies		12,000
Program increase - counter electronics high powered microwave advanced missile project		6,000
48 NAVSTAR GPS (USER EQUIPMENT) (SPACE)	278,147	309,047
Unjustified cost growth		-4,000
Improved GPS - Department requested realignment of funds from lines 38,54,57,121,137, and 148		34,900
54 ELECTRONIC WARFARE DEVELOPMENT	12,476	5,176
Improved GPS - Department requested realignment of funds to RDTE,AF lines 19 and 48 and RDTE,N line 139		-3,300
Forward financing		-4,000
57 SMALL DIAMETER BOMB	54,838	39,138
Improved GPS - Department requested realignment of funds to RDTE,AF lines 19 and 48 and RDTE,N line 139		-7,800
Forward financing		-7,900
62 SBIRS HIGH	181,966	161,966
Unjustified request		-20,000
65 AGILE COMBAT SUPPORT	53,680	50,680
CE readiness - forward financing		-15,000
Program increase		12,000
68 COMBAT TRAINING RANGES	77,409	68,409
Forward financing		-9,000
70 EELV - EMD (SPACE)	296,572	396,572
Program increase		100,000
76 KC-46	261,724	229,924
EMD funds excess to need (ECO)		-31,800
77 ADVANCED PILOT TRAINING	12,377	7,377
EMD schedule slip		-5,000
78 COMBAT RESCUE HELICOPTER (HH-60 RECAP)	319,331	273,331
Forward financing		-46,000

R-1	Budget Request	Final Bill
80 ADVANCED EHF MILSATCOM (SPACE)	259,131	229,131
Unjustified request		-30,000
81 POLAR MILSATCOM (SPACE)	50,815	45,815
Unjustified request		-5,000
82 WIDEBAND GLOBAL SATCOM (SPACE)	41,632	76,632
COMSATCOM pilot program		10,000
COMSATCOM Pathfinder 3 - transfer from SP,AF line 5		30,000
Prior year carryover		-5,000
83 AIR & SPACE OPERATIONS CENTER 10.2	28,911	21,911
AOC 10.2 program delays		-7,000
84 B-2 DEFENSIVE MANAGEMENT SYSTEM	315,615	289,015
EMD excess funds		-26,600
86 F-15 EPAWSS	256,669	250,669
Excess funds		-6,000
90 PRESIDENTIAL AIRCRAFT REPLACEMENT	351,220	322,220
Preliminary design funding early to need		-29,000
91 AUTOMATED TEST SYSTEMS	19,062	14,562
Program growth		-4,500
97 TEST AND EVALUATION SUPPORT	661,417	676,417
Program increase		15,000
99 SPACE TEST PROGRAM	27,070	42,070
Program increase		15,000
102 REQUIREMENTS ANALYSIS & MATURATION	29,100	34,100
Program increase		5,000
104 SPACE AND MISSILE CENTER CIVILIAN WORKFORCE	176,666	171,666
Prior year carryover		-5,000
111 SPECIALIZED UNDERGRADUATE FLIGHT TRAINING	15,427	18,427
Program increase - remotely piloted aircraft training		3,000
118 HC/MC-130 RECAP	13,987	8,987
Block 8.1 forward financing		-5,000
119 B-52 SQUADRONS	78,267	83,267
Program increase		5,000
121 B-1B SQUADRONS	5,830	3,930
Improved GPS - Department requested realignment of funds to lines 19 and 48 and RDTE,N line 139		-1,900
122 B-2 SQUADRONS	152,458	127,458
AEHF strategic comms		-25,000
123 MINUTEMAN SQUADRONS	182,958	178,958
ASU excess funds		-4,000
126 WORLDWIDE JOINT STRATEGIC COMMUNICATIONS	6,042	13,042
Program increase - nuclear command, control, and communications development		7,000

R-1	Budget Request	Final Bill
131 MQ-9	151,373	138,373
Program growth		-13,000
133 A-10 SQUADRONS	14,853	4,853
Funding excess to need		-10,000
134 F-16 SQUADRONS	132,795	120,195
Operational flight program funding excess to need		-12,600
137 F-22 SQUADRONS	387,564	376,464
Improved GPS - Department requested realignment of funds to lines 19 and 48 and RDTE,N line 139		-8,100
Small projects unjustified growth		-15,000
Program increase - F-22 software		12,000
138 F-35 SQUADRONS	153,045	76,713
Follow-on modernization ahead of need		-76,332
148 JASSM	30,002	21,902
Improved GPS - Department requested realignment of funds to lines 19 and 48 and RDTE,N line 139		-8,100
149 AIR AND SPACE OPERATIONS CENTER	37,621	30,343
AOC weapon system modification new start early to need		-12,278
AOC 10.1 - Air Force requested transfer of weapon system modification new start funds		5,000
154 COMBAT AIR INTELLIGENCE SYSTEM	10,911	15,911
Program increase		5,000
165 AF DEFENSIVE CYBERSPACE OPERATIONS	29,439	39,439
Program increase		10,000
175 SPACE SUPERIORITY INTELLIGENCE	13,880	12,380
Unjustified request		-1,500
176 E-4B NAOC	30,948	26,048
Recap - excess funds		-4,900
178 MEECN	47,471	40,171
GASNT Increment 2 - excess funds		-7,300
179 INFORMATION SYSTEMS SECURITY PROGRAM	46,388	37,388
Forward financing		-9,000
188 SATELLITE CONTROL NETWORK (SPACE)	15,624	14,624
Underexecution		-1,000
190 ATCALs	9,770	17,770
Program increase		8,000
SPACE INNOVATION, INTEGRATION AND RAPID TECHNOLOGY		
200 DEVELOPMENT	3,070	1,570
Unjustified request		-1,500
202 SPACELIFT RANGE SYSTEM (SPACE)	11,867	21,867
Program increase - space launch range services and capability		10,000
204 ENDURANCE UAV	0	50,000
Program increase		50,000

R-1	Budget Request	Final Bill
205 AIRBORNE RECONNAISSANCE SYSTEMS	3,841	13,841
Program increase - wide area surveillance		10,000
208 RQ-4	256,307	244,807
Forward financing		-11,500
213 ADVANCED EVALUATION PROGRAM	116,143	0
Program decrease		-116,143
214 GPS III SPACE SEGMENT	141,888	171,888
Program increase - operational M-code risk mitigation for OCS		30,000
228 KC-10	0	3,500
Continue Mode 5 program		3,500
233 LOGIT	61,676	57,676
Contract savings		-4,000
999 CLASSIFIED PROGRAMS	13,091,557	12,817,707
Classified adjustment		-273,850

LONG RANGE STRIKE BOMBER

The Inspector General of the Department of Defense is directed to conduct an evaluation and submit a report as described under this heading in Senate Report 114-263 not later than 180 days after the enactment of this Act. In addition, the agreement designates the long range strike bomber program as a congressional special interest item for purposes of transfer of funds and prior approval reprogramming procedures.

JOINT SURVEILLANCE TARGET ATTACK RADAR
SYSTEM RECAPITALIZATION

The agreement includes a provision that prohibits the obligation or expenditure of

funds provided for the Joint Surveillance Target Attack Radar System (JSTARS) recapitalization program on pre-milestone B activities after March 31, 2018. The agreement fully funds the request of \$128,019,000 for the program, of which only \$68,000,000 is required to conclude sufficient progress on radar risk reduction activities. The Secretary of the Air Force should apply the remaining funds to other risk reduction activities and the source selection process to accelerate entry into the engineering and manufacturing development (EMD) phase of the program.

The Secretary of the Air Force and the Under Secretary of Defense (Acquisition,

Technology, and Logistics) are directed to provide a briefing to the congressional defense committees not later than 90 days after the enactment of this Act on a compressed acquisition schedule and funding profile for the JSTARS recapitalization program to achieve initial operational capability and full operational capability as early as possible. The briefing shall detail the schedule for the EMD phase including source selection and contract award for EMD.

RESEARCH, DEVELOPMENT, TEST AND
EVALUATION, DEFENSE-WIDE

The agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL
RESEARCH, DEVELOPMENT, TEST & EVAL, DEFENSE-WIDE		
1 BASIC RESEARCH		
DTRA UNIVERSITY STRATEGIC PARTNERSHIP BASIC RESEARCH..	35,436	35,436
2 DEFENSE RESEARCH SCIENCES.....	362,297	362,297
3 BASIC RESEARCH INITIATIVES.....	36,654	68,154
4 BASIC OPERATIONAL MEDICAL RESEARCH SCIENCE.....	57,791	57,791
5 NATIONAL DEFENSE EDUCATION PROGRAM.....	69,345	79,345
6 HISTORICALLY BLACK COLLEGES & UNIV (HBCU).....	23,572	33,572
7 CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM.....	44,800	44,800
TOTAL, BASIC RESEARCH.....	629,895	681,395
8 APPLIED RESEARCH		
JOINT MUNITIONS TECHNOLOGY.....	17,745	17,745
9 BIOMEDICAL TECHNOLOGY.....	115,213	115,213
10 DEFENSE TECHNOLOGY INNOVATION.....	30,000	10,000
11 LINCOLN LABORATORY RESEARCH PROGRAM.....	48,269	48,269
12 APPLIED RESEARCH FOR ADVANCEMENT S&T PRIORITIES.....	42,206	42,206
13 INFORMATION AND COMMUNICATIONS TECHNOLOGY.....	353,635	353,635
14 BIOLOGICAL WARFARE DEFENSE.....	21,250	21,250
15 CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM.....	188,715	193,715
16 CYBER SECURITY RESEARCH.....	12,183	12,183
17 TACTICAL TECHNOLOGY.....	313,843	313,843
18 MATERIALS AND BIOLOGICAL TECHNOLOGY.....	220,456	220,456
19 ELECTRONICS TECHNOLOGY.....	221,911	211,911
20 WEAPONS OF MASS DESTRUCTION DEFEAT TECHNOLOGIES.....	154,857	154,857
21 SOFTWARE ENGINEERING INSTITUTE.....	8,420	8,420
22 SPECIAL OPERATIONS TECHNOLOGY DEVELOPMENT.....	37,820	46,220
TOTAL, APPLIED RESEARCH.....	1,786,523	1,769,923

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	FINAL BILL
23	ADVANCED TECHNOLOGY DEVELOPMENT JOINT MUNITIONS ADVANCED TECH INSENSITIVE MUNITIONS AD	23,902	23,902
25	COMBATING TERRORISM TECHNOLOGY SUPPORT.....	73,002	115,502
26	FOREIGN COMPARATIVE TESTING.....	19,343	19,343
27	COUNTERPROLIFERATION INITIATIVES--PROLIF PREV & DEFEAT	266,444	266,444
28	ADVANCED CONCEPTS AND PERFORMANCE ASSESSMENT.....	17,880	15,015
30	WEAPONS TECHNOLOGY.....	71,843	49,643
31	ADVANCED C4ISR.....	3,626	3,626
32	ADVANCED RESEARCH.....	23,433	23,433
33	JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT.....	17,256	17,256
35	SPECIAL PROGRAM--MDA TECHNOLOGY.....	83,745	11,795
36	ADVANCED AEROSPACE SYSTEMS.....	182,327	182,327
37	SPACE PROGRAMS AND TECHNOLOGY.....	175,240	160,240
38	ANALYTIC ASSESSMENTS.....	12,048	12,048
39	ADVANCED INNOVATIVE ANALYSIS AND CONCEPTS.....	57,020	57,020
40	COMMON KILL VEHICLE TECHNOLOGY.....	---	56,513
41	TECHNOLOGY INNOVATION.....	39,923	19,923
42	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM - ADVANCED DEV	127,941	132,941
43	RETRACT LARCH.....	181,977	181,977
44	JOINT ELECTRONIC ADVANCED TECHNOLOGY.....	22,030	22,030
45	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS.....	148,184	132,184
46	NETWORKED COMMUNICATIONS CAPABILITIES.....	9,331	9,331
47	DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROG	158,398	158,398
48	MANUFACTURING TECHNOLOGY PROGRAM.....	31,259	41,259
49	EMERGING CAPABILITIES TECHNOLOGY DEVELOPMENT.....	49,895	55,895
50	GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS.....	11,011	40,011
52	STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM.....	65,078	65,078
53	MICROELECTRONIC TECHNOLOGY DEVELOPMENT AND SUPPORT....	97,826	89,826

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL
54 JOINT WARFIGHTING PROGRAM.....	7,848	4,848
55 ADVANCED ELECTRONICS TECHNOLOGIES.....	49,807	49,807
56 COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS.....	155,081	155,081
57 NETWORK-CENTRIC WARFARE TECHNOLOGY.....	428,894	419,894
58 SENSOR TECHNOLOGY.....	241,288	241,288
59 DEFENSE RAPID INNOVATION PROGRAM.....	---	250,000
60 SOFTWARE ENGINEERING INSTITUTE.....	14,264	14,264
61 QUICK REACTION SPECIAL PROJECTS.....	74,943	79,943
63 ENGINEERING SCIENCE AND TECHNOLOGY.....	17,659	22,659
64 TEST & EVALUATION SCIENCE & TECHNOLOGY.....	87,135	92,135
65 OPERATIONAL ENERGY CAPABILITY IMPROVEMENT.....	37,329	42,329
66 CWMD SYSTEMS.....	44,836	21,236
67 SPECIAL OPERATIONS ADVANCED TECHNOLOGY DEVELOPMENT....	61,620	90,620
TOTAL, ADVANCED TECHNOLOGY DEVELOPMENT.....	3,190,666	3,447,064
DEMONSTRATION & VALIDATION		
68 NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT..	28,498	26,498
69 WALKOFF.....	89,643	89,643
71 ACQUISITION ENTERPRISE DATA AND INFORMATION SERVICES..	2,136	2,136
72 ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM	52,491	46,491
73 BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT....	206,834	201,834
74 BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT...	862,080	967,780
75 CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM.....	138,187	138,187
76 BALLISTIC MISSILE DEFENSE SENSORS.....	230,077	221,977
77 BALLISTIC MISSILE DEFENSE ENABLING PROGRAMS.....	401,594	426,594
78 SPECIAL PROGRAMS - MDA.....	321,607	304,677
79 AEGIS BMD.....	959,066	919,066
80 SPACE SURVEILLANCE & TRACKING SYSTEM.....	32,129	32,129
81 BALLISTIC MISSILE DEFENSE SYSTEM SPACE PROGRAMS.....	20,690	20,690
82 BALLISTIC MISSILE DEFENSE COMMAND AND CONTROL, BATTLE MANAGEMENT.....	439,617	433,278

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL
83 BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT....	47,776	47,776
84 BALLISTIC MISSILE DEFENSE INTERGRATION AND OPERATIONS CENTER (MDIOC).....	54,750	54,750
85 REGARDING TRENCH.....	8,785	8,785
86 SEA BASED X-BAND RADAR (SBX).....	68,787	85,787
87 ISRAELI COOPERATIVE PROGRAMS.....	103,835	268,735
88 BALLISTIC MISSILE DEFENSE TEST.....	293,441	294,441
89 BALLISTIC MISSILE DEFENSE TARGETS.....	563,576	531,476
90 HUMANITARIAN DEMINING.....	10,007	10,007
91 COALITION WARFARE.....	10,126	10,126
92 DEPARTMENT OF DEFENSE CORROSION PROGRAM.....	3,893	13,893
93 TECHNOLOGY MATURATION INITIATIVES.....	90,266	86,392
94 MISSILE DEFEAT PROJECT.....	45,000	45,000
95 ADVANCED INNOVATIVE TECHNOLOGIES.....	844,870	834,870
97 DOD UNMANNED AIRCRAFT SYSTEM (UAS) COMMON DEVELOPMENT.	3,320	7,320
99 WARGAMING AND SUPPORT FOR STRATEGIC ANALYSIS (SSA)....	4,000	4,000
102 JOINT C5 CAPABILITY DEVELOPMENT, INTEGRATION AND INTEROPERABILITY.....	23,642	23,642
104 LONG RANGE DISCRIMINATION RADAR.....	162,012	170,112
105 IMPROVED HOMELAND DEFENSE INTERCEPTORS.....	274,148	219,346
106 BMD TERMINAL DEFENSE SEGMENT TEST.....	63,444	58,444
107 AEGIS BMD TEST.....	95,012	95,012
108 BALLISTIC MISSILE DEFENSE SENSOR TEST.....	83,250	88,150
109 LAND-BASED SM-3 (LBSM3).....	43,293	43,293
110 AEGIS SM-3 BLOCK IIA CO-DEVELOPMENT.....	106,038	106,038
111 BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT TEST.....	56,481	62,781
112 MULTI-OBJECT KILL VEHICLE.....	71,513	---
114 JOINT ELECTROMAGNETIC TECHNOLOGY (JET) PROGRAM.....	2,636	2,636
115 CYBER SECURITY INITIATIVE.....	969	969
115X RAPID PROTOTYPING PROGRAM.....	---	100,000
TOTAL, DEMONSTRATION & VALIDATION.....	6,919,519	7,104,761

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL
ENGINEERING & MANUFACTURING DEVELOPMENT		
116 NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT..	10,324	10,324
117 PROMPT GLOBAL STRIKE CAPABILITY DEVELOPMENT.....	181,303	161,303
118 CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM.....	266,231	281,231
120 JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTIDS)	16,288	16,288
121 WEAPONS OF MASS DESTRUCTION DEFEAT CAPABILITIES.....	4,568	4,568
122 INFORMATION TECHNOLOGY DEVELOPMENT.....	11,505	11,505
123 HOMELAND PERSONNEL SECURITY INITIATIVE.....	1,658	1,658
124 DEFENSE EXPORTABILITY PROGRAM.....	2,920	2,920
126 DOD ENTERPRISE SYSTEMS DEVELOPMENT AND DEMONSTRATION..	12,631	12,631
128 DEFENSE AGENCY INITIATIVES FINANCIAL SYSTEM.....	26,657	26,657
129 DEFENSE RETIRED AND ANNUITANT PAY SYSTEM (DRAS).....	4,949	4,949
130 TRUSTED FOUNDRY.....	69,000	69,000
131 DEFENSE-WIDE ELECTRONIC PROCUREMENT CAPABILITY.....	9,881	8,681
132 GLOBAL COMBAT SUPPORT SYSTEM.....	7,600	7,600
133 DOD ENTERPRISE ENERGY INFORMATION MANAGEMENT (EEIM)...	2,703	2,703
TOTAL, ENGINEERING & MANUFACTURING DEVELOPMENT.....	628,218	622,018
RDT&E MANAGEMENT SUPPORT		
134 DEFENSE READINESS REPORTING SYSTEM (DRRS).....	4,678	4,678
135 JOINT SYSTEMS ARCHITECTURE DEVELOPMENT.....	4,499	3,099
136 CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT....	219,199	219,199
137 ASSESSMENTS AND EVALUATIONS.....	28,706	28,706
138 MISSION SUPPORT.....	69,244	69,244
139 JOINT MISSION ENVIRONMENT TEST CAPABILITY (JMETC).....	87,080	67,080
140 TECHNICAL STUDIES, SUPPORT AND ANALYSIS.....	23,069	21,469
142 JOINT INTEGRATED AIR AND MISSILE DEFENSE ORGANIZATION.	32,759	32,759
143 CLASSIFIED PROGRAM USD(P).....	---	130,000
144 SYSTEMS ENGINEERING.....	32,429	32,429
145 STUDIES AND ANALYSIS SUPPORT.....	3,797	2,797
146 NUCLEAR MATTERS - PHYSICAL SECURITY.....	5,302	5,302
147 SUPPORT TO NETWORKS AND INFORMATION INTEGRATION.....	7,246	7,246
148 GENERAL SUPPORT TO USD (INTELLIGENCE).....	1,874	1,874

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL
149 CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM.....	85,754	85,754
158 SMALL BUSINESS INNOVATION RESEARCH/TECHNOLOGY TRANSFER	2,187	2,187
159 DEFENSE TECHNOLOGY ANALYSIS.....	22,650	25,650
160 DEFENSE TECHNICAL INFORMATION CENTER (DTIC).....	43,834	43,834
161 R&D IN SUPPORT OF DOD ENLISTMENT, TESTING & EVALUATION	22,240	15,240
162 DEVELOPMENT TEST AND EVALUATION.....	19,541	21,541
163 MANAGEMENT HEADQUARTERS (RESEARCH & DEVELOPMENT).....	4,759	4,759
164 MANAGEMENT HEADQUARTERS DEFENSE TECHNICAL INFORMATION CENTER (DTIC).....	4,400	4,400
165 BUDGET AND PROGRAM ASSESSMENTS.....	4,014	4,014
166 OPERATIONS SECURITY (OPSEC).....	2,072	2,072
167 JOINT STAFF ANALYTICAL SUPPORT.....	7,464	5,464
170 SUPPORT TO INFORMATION OPERATIONS (IO) CAPABILITIES...	857	857
171 DEFENSE MILITARY DECEPTION PROGRAM OFFICE.....	916	916
172 COMBINED ADVANCED APPLICATIONS.....	15,336	15,336
173 CYBER INTELLIGENCE.....	18,523	10,523
175 COCOM EXERCISE ENGAGEMENT AND TRAINING TRANSFORMATION.	34,384	29,984
176 MANAGEMENT HEADQUARTERS - MDA.....	31,160	31,160
179 JOINT SERVICE PROVIDER (JSP).....	827	827
9999 CLASSIFIED PROGRAMS.....	56,799	56,799
TOTAL, RDT&E MANAGEMENT SUPPORT.....	897,599	987,199
181 OPERATIONAL SYSTEMS DEVELOPMENT ENTERPRISE SECURITY SYSTEM (ESS).....	4,241	4,241
182 REGIONAL INTERNATIONAL OUTREACH & PARTNERSHIP FOR PEAC	1,424	1,424
183 OVERSEAS HUMANITARIAN ASSISTANCE SHARED INFORMATION SY	287	287
184 INDUSTRIAL BASE ANALYSIS AND SUSTAINMENT SUPPORT.....	16,195	16,195
185 OPERATIONAL SYSTEMS DEVELOPMENT.....	4,194	4,194
186 GLOBAL THEATER SECURITY COOPERATION MANAGEMENT.....	7,861	7,861
187 CHEMICAL AND BIOLOGICAL DEFENSE (OPERATIONAL SYSTEMS D	33,361	33,361
189 PLANNING AND DECISION AID SYSTEM.....	3,038	3,038
190 C4I INTEROPERABILITY.....	57,501	57,501

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL
192 JOINT/ALLIED COALITION INFORMATION SHARING.....	5,935	5,509
196 NATIONAL MILITARY COMMAND SYSTEM-WIDE SUPPORT.....	575	575
197 DEFENSE INFO INFRASTRUCTURE ENGINEERING & INTEGRATION.	18,041	18,041
198 LONG HAUL COMMUNICATIONS (DCS).....	13,994	13,994
199 MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK....	12,206	12,206
200 PUBLIC KEY INFRASTRUCTURE (PKI).....	34,314	34,314
201 KEY MANAGEMENT INFRASTRUCTURE (KMI).....	36,602	36,602
202 INFORMATION SYSTEMS SECURITY PROGRAM.....	8,876	8,876
203 INFORMATION SYSTEMS SECURITY PROGRAM.....	159,068	161,068
204 GLOBAL COMMAND AND CONTROL SYSTEM.....	24,438	21,438
205 JOINT SPECTRUM CENTER (DEFENSE SPECTRUM ORGANIZATION).	13,197	13,197
207 JOINT INFORMATION ENVIRONMENT (JIE).....	2,789	2,789
209 FEDERAL INVESTIGATIVE SERVICES INFORMATION TECHNOLOGY.	75,000	75,000
210 TELEPORT PROGRAM.....	657	657
215 CYBER SECURITY INITIATIVE.....	1,553	1,553
220 POLICY R&D PROGRAMS.....	6,204	3,204
221 NET CENTRICITY.....	17,971	17,971
223 DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS.....	5,415	5,415
226 DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS.....	3,030	3,030
229 INSIDER THREAT.....	5,034	5,034
230 HOMELAND DEFENSE TECHNOLOGY TRANSFER PROGRAM.....	2,037	7,037
236 INTELLIGENCE MISSION DATA (IMD).....	13,800	13,800
238 PACIFIC DISASTER CENTERS.....	1,754	1,754
239 DEFENSE PROPERTY ACCOUNTABILITY SYSTEM.....	2,154	2,154
240 MANAGEMENT HEADQUARTERS (JCS).....	826	826
241 MQ-9 UAV.....	17,804	17,804
244 SPECIAL OPERATIONS AVIATION SYSTEMS ADVANCED DEV.....	159,143	158,253
245 SPECIAL OPERATIONS INTELLIGENCE SYSTEMS DEVELOPMENT...	7,958	5,958
246 SOF OPERATIONAL ENHANCEMENTS.....	64,895	54,895
247 WARRIOR SYSTEMS.....	44,885	65,885
248 SPECIAL PROGRAMS.....	1,949	1,949

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL
249 UNMANNED ISR.....	22,117	22,117
250 SOF TACTICAL VEHICLES.....	3,316	3,316
251 SOF MARITIME SYSTEMS.....	54,577	54,577
252 SOF GLOBAL VIDEO SURVEILLANCE ACTIVITIES.....	3,841	3,841
253 SOF OPERATIONAL ENHANCEMENTS INTELLIGENCE.....	11,834	11,834
TOTAL, OPERATIONAL SYSTEMS DEVELOPMENT.....	985,891	994,575
999 CLASSIFIED PROGRAMS.....	3,270,515	3,221,615
DARPA UNDISTRIBUTED REDUCTION.....	---	-50,000
TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, DEF-WIDE.	18,308,826	18,778,550

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

R-1	Budget Request	Final Bill
3 BASIC RESEARCH INITIATIVES	36,654	68,154
Program increase		31,500
5 NATIONAL DEFENSE EDUCATION PROGRAM	69,345	79,345
Program increase		10,000
6 HISTORICALLY BLACK COLLEGES & UNIVERSITIES (HBCU)	23,572	33,572
Program increase		10,000
10 DEFENSE TECHNOLOGY INNOVATION	30,000	10,000
Program decrease		-20,000
15 CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	188,715	193,715
Program increase		5,000
19 ELECTRONICS TECHNOLOGY	221,911	211,911
Unjustified growth		-10,000
22 SOF TECHNOLOGY DEVELOPMENT	37,820	46,220
Program increase		3,400
Program increase - thermal signature management technology		5,000
25 COMBATING TERRORISM TECHNOLOGY SUPPORT	73,002	115,502
Program increase - Israeli tunneling		42,500
28 ADVANCED CONCEPTS AND PERFORMANCE ASSESSMENT	17,880	15,015
Test delays		-2,865
30 WEAPONS TECHNOLOGY	71,843	49,643
Directed energy research unjustified growth		-22,200
35 SPECIAL PROGRAM - MDA TECHNOLOGY	83,745	11,795
Program decrease		-71,950
37 SPACE PROGRAMS AND TECHNOLOGY	175,240	160,240
Unjustified growth		-15,000
40 COMMON KILL VEHICLE TECHNOLOGY	0	56,513
MOKV - transfer from line 112		56,513
41 TECHNOLOGY INNOVATION	39,923	19,923
Classified program adjustment		-20,000
CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM - ADVANCED		
42 DEVELOPMENT	127,941	132,941
Program increase		5,000
45 JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS	148,184	132,184
Program decrease		-16,000
48 MANUFACTURING TECHNOLOGY PROGRAM	31,259	41,259
Program increase		10,000
49 EMERGING CAPABILITIES TECHNOLOGY DEVELOPMENT	49,895	55,895
Program increase		6,000

R-1	Budget Request	Final Bill
50 GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS	11,011	40,011
Program increase		4,000
Program increase - national security technology accelerator		25,000
53 MICROELECTRONIC TECHNOLOGY DEVELOPMENT	97,826	89,826
Unobligated balances		-8,000
54 JOINT WARFIGHTING PROGRAM	7,848	4,848
Prior year carryover		-3,000
57 NETWORK-CENTRIC WARFARE TECHNOLOGY	428,894	419,894
Program decrease		-9,000
59 DEFENSE RAPID INNOVATION FUND	0	250,000
Program increase		250,000
61 QUICK REACTION SPECIAL PROJECTS	74,943	79,943
Forward financing		-5,000
Program increase		10,000
63 ENGINEERING SCIENCE AND TECHNOLOGY	17,659	22,659
Program increase		5,000
64 TEST & EVALUATION SCIENCE & TECHNOLOGY	87,135	92,135
Program increase		5,000
65 OPERATIONAL ENERGY CAPABILITY IMPROVEMENT	37,329	42,329
Program increase		5,000
66 CWMD SYSTEMS	44,836	21,236
Program decrease		-23,600
SPECIAL OPERATIONS ADVANCED TECHNOLOGY		
67 DEVELOPMENT	61,620	90,620
Program increase		29,000
NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY		
68 EQUIPMENT	28,498	26,498
Unobligated balances		-2,000
ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION		
72 PROGRAM	52,491	46,491
Unobligated balances		-6,000
73 BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT	206,834	201,834
THAAD development previously funded efforts		-5,000
74 BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT	862,080	967,780
Software delays		-5,000
Program increase		110,700
76 BALLISTIC MISSILE DEFENSE SENSORS	230,077	221,977
LRDR program office - transfer to line 104		-8,100
77 BALLISTIC MISSILE DEFENSE ENABLING PROGRAMS	401,594	426,594
Program increase - cyber training and enhancements		25,000
78 SPECIAL PROGRAMS - MDA	321,607	304,677
Program decrease		-16,930

R-1	Budget Request	Final Bill
79 AEGIS BMD	959,066	919,066
Aegis BMD 6.x development excess growth		-10,000
SM-3 IIA development excess growth		-20,000
SM-3 Block IIA FTM-29 flight test integration not required due to program delays		-10,000
82 BALLISTIC MISSILE DEFENSE C2BMC	439,617	433,278
Development and deployment unauthorized prior year funding		-7,239
Communications unjustified growth		-3,000
Program increase - FTG-11 test acceleration		3,900
86 SEA BASED X-BAND RADAR (SBX)	68,787	85,787
Test previously completed		-3,000
Program increase - reliability improvements and maintenance		20,000
87 ISRAELI COOPERATIVE PROGRAMS	103,835	268,735
Israeli Upper Tier		29,100
Israeli Arrow program		56,500
Short range ballistic missile defense		79,300
88 BMD TESTS	293,441	294,441
FTT-18 and FTT-15 efficiencies		-2,000
Program increase - tech refresh		3,000
89 BMD TARGETS	563,576	531,476
Test delays		-500
MRBM T3C2 contract award delay		-40,900
Program increase - FTG-11 test acceleration		9,300
92 DEPARTMENT OF DEFENSE CORROSION PROGRAM	3,893	13,893
Program increase		10,000
93 TECHNOLOGY MATURATION INITIATIVES	90,266	86,392
Directed energy prototype development unjustified growth		-3,874
95 ADVANCED INNOVATIVE TECHNOLOGIES	844,870	834,870
Program decrease		-10,000
DOD UNMANNED AIRCRAFT SYSTEM (UAS) COMMON		
97 DEVELOPMENT	3,320	7,320
Program increase		4,000
104 LONG RANGE DISCRIMINATION RADAR	162,012	170,112
LRDR program office - transfer from line 76		8,100
105 IMPROVED HOMELAND DEFENSE INTERCEPTORS	274,148	219,346
Schedule delay		-30,000
MD97 FTG-18 RKV flight test unit long lead materials early to need		-4,000
MD97 C3 booster lack of requirements and acquisition strategy		-20,802
BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT		
106 TEST	63,444	58,444
Test delays		-5,000
108 BALLISTIC MISSILE DEFENSE SENSORS TEST	83,250	88,150
Program increase - FTG-11 test acceleration		4,900

R-1	Budget Request	Final Bill
BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT		
111 TEST	56,481	62,781
Program increase - FTG-11 test acceleration		6,300
112 MULTI-OBJECT KILL VEHICLE	71,513	0
Change to acquisition strategy		-15,000
MOKV - transfer to line 40		-56,513
I15X RAPID PROTOTYPING PROGRAM	0	100,000
Program increase		100,000
117 PROMPT GLOBAL STRIKE CAPABILITY DEVELOPMENT	181,303	161,303
Program rephase due to schedule slip		-20,000
118 CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	266,231	281,231
Program increase - chemical weapon detection		15,000
131 DEFENSE-WIDE ELECTRONIC PROCUREMENT CAPABILITY	9,881	8,681
Prior year carryover		-1,200
135 JOINT SYSTEMS ARCHITECTURE DEVELOPMENT	4,499	3,099
Prior year carryover		-1,400
139 JOINT MISSION ENVIRONMENT TEST CAPABILITY (JMETC)	87,080	67,080
Eliminate program growth		-20,000
140 TECHNICAL STUDIES, SUPPORT AND ANALYSIS	23,069	21,469
Prior year carryover		-1,600
143 CLASSIFIED PROGRAM USD(P)	0	130,000
Classified adjustment		130,000
145 STUDIES AND ANALYSIS SUPPORT	3,797	2,797
Eliminate program growth		-1,000
159 DEFENSE TECHNOLOGY ANALYSIS	22,650	25,650
Program increase		3,000
R&D IN SUPPORT OF DOD ENLISTMENT, TESTING &		
161 EVALUATION	22,240	15,240
Eliminate program growth		-7,000
162 DEVELOPMENT TEST AND EVALUATION	19,541	21,541
Program increase		2,000
167 JOINT STAFF ANALYTICAL SUPPORT	7,464	5,464
Delayed new start contract award		-2,000
173 CYBER INTELLIGENCE	18,523	10,523
Eliminate program growth		-8,000
COCOM EXERCISE ENGAGEMENT AND TRAINING		
175 TRANSFORMATION	34,384	29,984
Program decrease		-4,400
192 JOINT/ALLIED COALITION INFORMATION SHARING	5,935	5,509
Prior year carryover		-426

R-1	Budget Request	Final Bill
203 INFORMATION SYSTEMS SECURITY PROGRAM	159,068	161,068
Program increase - Sharkseer		2,000
204 GLOBAL COMMAND AND CONTROL SYSTEM	24,438	21,438
Eliminate program growth		-3,000
220 POLICY R&D PROGRAMS	6,204	3,204
Prior year carryover		-3,000
230 HOMELAND DEFENSE TECHNOLOGY TRANSFER PROGRAM	2,037	7,037
Program increase		5,000
SPECIAL OPERATIONS AVIATION SYSTEMS ADVANCED		
244 DEVELOPMENT	159,143	158,253
Special Operation mission planning environment - prior year carryover		-890
SPECIAL OPERATIONS INTELLIGENCE SYSTEMS		
245 DEVELOPMENT	7,958	5,958
Contract award delay		-2,000
246 SOF OPERATIONAL ENHANCEMENTS	64,895	54,895
Prior year carryover		-10,000
247 WARRIOR SYSTEMS	44,885	65,885
Program increase		12,000
Program increase - visual augmentation devices		3,000
Program increase - switchblade systems		6,000
999 CLASSIFIED PROGRAMS	3,270,515	3,221,615
Classified adjustment		-48,900
DARPA UNDISTRIBUTED REDUCTION		-50,000
DARPA undistributed reduction		-50,000

RAPID PROTOTYPING PROGRAM

The agreement includes \$100,000,000 for a rapid prototyping program. The Secretary of Defense is directed to brief the House and

Senate Appropriations Committees on a plan for execution 20 days prior to transfer or obligation of any funds for this program.

OPERATIONAL TEST AND EVALUATION, DEFENSE

The agreement on items addressed by either the House or the Senate is as follows:

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS		
[In thousands of dollars]		
	Budget request	Final bill
OPERATIONAL TEST AND EVALUATION	78,047	78,047
LIVE FIRE TESTING	48,316	48,316
OPERATIONAL TEST ACTIVITIES AND ANALYSIS	52,631	60,631
Program increase—threat resource analysis		8,000
TOTAL, OPERATIONAL TEST AND EVALUATION, DEFENSE	178,994	186,994

TITLE V—REVOLVING AND MANAGEMENT FUNDS

The agreement provides \$1,511,613,000 in Title V, Revolving and Management Funds. The agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL

TITLE V		
REVOLVING AND MANAGEMENT FUNDS		
DEFENSE WORKING CAPITAL FUNDS.....	1,371,613	1,511,613
NATIONAL DEFENSE SEALIFT FUND.....	---	---
TOTAL, TITLE V, REVOLVING AND MANAGEMENT FUNDS..	1,371,613	1,511,613
	=====	=====

DEFENSE WORKING CAPITAL FUNDS

The agreement on items addressed by either the House or the Senate is as follows:

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

	Budget request	Final bill
WORKING CAPITAL FUND, ARMY	56,469	196,469
Program increase—arsenal initiative		140,000
WORKING CAPITAL FUND, AIR FORCE	63,967	63,967
WORKING CAPITAL FUND, DEFENSE-WIDE	37,132	37,132
DEFENSE WORKING CAPITAL FUND, DECA	1,214,045	1,214,045
TOTAL, DEFENSE WORKING CAPITAL FUNDS	1,371,613	1,511,613

TITLE VI—OTHER DEPARTMENT OF DEFENSE PROGRAMS

The agreement provides \$35,615,831,000 in Title VI, Other Department of Defense Programs. The agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL

TITLE VI		
OTHER DEPARTMENT OF DEFENSE PROGRAMS		
DEFENSE HEALTH PROGRAM		
OPERATION AND MAINTENANCE.....	32,231,390	31,277,002
PROCUREMENT.....	413,219	402,161
RESEARCH, DEVELOPMENT, TEST AND EVALUATION.....	822,907	2,102,107
TOTAL, DEFENSE HEALTH PROGRAM.....	33,467,516	33,781,270
CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE		
OPERATION AND MAINTENANCE.....	147,282	119,985
PROCUREMENT.....	15,132	15,132
RESEARCH, DEVELOPMENT, TEST AND EVALUATION.....	388,609	388,609
TOTAL, CHEMICAL AGENTS.....	551,023	523,726
DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE	844,800	998,800
JOINT URGENT OPERATIONAL NEEDS FUND.....	99,300	---
OFFICE OF THE INSPECTOR GENERAL.....	322,035	312,035
TOTAL, TITLE VI, OTHER DEPARTMENT OF DEFENSE PROGRAMS.....	35,284,674	35,615,831
	=====	=====

DEFENSE HEALTH PROGRAM

The agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL

DEFENSE HEALTH PROGRAM		
OPERATION AND MAINTENANCE		
IN-HOUSE CARE.....	9,240,160	9,159,329
PRIVATE SECTOR CARE.....	15,738,759	15,082,759
CONSOLIDATED HEALTH SUPPORT.....	2,367,759	2,279,627
INFORMATION MANAGEMENT.....	1,743,749	1,737,749
MANAGEMENT ACTIVITIES.....	311,380	307,578
EDUCATION AND TRAINING.....	743,231	691,458
BASE OPERATIONS/COMMUNICATIONS.....	2,086,352	2,018,502

SUBTOTAL, OPERATION AND MAINTENANCE.....	32,231,390	31,277,002
PROCUREMENT		
INITIAL OUTFITTING.....	20,611	20,611
REPLACEMENT AND MODERNIZATION.....	360,727	349,669
JOINT OPERATOINAL MEDICINE INFORMATION SYSTEM.....	2,413	2,413
DOD HEALTH MANAGEMENT SYSTEM MODERNIZATION.....	29,468	29,468

SUBTOTAL, PROCUREMENT.....	413,219	402,161
RESEARCH DEVELOPMENT TEST AND EVALUATION		
RESEARCH.....	9,097	9,097
EXPLORATORY DEVELOPMENT.....	58,517	58,517
ADVANCED DEVELOPMENT.....	221,226	221,226
DEMONSTRATION/VALIDATION.....	96,602	96,602
ENGINEERING DEVELOPMENT.....	364,057	364,057
MANAGEMENT AND SUPPORT.....	58,410	58,410
CAPABILITIES ENHANCEMENT.....	14,998	14,998
UNDISTRIBUTED MEDICAL RESEARCH.....	---	1,279,200

SUBTOTAL, RESEARCH DEVELOPMENT TEST AND EVALUATION	822,907	2,102,107

TOTAL, DEFENSE HEALTH PROGRAM.....	33,467,516	33,781,270
	=====	=====

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

	Budget Request	Final Bill
OPERATION AND MAINTENANCE		
IN-HOUSE CARE	9,240,160	9,159,329
Pharmacy supplies unjustified growth		-9,000
Overestimation of MTF utilization		-63,200
Printing and reproduction excess growth		-2,500
Travel unjustified growth		-6,131
PRIVATE SECTOR CARE	15,738,759	15,082,759
Pharmacy benefit reform unauthorized		17,000
Health benefit reform unauthorized		-57,000
Other costs unjustified growth		-73,000
Historical underexecution		-575,000
ABA autism therapy reimbursement		32,000
CONSOLIDATED HEALTH SUPPORT	2,367,759	2,279,627
Therapeutic service dog training program		5,000
Travel unjustified growth		-4,100
Other health activities excess growth		-15,000
Historical underexecution		-74,032
INFORMATION MANAGEMENT	1,743,749	1,737,749
Other costs unjustified growth		-6,000
MANAGEMENT ACTIVITIES	311,380	307,578
Travel unjustified growth		-2,232
IT contract support services excess growth		-1,570
EDUCATION AND TRAINING	743,231	691,458
Travel unjustified growth		-883
Historical underexecution		-25,517
HPSP reduction not properly accounted		-25,373
BASE OPERATIONS AND COMMUNICATIONS	2,086,352	2,018,502
Other costs unjustified growth		-1,850
Visual information systems underexecution		-2,000
Initial outfitting of new construction ahead of need		-60,000
Telecommunications contract requirements unjustified growth		-4,000
TOTAL, OPERATION AND MAINTENANCE	32,231,390	31,277,002
PROCUREMENT		
Initial outfitting of new construction ahead of need		-9,000
Excess price growth		-2,058
TOTAL, PROCUREMENT	413,219	402,161
RESEARCH AND DEVELOPMENT		
Peer-reviewed alcohol and substance abuse disorders research		4,000
Peer-reviewed ALS research		7,500
Peer-reviewed alzheimer research		15,000
Peer-reviewed autism research		7,500
Peer-reviewed bone marrow failure disease research		3,000
Peer-reviewed breast cancer research		120,000
Peer-reviewed cancer research		60,000

	Budget Request	Final Bill
Peer-reviewed Duchenne muscular dystrophy research		3,200
Peer-reviewed epilepsy research		7,500
Peer-reviewed gulf war illness research		20,000
Peer-reviewed hearing restoration research		10,000
Peer-reviewed kidney cancer research		10,000
Peer-reviewed lung cancer research		12,000
Peer-reviewed lupus research		5,000
Peer-reviewed medical research		300,000
Peer-reviewed multiple sclerosis research		6,000
Peer-reviewed orthopedic research		30,000
Peer-reviewed ovarian cancer research		20,000
Peer-reviewed prostate cancer research		90,000
Peer-reviewed spinal cord research		30,000
Peer-reviewed reconstructive transplant research		12,000
Peer-reviewed tickborne disease research		5,000
Peer-reviewed traumatic brain injury and psychological health research		125,000
Peer-reviewed tuberous sclerosis complex research		6,000
Peer-reviewed vision research		15,000
Global HIV/AIDS prevention		8,000
HIV/AIDS program increase		12,900
Joint warfighter medical research		50,000
Orthotics and prosthetics outcome research		10,000
Trauma clinical research program		10,000
Restore core funding reduction		264,600
TOTAL, RESEARCH AND DEVELOPMENT	822,907	2,102,107

REPROGRAMMING GUIDANCE FOR THE DEFENSE HEALTH PROGRAM

Concerns remain regarding the transfer of funds from the In-House Care budget sub-activity to pay for contractor-provided medical care. To limit such transfers and improve oversight within the Defense Health Program operation and maintenance account, the agreement includes a provision which caps the funds available for Private Sector Care under the TRICARE program subject to prior approval reprogramming procedures. The provision and accompanying explanatory statement language should not be interpreted as limiting the amount of funds that may be transferred to the In-House Care budget sub-activity from other budget sub-activities within the Defense Health Program. In addition, funding for the In-House Care budget sub-activity continues to be designated as a congressional special interest item. Any transfer of funds from the In-House Care budget sub-activity into the Private Sector Care budget sub-activity or any other budget sub-activity requires the Secretary of Defense to follow prior approval reprogramming procedures for operation and maintenance funds.

The Secretary of Defense is directed to provide written notification to the congressional defense committees of cumulative transfers in excess of \$10,000,000 out of the Private Sector Care budget sub-activity not later than fifteen days after such a transfer. Furthermore, the Secretary of Defense is directed to provide a report to the congressional defense committees not later than 30 days after the enactment of this Act that delineates transfers of funds in excess of \$10,000,000, and the dates any transfers occurred, from the Private Sector Care budget sub-activity to any other budget sub-activity groups for fiscal year 2016.

The Assistant Secretary of Defense (Health Affairs) is directed to provide quarterly reports to the congressional defense committees on budget execution data for all of the Defense Health Program budget activities and to adequately reflect changes to the budget activities requested by the Services in future budget submissions.

PEER-REVIEWED CANCER RESEARCH PROGRAM

The agreement provides \$60,000,000 for the peer-reviewed cancer research program to research cancers not addressed in the breast, prostate, ovarian, kidney, and lung cancer research programs.

The funds provided in the peer-reviewed cancer research program are directed to be used to conduct research in the following areas: bladder cancer, brain cancer, colorectal cancer, immunotherapy, listeria-based regimens for cancer, liver cancer, lymphoma, melanoma and other skin can-

cers, mesothelioma, neuroblastoma, pancreatic cancer, pediatric brain tumors, stomach cancer, and cancer in children, adolescents, and young adults.

The reports directed under this heading in House Report 114-577 and Senate Report 114-263 are still required.

PEER-REVIEWED MEDICAL RESEARCH PROGRAM

The agreement provides \$300,000,000 for a peer-reviewed medical research program. The Secretary of Defense, in conjunction with the Service Surgeons General, is directed to select medical research projects of clear scientific merit and direct relevance to military health. Research areas considered under this funding are restricted to the following areas: acute lung injury, antimicrobial resistance, arthritis, burn pit exposure, chronic migraine and post-traumatic headache, congenital heart disease, constrictive bronchiolitis, diabetes, diarrheal diseases, dystonia, early trauma thermal regulation, eating disorders, emerging infectious diseases, epidermolysis bullosa, focal segmental glomerulosclerosis, Fragile X, Guillain-Barre syndrome, hepatitis B and C, hereditary angioedema, hydrocephalus, immunomonitoring of intestinal transplants, inflammatory bowel diseases, influenza, integrative medicine, interstitial cystitis, malaria, metals toxicology, mitochondrial disease, musculoskeletal disorders, nanomaterials for bone regeneration, non-opioid pain management, pancreatitis, pathogen-inactivated dried cryoprecipitate, polycystic kidney disease, post-traumatic osteoarthritis, pulmonary fibrosis, respiratory health, Rett syndrome, rheumatoid arthritis, scleroderma, sleep disorders, spinal muscular atrophy, sustained-release drug delivery, tinnitus, tuberculosis, vaccine development for infectious disease, vascular malformations, and women's heart disease. The additional funding provided under the peer-reviewed medical research program shall be devoted only to the purposes listed above.

ELECTRONIC HEALTH RECORD SYSTEM

Concerns remain with the progress being made by the Departments of Defense and Veterans Affairs to fully develop, procure, and deploy an interoperable electronic health record solution. The two systems must be completely and meaningfully interoperable, and the Under Secretary of Defense (Acquisition, Technology, and Logistics) is encouraged to focus on the overall goal of seamless compatibility between the two Departments' electronic health record systems.

For the necessary oversight of this important program, the Program Executive Officer (PEO) for the Defense Healthcare Management Systems (DHMS) is directed to provide quarterly reports to the congressional defense committees and the Government Ac-

countability Office on the cost and schedule of the program, to include milestones, knowledge points, and acquisition timelines, as well as quarterly obligation reports. These reports should also include any changes to the deployment timeline, including benchmarks, for full operating capability; any refinements to the cost estimate for full operating capability and the total lifecycle cost of the program; an assurance that the acquisition strategy will comply with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the federal government; the status of the effort to achieve interoperability between the electronic health record systems of the Departments of Defense and Veterans Affairs, including the scope, cost, schedule, mapping to health data standards, and performance benchmarks of the interoperable record; and the progress toward developing, implementing, and fielding the interoperable electronic health record throughout the two Departments' medical facilities.

The PEO DHMS is directed to continue briefing the House and Senate Appropriations Committees on a quarterly basis, coinciding with the report submission. Given that full deployment of the new electronic health record is not scheduled until fiscal year 2022, the Department of Defense is expected to continue working on interim modifications and enhancements to the current system to improve interoperability in the near-term. Additionally, the PEO DHMS is directed to provide written notification to the House and Senate Appropriations Committees prior to obligating any contract, or combination of contracts, for electronic health record systems in excess of \$5,000,000.

Additionally, the Director of the Interagency Program Office is directed to continue to provide quarterly briefings on standards development, how those standards are being incorporated by the two Departments, and the progress of interoperability to the House and Senate Appropriations Subcommittees for Defense and Military Construction, Veterans Affairs, and Related Agencies. In an effort to ensure government-wide accountability, the PEO DHMS, in coordination with the appropriate personnel of the Department of Veterans Affairs, is directed to provide the Federal Chief Information Officer of the United States with monthly updates on progress made by the two Departments to reach interoperability and modernize their respective electronic health records.

CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE

The agreement on items addressed by either the House or the Senate is as follows:

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

(In thousands of dollars)

	Budget request	Final bill
OPERATION AND MAINTENANCE	147,282	119,985
Recovered chemical warfare materiel project excess to need		- 10,997
Recovered chemical warfare materiel project Panama operations ahead of need		- 16,300
PROCUREMENT	15,132	15,132
RESEARCH, DEVELOPMENT, TEST AND EVALUATION	388,609	388,609
TOTAL, CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE	551,023	523,726

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

The agreement on items addressed by either the House or the Senate is as follows:

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

	Budget request	Final bill
COUNTER-NARCOTICS SUPPORT	730,087	626,087
Transfer to National Guard counter-drug program		— 99,000
Transfer to National Guard counter-drug schools		— 5,000
DRUG DEMAND REDUCTION PROGRAM	114,713	118,713
Young Marines—drug demand reduction		4,000
NATIONAL GUARD COUNTER-DRUG PROGRAM	0	234,000
Transfer from counter-narcotics support		99,000
Program increase		135,000
NATIONAL GUARD COUNTER-DRUG SCHOOLS	0	20,000
Transfer from counter-narcotics support		5,000
Program increase		15,000
TOTAL, DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE	844,800	998,800

JOINT URGENT OPERATIONAL NEEDS FUND

The agreement does not recommend funding for the Joint Urgent Operational Needs Fund.

OFFICE OF THE INSPECTOR GENERAL

The agreement on items addressed by either the House or the Senate is as follows:

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

	Budget request	Final bill
OPERATION AND MAINTENANCE	318,882	308,882
Overestimation of civilian full-time equivalents		— 10,000
RESEARCH, DEVELOPMENT, TEST AND EVALUATION	3,153	3,153
TOTAL, OFFICE OF THE INSPECTOR GENERAL	322,035	312,035

OFFICE OF INSPECTOR GENERAL QUARTERLY END STRENGTH REPORTS

The Department of Defense Inspector General is directed to provide quarterly reports to the congressional defense committees on

civilian personnel end strength not later than 15 days after the end of each fiscal quarter.

TITLE VII—RELATED AGENCIES

The agreement provides \$1,029,596,000 in Title VII, Related Agencies. The agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL

TITLE VII		
RELATED AGENCIES		
CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM FUND.....	514,000	514,000
INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT (ICMA).....	533,596	515,596

TOTAL, TITLE VII, RELATED AGENCIES.....	1,047,596	1,029,596
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CLASSIFIED ANNEX

Adjustments to classified programs are addressed in a separate, detailed, and comprehensive classified annex. The Intelligence Community, the Department of Defense, and other organizations are expected to fully comply with the recommendations and directions in the classified annex accompanying the Department of Defense Appropriations Act, 2017.

CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM FUND

The agreement provides \$514,000,000 for the Central Intelligence Agency Retirement and Disability Fund.

INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

The agreement provides \$515,596,000, a decrease of \$18,000,000 below the budget request, for the Intelligence Community Management Account.

TITLE VIII—GENERAL PROVISIONS

The agreement incorporates general provisions from the House and Senate versions of the bill which were not amended. Those general provisions that were addressed in the agreement are as follows:

The agreement retains a provision proposed by the House which provides general transfer authority not to exceed \$4,500,000,000. The Senate bill contained a similar provision.

The agreement retains a provision proposed by the House which identifies tables as Explanation of Project Level Adjustments. The Senate bill contained a similar provision.

The agreement modifies a provision proposed by the House which provides for the establishment of a baseline for the application of reprogramming and transfer authorities

for the current fiscal year. The Senate bill contained a similar provision.

The agreement retains a provision proposed by the Senate which places restrictions on multi-year procurement contracts. The House bill contained a similar provision.

The agreement retains a provision proposed by the House regarding management of civilian personnel of the Department of Defense. The Senate bill contained no similar provision.

The agreement retains a provision proposed by the Senate which restricts the use of funds to support any nonappropriated funds activity that procures malt beverages and wine. The House bill contained no similar provision.

The agreement retains a provision proposed by the Senate which provides for the transfer of funds for Mentor-Protégé Programs. The House bill contained a similar provision.

The agreement retains a provision proposed by the House regarding limitations on the use of funds to purchase anchor and mooring chains. The Senate bill contained no similar provision.

The agreement retains a provision proposed by the Senate which makes funds available to maintain competitive rates at the arsenals. The House bill contained no similar provision.

The agreement retains a provision proposed by the House which prohibits the use of funds to demilitarize or dispose of certain small firearms. The Senate bill contained a similar provision.

The agreement retains a provision proposed by the House regarding incentive payments authorized by the Indian Financing Act of 1974. The Senate bill contained a similar provision.

The agreement retains a provision proposed by the House which provides funding

from various appropriations for the Civil Air Patrol Corporation. The Senate bill contained a similar provision.

The agreement modifies a provision proposed by the House which prohibits funding from being used to establish new Department of Defense Federally Funded Research and Development Centers with certain limitations. The Senate bill contained a similar provision.

The agreement retains a provision proposed by the House which prohibits the use of funds to disestablish, close, downgrade from host to extension center, or place a Senior Reserve Officers' Training Corps program on probation. The Senate bill contained no similar provision.

The agreement retains a provision proposed by the Senate which makes permanent the authority for the Defense Intelligence Agency to use funds provided in this Act for the provisioning of information systems. The House bill contained a similar provision.

The agreement retains a provision proposed by the House regarding mitigation of environmental impacts on Indian lands resulting from Department of Defense activities. The Senate bill contained a similar provision.

The agreement retains a provision proposed by the Senate which places restrictions on the use of funds to consolidate or relocate any element of the Air Force Rapid Engineer Deployable Heavy Operational Repair Squadron Engineer. The House bill contained no similar provision.

(RESCISSIONS)

The agreement modifies a provision proposed by the House recommending rescissions and provides for the rescission of \$2,002,622,000. The Senate bill contained a similar provision. The rescissions agreed to are:

2015 Appropriations:

Aircraft Procurement, Army:	
Network and mission plan	\$15,000,000
Other Procurement, Army:	
Family of heavy tactical vehicles	13,210,000
Army CA/MISO GPF equipment	4,585,000
Information systems	5,250,000
Aircraft Procurement, Navy:	
P-8A Poseidon	50,000,000
EA-18G	38,000,000
Weapons Procurement, Navy:	
Cruiser modernization weapons	4,000,000
Tomahawk	5,000,000
HARM mods	2,933,000
Procurement of Ammunition, Navy and Marine Corps	
LRLAP 6 inch long range attack projectile	43,600,000
Aircraft Procurement, Air Force:	
HC-130J	18,000,000
MC-130J	12,000,000
MQ-1 mods	2,000,000
MQ-9 depot activation	25,000,000
Other Procurement, Air Force:	
Classified programs	25,500,000

2016 Appropriations:

Aircraft Procurement, Army:	
UH-60 Blackhawk M model (MYP)—AP	34,594,000
Procurement of Ammunition, Army:	
Demolition munitions, all types	5,000,000
Other Procurement, Army:	
Joint light tactical vehicle	6,100,000
Generators and associated equipment	53,000,000
Information systems	25,000,000
Aircraft Procurement, Navy:	
F-35 CV	6,755,000
Weapons Procurement, Navy:	
Sidewinder	5,307,000
Procurement of Ammunition, Navy and Marine Corps:	
155MM long range land attack projectile	2,100,000
Non lethals	3,868,000
81mm, all types	1,000,000

Shipbuilding and Conversion, Navy:	
DDG-51	50,000,000
LPD-17	14,906,000
LX (R) (AP-CY)	236,000,000
Other Procurement, Navy:	
AQS-20A	10,810,000
Remote minehunting system	44,247,000
Surface combatant HM&E	1,317,000
Aircraft Procurement, Air Force:	
F-35—AP	47,000,000
C-130J—AP	20,000,000
HC-130J	12,500,000
KC-46A tanker	197,700,000
KC-135 block 40/45 installs	9,000,000
KC-135 post production support	1,500,000
MC-130J	28,500,000
Other production changes	67,000,000
Missile Procurement, Air Force:	
Classified programs	34,700,000
Space Procurement, Air Force:	
Evolved expendable launch vehicle	100,000,000
Other Procurement, Air Force:	
Comsec equipment	10,000,000
Combat training ranges	10,000,000
Night vision goggles	1,569,000
Classified programs	34,800,000
Procurement, Defense-Wide:	
Classified programs	2,600,000
Research, Development, Test and Evaluation, Army:	
Joint light tactical vehicle	5,893,000
Concepts experimentation	2,253,000
Information technology development	16,700,000
Manpower, personnel, training advanced technology	2,500,000
Tactical command and control hardware and software	6,056,000
Research, Development, Test and Evaluation, Navy:	
Tactical combat training system II	9,219,000
Tactical AIM missiles	22,000,000
Research, Development, Test and Evaluation, Air Force:	
Ground based strategic deterrent	18,000,000
KC-46	375,300,000
Nuclear weapons modernization	27,000,000
Integrated Personnel and Pay System	26,000,000
Minuteman squadrons	22,000,000
Tactical AIM missiles	7,600,000
Airborne Warning and Control System	9,000,000
Classified programs	47,650,000
Research, Development, Test and Evaluation, Defense-Wide:	
Defense technology offset	51,500,000
Advanced IT services joint program office	10,000,000
Classified programs	3,000,000

The agreement retains a provision proposed by the House which restricts procurement of ball and roller bearings other than those produced by a domestic source and of domestic origin. The Senate bill contained no similar provision.

The agreement retains a provision proposed by the Senate which prohibits the use of funds to retire or divest RQ-4 Global Hawk aircraft. The House bill contained no similar provision.

The agreement retains a provision proposed by the House placing restrictions on funding for competitively bid space launch services. The Senate bill contained a similar provision.

The agreement retains a provision proposed by the House which provides funding to the United Service Organizations and the Red Cross. The Senate bill contained a similar provision.

The agreement modifies a provision proposed by the Senate which prohibits funds from being used to modify Fleet Forces Command command and control relationships. The House bill contained no similar provision.

The agreement retains a provision proposed by the House which restricts funding for repairs and maintenance of military housing units. The Senate bill contained no similar provision.

The agreement modifies a provision proposed by the Senate which directs that up to \$1,000,000 from Operation and Maintenance, Navy shall be available for transfer to the John C. Stennis Center for Public Service Development Trust Fund. The House bill contained no similar provision.

The agreement retains a provision proposed by the Senate which places restrictions on the transfer to any nongovernmental entity certain ammunition held by the Department of Defense. The House bill contained a similar provision.

The agreement retains a provision proposed by the Senate which prohibits funds from being used to separate the National Intelligence Program from the Department of Defense budget. The House bill contained a similar provision.

The agreement modifies a provision proposed by the House which provides a grant to the Fisher House Foundation, Inc. The Senate bill contained no similar provision.

The agreement modifies a provision proposed by the House related to funding for the Israeli Cooperative Defense programs. The Senate bill contained a similar provision.

The agreement modifies a provision proposed by the House which reduces funding due to favorable foreign exchange rates. The Senate bill contained no similar provision.

The agreement retains a provision proposed by the Senate which provides funds for

the Asia Pacific Regional Initiative Program for the purpose of enabling the Pacific Command to execute Theater Security Cooperation activities. The House bill contained a similar provision.

The agreement retains a provision proposed by the House which prohibits changes to the Army Contracting Command-New Jersey without prior notification. The Senate bill contained no similar provision.

(RESCISSION)

The agreement modifies a provision proposed by the Senate recommending a rescission and provides for a rescission of \$531,000,000 from the Defense Workforce Acquisition Fund. The House bill contained no similar provision.

The agreement retains a provision proposed by the Senate which prohibits the use of funds to violate the Child Soldier Prevention Act of 2008. The House bill contained a similar provision.

The agreement retains a provision proposed by the Senate which makes funds available to make grants, conclude cooperative agreements, and supplement other Federal funds to support military infrastructure in Guam. The House bill contained no similar provision.

The agreement modifies a provision proposed by the House which provides that funds appropriated in this Act may be available for the purpose of making remittances

and transfers to the Defense Acquisition Workforce Development Fund. The Senate bill contained a similar provision.

The agreement retains a provision proposed by the House related to agreements with the Russian Federation pertaining to United States ballistic missile defense systems. The Senate bill contained a similar provision.

The agreement modifies a provision proposed by the House which provides the Director of National Intelligence with general transfer authority with certain limitations. The Senate bill contained a similar provision.

The agreement modifies a provision proposed by the House which prohibits the transfer of detainees from Naval Station Guantanamo Bay, Cuba except in accordance with section 1034 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92) and section 1034 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328). The Senate bill contained a similar provision.

The agreement retains a provision proposed by the House which prohibits funds from being used for the purchase or manufacture of a United States flag unless such flags are treated as covered items under section 2533a(b) of title 10, U.S.C. The Senate bill contained no similar provision.

The agreement retains a provision proposed by the House that requires the Secretary of Defense to post grant awards on a public website in a searchable format. The Senate bill contained no similar provision.

The agreement retains a provision proposed by the House regarding funding for flight demonstration teams at locations outside the United States. The Senate bill contained no similar provision.

The agreement retains a provision proposed by the House which prohibits the use of funds by the National Security Agency to target United States persons under authorities granted in the Foreign Intelligence Surveillance Act of 1978. The Senate bill contained no similar provision.

The agreement retains a provision proposed by the House which prohibits the use of funds to implement the Arms Trade Treaty until the treaty is ratified by the Senate. The Senate bill contained no similar provision.

The agreement retains a provision proposed by the House which limits the availability of funds authorized for counterterrorism support to foreign partners. The Senate bill contained no similar provision.

The agreement retains a provision proposed by the House which prohibits introducing armed forces into Iraq in contravention of the War Powers Act. The Senate bill contained no similar provision.

The agreement retains a provision proposed by the House which prohibits the use of funds to retire the A-10 fleet. The Senate bill contained no similar provision.

The agreement retains a provision proposed by the House which limits the use of funds for the T-AO(X) program. The Senate bill contained a similar provision.

The agreement modifies a provision proposed by the House which reduces Working Capital Funds to reflect excess cash balances. The Senate bill contained a similar provision.

The agreement modifies a provision proposed by the House which reduces the total amount appropriated to reflect lower than anticipated fuel costs. The Senate bill contained a similar provision.

The agreement retains a provision proposed by the House which prohibits the use of funds to retire the KC-10 fleet. The Senate bill contained no similar provision.

The agreement retains a provision proposed by the House which prohibits the retirement of EC-130H aircraft. The Senate bill contained no similar provision.

The agreement retains a provision proposed by the House which prohibits the use of funds for gaming or entertainment that involves nude entertainers. The Senate bill contained no similar provision.

The agreement retains a provision proposed by the House which prohibits the use of funds for Base Realignment and Closure. The Senate bill contained no similar provision.

The agreement modifies a provision proposed by the House which grants the Secretary of Defense the authority to use funds for Office of Personnel and Management background investigations. The Senate bill contained a similar provision.

The agreement modifies a provision proposed by the House which restricts the use of funds for the Joint Surveillance Target Attack Radar System recapitalization program for pre-milestone B activities after March 31, 2018. The Senate bill contained no similar provision.

The agreement modifies a provision proposed by the House which prohibits the use of funds to close or transfer from the jurisdiction of the Department of Defense the United States Naval Station Guantanamo Bay. The Senate bill contained no similar provision.

The agreement retains a provision proposed by the House which provides authority to use readiness funds for Zika related activities. The Senate bill contained no similar provision.

The agreement modifies a provision proposed by the House which restricts the use of funds to maintain or establish a computer network unless it blocks pornography. The Senate bill contained no similar provision.

(RESCISSION)

The agreement adds a provision which terminates the Ship Modernization, Operations and Sustainment Fund and rescinds unobligated balances. The House and Senate bills contained no similar provisions.

The agreement retains a provision proposed by the House which prohibits the use of funds to provide arms, training, or other assistance to the Azov Battalion. The Senate bill contained no similar provision.

The agreement adds a provision which provides reprogramming authority for the Global Engagement Center. The House and Senate bills contained no similar provisions.

The agreement adds a provision addressing the transfer of funds out of the Defense Acquisition Workforce Development Fund. The House and Senate bills contained no similar provisions.

The agreement adds a provision which provides that the explanatory statement regarding this Act shall have the same effect with respect to allocation of funds and implementation of this Act as if it were a Report of the Committee on Appropriations. The House and Senate bills contained no similar provisions.

The agreement retains a provision proposed by the Senate which prohibits the use of funds to impede certain investigations conducted by Inspectors General funded under this Act. The House bill contained no similar provision.

TITLE IX—OVERSEAS CONTINGENCY OPERATIONS/GLOBAL WAR ON TERRORISM

The agreement provides \$61,822,000,000 in Title IX, Overseas Contingency Operations/Global War on Terrorism.

REPORTING REQUIREMENTS

The agreement includes a number of reporting requirements related to contingency operations and building capacity efforts. The Secretary of Defense is directed to continue to report incremental costs for all named operations in the Central Command Area of Responsibility on a quarterly basis and to submit, also on a quarterly basis, commitment, obligation, and expenditure data for the Afghanistan Security Forces Fund, the Counter-Islamic State of Iraq and the Levant Train and Equip Fund, and for all security cooperation programs funded under the Defense Security Cooperation Agency in the Operation and Maintenance, Defense-Wide account.

The agreement eliminates the Cost of War reporting requirement for detailed monthly obligation and expenditure data by appropriation account. This reporting requirement is burdensome for the Department of Defense and the information provided is either duplicative of information available through other means or is unnecessary for effective budget oversight.

MILITARY PERSONNEL

The agreement on items addressed by either the House or the Senate is as follows:

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

M-1	Budget Request	Final Bill
MILITARY PERSONNEL, ARMY		
BA-1: PAY AND ALLOWANCES OF OFFICERS		
BASIC PAY	315,786	315,786
RETIRED PAY ACCRUAL	74,526	74,526
BASIC ALLOWANCE FOR HOUSING	133,911	133,911
BASIC ALLOWANCE FOR SUBSISTENCE	11,866	11,866
INCENTIVE PAYS	1,543	1,543
SPECIAL PAYS	15,411	15,411
ALLOWANCES	11,970	11,970
SEPARATION PAY	4,541	4,541
SOCIAL SECURITY TAX	24,158	24,158
TOTAL, BA-1	593,712	593,712
BA-2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL		
BASIC PAY	506,209	506,209
RETIRED PAY ACCRUAL	119,465	119,465
BASIC ALLOWANCE FOR HOUSING	255,613	255,613
INCENTIVE PAYS	959	959
SPECIAL PAYS	47,347	47,347
ALLOWANCES	46,094	46,094
SEPARATION PAY	10,063	10,063
SOCIAL SECURITY TAX	38,725	38,725
TOTAL, BA-2	1,024,475	1,024,475
BA-4: SUBSISTENCE OF ENLISTED PERSONNEL		
BASIC ALLOWANCE FOR SUBSISTENCE	59,079	59,079
SUBSISTENCE-IN-KIND	222,742	222,742
TOTAL, BA-4	281,821	281,821
BA-5: PERMANENT CHANGE OF STATION TRAVEL		
OPERATIONAL TRAVEL	32,597	32,597
ROTATIONAL TRAVEL	12,059	12,059
TOTAL, BA-5	44,656	44,656
BA-6: OTHER MILITARY PERSONNEL COSTS		
INTEREST ON UNIFORMED SERVICES SAVINGS	2,194	2,194
DEATH GRATUITIES	1,200	1,200
UNEMPLOYMENT BENEFITS	89,464	89,464
SGLI EXTRA HAZARD PAYMENTS	8,184	8,184
TRAUMATIC INJURY PROTECTION COVERAGE	5,872	5,872
TOTAL, BA-6	106,914	106,914
PREVIOUSLY FUNDED REQUIREMENT		-102,930
TOTAL, MILITARY PERSONNEL, ARMY	2,051,578	1,948,648
MILITARY PERSONNEL, NAVY		
BA-1: PAY AND ALLOWANCES OF OFFICERS		
BASIC PAY	58,913	58,913
RETIRED PAY ACCRUAL	13,903	13,903
BASIC ALLOWANCE FOR HOUSING	19,879	19,879
BASIC ALLOWANCE FOR SUBSISTENCE	2,141	2,141
INCENTIVE PAYS	480	480
SPECIAL PAYS	3,128	3,128

M-1	Budget Request	Final Bill
ALLOWANCES	7,280	7,280
SOCIAL SECURITY TAX	4,507	4,507
TOTAL, BA-1	110,231	110,231
BA-2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL		
BASIC PAY	76,964	76,964
RETIRED PAY ACCRUAL	18,163	18,163
BASIC ALLOWANCE FOR HOUSING	40,353	40,353
INCENTIVE PAYS	211	211
SPECIAL PAYS	5,931	5,931
ALLOWANCES	16,913	16,913
SOCIAL SECURITY TAX	5,888	5,888
TOTAL, BA-2	164,423	164,423
BA-4: SUBSISTENCE OF ENLISTED PERSONNEL		
BASIC ALLOWANCE FOR SUBSISTENCE	8,693	8,693
SUBSISTENCE-IN-KIND	25,446	25,446
TOTAL, BA-4	34,139	34,139
BA-5: PERMANENT CHANGE OF STATION TRAVEL		
ACCESSION TRAVEL	1,427	1,427
OPERATIONAL TRAVEL	1,825	1,825
ROTATIONAL TRAVEL	4,634	4,634
SEPARATION TRAVEL	1,937	1,937
TOTAL, BA-5	9,823	9,823
BA-6: OTHER MILITARY PERSONNEL COSTS		
DEATH GRATUITIES	300	300
UNEMPLOYMENT BENEFITS	6,959	6,959
RESERVE INCOME REPLACEMENT PROGRAM	9	9
SGLI EXTRA HAZARD PAYMENTS	4,673	4,673
TOTAL, BA-6	11,941	11,941
PREVIOUSLY FUNDED REQUIREMENT		-3,130
TOTAL, MILITARY PERSONNEL, NAVY	330,557	327,427
MILITARY PERSONNEL, MARINE CORPS		
BA-1: PAY AND ALLOWANCES OF OFFICERS		
BASIC PAY	29,855	29,855
RETIRED PAY ACCRUAL	7,046	7,046
BASIC ALLOWANCE FOR HOUSING	8,814	8,814
BASIC ALLOWANCE FOR SUBSISTENCE	996	996
SPECIAL PAYS (AND INCENTIVE PAYS)	1,616	1,616
ALLOWANCES	1,939	1,939
SEPARATION PAY	5,939	5,939
SOCIAL SECURITY TAX	2,284	2,284
TOTAL, BA-1	58,489	58,489
BA-2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL		
BASIC PAY	17,509	17,509
RETIRED PAY ACCRUAL	4,132	4,132
BASIC ALLOWANCE FOR HOUSING	8,798	8,798
INCENTIVE PAYS	16	16
SPECIAL PAYS	4,449	4,449
ALLOWANCES	6,012	6,012
SEPARATION PAY	74,707	74,707
SOCIAL SECURITY TAX	1,339	1,339

M-1	Budget Request	Final Bill
TOTAL, BA-2	116,962	116,962
BA-4: SUBSISTENCE OF ENLISTED PERSONNEL		
BASIC ALLOWANCE FOR SUBSISTENCE	2,103	2,103
TOTAL, BA-4	2,103	2,103
BA-6: OTHER MILITARY PERSONNEL COSTS		
INTEREST ON UNIFORMED SERVICES SAVINGS	302	302
SGLI EXTRA HAZARD PAYMENTS	1,877	1,877
TOTAL, BA-6	2,179	2,179
TOTAL, MILITARY PERSONNEL, MARINE CORPS	179,733	179,733
MILITARY PERSONNEL, AIR FORCE		
BA-1: PAY AND ALLOWANCES OF OFFICERS		
BASIC PAY	104,751	104,751
RETIRED PAY ACCRUAL	24,721	24,721
BASIC ALLOWANCE FOR HOUSING	33,351	33,351
BASIC ALLOWANCE FOR SUBSISTENCE	3,745	3,745
SPECIAL PAYS	5,227	5,227
ALLOWANCES	5,610	5,610
SOCIAL SECURITY TAX	8,013	8,013
TOTAL, BA-1	185,418	185,418
BA-2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL		
BASIC PAY	199,730	199,730
RETIRED PAY ACCRUAL	47,136	47,136
BASIC ALLOWANCE FOR HOUSING	86,671	86,671
SPECIAL PAYS	20,006	20,006
ALLOWANCES	19,146	19,146
SOCIAL SECURITY TAX	15,279	15,279
TOTAL, BA-2	387,968	387,968
BA-4: SUBSISTENCE OF ENLISTED PERSONNEL		
BASIC ALLOWANCE FOR SUBSISTENCE	22,208	22,208
SUBSISTENCE-IN-KIND	93,369	93,369
TOTAL, BA-4	115,577	115,577
BA-6: OTHER MILITARY PERSONNEL COSTS		
DEATH GRATUITIES	1,000	1,000
UNEMPLOYMENT BENEFITS	24,626	24,626
SGLI EXTRA HAZARD PAYMENTS	5,307	5,307
TOTAL, BA-6	30,933	30,933
PREVIOUSLY FUNDED REQUIREMENT		-14,190
TOTAL, MILITARY PERSONNEL, AIR FORCE	719,896	705,706
RESERVE PERSONNEL, ARMY		
BA-1: UNIT AND INDIVIDUAL TRAINING		
PAY GROUP A TRAINING (15 DAYS and DRILLS 24/48)	2,773	2,773
SPECIAL TRAINING	39,733	39,733
TOTAL, BA-1	42,506	42,506
TOTAL, RESERVE PERSONNEL, ARMY	42,506	42,506

M-1	Budget Request	Final Bill
RESERVE PERSONNEL, NAVY		
BA-1: UNIT AND INDIVIDUAL TRAINING		
SPECIAL TRAINING	11,574	11,574
ADMINISTRATION AND SUPPORT	355	355
TOTAL, BA-1	11,929	11,929
TOTAL, RESERVE PERSONNEL, NAVY	11,929	11,929
RESERVE PERSONNEL, MARINE CORPS		
BA-1: UNIT AND INDIVIDUAL TRAINING		
SPECIAL TRAINING	3,700	3,700
ADMINISTRATION AND SUPPORT	64	64
TOTAL, BA-1	3,764	3,764
TOTAL, RESERVE PERSONNEL, MARINE CORPS	3,764	3,764
RESERVE PERSONNEL, AIR FORCE		
BA-1: UNIT AND INDIVIDUAL TRAINING		
SPECIAL TRAINING	20,535	20,535
TOTAL, BA-1	20,535	20,535
TOTAL, RESERVE PERSONNEL, AIR FORCE	20,535	20,535
NATIONAL GUARD PERSONNEL, ARMY		
BA-1: UNIT AND INDIVIDUAL TRAINING		
PAY GROUP A TRAINING (15 DAYS and DRILLS 24/48)	33,702	33,702
SCHOOL TRAINING	47,658	47,658
SPECIAL TRAINING	105,939	105,939
ADMINISTRATION AND SUPPORT	9,173	9,173
TOTAL, BA-1	196,472	196,472
TOTAL, NATIONAL GUARD PERSONNEL, ARMY	196,472	196,472
NATIONAL GUARD PERSONNEL, AIR FORCE		
BA-1: UNIT AND INDIVIDUAL TRAINING		
SPECIAL TRAINING	5,288	5,288
TOTAL, BA-1	5,288	5,288
TOTAL, NATIONAL GUARD PERSONNEL, AIR FORCE	5,288	5,288
TOTAL, MILITARY PERSONNEL	3,562,258	3,442,008

OPERATION AND MAINTENANCE

The agreement on items addressed by either the House or the Senate is as follows:

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

O-1	Budget Request	Final Bill
OPERATION AND MAINTENANCE, ARMY		
111 MANEUVER UNITS	723,945	938,145
Army requested transfer to title IX WTCV,A lines 5 and 13		-10,800
OCO/GWOT operations - transfer from title II		225,000
112 MODULAR SUPPORT BRIGADES	5,904	5,904
113 ECHELONS ABOVE BRIGADE	38,614	38,614
114 THEATER LEVEL ASSETS	1,651,817	1,651,817
115 LAND FORCES OPERATIONS SUPPORT	835,138	703,138
Army requested transfer to title IX WTCV,A lines 5 and 13		-132,000
116 AVIATION ASSETS	165,044	197,544
Program increase - support eleventh CAB		32,500
121 FORCE READINESS OPERATIONS SUPPORT	1,756,378	2,254,378
Army requested transfer to title IX WTCV,A lines 5 and 13		-2,000
OCO/GWOT operations - transfer from title II		500,000
122 LAND FORCES SYSTEMS READINESS	348,174	348,174
123 LAND FORCES DEPOT MAINTENANCE	350,000	350,000
131 BASE OPERATIONS SUPPORT	40,000	51,000
Program increase - support eleventh CAB		11,000
135 ADDITIONAL ACTIVITIES	5,990,878	5,755,878
LOGCAP - unjustified program growth		-235,000
136 COMMANDERS' EMERGENCY RESPONSE PROGRAM	5,000	5,000
137 RESET	1,092,542	1,625,250
OCO/GWOT operations - transfer from title II		532,708
138 COMBATANT COMMAND DIRECT MISSION SUPPORT	79,568	79,568
212 ARMY PREPOSITIONED STOCKS	350,200	130,000
Army requested transfer to line 421 and title IX WTCV,A lines 5 and 13		-220,200
321 SPECIALIZED SKILL TRAINING	3,565	3,565
323 PROFESSIONAL DEVELOPMENT EDUCATION	9,021	9,021
324 TRAINING SUPPORT	2,434	2,434
334 CIVILIAN EDUCATION AND TRAINING	1,254	1,254
421 SERVICEWIDE TRANSPORTATION	740,400	860,400
Army requested transfer from line 212		120,000

O-1	Budget Request	Final Bill
424 AMMUNITION MANAGEMENT	13,974	13,974
434 OTHER PERSONNEL SUPPORT	105,508	105,508
437 REAL ESTATE MANAGEMENT	165,678	165,678
CLASSIFIED PROGRAMS	835,551	835,551
PREVIOUSLY FUNDED REQUIREMENT		-438,727
TOTAL, OPERATION AND MAINTENANCE, ARMY	15,310,587	15,693,068
OPERATION AND MAINTENANCE, NAVY		
1A1A MISSION AND OTHER FLIGHT OPERATIONS OCO/GWOT operations - transfer from Title II	860,621	1,260,621 400,000
1A4A AIR OPERATIONS AND SAFETY SUPPORT	4,603	4,603
1A4N AIR SYSTEMS SUPPORT	159,049	159,049
1A5A AIRCRAFT DEPOT MAINTENANCE	113,994	113,994
1A6A AIRCRAFT DEPOT OPERATIONS SUPPORT	1,840	1,840
1A9A AVIATION LOGISTICS	35,529	35,529
1B1B MISSION AND OTHER SHIP OPERATIONS OCO/GWOT operations - transfer from title II	1,073,080	1,498,080 425,000
1B2B SHIP OPERATIONS SUPPORT & TRAINING	17,306	17,306
1B4B SHIP DEPOT MAINTENANCE OCO/GWOT operations - transfer from title II	2,903,431	3,303,431 400,000
1C1C COMBAT COMMUNICATIONS	21,257	21,257
1C4C WARFARE TACTICS	22,603	22,603
1C5C OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	22,934	22,934
1C6C COMBAT SUPPORT FORCES	568,511	568,511
1C7C EQUIPMENT MAINTENANCE	11,358	11,358
1D3D IN-SERVICE WEAPONS SYSTEMS SUPPORT	61,000	61,000
1D4D WEAPONS MAINTENANCE	289,045	289,045
1D7D OTHER WEAPONS SYSTEMS SUPPORT	8,000	8,000
BSM1 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	27,089	27,089
BSS1 BASE OPERATING SUPPORT	219,525	219,525
2B1G AIRCRAFT ACTIVATIONS / INACTIVATIONS	1,530	1,530
2C1H EXPEDITIONARY HEALTH SERVICE SYSTEM	8,904	8,904

O-1	Budget Request	Final Bill
2C3H COAST GUARD SUPPORT	162,692	0
Coast Guard funded in Department of Homeland Security bill		-162,692
3B1K SPECIALIZED SKILL TRAINING	43,365	43,365
4A1M ADMINISTRATION	3,764	3,764
4A2M EXTERNAL RELATIONS	515	515
4A4M MILITARY MANPOWER AND PERSONNEL MANAGEMENT	5,409	5,409
4A5M OTHER PERSONNEL SUPPORT	1,578	1,578
4A6M SERVICEWIDE COMMUNICATIONS	25,617	25,617
4B1N SERVICEWIDE TRANSPORTATION	126,700	126,700
4B3N ACQUISITION AND PROGRAM MANAGEMENT	9,261	9,261
999 CLASSIFIED PROGRAMS	17,281	17,281
PREVIOUSLY FUNDED REQUIREMENT		-2,350
TOTAL, OPERATION AND MAINTENANCE, NAVY	6,827,391	7,887,349
OPERATION AND MAINTENANCE, MARINE CORPS		
1A1A OPERATIONAL FORCES	703,489	878,489
OCO/GWOT operations - transfer from title II		175,000
1A2A FIELD LOGISTICS	266,094	266,094
1A3A DEPOT MAINTENANCE	147,000	147,000
BSS1 BASE OPERATING SUPPORT	18,576	218,576
OCO/GWOT operations - transfer from title II		200,000
3B4D TRAINING SUPPORT	31,750	31,750
4A3G SERVICEWIDE TRANSPORTATION	73,800	73,800
999 OTHER PROGRAMS	3,650	3,650
PREVIOUSLY FUNDED REQUIREMENT		-12,100
TOTAL, OPERATION AND MAINTENANCE, MARINE CORPS	1,244,359	1,607,259
OPERATION AND MAINTENANCE, AIR FORCE		
011A PRIMARY COMBAT FORCES	1,339,461	1,764,461
OCO/GWOT operations - transfer from title II		425,000
011C COMBAT ENHANCEMENT FORCES	1,096,021	986,021
Classified program transfer		-110,000
011D AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	152,278	152,278
011M DEPOT MAINTENANCE	1,185,506	1,185,506

O-1	Budget Request	Final Bill
011R FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	56,700	56,700
011Z BASE SUPPORT	941,714	941,714
012A GLOBAL C3I AND EARLY WARNING	30,219	30,219
012C OTHER COMBAT OPS SPT PROGRAMS	207,696	207,696
012F TACTICAL INTEL AND OTHER SPECIAL ACTIVITIES	79,893	79,893
013A LAUNCH FACILITIES	869	869
013C SPACE CONTROL SYSTEMS	5,008	5,008
015A COMBATANT COMMANDERS DIRECT MISSION SUPPORT	100,081	100,081
021A AIRLIFT OPERATIONS	2,774,729	3,174,729
OCO/GWOT operations - transfer from title II		400,000
021D MOBILIZATION PREPAREDNESS	108,163	108,163
021M DEPOT MAINTENANCE	891,102	1,291,102
OCO/GWOT operations - transfer from title II		400,000
021Z BASE SUPPORT	3,686	3,686
031Z BASE SUPPORT	52,740	52,740
032A SPECIALIZED SKILL TRAINING	4,500	4,500
041A LOGISTICS OPERATIONS	86,716	86,716
041Z BASE SUPPORT	59,133	59,133
042B SERVICEWIDE COMMUNICATIONS	165,348	165,348
042G OTHER SERVICEWIDE ACTIVITIES	141,883	116,825
Authorization adjustment - Office of Security Cooperation-Iraq		-25,058
044A INTERNATIONAL SUPPORT	61	61
999 CLASSIFIED PROGRAMS	15,323	15,323
BASE OPERATIONS SUPPORT UNJUSTIFIED GROWTH		-10,000
PREVIOUSLY FUNDED REQUIREMENT		-45,550
OPERATIONAL SUPPORT FOR INTELLIGENCE, SURVEILLANCE, AND RECONNAISSANCE	0	23,376
TOTAL, OPERATION AND MAINTENANCE, AIR FORCE	9,498,830	10,556,598
OPERATION AND MAINTENANCE, DEFENSE-WIDE		
1PL2 SPECIAL OPERATIONS COMMAND	2,650,651	2,636,522
Previously funded requirement		-14,129
4GT6 DEFENSE CONTRACT AUDIT AGENCY	13,436	13,436

O-1	Budget Request	Final Bill
4GT9 DEFENSE INFORMATION SYSTEMS AGENCY	47,579	47,579
4GTA DEFENSE LEGAL SERVICES	111,986	111,986
ES18 DEFENSE MEDIA ACTIVITY	13,317	13,317
4GTJ DEPARTMENT OF DEFENSE EDUCATION AGENCY	67,000	67,000
4GT0 DEFENSE CONTRACT MANAGEMENT AGENCY	13,564	13,564
4GTD DEFENSE SECURITY COOPERATION AGENCY	1,412,000	1,882,000
Lift and Sustain		-100,000
Jordan and Lebanon border security - transfer to Counter-ISIL Train and Equip Fund		-180,000
Consolidation of building partner capacity efforts - Transfer from CTPF		750,000
DEFENSE THREAT REDUCTION AGENCY	0	62,800
Mission enablers - Transfer from title IX JIDF		62,800
4GTN OFFICE OF THE SECRETARY OF DEFENSE	31,106	31,106
4GTQ WASHINGTON HEADQUARTERS SERVICE	3,137	3,137
9999 OTHER PROGRAMS	1,618,397	1,594,202
Previously funded requirement		-19,195
Classified program adjustment		-5,000
TOTAL, OPERATION AND MAINTENANCE, DEFENSE-WIDE	5,982,173	6,476,649
OPERATION AND MAINTENANCE, ARMY RESERVE		
112 MODULAR SUPPORT BRIGADES	708	708
113 ECHELONS ABOVE BRIGADE	14,822	14,822
114 THEATER LEVEL ASSETS	375	375
115 LAND FORCES OPERATIONS SUPPORT	2,088	2,088
116 AVIATION ASSETS	608	608
121 FORCES READINESS OPERATIONS SUPPORT	5,425	5,425
131 BASE OPERATIONS SUPPORT	14,653	14,653
TOTAL, OPERATION AND MAINTENANCE, ARMY RESERVE	38,679	38,679
OPERATION AND MAINTENANCE, NAVY RESERVE		
1A5A AIRCRAFT DEPOT MAINTENANCE	16,500	16,500
1A9A AVIATION LOGISTICS	2,522	2,522
1C6C COMBAT SUPPORT FORCES	7,243	7,243
TOTAL, OPERATION AND MAINTENANCE, NAVY RESERVE	26,265	26,265

O-1	Budget Request	Final Bill
OPERATION AND MAINTENANCE, MARINE CORPS RESERVE		
1A1A OPERATING FORCES	2,500	2,500
BSS1 BASE OPERATING SUPPORT	804	804
TOTAL, OPERATION AND MAINTENANCE, MARINE CORPS RESERVE	3,304	3,304
OPERATION AND MAINTENANCE, AIR FORCE RESERVE		
011M DEPOT MAINTENANCE	51,086	51,086
011Z BASE OPERATING SUPPORT	6,500	6,500
TOTAL, OPERATION AND MAINTENANCE, AIR FORCE RESERVE	57,586	57,586
OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD		
111 MANEUVER UNITS	16,149	16,149
112 MODULAR SUPPORT BRIGADES	748	748
113 ECHELONS ABOVE BRIGADE	34,707	34,707
114 THEATER LEVEL ASSETS	10,472	10,472
116 AVIATION ASSETS	32,804	32,804
121 FORCE READINESS OPERATIONS SUPPORT	12,435	12,435
131 BASE OPERATIONS SUPPORT	18,800	18,800
133 MANAGEMENT AND OPERATIONAL HEADQUARTERS	920	920
TOTAL, OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD	127,035	127,035
OPERATION AND MAINTENANCE, AIR NATIONAL GUARD		
011G MISSION SUPPORT OPERATIONS	3,400	3,400
011Z BASE SUPPORT	16,600	16,600
TOTAL, OPERATION AND MAINTENANCE, AIR NATIONAL GUARD	20,000	20,000
AFGHANISTAN SECURITY FORCES FUND		
Defense Forces		
Sustainment	2,173,341	2,173,341
Infrastructure	48,262	48,262
Equipment and Transportation	76,216	821,216
Program increase – Afghan aviation		745,000
Training and Operations	220,139	289,139
Program increase – Afghan aviation		69,000

O-1	Budget Request	Final Bill
Interior Forces		
Sustainment	860,441	860,441
Infrastructure	20,837	20,837
Equipment and Transportation	8,153	8,153
Training and Operations	41,326	41,326
TOTAL, AFGHANISTAN SECURITY FORCES FUND	3,448,715	4,262,715
COUNTERTERRORISM PARTNERSHIPS FUND		
COUNTERTERRORISM PARTNERSHIPS FUND	1,000,000	0
Program decrease		-250,000
Consolidation of building partner capacity efforts - transfer to title IX OM,DW		-750,000
TOTAL, COUNTERTERRORISM PARTNERSHIPS FUND	1,000,000	0
IRAQ TRAIN AND EQUIP FUND		
IRAQ TRAIN AND EQUIP FUND	630,000	0
Transfer to Counter-ISIL Train and Equip Fund		-580,000
Program decrease		-50,000
TOTAL, IRAQ TRAIN AND EQUIP FUND	630,000	0
SYRIA TRAIN AND EQUIP FUND		
SYRIA TRAIN AND EQUIP	250,000	0
Transfer to Counter-ISIL Train and Equip Fund		-220,000
Program decrease		-30,000
TOTAL, SYRIA TRAIN AND EQUIP FUND	250,000	0
COUNTER-ISIL TRAIN AND EQUIP FUND		
COUNTER-ISIL TRAIN AND EQUIP FUND	0	980,000
Transfer from Iraq Train and Equip Fund		580,000
Transfer from Syria Train and Equip Fund		220,000
Jordan and Lebanon border security - transfer from title IX OM,DW		180,000
TOTAL, COUNTER-ISIL TRAIN AND EQUIP FUND	0	980,000
TOTAL, OPERATION AND MAINTENANCE	44,464,924	47,736,507

COMMANDERS' EMERGENCY RESPONSE PROGRAM

The agreement recommends \$5,000,000 for the Commanders' Emergency Response Program (CERP) in Afghanistan for fiscal year 2017. As directed in section 9005 of this Act,

not later than 30 days after the end of each fiscal quarter, the Army shall submit commitment, obligation, and expenditure data for the CERP to the congressional defense committees.

PROCUREMENT

The agreement on items addressed by either the House or the Senate is as follows:

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1	Budget Request	Final Bill
AIRCRAFT PROCUREMENT, ARMY		
6 AH-64 APACHE BLOCK IIIA REMAN (OCO/GWOT)	78,040	78,040
15 MULTI SENSOR ABN RECON (OCO/GWOT)	21,400	21,400
20 EMARSS SEMA MODS (OCO/GWOT)	42,700	42,700
26 RQ-7 UAV MODS (OCO/GWOT)	1,775	1,775
27 UAS MODS (OCO/GWOT)	4,420	4,420
30 CMWS (OCO/GWOT)	56,115	56,115
31 CIRCM (OCO/GWOT)	108,721	108,721
TOTAL, AIRCRAFT PROCUREMENT, ARMY	313,171	313,171
MISSILE PROCUREMENT, ARMY		
4 HELLFIRE SYSTEM SUMMARY (OCO/GWOT) Previously funded requirement	455,830	228,330 -227,500
7 JAVELIN SYSTEM SUMMARY (OCO/GWOT)	15,567	15,567
8 TOW 2 SYSTEM SUMMARY (OCO/GWOT)	80,652	80,652
10 GUIDED MLRS ROCKET (GMLRS) (OCO/GWOT)	75,991	75,991
12 LETHAL MINIATURE AERIAL MISSILE SYSTEM (LMAMS) (OCO/GWOT)	4,777	4,777
TOTAL, MISSILE PROCUREMENT, ARMY	632,817	405,317
PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY		
6 BRADLEY UPGRADE PROGRAM (OCO/GWOT) Army requested transfer from title IX OM,A lines 111, 113, 115, 121, and 212	0	72,800 72,800
8 PALADIN INTEGRATED MANAGEMENT (PIM) (OCO/GWOT) Estimated contract savings	125,184	122,584 -2,600
10 ASSAULT BRIGADE (MOD) (OCO/GWOT)	5,950	5,950
15 M1 ABRAMS UPGRADE PROGRAM (OCO/GWOT) Army requested transfer from title IX OM,A lines 111, 113, 115, 121, and 212	0	172,200 172,200
18 MORTAR SYSTEMS (OCO/GWOT)	22,410	22,410
TOTAL, PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY	153,544	395,944

P-1	Budget Request	Final Bill
PROCUREMENT OF AMMUNITION, ARMY		
2 CTG, 7.62MM, ALL TYPES (OCO/GWOT)	9,642	9,642
4 CTG, .50 CAL, ALL TYPES (OCO/GWOT)	6,607	6,607
5 CTG, 20MM, ALL TYPES (OCO/GWOT)	1,077	1,077
6 CTG, 25MM, ALL TYPES (OCO/GWOT)	28,534	28,534
7 CTG, 30MM, ALL TYPES (OCO/GWOT)	20,000	20,000
8 CTG, 40MM, ALL TYPES (OCO/GWOT)	7,423	6,923
Unit cost growth		-500
9 60MM MORTAR, ALL TYPES (OCO/GWOT)	10,000	10,000
10 81MM MORTAR, ALL TYPES (OCO/GWOT)	2,677	2,677
CARTRIDGES, TANK, 105MM AND 120MM, ALL TYPES (OCO/GWOT)	8,999	8,999
14 ARTILLERY PROJECTILE, 155M, ALL TYPES (OCO/GWOT)	30,348	30,348
15 PROJ 155MM EXTENDED RANGE M982 (OCO/GWOT)	140	140
ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL TYPES (OCO/GWOT)	29,655	29,655
16 MINES & CLEARING CHARGES, ALL TYPES (OCO/GWOT)	16,866	16,866
18 SPIDER NETWORK MUNITIONS, ALL TYPES (OCO/GWOT)	10,353	0
Army identified excess funds		-10,353
19 SHOULDER LAUNCHED MUNITIONS, ALL TYPES (OCO/GWOT)	63,210	63,210
20 ROCKET, HYDRA 70, ALL TYPES (OCO/GWOT)	42,851	42,851
22 DEMOLITION MUNITIONS, ALL TYPES (OCO/GWOT)	6,373	6,373
23 GRENADES, ALL TYPES (OCO/GWOT)	4,143	4,143
24 SIGNALS, ALL TYPES (OCO/GWOT)	1,852	1,852
27 NON-LETHAL AMMUNITION, ALL TYPES (OCO/GWOT)	773	773
TOTAL, PROCUREMENT OF AMMUNITION, ARMY	301,523	290,670
OTHER PROCUREMENT, ARMY		
2 SEMITRAILERS, FLATBED (OCO/GWOT)	4,180	4,180
8 FAMILY OF MEDIUM TACTICAL VEHICLES (OCO/GWOT)	299,476	299,476
10 FAMILY OF HEAVY TACTICAL VEHICLES (OCO/GWOT)	6,122	6,122
11 PLS ESP (OCO/GWOT)	106,358	106,358

P-1	Budget Request	Final Bill
HEAVY EXPANDED MOBILE TACTICAL TRUCK EXT SERV 12 (OCO/GWOT)	203,766	203,766
13 TACTICAL WHEELED VEHICLE PROTECTION KITS	101,154	101,154
14 MODIFICATION OF IN SVC EQUIP (OCO/GWOT) Maintain level of effort	155,456	125,456 -30,000
19 WIN-T - GROUND FORCES TACTICAL NETWORK (OCO/GWOT)	9,572	9,572
25 SHF TERM (OCO/GWOT)	24,000	24,000
47 CI AUTOMATION ARCHITECTURE (OCO/GWOT)	1,550	1,550
51 COMSEC (OCO/GWOT)	1,928	1,928
INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM 56 (OCO/GWOT)	20,510	20,510
62 DCGS-A (OCO/GWOT)	33,032	33,032
64 TROJAN (OCO/GWOT)	3,305	3,305
CI HUMINT AUTO REPORTING AND COLL (CHARCS) 66 (OCO/GWOT)	7,233	7,233
69 BIOMETRIC TACTICAL COLLECTION DEVICES (OCO/GWOT)	5,670	5,670
70 LIGHTWEIGHT COUNTER MORTAR RADAR (OCO/GWOT)	25,892	25,892
FAMILY OF PERSISTENT SURVEILLANCE CAPABILITIES 74 (OCO/GWOT)	11,610	11,610
COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES 75 (OCO/GWOT)	23,890	23,890
INDIRECT FIRE PROTECTION FAMILY OF SYSTEMS 80 (OCO/GWOT)	4,270	4,270
89 MORTAR FIRE CONTROL SYSTEM (OCO/GWOT)	2,572	2,572
AIR & MSL DEFENSE PLANNING & CONTROL SYSTEM 92 (OCO/GWOT)	69,958	69,958
102 AUTOMATED DATA PROCESSING EQUIPMENT (OCO/GWOT)	9,900	9,900
ITEMS LESS THAN \$5M (SURVEYING EQUIPMENT) 108 (OCO/GWOT)	96	96
114 CBRN DEFENSE (OCO/GWOT)	1,841	1,841
115 TACTICAL BRIDGING (OCO/GWOT)	26,000	26,000
124 ROBOTICS AND APPLIQUE SYSTEMS (OCO/GWOT)	268	268
128 FAMILY OF BOATS AND MOTORS (OCO/GWOT)	280	280

P-1	Budget Request	Final Bill
129 HEATERS AND ECU'S (OCO/GWOT)	894	894
134 FORCE PROVIDER (OCO/GWOT)	53,800	53,800
135 FIELD FEEDING EQUIPMENT (OCO/GWOT)	2,665	2,665
CARGO AERIAL DELIVERY & PERSONNEL PARACHUTE		
136 SYSTEM (OCO/GWOT)	2,400	2,400
FAMILY OF ENGINEER COMBAT AND CONSTRUCTION SETS		
137 (OCO/GWOT)	9,789	9,789
138 ITEMS LESS THAN \$5M (ENG SPT) (OCO/GWOT)	300	300
139 QUALITY SURVEILLANCE EQUIPMENT (OCO/GWOT)	4,800	4,800
140 DISTRIBUTION SYSTEMS, PETROLEUM & WATER (OCO/GWOT)	78,240	78,240
141 COMBAT SUPPORT MEDICAL (OCO/GWOT)	5,763	5,763
142 MOBILE MAINTENANCE EQUIPMENT SYSTEMS (OCO/GWOT)	1,609	1,609
143 ITEMS LESS THAN \$5M (MAINT EQ) (OCO/GWOT)	145	145
144 GRADER, ROAD MTZD, HVY, 6X4 (CCE) (OCO/GWOT)	3,047	3,047
148 TRACTOR, FULL TRACKED (OCO/GWOT)	4,426	4,426
151 HIGH MOBILITY ENGINEER EXCAVATOR (HMEE) (OCO/GWOT)	2,900	2,900
155 ITEMS LESS THAN \$5M (CONST EQUIP) (OCO/GWOT)	96	96
158 GENERATORS AND ASSOCIATED EQUIP (OCO/GWOT)	31,761	31,761
160 FAMILY OF FORKLIFTS (OCO/GWOT)	846	846
168 TEST EQUIPMENT MODERNIZATION (TEMOD) (OCO/GWOT)	1,140	1,140
RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT		
170 (OCO/GWOT)	8,500	8,500
TOTAL, OTHER PROCUREMENT, ARMY	1,373,010	1,343,010
AIRCRAFT PROCUREMENT, NAVY		
2 F/A-18E/F (FIGHTER) HORNET (OCO/GWOT)	184,912	167,912
Excess cost growth		-17,000
26 STUASL0 UAV (OCO/GWOT)	70,000	61,900
ICS excess growth		-8,100
35 SH-60 SERIES (OCO/GWOT)	3,000	3,000
36 H-1 SERIES (OCO/GWOT)	3,740	3,740
39 EP-3 SERIES (OCO/GWOT)	7,505	7,505
47 SPECIAL PROJECT AIRCRAFT (OCO/GWOT)	14,869	14,869

P-1	Budget Request	Final Bill
51 COMMON ECM EQUIPMENT (OCO/GWOT)	98,240	98,240
59 V-22 OSPREY (OCO/GWOT)	8,740	8,740
63 SPARES AND REPAIR PARTS (OCO/GWOT)	1,500	1,500
65 AIRCRAFT INDUSTRIAL FACILITIES (OCO/GWOT)	524	524
TOTAL, AIRCRAFT PROCUREMENT, NAVY	393,030	367,930
WEAPONS PROCUREMENT, NAVY		
10 HELLFIRE (OCO/GWOT)	8,600	8,600
TOTAL, WEAPONS PROCUREMENT, NAVY	8,600	8,600
PROCUREMENT OF AMMO, NAVY & MARINE CORPS		
1 GENERAL PURPOSE BOMBS (OCO/GWOT)	40,366	40,366
2 AIRBORNE ROCKETS, ALL TYPES (OCO/GWOT)	8,860	8,860
6 AIR EXPENDABLE COUNTERMEASURES (OCO/GWOT)	7,060	7,060
13 PYROTECHNIC AND DEMOLITION (OCO/GWOT)	1,122	1,122
14 AMMUNITION LESS THAN \$5 MILLION (OCO/GWOT)	3,495	3,495
15 SMALL ARMS AMMUNITION (OCO/GWOT)	1,205	1,205
17 40MM, ALL TYPES (OCO/GWOT)	539	481
MK281 unit cost growth		-58
18 60MM, ALL TYPES (OCO/GWOT)	909	909
20 120MM, ALL TYPES (OCO/GWOT)	530	0
Forward financing		-530
22 ROCKETS, ALL TYPES (OCO/GWOT)	469	469
23 ARTILLERY, ALL TYPES (OCO/GWOT)	1,196	1,196
24 DEMOLITION MUNITIONS, ALL TYPES (OCO/GWOT)	261	0
Prior year carryover		-261
25 FUZE, ALL TYPES (OCO/GWOT)	217	217
TOTAL, PROCUREMENT OF AMMO, NAVY & MARINE CORPS	66,229	65,380
OTHER PROCUREMENT, NAVY		
81 DCGS-N (OCO/GWOT)	12,000	12,000
116 EXPLOSIVE ORDNANCE DISPOSAL EQUIP (OCO/GWOT)	99,329	74,934
Prior year carryover due to contract delay		-24,395
124 FIRE FIGHTING EQUIPMENT (OCO/GWOT)	630	630

P-1	Budget Request	Final Bill
133 FIRST DESTINATION TRANSPORTATION (OCO/GWOT)	25	0
Excess to need		-25
137 COMMAND SUPPPORT EQUIPMENT (OCO/GWOT)	10,562	10,562
999 CLASSIFIED PROGRAMS (OCO/GWOT)	1,660	1,660
TOTAL, OTHER PROCUREMENT, NAVY	124,206	99,786
PROCUREMENT, MARINE CORPS		
WEAPONS AND COMBAT VEHICLES UNDER \$5 MILLION		
6 (OCO/GWOT)	572	572
10 JAVELIN (OCO/GWOT)	1,606	1,606
18 MODIFICATION KITS (OCO/GWOT)	2,600	2,600
19 ITEMS UNDER \$5 MILLION (COMM & ELEC) (OCO/GWOT)	2,200	2,200
26 INTELLIGENCE SUPPORT EQUIPMENT (OCO/GWOT)	20,981	20,981
29 RQ-11 UAV (OCO/GWOT)	3,817	3,817
35 COMMON COMPUTER RESOURCES (OCO/GWOT)	2,600	2,600
37 RADIO SYSTEMS (OCO/GWOT)	9,563	9,563
53 EOD SYSTEMS (OCO/GWOT)	75,000	75,000
TOTAL, PROCUREMENT, MARINE CORPS	118,939	118,939
AIRCRAFT PROCUREMENT, AIR FORCE		
4 C-130J (OCO/GWOT)	73,000	73,000
11 CV-22 (OCO/GWOT)	0	97,000
Program increase - one aircraft for attrition reserve		97,000
15 MQ-9 (OCO/GWOT)	453,030	366,030
Air Force requested transfer to line 61 for spares		-60,000
Excess initial spares		-27,000
19 LAIRCM (OCO/GWOT)	135,801	135,801
20 A-10 (OCO/GWOT)	23,850	43,000
Excess funds		-850
Program increase - A-10 wing replacements		20,000
22 F-16 (OCO/GWOT)	0	17,000
Program increase - missile warning system		12,000
Program increase - anti-jam GPS		5,000
47 E-3 (OCO/GWOT)	6,600	6,600
56 HC/MC-130 MODIFICATIONS (OCO/GWOT)	13,550	13,550
57 OTHER AIRCRAFT (OCO/GWOT)	7,500	7,500

P-1	Budget Request	Final Bill
59 MQ-9 MODS (OCO/GWOT)	112,068	73,768
Early to need		-38,300
61 INITIAL SPARES/REPAIR PARTS (OCO/GWOT)	25,600	85,600
Air Force requested transfer from line 15 for spares		60,000
77 OTHER PRODUCTION CHARGES (OCO/GWOT)	8,400	8,400
TOTAL, AIRCRAFT PROCUREMENT, AIR FORCE	859,399	927,249
MISSILE PROCUREMENT, AIR FORCE		
6 PREDATOR HELLFIRE MISSILE (OCO/GWOT)	145,125	141,375
Pricing adjustment		-3,750
7 SMALL DIAMETER BOMB (OCO/GWOT)	167,800	67,100
Unit cost growth		-16,800
Previously funded requirement		-83,900
11 AGM-65 MAVERICK (OCO/GWOT)	26,620	26,620
TOTAL, MISSILE PROCUREMENT, AIR FORCE	339,545	235,095
PROCUREMENT OF AMMUNITION, AIR FORCE		
1 ROCKETS (OCO/GWOT)	60,000	60,000
2 CARTRIDGES (OCO/GWOT)	9,830	9,830
4 GENERAL PURPOSE BOMBS (OCO/GWOT)	7,921	7,921
6 JOINT DIRECT ATTACK MUNITION (OCO/GWOT)	403,126	189,063
Pricing adjustment		-12,500
Previously funded requirement		-201,563
12 FLARES (OCO/GWOT)	6,531	6,531
TOTAL, PROCUREMENT OF AMMUNITION, AIR FORCE	487,408	273,345
OTHER PROCUREMENT, AIR FORCE		
1 PASSENGER CARRYING VEHICLES (OCO/GWOT)	2,003	2,003
2 MEDIUM TACTICAL VEHICLE (OCO/GWOT)	9,066	9,066
4 ITEMS LESS THAN \$5M (CARGO & UTILITY) (OCO/GWOT)	12,264	12,264
6 ITEMS LESS THAN \$5M (SPECIAL PURPOSE) (OCO/GWOT)	16,789	16,789
7 FIRE FIGHTING/CRASH RESCUE VEHICLES (OCO/GWOT)	48,590	48,590
8 ITEMS LESS THAN \$5M (MHE) (OCO/GWOT)	2,366	2,366
RUNWAY SNOW REMOVAL & CLEANING EQUIPMENT		
9 (OCO/GWOT)	6,468	6,468

P-1	Budget Request	Final Bill
ITEMS LESS THAN \$5M (BASE MAINTENANCE SUPPORT)		
10 (OCO/GWOT)	9,271	9,271
16 AIR TRAFFIC LANDING & CONTROL SYSTEMS (OCO/GWOT)	42,650	21,325
D-ILS schedule slip		-21,325
29 AIR FORCE PHYSICAL SECURITY SYSTEM (OCO/GWOT)	7,500	7,500
33 C3 COUNTERMEASURES (OCO/GWOT)	620	620
52 TACTICAL C-E EQUIPMENT (OCO/GWOT)	8,100	8,100
56 COMM ELECT MODS (OCO/GWOT)	3,800	3,800
61 ENGINEERING AND EOD EQUIPMENT (OCO/GWOT)	53,900	46,400
JCREW - unjustified unit cost increase		-7,500
67 DCGS-AF (OCO/GWOT)	800	800
999 CLASSIFIED PROGRAMS (OCO/GWOT)	3,472,094	3,334,094
Classified adjustment		-138,000
TOTAL, OTHER PROCUREMENT, AIR FORCE	3,696,281	3,529,456
PROCUREMENT, DEFENSE-WIDE		
7 TELEPORT PROGRAM (OCO/GWOT)	3,900	3,900
16 DEFENSE INFORMATION SYSTEMS NETWORK (OCO/GWOT)	2,000	2,000
999 CLASSIFIED PROGRAMS (OCO/GWOT)	32,482	32,482
41 MC-12 (OCO/GWOT)	5,000	5,000
43 UNMANNED ISR (OCO/GWOT)	11,880	11,880
46 U-28 (OCO/GWOT)	38,283	38,283
48 CV-22 SOF MODIFICATION (OCO/GWOT)	0	25,000
Program increase		25,000
57 ORDNANCE ITEMS <\$5M (OCO/GWOT)	52,504	52,504
58 INTELLIGENCE SYSTEMS (OCO/GWOT)	22,000	22,000
60 OTHER ITEMS <\$5M (OCO/GWOT)	11,580	11,580
62 SPECIAL PROGRAMS (OCO/GWOT)	13,549	13,549
63 TACTICAL VEHICLES (OCO/GWOT)	3,200	3,200
69 SOF OPERATIONAL ENHANCEMENTS (OCO/GWOT)	42,056	22,806
Classified adjustment		-19,250
TOTAL, PROCUREMENT, DEFENSE-WIDE	238,434	244,184

P-1	Budget Request	Final Bill
NATIONAL GUARD & RESERVE EQUIPMENT		
RESERVE EQUIPMENT		
ARMY RESERVE	0	105,000
MISCELLANEOUS EQUIPMENT (OCO/GWOT)		105,000
NAVY RESERVE	0	37,500
MISCELLANEOUS EQUIPMENT (OCO/GWOT)		37,500
MARINE CORPS RESERVE	0	7,500
MISCELLANEOUS EQUIPMENT (OCO/GWOT)		7,500
AIR FORCE RESERVE	0	105,000
MISCELLANEOUS EQUIPMENT (OCO/GWOT)		105,000
TOTAL, RESERVE EQUIPMENT	0	255,000
NATIONAL GUARD EQUIPMENT		
ARMY NATIONAL GUARD	0	247,500
MISCELLANEOUS EQUIPMENT (OCO/GWOT)		247,500
AIR NATIONAL GUARD	0	247,500
MISCELLANEOUS EQUIPMENT (OCO/GWOT)		247,500
TOTAL, NATIONAL GUARD EQUIPMENT	0	495,000
TOTAL, NATIONAL GUARD & RESERVE EQUIPMENT	0	750,000
TOTAL PROCUREMENT	9,106,136	9,368,076

NATIONAL GUARD AND RESERVE EQUIPMENT

The agreement provides \$750,000,000 for National Guard and Reserve Equipment. Of that amount \$247,500,000 is designated for the Army National Guard, \$247,500,000 for the Air National Guard, \$105,000,000 for the Army Reserve, \$105,000,000 for the Air Force Reserve, \$37,500,000 for the Navy Reserve, and \$7,500,000 for the Marine Corps Reserve.

This funding will allow the reserve components to procure high priority equipment that may be used for combat and domestic response missions. Current reserve component equipping levels are among the highest in recent history and the funding provided by the agreement will help ensure component interoperability and sustained reserve component modernization.

The Secretary of Defense is directed to ensure that the account be executed by the Chiefs of the National Guard and reserve components with priority consideration

given to the following items: acoustic hailing devices including hail and warning escalation of force systems, advanced cargo handling systems for CH-47, air broadband for C-12, airborne sense and avoid systems for remotely piloted aircraft, all-digital radar warning receivers, chemical biological protective shelters, combat uniforms and cold weather protective clothing, common access card for remote access virtual private network with pre-tunnel authentication, computer-assisted language learning software, crashworthy ballistically tolerant auxiliary fuel systems, integrated facial protection components for standard issue helmets, large aircraft infrared countermeasures, advanced targeting pods, electromagnetic in-flight propeller balance systems, electro-optical infrared sensors, frequency hopping multiplexers, handheld and manpack and mid-tier networking vehicular radios, handheld explosives and chemical weapons detection capa-

bilities, HMMWV rollover mitigation and control technologies, lightweight wide-area motion imagery systems, modular small arms and self-contained ranges, joint threat emitters, mandible protection, Marine Corps tactical radio digital communications, the mobile user objective system, modular fuel systems, palletized loading systems, multi-temperature refrigerated container systems, near infrared aiming and illumination systems, out of band infrared pointer and illuminator systems, radiac sets, semi-trailers, unstabilized gunnery crew trainer and small arms simulation trainers, and wireless mobile mesh self-healing network systems.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

The agreement on items addressed by either the House or the Senate is as follows:

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

R-1	Budget Request	Final Bill
RESEARCH, DEVELOPMENT, TEST & EVALUATION, ARMY		
55 ARMY SPACE SYSTEM INTEGRATION (OCO/GWOT)	9,375	9,375
90 NON-SYSTEM TRAINING DEVICES - ENG DEV (OCO/GWOT)	33	33
COMMON INFRARED COUNTERMEASURES (CIRCM)		
117 (OCO/GWOT)	10,900	10,900
122 AIRCRAFT SURVIVABILITY DEVELOPMENT (OCO/GWOT)	73,110	73,110
208 BIOMETRICS ENABLED INTELLIGENCE (OCO/GWOT)	7,104	7,104
TOTAL, RESEARCH, DEVELOPMENT, TEST & EVALUATION, ARMY	100,522	100,522
RESEARCH, DEVELOPMENT, TEST & EVALUATION, NAVY		
38 RETRACT LARCH (OCO/GWOT)	3,907	3,907
TACTICAL AIR DIRECTIONAL INFRARED COUNTERMEASURES		
78 (TADIRCM) (OCO/GWOT)	37,990	37,990
999 CLASSIFIED PROGRAMS (OCO/GWOT)	36,426	36,426
TOTAL, RESEARCH, DEVELOPMENT, TEST & EVALUATION, NAVY	78,323	78,323
RESEARCH, DEVELOPMENT, TEST & EVALUATION, AIR FORCE		
58 COUNTERSPACE SYSTEMS (OCO/GWOT)	425	425
131 MQ-9 (OCO/GWOT)	0	35,000
Program increase - auto takeoff and landing capability		35,000
SPACE INNOVATION, INTEGRATION AND RAPID TECHNOLOGY		
200 DEVELOPMENT (OCO/GWOT)	4,715	4,715
999 CLASSIFIED PROGRAMS (OCO/GWOT)	27,765	27,765
TOTAL, RESEARCH, DEVELOPMENT, TEST & EVALUATION, AIR FORCE	32,905	67,905
RESEARCH, DEVELOPMENT, TEST & EVALUATION, DEFENSE-WIDE		
999 CLASSIFIED PROGRAMS (OCO/GWOT)	162,419	159,919
Classified adjustment		-2,500
TOTAL, RESEARCH, DEVELOPMENT, TEST & EVALUATION, DEFENSE-WIDE	162,419	159,919
TOTAL RESEARCH, DEVELOPMENT, TEST & EVALUATION	374,169	406,669

REVOLVING AND MANAGEMENT FUNDS

The agreement on items addressed by either the House or the Senate is as follows:

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS		
[In thousands of dollars]		
	Budget request	Final bill
WORKING CAPITAL FUND, ARMY	46,833	46,833
WORKING CAPITAL FUND, DEFENSE-WIDE	93,800	93,800
TOTAL, DEFENSE WORKING CAPITAL FUNDS	140,633	140,633

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

The agreement on items addressed by either the House or the Senate is as follows:

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS		
[In thousands of dollars]		
	Budget request	Final bill
IN-HOUSE CARE	95,366	95,366
PRIVATE SECTOR CARE	233,073	233,073
CONSOLIDATED HEALTH SUPPORT	3,325	3,325
TOTAL, OPERATION AND MAINTENANCE	331,764	331,764

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

The agreement provides \$215,333,000 for Drug Interdiction and Counter-drug Activities, Defense.

JOINT IMPROVISED-THREAT DEFEAT FUND

The agreement on items addressed by either the House or the Senate is as follows:

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS		
[In thousands of dollars]		
	Budget request	Final bill
RAPID ACQUISITION AND THREAT RESPONSE ...	345,472	339,472
Prior year carryover		– 6,000
MISSION ENABLERS	62,800	0
Transfer to title IX OM, DW		– 62,800
TOTAL, JOINT IMPROVISED-THREAT FUND	408,272	339,472

2016 Appropriations:		
Operation and Maintenance, Defense-Wide:		
DSCA Coalition Support Fund		\$300,000,000
Counterterrorism Partnership Fund:		
Counterterrorism Partnership Fund		200,000,000
Afghanistan Security Forces Fund:		
Afghanistan Security Forces Fund		150,000,000
Other Procurement, Air Force:		
Classified adjustment		169,000,000
(RESCISSION)		
The agreement modifies a provision proposed by the Senate recommending rescissions and provides for the rescission of \$11,524,000. The House bill contained no similar provision. The rescission agreed to is:		

2011/XXXX Appropriation:		
Operation and Maintenance, Defense-Wide:		
DSCA Coalition Support Fund		\$11,524,000
The agreement adds a provision which terminates the Mine Resistant Ambush Protected Vehicle Fund. The House and Senate bills contained no similar provisions.		
The agreement retains a provision proposed by the Senate which requires the President to designate all Overseas Contingency Operations/Global War on Terrorism funds as such. The House bill contained a similar provision.		

JOINT IMPROVISED-THREAT DEFEAT FUND

The fiscal year 2017 budget request includes \$408,272,000 in Overseas Contingency Operations funding for the Joint Improvised-Threat Defeat Fund. To preserve the essential joint capabilities of the Joint Improvised-Threat Defeat Organization (JIDO) and eliminate any duplication with Service capabilities, the agreement recommends transferring \$62,800,000 to the Operation and Maintenance, Defense-Wide account in title IX.

The budget request proposed consolidating the sub-accounts under the appropriation into a single account titled Rapid Acquisition and Threat Response. This flexibility would allow for quick reaction changes in spending; however, it would prevent the congressional defense committees from having any insight into why or when these funding changes occur. Therefore, the agreement provides the following funding levels for JIDO programs: \$101,286,000 for Rapid Capability Delivery; \$200,886,000 for Assist Situational Understanding; and \$37,300,000 for Enable Department of Defense Responsiveness. The Director of the JIDO is directed to provide quarterly reports to the congressional defense committees should funding be shifted between the accounts not later than 15 days after the end of the fiscal quarter.

OFFICE OF THE INSPECTOR GENERAL

The agreement provides \$22,062,000 for the Office of the Inspector General.

GENERAL PROVISIONS—THIS TITLE

The agreement for title IX incorporates general provisions from the House and Senate versions of the bill which were not amended. Those general provisions that were addressed in the agreement are as follows:

The agreement retains a provision proposed by the Senate which provides for special transfer authority within title IX. The House bill contained a similar provision.

The agreement retains a provision proposed by the Senate which provides funds for logistical support to allied forces supporting military and stability operations in Afghanistan and to counter the Islamic State of Iraq and the Levant. The House bill contained a similar provision.

The agreement retains a provision proposed by the House which provides funds for

the Office of Security Cooperation in Iraq. The Senate bill contained no similar provision.

The agreement modifies a provision proposed by the House which provides security assistance to the Government of Jordan. The Senate bill contained no similar provision.

The agreement modifies a provision proposed by the House which prohibits the use of the Counter-ISIL Train and Equip Fund to procure or transfer man-portable air defense systems. The Senate bill contained no similar provision.

The agreement retains a provision proposed by the House which provides assistance and sustainment to the military and national security forces of Ukraine. The Senate bill contained no similar provision.

The agreement retains a provision proposed by the House related to the replacement of funds for items provided to the Government of Ukraine. The Senate bill contained no similar provision.

The agreement retains a provision proposed by the House which prohibits the use of assistance and sustainment to the military and national security forces of Ukraine to procure or transfer man-portable air defense systems. The Senate bill contained no similar provision.

The agreement retains a provision proposed by the House which provides funds to the Department of Defense to improve intelligence, surveillance, and reconnaissance capabilities. The Senate bill contained no similar provision.

The agreement retains a provision proposed by the Senate which prohibits the use of funds to transfer additional C-130 aircraft to Afghanistan until the Department of Defense conducts a review of the country's medium airlift requirements. The House bill contained no similar provision.

(RESCISSIONS)

The agreement modifies a provision proposed by the House recommending rescissions and provides for the rescission of \$819,000,000. The Senate bill contained a similar provision. The rescissions agreed to are:

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2017
(Amounts in Thousands)

	FY 2016 Enacted	FY 2017 Request	Final Bill	Final Bill vs. FY 2016	Final Bill vs. Request

TITLE I					
MILITARY PERSONNEL					
Military Personnel, Army.....	41,045,562	40,028,182	40,042,962	-1,002,600	+14,780
Military Personnel, Navy.....	27,835,183	27,951,605	27,889,405	+54,222	-62,200
Military Personnel, Marine Corps.....	12,859,152	12,813,412	12,735,182	-123,970	-78,230
Military Personnel, Air Force.....	27,679,066	27,944,615	27,958,795	+279,729	+14,180
Reserve Personnel, Army.....	4,463,164	4,561,703	4,524,863	+61,699	-36,840
Reserve Personnel, Navy.....	1,866,891	1,924,155	1,921,045	+54,154	-3,110
Reserve Personnel, Marine Corps.....	702,481	744,995	744,795	+42,314	-200
Reserve Personnel, Air Force.....	1,682,942	1,742,906	1,725,526	+42,584	-17,380
National Guard Personnel, Army.....	7,892,327	7,910,694	7,899,423	+7,096	-11,271
National Guard Personnel, Air Force.....	3,201,890	3,280,065	3,283,982	+82,092	+3,917
Total, Title I, Military Personnel.....	129,228,658	128,902,332	128,725,978	-502,680	-176,354
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TITLE II

OPERATION AND MAINTENANCE

Operation and Maintenance, Army.....	32,399,440	33,809,040	32,738,173	+338,733	-1,070,867
Operation and Maintenance, Navy.....	39,600,172	39,483,581	38,552,017	-1,048,155	-931,564

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2017
(Amounts in Thousands)

	FY 2016 Enacted	FY 2017 Request	Final Bill	Final Bill vs. FY 2016	Final Bill vs. Request
Operation and Maintenance, Marine Corps.....	5,718,074	5,954,258	5,676,152	-41,922	-278,106
Operation and Maintenance, Air Force.....	35,727,457	37,518,056	36,247,724	+520,267	-1,270,332
Operation and Maintenance, Defense-Wide.....	32,105,040	32,571,590	32,373,949	+268,909	-197,641
Operation and Maintenance, Army Reserve.....	2,646,911	2,712,331	2,743,688	+96,777	+31,357
Operation and Maintenance, Navy Reserve.....	998,481	927,656	929,656	-68,825	+2,000
Operation and Maintenance, Marine Corps Reserve.....	274,526	270,633	271,133	-3,393	+500
Operation and Maintenance, Air Force Reserve.....	2,980,768	3,067,929	3,069,229	+88,461	+1,300
Operation and Maintenance, Army National Guard.....	6,595,483	6,825,370	6,861,478	+265,995	+36,108
Operation and Maintenance, Air National Guard.....	6,820,569	6,703,578	6,615,095	-205,474	-88,483
United States Court of Appeals for the Armed Forces.....	14,078	14,194	14,194	+116	---
Environmental Restoration, Army.....	234,829	170,167	170,167	-64,662	---
Environmental Restoration, Navy.....	300,000	281,762	289,262	-10,738	+7,500
Environmental Restoration, Air Force.....	368,131	371,521	371,521	+3,390	---
Environmental Restoration, Defense-Wide.....	8,232	9,009	9,009	+777	---
Environmental Restoration, Formerly Used Defense Sites	231,217	197,084	222,084	-9,133	+25,000
Overseas Humanitarian, Disaster, and Civic Aid.....	103,266	105,125	123,125	+19,859	+18,000
Cooperative Threat Reduction Account.....	358,496	325,604	325,604	-32,892	---
Total, Title II, Operation and maintenance.....	167,485,170	171,318,488	167,603,260	+118,090	-3,715,228

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2017
(Amounts in Thousands)

	FY 2016 Enacted	FY 2017 Request	Final Bill	Final Bill vs. FY 2016	Final Bill vs. Request
TITLE III					
PROCUREMENT					
Aircraft Procurement, Army.....	5,866,367	3,614,787	4,587,598	-1,278,769	+972,811
Missile Procurement, Army.....	1,600,957	1,519,966	1,533,804	-67,153	+13,838
Procurement of Weapons and Tracked Combat Vehicles, Army.....	1,951,646	2,265,177	2,229,455	+277,809	-35,722
Procurement of Ammunition, Army.....	1,245,426	1,513,157	1,483,566	+238,140	-29,591
Other Procurement, Army.....	5,718,811	5,873,949	6,147,328	+428,517	+273,379
Aircraft Procurement, Navy.....	17,521,209	14,109,148	16,135,335	-1,385,874	+2,026,187
Weapons Procurement, Navy.....	3,049,542	3,209,262	3,265,285	+215,743	+56,023
Procurement of Ammunition, Navy and Marine Corps.....	651,920	664,368	633,678	-18,242	-30,690
Shipbuilding and Conversion, Navy.....	18,704,539	18,354,874	21,156,886	+2,452,347	+2,802,012
Other Procurement, Navy.....	6,484,257	6,338,861	6,308,919	-175,338	-29,942
Procurement, Marine Corps.....	1,186,812	1,362,769	1,307,456	+120,644	-55,313
Aircraft Procurement, Air Force.....	15,756,853	13,922,917	14,253,623	-1,503,230	+330,706
Missile Procurement, Air Force.....	2,912,131	2,426,621	2,348,121	-564,010	-78,500
Space Procurement, Air Force.....	2,812,159	3,055,743	2,733,243	-78,916	-322,500
Procurement of Ammunition, Air Force.....	1,744,993	1,677,719	1,589,219	-155,774	-88,500
Other Procurement, Air Force.....	18,311,882	17,438,056	17,768,224	-543,658	+330,168
Procurement, Defense-Wide	5,245,443	4,524,918	4,881,022	-364,421	+356,104
Defense Production Act Purchases	76,680	44,065	64,065	-12,615	+20,000
Total, Title III, Procurement.....	110,841,627	101,916,357	108,426,827	-2,414,800	+6,510,470

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2017
(Amounts in Thousands)

	FY 2016 Enacted	FY 2017 Request	Final Bill	Final Bill vs. FY 2016	Final Bill vs. Request
TITLE IV					
RESEARCH, DEVELOPMENT, TEST AND EVALUATION					
Research, Development, Test and Evaluation, Army.....	7,565,327	7,515,399	8,332,965	+767,638	+817,566
Research, Development, Test and Evaluation, Navy.....	18,117,677	17,276,301	17,214,530	-903,147	-61,771
Research, Development, Test and Evaluation, Air Force..	25,217,148	28,112,251	27,788,548	+2,571,400	-323,703
Research, Development, Test and Evaluation,					
Defense-Wide	18,695,955	18,308,826	18,778,550	+82,595	+469,724
Operational Test and Evaluation, Defense.....	188,558	178,994	186,994	-1,564	+8,000
Total, Title IV, Research, Development, Test and					
Evaluation.....	69,784,665	71,391,771	72,301,587	+2,516,922	+909,816

TITLE V					
REVOLVING AND MANAGEMENT FUNDS					
Defense Working Capital Funds.....	1,738,768	1,371,613	1,511,613	-227,155	+140,000
National Defense Sealift Fund.....	474,164	---	---	-474,164	---
Total, Title V, Revolving and Management Funds..	2,212,932	1,371,613	1,511,613	-701,319	+140,000

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2017
(Amounts in Thousands)

	FY 2016 Enacted	FY 2017 Request	Final Bill	Final Bill vs. FY 2016	Final Bill vs. Request

TITLE VI					
OTHER DEPARTMENT OF DEFENSE PROGRAMS					
Defense Health Program					
Operation and maintenance.....	29,842,167	32,231,390	31,277,002	+1,434,835	-954,388
Procurement.....	365,390	413,219	402,161	+36,771	-11,058
Research, development, test and evaluation.....	2,121,933	822,907	2,102,107	-19,826	+1,279,200
Total, Defense Health Program 1/ 3/.....	32,329,490	33,467,516	33,781,270	+1,451,780	+313,754

Chemical Agents and Munitions Destruction, Defense:					
Operation and maintenance.....	118,198	147,282	119,985	+1,787	-27,297
Procurement.....	2,281	15,132	15,132	+12,851	---
Research, development, test and evaluation.....	579,342	388,609	388,609	-190,733	---
Total, Chemical Agents 2/.....	699,821	551,023	523,726	-176,095	-27,297

Drug Interdiction and Counter-Drug Activities,					
Defense1/.....	1,050,598	844,800	998,800	-51,798	+154,000
Joint Urgent Operational Needs Fund.....	---	99,300	---	---	-99,300
Office of the Inspector General 1/.....	312,559	322,035	312,035	-524	-10,000
Total, Title VI, Other Department of Defense Programs.....	34,392,468	35,284,674	35,615,831	+1,223,363	+331,157
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DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2017
(Amounts in Thousands)

	FY 2016 Enacted	FY 2017 Request	Final Bill	Final Bill vs. FY 2016	Final Bill vs. Request
TITLE VII					
RELATED AGENCIES					
Central Intelligence Agency Retirement and Disability System Fund.....	514,000	514,000	514,000	---	---
Intelligence Community Management Account (ICMA).....	505,206	533,596	515,596	+10,390	-18,000
Total, Title VII, Related agencies.....	1,019,206	1,047,596	1,029,596	+10,390	-18,000

	FY 2016 Enacted	FY 2017 Request	Final Bill	Final Bill vs. FY 2016	Final Bill vs. Request
TITLE VIII					
GENERAL PROVISIONS					
Additional transfer authority (Sec. 8005).....	(4,500,000)	(5,000,000)	(4,500,000)	---	(-500,000)
FFRDC (Sec. 8025).....	-65,000	---	-60,000	+5,000	-60,000
Overseas Military Facility Investment Recovery (Sec. 8030).....	1,000	---	---	-1,000	---
Rescissions (Sec. 8043).....	-1,768,937	---	-2,002,622	-233,685	-2,002,622
National grants (Sec. 8051).....	44,000	---	44,000	---	+44,000
O&M, Defense-wide transfer authority (Sec. 8055).....	(30,000)	(30,000)	(30,000)	---	---

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2017
(Amounts in Thousands)

	FY 2016 Enacted	FY 2017 Request	Final Bill	Final Bill vs. FY 2016	Final Bill vs. Request
John C. Stennis Center for Public Service Development					
Trust Fund (O&M, Navy transfer authority) (Sec. 8063)	(1,000)	---	(1,000)	---	(+1,000)
Fisher House Foundation (Sec. 8071)	5,000	---	5,000	---	+5,000
Revised economic assumptions (Sec. 8078)	-1,500,789	---	-157,000	+1,343,789	-157,000
Defense acquisition workforce development excess cash					
balances (Sec. 8087)	---	---	-531,000	-531,000	-531,000
Fisher House O&M Army Navy Air Force transfer					
authority (Sec. 8093)	(11,000)	(11,000)	(11,000)	---	---
Defense Health O&M transfer authority (Sec. 8097)	(121,000)	(122,375)	(122,375)	(+1,375)	---
Basic allowance for housing	300,000	---	---	-300,000	---
Working Capital Fund, Army excess cash balances					
(Sec. 8118)	-389,000	---	-336,000	+53,000	-336,000
Working Capital Fund, Defense-wide excess cash					
balances (rescission)	-1,037,000	---	---	+1,037,000	---
Revised fuel costs (Sec. 8119)	-2,576,000	---	-1,155,000	+1,421,000	-1,155,000
Ship Modernization, Operation, and Sustainment Fund					
(rescission) (Sec. 8130)	---	---	-1,391,070	-1,391,070	-1,391,070
Total, Title VIII, General Provisions	-6,986,726	---	-5,583,692	+1,403,034	-5,583,692

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2017
(Amounts in Thousands)

	FY 2016 Enacted	FY 2017 Request	Final Bill	Final Bill vs. FY 2016	Final Bill vs. Request
TITLE IX					
OVERSEAS CONTINGENCY OPERATIONS/GLOBAL WAR ON TERRORISM (GWOT)					
Military Personnel					
Military Personnel, Army (GWOT)					
OCO/GWOT Requirements (GWOT)	1,846,356	2,051,578	1,948,648	+102,292	-102,930
Military Personnel, Navy (GWOT)					
OCO/GWOT Requirements (GWOT)	251,011	330,557	327,427	+76,416	-3,130
Military Personnel, Marine Corps (GWOT)					
OCO/GWOT Requirements (GWOT)	171,079	179,733	179,733	+8,654	---
Military Personnel, Air Force (GWOT)					
OCO/GWOT Requirements (GWOT)	726,126	719,896	705,706	-20,420	-14,190
Reserve Personnel, Army (GWOT)					
OCO/GWOT Requirements (GWOT)	24,462	42,506	42,506	+18,044	---
Reserve Personnel, Navy (GWOT)					
OCO/GWOT Requirements (GWOT)	12,693	11,929	11,929	-764	---
Reserve Personnel, Marine Corps (GWOT)					
OCO/GWOT Requirements (GWOT)	3,393	3,764	3,764	+371	---
Reserve Personnel, Air Force (GWOT)					
OCO/GWOT Requirements (GWOT)	18,710	20,535	20,535	+1,825	---
National Guard Personnel, Army (GWOT)					
OCO/GWOT Requirements (GWOT)	166,015	196,472	196,472	+30,457	---
National Guard Personnel, Air Force (GWOT)					
OCO/GWOT Requirements (GWOT)	2,828	5,288	5,288	+2,460	---
Grand Total, Military Personnel (OCO/GWOT)	3,222,673	3,562,258	3,442,008	+219,335	-120,250

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2017
(Amounts in Thousands)

	FY 2016 Enacted	FY 2017 Request	Final Bill	Final Bill vs. FY 2016	Final Bill vs. Request
Operation and Maintenance					
Operation & Maintenance, Army (GWOT)	14,994,833	15,310,587	15,693,068	+698,235	+382,481
OCO/GWOT Requirements (GWOT)					
Operation & Maintenance, Navy (GWOT)	7,169,611	6,827,391	7,887,349	+717,738	+1,059,958
OCO/GWOT Requirements (GWOT)		(162,692)			(-162,692)
(Coast Guard) (by transfer) (GWOT)					
Operation & Maintenance, Marine Corps (GWOT)	1,372,534	1,244,359	1,607,259	+234,725	+362,900
OCO/GWOT Requirements (GWOT)					
Operation & Maintenance, Air Force (GWOT)	11,128,813	9,498,830	10,556,598	-572,215	+1,057,768
OCO/GWOT Requirements (GWOT)					
Operation & Maintenance, Defense-Wide (GWOT)	5,665,633	5,982,173	6,476,649	+811,016	+494,476
OCO/GWOT Requirements (GWOT)	(1,160,000)	(1,100,000)	(920,000)	(-240,000)	(-180,000)
(Coalition support funds) (GWOT)					
Operation & Maintenance, Army Reserve (GWOT)	99,559	38,679	38,679	-60,880	---
OCO/GWOT Requirements (GWOT)					
Operation & Maintenance, Navy Reserve (GWOT)	31,643	26,265	26,265	-5,378	---
OCO/GWOT Requirements (GWOT)					
Operation & Maintenance, Marine Corps Reserve (GWOT)	3,455	3,304	3,304	-151	---
OCO/GWOT Requirements (GWOT)					
Operation & Maintenance, Air Force Reserve (GWOT)	58,106	57,586	57,586	-520	---
OCO/GWOT Requirements (GWOT)					
Operation & Maintenance, Army National Guard (GWOT)	135,845	127,035	127,035	-8,810	---
OCO/GWOT Requirements (GWOT)					
Operation & Maintenance, Air National Guard (GWOT)	19,900	20,000	20,000	+100	---
OCO/GWOT Requirements (GWOT)					
Subtotal, Operation and Maintenance	40,679,932	39,136,209	42,493,792	+1,813,860	+3,357,583

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2017
(Amounts in Thousands)

	FY 2016 Enacted	FY 2017 Request	Final Bill	Final Bill vs. FY 2016	Final Bill vs. Request
Counterterrorism Partnerships Fund (GWOT).....	1,100,000	1,000,000	---	-1,100,000	-1,000,000
Afghanistan Security Forces Fund (GWOT).....	3,652,257	3,448,715	4,262,715	+610,458	+814,000
Iraq Train and Equip Fund (GWOT).....	715,000	630,000	---	-715,000	-630,000
Counter-ISIL Train and Equip Fund (GWOT).....	---	---	980,000	+980,000	+980,000
Syria Train and Equip Fund (GWOT).....	---	250,000	---	---	-250,000
Grand Total, Operation and Maintenance (OCO/GWOT).....	46,147,189	44,464,924	47,736,507	+1,589,318	+3,271,583
=====					
Procurement					
Aircraft Procurement, Army (GWOT).....					---
OCO/GWOT Requirements (GWOT).....	161,987	313,171	313,171	+151,184	---
Missile Procurement, Army (GWOT).....					---
OCO/GWOT Requirements (GWOT).....	37,260	632,817	405,317	+368,057	-227,500
Procurement of Weapons and Tracked Combat Vehicles, Army (GWOT).....					---
OCO/GWOT Requirements (GWOT).....	486,630	153,544	395,944	-90,886	+242,400
Procurement of Ammunition, Army (GWOT).....					---
OCO/GWOT Requirements (GWOT).....	222,040	301,523	290,670	+68,630	-10,853
Other Procurement, Army (GWOT).....					---
OCO/GWOT Requirements (GWOT).....	1,175,596	1,373,010	1,343,010	+167,414	-30,000
Aircraft Procurement, Navy (GWOT).....					---
OCO/GWOT Requirements (GWOT).....	210,990	393,030	367,930	+156,940	-25,100

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2017
(Amounts in Thousands)

	FY 2016 Enacted	FY 2017 Request	Final Bill	Final Bill vs. FY 2016	Final Bill vs. Request
Weapons Procurement, Navy (GWOT)					
OCO/GWOT Requirements (GWOT)	---	8,600	8,600	+8,600	---
Procurement of Ammunition, Navy and Marine Corps (GWOT)					
OCO/GWOT Requirements (GWOT)	117,966	66,229	65,380	-52,586	-849
Shipbuilding and Conversion, Navy (GWOT)					
Other Procurement, Navy (GWOT)					
OCO/GWOT Requirements (GWOT)	12,186	124,206	99,786	+87,600	-24,420
Procurement, Marine Corps (GWOT)					
OCO/GWOT Requirements (GWOT)	56,934	118,939	118,939	+62,005	---
Aircraft Procurement, Air Force (GWOT)					
OCO/GWOT Requirements (GWOT)	128,900	859,399	927,249	+798,349	+67,850
Missile Procurement, Air Force (GWOT)					
OCO/GWOT Requirements (GWOT)	289,142	339,545	235,095	-54,047	-104,450
Procurement of Ammunition, Air Force (GWOT)					
OCO/GWOT Requirements (GWOT)	228,874	487,408	273,345	+44,471	-214,063
Other Procurement, Air Force (GWOT)					
OCO/GWOT Requirements (GWOT)	3,477,001	3,696,281	3,529,456	+52,455	-166,825
Procurement, Defense-Wide (GWOT)					
OCO/GWOT Requirements (GWOT)	173,918	238,434	244,184	+70,266	+5,750
National Guard and Reserve Equipment (GWOT)	1,000,000	---	750,000	-250,000	+750,000
Grand Total, Procurement (OCO/GWOT)	7,779,424	9,106,136	9,368,076	+1,588,652	+261,940

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2017
(Amounts in Thousands)

	FY 2016 Enacted	FY 2017 Request	Final Bill	Final Bill vs. FY 2016	Final Bill vs. Request
Research, Development, Test and Evaluation					
Research, Development, Test & Evaluation, Army (GWOT)					
OCO/GWOT Requirements (GWOT).....	1,500	100,522	100,522	+99,022	---
Research, Development, Test & Evaluation, Navy (GWOT)					
OCO/GWOT Requirements (GWOT).....	35,747	78,323	78,323	+42,576	---
Research, Development, Test & Evaluation, Air Force (GWOT)					
OCO/GWOT Requirements (GWOT).....	17,100	32,905	67,905	+50,805	+35,000
Research, Development, Test and Evaluation, Defense-Wide (GWOT)					
OCO/GWOT Requirements (GWOT).....	177,087	162,419	159,919	-17,168	-2,500
Grand Total, Research, Development, Test and Evaluation (OCO/GWOT).....	231,434	374,169	406,669	+175,235	+32,500
Revolving and Management Funds					
Defense Working Capital Funds (GWOT).....	88,850	140,633	140,633	+51,783	---

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2017
(Amounts in Thousands)

	FY 2016 Enacted	FY 2017 Request	Final Bill	Final Bill vs. FY 2016	Final Bill vs. Request
Other Department of Defense Programs					
Defense Health Program:					
Operation and maintenance (GWOT).....					
OCO/GWOT Requirements (GWOT).....	272,704	331,764	331,764	+59,060	---
Drug Interdiction and Counter-Drug Activities, Defense (GWOT).....	186,000	215,333	215,333	+29,333	---
Joint Improvised-Threat Defeat Fund (GWOT).....	349,464	408,272	339,472	-9,992	-68,800
Office of the Inspector General (GWOT).....	10,262	22,062	22,062	+11,800	---
Grand Total, Other Department of Defense Programs (OCO/GWOT).....	818,430	977,431	908,631	+90,201	-68,800
TITLE IX General Provisions					
Additional transfer authority (GWOT) (Sec.9002).....	(4,500,000)	(4,500,000)	(2,500,000)	(-2,000,000)	(-2,000,000)
Ukraine Security Assistance Initiative (GWOT) (Sec. 9014).....	250,000	---	150,000	-100,000	+150,000
Intelligence, Surveillance, and Reconnaissance (GWOT) (Sec.9018).....	500,000	---	500,000	---	+500,000
Rescissions (GWOT) (Sec.9021).....	-400,000	---	-819,000	-419,000	-819,000
Coalition support funds (rescission) (GWOT) (Sec.9022).....	---	---	-11,524	-11,524	-11,524
Total, General Provisions.....	350,000	---	-180,524	-530,524	-180,524
Grand Total, Title IX (OCO/GWOT).....	58,638,000	58,625,551	61,822,000	+3,184,000	+3,196,449

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2017
(Amounts in Thousands)

	FY 2016 Enacted	FY 2017 Request	Final Bill	Final Bill vs. FY 2016	Final Bill vs. Request
Grand Total, Bill.....	566,616,000	569,858,382	571,453,000	+4,837,000	+1,594,618
Appropriations.....	(510,783,937)	(511,232,831)	(513,024,692)	(+2,240,755)	(+1,791,861)
Global War on Terrorism (GWOT).....	(59,038,000)	(58,625,551)	(62,652,524)	(+3,614,524)	(+4,026,973)
Rescissions.....	(-2,805,937)	--	(-3,393,692)	(-587,755)	(-3,393,692)
Rescissions (GWOT).....	(-400,000)	--	(-830,524)	(-430,524)	(-830,524)

- 1/ Included in Budget under Operation and Maintenance
- 2/ Included in Budget under Procurement
- 3/ Budget request assumes enactment of DoD's
pharmacy/Consolidated Health Plan proposals

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2017
(Amounts in Thousands)

	FY 2016 Enacted	FY 2017 Request	Final Bill	Final Bill vs. FY 2016	Final Bill vs. Request
RECAPITULATION					
Title I - Military Personnel.....	129,228,658	128,902,332	128,725,978	-502,680	-176,354
Title II - Operation and Maintenance.....	167,485,170	171,318,488	167,603,260	+118,090	-3,715,228
Title III - Procurement.....	110,841,627	101,916,357	108,426,827	-2,414,800	+6,510,470
Title IV - Research, Development, Test and Evaluation.....	69,784,665	71,391,771	72,301,587	+2,516,922	+909,816
Title V - Revolving and Management Funds.....	2,212,932	1,371,613	1,511,613	-701,319	+140,000
Title VI - Other Department of Defense Programs.....	34,392,468	35,284,674	35,615,831	+1,223,363	+331,157
Title VII - Related Agencies.....	1,019,206	1,047,596	1,029,596	+10,390	-18,000
Title VIII - General Provisions (net).....	-6,986,726	---	-5,583,692	+1,403,034	-5,583,692
Title IX - Global War on Terrorism (GWOT).....	58,638,000	58,625,551	61,822,000	+3,184,000	+3,196,449
Total, Department of Defense.....	566,616,000	569,858,382	571,453,000	+4,837,000	+1,594,618

Mr. VISCLOSKY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like to begin by congratulating Chairman FRELINGHUYSEN on bringing his first full bill to the House floor as chairman of the Appropriations Committee. I have greatly appreciated his friendship and steady leadership of the Defense Subcommittee.

Further, I also thank our new subcommittee chairwoman, KAY GRANGER. She has been a great partner in completing the work on the fiscal year 2017 conference report, and I look forward to working with her as we proceed.

Finally, I thank the members of the subcommittee and our extraordinary staff for their wisdom and for their long hours that they have logged in putting this product together.

The chairman has well described H.R. 1301. I would add that this bill includes strong positions countering Russian aggression, building partnership capacity, and supporting readiness. Because it is a product of bipartisan negotiation, this is a good bill, and I intend to support it.

Despite my support for this legislation, I am extremely troubled that we are still working on the fiscal year 2017 Defense bill 5 months and 8 days into the fiscal year.

For nearly 6 months, the Department of Defense has been operating under two separate continuing resolutions, which wastes the time of people's lives and leads to inefficiencies in spending. I would emphasize this is not the fault of the committee. All that has been absent is the lack of political will on behalf of the majority party.

Even more disconcerting is the fact that the Defense Appropriations Act is just one of 11 fiscal year 2017 appropriations bills that need to be completed by the end of next month. There is no excuse for them remaining unfinished. The investments made through these bills are vital to so many in our country, and they need equal attention from Congress and the administration.

It is imperative that we strive every day to prioritize keeping America safe and supporting our brave servicemembers, but we must also prioritize educating our workforce, making improvements in public health, in science, and in our economic and transportation infrastructure.

If we neglect these investments in our future and in the well-being and success of current families and future generations, then I am deeply concerned that we will not have a country worth defending.

Confounding a confused fiscal situation, there is a \$30 billion supplemental request for fiscal year 2017 recently submitted to the Office of Management and Budget by the Department of Defense, which should make its way to Congress in the next few weeks. Addi-

tionally, as the administration modifies its fiscal year 2018 budget request, they are without a predictable base on which to build.

There is very little margin of error, given the few legislative days remaining before the continuing resolution expires on April 28. I, and I believe the chairman, do not view that date as another point for negotiation. It is an absolute deadline, and the value of this bill and every other appropriations bill diminishes the day they are not enacted.

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In closing, I again appreciate the leadership and the management of this wonderful work by our chairman, Mr. FRELINGHUYSEN. Going forward, I will work hard with the chairman. I will work hard with Chairwoman GRANGER, with Ranking Member LOWEY, and the other members of our full committee to return the appropriations process to its normal schedule.

Mr. Speaker, I reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Texas (Ms. GRANGER), chairwoman of the Defense Subcommittee of the Committee on Appropriations.

Ms. GRANGER. Mr. Speaker, I rise in strong support of H.R. 1301, the FY17 Department of Defense Appropriations Act. The world is more dangerous and unstable than any time in recent history. The U.S. and our allies face constant threats from countries including Iran, Russia, China, and North Korea. ISIS and other global terrorists threaten our very way of life.

Our number one responsibility as Members of Congress is to provide for the defense of this Nation. I commend Chairman FRELINGHUYSEN for the outstanding job he did drafting the FY17 bill. He deserves our thanks for producing such a significant and meaningful bill.

Since becoming the chairwoman of the Defense Subcommittee of the Committee on Appropriations, I have spent a lot of time talking to senior defense leaders to find out what they need to combat these threats. They have unanimously stated that the only thing our adversaries respect is strength, and they need this bill passed to ensure our military is as strong and effective as possible.

Sequestration and reduced budget requests have caused the military to be underfunded for too long. This bill begins a process of rebuilding our military and giving our warfighters the resources they need to counter the numerous complex threats around the world. This bill reverses the drawdown of end strength and instead increases it by 36,000 troops above the FY17 budget request. This bill reverses steep cuts to procurement by funding additional

ships and aircraft to modernize our weapons systems and address shortfalls. This is important because we have the smallest number of ships in the Navy since 1916, and the average age of an Air Force aircraft is 27 years old. Marine aviation squadrons have been forced to salvage parts from museums in order to keep our planes flying.

In every meeting I have had with defense leadership, they emphasize the devastating impact both sequestration and operating under a continuing resolution have on our security. When asked about the impact of a full year CR, General Goldfein, chief of staff of the Air Force, said: "There is no enemy on the planet that can do more damage to the United States Air Force than us not getting a budget."

Our military is counting on us to pass this bill now. It is the only way to ensure the United States will be strong and able to lead in this very dangerous world. I strongly urge a "yes" vote.

Mr. VISCLOSKY. Mr. Speaker, I yield 4 minutes to the gentlewoman from New York (Mrs. LOWEY), the ranking member of the full committee.

Mrs. LOWEY. Mr. Speaker, I want to thank Chairman FRELINGHUYSEN, Chairwoman GRANGER, and Ranking Member VISCLOSKY for their hard work and cooperation. Today's bill is the product of good faith bipartisan and bicameral negotiation.

Each Member of this body will need to determine whether positive aspects of this bill outweigh uncertainty about the prospects of 10 other critical funding bills languishing without a clear path forward. Unlike the Defense Appropriations bill passed by the House last June, this bill keeps faith with existing caps on discretionary spending. It does not use a budget gimmick to create a mid-year shortfall in funding, which would have affected salaries and mission support for men and women serving bravely in harm's way.

I thank the chairman for increasing cybersecurity operations by nearly \$1 billion; fully funding the European Reassurance Initiative in response to Russian aggression; investing in the intelligence, surveillance, and reconnaissance resources combatant commanders clamor for; and assisting men and women in uniform by increasing pay by 2.1 percent, adding \$25 million for sexual assault prevention and response, and providing \$33.8 billion for the Defense Health Program.

Despite these positive attributes, I would be remiss not to remind this body that the 2017 appropriations process can be described as nothing but a failure that continues to this day, more than 5 months into the fiscal year. The Defense bill that we consider today could have and should have been finished in September 2016. The majority chose to punt the deadline for this and 10 other appropriations bills until April for entirely political reasons.

All Americans know we must ensure our Armed Forces are staffed, trained, and equipped to meet the challenges they face. We must fulfill that responsibility without neglecting the critical services and investments funded through the 10 other unfinished appropriations bills.

I am very concerned that the House Republican leadership is proposing to move one bill forward without any indication that the other 10 will see the light of day.

Mr. FRELINGHUYSEN. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Texas (Mr. THORNBERRY), the chairman of the Committee on Armed Services.

Mr. THORNBERRY. Mr. Speaker, I thank the distinguished chairman for yielding time and commend him for his continuing leadership on national security. I also thank the chairwoman of this subcommittee, Ms. GRANGER, and the ranking member, Mr. VISCLOSKY, for their continuing work on national security.

Mr. Speaker, it is important that we pass this bill now. The Department of Defense is currently operating under a continuing resolution, which means you have got to spend the same money this year that you spent last year, and you have to spend it on the same things. Even if you don't need to spend money on something this year that you spent last year, you have to. So it is wasteful. But you also can't spend money on new things, even though new threats arise. It is not good for any part of government. It is particularly bad for the Department of Defense. It is important to pass this bill now to remove this continuing resolution and have a regular appropriation bill.

Secondly, this bill is consistent with the Defense Authorization Conference Report which passed this House in December. All but four Republicans and all but 30 Democrats in the House voted for that measure in December. This is very consistent with that, and I hope it gets at least as much support as that bill did in December.

There are a few differences. We are further into the fiscal year, so the committee was able to fund some additional priorities that were in the House-passed authorization bill that we were not able to put in the conference report. I just think it is important for all of us to remember, Mr. Speaker, that the only answer to some of the readiness problems we are facing is modernization. We have had testimony that it takes twice as long to maintain an old F-18 aircraft, for example, as it does a new one. Well, this bill has some additional F-18s, and that is good for the pilots, good for the services that receive them. It also frees up maintenance to work on other things.

Finally, it is important also to remember that this bill is just a first step in repairing and rebuilding the

military. I am afraid all of us have underestimated the deep damage that has been done through sequestration, budget cuts, and a high tempo of operations. Just yesterday, I was out at Fort Campbell to see some of this and hear about some of this firsthand from the Army.

This is an important essential first step, but shortly we should receive a supplemental appropriation to do more of the work of repair, and then we need to move toward an FY18 bill that really begins the rebuilding that, I think, on a bipartisan basis, most all of us in this Chamber would support. Remember, Mr. Speaker, the first job of the Federal Government is to defend the country. This is an important first step to help us fulfill that responsibility.

Mr. VISCLOSKY. Mr. Speaker, I yield 2 minutes to the gentlewoman from Minnesota (Ms. MCCOLLUM), who is a member of the Subcommittee on Defense.

Ms. MCCOLLUM. Mr. Speaker, I rise in support of the Department of Defense Appropriations Act of 2017. Last year, I was unable to vote for this legislation, but the bill before us today is improved, and it is one that I can support.

I was unable to vote for the previous bill because it included budget gimmicks that would have jeopardized a full year of funding for our troops and threatened readiness. I am very pleased to see this problem has been resolved. This bill provides the funding for the remainder of the 2017 fiscal year without breaking the budget caps. It also includes a much-needed pay raise for our servicemembers and ensures that they will have the equipment that they need to complete their missions and come home.

What is disappointing is that we are voting on this legislation today, halfway through the fiscal year. This work should have been finished months ago. Instead, a stalled appropriations process has left the Defense Department and our troops operating under a damaging continuing resolution. Right now it doesn't appear that the FY18 process will go any smoother.

President Trump's proposed \$54 billion increase for defense will come at the expense of essential domestic programs that our servicemen and -women and their families depend upon: education for their children, quality healthcare for their families, safe roads to drive on, protection of our clean air and drinking water. The list goes on and on.

Mr. Speaker, I am voting for this bill today, but I want to make it clear that I am very concerned about President Trump's proposed cuts that would pit our national security against the domestic needs of all Americans.

Mr. FRELINGHUYSEN. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Kentucky (Mr. ROGERS), my predecessor. He is a member of the Subcommittee on Defense of the Committee on Appropriations and a chairman in his own right.

Mr. ROGERS of Kentucky. Mr. Speaker, I congratulate the chairman on his assumption of the chairmanship of the full committee and for putting this bill together when he chaired the Subcommittee on Defense.

This bill certainly represents the outcome of many hard choices. It prioritizes funding where our troops need it the most. It wisely invests in readiness, training, maintenance, and procurement, and ensures that our troops are prepared for the tasks before them. This bill also supports our efforts to defeat ISIL alongside our allies in the region as well as our continued focus on deterring Russian aggression.

I am also pleased, Mr. Speaker, that this bill takes care of the troops and their families, granting them a long-awaited 2.1 percent pay raise. Time and again, our servicemembers put themselves in harm's way and respond to the myriad threats facing the Nation. This pay raise is one small way for us to honor their dedication and willingness to serve.

As the threats we face continue to become more unpredictable, we must provide our troops with the tools that they need to win in uncertain times. This bill goes a long way toward restoring the shortfalls in manpower and readiness that our military has endured in recent years.

In closing, Mr. Speaker, let me call attention again to Will Smith, who has been a clerk of this committee for 6 years and served as my chief of staff in my private office for many years before. This is likely his last appropriations bill on the floor to help manage and put together, and so I want to say to Will and all of you in behalf of saying something good about Will, what a great amount of service he rendered the Nation with a true Kentucky attitude, which he has.

Will, we owe you a lot. Thank you for your service. You have been great. We wish you Godspeed.

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Mr. VISCLOSKY. Mr. Speaker, I would simply follow up on the chairman's remarks, and I also want to congratulate Mr. Smith on his life of service to his country. Mr. Pomerantz on our side was also mentioned. Again, both gentlemen and their service to this country are a reflection on public service, and I appreciate it very much on behalf of all of us in this Chamber.

Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. RUPPERSBERGER), who is also a member of the Defense Subcommittee.

Mr. RUPPERSBERGER. Mr. Speaker, I rise today to support the Department of Defense Appropriations Act.

I thank Chairwoman GRANGER and Ranking Member VISCLOSKY for bringing this bill to the floor.

This bill helps to close gaps in readiness while making investments in research and development. These investments are critically important because I guarantee our adversaries know where we have work to do.

Mr. Speaker, I represent a congressional district home to two Army bases, the NSA, several National Guard facilities, and dozens of our private sector partners. I serve on the board of the United States Naval Academy, and I co-chair the Army Caucus.

My experience tells me we are living in a world that has changed since our Armed Forces entered the Middle East 16 years ago. While our men and women in uniform fought asymmetric foes, our near-peer adversaries such as Russia and China made advancements in technology that threaten to degrade our military qualitative advantage.

This appropriations bill ensures our troops are ready and that we have enough of them to get the job done. It fully funds the new end strength number and allows for a 2.1 percent pay raise for our troops. This is the least we can do for the brave men and women who sacrifice for our country.

This bill also deters Russian aggression by fully funding the European Reassurance Initiative, and makes critical investments in missile defense technology.

This bill is a solid start, and I encourage all of my colleagues to support it, but there is still work to be done. Our troops should trust that elected officials will support them and do their job to fund the government, just as we trust them to accomplish the mission assigned to them. Band-Aid budgets are bad for everyone—our partners in industry, the American taxpayers, and especially our Armed Forces.

Now is not the time to argue over partisan issues. Congress should create a frontline of support for our Armed Forces that is just as strong as the frontline our soldiers have created to protect us.

I call on all of my colleagues to work in a bipartisan fashion to pass this and the other FY17 appropriation bills as quickly as possible.

Mr. FRELINGHUYSEN. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from Texas (Mr. CARTER).

Mr. CARTER of Texas. Mr. Speaker, I am grateful that we are here hoping to end the continuing resolution on the Department of Defense, and I rise in support of the bill we are debating today.

We all know too well that continuing resolutions are unacceptable burdens on the least and the greatest of our DOD assets, our Members, and civilians at a time of unprecedented threats to our Nation. I thank Chairman FRELINGHUYSEN and Chairwoman GRANGER for bringing this bill to the floor and for their unwavering commitment to the men and women in uniform, which will

continue under their leadership in the future.

I also thank this committee for fully funding an increase of Active, Guard, and Reserve soldiers. I am also co-chair of the Army Caucus, and providing them with the modern equipment and training necessary to keep them alive and the greatest fighting force on Earth is very important to the defense of our Nation.

We have more that we need to consider.

The SPEAKER pro tempore (Mr. MCCLINTOCK). The time of the gentleman has expired.

Mr. FRELINGHUYSEN. Mr. Speaker, I yield an additional 30 seconds to the gentleman.

Mr. CARTER of Texas. Army Vice Chief of Staff Daniel Allyn recently told the House Armed Services Committee that our Army requires modernization equipment to win decisively, but today we are outraged, outgunned, and outdated. At the present time, he says that only three of the Army's 58 brigade combat teams are ready to fight. It is crucial, and I urge my colleagues to support this appropriations bill and fully fund our armed services.

Mr. VISCLOSKY. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. LEE), who is a member of the full Appropriations Committee.

Ms. LEE. Mr. Speaker, first, let me thank Mr. VISCLOSKY for yielding. I also thank him for his tremendous leadership as our ranking member, and giving us all an opportunity to really voice our opinions and put our points of view forward in a very fair way.

I rise in opposition to this bill, however.

I offered two amendments to this bill, the fiscal year 2017 Defense Appropriations bill, and I am really disappointed to once again see that my amendments were not made in order. I want to explain these two amendments because this is the only chance that we will have to talk about this.

The first amendment, which I have offered several times on a bipartisan basis, would prohibit the funding for the 2001 Authorization for Use of Military Force, the AUMF, beginning on September 30, 2017. And mind you, that 6-month window provides Congress ample opportunity to draft and debate a new AUMF and to vote it up or down.

Clearly, Congress is required to act. This amendment would require Congress to finally debate and vote on nearly a 3-year-long war that is raging in the Middle East, a war that has already claimed the lives of several brave servicemembers. The House simply cannot continue to abdicate its constitutional responsibility to give the American people a voice in matters of war and peace.

I offered another amendment, which would prohibit funding for United States combat troops in Syria.

Mr. Speaker, this amendment was really simple, but, once again, I am sad to say that it was not made in order. This amendment would use the power of the purse to prevent funding for combat operations in Syria, unless the purpose is to rescue or protect members of the Armed Forces from danger.

We can all agree that ISIL must be degraded and dismantled, but Congress continues to be missing in action from this debate.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. VISCLOSKY. Mr. Speaker, I yield an additional 1 minute to the gentlewoman.

Ms. LEE. We know that the 2001 authorization was specific to 9/11. And I voted against it because I knew it would be broadly interpreted, which it has been. Sadly, it is a blank check for war. Actually, the Congressional Research Service provided us a declassified report saying—and this was last year—it had been used over 35 times. Nothing related to 9/11. So this blank check needs to be repealed.

We also know that ISIL didn't even exist in 2001. Every day, more bombs fall and the battlefield expands. We have already spent billions of dollars against this unauthorized war.

Congress needs to show up for work, muster its courage, exercise its constitutional responsibility for debate, and vote on the ongoing war in Iraq and Syria. We owe nothing less to our brave men and women who are in harm's way. It is past time to force a debate and vote on this issue. Hopefully, one day we will make these amendments in order and, hopefully, we will have bipartisan support to just move forward and do our job as Members of Congress, which is what the Constitution requires.

Mr. FRELINGHUYSEN. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Florida (Mr. DIAZ-BALART), and thank him for his service on the Defense Appropriations Committee.

Mr. DIAZ-BALART. Mr. Speaker, I rise in strong support of this bill. I want to first start by commending the chairman of the full committee and the former chairman of the subcommittee, Mr. FRELINGHUYSEN, for his unwavering commitment to the men and women in uniform, and also for bringing this great bill forward.

I also want to recognize the good work and leadership of the new subcommittee chairwoman, that titanium Texan, Ms. GRANGER.

Mr. Speaker, I have to also mention the ranking members, Mrs. LOWEY and Mr. VISCLOSKY, because this, frankly, is a partnership in allowing this bill to come forward.

Mr. Speaker, with this bill, Congress fulfills what I believe is an essential part of what we are here to do and what government's essential role is—to provide for the common defense.

This bill is essential for the men and women who serve our Nation with distinction in the military.

This bill funds a 2.1 percent pay raise for the military, something that they so deserve.

It also targets resources for the health care for our servicemembers and their family members.

Throughout the year—and you have already heard it—we have heard testimony time and time again from our service chiefs about the necessity to address our military's alarming readiness shortfalls. This bill, Mr. Speaker, addresses the readiness problems that are making it more and more difficult for our troops. We devote resources to prepare our troops both for combat and peacetime missions, including flight time and training, to ensure that we maintain our military superiority.

Lastly, this bill provides the necessary essential equipment, weapon systems, and platforms needed to maintain and sustain our essential military superiority, whether it is in the air, in the sea, or on the ground.

Mr. Speaker, I would just end with what I mentioned before: I believe the principal job of the Federal Government is to defend and protect our country. The Defense Appropriations bill before us does just that, and it deserves all of our support.

Mr. VISCLOSKY. Mr. Speaker, I yield 3 minutes to the gentlewoman from Ohio (Ms. KAPTUR), a member of the Defense Appropriations Subcommittee.

Ms. KAPTUR. Mr. Speaker, I thank Ranking Member VISCLOSKY very much.

Mr. Speaker, every year, our top responsibility as appropriators is to finish the 12 spending bills that keep our government running by October 1 of the year before that fiscal year is supposed to start. But here we are today, March 8, halfway into fiscal year 2017, finally voting on a compromise bill that closely reflects the request the last administration delivered to us 1 year ago February.

Our service chiefs and Secretaries present a consistent, clear message to Congress. They have pleaded for stability and predictability in the budget so they could ensure complete readiness of America's forces. Force readiness remains the defense community's top priority. Funding the capabilities to provide this responsibility must remain our top priority. We must approach Congress' appropriations responsibility from the historic bipartisan process that has broken down once too many times in recent years.

This political infighting harms the stability and predictability necessary for our Armed Forces to properly plan. It left both our adversaries and allies questioning our ability to defend or support the multiple conflicts we are currently engaged with abroad.

This compromise worked out by our responsible colleagues, Chairwoman GRANGER, Chairman FRELINGHUYSEN, Ranking Member VISCLOSKY, Ranking Member LOWEY; and their Senate counterparts are strong glimmers of hope that we might actually finish the 2017 appropriations responsibilities. But we have ten additional subcommittee bills that are equally important and account for nearly half of our budget.

When will we vote on those compromised bills?

I could think of little that would be more irresponsible than to only move this defense bill and leave the remaining departments and agencies operating under a continuing resolution.

I have always supported our troops and our national defense. However, we know the safety and well-being of the American people does not merely rely on defense funding. It is rooted in the stability of the Republic they are sworn to protect and defend. We have a responsibility there, equally important.

Our financial commitments to energy independence, critical infrastructure, homeland security, funding for first responders, teachers, and healthcare programs are equally necessary to increase America's security at home and abroad. I hope my colleagues alleviate this concern and quickly package the remaining bills for a vote, as the American people so richly deserve.

Mr. FRELINGHUYSEN. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Arkansas (Mr. WOMACK), and I thank him for his great contributions to the Defense Subcommittee on Appropriations.

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Mr. WOMACK. Mr. Speaker, I consider it one of the great honors in Congress to serve on the Defense Appropriations Committee with some real champions for national security: guys like RODNEY FRELINGHUYSEN, the overall chairman; Chairwoman KAY GRANGER from the Defense Subcommittee; my friend PETE VISCLOSKY, the ranking member. These are all people that have a heart and a soul for what we are trying to do here today, and that is to provide for the common defense. It is our constitutional duty. And guys like MAC THORNBERRY, the chairman of the House Armed Services Committee. A lot of champions here that believe in a strong national defense.

Mr. Speaker, not only does this bill rebuild readiness by giving our troops the equipment they need, but it also reverses Obama-era cuts to the developing defense platforms, stops troop drawdowns, and perhaps most importantly, gives our warfighters a much-deserved pay raise.

As a 30-year veteran of the Arkansas Army National Guard, I am particularly pleased that this bill provides the

funding necessary to ensure the National Guard remains a fully operational force.

It is a good bill, Mr. Speaker, and with a willing partner in the White House and a pledge to rebuild our military, it marks the first step, an important first step our Congress has to take to complete our business from last year; and it gives our defenders what they need and deserve, and that is certainty.

Threats are growing. America must project strength. That starts with creating a military so strong that we never send our men and women downrange in a fair fight.

I call on my colleagues to stand strong against our enemies. Take this first step today in projecting power with our financial commitment.

I urge a "yes" vote on the bill.

Mr. VISCLOSKY. Mr. Speaker, I reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Speaker, I am pleased to yield 3 minutes to the gentlewoman from Alabama (Mrs. ROBY), a new member of the Defense Subcommittee on Appropriations.

Mrs. ROBY. Mr. Speaker, I appreciate the leadership of Chairman FRELINGHUYSEN at the full committee and Chairwoman GRANGER at the Defense Subcommittee on this bill.

Providing for the common defense of our Nation is one of the most fundamental duties of Congress under the Constitution.

Last week I appreciated the message that President Trump delivered in his joint session address, and I was particularly encouraged by his call to properly fund our military. For the last 6 years, we have been in almost constant tension with an administration whose sequestration policy threatened to hollow out our military.

Mr. Speaker, as a member of the Defense Appropriations Subcommittee, I stand ready to work with the President and Secretary Mattis to make sure our military is properly funded, well equipped, and ready for the fight. That is why I am so proud to support this Defense Appropriations bill.

Our bill rejects the Obama administration's proposed troop level reductions that would have amounted to as many as 36,000 servicemen and -women cut from the ranks. Instead, our bill provides funding for an additional 1,000 Active-Duty Army soldiers, 1,000 Army National Guard soldiers, 1,000 Army Reserve soldiers, and 1,000 Active-Duty marines. The bill also fully funds a much-deserved 2.1 percent pay raise for military personnel.

Mr. Speaker, I am proud to represent a district that is home to both Fort Rucker, the home of Army aviation, and Maxwell-Gunter Air Force Base, the intellectual center of the Air Force.

I am pleased to report that this bill contains a strong budget for Army

aviation, including \$187 million for the 28 Lakota helicopters, which are the primary aircraft used for training at Fort Rucker.

It also contains an increase of almost \$450 million for the Air Force's cybersecurity efforts. Maxwell's Air Force Cyber College at Air University plays a key part in cybersecurity, serving as an intellectual hub for the Air Force in the emerging battlefield for cyber warfare.

This appropriations bill also contains funding for the procurement of 74 F-35 Joint Strike Fighters. The Montgomery-based 187th Fighter Wing is on the short list for being assigned this next generation fighter jet, and our Alabama congressional delegation is working together to make the case to the Air Force why this special unit is an ideal fit.

Mr. Speaker, I take our responsibility to craft sound military spending plans very seriously. I am pleased the House is moving the fiscal year 2017 Defense Appropriations bill this week, and I urge my colleagues to support its passage.

Mr. FRELINGHUYSEN. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from West Virginia (Mr. JENKINS). He is a great member of the full committee.

Mr. JENKINS of West Virginia. Mr. Speaker, I want to say thank you to Mr. FRELINGHUYSEN for the outstanding work and effort that he has put into this critically important piece of legislation, and I thank Chairwoman GRANGER for her strong support in advancing this much-needed legislation.

The people before me have talked so eloquently about our responsibility as Members of Congress to defend and protect our Nation. We have talked about national security. We have talked about troops. We have talked about battling terrorism. And that is what this bill does.

I want to take a slightly different approach and say something about what this bill does in all of our communities, not just distant lands around the world, but in our home communities. I want to highlight one area that will make a real difference in all of our communities, and that is the National Guard's Counterdrug Program.

This program is essential in detecting, disrupting, and curtailing drug trafficking. It provides resources to almost every State and territory to help train personnel and run counterdrug missions. The National Guard supports almost 60,000 requests a year for assistance from local law enforcement agencies.

In fiscal year 2014, National Guard counterdrug programs took almost \$12 billion in illegal drugs off the street. This minor investment is paying major dividends. During NDAA consideration, I helped secure an amendment to increase funding for this account by \$30 million because this program works.

This legislation under consideration today also increases funding for this vital program by \$135 million more than the amount requested by then-President Obama. This is a critical moment in combating the drug crisis, and we must fully fund every program that will help us solve it.

Mr. VISCLOSKY. Mr. Speaker, I reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Mississippi (Mr. PALAZZO), a great member of the full committee.

Mr. PALAZZO. Mr. Speaker, I thank Chairman FRELINGHUYSEN for the time.

I rise today in strong support of the fiscal year 2017 Defense Appropriations bill. I have long said that the number one constitutional responsibility of this body is the common defense of this Nation, and today, the Appropriations Committee, under the leadership of Chairman FRELINGHUYSEN, has once again shown the importance that we place on this most sacred duty.

After years of weak budget requests from our prior administration, this bill contains over \$5.2 billion over the 2016 level and \$1.5 billion more than the Obama administration's request.

Included in this appropriations bill is the funding of 10 new ships for our Navy, including an LPD, essential to our Marine Corps mission, as well as 3 destroyers, 2 Virginia class submarines, 3 LCSs, and an LHA, all ships desperately needed by our Navy and Marine Corps.

Funding these ships steadily is not only a key to keeping our military strong, but also keeps our industrial base healthy and keeps these ships affordable in the long run.

Finally, this appropriations bill takes the first steps toward rebuilding our military, showing our allies that they can trust us, and showing our enemies they should fear us.

Mr. Speaker, I thank the chairman for his work and his staff's work on this fine bill, and I encourage all of my colleagues to support this important legislation.

Mr. FRELINGHUYSEN. Mr. Speaker, I have no more speakers, and I reserve the balance of my time.

Mr. VISCLOSKY. Mr. Speaker, I yield myself the balance of my time.

I will end where I began, and that is because I think this will be the last time that the chair and I manage a Defense Appropriations bill together on the floor. It has been a delightful relationship, and I look forward to it continuing as you are chairman of the full committee.

Again, I thank the staff and look forward to working with Chairwoman GRANGER, and I also ask my colleagues to support the bill.

Mr. Speaker, I yield back the balance of my time.

Mr. FRELINGHUYSEN. Mr. Speaker, I urge Members to support the bill, and I yield back the balance of my time.

Mr. CALVERT. Mr. Speaker, I rise in strong support of the FY2017 Defense Appropriations bill. I commend Chairman FRELINGHUYSEN, Ranking Member LOWEY, our new Chairwoman GRANGER and Ranking Member VISCLOSKY for their leadership on this bill. I would also like to thank our dedicated professional staff who have tirelessly worked on this agreement.

I have served on the House Defense Appropriations Subcommittee for many years and providing for our men and women in uniform is a privilege and an honor. This bill provides vital funding for our Armed Services, including a 2.1 percent pay raise and additional funding for increased end strength.

As many of us have noted, our military is in a precarious position, and this bill is an important first step to rebuild and restore our military strength. It provides funding for necessary shipbuilding; aircraft and vehicle procurement; and important research and development to maintain our technological superiority. The bill also provides vital Operations and Maintenance funding for facility sustainment, restoration, and modernization programs.

I look forward to working with the new Administration and providing the resources our military needs to maintain our position in the world as well as continue to invest in our most important asset—the men and women our United States Armed Forces.

Mr. JOHNSON of Georgia. Mr. Speaker, I rise in support of H.R. 1301, the Department of Defense Appropriations Act of 2017.

Although this bill should have been finished five months ago, I appreciate and respect the bicameral and bipartisan collaboration which ultimately made this bill possible. For years I have advocated for and helped secure funding in the NDAA for Historically Black Colleges & Universities (HBCUs). I am therefore delighted to see that the final bill provides \$33,572,000 for HBCUs, a \$10 million increase over President Obama's budget request. The funds made available through a competitive grant program will be used to improve research initiatives and science, technology, engineering, and mathematics (STEM) education at HBCUs.

My home state of Georgia hosts countless servicemen and women, who are our military's most important asset. These servicemembers are located on multiple military bases across Georgia, including but not limited to Fort Benning (home to over 120,000 active duty personnel and other personnel), Dobbins Air Reserve Base (through which more than 14,000 flight operations take place every year), Fort Stewart (home to the 3rd Infantry Division), and Kings Bay Submarine Base (home to the Ballistic Missile nuclear submarines of the US Navy Atlantic Fleet and which plays a key role in our strategic nuclear triad). These and other bases across Georgia are essential to our national security and I've long argued that there should be no additional Base Realignment and Closure (BRAC) rounds for Dobbins and other military bases in my home state. I am grateful to see that the new bill prohibits funding to propose, plan for, or execute a new BRAC round.

This bill will also benefit Georgia's industry. The F-35 Lightning II program provides the US Air Force (USAF), US Navy (USN), US

Marine Corps (USMC), and a multitude of key allies with an affordable, fifth generation, stealth strike-fighter. The F-35 program also supports, directly and indirectly, countless of high-skilled jobs across Georgia, including hundreds of jobs at the Marietta plant in Cobb County, Georgia. Last year I supported the FY2017 budget request and urged procuring at a minimum an additional five F-35As and two F-35Cs. Such investments, in my view, are critical to restoring the budget cuts and the previously planned production ramp rate. I am delighted that this bill appropriates \$11 billion (an estimated \$1 billion more than requested) for the procurement of 74 new F-35 planes, including 48 F-35s for the USAF, 18 F-35Bs for the USMC, and eight F-35As for the USN. This bill also provides funding for research and development and modifications to existing aircraft. This will help the United States to continue decreasing aircraft flyaway costs and to field capabilities necessary to meet global threats in the 21st century.

Marietta is well-known for being the place where the C-130 Hercules was first designed. Since the C-130 was first produced in Georgia in 1956 it has become our military's primary cargo and personnel transport plane. Over the past six decades more than 2,500 C-130s have been sold in the United States and 60 countries. Various variants of the C-130s are used for many types of missions, including airlift support, Arctic ice resupply, medical missions, firefighting, natural disaster relief missions, and humanitarian relief missions in the United States and abroad. One such variant, the C-130J, is the most modern military tactical transport plane in service today, and is used by the USAF, USMC, US Coast Guard (USCG), and 16 international customers. Last year I recommended for the procurement of three additional G-130Js, one USCG HC-130J to continue USCG fleet recapitalization, and supported language directing the USAF to develop a C-130J recapitalization plan for the Air National Guard and Air Force Reserve. This bill appropriates \$1.3 billion for 17 C, KC, HC and MC-130J aircraft consistent with my recommendations, supporting jobs and industry in Georgia and contributing to our country's security.

Last year I also supported continued funding for the AH-64 Apache Helicopter and UH-60M Black Hawk Helicopter programs, both of which are important to Georgia's industry. It is great to see that this bill makes \$1.1 billion (\$330 million above the budget request) for 72 new UH-60M multiuse Black Hawks for the Army and National Guard. The bill also provides over \$1 billion of funding for new Apache attack helicopters and upgrades to 52 existing aircraft. The upgrades will include modifications that will protect against friendly-fire incidents, thereby protecting servicemembers that operate these world-class helicopters.

The 116th Air Control Wing, a unit of Georgia's Air National Guard which is stationed at Robins Air Force Base, Georgia, is the only Air National Guard unit that operates the E-8C Joint Surveillance Target Attack Radar System (JSTAR). Last year this Georgia-based unit contributed personnel and resources to assist with debris clearance in the aftermath of Hurricane Matthew. JSTARS are

essential for this Georgia-based unit and last year I supported funding recapitalization of the program. I am delighted to see that this bill, in line with the budget request, makes \$128,019,000 available for the next generation of JSTARS.

This bill also makes funding available for nationwide defense programs that are critical to our national security. For example, following Russia's annexation of Crimea in March 2014, the FY2015 Defense Authorization prohibited using the Russian-built RD-180 rocket engine except when a waiver is granted on the basis of national security or cost considerations. Russia's interference in our elections in 2016 only increases the importance of decreasing our dependence on that country, especially when it involves issues critical to our national security. It is great to see that this bill appropriates \$1.3 billion for the US Air Force's Evolved Expendable Launch Vehicle (EELV) program, which will help us retire the use of Russian-made engines as quickly as possible.

Last year I also supported President Obama's budget request for a variety of defense programs including the C-5 Galaxy Modernization, CH-53K Heavy Lift Replacement, Combat Rescue Helicopter Program, F-22 Raptor, F-35 Lighting II (Joint Strike Fighter), MH-60R/S Naval Hawk Helicopter Programs, Advanced Pilot Training, and UH-1N Replacement Programs. By and large, this bill funds these programs at or close to the amount in the previous President's budget request.

Mr. Speaker, having previously served on the House Armed Services' Committee and for years pushed for greater investment in HBCUs, I am delighted to see that this bill provides a much higher number than was included in the budget request. I believe that this funding will be well-used and will yield high returns on our investment. I am delighted that military bases in Georgia, which are critical to our national security, are immune from closure, and that this bill continues to provide funding for servicemembers who are based in and programs produced in Georgia, both of which contribute to making our armed forces first-class.

Mr. DEFAZIO. Mr. Speaker, I will vote against H.R. 1301, the Fiscal Year 2017 Department of Defense (DOD) Appropriations Act.

The legislation includes several provisions that I strongly support, including giving service men and women a well-deserved raise of 2.1 percent. The bill provides much-needed funding to address traumatic brain injuries, PTSD, sexual assault and suicide prevention, and vital cancer research. It also includes funding for Ukraine and Eastern Europe security initiatives to counter Russia's heightened military provocations and annexation of Crimea.

However, H.R. 1301 funds provisions I do not support, including \$61.8 billion to the Overseas Contingency Operations (OCO) fund, an account which is not subject to the budgetary caps imposed on all other discretionary programs, and is used as a slush fund by the Pentagon.

Unlike every other federal agency, the DOD has been unable to complete a financial audit to inform taxpayers how the biggest bureaucracy in the federal government spends their

money. In fact, a shocking report released last December exposed \$125 billion in administrative waste that the Pentagon tried to bury from being viewed by the public. I refuse to support increased bureaucratic waste at the expense of American taxpayers. A more accountable and transparent department would ensure more taxpayer money is directed towards the needs of our troops and the benefits they deserve rather than buying unnecessary weapon systems, sustaining a Cold War era military force, and giving the President a blank check to fund wars Congress hasn't authorized.

Along with bloated defense spending, the bill prohibits the closing of Guantanamo Bay, which costs more than \$100 million each year and has been used as a top recruiting tool by terrorists. Frankly, the prison at Guantanamo Bay has been a black eye for the United States. It has eroded relationships with our allies, undermined U.S. missions abroad, and put U.S. citizens and our troops at risk of retaliation in places where the Geneva Conventions are not followed.

Congress can make responsible cuts to the DOD budget without jeopardizing the safety of our troops or undermining our national security.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 174, the previous question is ordered on the bill.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

PARLIAMENTARY INQUIRY

Mr. TAKANO. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from California will state his parliamentary inquiry.

Mr. TAKANO. Mr. Speaker, can the Chair tell me when the Congressional Budget Office will score the Republican ACA replacement bill?

The SPEAKER pro tempore. The gentleman has not stated a parliamentary inquiry.

Members are reminded to refrain from wearing communicative badges while under recognition.

Mr. TAKANO. Mr. Speaker, I apologize for that.

MOTION TO ADJOURN

Mr. TAKANO. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion to adjourn offered by the gentleman from California (Mr. TAKANO).

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

RECORDED VOTE

Mr. TAKANO. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 114, noes 290, not voting 25, as follows:

[Roll No. 135]

AYES—114

Adams Eshoo Meeks
Amodei Espallat Meng
Barragán Evans Moore
Beatty Foster Nadler
Beyer Frankel (FL) Neal
Bishop (GA) Fudge Norcross
Blunt Rochester Gallego Pallone
Boyle, Brendan Garamendi Payne
F. Gonzalez (TX) Pelosi
Brady (PA) Gutiérrez Perlmutter
Brownley (CA) Hanabusa Pingree
Bustos Hastings Raskin
Butterfield Higgins (NY) Rush
Cárdenas Himes Sánchez
Carson (IN) Hoyer Sarbanes
Castor (FL) Jackson Lee Schakowsky
Castro (TX) Jayapal Schiff
Chu, Judy Jeffries Scott, David
Cicilline Johnson (GA) Serrano
Clark (MA) Johnson, E. B. Sewell (AL)
Clarke (NY) Kaptur Sires
Clay Kelly (IL) Slaughter
Clyburn Kennedy Soto
Cohen Khanna Speier
Conyers Kihuen Suozzi
Cooper Krishnamoorthi Takano
Crowley Kuster (NH) Thompson (MS)
Cummings Langevin Tonko
Davis, Danny Lawrence Torres
DeGette Lee Vargas
Delaney Lewis (GA) Veasey
DeLauro Lieu, Ted Vela
Demings Lofgren Velázquez
Dingell Lowenthal Wasserman
Doggett Lowey Schultz
Doyle, Michael Luján, Ben Ray Waters, Maxine
F. McEachin Watson Coleman
Ellison McGovern Wilson (FL)
Engel McNeerney Yarmuth

NOES—290

Abraham Chaffetz Franks (AZ)
Aderholt Cheney Frelinghuysen
Aguilar Coffman Gabbard
Allen Cole Gaetz
Amash Collins (NY) Gallagher
Arrington Comer Garrett
Babin Comstock Gibbs
Bacon Conaway Gohmert
Banks (IN) Connolly Goodlatte
Barr Cook Gottheimer
Barton Correa Gowdy
Bera Costello (PA) Granger
Bergman Courtney Graves (GA)
Biggs Cramer Graves (LA)
Bilirakis Crawford Graves (MO)
Bishop (MI) Crist Green, Al
Bishop (UT) Cuellar Green, Gene
Black Culberson Griffith
Blackburn Curbelo (FL) Grothman
Blum Davidson Guthrie
Blumenauer Davis (CA) Harper
Bonamici DeFazio Harris
Bost DelBene Hartzler
Brady (TX) Denham Hensarling
Bridenstine DesJarlais Herrera Beutler
Brooks (AL) Diaz-Balart Hice, Jody B.
Brooks (IN) Donovan Higgins (LA)
Brown (MD) Duffy Hill
Buchanan Duncan (SC) Holding
Buck Duncan (TN) Hollingsworth
Bucshon Dunn Hudson
Budd Emmer Huffman
Burgess Esty Huizenga
Byrne Farenthold Hultgren
Calvert Faso Hunter
Capuano Ferguson Hurd
Carbajal Fitzpatrick Issa
Carter (GA) Fleischmann Jenkins (WV)
Carter (TX) Flores Johnson (LA)
Cartwright Fortenberry Johnson (OH)
Chabot Foxx Johnson, Sam
Jones

Jordan Joyce (OH)
Katko Moolenaar
Keating Mooney (WV)
Kelly (MS) Moulton
Kelly (PA) Mullin
Kildee Murphy (FL)
Kilmer Murphy (PA)
Kind Napolitano
King (IA) Newhouse
King (NY) Noem
Kinzinger Nolan
Knight Nunes
Kustoff (TN) O'Halleran
Labrador O'Rourke
LaHood Olson
LaMalfa Palazzo
Lamborn Palmer
Lance Panetta
Larson (CT) Pascrell
Latta Paulsen
Levin Pearce
Lewis (MN) Perry
Lipinski Peters
LoBiondo Peterson
Lofgren Pittenger
Loebach Poe (TX)
Long Poliquin
Loudermilk Polis
Love Posey
Lucas Price (NC)
Luetkemeyer Ratcliffe
Lujan Grisham, Reed
M. Reichert
Lynch Renacci
MacArthur Rice (NY)
Maloney, Rice (SC)
Carolyn B. Roby
Maloney, Sean Roe (TN)
Marchant Rogers (AL)
Marino Rogers (KY)
Marshall Rohrabacher
Massie Rokita
Mast Rooney, Francis
Matsui Rooney, Thomas
McCarthy J.
McCaul Ros-Lehtinen
McClintock Rosen
McCollum Roskam
McHenry Ross
McKinley Rothfus
McMorris Rouzer
Rodgers Roybal-Allard
McSally Royce (CA)
Meadows Ruiz
Meehan Rutherford
Messer Ryan (OH)

NOT VOTING—25

Barletta Gosar Ruppertsberger
Bass Grijalva Russell
Cleaver Heck Smith (WA)
Collins (GA) Jenkins (KS) Titus
Costa Larsen (WA) Wagner
Davis, Rodney Lawson (FL) Welch
Dent Pocan Young (AK)
DeSaulnier Quigley
Deutch Richmond

□ 1656

Mr. FARENTHOLD, Ms. TENNEY, Messrs. HUIZENGA, POLIQUIN, DESANTIS, and Mrs. BLACK changed their vote from “aye” to “no.”

Mrs. LOWEY and Mr. CLYBURN changed their vote from “no” to “aye.” So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

DEPARTMENT OF DEFENSE
APPROPRIATIONS ACT, 2017

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the passage of the bill (H.R. 1301) making appropriations for the Department of Defense for the fiscal year ending September 30, 2017, and for other purposes,

on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the passage of the bill.

The vote was taken by electronic device, and there were—yeas 371, nays 48, not voting 10, as follows:

[Roll No. 136]

YEAS—371

Abraham Curbelo (FL) Jackson Lee
Adams Davidson Jeffries
Aderholt Davis (CA) Jenkins (WV)
Aguilar Davis, Rodney Johnson (GA)
Allen Delaney Johnson (LA)
Amodei DeLauro Johnson (OH)
Arrington DelBene Johnson, E. B.
Babin Demings Johnson, Sam
Bacon Denham Jordan
Banks (IN) Dent Joyce (OH)
Barletta DeSantis Katko
Barr DesJarlais Keating
Barragán Kelly (IL) King (IA)
Barton Dingell King (NY)
Beatty Doggett Kinzinger
Bera Donovan Knight
Bergman Doyle, Michael Krishnamoorthi
Beyer F. Kuster (NH)
Biggs Duffy Kustoff (TN)
Bilirakis Duncan (SC) Lance
Bishop (GA) Dunn Langevin
Bishop (MI) Emmer Larsen (WA)
Bishop (UT) Engel Larson (CT)
Black Eshoo Latta
Blackburn Esty Lawrence
Blum Evans Lawson (FL)
Blunt Rochester Farenthold Levin
Bonamici Faso Lewis (MN)
Bost Ferguson Lieu, Ted
Boyle, Brendan Fitzpatrick Lipinski
F. Fleischmann LoBiondo
Brady (PA) Flores Gallagher
Brady (TX) Fortenberry Gallego
Brat Foster Garamendi
Bridenstine Foxx Gohmert
Brooks (AL) Frankel (FL) Gonzalez (TX)
Brooks (IN) Franks (AZ) Goodlatte
Brown (MD) Frelinghuysen Gosar
Browningley (CA) Gottheimer Lujan Grisham,
Buchanan Gabbard M.
Buck Gaetz Luján, Ben Ray
Bucshon Gallagher MacArthur
Budd Gallego Maloney, Sean
Burgess Garamendi Marchant
Bustos Garrett Marino
Butterfield Gibbs Marshall
Byrne Gohmert Mast
Calvert Gonzalez (TX) Matsui
Cabrera Goodlatte McCaul
Cárdenas Gosar McClintock
Carter (GA) Gottheimer McCollum
Carter (TX) Gowdy McEachin
Cartwright Granger McHenry
Castor (FL) Graves (GA) McKinley
Castro (TX) Graves (LA) McMorris
Chabot Graves (MO) Rodgers
Chaffetz Green, Al McNeerney
Cheney Green, Gene McSally
Cicilline Griffith Meadows
Clay Grothman Meehan
Clyburn Guthrie Meeks
Coffman Harper Meng
Cole Hanabusa Messer
Collins (GA) Harris Mitchell
Collins (NY) Hartzler Moolenaar
Comer Heck Mooney (WV)
Comstock Hensarling Mullin
Conaway Herrera Beutler Hunter
Connolly Hice, Jody B. Hurd
Cook Higgins (LA) Issa
Cooper Higgins (NY) Jenkins (WV)
Correa Hill Johnson (LA)
Costa Himes Johnson (OH)
Costello (PA) Holding Johnson, Sam
Courtney Hollingsworth Jones
Cramer Hoyer
Crawford Hudson
Crist Huizenga
Crowley Hultgren
Cuellar Hunter
Culberson Hurd
Cummings Issa
Murphy (FL)

Murphy (PA)	Rosen	Swalwell (CA)
Nadler	Roskam	Taylor
Neal	Ross	Tenney
Newhouse	Rothfus	Thompson (MS)
Noem	Rouzer	Thompson (PA)
Nolan	Roybal-Allard	Thornberry
Norcross	Royce (CA)	Tiberi
Nunes	Ruiz	Tipton
O'Halleran	Ruppersberger	Tonko
O'Rourke	Russell	Torres
Olson	Rutherford	Trott
Palazzo	Ryan (OH)	Tsongas
Palmer	Sánchez	Turner
Pascrell	Sanford	Upton
Paulsen	Sarbanes	Valadao
Payne	Scalise	Vargas
Pearce	Schiff	Veasey
Pelosi	Schneider	Visclosky
Perlmutter	Schweikert	Wagner
Perry	Scott (VA)	Walberg
Peters	Scott, Austin	Walden
Peterson	Scott, David	Walker
Pingree	Sensenbrenner	Walorski
Pittenger	Sessions	Walters, Mimi
Poe (TX)	Sewell (AL)	Walz
Poliquin	Shea-Porter	Wasserman
Posey	Sherman	Schultz
Price (NC)	Shimkus	Weber (TX)
Quigley	Shuster	Webster (FL)
Ratcliffe	Simpson	Webstrup
Reed	Sinema	Westerman
Reichert	Sires	Williams
Renacci	Slaughter	Wilson (FL)
Rice (NY)	Smith (MO)	Wilson (SC)
Rice (SC)	Smith (NE)	Wittman
Roby	Smith (NJ)	Womack
Roe (TN)	Smith (TX)	Woodall
Rogers (AL)	Smith (WA)	Yarmuth
Rogers (KY)	Smucker	Yoder
Rokita	Soto	Yoho
Rooney, Francis	Stefanik	Young (AK)
Rooney, Thomas	Stewart	Young (IA)
J.	Stivers	Zeldin
Ros-Lehtinen	Suoizzi	

NAYS—48

Amash	Gutiérrez	Pocan
Blumenauer	Hastings	Polis
Capuano	Huffman	Raskin
Carson (IN)	Jayapal	Rohrabacher
Chu, Judy	Jones	Rush
Clark (MA)	Kennedy	Schakowsky
Clarke (NY)	Lee	Schrader
Cohen	Lewis (GA)	Serrano
Conyers	Loftgren	Speier
Davis, Danny	Maloney	Takano
DeFazio	Carolyn B.	Thompson (CA)
DeGette	Massie	Velázquez
DeSaulnier	McGovern	Waters, Maxine
Duncan (TN)	Moore	Watson Coleman
Ellison	Napolitano	Welch
Espallat	Pallone	
Grijalva	Panetta	

NOT VOTING—10

Bass	Kaptur	Titus
Cleaver	Khanna	Vela
Deutch	Lynch	
Jenkins (KS)	Richmond	

□ 1719

Messrs. RUSH and DANNY DAVIS of Illinois changed their vote from "yea" to "nay."

Ms. MCCOLLUM, Mr. RUIZ, Ms. WASSERMAN SCHULTZ, and Mr. COFFMAN changed their vote from "nay" to "yea."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. DEUTCH. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "Nay" on Roll Call No. 134, "Nay" on Roll Call No. 135, and "Yea" on Roll Call No. 136.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 720, LAWSUIT ABUSE REDUCTION ACT OF 2017, AND PROVIDING FOR CONSIDERATION OF H.R. 985, FAIRNESS IN CLASS ACTION LITIGATION ACT OF 2017

Mr. COLLINS of Georgia, from the Committee on Rules, submitted a privileged report (Rept. No. 115-29) on the resolution (H. Res. 180) providing for consideration of the bill (H.R. 720) to amend Rule 11 of the Federal Rules of Civil Procedure to improve attorney accountability, and for other purposes, and providing for consideration of the bill (H.R. 985) to amend the procedures used in Federal court class actions and multidistrict litigation proceedings to assure fairer, more efficient outcomes for claimants and defendants, and for other purposes, which was referred to the House Calendar and ordered to be printed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SIMPSON). Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

ARBUCKLE PROJECT MAINTENANCE COMPLEX AND DISTRICT OFFICE CONVEYANCE ACT OF 2017

Mr. WEBSTER of Florida. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 132) to authorize the Secretary of the Interior to convey certain land and appurtenances of the Arbuckle Project, Oklahoma, to the Arbuckle Master Conservancy District, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 132

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Arbuckle Project Maintenance Complex and District Office Conveyance Act of 2017".

SEC. 2. CONVEYANCE OF MAINTENANCE COMPLEX AND DISTRICT OFFICE OF THE ARBUCKLE PROJECT, OKLAHOMA.

(a) IN GENERAL.—The Secretary of the Interior shall, as soon as practicable, convey to the Arbuckle Master Conservancy District, located in Murray County, Oklahoma, all right, title, and interest of the United States in and to the Maintenance Complex and District Office, Arbuckle Project, Oklahoma, consistent with the terms and conditions set forth in the Agreement between the United States and the Arbuckle Master Conservancy District.

(b) DEFINITIONS.—

(1) AGREEMENT.—The term "Agreement" means the Agreement between the United States and the Arbuckle Master Conservancy District for Transferring Title to the Federally Owned Maintenance Complex and District Office to the Arbuckle Master Conservancy District (Agreement No. 14AG640141).

(2) DISTRICT OFFICE.—The term "District Office" means the headquarters building located at 2440 East Main, Davis, Oklahoma, and the approximately 0.83 acres described in the Agreement.

(3) MAINTENANCE COMPLEX.—The term "Maintenance Complex" means the caretakers residence, shop buildings, and any appurtenances located on the lands described in the Agreement, to include approximately 2.00 acres, more or less.

(c) LIABILITY.—Effective upon the date of conveyance of the Maintenance Complex and District Office under this section, the United States shall not be held liable by any court for damages of any kind arising out of any act, omission, or occurrence relating to the Maintenance Complex and District Office, except for damages caused by acts of negligence committed by the United States or by its employees or agents prior to the date of conveyance. Nothing in this section increases the liability of the United States beyond that provided in chapter 171 of title 28, United States Code (popularly known as the "Federal Tort Claims Act"), on the date of the enactment of this Act.

(d) BENEFITS.—After conveyance of the Maintenance Complex and District Office to the Arbuckle Master Conservancy District—

(1) the Maintenance Complex and District Office shall not be considered to be a part of a Federal reclamation project; and

(2) such water district shall not be eligible to receive any benefits with respect to any facility comprising that Maintenance Complex and District Office, except benefits that would be available to a similarly situated person with respect to such a facility that is not part of a Federal reclamation project.

(e) COMMUNICATION.—If the Secretary of the Interior has not completed the conveyance required under subsection (a) within 12 months after the date of enactment of this Act, the Secretary shall submit to Congress a letter with sufficient detail that explains the reasons the conveyance has not been completed and stating the date by which the conveyance will be completed.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. WEBSTER) and the gentleman from California (Mr. HUFFMAN) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

Mr. WEBSTER of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise an extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. WEBSTER of Florida. Mr. Speaker, I yield myself such time as I may consume.

H.R. 132, sponsored by Congressman TOM COLE of Oklahoma, conveys two buildings and two acres of land of the

Federal Arbuckle Project to the Arbuckle Master Conservancy District, Oklahoma. The district has operated and maintained the project for decades, and completed repayment of its capital costs for the project in 2012.

While noncontroversial, legislation is necessary in order to facilitate this and other Bureau of Reclamation title transfers. Under current law, these buildings and land remain in Federal ownership until legislation is enacted to transfer the title to the district. Mr. COLE's bill achieves this objective.

This title transfer is a win-win for the district and for the Federal Government. The district will no longer be subject to certain Federal paperwork requirements, and the Federal Government will be relieved of all future liability and financial responsibilities associated with these facilities and land.

I urge the adoption of this measure, which overwhelmingly passed the House on a bipartisan basis in the last Congress.

Mr. Speaker, I reserve the balance of my time.

Mr. HUFFMAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 132, as the gentleman from Florida just mentioned, would allow a title transfer of two Federal buildings to the Arbuckle Master Conservancy District in south-central Oklahoma. These are buildings that were part of the Arbuckle Project, which is a water project authorized by Congress back in 1962 to provide flood control, recreational opportunities, and municipal water supply.

Nearly all the facilities within this project were already transferred to the Arbuckle Master Conservancy District in 2012, after the district finish repaying what it owed to the Federal Government for construction. However, due to some overly narrow language in the legislation authorizing this project, two buildings have yet to be transferred.

Transferring them will save taxpayers money that would otherwise be needed to operate and maintain these buildings. It will also relieve the Federal Government of any potential future liability associated with these buildings. It is a straightforward bill that should be quickly passed.

Mr. Speaker, I reserve the balance of my time.

Mr. WEBSTER of Florida. Mr. Speaker, I yield such time as he may consume to the gentleman from Oklahoma (Mr. COLE).

Mr. COLE. Mr. Speaker, I want to thank my good friend for yielding.

Before I begin my prepared remarks, I had no idea there was such interest in the Arbuckle watershed, but I am flattered and pleased that all of you are here for this important legislation.

I rise in support H.R. 132, the Arbuckle Project Maintenance Complex

and District Office Conveyance Act. This bill is straightforward. As has been mentioned, it is a land conveyance which has both Federal and local support.

I would like to remind my colleagues this legislation was passed in the 114th Congress on December 7, 2016, by a vote of 412-1. Clearly, it was so good, everybody wanted it back again.

H.R. 132 would authorize the Secretary of the Interior to convey certain lands and buildings of the Arbuckle Project in Murray County, Oklahoma, to the Arbuckle Master Conservancy District.

In 1962, Congress authorized the payment of reimbursable costs for construction, operation, and maintenance of the Bureau of Reclamation's Arbuckle Master Conservancy District in south-central Oklahoma. The district completed repayment of the capital costs of the project in September of 2012.

In accordance with the Bureau of Reclamation's policy framework for title transfer, in December 2014, the Bureau of Reclamation and the district executed an agreement to transfer, in fee title, certain facilities that could be more effectively and efficiently managed at the local level.

The title transfer involves approximately 2.83 acres of land. On this land is a small house, associated structures, and the conservancy district's headquarters office building. The house and property are used to accommodate a district employee who maintains and inspects the dam and the pumping facilities. The headquarters office building is the base of operation for the district.

This bill also divests the Federal Government of its responsibility and liability associated with the district's facilities. Reclamation and the district have worked cooperatively and successfully to address all of the elements necessary to bring this legislation forward and make this transfer proceed as smoothly as possible.

I am pleased this bill is an agreement in which both the Federal and local interests are satisfied. I want to urge all of my colleagues to support this legislation once again.

I want to again thank the chairman for his help in expediting this matter.

Mr. HUFFMAN. Mr. Speaker, I yield such time as he may consume to the gentleman from Maryland (Mr. RASKIN).

PARLIAMENTARY INQUIRY

Mr. RASKIN. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from Maryland will state his parliamentary inquiry.

Mr. RASKIN. Mr. Speaker, is it consistent with the rules of the House of Representatives for the Committee on Ways and Means and the Energy and Commerce Committee to be consid-

ering the American Health Care Act without a CBO score that would permit us to know how much this legislation will cost?

The SPEAKER pro tempore. The gentleman is asking the Chair a hypothetical question that is not pertinent to the business currently before the House.

Mr. RASKIN. Well, I didn't think it was hypothetical. I move that the House do now adjourn.

The SPEAKER pro tempore. Will the gentleman first yield back the time he was yielded for debate?

Mr. RASKIN. Yes, I will.

MOTION TO ADJOURN

Mr. RASKIN. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion to adjourn offered by the gentleman from Maryland (Mr. RASKIN).

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Mr. RASKIN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 314, nays 98, not voting 17, as follows:

[Roll No. 137]

YEAS—314

Abraham	Cicilline	Fitzpatrick
Adams	Clark (MA)	Fleischmann
Aderholt	Clarke (NY)	Flores
Amodei	Coffman	Fortenberry
Arrington	Collins (GA)	Foster
Babin	Collins (NY)	Fox
Bacon	Comer	Frankel (FL)
Banks (IN)	Comstock	Frelinghuysen
Barletta	Conaway	Gaetz
Barr	Cook	Gallagher
Barragán	Cooper	Galligo
Barton	Costa	Garamendi
Beatty	Costello (PA)	Garrett
Bergman	Cramer	Gibbs
Beyer	Crawford	Gonzalez (TX)
Biggs	Crist	Goodlatte
Bilirakis	Crowley	Gosar
Bishop (MI)	Culberson	Gowdy
Bishop (UT)	Curbelo (FL)	Granger
Black	Davidson	Graves (GA)
Blackburn	Davis (CA)	Graves (LA)
Blum	Davis, Rodney	Graves (MO)
Blunt Rochester	DeFazio	Griffith
Bost	DeGette	Grijalva
Boyle, Brendan	Delaney	Grothman
F.	Demings	Guthrie
Brady (PA)	Denham	Gutiérrez
Brady (TX)	Dent	Hanabusa
Brat	DeSantis	Harper
Bridenstine	DeSaulnier	Harris
Brooks (AL)	DesJarlais	Hartzler
Brooks (IN)	Diaz-Balart	Hastings
Brown (MD)	Dingell	Heck
Brownley (CA)	Doggett	Hensarling
Buchanan	Donovan	Herrera Beutler
Buck	Doyle, Michael	Hice, Jody B.
Bucshon	F.	Higgins (LA)
Budd	Duncan (SC)	Higgins (NY)
Burgess	Duncan (TN)	Hill
Bustos	Dunn	Hollingsworth
Cárdenas	Emmer	Hoyer
Carter (GA)	Engel	Hudson
Carter (TX)	Eshoo	Huizenga
Castro (TX)	Espallat	Hultgren
Chabot	Evans	Hunter
Chaffetz	Farenthold	Hurd
Cheney	Faso	Issa
Chu, Judy	Ferguson	Jackson Lee

Jayapal	Lowenthal	Pascarell	Schakowsky	Suozzi	Wasserman	Moulton	Rokita	Swalwell (CA)
Jeffries	Lowey	Paulsen	Schiff	Takano	Schultz	Murphy (FL)	Rosen	Taylor
Johnson (GA)	Lucas	Pearce	Schweikert	Tenney	Waters, Maxine	Napolitano	Roybal-Allard	Thompson (CA)
Johnson (LA)	Luetkemeyer	Perry	Scott, Austin	Thompson (PA)	Watson Coleman	Noem	Ruiz	Thompson (MS)
Johnson (OH)	Luján, Ben Ray	Peterson	Scott, David	Thornberry	Welch	Nolan	Ryan (OH)	Torres
Johnson, E. B.	MacArthur	Pingree	Sensenbrenner	Tiberi	Wenstrup	O'Halleran	Schneider	Tsongas
Johnson, Sam	Marchant	Pittenger	Serrano	Tipton	Westerman	O'Rourke	Schrader	Veasey
Jones	Marino	Pocan	Sewell (AL)	Tonko	Williams	Panetta	Scott (VA)	Velázquez
Joyce (OH)	Marshall	Poliquin	Shimkus	Trott	Wilson (FL)	Payne	Shea-Porter	Visclosky
Katko	Massie	Posey	Shuster	Turner	Wilson (SC)	Perlmutter	Sherman	Walz
Kelly (IL)	Mast	Quigley	Sires	Upton	Wittman	Peters	Simpson	Weber (TX)
Kelly (MS)	Matsui	Raskin	Slaughter	Valadao	Womack	Poe (TX)	Sinema	Webster (FL)
Kelly (PA)	McCarthy	Reed	Smith (MO)	Vargas	Yarmuth	Polis	Smith (NJ)	Woodall
Kennedy	McCaul	Reichert	Smith (NE)	Vela	Yoder	Price (NC)	Smith (WA)	
Khanna	McClintock	Renacci	Smucker	Walberg	Yoho	Ratcliffe	Stivers	
Kihuen	McEachin	Rice (NY)	Soto	Walden	Young (IA)			
King (NY)	McGovern	Rice (SC)	Speier	Walker	Zeldin			
Kinzinger	McHenry	Richmond	Stefanik	Walorski				
Knight	McKinley	Roby	Stewart	Walters, Mimi				
Krishnamoorthi	McMorris	Roe (TN)						
Kuster (NH)	Rodgers	Rogers (AL)						
Kustoff (TN)	McNerney	Rogers (KY)						
Labrador	Meadows	Rohrabacher						
LaHood	Meehan	Rooney, Francis						
LaMalfa	Meeks	Rooney, Thomas						
Lamborn	Meng	J.						
Lance	Mitchell	Ros-Lehtinen						
Langevin	Moolenaar	Roskam						
Latta	Moore	Ross						
Lawrence	Mullin	Rothfus						
Lawson (FL)	Murphy (PA)	Rouzer						
Lee	Nadler	Royce (CA)						
Levin	Neal	Ruppersberger						
Lewis (GA)	Newhouse	Rush						
Lewis (MN)	Norcross	Russell						
Lieu, Ted	Nunes	Rutherford						
LoBiondo	Olson	Sánchez						
Long	Palazzo	Sanford						
Loudermilk	Pallone	Sarbanes						
Love	Palmer	Scalise						

NAYS—98

NOT VOTING—17

□ 1745

Mr. DEUTCH changed his vote from “yea” to “nay.”

So the motion to adjourn was agreed to.

The result of the vote was announced as above recorded.

Accordingly (at 5 o'clock and 46 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, March 9, 2017, at 10 a.m. for morning-hour debate.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Official Foreign Travel during the second and fourth quarters of 2016, pursuant to Public Law 95–384, are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, BRIAN P. MONAHAN, EXPENDED BETWEEN DEC. 17 AND DEC. 23, 2016

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Brian P. Monahan	12/17	12/23	South Korea		703.04		(³)				703.04
			Japan		926.06		(³)				926.06
Committee total					1,629.10						1,629.10

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.³ Military air transportation.

BRIAN P. MONAHAN, Feb. 14, 2017.

(AMENDED) REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ARMED SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2016

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Travel to South Korea, Japan, June 4–9, 2016:											
David Giachetti	6/5	6/6	South Korea		366.00						366.00
Commercial transportation	6/8	6/9	Japan		398.58						398.58
Craig Greene	6/5	6/6	South Korea		366.00						366.00
Commercial transportation	6/8	6/9	Japan		398.58		14,401.95				14,401.95
Alison Lynn	6/5	6/6	South Korea		366.00						366.00
Commercial transportation	6/8	6/9	Japan		398.58		14,401.95				14,401.95
Delegation expenses			South Korea								
Committee total					2,293.74		43,858.88		0.00		46,152.62

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if currency is used, enter amount expended.

HON. MAC THORNBERRY, Chairman, _____

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ARMED SERVICES, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2016

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Travel to Colombia, October 1–3, 2016:											
Hon. Ruben Gallego	10/1	10/3	Colombia		764.00						764.00
Commercial transportation							1,515.56				1,515.56
Travel to Argentina, Columbia, October 2–8, 2016:											
Catherine Sendak	10/3	10/4	Argentina		568.61						568.61
Commercial transportation	10/4	10/7	Colombia		884.00						884.00
Mark Morehouse	10/3	10/4	Argentina		568.61						568.61
Commercial transportation	10/4	10/7	Colombia		884.00						884.00
Katherine Quinn	10/3	10/4	Argentina		568.61						568.61
Commercial transportation	10/4	10/7	Colombia		884.00						884.00
Commercial transportation							7,458.36				7,458.36
Delegation expenses			Colombia		463.00						463.00
Travel to Italy, Poland, Germany, Latvia, October 9–14, 2016:											
Jeanette James	10/9	10/12	Italy		828.00						828.00
Commercial transportation	10/13	10/14	Latvia		129.00						129.00
Daniel Sennott	10/14	10/14	Germany								
Commercial transportation							13,694.06				13,694.06
Alison Lynn	10/9	10/12	Italy		828.00						828.00
Commercial transportation							11,582.76				11,582.76
Craig Greene	10/9	10/12	Italy		828.00						828.00
Commercial transportation							11,582.76				11,582.76
Travel to Canada, October 11–12, 2016:											
Margaret Dean	10/11	10/12	Canada		312.84						312.84
Commercial transportation					1,864.09						1,864.09
Andrew Warren	10/11	10/12	Canada		312.84						312.84
Commercial transportation					1,712.32						1,712.32
Vickie Plunkett	10/11	10/12	Canada		312.84						312.84
Commercial transportation					1,715.74						1,715.74
Travel to United Kingdom, October 11–14, 2016:											
Catherine Sendak	10/12	10/14	United Kingdom		829.50						829.50
Commercial transportation							910.86				910.86
Mark Morehouse	10/12	10/14	United Kingdom		829.50						829.50
Commercial transportation							910.86				910.86
Claude Chafin	10/12	10/14	United Kingdom		829.50						829.50
Commercial transportation							910.86				910.86
Jack Schuler	10/12	10/14	United Kingdom		829.50						829.50
Commercial transportation							910.86				910.86
Delegation expenses	10/12	10/14	United Kingdom				44.03				44.03
Travel to Egypt, Iraq, Israel, October 15–23, 2016, With CODEL Conaway:											
Hon. Gwen Graham	10/16	10/18	Egypt		568.98						568.98
Commercial transportation	10/18	10/19	Kuwait		787.09						787.09
Daniel Sennott	10/19	10/23	Israel		1,934.00						1,934.00
Commercial transportation							14,344.49				14,344.49
Travel to the Philippines, Vietnam, Thailand, October 19–28, 2016:											
Alexander Gallo	10/20	10/23	Vietnam		748.08						748.08
Commercial transportation	10/23	10/27	The Philippines		833.17						833.17
Craig Greene	10/20	10/23	Vietnam		748.08						748.08
Commercial transportation	10/23	10/27	The Philippines		833.17						833.17
Brian Garrett	10/20	10/23	Vietnam		748.08						748.08
Commercial transportation	10/23	10/27	The Philippines		833.17						833.17
Katherine Quinn	10/20	10/23	Vietnam		748.08						748.08
Commercial transportation	10/23	10/27	The Philippines		833.17						833.17
Travel to Germany, Slovakia, Slovenia, Hungary, Croatia, October 21–30, 2016, With STAFFDEL Goffus:											
Catherine Sendak	10/22	10/22	Germany								
Commercial transportation	10/22	10/24	Slovakia		293.87						293.87
William Spencer Johnson	10/24	10/25	Hungary		234.41						234.41
Commercial transportation	10/25	10/26	Croatia		637.36						637.36
Commercial transportation	10/26	10/27	Slovenia		304.00						304.00
Commercial transportation							11,575.66				11,575.66
Travel to Belgium, Germany, October 24–28, 2016:											
Andrew Walter	10/25	10/25	Belgium								
Commercial transportation	10/25	10/28	Germany		207.00						207.00
Leonor Tomero	10/25	10/25	Belgium								
Commercial transportation	10/25	10/28	Germany		207.00						207.00
Travel to Republic of Korea, October 23–29, 2016:											
Kevin Gates	10/24	10/29	Republic of Korea		1,470.00						1,470.00
Commercial transportation							15,034.56				15,034.56
Lindsay Kavanaugh	10/24	10/29	Republic of Korea		1,770.00						1,770.00
Commercial transportation							14,114.56				14,114.56
Delegation expenses			Republic of Korea				488.10		177.75		665.85
Travel to Japan, October 30–31, 2016:											
Hon. Mac Thornberry	10/30	10/31	Japan		480.00						480.00
Robert L. Simmons, II	10/30	10/31	Japan		480.00						480.00
Travel to Australia, Indonesia, the Philippines, November 1–11, 2016:											
Kari Bingen Tytler	11/3	11/5	Australia		287.00						287.00

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REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ARMED SERVICES, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2016—Continued

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Commercial transportation	11/5	11/6	Indonesia		104.00						104.00
	11/6	11/9	The Philippines		348.00						348.00
Andrew Peterson	11/3	11/5	Australia		287.00		35,766.79				35,766.79
Commercial transportation	11/5	11/6	Indonesia		104.00						104.00
	11/6	11/9	The Philippines		348.00						348.00
William Spencer Johnson	11/3	11/5	Australia		287.00		33,685.79				33,685.79
Commercial transportation	11/5	11/6	Indonesia		104.00						104.00
	11/6	11/9	The Philippines		348.00						348.00
Alexander Gallo	11/7	11/9	The Philippines		232.00		36,398.79				36,398.79
Travel to Rwanda, Kenya, Ethiopia, Djibouti, Somalia, Uganda, November 1–11, 2016:											
Mark Morehouse	11/2	11/4	Rwanda		588.00						588.00
	11/4	11/5	Kenya		360.00						360.00
	11/5	11/7	Ethiopia		784.26						784.26
	11/7	11/9	Kenya		700.00						700.00
	11/9	11/11	Uganda		430.00						430.00
Commercial transportation							14,708.56				14,708.56
Paul Arcangeli	11/2	11/4	Rwanda		588.00						588.00
	11/4	11/5	Kenya		360.00						360.00
	11/5	11/7	Ethiopia		784.26						784.26
	11/7	11/9	Kenya		700.00						700.00
	11/9	11/11	Uganda		430.00						430.00
Commercial transportation							14,708.56				14,708.56
Katherine Quinn	11/2	11/4	Rwanda		588.00						588.00
	11/4	11/5	Kenya		360.00						360.00
	11/5	11/7	Ethiopia		784.26						784.26
	11/7	11/9	Kenya		700.00						700.00
	11/9	11/11	Uganda		430.00						430.00
Commercial transportation							14,708.56				14,708.56
Travel to Turkey, November 22–23, 2016:											
Hon. Michael R. Turner	11/22	11/23	Turkey		265.00						265.00
Commercial transportation							8,302.66				8,302.66
Hon. Rob Bishop	11/22	11/23	Turkey		265.00						265.00
Commercial transportation							8,302.66				8,302.66
Hon. Paul Cook	11/22	11/23	Turkey		265.00						265.00
Commercial transportation							8,302.66				8,302.66
Travel to Italy, Romania, December 11–16, 2016:											
Mark Morehouse	12/12	12/14	Italy		658.36						658.36
	12/14	12/16	Romania		1,046.17						1,046.17
Commercial transportation							6,055.56				6,055.56
Catherine Sendak	12/12	12/14	Italy		658.36						658.36
	12/14	12/16	Romania		1,046.17						1,046.17
Commercial transportation							5,987.86				5,987.86
Andrew Warren	12/12	12/14	Italy		658.36						658.36
	12/14	12/16	Romania		1,046.17						1,046.17
Commercial transportation							6,055.56				6,055.56
Katherine Quinn	12/12	12/14	Italy		658.36						658.36
	12/14	12/16	Romania		1,046.17						1,046.17
Commercial transportation							6,055.56				6,055.56
Travel to the Netherlands, Belgium, December 18–21, 2016:											
Andrew Walter	12/19	12/19	The Netherlands		262.00						262.00
	12/19	12/21	Belgium		262.00						262.00
Commercial transportation							1,483.56				1,483.56
Catherine Sendak	12/19	12/19	The Netherlands		262.00						262.00
	12/19	12/21	Belgium		262.00						262.00
Commercial transportation							1,483.56				1,483.56
William Spenser Johnson	12/19	12/19	The Netherlands		262.00						262.00
	12/19	12/21	Belgium		262.00						262.00
Commercial transportation							1,483.56				1,483.56
Léonor Tomero	12/19	12/19	The Netherlands		262.00						262.00
	12/19	12/21	Belgium		262.00						262.00
Commercial transportation							1,483.56				1,483.56
Brian Greer	12/19	12/19	The Netherlands		262.00						262.00
	12/19	12/21	Belgium		262.00						262.00
Commercial transportation							1,483.56				1,483.56
Travel to Afghanistan, Qatar, December 25–31, 2016:											
Hon. Mike Coffman	12/26	12/28	Afghanistan		33.00						33.00
	12/28	12/29	Qatar		322.80						322.80
Commercial transportation							8,968.86				8,968.86
Daniel Sennott	12/26	12/28	Afghanistan		33.00						33.00
	12/28	12/29	Qatar		388.65						388.65
Commercial transportation							9,025.96				9,025.96
Andrew Schulman	12/26	12/28	Afghanistan		33.00						33.00
	12/28	12/29	Qatar		388.65						388.65
Commercial transportation							9,054.96				9,054.96
Delegation expenses			Qatar						21.06		
Committee total					61,500.92		453,976.68		198.81		515,655.35

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. MAC THORNBERRY, Chairman, Jan. 31, 2017.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON THE JUDICIARY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2016

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Steve King	9/30	10/6	France, Austria, & Finland		683.00		16,063.25		1,408.68		18,154.93
Hon. Bob Goodlatte	10/1	10/10	Italy, Zambia, Mozambique, South Africa, & Senegal		857.00		(³)		1,779.00		2,636.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON THE JUDICIARY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2016—
Continued

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Blake Farenthold	10/1	10/10	Italy, Zambia, Mozambique, South Africa, & Senegal.	.....	857.00	.....	(³)	.....	1,779.00	.....	2,636.00
Hon. Doug Collins	10/1	10/8	Italy, Zambia, Mozambique, South Africa, & Senegal.	.....	654.00	.....	8,829.66	.....	1,452.00	.....	10,935.66
Shelley Husband	10/1	10/10	Italy, Zambia, Mozambique, South Africa, & Senegal.	.....	857.00	.....	(³)	.....	1,779.00	.....	2,636.00
Andrea Loving	10/1	10/10	Italy, Zambia, Mozambique, South Africa, & Senegal.	.....	857.00	.....	(³)	.....	1,779.00	.....	2,636.00
David Greengrass	10/1	10/10	Italy, Zambia, Mozambique, South Africa, & Senegal.	.....	857.00	.....	(³)	.....	1,779.00	.....	2,636.00
Kathryn Rexrode	10/1	10/10	Italy, Zambia, Mozambique, South Africa, & Senegal.	.....	857.00	.....	(³)	.....	1,779.00	.....	2,636.00
John Manning	10/1	10/10	Italy, Zambia, Mozambique, South Africa, & Senegal.	.....	857.00	.....	(³)	.....	1,779.00	.....	2,636.00
Charlie Keller	10/1	10/10	Italy, Zambia, Mozambique, South Africa, & Senegal.	.....	857.00	.....	(³)	.....	1,779.00	.....	2,636.00
Committee total					8,193.00		24,892.91		17,092.68		50,178.59

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

³ Military air transportation.

HON. BOB GOODLATTE, Chairman, Feb. 13, 2017.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2016.

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Steve Russell	10/3	10/6	Georgia .....	.....	1,023.00	.....	.....	.....	.....	.....	1,023.00
.....	10/6	10/7	Bulgaria .....	.....	271.00	.....	.....	.....	.....	.....	271.00
.....	10/7	10/9	Lithuania .....	.....	638.00	.....	.....	.....	.....	.....	638.00
Commercial airfare .....					.....		15,115.00		.....		15,115.00
Delegation expenses .....					.....		.....		2,673.00		2,673.00
Michael Howell	10/3	10/6	Georgia .....	.....	1,023.00	.....	.....	.....	.....	.....	1,023.00
.....	10/6	10/7	Bulgaria .....	.....	271.00	.....	.....	.....	.....	.....	271.00
.....	10/7	10/9	Lithuania .....	.....	638.00	.....	.....	.....	.....	.....	638.00
Commercial airfare .....					.....		15,213.00		.....		15,213.00
Hon. Jason Chaffetz	11/20	11/23	Oman .....	.....	179.00	.....	.....	.....	.....	.....	179.00
.....	11/23	11/24	Bahrain .....	.....	408.00	.....	.....	.....	.....	.....	408.00
Commercial airfare .....					.....		17,091.00		.....		17,091.00
Delegation expenses .....					.....		.....		1,616.00		1,616.00
Hon. Steve Russell	12/15	12/17	South Korea .....	.....	1,038.00	.....	.....	.....	.....	.....	1,038.00
.....	12/17	12/18	Kosovo .....	.....	252.00	.....	.....	.....	.....	.....	252.00
.....	12/18	12/19	Turkey .....	.....	520.00	.....	.....	.....	.....	.....	520.00
.....	12/19	12/20	Germany .....	.....	389.00	.....	.....	.....	.....	.....	389.00
Commercial airfare .....					.....		6,351.00		.....		6,351.00
Committee total					6,650.00		53,770.00		.....		64,709.00

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. JASON CHAFFETZ, Chairman, Feb. 15, 2017.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GOODLATTE: Committee on the Judiciary. House Resolution 111. Resolution of inquiry directing the Attorney General to transmit certain documents to the House of Representatives relating to the financial practices of the President; with an amendment; adversely (Rept. 115-28). Referred to the House Calendar.

Mr. COLLINS of Georgia: Committee on Rules. House Resolution 180. Resolution providing for consideration of the bill (H.R. 720) to amend Rule 11 of the Federal Rules of Civil Procedure to improve attorney accountability, and for other purposes, and providing for consideration of the bill (H.R. 985) to amend the procedures used in Federal court class actions and multidistrict litigation proceedings to assure fairer, more efficient outcomes for claimants and defend-

ants, and for other purposes (Rept. 115-29). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. DEFAZIO (for himself and Mr. LARSEN of Washington):

H.R. 1420. A bill to amend title 49, United States Code, to require an air carrier to provide information to the public regarding its policies for imposing baggage fees and assisting passengers during a widespread disruption of service, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. COURTNEY (for himself, Mr. THOMPSON of Pennsylvania, Mr. DEFAZIO, Ms. DELAURO, Ms. TSONGAS, Ms. MCCOLLUM, Mr. LANGEVIN, Ms. DELBENE, Mr. HECK, Mr. WALZ, Mr. ELLISON, Mr. KILMER, Mr. SEAN PATRICK MALONEY of New York, Ms.

KUSTER of New Hampshire, and Mr. SENSENBRENNER):

H.R. 1421. A bill to amend title XVIII of the Social Security Act to count a period of receipt of outpatient observation services in a hospital toward satisfying the 3-day inpatient hospital stay requirement for coverage of skilled nursing facility services under Medicare, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROSS (for himself and Ms. CASTOR of Florida):

H.R. 1422. A bill to amend the Flood Disaster Protection Act of 1973 to require that certain buildings and personal property be covered by flood insurance, and for other purposes; to the Committee on Financial Services.

By Ms. VELÁZQUEZ:

H.R. 1423. A bill to reauthorize and improve the national flood insurance program, and for other purposes; to the Committee on Financial Services.

By Mr. SENSENBRENNER (for himself, Ms. MOORE, Mr. GROTHMAN, and Mr. KIND):

H.R. 1424. A bill to clarify the status of the North Country, Ice Age, and New England National Scenic Trails as units of the National Park System, and for other purposes; to the Committee on Natural Resources.

By Mr. HULTGREN (for himself and Mr. SMITH of Missouri):

H.R. 1425. A bill to amend the Internal Revenue Code of 1986 to provide a lower rate of tax on a portion of pass-through business income, and for other purposes; to the Committee on Ways and Means.

By Mr. ROTHFUS (for himself and Mr. HIMES):

H.R. 1426. A bill to amend the Home Owners' Loan Act to allow Federal savings associations to elect to operate as national banks, and for other purposes; to the Committee on Financial Services.

By Mr. PITTENGER:

H.R. 1427. A bill to require the Secretary of Commerce to study the coverage gaps of the Next Generation Weather Radar of the National Weather Service and to develop a plan for improving radar coverage and hazardous weather detection and forecasting; to the Committee on Science, Space, and Technology.

By Mr. HURD:

H.R. 1428. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to authorize COPS grantees to use grant funds to hire veterans as career law enforcement officers, and for other purposes; to the Committee on the Judiciary.

By Mr. MESSER (for himself, Ms. STEFANIK, Mr. CARSON of Indiana, Mrs. BROOKS of Indiana, Mr. BUCHSHON, Mr. ROKITA, and Ms. MCSALLY):

H.R. 1429. A bill to amend the Higher Education Act of 1965 to require institutions of higher education to provide students with annual estimates of student loan borrowing costs; to the Committee on Education and the Workforce.

By Mr. SMITH of Texas (for himself, Mr. CUELLAR, Mr. LUCAS, Mr. BIGGS, Mr. BANKS of Indiana, Mr. ROHR-ABACHER, Mr. POSEY, Mr. BROOKS of Alabama, Mr. WEBER of Texas, Mr. BABIN, Mr. PALMER, Mr. HIGGINS of Louisiana, Mr. HULTGREN, Mr. BRIDENSTINE, Mr. ABRAHAM, Mr. LAHOOD, Mr. WEBSTER of Florida, Mr. MARSHALL, Mr. DUNN, Mr. SESSIONS, Mr. CHAFFETZ, Mr. SCHWEIKERT, Mr. WESTERMAN, Mr. PALAZZO, Mr. YOUNG of Alaska, Mr. BARTON, Mr. PEARCE, Mr. GOSAR, Mr. TIPTON, and Mr. GOODLATTE):

H.R. 1430. A bill to prohibit the Environmental Protection Agency from proposing, finalizing, or disseminating regulations or assessments based upon science that is not transparent or reproducible; to the Committee on Science, Space, and Technology.

By Mr. LUCAS (for himself, Mr. PETERSON, Mr. SMITH of Texas, Mr. BIGGS, Mr. BANKS of Indiana, Mr. ROHR-ABACHER, Mr. POSEY, Mr. BROOKS of Alabama, Mr. WEBER of Texas, Mr. BABIN, Mr. HIGGINS of Louisiana, Mr. HULTGREN, Mr. BRIDENSTINE, Mr. ABRAHAM, Mr. LAHOOD, Mr. WEBSTER of Florida, Mr. MARSHALL, Mr. DUNN, Mr. SESSIONS, Mr. CHAFFETZ, Mr. SCHWEIKERT, Mr. PALAZZO, Mr. YOUNG of Alaska, Mr. BARTON, Mr. PEARCE, Mr. FARENTHOLD, Mr. GOSAR, Mr. TIPTON, and Mr. GOODLATTE):

H.R. 1431. A bill to amend the Environmental Research, Development, and Demonstration Authorization Act of 1978 to provide for Scientific Advisory Board member qualifications, public participation, and for other purposes; to the Committee on Science, Space, and Technology.

By Ms. BASS (for herself, Mr. SCOTT of Virginia, Mr. YOUNG of Alaska, and Mr. DANNY K. DAVIS of Illinois):

H.R. 1432. A bill to amend the Higher Education Act of 1965 to repeal the suspension of eligibility for grants, loans, and work assistance for drug-related offenses; to the Committee on Education and the Workforce.

By Mr. CARBAJAL (for himself, Mrs. DAVIS of California, Ms. TITUS, Ms. MOORE, Mr. LANGEVIN, Ms. LEE, Ms. BORDALLO, Ms. ROSEN, and Mr. GARAMENDI):

H.R. 1433. A bill to amend title 10, United States Code, to expand preventive health care services under the TRICARE program; to the Committee on Armed Services.

By Mr. COLLINS of Georgia (for himself, Mr. CARTER of Georgia, Mr. ALLEN, Mr. LOUDERMILK, and Mr. FERGUSON):

H.R. 1434. A bill to authorize the sale of certain National Forest System land in the State of Georgia; to the Committee on Agriculture.

By Mr. GUTIÉRREZ:

H.R. 1435. A bill to amend the Patient Protection and Affordable Care Act to remove citizenship and immigration barriers to access the Exchanges under such Act; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. JORDAN (for himself and Mr. MEADOWS):

H.R. 1436. A bill to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TED LIEU of California (for himself, Mr. GALLEGO, Mrs. WATSON COLEMAN, Mrs. LAWRENCE, Mr. BEYER, Mr. CÁRDENAS, Mr. CARSON of Indiana, Mr. CLAY, Mr. COHEN, Mr. CUMMINGS, Mr. ELLISON, Mr. FOSTER, Mr. GRIJALVA, Ms. JAYAPAL, Mr. MCGOVERN, Ms. MOORE, Mr. NADLER, Ms. NORTON, Mr. RASKIN, Mr. RUSH, Ms. SCHAKOWSKY, Mr. SERRANO, Ms. SEWELL of Alabama, Mr. TAKANO, Ms. VELÁZQUEZ, and Mr. YARMUTH):

H.R. 1437. A bill to discourage the use of payment of money as a condition of pretrial release in criminal cases, and for other purposes; to the Committee on the Judiciary.

By Mrs. LOWEY (for herself, Mr. KHANNA, Ms. BROWNLEY of California, Mr. AGUILAR, Mr. QUIGLEY, Ms. JUDY CHU of California, Mr. SCHIFF, Mr. SERRANO, Mr. POLIS, Mr. MEEKS, Mrs. DEMINGS, Mr. LOWENTHAL, Mr. JEFFRIES, Ms. MATSUI, Mr. HASTINGS, Mr. HUFFMAN, Mr. KILMER, Ms. SCHAKOWSKY, Ms. SPEIER, Mr. LARSEN of Washington, Mr. MCGOVERN, Ms. LEE, Mr. LANGEVIN, Ms. ROYBAL-ALLARD, Mr. CONNOLLY, Ms. GABBARD, Mr. DEUTCH, Mr. BRENDAN F. BOYLE of

Pennsylvania, Mr. GRIJALVA, Mr. BEYER, Mr. CÁRDENAS, Mr. KEATING, Mr. CICILLINE, Mr. ENGEL, Mr. ELLISON, Mr. POCAN, Ms. CLARK of Massachusetts, Mr. GUTIÉRREZ, Mr. BLUMENAUER, Mr. SMITH of Washington, Mrs. DAVIS of California, Mr. FOSTER, Mr. PASCRELL, Mr. DEFazio, Mr. BRADY of Pennsylvania, Ms. TITUS, Mr. CARTWRIGHT, Ms. CLARKE of New York, Ms. SHEA-PORTER, Mr. COHEN, Mr. SEAN PATRICK MALONEY of New York, Mr. TED LIEU of California, Ms. ADAMS, Mr. KRISHNAMOORTHY, Mr. NADLER, and Mr. CLAY):

H.R. 1438. A bill to end the use of body-gripping traps in the National Wildlife Refuge System; to the Committee on Natural Resources.

By Mr. BEN RAY LUJÁN of New Mexico (for himself, Mr. YARMUTH, Mr. WELCH, Mr. KHANNA, Mr. CONYERS, Mr. COHEN, Mr. PALLONE, Mr. BUTTERFIELD, Mr. AGUILAR, Mr. SARBANES, Mrs. DAVIS of California, Mr. LOEBSACK, Mr. KILMER, Mr. MCNERNEY, Ms. ESHOO, Mr. RASKIN, Ms. SHEA-PORTER, Ms. JACKSON LEE, Mr. POCAN, Ms. SCHAKOWSKY, Mr. O'HALLERAN, Mr. QUIGLEY, Mr. NORCROSS, Ms. NORTON, Mr. TONKO, Ms. MCCOLLUM, Mr. KEATING, Ms. KAPTUR, Mr. KILDEE, Ms. BROWNLEY of California, Mr. EVANS, Mr. DEFazio, and Mr. RUIZ):

H.R. 1439. A bill to direct the Federal Communications Commission to revise its sponsorship identification rules so as to require the disclosure of the names of significant donors to persons paying for or furnishing broadcast matter or origination cablecasting matter that is political matter or matter involving the discussion of a controversial issue of public importance; to the Committee on Energy and Commerce.

By Mr. BEN RAY LUJÁN of New Mexico (for himself, Mr. YARMUTH, Mr. WELCH, Mr. KHANNA, Mr. CONYERS, Mr. COHEN, Mr. PALLONE, Mr. BUTTERFIELD, Mr. SARBANES, Mrs. DAVIS of California, Mr. MCNERNEY, Ms. ESHOO, Mr. RASKIN, Ms. SHEA-PORTER, Ms. JACKSON LEE, Mr. POCAN, Ms. SCHAKOWSKY, Mr. O'HALLERAN, Mr. QUIGLEY, Mr. NORCROSS, Ms. NORTON, Mr. TONKO, Mr. LOEBSACK, Ms. MCCOLLUM, Mr. KEATING, Mr. RUIZ, Ms. KAPTUR, Ms. BROWNLEY of California, Mr. EVANS, and Mr. DEFazio):

H.R. 1440. A bill to direct the Federal Communications Commission to promulgate regulations requiring material in the online public inspection file of a covered entity to be made available in a format that is machine-readable; to the Committee on Energy and Commerce.

By Mr. TURNER:

H.R. 1441. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to eliminate the sequestration for the revised security category under section 251 and to eliminate the section 251A reduction in discretionary appropriations and direct spending accounts within function 050 (defense); to the Committee on the Budget.

By Mrs. BLACKBURN (for herself, Mr. FLORES, Mr. OLSON, Mr. LANCE, Mr. SCALISE, Mr. LATTI, Mr. GUTHRIE, Mr. KINZINGER, Mr. JOHNSON of Ohio, Mr. LONG, Mrs. BROOKS of Indiana, Mrs. MIMI WALTERS of California, Mr. CRAMER, Mr. COLLINS of New York, Mr. COSTELLO of Pennsylvania, Mr. BILIRAKIS, and Mr. SHIMKUS):

H.J. Res. 86. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Federal Communications Commission relating to "Protecting the Privacy of Customers of Broadband and Other Telecommunications Services"; to the Committee on Energy and Commerce.

By Mr. KHANNA:

H. Res. 178. A resolution amending the Rules of the House of Representatives to require that before any bill or joint resolution repealing or amending the Patient Protection and Affordable Care Act or the Health Care and Education Affordability Reconciliation Act of 2010 in the House it should be made available on a public website of the House; to the Committee on Rules.

By Mrs. LAWRENCE (for herself, Ms. JACKSON LEE, Mr. COHEN, Mr. RUSH, Ms. MCCOLLUM, Mr. RASKIN, Ms. BARRAGÁN, Mr. GRIJALVA, Mr. CONYERS, Ms. KAPTUR, Mr. BISHOP of Georgia, Mr. KILDEE, Mr. FOSTER, and Mr. WELCH):

H. Res. 179. A resolution to uphold the protections of the freedom of the press; to the Committee on the Judiciary.

By Mr. GAETZ (for himself, Mr. WESTERMAN, Mr. MARSHALL, Mr. WILLIAMS, Mr. ROKITA, Mr. GIBBS, Mr. CRAMER, and Mr. BACON):

H. Res. 181. A resolution expressing the sense of the House of Representatives with respect to the nomination of Neil Gorsuch to the Supreme Court; to the Committee on the Judiciary.

By Ms. MATSUI (for herself and Mr. PRICE of North Carolina):

H. Res. 182. A resolution recognizing the contributions of AmeriCorps members and alumni to the lives of the people of the United States; to the Committee on Education and the Workforce.

By Mr. O'HALLERAN (for himself, Mr. EVANS, Mr. MCGOVERN, and Mr. SOTO):

H. Res. 183. A resolution amending the Rules of the House of Representatives to require the text of any legislation that will be marked up at a meeting for the markup of legislation by a committee to be publicly available in electronic form at least 72 hours prior to the commencement of the meeting; to the Committee on Rules.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. DeFAZIO:

H.R. 1420.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1, Clause 3, and Clause 18 of the Constitution.

By Mr. COURTNEY:

H.R. 1421.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.

By Mr. ROSS:

H.R. 1422.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 1; and Article I, section 8, clause 3

By Ms. VELÁZQUEZ:

H.R. 1423.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to . . . provide for the . . . general Welfare of the United States; . . .

Article I, Section 8, Clause 3

The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. SENSENBRENNER:

H.R. 1424.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. HULTGREN:

H.R. 1425.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have power to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and general welfare of the United States.

Article I, Section 8, Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. ROTHFUS:

H.R. 1426.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution of the United States "[t]o regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes."

By Mr. PITTENGER:

H.R. 1427.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3. To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

Article I, Section 8, Clause 18. The Congress shall have Power to make all laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States or in any Department or Officer thereof.

By Mr. HURD:

H.R. 1428.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. MESSER:

H.R. 1429.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 and Clause 3 of Section 8 of Article I of the Constitution

By Mr. SMITH of Texas:

H.R. 1430.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18:

The Congress shall have power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Pow-

ers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department of Officer thereof.

By Mr. LUCAS:

H.R. 1431.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18:

The Congress shall have power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department of Officer thereof.

By Ms. BASS:

H.R. 1432.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 1 of the United States Constitution, providing—"All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives."

By Mr. CARBAJAL:

H.R. 1433.

Congress has the power to enact this legislation pursuant to the following:

"The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution (clauses 12,13, 14, 16, and 18), which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; to provide for organizing, arming, and disciplining the militia; and to make all laws necessary and proper for carrying out the foregoing powers."

By Mr. COLLINS of Georgia:

H.R. 1434.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 7, Clause 14 and Clause 18

By Mr. GUTIERREZ:

H.R. 1435.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

Article 1, Section 8, Clause 4

By Mr. JORDAN:

H.R. 1436.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 1 and 3 of the Constitution of the United States; and Amendment X to the Constitution of the United States.

By Mr. TED LIEU of California:

H.R. 1437.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution of the United States

By Mrs. LOWEY:

H.R. 1438.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 1 of the Constitution

By Mr. BEN RAY LUJÁN of New Mexico:

H.R. 1439.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. BEN RAY LUJÁN of New Mexico:

H.R. 1440.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. TURNER:

H.R. 1441.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mrs. BLACKBURN:

H.J. Res. 86.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8—"necessary and proper" clause.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 36: Mr. BACON and Mrs. HARTZLER.
 H.R. 37: Mr. BACON and Mrs. HARTZLER.
 H.R. 38: Mr. CHAFFETZ, Mr. BRIDENSTINE, and Mr. ROYCE of California.
 H.R. 60: Mr. MITCHELL, Mr. MOOLENAAR, Mr. MEADOWS, Mr. BARR, Mr. KIND, Mr. KATKO, Mr. DONOVAN, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. HUFFMAN, Ms. BASS, Mr. HASTINGS, Mr. DELANEY, Mr. KENNEDY, Mr. CICILLINE, Mr. THOMPSON of California, Ms. MATSUI, Mr. CARBAJAL, Mr. SOTO, Mr. KIHUEN, Mr. GALLAGHER, Mr. HECK, and Mr. BERGMAN.
 H.R. 82: Mr. FARENTHOLD.
 H.R. 112: Mr. DESANTIS.
 H.R. 115: Mr. MAST.
 H.R. 173: Miss RICE of New York and Mr. BOST.
 H.R. 179: Mr. CLEAVER and Mr. BARR.
 H.R. 350: Mr. BARR and Mr. KATKO.
 H.R. 367: Mr. SMUCKER.
 H.R. 371: Mr. HECK.
 H.R. 377: Mr. YOHO and Mr. WILLIAMS.
 H.R. 380: Mr. GRAVES of Missouri and Mr. TROTT.
 H.R. 390: Mr. FRANCIS ROONEY of Florida.
 H.R. 411: Mr. KHANNA, Mr. HECK, Mr. DESANTIS, Mr. YOUNG of Iowa, Mr. VEASEY, Mr. KATKO, Mr. FRELINGHUYSEN, Mr. DAVID SCOTT of Georgia, Mr. WITTMAN, and Mr. AMODEI.
 H.R. 429: Mr. PITTENGER, Mr. WENSTRUP, Mr. POSEY, Mr. CHABOT, Mr. FLORES, and Mr. YOUNG of Iowa.
 H.R. 508: Mr. RICHMOND, Mr. DEUTCH and Mr. YARMUTH.
 H.R. 510: Mr. COFFMAN and Mr. KATKO.
 H.R. 520: Mrs. LOVE.
 H.R. 530: Mr. ELLISON.
 H.R. 544: Mr. SMUCKER.
 H.R. 553: Mr. CARTER of Georgia, Mr. COLLINS of Georgia, and Mr. LOUDERMILK.
 H.R. 611: Mr. POE of Texas and Mr. RICE of South Carolina.
 H.R. 613: Ms. GRANGER, Mr. ABRAHAM, Mr. COOK, Mr. ROSS, Mr. COLE, Mr. WALZ, and Mr. RYAN of Ohio.
 H.R. 632: Mr. VEASEY, Mr. CÁRDENAS, Mr. PETERS, Mr. SABLON, Mr. LARSEN of Washington, Ms. SLAUGHTER, Mr. DESAULNIER, Mr. LOESACK, Mr. HASTINGS, Mr. GRIJALVA, Ms. BONAMICI, Mrs. LAWRENCE, and Mr. DONOVAN.
 H.R. 640: Mr. HENSARLING.
 H.R. 664: Mr. KILMER.
 H.R. 667: Mr. MCKINLEY.

H.R. 672: Mrs. COMSTOCK.

H.R. 674: Mr. LAMALFA.

H.R. 676: Mr. CAPUANO and Mr. BUTTERFIELD.

H.R. 696: Mr. DESAULNIER.

H.R. 721: Mr. DIAZ-BALART, Mr. ROKITA, Mr. REICHERT, Mr. DENHAM, Mr. KATKO, Mr. NADLER, Mr. QUIGLEY, Mr. GIBBS, Mr. CAPUANO, Mr. DUNCAN of Tennessee, and Mr. TROTT.

H.R. 722: Mr. COHEN.

H.R. 723: Mr. GRIJALVA and Mr. COLE.

H.R. 747: Mr. WALBERG, Mr. QUIGLEY, Mr. WOMACK, Mr. RYAN of Ohio, and Ms. FUDGE.
 H.R. 772: Mr. POSEY and Mr. WOMACK.

H.R. 790: Ms. JAYAPAL, Mr. SCHRADER, Mr. BRADY of Pennsylvania, Mr. BLUMENAUER, Ms. TSONGAS, and Mr. VISCLOSKEY.

H.R. 795: Ms. ROSEN, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. COLE, Mr. CARSON of Indiana, Ms. MOORE, Mr. BOST, and Mr. RUPPERSBERGER.
 H.R. 799: Mr. POSEY.

H.R. 820: Ms. CASTOR of Florida, Mr. HIGGINS of New York, Mr. HENSARLING, Mr. DELANEY, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. CARTWRIGHT, Mr. KATKO, Mr. KILMER, Mr. SEAN PATRICK MALONEY of New York, and Mr. SENSENBRENNER.

H.R. 824: Mr. ROKITA.

H.R. 850: Mr. KELLY of Mississippi.

H.R. 861: Mr. ROGERS of Alabama, Mr. WILLIAMS, and Mr. MOONEY of West Virginia.

H.R. 877: Mr. PASCRELL, Mr. ROGERS of Alabama, and Mr. PERRY.

H.R. 898: Mr. TIPTON.

H.R. 910: Mr. HOLLINGSWORTH.

H.R. 959: Mr. HIGGINS of New York and Ms. JACKSON LEE.

H.R. 960: Ms. ROSEN and Mr. SUOZZI.

H.R. 963: Mr. GARAMENDI, Ms. SHEA-PORTER, and Mrs. COMSTOCK.

H.R. 972: Ms. SÁNCHEZ and Mr. CARTWRIGHT.

H.R. 997: Mr. MCCAUL, Mr. WEBER of Texas, Mr. FORTENBERRY, Mr. PITTENGER, Mr. BANKS of Indiana, Mrs. BLACKBURN, and Mr. CRAMER.

H.R. 1017: Mrs. BEATTY.

H.R. 1031: Mr. LABRADOR.

H.R. 1036: Mr. PAULSEN.

H.R. 1057: Mr. RENACCI, Mr. KATKO, Mr. BISHOP of Michigan, and Mr. CRIST.

H.R. 1078: Mr. MOULTON.

H.R. 1090: Mr. MICHAEL F. DOYLE of Pennsylvania.

H.R. 1091: Mr. BARR.

H.R. 1092: Mr. KILMER.

H.R. 1094: Mr. MCGOVERN and Mr. CARSON of Indiana.

H.R. 1098: Mr. DIAZ-BALART.

H.R. 1107: Ms. ROSEN and Mr. KIHUEN.

H.R. 1108: Mr. RASKIN, Mr. DOGGETT, and Mr. LANGEVIN.

H.R. 1116: Mr. KING of Iowa, Mr. ROSS, Ms. TENNEY, and Mr. LATTIA.

H.R. 1120: Ms. MICHELLE LUJAN GRISHAM of New Mexico.

H.R. 1127: Mr. DESAULNIER.

H.R. 1133: Mrs. ROBY and Mr. GARAMENDI.

H.R. 1136: Mr. KINZINGER, Mr. YODER, Mr. ROGERS of Kentucky, Mr. COLLINS of New York, and Mr. HOLDING.

H.R. 1148: Mr. ROTHFUS, Ms. ROSEN, and Mr. POCAN.

H.R. 1155: Mr. CONYERS.

H.R. 1158: Ms. KELLY of Illinois, Mr. CUMMINGS, Mr. JOHNSON of Ohio, Mr. WELCH, Mr. BLUM, and Mr. CHABOT.

H.R. 1164: Mr. GALLAGHER and Mr. DIAZ-BALART.

H.R. 1181: Mr. DUNN.

H.R. 1205: Mrs. COMSTOCK and Mr. SCHIFF.

H.R. 1206: Mr. VEASEY and Mrs. HARTZLER.

H.R. 1216: Mr. EMMER and Mr. FARENTHOLD.

H.R. 1219: Mr. HOLLINGSWORTH.

H.R. 1223: Mr. MURPHY of Pennsylvania, Ms. ESHOO, and Mr. DONOVAN.

H.R. 1235: Mr. YARMUTH, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KIND, Mr. HASTINGS, Mr. KING of New York, Mr. LARSON of Connecticut, Ms. NORTON, Mr. GRIFFITH, Mr. HULTGREN, Mr. HOYER, Mr. PETERS, Mr. CLEAVER, Mr. DELANEY, and Mr. BLUMENAUER.

H.R. 1236: Mr. RUSH, Mr. CARSON of Indiana, Mr. CÁRDENAS, Ms. MCCOLLUM, Mrs. NAPOLITANO, Mr. HASTINGS, and Mr. GRIJALVA.

H.R. 1239: Ms. SHEA-PORTER and Mr. SERRANO.

H.R. 1257: Mr. HOLLINGSWORTH.

H.R. 1261: Mr. CRAMER.

H.R. 1276: Mr. SEAN PATRICK MALONEY of New York, Mr. JEFFRIES, Mr. TAKANO, Mr. SERRANO, Mr. LAWSON of Florida, and Mr. BLUMENAUER.

H.R. 1284: Ms. DELAURO.

H.R. 1304: Ms. STEFANK.

H.R. 1311: Mr. BANKS of Indiana, Mr. HOLLINGSWORTH, and Mr. SMITH of Missouri.

H.R. 1312: Mr. HOLLINGSWORTH.

H.R. 1326: Mr. DEFazio, Mr. KIND, and Mr. HIMES.

H.R. 1346: Mr. BARLETTA, Mr. PAULSEN, Mr. DENT, and Mr. RYAN of Ohio.

H.R. 1356: Mr. ESPAILLAT, Mr. BUTTERFIELD, Mr. MCEACHIN, Mr. FOSTER, Mr. SOTO, Mr. POCAN, and Mr. DELANEY.

H.R. 1363: Mr. RASKIN and Mr. KILMER.

H.R. 1366: Miss GONZÁLEZ-COLÓN of Puerto Rico.

H.R. 1368: Mr. NADLER and Mr. GARAMENDI.

H.R. 1370: Mr. KEATING.

H.R. 1391: Mr. MESSER, Mr. BUDD, and Mrs. RADEWAGEN.

H.R. 1413: Mr. GRIJALVA.

H.J. Res. 1: Mr. CONAWAY, Mr. GRIFFITH, and Mr. ROE of Tennessee.

H.J. Res. 2: Mr. CONAWAY, Mr. SMUCKER, Mr. GRIFFITH, Mr. ROE of Tennessee, and Mr. COLE.

H.J. Res. 17: Mr. POSEY.

H.J. Res. 26: Ms. CASTOR of Florida.

H.J. Res. 27: Mr. ROKITA.

H.J. Res. 59: Mr. BANKS of Indiana, Mr. WALBERG, Mr. RUSSELL, and Mr. JOHNSON of Louisiana.

H.J. Res. 71: Mr. HENSARLING, Mr. GUTHRIE, Mr. ABRAHAM, Mr. FLORES, and Mr. EMMER.

H. Con. Res. 8: Mr. RICE of South Carolina.

H. Res. 28: Mr. VISCLOSKEY, Mr. SOTO, Ms. ESHOO, Mr. DESAULNIER, and Mr. FOSTER.

H. Res. 31: Mr. CORREA, Mr. SMITH of New Jersey, Mr. MACARTHUR, Mr. SCHIFF, Mrs. DAVIS of California, Mr. VISCLOSKEY, Mr. SOTO, Ms. MAXINE WATERS of California, Ms. ESHOO, and Mr. BERA.

H. Res. 136: Mr. HUFFMAN.

EXTENSIONS OF REMARKS

HONORING THE LIFE OF JOHN
FLEMING AND FAMILY

HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 8, 2017

Mr. RYAN of Ohio. Mr. Speaker, I rise today to honor the life of Mr. John Fleming, his wife Suzanne, and children John and Andrew, who all tragically died in a plane crash over Lake Erie last December.

John was born December 30, 1970 in Youngstown, Ohio. His wife Suzanne was born September 22, 1970 in Youngstown as well. Both John and Suzanne were 1989 graduates of Boardman High School and high school sweethearts. John graduated magna cum laude from Wake Forest University in 1993 as a CPA and member of Sigma Phi Epsilon Fraternity. Suzanne graduated from Youngstown State University with a Bachelor's Degree in social work. They were seventeen year residents of Columbus.

John worked for almost 30 years for the Superior Beverage Group in Columbus and the beverage distribution industry. He was incredibly successful, rising to President and Chief Executive Officer. In addition to his influential leadership in his career, he was a leader in his community. He actively volunteered at nearby charities, and was a yearly supporter of the Dublin Irish Festival. Above all, he was known for being a family man.

His wife Suzanne was a devoted mother and passionate supporter of Juvenile Diabetes Research Foundation, the leading funder of type 1 diabetes research. Their oldest son John was a sophomore at Oletangy Liberty High School where he excelled academically and was an Ohio sports enthusiast. His younger brother Andrew attended the Ohio State School for the Blind in Columbus. Like his brother, he too was an avid supporter of sports, and he also participated in Special Olympics. This family will be greatly missed by their family, friends, colleagues, and their community.

I extend my condolences to their family and friends. These wonderful people will be dearly missed.

REMEMBERING JUSTICE "JAY"
SMYTH III

HON. BRADLEY BYRNE

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 8, 2017

Mr. BYRNE. Mr. Speaker, I rise today to remember the life and legacy of Mr. Justice "Jay" Smyth III, who passed away on February 10, 2017 at the age of 62. Jay was a loving father, son, brother, uncle, and hus-

band. To me, he was a dear classmate, colleague, and friend for more than forty years.

Jay attended both undergraduate and law school at the University of Alabama, where he was involved in the Student Government Association and Theta Chi Fraternity. During his time in school, he was inducted into numerous honor societies such as JASONS Senior Men's Honorary and Delta Theta Phi Legal Honorary.

After graduating from law school in 1980, Jay practiced law in Montgomery, Alabama for nineteen years before moving to Tuscaloosa. Jay was a skilled and thoughtful lawyer who earned tremendous respect from his colleagues. As a true testament to his personality and legal knowledge, Jay was also beloved by his clients; an anomaly for most in the legal community.

Jay was a skilled writer who excelled at telling stories and always took great interest in politics and history. He loved spending time outdoors and grilling out at home. He was a dedicated fan of the Alabama Crimson Tide and greatly enjoyed attending games with his family. Jay was delighted in spending time with his wife and children, whom he loved dearly. Most importantly, he was steadfast in his faith to God and served as a pillar of Christ in his family and his community.

So, to his wife, Rushan, and sons, Justice and Jeff, I want to extend my deepest sympathies. May you take comfort in the warm memories of Jay and the lasting impact he had on so many.

TRIBUTE TO THE BURBANK
UNIFIED SCHOOL DISTRICT

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 8, 2017

Mr. SCHIFF. Mr. Speaker, I rise today to pay special recognition to the Burbank Unified School District as it celebrates its Ninetieth Anniversary.

In 1927, the Burbank Union High School District (BUSD) and the Elementary City School District unified to become the Burbank City School District, which served approximately 1,000 students. The name later changed to Burbank Unified School District to reflect state educational standards.

Today, BUSD's total enrollment is approximately 15,000 students, who attend grades K-12 at three high schools, three middle schools, and eleven elementary schools. The District also has an Alternative Education Program, an Adult Education Program which serves more than 5,000 students, and numerous district child care centers serving preschool or school age children.

The Burbank Unified School District's mission statement reflects its purpose by building

partnerships with parents, families, students, and the community and promises the effective use of all available resources to create, provide, and support quality instructional programs, services, and environments. The District strives to ensure that every student develops the skills, knowledge, attitude, and behavior in order to be a responsible, productive citizen and lifelong learner in a diverse and changing global society.

BUSD is proud to have had seven of its elementary schools named as 2016 Gold Ribbon recipients as well as all three of its middle schools and its comprehensive high schools recognized as California Distinguished Schools. Five elementary schools have earned the distinction of being named 2016 Academic Achievement Award winning schools and four are designated as having Exemplary Arts programs. In addition, the District's continuation high school, Monterey High, has been selected as a state model school, and the Burbank Adult School has been honored as a Program of Excellence by the State of California.

I ask all Members to join me today in honoring the Burbank Unified School District upon the celebration of its Ninetieth Anniversary. The entire community joins me in thanking the past and current School Board Members, Superintendents, Teachers, Administrators and Support Staff of Burbank Unified School District for the outstanding educational opportunities they have provided for the youth of California's 28th Congressional District.

WESTERN NEW YORK COMMUNITY
UNITY

HON. CHRIS COLLINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 8, 2017

Mr. COLLINS of New York. Mr. Speaker, I rise today to commemorate people in my district coming together to take a stand against bigotry, racism, and acts of hate. On March 7, 2017, members of the Muslim Public Affairs Council met with members of the Jewish community at the Jewish Community Center in Getzville, NY. Both groups sat down together to take a stand against recent threats towards the Jewish community in Western New York.

This act of solidarity is an example of a community coming together despite their different backgrounds and beliefs. This type of collaboration in the face of hate is a model for the rest of the country.

During my recent meeting with the Muslim Public Affairs Council, we discussed the importance of uniting behind our shared American values, such as inclusivity and tolerance. The recent demonstration of unity by members of the Jewish community and the Muslim community demonstrates that despite any differences, we are all Americans and must join

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

together in condemning hateful acts in our community.

For their demonstrated leadership, I commemorate the groups and individuals working to bring unity to Western New York.

**THE PASSING OF VALERIY
"LARRY" SAVINKIN**

HON. HAKEEM S. JEFFRIES

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 8, 2017

Mr. JEFFRIES. Mr. Speaker, it is with great sorrow that I rise today in recognition of the untimely passing of Valeriy "Larry" Savinkin, a dedicated and well-respected community leader and my congressional field representative who served the residents of the 8th Congressional District of New York with distinction.

Larry Savinkin was born on October 25, 1955, to Igor and Ada Savinkin. He was brother to Viola, husband to Valentina, father to Galina and Vladimir, father-in-law to Vadim and grandfather to Victor.

Before migrating to Brooklyn with his family from Odessa, Ukraine in 1996, Larry was a hardworking business owner where he operated a door-making company and a chain of merchant stores. Larry's commitment, core values and work ethic allowed him to excel in various positions. He was previously employed as a computer programmer, worked for the United States Census Bureau and served as a Community Liaison for former Congressman Bob Turner. More recently, he was a project manager at the Jewish Association for Serving the Aging (JASA), a local community-based organization that serves older adults of all races, religions and economic backgrounds across New York City.

Larry's success and impact in the neighborhoods of Southern Brooklyn and Queens was not limited to his work with my congressional office. For over 20 years, he was involved in several prominent organizations including the September 11 Family Group, the Brighton Beach Business Improvement District, The Holocaust Memorial Committee, Odessa Community of New York, and Brooklyn's Community Planning Board 13. Larry had a magnetic personality and cared about his community immensely, approached his work with urgency, compassion and had a great sense of humor.

I had the privilege of knowing Larry and working with him throughout the years. I recognize that his integrity was above reproach and his competence was extraordinary. I thank his family and friends for sharing him with us all. Mr. Speaker, I ask that you and my other distinguished colleagues join me in extending gratitude for Larry Savinkin's public service and his commitment to the people of Brooklyn, he is worthy of the highest praise.

DAY WITHOUT A WOMAN

HON. NYDIA M. VELÁZQUEZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 8, 2017

Ms. VELÁZQUEZ. Mr. Speaker, today, across the nation, from every major city to

every small town, women are standing in solidarity, and reminding the world of our contributions. On this Day Without A Woman, women are sending a powerful message about the role we play in local communities, in our nation and throughout the globe.

Yet, sadly, on this very same day that women are standing up to end gender discrimination and economic injustice, defend our bodies from governmental intrusion and to choose our own destiny, Republicans are proceeding with legislation to roll back the clock. Congressional Committees are starting to consider legislation eviscerating the Affordable Care Act. Not only would the Republican plan slash Medicaid, harming working women and children, but it defends Planned Parenthood, ultimately depriving millions of women of life-saving health services.

Mr. Speaker, it is a sad irony on this Day Without A Woman, when millions of ordinary Americans are standing for women's rights and a more just economy, Congressional Republicans are rushing to deprive millions of women and their families of health services they need to survive. This bill was composed behind closed doors, in secret, and now Republicans are rushing it through the Committee process to avoid scrutiny.

On this Day Without A Woman, we are sending a powerful message. I can only hope my Republican colleagues in Congress are listening. Because, today, women everywhere are saying with one collective voice, we will not be silenced.

**HONORING CHIEF ALAN BRAGG: 45
YEARS IN EDUCATIONAL LAW
ENFORCEMENT**

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 8, 2017

Mr. POE of Texas. Mr. Speaker, I rise today to pay tribute to my friend, Chief Alan Bragg, who is retiring after serving a distinguished 45 years in educational law enforcement. He is a lifetime member of what I referred to as the Poe-leece. It is an informal organization made up of long-time friends in Texas' law enforcement community. It is an honor to pay tribute to Chief Bragg as he retires on June 30, 2017 as Chief of Police at Cypress-Fairbanks ISD Police Department.

Alan Bragg was born and raised in Wichita Falls, Texas, and was destined to become a Texas Lawman. He attended Midwestern State University and worked for the university's police department at the beginning of his career. In 1981, Chief Bragg moved to Houston to take a position with the Houston Independent School District Police Department.

He gained nine years' experience with Houston ISD, all the while his pursuit to build safer schools grew. This passion led him to accept a job, in 1990, as Spring Independent School District's first ever Chief of Police. He was tasked to create a new police department from scratch. He started his force with 8 officers and it has grown to over 50 sworn officers. He was responsible for nearly 37,000 students, 5,000 employees and 38 campuses.

His 21 year leadership and legacy at Spring ISD will not be forgotten.

Chief Bragg obtained additional police training along the way. He is a graduate of the FBI's National Academy 201 class and holds a Master Peace Officer Certificate. Throughout the years, he has assisted and been recognized by numerous boards and organizations. He is a member and past president of the Houston Area Police Chiefs Association, North Harris County Criminal Justice Association, and he also served on the board of the Texas Association of School District Police.

For over 20 years, he has coordinated the annual "Salute to Law Enforcement" event, an event that was always held close to National Police Week. It allowed folks to meet local law enforcement officers from different agencies, see the resources used to protect them, and provide an overall positive experience between our law enforcement officers and citizens.

Chief Bragg is a dedicated family man, having been married to his wife Judy for 26 years. He met Judy after the 1979 Terrible Tuesday Tornado that hit Wichita Falls. They were both temporarily homeless, and met at church. They are the proud parents of two children, seven grandchildren and three great-grandchildren. His retirement will provide time for them to serve in their church, travel on mission trips, and spend time with their grandchildren and great-grandchildren.

During those years with Spring, Chief Bragg distinguished himself as an educational law enforcement leader. He possesses a wealth of knowledge, and the entire law enforcement community views him with esteem and respect. His department served as a model for other school district police departments to follow.

Not surprisingly, Chief Bragg's impressive leadership and integrity led him to his last career move. In 2012, he accepted the new start up position as Chief of Police for Cypress-Fairbanks Independent School District. Again, he created another exemplary police force from scratch. For 45 years, he has put on the badge and a gun to protect and serve the folks and communities he loves.

Chief Bragg has been one of the most prominent and important lawman in the 2nd Congressional District, a true Texas hero. He is a remarkable Texan who has achieved extraordinary things in his law enforcement career and for his community. I extend to him my congratulations on his retirement, and commend him for a job well done. I wish him the best of luck in the future as he enters into this new phase of life.

And that's just the way it is.

PERSONAL EXPLANATION

HON. DAVID G. VALADAO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 8, 2017

Mr. VALADAO. Mr. Speaker, on Tuesday, March 7, 2017, I missed votes due to unavoidable flight delays. Had I been present, I would have voted YEA on roll call votes no. 127 and 128.

PERSONAL EXPLANATION

HON. J. FRENCH HILL

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 8, 2017

Mr. HILL. Mr. Speaker, on March 7, 2017, I missed the vote for H.R. 1362.

Had I been present, I would have voted yea on Roll Call No. 127.

PERSONAL EXPLANATION

HON. LYNN JENKINS

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 8, 2017

Ms. JENKINS of Kansas. Mr. Speaker, I was absent for roll call votes 127 and 128 on the evening of March 7, 2017. I would have voted in favor of H.R. 1362, which names the Department of Veterans Affairs community-based outpatient clinic in Pago Pago, American Samoa, the Faleomavaega Eni Fa'aua'a Hunkin VA Clinic. I would have also voted in favor of the motion to table the appeal of the ruling of the chair.

Had I been present, I would have voted YEA on Roll Call No. 127; and YEA on Roll Call No. 128.

PERSONAL EXPLANATION

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 8, 2017

Mr. BLUMENAUER. Mr. Speaker, had I been present for the vote on H.R. 1362, a bill to name the Department of Veterans Affairs community-based outpatient clinic in Pago Pago, American Samoa, the Faleomavaega Eni Fa'aua'a Hunkin VA Clinic (Roll Call No. 127), I would have voted Aye.

Had I been present for the vote on Motion to Table the Appeal of the Ruling of the Chair (Roll Call No. 128), I would have voted "No."

HONORING THE MEMORY OF COMMAND SERGEANT MAJOR WILLIAM FRANCIS RYAN, U.S. ARMY RETIRED

HON. BILL POSEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 8, 2017

Mr. POSEY. Mr. Speaker, on March 24, 2017, Families of the Shield, Inc. will honor the life and sacrifices of Command Sergeant Major William Francis Ryan (USA, Retired) by raising the United States flag over a Big Red One Statue at Eddie's Sunrise Diner located at 55 E. NASA Blvd. in Melbourne, Florida. On February 28, 2017, at my request, the Architect of the Capitol flew the United States Flag over our Capitol Building to further honor Command Sergeant Major Ryan.

Command Sergeant Major Ryan first joined the Merchant Marines and received six Russian medals. He then enlisted in the U.S. Army in 1943 landing on Omaha Beach June 6, 1944, with the first wave of American soldiers. Ryan was a member of the 1st Inf. Div.'s 16th Infantry Regiment during D-Day and the Battle of the Bulge in World War II. During his 30 plus years of service he also volunteered for numerous tours of duty in Korea and Vietnam.

William Ryan retired from the military in 1973 to enjoy his boat, volunteer at the Honor America Museum. Over the years, made several trips back to Belgium and France to honor our fallen heroes, most recently for the 70th Anniversary of D-Day.

Command Sergeant Major Ryan's awards and decorations include: the Bronze Star Medal with (V) Device, the Army Commendation Medal, the Purple Heart, Distinguished Unit Citation, American Campaign Medal, Good Conduct Medal (1st-9th Awards), European-African-Middle Eastern Campaign Medal, WWII Victory Medal, Army of Occupation Medal (GER), National Defense Service Medal (1OLC), Korean Service Medal, Vietnam Services Medal, Belgium Fourragere, In Service Medal, Korean Presidential Unit Citation, Vietnam Campaign Medal w/ 60 Device, Combat Infantry Badge.

William Ryan is survived by his beloved daughter Corrine and her husband Charles; his son Mark, his wife Shannon and their son Paul; his former wife, Lorraine Ryan; predeceased by his son, David W. Ryan and his sister, Margaret Christie. He will be remembered by his many grandchildren, great grandchildren, nieces, nephews and dear friends.

I ask my colleagues to join me in recognizing the late Command Sergeant Major William F. Ryan's service to our nation and his commitment to the cause of liberty.

PERSONAL EXPLANATION

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 8, 2017

Mr. PASCRELL. Mr. Speaker, on March 1, 2017, I missed one roll call vote. Had I been present, I would have voted:

NO on Roll Call Vote 116, H. Res. 156, Providing for consideration of H.R. 1004, the Regulatory Integrity Act of 2017; and H.R. 1009, the OIRA Insight, Reform, and Accountability Act.

I would have cast my vote in opposition to this resolution because the Rules Committee rejected a motion by Ms. SLAUGHTER of New York to consider both H.R. 1004 and H.R. 1009 under open Rules. The Rules Committee also rejected a motion by Mr. MCGOVERN of Massachusetts to strike the waiver of all points of order against consideration of H.R. 1009 which includes waiver of CUTGO, statutory pay-go, and sections 303 and 311 of the Congressional Budget Act.

PERSONAL EXPLANATION

HON. LUIS V. GUTIÉRREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 8, 2017

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent in the House Chamber for roll call votes 127 and 128 on Tuesday, March 7, 2017. Had I been present, I would have voted "Yea" on roll call vote 127 and "Nay" on roll call vote 128.

PERSONAL EXPLANATION

HON. KYRSTEN SINEMA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 8, 2017

Ms. SINEMA. Mr. Speaker, during Roll Call Vote number 128 on Tabling the Appeal of the Ruling of the Chair, I mistakenly recorded my vote as yes when I should have voted no.

PERSONAL EXPLANATION

HON. JOHN ABNEY CULBERSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 8, 2017

Mr. CULBERSON. Mr. Speaker, on account of illness, I was not present for votes on March 7, 2017. Had I been present, I would have voted YEA on Roll Call No. 127, and YEA on Roll Call No. 128.

PERSONAL EXPLANATION

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 8, 2017

Mr. PASCRELL. Mr. Speaker, on February 28, 2017, I missed one roll call vote. Had I been present, would have voted:

NO on Roll Call Vote 104, H. Res. 150, On Agreeing to the Resolution—Providing for consideration of the bill (H.R. 998) SCRUB Act, and providing for consideration of (H.J. Res. 83) disapproving the rule submitted by the Department of Labor relating to Clarification of Employers Continuing Obligation to Make and Maintain an Accurate Record of Each Recordable Injury and Illness.

I would have cast my vote in opposition to this resolution because the Rules Committee rejected a motion by Mr. HASTINGS of Florida to strike the waiver of section 311 of the Congressional Budget Act for H.J. Res. 83.

IN RECOGNITION OF MUSLIM LAKHANI

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 8, 2017

Mrs. COMSTOCK. Mr. Speaker, I rise to recognize my constituent, Muslim Lakhani, for

his contributions to Virginia's 10th District and the nation. Mr. Lakhani, a Pakistani immigrant and entrepreneur, has long championed efforts to promote tolerance among different faiths, to partake in charitable projects, and to conduct strong, forward-thinking business practices.

Mr. Lakhani grew up in Karachi, Pakistan and later became an entrepreneur. His many business ventures allowed him to travel to countless countries throughout the Middle East and Europe. However, it was the lessons he learned as a young child that have truly shaped his humanitarian and caring mindset that he maintains today.

Growing up in Pakistan, he and his family always place a very strong focus on helping those less fortunate. After moving to the United States in 2006, Mr. Lakhani was regularly reminded of his family's values as he watched organizations like the Salvation Army help the homeless in Washington, D.C. Since 2008, Mr. Lakhani has been a strong supporter, contributor, and advocate for the Grate Patrol Homeless Outreach Program, which provides professional guidance to homeless people and also feeds 200 people daily in the nation's capital. Additionally, Mr. Lakhani studied both Christian and Muslim texts in grade school, which is where he garnered an interest in diverse beliefs and religious tolerance. Social Vision, the self-funded philanthropic arm of his company, ML Resources LLC., focuses on establishing stronger interfaith relationships, and additionally Mr. Lakhani strongly advocates for defeating terrorism.

Mr. Lakhani's childhood lessons coupled with his work ethic and strong business practices have allowed him to make a great impact on today's society. He has had the opportunity to speak in Rabat, Morocco at the Forum for the Future meeting on behalf of the Arab Business Council, and has received impressive awards, such as the InterFaith Bridge Builders Award at last year's InterFaith Conference of Metropolitan Washington.

Mr. Speaker, I ask that my colleagues join me in recognizing Mr. Lakhani. It is a privilege to represent him and I wish him all the best in his future endeavors.

IN HONOR OF THE 100TH BIRTHDAY OF BEE SWADER MALONE

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 8, 2017

Mr. ROGERS of Alabama. Mr. Speaker, I ask for the House's attention today to recognize the birthday of Bee Swader Malone. She will turn 100 on March 30th.

Jessie Beatrice Swader Malone was born on March 30, 1917 in the Pine Grove community on Sand Mountain in DeKalb County, Alabama. Born to Robert and Addie Swader, she grew up on her parents' farm and attended school in nearby High Point and Valley Head, graduating from Valley Head High School in 1937.

Bee was working at J.C. Penney when she first met Marvin E. Malone, Jr., who worked in the shoe department there. They married and

settled in Fort Payne, Alabama where Marvin worked for Southland Sox, Inc. They had three daughters: Kay, Ann, and Susan; and three grandchildren: Shannon, Oliver, and Halle; and now Bee is the great-grandmother of two girls: LizaBanks and Bea.

Bee and Marvin ran Malone Mills, a hosiery finishing mill in Fort Payne, for many years. First Presbyterian Church in Fort Payne honored her with a life membership for her active role there over many decades. Bee is still known in the church and far beyond for her excellent cooking, gardening, sewing, and handwork. She has voted in every single presidential election since she turned the legal voting age, which was then 21, and she was profiled in the Times-Journal last November for being one of the oldest registered voters in DeKalb County.

Bee still lives on her own today, in her house of almost 57 years on a hill overlooking Fort Payne. This month Bee will be celebrating her 100th birthday with a gathering of family and friends. Please join me in wishing this centenarian a very happy birthday.

REMEMBERING ENI F. H.
FALEOMAVAEGA

HON. MARK SANFORD

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 8, 2017

Mr. SANFORD. Mr. Speaker, I rise today to honor the life of our friend and colleague, Eni F. H. Faleomavaega of American Samoa, who passed away on Wednesday, February 22, 2017. He was the longest serving delegate to the House of Representatives, and I had the honor of serving with him over the past few years and when I was first in Congress from 1995 to 2001. It was at the beginning of that chapter that we, freshman members of the class of 1994, soon realized what a wise man he was, and we often looked to him for wisdom and institutional knowledge throughout the years we served together. I will miss that, and I know all of us here in the House extend our deepest sympathies to his wife, Hinanui Hunkin, their 10 children, and their 15 grandchildren. Know that you remain in our thoughts and prayers and that we grieve with you.

CONGRATULATING ERNEST AND
JOAN RISTER ON THEIR 50TH
WEDDING ANNIVERSARY

HON. JOHN R. CARTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 8, 2017

Mr. CARTER of Texas. Mr. Speaker, while January 1967 brought record-breaking snowstorms to Chicago, Texas had temperatures in the mid-70s. This was perfect for Ernest and Joan Rister of Round Rock, Texas, who joined hands on January 22, 1967 at St. Cyril Methodist Catholic Church in Granger, Texas to become husband and wife.

Decades have passed and the Risters are as devoted to one another as the day they

wed. They recently celebrated their 50th anniversary with over 400 guests honoring their Czech and German roots. All in attendance celebrated the Risters' longevity and deep love for one another.

They met in grade school while living in Granger, TX and started dating their freshman year. These two high school sweethearts have been inseparable ever since. Following their wedding, Ernest graduated from Southwestern University in Georgetown and served in the United States Marine Corps. They returned to Texas and moved to Round Rock in 1975, living in the same house ever since.

Ernest currently works as a research chemist and Joan is a retired real estate appraiser. They love the outdoors, gardening, hunting, and fishing. They especially enjoy spending time with their son Ernest Lee Rister III and his wife Annie, daughter Shelley and her husband Malcolm Middlebrook, and two grandchildren Camryn and Zachary Middlebrook. There's no doubt the Risters have built a happy life together.

Marriages like the Risters are the foundations of one of our most cherished institutions and give us all an ideal to which we can aspire. Their undying love for one another makes both Texas and our nation strong. I congratulate Joan and Ernest on 50 years together and wish them the best in the years to come.

IN MEMORY OF THE HON. ENI F.
H. FALEOMAVAEGA

HON. BRAD SHERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 8, 2017

Mr. SHERMAN. Mr. Speaker, I rise today to include in the RECORD an official statement and tribute written by the family and staff of our former colleague, Congressman Eni F. H. Faleomavaega of American Samoa. Congressman Faleomavaega was a good friend, an outstanding colleague, and a fighter for the people of American Samoa.

IN LOVING MEMORY OF CONGRESSMAN ENI F. H. FALEOMAVAEGA OF AMERICAN SAMOA BY HIS FAMILY AND STAFF

The Honorable Eni F. H. Faleomavaega was American Samoa's longest-serving Delegate to the U.S. House of Representatives, and the first Asian-Pacific American to serve as Chairman of the influential House Foreign Affairs' Subcommittee on Asia, the Pacific and the Global Environment. He held the matai, or chieftain, orator title of Faleomavaega.

Eni Hunkin, Jr., was born in the village of Vailoatai, American Samoa on August 15, 1943. He was raised in lovely Laie, Hawaii where the skies are blue and "the rainbows spread their shining wings." He played full-back for the Red Raiders at Kahuku High School, graduating in 1962. At the Polyneesian Cultural Center (PCC), he was a canoe paddler and a dancer. In 1964, he graduated from the Church College of Hawaii (BYU-Hawaii) with an Associate of Arts (AA) Degree. He earned a Bachelor of Arts (BA) in Political Science from Brigham Young University (1966); a Juris Doctor (JD) from the University of Houston Law School (1972); and a Master of Laws (LLM) from the University of

California, Berkeley Boalt Hall School of Law (1973). English was his second language.

From 1973–1975, Eni Hunkin, Jr., served as Administrative Assistant to Paramount Chief A.U. Puimaono, American Samoa's first elected Representative to Washington, DC. From 1975–1981, he served as Staff Counsel to the U.S. House of Representatives Committee on Interior and Insular Affairs, chaired by Congressman Phillip Burton who entrusted Eni with drafting legislation to provide American Samoa with an elected Governor and an elected Delegate. At the advice of late Senate President Paramount Chief Letuli Toloa, Eni returned home to American Samoa to “eat the dust and walk on the rocks” so that he could feel more directly the pains of the people in order to serve them more completely. From 1981–1984, Eni Hunkin, Jr., served as American Samoa's Deputy Attorney General and, from 1985–1988, he served as Lieutenant Governor of American Samoa. In 1988, Eni was elected to the U.S. House of Representatives where he served the people of American Samoa for some 26 years (1989–2015), and would still be serving today if not for illness.

Congressman Faleomavaega wore out his life in the service of his fellow beings and, by extension, he wore out his life in the service of our God. Faleomavaega's works brought American Samoa a Veterans Affairs (VA) clinic, a new Army Reserve Center, more funding per capita than any other State or Territory across many sectors (including education), over \$4 billion in federal funding from 1995–2012 (with over \$2 billion as a direct result of his advocacy), Medicaid increases, computer labs, dialysis machines, village road improvements, ferries, fire trucks, ambulances, a hotel, funding for an airport tower and other capital improvement projects totaling over \$200 million, assistance for American Samoa's tuna canneries that extended the life of the industry in the Territory, WIC, food stamps, improved water systems, and military academy nominations and scholarships.

Congressman Faleomavaega also guaranteed the voting rights of American Samoa's military men and women, protected and expanded American Samoa's National Park, saw to it that American Samoa was included in the Commemorative Coin Program with a circulating quarter dollar honoring American Samoa's long and proud commitment to the United States, and made sure a postage stamp was issued in honor of American Samoa's Centennial. He was responsible for implementing a law that authorized free medical flights for American Samoa's veterans. He established an American Samoa Economic Development Commission. He obtained money to build high school gymnasiums, renovate and construct a harbor facility in Manu'a, and improve American Samoa's weather station. He also extended direct home loans to American Samoa's veterans.

When American Samoa was hit by a tsunami in 2009, Congressman Faleomavaega turned to his long-time friend, Chairman Kim Seung Youn of the Hanhwa Group, to provide funding to bury American Samoa's dead. Chairman Li Ka-shing of Hutchinson Whampoa also came to Faleomavaega's aid and provided significant private sector funding.

Congressman Faleomavaega also served his constituents individually—handling hundreds of veterans, visa, immigration, Social Security and military cases per year. He sponsored and cosponsored thousands of Bills and Resolutions during his service in the

U.S. Congress. According to the Congressional Research Service (CRS), during the 101st–113th Congress, Faleomavaega participated in more than 1,100 U.S. Congressional full committee and subcommittee hearings of the Foreign Affairs and Resource Committees—and chaired and/or spoke in more than 800 hearings. His Floor statements, recorded in the CONGRESSIONAL RECORD for historical purposes, are too numerous to count.

Still, this is only a small and known part of the great work he did. From American Samoa to Vietnam, Cambodia, Laos, Malaysia, South Korea, India, China, the Philippines, Sri Lanka, Kazakhstan, Uzbekistan, Kyrgyzstan, Chile, Taiwan, West Papua, Vatican City, Greece, Norway, Australia, New Zealand, Tonga, Western Samoa, the Marshall Islands, Fiji, Tahiti, Palau, Kiribati, Vanuatu, Micronesia, the Cook Islands, Rapa Nui, and so on and so forth, Congressman Faleomavaega was a statesman like no other. He was a trailblazer, a peacemaker, and a skilled and respected world leader.

He was also a hero, especially to those known to the world as “comfort women”—to those who as young women were coerced into sexual slavery during Japan's colonial and wartime occupation of Asia and the Pacific Islands from the 1930s through the duration of World War II. Congressman Faleomavaega referred to these victorious survivors as his “grandmothers” and, every time he was in South Korea, he visited and danced with those who lived at the House of Sharing. He cared deeply for them. He dared to hold a hearing for them. He invited them to testify on House Resolution 121, introduced by Congressman Mike Honda and cosponsored by Faleomavaega and others, which called for Japan to formally acknowledge, apologize, and accept responsibility for its Imperial Armed Forces' atrocities. While Resolutions had been offered before, no hearing had ever been held in the U.S. Congress for these women until Faleomavaega held his first hearing as Chairman of the Subcommittee on Asia, the Pacific, and the Global Environment. The hearing was historic. It lit the world on fire—and changed the outcome for the surviving “grandmothers,” who finally got an apology from Japan. Congressman Faleomavaega was conferred an Honorary Doctorate Degree by Chonbuk National University in South Korea and was named an Honorary Citizen of Jeollabuk-do.

For Vietnam, Faleomavaega also stood strong and immovable—calling for the U.S. to clean up the mess it left behind after the Vietnam War. As a young soldier in the United States Army, Faleomavaega served in Vietnam from 1966–1969 where he, too, was exposed to Agent Orange—complications from which eventually claimed his life. As Chairman of the Subcommittee on Asia, the Pacific, and the Global Environment, he returned to Vietnam for the first time after 40 years. He returned to Nha Trang where once he was a soldier, and was so moved by the experience that he held historic hearings about Agent Orange remediation, which included testimony from Vietnamese victims and briefings by Vietnam government officials. Although only a Delegate representing the smallest constituency in the U.S. Congress, Faleomavaega was given the high honor by the Socialist Republic of Vietnam of hosting President Truong Tan Sang during his historic visit to Washington, DC in 2013. And while in Vietnam, Faleomavaega and his wife, Hinanui Bambridge Cave Hunkin, were hosted by Prime Minister Nguyen Tan Dung and members of the National Assembly, including Vice Chairwoman Madam Tong Thi

Phong, also a Politburo member. Faleomavaega praised Vietnam for great strides in religious freedom, and remained forever grateful for Vietnam's official recognition of The Church of Jesus Christ of Latter-day Saint, of which he was a member.

Beyond Vietnam, Faleomavaega was a hero to Native Americans, to people in Cambodia whose families were killed by the Khmer Rouge, to the people of West Papua, to the people of Laos whose lands were destroyed by cluster bombs. He was a friend to Prime Minister Narendra Modi of India at a time when Shri Modi needed a friend. Congressman Faleomavaega helped Myanmar, Bahrain, Pakistan and Afghanistan. President Nursultan Nazarbayev of Kazakhstan awarded Faleomavaega the country's highest civilian honor for championing the cause of nuclear nonproliferation and drawing the world's attention to the people of Semipalatinsk and those in the Pacific Islands who had been subjected to Cold War nuclear testing. Although Congressman Faleomavaega was arrested by French commandos when he sailed on the Rainbow Warrior to protest French nuclear testing in Polynesia, he was not deterred. Faleomavaega was a warrior and voyager at heart—and served as a crew member aboard the Polynesian voyaging canoe, the *Hokule'a*, which sailed from Tahiti to Hawaii in 1987 with Native Hawaiian navigator Nainoa Thompson at the helm. Faleomavaega was the author of *Navigating the Future: A Samoan Perspective on U.S.-Pacific Relations* (1995). Before his passing, he was writing his second book, which may be printed in memoriam.

He also proudly served in the United States Army Reserve as a Captain, U.S. Army Judge Advocate General's Corps Member, 100 Battalion 442nd Infantry Reserve Unit from 1982–1989, and he always went for broke. Congressman Faleomavaega served on the House Committee on Resources and the Subcommittees on Insular Affairs, Oceans and Wildlife (which had broad jurisdiction for matters affecting American Samoa); Indian and Alaska Native Affairs; Fisheries Conservation, Wildlife and Oceans; and National Parks, Recreation and Public Lands. He also served on the Committee on Foreign Affairs (previously known as International Relations) and the Subcommittees on Asia, the Pacific, and the Global Environment (known as Asia and the Pacific); and the Western Hemisphere. He was a member of the Small Business Committee. Faleomavaega established the Congressional Caucus on U.S.-India Trade and Investment, the Friends of Vietnam Caucus, and the Congressional Caucus on Central Asia.

He was loved both by Democrats and Republicans in the U.S. Senate and House of Representatives. Upon his passing, many of his colleagues as well as leaders from around the world paid tribute to Congressman Faleomavaega for his extraordinary service and powerful contributions at home and abroad. At home, Congressman Faleomavaega built American Samoa on a foundation of solid rock so that those who follow might be successful. Around the globe, he met with Heads of State—with kings, presidents, rulers and magistrates—but in all his doings, he never forgot the poor and needy. He was a friend to all to the end. He was noble, kind and true.

When interviewed by the United States Capitol Historical Society, Congressman Faleomavaega said he wanted to be remembered for doing his best, that's it. He succeeded. From Tutuila to Manu'a, from one

far corner of the earth to another, he will be remembered for doing and being his best. He will be remembered because we hold him dear. We have lost a treasure. We have lost a father, brother, papa, uncle, friend. Surely, the sun has fallen from the sky.

As one pioneer put it, "The journey home ain't always easy. We'll have a hard time getting there. But along the way, we'll see things we've never before seen—great herds of buffalo and big cedar trees on the hills, and maybe even vast expanses of sunflowers in bloom." For many of us, Eni was like a vast expanse of sunflowers in bloom. We miss him, and love him.

Surrounded by his loved ones, Eni Hunkin, Jr., passed away peacefully on February 22, 2017. He is survived by his wife of 45 years, Mrs. Hinanui Bambridge Cave Hunkin and their five children—Temanuata (Mike Laussen), Tualai (Kolotau Vaitu'ulala), Ra'imana (Malia Rivera), Vaimoana, and Leone (Taufui-e-valu Vakapuna)—ten grandchildren (Leonne, Eni, Kolotau, Kenzo, Dexter, Taimana, Taiatea, Tutehau, Maiana, and Robbie)—his sisters (Vaitinasa Salu Hunkin-Finau, Ed.D. and Mrs. Masinaatoa Magalei)—his brother, Mr. Albert Hunkin—and his adopted, or hanai sisters, Mrs. Diane Sauers and the late Mrs. Susie Osborn. His siblings, Mrs. Tuilua'ai Vanisi, Mrs. Arlene McBraun and Mr. Taulauniu Hunkin, as well as his parents, Mr. Eni Hunkin, Sr., and Mrs. Tualai Manu Hunkin, preceded him.

Leone High Chief Senator Faiivae Iuli Alex Godinet of the American Samoa Legislature (Fono), who formerly served as Faleomavaega's Chief of Staff in American Samoa, and Dr. Lisa Williams, Faleomavaega's Chief of Staff in Washington, DC and his Staff Director for the House Foreign Affairs' Subcommittee on Asia, the Pacific, and the Global Environment, joined with the family in preparing and issuing this statement so as to honor their great mentor who shaped their lives and careers in untold ways.

They did so on behalf of the many other staff members who also faithfully served with Congressman Faleomavaega both in American Samoa and Washington, DC, including but not limited to Tavita Richmond, Vili Le'i and Leilani Pimentel.

Mr. and Mrs. Don and Linda Saaga, Major General Robert G. Lee, and many other individuals and organizations too numerous to name, have also paid tribute, including BYU-Hawaii. Noting that one of its most notable alumni has passed away, the university stated, "Eni's life embodies President David O. McKay's prophecy about BYU-Hawaii educating 'men and women whose influence will be felt for good toward the establishment of peace internationally.'"

Although Congressman Eni F. H. Faleomavaega has returned home to the God who made him and now rejoices with his many friends and loved ones on the other side of the veil, his influence remains with us. And so, we take comfort knowing that Jesus Christ is the Light of the world (John 8:12). He is the Promised Messiah. He is our Savior and our King. "He is risen" (Matthew 28:6). As Elder Joseph B. Wirthlin testified, "The Resurrection is not a fable." "On Sunday, the resurrected Lord burst the bonds of death." And because He lives, we will live again. We will meet again. Until then, Jesus Christ "will wipe away all tears from [our] eyes" (Revelation 7:17). Tell it out with joyful voice. All is well.

IN HONOR OF THE LIFE OF COLONEL BILL JENRETTE

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 8, 2017

Mr. ROGERS of Alabama. Mr. Speaker, I ask for the House's attention today to recognize the life of Colonel Albert W. "Bill" Jenrette who passed away on February 27th.

Colonel Jenrette was born on November 6, 1937 in Conway, SC. He attended the Citadel, and upon graduation, he became a career Army officer.

While he was stationed in Germany for the first time, Colonel Jenrette married Ursula Klauer. Together they had two children, Jennifer and Kevin. Tragically, Kevin was killed in combat in Afghanistan in 2009.

Colonel Jenrette served two tours in Vietnam. After his second tour, he became the JROTC Senior Army Instructor at Lyman Ward Military Academy in Camp Hill, Alabama.

Colonel Jenrette received the Legion of Merit and the Bronze Star.

After retiring from the Army, Colonel Jenrette returned to Lyman Ward Academy as Commandant of Cadets. In 2007, after a brief stint in the private sector, he returned to Lyman Ward as President. Upon his retirement as President, Colonel Jenrette became Chairman of the Board of Trustees and Chancellor of the Academy at Lyman Ward.

Mr. Speaker, please join me in recognizing the life and achievements of Colonel Bill Jenrette.

RECOGNIZING INTERNATIONAL WOMEN'S DAY AND CELEBRATING THE IMPORTANCE AND IMPACT OF WOMEN ON AMERICAN SOCIETY AND ECONOMY

HON. PAUL TONKO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 8, 2017

Mr. TONKO. Mr. Speaker, I rise today to recognize the occasion of International Women's Day. You may also notice that I am wearing red, a symbol of solidarity with the A Day Without Women campaign. This is an important occasion for us to recognize the economic power and impact that women have in our economy and in our lives.

It is long past time that we as a nation provide for fairness in the workplace by ensuring equal pay for equal work, defend the right to choose, end violence against women, secure access to affordable childcare and healthcare for working families, and strengthen paid family leave.

I was proud to march with thousands of my constituents and millions of women all across the country during the Women's March. We showed that we are united and that together we will stand up for one another and speak out for anyone being trampled over, run through or pushed aside. Women are not objects to be owned, objectified or treated as second class citizens. Women's rights are

human rights and human rights are women's rights.

The Women's March was an important moment to secure our rights to speak and be heard. Today, on International Women's Day, as many observe the Day Without a Woman Strike, remember that women's voices are the voices of our coworkers, our mothers, sisters, daughters, leaders, community members, consumers, and major economic players.

I stand with the many women today taking part in the Day Without a Woman strike, and the millions more in New York State and throughout the nation who share these values.

RECOGNIZING ROBERT STRINGER

HON. DOUG COLLINS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 8, 2017

Mr. COLLINS of Georgia. Mr. Speaker, I rise today to recognize the dedication of Robert Stringer of Gainesville, Georgia. Mr. Stringer exemplifies the hardworking, persevering spirit of the people of Northeast Georgia.

Mr. Stringer retired from his job of 55 years at Oakwood-based Clipper Petroleum on his 80th birthday, February 22nd. He worked as a service technician and construction worker, and, through the years, Mr. Stringer helped maintain gas pumps and tanks at Clipper stores across Georgia and South Carolina.

During his long career, he also raised a beautiful family. Married at 27, he and his wife had two sons and one daughter. He is now a grandfather to six. In his family room at home, Mr. Stringer displays the plaques that he's earned throughout his career next to his many family photographs. His daughter, Betsy Ross, says she is "so proud and thankful that my dad was able to retire when he felt the time was right for him. He is a true inspiration to me and my brothers."

Mr. Speaker, I am honored to recognize the diligence and dedication of our own Robert Stringer. He has set an example for Hall County and northeast Georgia with his hard work. I wish him a relaxing and restful retirement—he has earned it.

COMMEMORATING THE 50TH ANNIVERSARY OF WOODBURY, MINNESOTA

HON. BETTY MCCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 8, 2017

Ms. MCCOLLUM. Mr. Speaker, I rise today to commemorate the 50th Anniversary of Woodbury, Minnesota. Located east of Saint Paul on the picturesque high ground between the Mississippi and St. Croix River Valleys, Woodbury has quickly grown from a small farming community to a bustling suburb of 68,000 residents. The city of Woodbury enters its 50th year as a thriving community for all ages, with excellent schools, vibrant businesses and beautiful neighborhoods, lakes and parks.

In the 1840s, settlers primarily from the eastern U.S. and Germany arrived to the area, then called Red Rock by the native Dakota. Settlers soon incorporated the area as a township and named it after former U.S. Senator, Secretary of the Navy and Treasury, and Supreme Court Justice, Levi Woodbury. Much of the wooded land was converted into farmland, and agriculture dominated the area over the course of the next century. As development pressures increased, in 1967 residents chose to incorporate as the city of Woodbury to retain local control over rapid development of the community.

Today, Woodbury is one of the fastest growing Minnesota communities and is currently the state's ninth largest city. Twenty-thousand new residents flocked to the city between 2000–2016 and many more are expected to arrive in the coming years, attracted by its tremendous amenities and easy access to freeways and planned transit connections. Woodbury is home to a flourishing health and wellness industry, and has also drawn countless other businesses to the area, which benefits from one of the most highly educated workforces in the nation. It is no surprise that Woodbury is regularly rated one of the "Best Places to Live" in national rankings.

Since its founding, residents of Woodbury have always demonstrated a giving spirit to improve their community and welcome newcomers. As Woodbury grows and thrives, new residents are bringing diversity, creativity and energy that ensure the city will be an even better place in the next 50 years. I encourage all residents to recognize this special anniversary year and share their memories and their vision for the next half century.

Mr. Speaker, as residents of Woodbury prepare to gather on March 27, 2017 to celebrate the 50th Anniversary of the city, please join me in honoring this milestone.

IN RECOGNITION OF THE LIFE
AND LEGACY OF CALIFORNIA
SENATOR LUCY KILLEA

HON. SUSAN A. DAVIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 8, 2017

Mrs. DAVIS of California. Mr. Speaker, I rise to honor a beloved and widely respected public servant who died at the age of 94. Through her visionary and inspirational leadership she brought forward generations of leaders dedicated to the public good and the growth of the City of San Diego, and the State of California.

It is fitting that at this time, as we celebrate the history of the contributions of women throughout the month of March that I should rise to speak of Senator Lucy Killea.

Lucy's life of public service began during WWII, working as a military intelligence officer with the Central Intelligence Agency, and as an aide to First Lady, Eleanor Roosevelt, in 1946, during the first General Assembly of the United Nations.

She and her husband John Killea, served ten years as U.S. diplomats in Mexico, which no doubt influenced Lucy's commitment to foster dialogue and collaboration between the

United States and Mexico. After their diplomatic service Lucy, and her husband, moved to San Diego, where she completed a doctorate in Latin American History from the University of California, San Diego. Lucy had a full career prior to running for political office.

In 1978, San Diego Mayor Pete Wilson, appointed Lucy, to an empty seat on the City Council. In 1982 she was elected to the California State Assembly, where she established the first bipartisan women's caucus in the legislature, and won election to the California State Senate in 1989. She championed the environment, women's health, and ethical governmental practices. She honored her constituents and placed their interests above her own.

As I remember Lucy, I think of her not only as a dynamic and committed public servant but as a mentor, a role model and a friend. She worked tirelessly to support women and young people in their efforts to win public office. I count myself among the many Californians involved in public service, who, when confronted with tough political situations, often ask themselves, "What would Lucy do?" We recall how she left the Democratic Party and ran as an independent when she no longer believed that she could serve her constituents with a party label.

The word trailblazer is often used to describe her political leadership and it is in many ways inadequate to describe how much she has contributed to San Diego, her adopted city, and the great State of California.

Lucy's honesty, integrity and respect for civil discourse made her a remarkable leader and a dear friend to many. She truly represents the "best of us," and is dearly missed.

HONORING INTERNATIONAL
WOMEN'S DAY

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 8, 2017

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise in honor of International Women's Day. While there are many issues that women face, including equal pay for equal work, affordable child care, access to affordable and quality healthcare, paid family leave, and the general rights of women of color and lesbian, bisexual, and transgender women, I would like to focus today on reproductive rights.

Roe v. Wade became the law of the land in 1973 when the Supreme Court of the United States deemed abortion to be a fundamental right. In recent years, that fundamental right to make a private choice about one's own body has been challenged by legislation and in the court system. Anti-choice legislation that places a ban on abortion care after a certain number of weeks of pregnancy, challenges to the contraception mandate in the Affordable Care Act, and most recently, passing a Congressional Review Act regarding changes to the Title X program are just a few of the tactics the House Republicans have used to undermine reproductive care for women in this country.

Along with reproductive care, we must educate our youth about sexual health. Instead of using evidence-based sexual education programs, many Republicans have instead advocated for abstinence-only education. These programs promote the false notion that "sexual risk avoidance education" is effective, but they are harmful and stigmatizing. Young people deserve real information about sexual health and well-being. Research shows that when young people have the necessary information about contraception as well as abstinence, they will delay initiation, reduce sexual activity, and increase use of condoms and contraception while seeing a reduction in unintended pregnancy and STD rates. Sexual health and education and reproductive health go hand-in-hand, but the GOP continues to ignore the evidence and add unnecessary barriers which ultimately increase rates of unintended pregnancy and decrease access to family planning care.

Within days of his inauguration, President Trump signed an executive order enacting the Global Gag Rule, which forces any foreign organization that receives U.S. foreign aid dollars to certify that they do not use their own funds to pay for abortion services, counsel patients about the option of abortion, or advocate for the liberalization of abortion laws. This policy is a change and an expansion from previous law which has banned U.S. foreign aid dollars from being used for abortion related activities since 1973. Advocates have called this new policy the "Global Gag Rule on steroids." This expansion delivers a devastating blow to NGOs and is dangerous for reproductive health internationally.

At a time when the current administration seems to be more against women than with us, we must stand up for ourselves. We must continue to bring forward evidence-based and sensible policies that are good for women and good for our population. Whether we are discussing reproductive health, economic equality, civil rights, or the many other issues that women face, we must face them together.

IN RECOGNITION OF CELEBRATING
150 YEARS OF THE SENTINEL-
TRIBUNE

HON. ROBERT E. LATTI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 8, 2017

Mr. LATTI. Mr. Speaker, I rise to celebrate a treasured institution in my hometown of Bowling Green, Ohio, the Sentinel-Tribune Newspaper. The Sentinel-Tribune, a staple of Wood County has provided news coverage for the local community for 150 years and continues to be a must-read six days a week.

The Sentinel-Tribune began as just the Sentinel when it was originally established in 1867. The Sentinel served the people of Bowling Green and southern Wood County who sought to change the county seat from Perrysburg to Bowling Green. In 1906, a merger with the Tribune was initiated, becoming the publication we recognize today.

While the newspaper business has changed drastically since the 1800's, the Sentinel-Tribune has kept pace. Advances in technology

have allowed anyone to share information at the push of a button and news travels quicker than ever. The Sentinel-Tribune continues to adapt to serve its readership through daily circulations and a growing digital presence.

The Sentinel-Tribune has proven that it is an indispensable source for its readers that want to know what is happening in their community, their state, and their country. It's a testament to the leadership, the reporters, and the staff at the newspaper that they have been so successful for a century and a half.

Mr. Speaker, a news publication that continues to serve the public interest as well as the Sentinel-Tribune deserves to be celebrated and honored. The paper remains a trusted and valued news publication that has served the people of Ohio for 150 years. I want to recognize the Sentinel-Tribune for its years of service to the people of Ohio and the local community.

GRATITUDE FOR THE WORK OF
THE INTERNATIONAL INSTITUTE
OF MINNESOTA

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 8, 2017

Ms. McCOLLUM. Mr. Speaker, today is International Women's Day and I am proud to be a strong advocate for equity, opportunity, and full rights for women and girls both in the United States and around the world. Over my tenure in Congress, I have fought to improve women's healthcare, advance pay equity, and make sure girls have access to every educational opportunity that is available to boys.

With the Trump administration now in the White House, I am very concerned that the significant progress made to improve women's lives are under threat of being diminished, rolled back or extinguished. I remain fully committed to standing up, speaking out and championing the rights of women and girls.

This past weekend I attended an event hosted by the International Institute of Minnesota (IIM) to celebrate International Women's Day. It was a tremendous honor to receive IIM's 2017 Olga Zoltai Award for Service to New Americans. Special thanks to Jane Graupman, IIM's amazing executive director, and Kitty Gogins, IIM's board chair and daughter of Olga Zoltai. IIM's staff works hard doing the important work of resettling refugees. Their work builds a strong foundation for new American families that helps them achieve success and self-sufficiency.

Unfortunately, the anti-immigrant executive orders issued by the Trump administration, especially the refugee ban, can only be called a betrayal of our values as Americans and the core beliefs that make this a great country.

As I said in my remarks upon receiving this special award, "There is amazing strength and perseverance in each and every refugee story. The millions of women, men and children who have found their way to America have made this country better. Their courage must now be our courage as we resist isolationism, bigotry, and the scapegoating of good people seeking freedom and a new life in America."

I include in the RECORD my full remarks and a brief biography of Olga Zoltai who was truly an amazing woman.

Throughout my career in Congress I have made the rights of women and girls a priority.

We want a more peaceful, prosperous world, a world where children are healthy and families are strong, then let us invest in women and girls.

The United States is the wealthiest nation on Earth. We must be investing in women and girls, not cutting funding and assistance that saves lives, protects the vulnerable and builds better futures.

Empowering women and girls is not controversial, it is essential. It means giving every girl the opportunity she deserves—the right—to go to school and receive an education. It means eliminating discrimination, exploitation and violence against women and girls—whether it be trafficking, forced marriage of girls, or pay discrimination right here in the United States.

Empowering women means access to employment, healthcare, and safe childcare. And, empowering women means asking a room full of women to think about standing up and be leaders—maybe running for elected office one day—for school board, city council, mayor, the state legislature, or the even the U.S. Congress.

I am sure that each of us here today is very concerned about new policies that are coming out of this White House that impact refugees. In my view, these policies are a betrayal of America's values and the core beliefs that make this a great country.

We must resist these close minded and harmful policies. We must resist in Congress, in the courts, and in our communities. But it is also critical to continue to be welcoming, caring and embracing of all New Americans. It is more important than ever.

There is amazing strength and perseverance in each and every refugee story. The millions of women, men and children who have found their way to America have made this country better. Their courage must now be our courage as we resist isolationism, bigotry, and the scapegoating of good people seeking freedom and a new life in America.

Olga Zoltai was a refugee who dedicated her life to welcoming refugees. Olga's work is now our work and must continue this important work the same passion and commitment.

Thank you for this very special award—I will treasure it. And, I will carry Olga in my heart as we fight to keep America a country that welcomes refugees and strives to offer hope, opportunity and freedom to all people.

Thank you, Kitty. Thank you, Jane. And, thank you to everyone here today.

OLGA ZOLTAI, PATRON SAINT OF IMMIGRANTS

On Thursday, June 9, 2016, former Institute staff member Olga Zoltai passed away. Olga was a tireless advocate for refugees and immigrants. Her tenacity and dedication improved the lives of thousands of New Americans in our community. A refugee herself—at the age of 13, Olga and her family fled her hometown of Sopron, Hungary as Soviet forces invaded—Olga worked at the International Institute of Minnesota from 1971 to 1993. During her years at the Institute, Olga designed innovative programs that responded to the needs of New Americans, transforming and strengthening our community.

When Olga heard that a new federal program to resettle refugees was beginning in 1974, she knew the Institute had to do this work. The Institute's Executive Director was on his honeymoon in Thailand when Olga heard about this opportunity. No one knew exactly where in Thailand he was honeymooning, but they did know he would not be back until after the application deadline had passed. Not to be deterred, Olga began calling hotels to see if a guest matching his description was staying there. She eventually found him, received his approval, and applied. Thanks to Olga, the Institute has welcomed more than 25,000 refugees to our community.

Olga was the caseworker who welcomed the first Hmong refugees to Minnesota in February 1976. She got the call of their arrival the night before the family's 6 a.m. arrival. The youngest child arrived wearing just a t-shirt, but Olga and the church sponsoring the family brought blankets to the airport.

Olga Zoltai with her three children Kitty, Lili, and Peter (left to right).

It is now common for refugee resettlement agencies to have caseworkers who are from the communities they serve, and it was Olga who hired the first bi-lingual case manager in Minnesota.

Olga founded the Nursing Assistant Training Program in 1991 to provide New Americans access to entry-level jobs in healthcare. In the program's 25 years, more than 1,900 nursing assistants have been employed. At a recent Nursing Assistant graduation, the class speaker declared: "Today is the greatest accomplishment of our lives. Today, we begin our lives as caregivers. You are changing not just our lives, but our family's lives as well."

Additionally, Olga worked on hundreds of political asylum cases and was known to be a unwavering advocate for those the most complex cases.

"I was so lucky, you know?" Olga said when she reflected on her life's story. When her chance came, "I was able to help."

Olga was awarded the eponymous "Olga Zoltai Award for Outstanding Service to New Americans" at the Institute's International Women's Day Tea in March 2016.

TRIBUTE TO MAURICE L. "MAURI"
WILLIAMSON

HON. TODD ROKITA

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 8, 2017

Mr. ROKITA. Mr. Speaker, I rise today to honor a prominent Hoosier leader and my dear friend, Mr. Maurice L. (Mauri) Williamson who passed away on January 30, 2017 surrounded by his loving family.

Mauri was born in Economy, Indiana and spent his childhood participating in 4-H. He served in the Navy Medical Corps until 1946, after which he received his undergraduate degree from Purdue University in 1950. He was known throughout the state as the executive secretary of the Purdue University Ag Alumni Association, a position he held for 37 years. During his Purdue career, Mauri helped found the National Ag Alumni Development Association (NAADA) and started the Ag Alumni Fish Fry.

Mauri put a lot of care and dedication into his work. After graduating from Purdue, he returned to the family farm, but he soon found

he was better suited spending his time with people rather than with plants and animals. In 1961, he founded the Pioneer Village at the Indiana State Fair to preserve and display the history of Indiana agriculture. Mauri held court there each summer, visiting with his ever-expanding legion of friends acquired through his lifetime commitment to Purdue and to agriculture. He had a deep love for the Indiana State Fair and only missed attending while serving in the Navy during World War II.

I was first introduced to Mauri when I served as Indiana's Secretary of State. He made it clear to me, in the way only he could do, the importance of farming and agriculture community to the past, present and future of Indiana. Even today, my family, and especially my two young sons, enjoys the fruit of his labor each August when we visit the Pioneer Village at the best State Fair in the nation. As a member of Congress, I continue to keep our past conversations in mind when voting on agriculture issues.

Mauri leaves June, his beloved wife of 68 years, two children, three grandchildren and five great grandchildren to carry on his legacy of service to fellow Hoosiers. I believe this world is a better place because of his compassionate service to our community, state and nation. Rest in peace, Mauri. He will not be forgotten.

IN RECOGNITION OF THE
MICHIGAN STATE POLICE

HON. JACK BERGMAN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 8, 2017

Mr. BERGMAN. Mr. Speaker, it's my honor to recognize the Michigan State Police as they celebrate their 100th Anniversary. We Michiganders are so grateful for Michigan State Police's century of law enforcement excellence, selfless service, and tireless dedication to communities across Michigan.

Originally organized as a temporary, wartime emergency force to provide domestic security during World War I, the force was formally reorganized two years later as the Michigan State Police. In April of 1917, a small band of 300 mounted men became the first Michigan State Police troopers, and over the last 100 years, they have become a world-class, professional law enforcement agency with over 2,900 members. In the First District, we are grateful to have ten Michigan State Police posts serving men and women in every community.

From Alpena to Iron Mountain and Traverse City to the Soo, each Michigan State Police trooper takes on the sacred oath to serve and protect our families and homes when he or she puts on the uniform. You do more than protect, you inspire and build relationships in our communities through creative partnerships and programs ranging from direct engagement with Community Service Troopers to Teen Safe Driving programs that keep our most precious resource, our children, safe. It's your commitment to integrity, excellence, and courage that has led to real results in Michigan.

Mr. Speaker, I want to congratulate the Michigan State Police for 100 years of service.

Michiganders can take great pride in knowing that Northern Michigan and the Upper Peninsula are better and safer places thanks to the work and dedication of the Michigan State Police. On behalf of my constituents and residents across the State of Michigan, congratulations, Michigan State Police, on 100 years of exceptional service.

SOUTHEASTERN ILLINOIS COLLEGE'S MIG TEAM WINS STATE CHAMPIONSHIP 4 YEARS IN A ROW

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 8, 2017

Mr. SHIMKUS. Mr. Speaker, I rise today to recognize Southeastern Illinois College's Model Illinois Government team's success at the 2017 Model Illinois Government competition. Southeastern's team won the Outstanding Large Delegation Award, earning its tenth Outstanding Delegation Award in 14 years, and fourth in a row.

Southeastern is the smallest school in terms of enrollment at the simulation and not only defeated much larger community colleges, but also Universities including the University of Illinois at Springfield, Eastern, and Western Universities. Southeastern led all schools in total points, leadership positions, and controlled both the House Democrat and Senate Republican caucuses. Southeastern set new school records for floor leadership positions (six) and total points (sixteen). Tracy Stokich and Casper Johns won the Award for Outstanding Original Legislation, while William Tippet was named Outstanding First Year Delegate, and Morgan Denbo won the Outstanding Member of the House of Representatives Award.

Team members were elected to 4 committee spokesperson positions, two committee chairs, while Evan Doughty was elected House Majority Leader, and Ryan Dennison was elected Senate Minority Leader. William Tippet and Grant Loudy were also elected as Assistant Leaders in their respective chambers, while Dana Hooven and Chloe Brandon were elected as floor whips.

The Southeastern Model Illinois Government team, coached by Matt Lees, consists of Chloe Brandon, Ryan Dennison, Morgan Denbo, Evan Doughty, Reagan Gray, Dana Hooven, Stephanie (Casper) Johns, William Johnson, Granton Loudy, Braden Scroggins, Tracy Stokich, Nolan Sutton, and William Tippet.

Mr. Speaker, I look forward to the continued success of the Southeastern Model Illinois Government team, and I extend my best wishes to them for another outstanding season next year.

PERSONAL EXPLANATION

HON. EMANUEL CLEAVER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 8, 2017

Mr. CLEAVER. Mr. Speaker, I regrettably missed votes on H.R. 1362, To name the De-

partment of Veterans Affairs community-based outpatient clinic in Pago Pago, American Samoa, the Faleomavaega Eni Fa'aua'a Hunkin VA Clinic, on Tuesday, March 7, 2017. I had intended to vote "yes" on Roll Call vote 127, and "no" on Roll Call vote 128.

HONORING JUDY TABAR, PRESIDENT & CEO OF PLANNED PARENTHOOD OF SOUTHERN NEW ENGLAND, ON THE OCCASION OF HER RETIREMENT

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 8, 2017

Ms. DELAURO. Mr. Speaker, it is my honor to rise today to join the many family, friends, and colleagues who have gathered in extending my deepest thanks and appreciation to my good friend, Judy Tabar, as she marks her retirement as President and CEO of Planned Parenthood of Southern New England. Under her leadership over the last two decades, PPSNE has stood at the forefront of every major effort to expand the organization's role in health care and education. Though she will most certainly be missed, she leaves a strong foundation on which PPSNE can continue to build.

Nearly five decades ago, Judy first joined Planned Parenthood as a physician assistant, providing direct patient care. Through her work with patients, she developed a deeper understanding of their needs and how Planned Parenthood could better meet. She soon became Associate Director of Planned Parenthood New England and twenty years ago took on the mantle of President and CEO of Planned Parenthood of Southern New England. In addition to her work throughout Southern New England, Judy has served in numerous leadership roles within the Planned Parenthood Federation of America (PPFA), and currently serves on the PPFA Board of Directors.

As President and CEO, Judy has overseen PPSNE's eighteen health centers, managed its \$30 million annual budget, and guided it through a 42 percent patient increase over the course of her tenure. It has been through Judy's vision and unwavering dedication that PPSNE has expanded its services to include primary care as well as a clinical research program. Under her leadership, PPSNE has focused on reducing teen birth rates and reducing racial and ethnic health disparities by removing barriers to services and information. Today, PPSNE serves nearly 70,000 patients with preventative care making up 90 percent of the services provided. A visionary by any definition, Judy has placed PPSNE on the cutting edge of reproductive health care service expansion.

I would be remiss if I did not take a moment to extend a special note of thanks to Judy for her friendship and support over the years. She has been an invaluable resource to both myself and my staff. I am confident that I speak for everyone who has had the opportunity to work with Judy over the years when I say her passion, compassion, tenacity, and commitment will be deeply missed.

Planned Parenthood of Southern New England stands as a model for affiliates across the country and that is in large part because of Judy Tabar. She has left an indelible mark on this outstanding organization and a legacy that will continue to inspire others to ensure that everyone has access to the affordable, quality reproductive health care they need and deserve. I am honored to stand today to extend my heartfelt thanks and congratulations to Judy Tabar, for her outstanding leadership and good work, as well as my very best wishes for many more years of health and happiness as she enjoys her retirement.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, March 9, 2017 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MARCH 14

- 10 a.m.
Committee on Armed Services
To receive a closed briefing on information surrounding the Marines United website.
SR-222
- Committee on Banking, Housing, and Urban Affairs
To hold hearings to examine reauthorization of the National Flood Insurance Program.
SD-538
- Committee on Energy and Natural Resources
To hold hearings to examine opportunities to improve American energy infrastructure.
SD-366
- Committee on Finance
To hold hearings to examine the nomination of Robert Lighthizer, of Florida, to be United States Trade Representative, with the rank of Ambassador.
SD-215

- 2:30 p.m.
Committee on Commerce, Science, and Transportation
Subcommittee on Surface Transportation and Merchant Marine Infrastructure, Safety and Security
To hold hearings to examine continuing to improve truck safety on our nation's highways.
SR-253

MARCH 15

- 10 a.m.
Committee on Banking, Housing, and Urban Affairs
To hold hearings to examine assessing U.S. sanctions on Russia, focusing on the next steps.
SD-538
- Committee on Commerce, Science, and Transportation
To hold hearings to examine unmanned aircraft systems, focusing on innovation, integration, successes, and challenges.
SD-106
- Committee on Environment and Public Works
To hold hearings to examine innovative solutions to control invasive species and promote wildlife conservation.
SD-406
- Committee on Homeland Security and Governmental Affairs
Business meeting to consider S. 34, to amend chapter 8 of title 5, United States Code, to provide for the en bloc consideration in resolutions of disapproval for "midnight rules", S. 21, to amend chapter 8 of title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law, S. 317, to provide taxpayers with an annual report disclosing the cost and performance of Government programs and areas of duplication among them, S. 500, to amend the Homeland Security Act of 2002 to make the Assistant Secretary of Homeland Security for Health Affairs responsible for coordinating the efforts of the Department of Homeland Security related to food, agriculture, and veterinary defense against terrorism, S. 218, to restrict the inclusion of social security account numbers on documents sent by mail by the Federal Government, S. 188, to prohibit the use of Federal funds for the costs of painting portraits of officers and employees of the Federal Government, H.R. 274, to provide for reimbursement for the use of modern travel services by Federal employees traveling on official Government business, H.R. 366, to amend the Homeland Security Act of 2002 to direct the Under Secretary for Management of the Department of Homeland Security to make certain improvements in managing the Department's vehicle fleet, an original bill entitled, "Dr. Chris Kirkpatrick Whistleblower Protection Act", an original bill entitled, "Office of Special Counsel Reauthorization Act", an original bill entitled, "Follow the Rules Act", an original bill enti-

tled, "Regulatory Accountability Act", and the nomination of Elaine C. Duke, of Virginia, to be Deputy Secretary of Homeland Security.
SD-342

- Committee on the Judiciary
To hold hearings to examine visas, focusing on investigating K-1 fiance fraud.
SD-226

- 10:30 a.m.
Committee on Appropriations
Subcommittee on Department of Defense
To hold closed hearings to examine a ballistic missile defense program update.
SVC-217
- Committee on Appropriations
Subcommittee on Departments of Labor, Health and Human Services, and Education, and Related Agencies
To hold hearings to examine STEM education, focusing on preparing students for the careers of today and the future.
SD-138

- 11 a.m.
Committee on Foreign Relations
To hold hearings to examine six years of war in Syria, focusing on the human toll.
SD-419

- 1:30 p.m.
Committee on Health, Education, Labor, and Pensions
To hold hearings to examine the nomination of R. Alexander Acosta, of Florida, to be Secretary of Labor.
SD-430

- 2:30 p.m.
Committee on the Judiciary
Subcommittee on Crime and Terrorism
To hold hearings to examine the modus Operandi and toolbox of Russia and other autocracies for undermining democracies throughout the world.
SD-226

- Committee on Veterans' Affairs
To hold hearings to examine GAO's high risk list and the Veterans Health Administration.
SR-418

- Special Committee on Aging
To hold hearings to examine raising grandchildren in the opioid crisis and beyond.
SD-562

- 3 p.m.
Committee on Small Business and Entrepreneurship
To hold hearings to examine how small businesses confront and shape regulations.
SR-428A

- 3:30 p.m.
Committee on Armed Services
Subcommittee on Airland
To hold hearings to examine all arms warfare in the 21st century.
SR-232A

MARCH 22

- 10 a.m.
Committee on Veterans' Affairs
To hold a joint hearing with the House Committee on Veterans' Affairs to examine the legislative presentation of multiple veterans service organizations.
SD-G50

SENATE—Thursday, March 9, 2017

The Senate met at 10 a.m. and was called to order by the Honorable LUTHER STRANGE, a Senator from the State of Alabama.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

O Lord, the lover of our souls, we praise Your Holy Name.

Today, fill the hearts of our lawmakers with utter trust in You, providing them with faith to persevere in well doing. Renew their spirits and so draw their hearts to You that they will find delight in their labors as they strive to please You.

Lord, give them the wisdom to maintain a perpetual contentment for the blessings You provide them each day. May they never take for granted Your compassion, kindness, and mercies. Strengthen and support them in all of their endeavors, using them as instruments of Your peace and love.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, March 9, 2017.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable LUTHER STRANGE, a Senator from the State of Alabama, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mr. STRANGE thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

NOMINATION OF SEEMA VERMA

Mr. MCCONNELL. Mr. President, this week, the House unveiled its plan to repeal and replace ObamaCare and began consideration through the committee process. It is an important step toward keeping our promise to the American people. It not only repeals and replaces ObamaCare, it includes the most significant entitlement reform in a generation and provides needed tax relief to American families as well as healthcare consumers.

Here in the Senate, we can take another critical step toward stabilizing the healthcare market with consideration of the nominee to lead the Centers for Medicare and Medicaid Services, more commonly known as CMS. We have the opportunity today to advance an extremely qualified nominee to oversee some of our Nation's most important healthcare programs.

Seema Verma has a deep health policy background. She is a reformer with a proven record of success. Not only does she have an unparalleled grasp of the complex fiscal and policy challenges facing the agencies she will be charged with overseeing, she also understands the States and consumers she will be serving.

She will be the first to tell you that the sooner we can fulfill our promise to repeal and replace ObamaCare, the sooner CMS can get out of the ObamaCare business and back into the Medicare and Medicaid business. She understands that ObamaCare's raiding of Medicare was wrong, and her experience in developing creative solutions will help protect Medicare for generations to come. She knows the burdens that ObamaCare placed on State Medicaid Programs remain unsustainable, and her experience in reforming and modernizing State-level Medicaid Programs will help lower the staggering costs that the Obama administration shifted onto the States.

Medicaid expansion has been devastating to Kentucky's State budget, costing Kentucky taxpayers nearly \$74 million this year. That is more than double the amount originally projected. Even worse, we have seen little improvement in health outcomes. The current system is too expensive and fails to address the real health problems in Kentucky.

Ms. Verma has been instrumental in helping States like mine navigate these incredibly difficult challenges. The proposed Medicaid waiver she helped craft for Kentucky, along with our Governor, if approved, is expected to ensure quality care for those who need it while saving Kentucky tax-

payers more than \$360 million. So her expertise is going to be invaluable as we continue fulfilling our promise to the American people.

As we move to repeal and replace the unworkable, partisan ObamaCare law and return authority to the States, my hope is that Ms. Verma will be able to focus more time and attention than her recent predecessors to the core functions—the core functions—of the agency, which are strengthening Medicare and Medicaid. She is particularly well qualified to lead this agency. She has a proven record of success. She has the skill and the drive to make positive reforms too. I can hardly think of anyone better for the job.

I urge colleagues to join me in voting to advance her nomination later today.

NOMINATION OF NEIL GORSUCH

Mr. MCCONNELL. Mr. President, since his nomination to the Supreme Court was announced, Judge Neil Gorsuch has received extensive praise from former colleagues, the legal community, and editorial boards, among many others. It is praise that has come from across the political spectrum. Even many on the left can't help but compliment Judge Gorsuch's credentials, including former President Obama's own legal mentor, who called him "brilliant," and his former acting solicitor general, who applauded Gorsuch's "fairness and decency."

This week we add to that lengthy list of supporters more than 150 of Judge Gorsuch's former classmates at Columbia University. As they note, these alumni have followed an array of postgraduate pursuits: They are CEOs and stay-at-home parents, professors and lawyers, entrepreneurs and scientists. They come from different socioeconomic and ethnic backgrounds, practice different faiths, reside in different parts of our country, and hold very diverse political views.

Even so, each of these Columbia grads can agree on at least one thing: Neil Gorsuch's fitness to serve on the Supreme Court. Let me share the letter they just sent to the Judiciary Committee:

At Columbia, Neil Gorsuch notably distinguished himself among his peers. He was a serious and brilliant student who earned deep respect from teachers and students alike. With an encyclopedic knowledge on a staggering array of subjects, he could be counted on for his insightful, logical and well-reasoned comments. He carried a full and challenging course-load, finishing in three years and graduating Phi Beta Kappa.

The letter continues:

The hallmark of Neil Gorsuch's tenure at Columbia was his unflinching commitment to respectful and open dialogue on campus.

Despite an often contentious environment, Neil was a steadfast believer that we could disagree without being disagreeable. To be sure, he could deliver a devastating argument, laden with carefully researched facts and presented in a crisp and organized manner. Yet he was always a thoughtful and fair-minded listener who would not hesitate to re-evaluate his own beliefs when presented with persuasive arguments. His amiable nature, good humor and respect for differing viewpoints was admired and appreciated by all.

So it was clear even years ago that the "intellect, academic record, and character" of their classmate Neil Gorsuch was "so special"—"so special" that "there was a shared sense that he was poised for a meaningful and purposeful future."

How right they were. Neil Gorsuch is exceptionally qualified to serve on the Supreme Court. He has, as I just noted, an "encyclopedic knowledge on a staggering array of subjects . . . with insightful, logical and well-reasoned comments." He is a "humble man with no appetite for self-promotion." Let me say that again: a "humble man with no appetite for self-promotion." He is "an upstanding person" with "unyielding integrity, faith in our institutions and unfailing politeness." These are the words of his former classmates, and they are the qualities we expect in a Supreme Court Justice.

Regardless of political leanings, we all should understand the importance of confirming Justices who will interpret the law as written, not misuse their office to impose their own views as to what, in their mind, should have been written instead. We should understand the importance of confirming Justices who will apply the law equally to all Americans, not rule based on their empathy—empathy—for certain groups over others.

I am confident that Judge Gorsuch is more than prepared to meet these critical standards. It is the type of judge he has been on the Federal court of appeals. It is the type of Justice he will be on the high Court as well. That is why we continue to see recommendations for Gorsuch flooding in from people of all backgrounds and all political views.

In the coming weeks, I am sure the support for Judge Gorsuch will continue to grow, and I know we are all eager to hear from the judge himself when he goes before the Judiciary Committee later this month. When he does, I hope colleagues on both sides will show him the fair—fair—consideration that he deserves, the same fair consideration we showed to all four of the Supreme Court nominees of President Obama and President Clinton after they were first elected—a respectful hearing followed by an up-or-down vote.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE DEPARTMENT OF EDUCATION

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.J. Res. 57, which the clerk will report.

The senior assistant legislative clerk read as follows:

A joint resolution (H.J. Res. 57) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Education relating to accountability and State plans under the Elementary and Secondary Education Act of 1965.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 12 noon will be equally divided in the usual form, and 30 minutes of the majority time will be under the control of Senator BLUNT or his designee.

The Senator from Illinois.

Mr. DURBIN. Mr. President, if I could speak for 5 minutes—

Mr. BLUNT. Mr. President, I am glad to yield my friend 5 minutes to start the day.

The ACTING PRESIDENT pro tempore. The Senator from Illinois is recognized.

FILLING THE SUPREME COURT VACANCY

Mr. DURBIN. Mr. President, I just want to comment very briefly on the comments of the Republican leader.

It was interesting when he said the courtesies that were extended to President Clinton and President Obama when it came to Supreme Court nominees; he left out 1 year—last year.

Last year, when there was a vacancy on the Supreme Court when Antonin Scalia passed away and President Obama sent the nomination of Merrick Garland to the floor of the Senate, it was refused by the Republican leader to even give him a hearing, let alone a vote. So there was an omission in his call for courtesy when it comes to Nominee Gorsuch, a very grievous omission from the point of American history.

For the first time in the history of the U.S. Senate—for the first time—Republican leaders in the Senate refused to give a hearing and a vote to a Supreme Court nominee sent by President Obama. Many of us came to this floor pleading that we follow tradition

and the Constitution. I am going to stand by that. Even though I think Merrick Garland was treated poorly by the Republican majority, I believe that Neil Gorsuch is entitled to a hearing and a vote. I made that argument before; I will make it again.

REPUBLICAN HEALTHCARE BILL

Mr. President, the second point I want to make, and very briefly, is that we now have seen the Affordable Care Act repeal that has been brought forward by the Republicans in the House. We still do not know its fiscal impact. The Congressional Budget Office, which traditionally scores legislation, tells us the impact it will have both on the deficit as well as on the American economy. In this case, we believe we will learn as early as next week what that impact will be. There are several things we know for certain. The Republican approach to changing the Affordable Care Act is going to reduce health insurance coverage in America, and it is going to raise the cost.

The cost, incidentally, will be especially hurtful to those over the age of 55. If you are a senior citizen or over the age of 55, this Republican bill says that your health insurance premiums can be substantially increased. There is a limit in the current law that you can't have a disparity of more than 3 to 1 in premiums between people of different age groups. That is changed by the Republican bill to say that older people can be charged up to five times the premiums that are being paid by those in younger groups. That is substantial.

Secondly, it is painful and hurtful to Medicare. Don't take my word for it; the American Association of Retired Persons has come out against the Republican healthcare plan, saying that it is going to reduce the number of years of solvency for the Medicare trust fund. That is not a positive thing; it is a negative thing for the tens of millions of Americans who count on Medicare.

We also know that when it comes to this bill, there are provisions in here which are inconsistent with our goal to increase coverage across America. My Republican Governor in Illinois, who has been very careful to be critical of Republicans in Washington, came out this week and said that the elimination of Medicaid coverage and reduction in Medicaid coverage would create a budget hardship in our State.

I might add that it will be a hardship on the thousands of people in Illinois who rely on Medicaid to provide for their medical expenses. That includes not only the children and mothers in lower income groups but, substantially, seniors who are in nursing homes who have no place to turn. They are living on Social Security, Medicare, and Medicaid. That is how they survive. Reducing the Medicaid coverage is a danger to them when it

comes to continuing on in a safe and healthy environment.

In addition to that, we know that Medicaid for many low-income Illinoisans and low-income Americans is the only health insurance they have. Many who work hard every day don't make enough money to buy health insurance, and their employer doesn't provide it. Medicaid came to their rescue under the Affordable Care Act, and it is going to be severely restricted. That is why my Republican Governor has come out against this Republican healthcare bill, and many others feel the same.

When we take a look at this bill when it comes over here—first, I plead with my colleagues, don't rush it through. Let's take the time to look at it carefully. It will affect the healthcare of millions of Americans. Second, let's hold to the standard that whatever changes we make will provide more healthcare protection in America and make a serious effort at reducing cost. We can only do that if we have the time to honestly debate it on a bipartisan basis.

Mr. President, I thank my colleague from Missouri for giving me this opportunity.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Missouri.

AMERICAN HEALTH CARE ACT

Mr. BLUNT. Mr. President, I want to talk about the Affordable Care Act and its failures, as well as the American Health Care Act and what differences I think it makes. I am going to be joined on the floor by at least one of my colleagues soon, and we may even, with permission, have a colloquy. I know Senator BARRASSO is on a limited time schedule and has been one of our great leaders on this issue. I think I will turn to him first and then come back when he has had a chance to make his comments.

The ACTING PRESIDENT pro tempore. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, thank you for allowing me to engage in this colloquy with my friend and colleague, Senator BLUNT from Missouri, who has been a real leader not just in the Senate but when he was in the House, traveling to all of the hospitals in Missouri and talking about the issues that concern the people there, as I do in Wyoming every weekend, going home and talking to people at home.

You may not know this, but I was the president of the Wyoming Medical Society and worked with something as the medical director called the Wyoming Health Fairs, where we brought low-cost health screening to people all around the Cowboy State. I had been going to these health fairs for years—when I was a doctor practicing medicine, when I was an orthopedic surgeon, and then when I was in the State senate and now as a U.S. Senator, to

the point that I was at a health fair last Saturday in Buffalo, WY.

People come to the fairs. They get their blood tested ahead of time so they can come and pick up the results and find out about their cholesterol and thyroid conditions and other issues. There are booths from the Heart Association and the Diabetes Society, depression screenings, all sorts of things. People there are very interested in their health.

When they see me as a doctor and knowing I am also a Senator, they want to talk about how the healthcare laws affected their lives. What I hear, story after story, is, you have to repeal this ObamaCare. Many of them are people who had insurance that worked for them before the healthcare law was passed. When the healthcare law was passed, they were basically told that what they had, which worked for them and which they could afford, wasn't good enough for the government. The government said: No, you have to buy something else, something more expensive and not what you really need or want—which is getting into the fundamental problem here.

ObamaCare is collapsing all around the country. In Wyoming, as in many places—and I know Senator BLUNT is in a situation where he has people whom he works with—there is not really a marketplace out there. It is a monopoly. There is only one choice.

We see our colleagues—Senator ALEXANDER in his home State and Senator CORKER—in some counties, there are no choices. Nobody is going to sell on the exchange. Even with the ObamaCare government subsidies, there is nothing to be bought.

We have to act now. The House is in the process of doing that. I think they have made an incredible effort, a fundamental change, a big step away from ObamaCare. It is a monumental shift. What it does is it eliminates the things I hear about every weekend in Wyoming that people don't like about the healthcare law. It is the mandates. It is the taxes. It is the penalties they have to pay. People don't like that. They don't like the government saying: You have to buy a government-approved product, pay for it, whether or not you want it, whether or not it works for you.

We eliminate all of those things in what the House is debating now. What do we preserve? We preserve things that people know are important for them. People with preexisting conditions will still be protected. My wife Bobbi is a breast cancer survivor. She has been through operations. She has been through chemotherapy, radiation. As a doctor and as a husband, I know how important it is to protect people with preexisting conditions. There is also a limit on lifetime payments for people who get sick. Finally, we do want to keep and we do preserve for

families—they can keep younger members of their family on their insurance, to the age of 26.

We eliminate the things people don't like. We preserve the things that are still so important for families all around the country. We work to get to the point where people can afford health insurance again.

It is interesting listening to the Democrats talking about how many people have been covered under ObamaCare. What you find out is that coverage is empty. They may have an insurance card, but if the copays are so high and the deductibles are so high—\$5,000, \$6,000, \$7,000—it is unusable. They say: I have ObamaCare, but I don't have the ability to get the care.

The issue of Medicaid, which was a failed system for a long time—it has been 50 years since Medicaid came into existence. There is a lot we need to do to modernize, update, streamline, strengthen, improve Medicaid in ways that actually help people.

I was in the State senate. Mr. President, I know you have a long history of involvement in your home State. Senator BLUNT does as well with the activities there. What we have seen with Medicaid—and I saw it in the State legislature—if we had the freedom and the flexibility in the State to make the decisions about how that money was spent rather than dealing with all of these rules and regulations and one-size-fits-all that comes out of Washington, we always felt we could do a much better job of providing for the people of our State. Let the State make involved decisions for people on Medicaid, and we could help a lot more people for the same amount of money. It seemed there was so much waste and abuse in the whole Medicaid system.

So much of what the House is doing is to try to get the power out of Washington. The question is, Whom do you want in control? Do you want the government in control or the people, and their care and the decisions being made at home?

I come to the floor today to thank my colleague from Missouri for his leadership on this from the days before he was even in the U.S. Senate, from his days in the House, and for his involvement. He was really one of the leaders in the House before coming to the Senate on this whole topic. He knows it well. He visits with people at home in his home State, as I do at home in mine.

I will be at home in Wyoming again this weekend, traveling around the State with different activities. I think one of the things we all do when we go home is visit with people and find out where they are going to be and what is on their minds, and that is the best way to do it.

I will be at a pancake breakfast. I will be at a Boy Scout event. I will be at a dinner at the Rocky Mountain Elk

Foundation. I will visit with a number of high school students. You hear people. You want to be there and listen to what they have to say. So I am looking forward to being there again this weekend, as I was last weekend—in Buffalo last weekend for the health fair in Rawlins—for an event to hear how what Washington does impacts their lives.

What we have seen over the past 6 or 7 years since ObamaCare became law is that decisions being made in Washington hurt a lot of people in Wyoming, hurt people who were patients of mine when I was actively practicing as a surgeon. The regulations, the one-size-fits-all in terms of the impact on the hospitals, the healthcare providers, and the patients—we know these people need relief. They need to be rescued from this collapsing ObamaCare healthcare law. And we want to repair the damage. We can't get it all done overnight. It is not possible. It took us about 6½, 7 years to get to this point. President Trump has only been in office for about 7 weeks. You can't get it done overnight. We are making definite strides in the direction that is important for the country.

I wish to ask my friend and colleague Senator BLUNT if he is seeing the same things in Missouri and hearing the same sorts of stories as we work to repeal and replace this healthcare law.

Mr. BLUNT. I thank the Senator from Wyoming for his efforts on this topic from the time we were both explaining why we thought President Obama's plan wouldn't work. What I see and I think what you mentioned you see is that people who have coverage often don't have access. It doesn't matter if you have coverage if there is nowhere to go or you feel like there is nowhere to go. I continually hear that from people who have the high-deductible policies. That means they are discouraged from spending the first \$6,000 or \$8,000 that is out-of-pocket spending.

Many people I talk to say they have not only more expensive coverage than they had before but less coverage than they had before and are reluctant to spend the out-of-pocket dollars that used to be covered by the insurance that didn't meet the new standards but met their family needs. I am wondering if the Senator is seeing that same thing.

Mr. BARRASSO. I am hearing the exact same thing at home. The premiums in our State for people having to buy on the exchange have gone up double digits. I think we had the same thing happen in your State year after year, to the point where if you only have one company selling on the exchange in rural communities—for us, it is our whole State. That is a big problem.

The other thing we certainly are concerned about—and I know this is the

case with both Senator BLUNT and me—ours is a rural State, and huge areas of your State are rural.

The architect of ObamaCare, Dr. Ezekiel Emanuel from the University of Pennsylvania, said that we have too many hospitals in the United States. He said there are 5,000 hospitals, and he said there are about 1,000 too many. He actually wrote a book about this after they wrote the healthcare law, and he said that there are about 1,000 too many and they need to close.

Well, if you are in rural Wyoming or rural Missouri, those hospitals are a long way from other places. The first I think 80 hospitals have closed, and they were rural hospitals. Fortunately not in my State, but in a number of States, you have seen that—numbers of rural hospitals closing. When a rural hospital closes as a result of the Obama healthcare law, the impact on a community is dramatic in terms of it being able to recruit nurses, doctors, and businesses to the community, if there is not a hospital, and to recruit teachers to the schools. I don't know if that is an experience and concern the Senator is seeing around rural Missouri.

Mr. BLUNT. It is.

Mr. President, I think you are seeing that too. The critical needs hospitals, the critical access hospitals—the only hospitals available—are often also hospitals that disproportionately have people who are not insured or people who are of low income who aren't on any government program. What has happened in those hospitals and in the ones that have been able to stay open is that they have often had to go outside the traditional community support they had and associate with a bigger hospital.

That may turn out to have been a good thing, but one of the basics of the President's healthcare plan was—which we now know is a highly unlikely result—that everybody will have coverage. In a world where everybody has coverage, you don't have the disproportionate share of problems that inner-city hospitals, like the Truman Hospital in Kansas City, MO, have, or rural hospitals, like the dozen-plus that we have in our State that are critical needs hospitals. Those things don't happen. If this had worked the way the President thought it would work—and Democrats, when they, all on their own, passed this bill 7 years ago—we wouldn't be having the problems we see now: the havoc in our healthcare system—leaving Missourians, people from Alabama, people from Wyoming, people from all over the country with higher costs, with fewer options, and with more uncertainty.

How many times did the President say, when he was supporting this just after the election and during his election 8 years ago—President Obama kept making the case—that Americans would be able to keep the plans they

like. They would be able to keep the doctors they like. Now we act as if those pledges—well, everybody knows—couldn't happen.

When the bill was passed, everybody said that was what would happen. Remember this: If you have a doctor you like, you will be able to keep the doctor you like, period. If you have an insurance plan you like, you will be able to keep the insurance plan you like, period. The period should have at least been a question mark.

As it turned out, it was not true. People didn't get to do that. According to the advocates of the law we have now, there would be more choices, there would be more competition, and there would be lower costs, and none of those things happened. Those things just did not happen.

In Missouri, several insurers have totally pulled out of the individual market. We have 115 counties. Last year, they all had at least two companies willing to offer insurance. This year, we have 97 counties where only one company is willing to offer insurance. I have always thought we needed to expand that insurance marketplace, not reduce it—and buying across State lines and buying an insurance product you thought met the needs of you and your family, rather than the needs somebody at the Department of Health and Human Services thought they knew was better for your family, rather than what you would know was better for your family. But instead, we have done just the opposite. Instead of expanding the marketplace, expanding choices—somehow ObamaCare was designed in a way that actually prevents this—instead of being able to buy across State lines, now you can't buy across county lines. We have 97 of our 115 counties where only one insurance company is willing to be part of the process on the individual market. That one insurance company, rightly, was able to go and say: Here is what we are going to charge. If you don't want to accept that, State insurance regulator, we won't offer the product.

Families one year to the next are often facing 40 percent increases. I think the average is a 25-percent increase year over year. Many people are paying more than 100 percent, double what they paid when this started. The rate hikes have gone up and the coverage has gone down.

The average deductible in the bronze plan, the third plan down, is \$6,000 for an individual and \$12,000 for a family. That is before anybody helps you at all. So you have insurance that you are paying for every month, but if you get sick, you have to pay \$6,000 for each individual and more than twice that if two people in your family have healthcare problems before anybody does anything. For most families in our country, and certainly most families in Missouri, that is like not having insurance at all.

Even in the silver plan, the average deductible is \$3,500. That is an increase of 15 percent of the deductible over last year. Every year, the price goes up and the deductible goes up. All of us hear from families, individuals, and businesses who say: We can't continue to do this. Mark from Blue Springs told me: "There is nothing affordable" about the Affordable Care Act. When it comes to what he and his family are facing, he said that before ObamaCare, they paid \$246 a month to cover five people with coverage they thought met their needs. Now the premium is \$800 a month. There are only three people. Only one child and he and his wife are still at home. For five people, they were paying \$246 a month. Now they are paying \$800 a month. He says:

These days, when we go to the doctor, nothing is covered. We still have to pay for that visit 100 percent out of pocket. In other words, we pay \$800 per month only to be told that none of the office visit or procedure is covered until the \$8,000 deductible is met.

He says: Really, what are we going to do? They have taken insurance away from us, and the promise that was made over and over was never kept.

Dave, a small business owner in Columbia, says his premiums have more than doubled at the same time that his business has been forced to continually raise deductibles and seriously reduce benefits so that people could continue to have insurance at work. As he puts it, President Obama's healthcare plan "is far from affordable."

Let's see. That is exactly what Mark said: There is nothing affordable about the Affordable Care Act. And Dave's increase this year over last year was 40 percent. At some point, Dave and lots of other employers are deciding that this isn't working.

We have a group in our State that many other States have, the Older Adults Transportation Service. It is a nonprofit that provides transportation services for older adults. The title is actually pretty descriptive of what they do. The cost has gone up over half a million dollars. The paperwork is "so complex and so cumbersome," the executive director told me, that they have to spend additional money to hire a consultant just to fill out the forms to have the insurance they used to have. Then the insurance doesn't keep up with what they need and what their drivers need. They have to begin to cut services back to have insurance that even begins to resemble what they had before the Affordable Care Act. Talk about people being left out. There are older adults in Missouri who don't have the same access to transportation they had before the Affordable Care Act.

President Trump, in his address to the Congress just a few days ago, reiterated his commitment to step-by-step healthcare reforms "that expand choice, increase access, lower costs, and, at the same time, provide better healthcare."

I was encouraged that he decided to back the expansion of health savings accounts. That allows everybody in the country to put more of their pretax dollars into portable health savings accounts that go with them wherever they go from job to job. You still have that health savings account. The plan that the House of Representatives is debating right now expands the way you can use that health savings account, as well as expands how much money you can put into that account.

Most importantly, the President reaffirmed the need to ensure coverage for all preexisting conditions. I have always supported providing insurance options for people who have preexisting conditions. I sponsored the legislation that allowed young people to stay on their parents' healthcare until they were 25. The people drafting the Affordable Care Act put exactly that language in the bill and raised the age to 26. Three million people every year have access to insurance because of a simple choice like that. I think that bill was four pages, with lots of white space, and 3 million people get insurance every year who wouldn't have insurance otherwise, or at least traditionally hadn't had insurance otherwise at no cost to taxpayers. Frankly, there is not much cost to anybody because those young, healthy people are just establishing themselves, just leaving home, just going off mom and dad's insurance, and they thought they could get by without it for a while. In all likelihood, they were right. They are not a hard group to insure.

That is the kind of thing we ought to think about, where we figure out how to increase access to coverage without taxpayers having to bear the load for somebody else's healthcare, if there is another way to do it. We want to be sure that, whether it is keeping them on your family insurance, staying on your family insurance longer, or having no lifetime cap—that was a legitimate problem that many people faced—they would have their insurance. They would pay for it forever, and then when they faced a catastrophic situation, at some point the insurance companies in earlier times were able to say: You reached your lifetime cap; so we are now canceling your policy. That wouldn't happen under the plan we are discussing.

The landscape for healthcare—and what families and individuals have to deal with—has dramatically changed. Because of that, it is going to be more challenging to go forward than it would have if we had done the same half-dozen commonsense things just a few years ago. This is no 2,700-page response or substitute for the 2,700-page ObamaCare bill.

This is an easily understood way to go forward that eliminates taxes that everybody is now paying on their healthcare. There is a medical device

tax. There is an over-the-counter medication tax for things you don't have a prescription for. There is a special tax on those over-the-counter medicines in the current law. Those will be repealed. The medical device tax would be gone, would be phased out. The over-the-counter tax on medicines would be phased out and the tax on prescription drugs. If you buy over the counter, you pay a tax, but if you get a prescription, you also pay a tax. There may be a place in here where you pay a tax for just paying a tax. But the medical device tax is gone. The over-the-counter medication tax is gone. The tax on prescription drugs would be gone. The tax on health insurance policies would be gone. When you get health insurance, there is a tax to be paid under ObamaCare on that, as well. The Medicare tax increase would be gone. The tanning bed tax would be gone. The net investment tax would be gone. The health insurance tax would be gone. It is about a trillion dollars in taxes that were added back into the system. By the way, if you have some kind of coverage for a medical device, you are paying for the coverage. You are paying a tax on the coverage, if you are lucky enough that the medical device is covered, if your insurance company pays that. Of course, they pay the tax on that, and, then, you have paid it in the premium that you had to pay to cover the tax. We have to step back here and try to do the right thing.

My friend from Illinois earlier mentioned that there traditionally were five different community ratings of people of different ages based on the healthcare costs that they might have, but the ObamaCare bill said: No, you can only have three ratings. The oldest, sickest, most likely to use health coverage can't pay more than three times what the youngest, healthiest people pay, which is another reason, if you are young and healthy, not to get insurance.

Things that were put into this raised costs for so many people. Then what happens? Then people say: Well, why is it that we don't have enough people covered? They say: The real problem with ObamaCare is that there weren't enough young, healthy people who bought coverage on their own. It was designed into the plan to make it very unattractive, if you are young and healthy, to buy coverage because suddenly coverage for that population was in relationship to all other people being covered, higher than it had ever been before.

With the bill the House is debating now, we would restore the disproportionate share payments to inner-city hospitals, to rural hospitals, where you have to treat more people who are either on a government program that doesn't pay very well or more people who don't have any coverage at all. That was eliminated in ObamaCare.

We now realize that world is a world that doesn't exist, a world in which everybody who goes to the hospital, everybody who goes to see the doctor, everybody who seeks healthcare has insurance coverage.

Who takes care of that?

This bill, being debated right now in the House, looks at that again and says: Let's get back to where we are actually helping those institutions that are particularly focused on underserved populations, that are particularly focused on doing that.

We have an opportunity here, basically in three different steps, to do what needs to be done. The first two steps are critical. One is to set an end date for the chaotic situation we are in now, to do as much as we can with budget tools to set a framework for how we move on and get out of these incredibly devastating budget situations for both the Federal Government and for families. The second is to let the Secretary of Health and Human Services, who was confirmed by the Senate just a few weeks ago, look at the over 1,400 times in ObamaCare where that Department can create regulations that either make it harder or make it easier for people to comply with the law. One of the most important decisions, if you are an insurance company and you are offering a healthcare product, is deciding what classifies as an acceptable product, what is the basic criteria you can offer people and still be offering healthcare insurance. So we are at an important moment.

There is no doubt that the current situation is collapsing, that healthcare providers are providing healthcare to people who don't have coverage, who are not protected by programs they were previously protected by. The people who used to have a lot of choices in insurance, in many cases, now have only one choice, and it is not a choice they can afford, and when they do pay for it, they feel like they are living without insurance at all.

So we are doing what needs to be done. We have to do what we can to get back to where people can buy the insurance they think meets their needs, insurance they can afford and enables them to see the doctor they want to see. A patient-centered system, instead of a government-centered system, is the answer here. We have to get this job done, and I believe we will.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

TRUMP CARE

Mr. SCHUMER. Mr. President, I just came from speaking with several Americans about how TrumpCare would affect them. Universally, these folks were scared. They are worried their costs will go up. They are worried their benefits will go down. One of the concerns that came up, an issue that is on the minds of many Americans, was the high cost of drug prices.

During the campaign, the President talked the talk on drug prices. As President-elect, he said in December he would "bring down drug prices." In January, he said pharmaceutical companies were "getting away with murder." He repeated the refrain in his joint address to Congress last week. "We should," he said, "work to bring down the artificially high price of drugs and bring them down immediately." Immediately.

Well, the immediate is here. TrumpCare, the repeal and replacement of the ACA, has been introduced. TrumpCare does absolutely nothing to address the high cost of drugs. In fact, drug prices might start going up faster. Once again, the President is talking the talk, talking like a populist, but not walking the walk, not helping average Americans. He is helping the wealthy, special interests but not the average folks he was talking to during the campaign.

The President met with a couple of Congressmen yesterday and talked about drug prices. Why not put something in TrumpCare? Why not let them negotiate, bring down costs? Instead, TrumpCare does the opposite. TrumpCare eliminates a current requirement that insurers actually give patients the value of the health insurance they are paying for. Under the ACA, insurers had to pay at least 60 percent of the cost of care provided—for some plans, more. That requirement would be gone. So that, again, hurts average folks.

That provision in TrumpCare is a blank check to insurers to cover less and charge more out-of-pocket for a whole host of services. Most experts agree that insurers could charge much more for its prescription drugs or even rationed care.

TrumpCare takes the shackles off the insurance companies and lets them decide how or if they are going to cover your prescription drug costs. Letting the insurance companies decide what to charge and cover has never been, and never will be, a recipe to bring down prices. So on drugs as well as other issues, TrumpCare: higher costs, less care.

What is particularly galling, of course, is the fact that the President talks about reducing the cost of drug prices and negotiating but does nothing.

He said he would do it immediately. The immediate is here. TrumpCare is

here. TrumpCare makes it very likely that the cost of drugs could go up for average Americans. It is just another example of this President doing one thing but saying another. He promises the Moon and the stars, but his policies make them even further out of reach.

He says: "I'll bring drug prices down." His bill does the opposite, and it is just another way in which this is a healthcare handout for the insurance companies and the wealthy but a raw deal for average Americans.

TrumpCare is really just a tax break for the rich. It is not really a healthcare program. Its No. 1 motivation is to reduce taxes on the top 0.01 percent. If you make above \$250,000, your prices are going to come down. If you are in that 0.01 percent, your average reduction in taxes is \$200,000—more than most Americans make. So this bill is not going to help average Americans; it is going to hurt them, unless you are in the top 0.01 percent.

As more and more people read the bill, the louder the chorus of opposition grows. The AARP, a very cautious organization—usually they don't like to take political stands—a few weeks ago, they had ads on TV praising President Trump for saying he will not cut Social Security or Medicare. They came out strongly against the bill yesterday. Why? Because it would hurt seniors. They believe seniors—many average seniors whose income is \$15,000—could pay up to \$8,400 more. The people who might be hurt the most with this bill are average Americans between 50 years old and 65 whose costs inevitably will go up, whose healthcare will not be as good.

The AMA, another cautious organization, not known to be a big Democratic organization, came out against the bill. Doctors know how bad this will be for their patients and for America.

The Club for Growth, on the other side, has also opposed the bill. Hospitals, doctors, senior citizen groups have all come out against the bill. The hard right comes out against the bill, as do more moderate and liberal groups. That is because this bill is one big mess, done quickly in the dark of night. It is no wonder Speaker RYAN and Leader MCCONNELL don't want a lot of debate. They are embarrassed. This bill is an embarrassment to those who put it in because it doesn't do what it is supposed to do. That has led even Republican Governors such as John Kasich of Ohio and Brian Sandoval of Nevada to express concern over the destruction of the Medicaid Program. As we know, it is shifting the costs to the States.

Governor Kasich said that TrumpCare "puts at risk our ability to treat the drug addicted, the mentally ill, and the working poor." It is almost certain that under this bill, treatment for opioids will be less available because Medicaid is going to be cut and

Medicaid helps pay for it. It is almost certain that if you are a young person, a young family—say you are 30 or 40 years old, but you have mom or dad in a nursing home; Medicaid has been paying for most of that, and it is going to be cut. What are you going to do? Maybe they will have to move in with you. That is not so easy in a growing family with kids. Maybe you will have to pay a lot of money out of your pocket. So this bill hurts Americans up and down the line.

The ideological fervor of “TrumpCare must cut back the role of government, whether it hurts people or not” is motivating this bill. That in the abstract would be fine, but it hurts Americans. It hurts middle-class Americans who are young, it hurts middle-class Americans who are middle-aged, and it hurts maybe most of all middle-class Americans who are 50 to 65 years old. As people learn about this bill over the next few weeks, there will be rebellion in the land of Adam.

So I tell my friends on the other side of the aisle to listen to the voices of the average Americans whom I met today, who care about bringing down the unreasonable cost of drugs. They should listen to the voices of experts who say just about the only winners in this bill are the very wealthy, and they should listen to the voices coming from their own party who say this bill will hurt their States and hurt the country.

TrumpCare is a mess. If this Congress, if this House, if this Senate is smart, they will defeat TrumpCare, keep the ACA, and then we can work together on making it better—plain and simple.

CHINA AND TRUMP TRADEMARKS

Mr. President, on another matter, I am concerned about a recent report that the Trump business interests have been granted approval on a number of trademarks in China.

The President spent most of his campaign talking tough on China. He said China was “ripping us off . . . and killing our companies.” He promised to label them a currency manipulator, a cause near and dear to my heart, on day one. The President promised many times over, saying: We are going to label China a currency manipulator. There is nothing stopping him from doing it. He could have done it with a stroke of a pen.

My views on trade, particularly with respect to China, might be closer to the views President Trump expressed in his campaign than those of either President Obama or President Bush. But since the election, President Trump has been remarkably soft on China.

As the Acting President *pro tempore* knows, I was the original person—Senator GRAHAM and I—who came up with the idea that China was manipulating its currency. We discovered it. I did, when I went to Crucible Steel near Syracuse and they told me how their busi-

ness was being hurt by China manipulating its currency. At first, when Lindsey and I talked about it, people said: Oh, no, it is not happening. I was sort of proud of the fact that in those days both the New York Times, liberal, and the Wall Street Journal, conservative—their editorial pages both stated that China doesn’t manipulate its currency; Schumer is off base. Now, of course, everyone knows they do. President Trump in his campaign said over and over again he was going to label them a currency manipulator which would have consequences to them on day one, the first day he took office. Now he has backed off his threats. He has been in office more than a month. He has not labeled China a currency manipulator.

Amazingly enough, in his first week he said he was no longer going to honor the One China policy. He was sending a shot over the bow to Beijing, that they can’t keep getting away with what they have been getting away with in trade, in geodiplomacy, in cyber security, stealing our intellectual property, and everything else. When he did that, I was pretty pleased. Now he has backed off.

On the two issues where the President could have been really tough with China, currency manipulation and backing off on One China, he reversed himself within the last few weeks. Now, all of a sudden, we learn that China has granted preliminary approval to 38 new trademarks, allowing the Trump brand to market several different business ventures there, including hotels and golf clubs. Before he assumed public office, Donald Trump had been working to get trademarks from China for a decade without success. These particular trademark applications, filed during the campaign, just sailed through earlier this week.

It raises troubling specific questions: Did the Chinese Government and the Communist Party, who likely had a hand in granting these approvals, see some type of benefit from doing so now that Donald Trump is President? Did the President and his network of businesses personally gain from his office, and will that incline the President to make policy decisions that benefit China and hurt American workers?

We don’t know if there is a link between the two. We don’t know what was in the minds of the Chinese Government or the Communist Party when they all of a sudden granted these 38 licenses. It surely raises troubling questions.

It raises a bigger question. The wisdom of our Founding Fathers proves true day in and day out. Over 220 years after they wrote the Constitution, their wisdom is coming through now with President Trump because they wrote in the Constitution that anything of value—any emolument—to U.S. officials from foreign governments

should be prohibited. U.S. officials should not be allowed to accept anything of value from any foreign government. In those days, one of the greatest worries of the Founding Fathers was that they wanted to prevent foreign governments from trying to curry favor with the United States by offering potential financial gain to our officials. This issue has been largely forgotten for a century or so, but the wisdom of the Founding Fathers is shining through now because President Trump, unlike just about any other President I can remember in recent history, has failed to completely separate himself from huge financial interests.

Now the questions arise. Is there a relationship? Are foreign governments seeking to curry favor? Is it affecting Donald Trump’s decisionmaking? No one knows the answers to these questions, but the fact that the questions can be asked is extremely troubling.

The President has flouted all tradition and precedent, and I worry if the spirit, if not the letter, of the Constitution has been broken when President Trump retains a financial interest in his business empire. It leads to troubling questions like the ones raised by these trademarks.

As my colleague from Connecticut, who is an expert on this issue, a brilliant lawyer, Senator BLUMENTHAL, said yesterday: I think the circumstances surrounding the approval of these trademarks ought to be looked into by this Congress for a potential emoluments clause violation. He is right, and I am glad he is going forward.

Thank you, Mr. President.

Mr. President, I ask unanimous consent that time consumed during a quorum call be charged equally to both sides.

The ACTING PRESIDENT *pro tempore*. Without objection, it is so ordered.

Mr. SCHUMER. I suggest the absence of a quorum.

The ACTING PRESIDENT *pro tempore*. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BENNET. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SUL-LIVAN). Without objection, it is so ordered.

Mr. BENNET. Thank you, Mr. President.

Last week, in his address to Congress, President Trump called education “the civil rights issue of our time.” I completely agree with that.

Millions of American kids are trapped in underperforming schools with little hope of gaining the skills needed for good-paying jobs in the 21st century economy. In America, poor kids hear 30 million fewer words than their more affluent peers by the time

they get to kindergarten. If you don't think that makes a difference, you ought to talk to any kindergarten teacher in America.

By the fourth grade, only one in four kids in the United States can do math at grade level, and even fewer than that can read at grade level in this country. About 9 in 100 are going to receive a college degree or its equivalent by the time they get to the age of 25.

As a Nation, we are falling behind the rest of the world. American 15-year-olds rank 15th in reading in the world, 19th in science in the world, and 37th in math in the world. These numbers are shameful. They are a national disgrace. Because these results fall mainly on communities of color in this country, this is a civil rights crisis in the United States—as the President said, the civil rights issue of our time.

It is for those reasons and other reasons that Congress passed No Child Left Behind in 2001, so as to strengthen the accountability and transparency for public education all over this country. Despite its good intentions, the law came with onerous requirements that did not work for many communities, including my own.

When I was the superintendent of the Denver Public Schools, there were few experiences more miserable than dealing with the Federal bureaucracy and their auditors, who would make judgments that were driven more by compliance than by the needs of our children. Somebody who understood that well was Margaret Spellings, who was, at that time, the Secretary of Education for this country. We owe her a debt of gratitude for the work that she did as Secretary. I, personally, owe her a debt of gratitude for the waivers she granted to the Denver Public Schools, when I was superintendent, to allow us to focus not on the compliance of rules that made no sense but to focus on the kids in this school district.

I know that was the experience of educators all over America, which is why, in 2015, the Senate came together—and I am a member of the Health, Education, Labor, and Pensions Committee—to replace No Child Left Behind. Finally, 8 years too late—8 years after it was supposed to be reauthorized—under the leadership of Chairman ALEXANDER and Senator MURRAY, we were able to pass the Every Student Succeeds Act. The bill earned overwhelming support. The country was ready for a change.

The law brought much needed reform to the Federal Government's role in education by giving States far more flexibility for innovation, while preserving important, core accountability protections, which are critical for those of us who are interested in the civil rights mission of the Federal Government. It was a rare example of bipartisan cooperation and smart policymaking in Washington, DC. In fact, I

cannot think of another case in which we received that much bipartisan support on such a difficult issue in the time that I have been here.

The way I see it—and I say this as a parent of three children in the public schools in Denver and as a former school superintendent—the only reason for Washington to be involved at all in public education is with regard to civil rights, and that is an important reason for us to be involved. All kids should have access to great schools regardless of where they live, what ZIP Codes they are born into, or who their parents are.

With Every Student Succeeds, the new bill, States will design their own accountability systems and interventions when schools struggle. That is a big change from No Child Left Behind. It is a welcome change. The law shifts enormous responsibility from the Federal Government to States and transforms over 15 years of education policy. The law is not perfect, but it represents one of the most significant changes and, I would say, importantly, one of the most significant retrenchments of the Federal Government in domestic policy in modern American history. That should be acknowledged. It should be welcomed.

As States shift to the new model, many are asking for clarification about how to implement the law and make the most of greater State control over education. That is why the Department of Education issued rules last year to provide much needed clarity, stability, and flexibility to States, making it easier for them to transition from the broken system that we had under No Child Left Behind to the newer and more State-driven approach that we now have.

Now some in Congress have targeted this regulation. They have invoked the Congressional Review Act to repeal the rules wholesale. That would be so foolish after the progress we have made and the direction in which we have headed. It would tie the hands of the Department of Education from properly implementing the law and delay much needed flexibility and accountability for the States. It would be a disservice to students, to educators, to teachers, and to principals all across the country, and it would undermine the implementation of the entire law.

As I have said many times—and I have learned this the hard way—when it comes to education policy in particular, bad implementation can be just as harmful—even more harmful—than bad policy.

Repealing the rules would also sow confusion among States about when they must comply with this new law. The Every Student Succeeds Act includes a timeline for transition so that States have time to plan, but many specifics of that transition are unclear. The Department of Education's rules

clarify that timeline and give States the flexibility with which to implement some parts of the law later than others.

Why would we want to take that away? Repealing the regulation would throw all of that away. Will schools have to fully comply with all aspects of the law by 2018, or is there some flexibility to stagger its implementation?

Beyond the timeline, striking the regulation wholesale would also throw States into limbo by creating uncertainty over other important parts of the law. For example, the act includes a major change in how the law applies to English learners, which is one of the fastest growing populations in our schools throughout the country and now represents nearly 1 out of 10 students nationwide. In the new law, many provisions concerning English learners moved from title III to title I.

As States undertake this shift, they need clarity on how to design accountability systems that include English learners in order to ensure kids do not fall through the cracks. For example, the rules make it clear that States can create proficiency goals for different groups of English learners rather than creating a uniform goal for all students.

Striking the rules would also undermine core elements of the law, like the requirement for States to report on school spending and resources. The regulation clarifies that States must create a uniform procedure for this reporting, which is vital for transparency around funding and investments and, I would say, is vital with respect to the civil rights mission of this law.

It is easy to publish numbers. Believe me; I have seen it. It is a lot harder to publish numbers that are accurate and meaningful by which parents and kids can make informed decisions.

Right now, as we sit here, States are developing accountability plans under the Every Student Succeeds Act, and they are drawing on the current rules to guide that process. A change now could delay the submission and approval process for these plans. States will not know whether to use different templates or the ones they already have. They do not know if they have to restart public comment periods, delaying submissions and throwing the entire timeline into uncertainty. There is no reason we should be doing this to our schools, our teachers, and our principals.

Repealing the rules would also suppress innovation and limit flexibility. I know that is the clarion call on this floor a lot of the time. In this case, people are going to get the opposite of what they expect. Flexibility is central to the Every Student Succeeds Act. I fought for many aspects of the law in order to give States the ability to design their own accountability systems,

and I believe in that. Yet, in the absence of express, legally binding guidance from the Department of Education about where and how they can experiment, States will respond to that uncertainty by embracing the safest course. I saw that all the time when I was superintendent.

States stand to lose a lot of money if they are not in compliance, particularly \$15 billion in annual title I funds for students who live in poverty. They do not want to risk it. It may seem odd, but we need these rules in order to ensure flexibility and innovation for States. Nonbinding guidance is not enough.

Finally, if we use the Congressional Review Act to repeal this rule—a very, very blunt instrument—the Department of Education will not be able to publish any rule that is “substantially the same” unless the Congress passes a new law—the Congress that took 8 years longer than it was supposed to in order to reauthorize No Child Left Behind the last time. This could mean that the Department of Education—and this is something people here need to pay attention to if they care about civil rights—would not be able to issue any new regulation to provide clarity for States as they transition to the new law. They would be left completely in the lurch, potentially hamstringing education policy across the country for a decade.

What is a shame about it is that there is absolutely no reason to do this. If the rules need to be changed, we should work together to improve them, but a CRA is not the correct policy tool. That is especially true when passing it would prevent all future regulation on core aspects of the Every Student Succeeds Act.

There has to be a better way for us to come together than this. I agree with the President that education is the civil rights issue of our time, and we should defeat this vote on this CRA.

I yield the floor.

Mr. DURBIN. Mr. President, today I come to the floor in opposition to the resolution to repeal regulations that help States and districts implement important provisions of the Every Student Succeeds Act.

In the last Congress, Members of Congress did what seems nearly unimaginable today. We passed a bipartisan bill, the Every Student Succeeds Act, or ESSA, to fix No Child Left Behind. After 14 years, Democrats and Republicans in both Chambers came together on compromise legislation to reauthorization of the Elementary and Secondary Education Act (ESEA). It gave States and districts flexibility to develop their own plans for holding schools accountable and encouraging improvements. At the same time, it included important Federal guardrails—including through regulatory authority—to fulfill the civil rights legacy of

the original ESEA, ensuring that all students have equal access to high-quality public education.

Today, we should be focusing on the implementation of ESSA and providing critical resources to students, teachers, and schools. But, instead, we are on the Senate floor debating a Congressional Review Act resolution of disapproval that would gut the regulations that help maintain the important balance that ESSA strikes between local control and making sure that States are held accountable for educating our students.

After listening to teachers, parents, principals, and superintendents, the Obama Administration issued the final accountability regulation last November. Among other things, this regulation provides important information to help States draft their State plans and develop accountability systems to determine whether children are actually learning. It gives more flexibility to States to develop academic standards, to measure student achievement, and to determine intervention strategies when subgroups of students are consistently underperforming. It also lays out how States should comply with important provisions of the law, including identifying low-performing schools for improvement.

Eliminating this regulation would roll back the Federal role in education that has been in place for more than 50 years. In 1965, when President Lyndon B. Johnson signed the Elementary and Secondary Education Act, it created an extraordinary opportunity for our Nation to make an even deeper commitment to civil rights. It ensured that all children, regardless of their ZIP Code, background, disability, or family wealth, would have a right to a quality education. Repealing this regulation would overturn 52 years of progress. We should be committing ourselves to advancing equity in education, but instead Republicans are using a political tool—the Congressional Review Act—to remove important Federal protections for students. I believe it is a betrayal of the bipartisan framework that underpins ESSA.

Striking this rule could also send States into chaos. Many States, including my home State of Illinois, have prepared their State plans to align with this regulation. Without the guidance and clarity that this regulation provides, states will not have the support they need to successfully implement ESSA. It could ultimately lead to greater liability for States and districts that are responsible for complying with the law but are left to interpret how to implement the law for themselves. If this partisan CRA effort is successful, the Education Department will not be able to promulgate new rules related to these issues. Instead of policy that is subject to the public scrutiny and review of the for-

mal Federal rulemaking process, repealing this rule gives incredible latitude to an administration that wants to dismantle public education.

When I voted for ESSA, it was with the understanding that the law allowed the Secretary of Education to promulgate rules to implement the bill's accountability provisions. Gutting these regulations swings the pendulum way too far in the direction of local control. Giving States more control with a blank check from the Federal Government is not responsible Federal policy. We should maintain critical Federal guardrails to hold States accountable for educating our children. We should uphold our vital role in protecting the civil rights of all children. Anything less says to our children that they don't matter. I urge my colleagues to join me in voting against this resolution.

Mr. VAN HOLLEN. Mr. President, one of the most significant bipartisan accomplishments of the last Congress was the Every Student Succeeds Act, the long-overdue reauthorization of K-12 education law. The Every Student Succeeds Act returned more flexibility to States while ensuring accountability to ensure that every child gets a quality education.

Today, however, the majority has brought before the Senate a measure that would take a step backward. This Congressional Review Act resolution would repeal Department of Education regulations that the Department put in place to give States and school districts clarity about their responsibilities under the law and guidance to ensure that students receive their guaranteed civil rights protections. The regulations resulted from a year of stakeholder feedback. States are already using this guidance to write their State plans.

If we pass this resolution today, we would pull the rug out from under the very local stakeholders that we promised to empower with the Every Student Succeeds Act. Passing this resolution would disrupt their planning process and interfere with their operations. This resolution would also hurt our most vulnerable students by weakening accountability and protections for students with disabilities and students of color.

As the National Disability Rights Center has said, “To rescind these regulations would not only be a disservice to the spirit of ESSA and diminish the efficacy of the law, but would also serve to undermine the equity of educational opportunity for all students, including students with disabilities.”

The Leadership Conference on Civil and Human Rights concurred, arguing: “The underlying accountability and state plan regulation will help states, districts, and schools to faithfully implement the law and meet their legal obligations to historically marginalized groups of students. . . .”

The U.S. Chamber of Commerce also opposes repealing this regulation, saying: "Just as we believe the Every Student Succeeds Act incorporates our principles, we believe the [accountability] regulations do as well. And they provide states with the clarity they need to move forward."

The Every Student Succeeds Act was the result of years of painstaking work and bipartisan compromise. The implementing regulation was the product of stakeholder input. We should not undermine that important progress and throw our education system into chaos with this resolution. I urge a "no" vote.

The PRESIDING OFFICER. The Senator from Iowa.

REPEALING AND REPLACING OBAMACARE

Mr. GRASSLEY. Mr. President, the other body spent yesterday and well into the night to vote out bills that would repeal and reform ObamaCare. I do not know exactly what is going to happen in the other body on that issue, but I would like to add some thoughts on the issue of repeal and replace.

ObamaCare has been a case of overpromise and underdelivery. People were told that their premiums would go down by \$2,500. They have actually gone up by an average of \$3,500. They were also promised that if they liked their doctors, they would be able to keep their doctors. Millions of people have had to change doctors. Then they were told that they could keep their healthcare plans, and millions of people have had to change their healthcare plans. In fact, ObamaCare has been a case of overpromise and underdelivery. The reality is much different.

ObamaCare is hurting more people than it is helping. I have heard from many Iowans about the tremendous premium increases and, most importantly, all about high deductibles and high copays that make ObamaCare not worth its consideration.

One farmer said his health insurance premium went from \$20,000 to \$30,000 in one year. Another family said their ObamaCare premium increased 144 percent over 3 years. The 2017 premium for three people was over \$24,000, and families who did manage to purchase ObamaCare insurance found that they could no longer afford to use it because of sky-high deductibles and copays. Another Iowan said that his policy for his family of three increased from \$15,000 a year to \$23,000 in 1 year, with, more importantly, the policy's value being less because the deductible for that plan is nearly \$6,000.

It is quite obvious, as you think of these situations, that very few people can afford some of the prices or afford the deductibles that we hear about. So I think it is a very clear summation to say that ObamaCare is not working.

According to Avalere, one-third of the country will have only one insurance carrier that offers ObamaCare

plans next year. Since that analysis by Avalere, another insurance company has pulled out of ObamaCare and has left some parts of the country without any insurance companies whatsoever for the folks to choose from. So many insurance companies have dropped out of ObamaCare that there are places in the country where people have a subsidy, but no insurance plans to buy. That is like having a bus ticket and there is no bus to take you anywhere.

Even those who were strong supporters of the healthcare law, like, as an example, the Democratic Governor of Minnesota, have said—or he said—the ACA "is no longer affordable to many Americans."

The problem with ObamaCare is it did nothing to address the underlying causes of the high cost of healthcare; that is, what it costs for a hospital or doctor to purchase and maintain medical equipment, to purchase medicines, to carry malpractice insurance, and things like that. Rather than address the actual cost of care, President Obama chose to bypass real healthcare reform for an unsustainable entitlement and, of course, bureaucratic mandates, which have priced people out of the healthcare insurance market, rather than provide them with affordable and quality coverage.

It is time, then, as the House was working throughout the night, to deliver more accessible, more affordable healthcare to even more Americans. ObamaCare has failed on both of these points, with, I believe, 29 million people still not having health insurance.

It is time to reduce the role of the Federal Government in the healthcare system because I think that expanded role is one of the very basic problems we have with ObamaCare. It is time to spend less and get better quality care.

I urge my colleagues on the other side of the aisle to work across the aisle in a bipartisan way. They know the Affordable Care Act is not serving the purposes that it was intended to serve and is falling apart and, in a short period of time, it may collapse. I think the other side is trying to distract attention from the Affordable Care Act collapse, and they are doing it by using the usual scare tactics. It used to be those scare tactics were applied just to Medicare improvements, but now they are applied across the board of healthcare delivery in America.

It is time for the other party to step up instead of doubling down because it was their plan passed in March of 2010 that put us in this spiral we are in. It is time for statesmanship, not gamesmanship. It is time for the people who are responsible for ObamaCare to stop defending the un-Affordable Care Act and deliver Americans what was promised.

I look forward to working with all of my colleagues and, of course, our new

President to deliver affordable healthcare to more Americans.

Mr. President, I ask unanimous consent that Senator ALEXANDER control 10 minutes of the remaining debate time on H.J. Res. 57.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. Mr. President, I ask unanimous consent to speak for 7 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mrs. MURRAY. Mr. President, I come to the floor to once again urge my fellow Senators to vote against this resolution, which will weaken our bipartisan Every Student Succeeds Act and will hurt students and schools across the country. I wish to quickly run through the reasons why passing this resolution will hurt our students.

First, voting for this resolution will throw States and school districts into chaos just as they are beginning to implement this law. Secretary DeVos has already sent a letter to State chiefs suggesting that a new State template for plan submission would be coming, less than a month before approximately 18 States and the District of Columbia intend to submit their plans. This timeline will not allow enough time for the stakeholder review process that is required in the law and may force States to reopen their plans and delay implementation of the law.

Secondly, the Every Student Succeeds Act is a civil rights law at its core. We know from experience that without strong accountability, kids from low-income neighborhoods, students of color, kids with disabilities, and students learning English too often fall through the cracks, and now it is up to all of us to uphold the civil rights legacy of the law and its promise for students by voting against this resolution.

I wish to spend a little more time on the third reason. It should concern all of us that if this resolution passes, it will give Secretary DeVos a blank check to promote her anti-public school agenda. During her confirmation process, my colleagues and millions of Americans saw that Secretary DeVos lacks a basic understanding of key concepts in public education policy, and even more concerning, she has openly questioned the role of the Federal Government in protecting our most vulnerable students.

After her hearings, millions of people across the country stood up, made their voices heard, and called on the Senate to reject her confirmation. Although she squeaked through with an unprecedented tie—the breaking vote from Vice President PENCE—it was clear that Democrats, Republicans, and people across the country rejected her anti-public school agenda. Instead, they want the Department of Education to stand with students and with schools. We cannot in good conscience, through this rule, give Secretary DeVos another tool to promote her anti-public school agenda in ESSA implementation, and that is exactly what passing this resolution will do.

My colleagues across the aisle—the senior Senator from Tennessee made a number of claims in his remarks yesterday about this rule, and I want to go through a few of them because I believe they were off base on a number of levels.

First, the way my friend talked about what the law allows, or doesn't allow, in terms of rulemaking is absolutely wrong. Major laws like the Every Student Succeeds Act allow for and depend on Federal agencies to issue rules that help implement and clarify said laws. The Every Student Succeeds Act maintains the Secretary's overall authority to issue rules and clarifications that are consistent with the law. This rule before us today is consistent with ESSA, and it provides important clarity to our States, our school districts, and our schools.

Secondly, the senior Senator from Tennessee misrepresented how this rule requires States to rate schools. While the Department's initial rule did require States to provide schools with a "summative rating," my colleague across the aisle, as well as a number of education stakeholder groups, requested that the Department provide States more flexibility. The Department listened and took this out of the final rule which we are talking about today. In fact, the Council of Chief State School Officers, one of the groups who was concerned with the summative rating, said in a statement in response to this rule: "It is clear the U.S. Department of Education listened to the feedback from state education chiefs across the country and made several important changes to ensure the accountability provisions in the Every Student Succeeds Act can be implemented in all States." And now the final rule only requires States to comply with ESSA in this area.

Finally, I want to say that my colleague was simply wrong in the way he talked about the impact of this rule on schools that are struggling. ESSA provides guardrails to make sure that grant sizes are sufficient to meet the needs of students, but it provides States with the flexibility to allot

smaller grants to smaller sized districts and schools if that is what works best for them. But this rule in no way limits State decisionmaking in this area.

Those are just a few of the ways this rule was mischaracterized over the course of the debate. There were many others. I just have to say that it is disappointing because Democrats and Republicans worked together on this law. I thought there was a clear understanding of what the law intended. I assumed my colleagues understood what the Department was doing to implement our law in an open and collaborative way, and it is very concerning to me to hear such partisanship and false representations of our bipartisan law.

This rule does not dictate what States have to do in struggling schools. Instead, it balances the goals of ESSA—flexibility with Federal guardrails—and provides important clarity for our States.

A vote for this resolution is a vote to run away from the bipartisan nature of the Every Student Succeeds Act. It is a blunt instrument and a significant step in the wrong direction, and it will have a serious impact on our students, our schools, and our districts across the country.

I am disheartened to see that my Republican colleagues are jamming this partisan play through in the same fashion they did with Secretary DeVos's nomination.

Over the past few months, millions of students, parents, and teachers have made their voices heard about the importance of public education to them. They want us to work together, and they want us to build on the bipartisan law. This resolution does exactly the opposite.

I urge our colleagues to vote against this resolution and vote for our schools and our students and to vote for the bipartisan ESSA law.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, in 2015, 85 U.S. Senators voted to fix the No Child Left Behind Act. We reversed the trend to a national school board and began to restore decisions to classroom teachers, local school boards, and States. The Wall Street Journal said that it was "the largest devolution of federal control to the States" in 25 years.

The Department of Education regulation that we seek to overturn today does exactly the reverse. It begins to restore the national school board, and it begins to take away responsibility from classroom teachers, local school boards, and States. It does that in direct violation of the law we passed with 85 Senators voting for it 15 months ago.

The question before us today is not only whether we believe in a national

school board or local school board, the question is whether we believe Congress ought to write the law or the U.S. Department of Education ought to write the law. Article I of the U.S. Constitution says that the U.S. Congress—we—should write the law.

The purpose of this resolution is to overturn a Department of Education regulation that in seven specific cases directly violates the Every Student Succeeds Act passed 15 months ago, and in 16 additional cases exceeds the authority allowed by the law. I spoke on this floor yesterday in detail of each of those 23 instances.

It is very unusual for the Congress to actually prohibit a department from regulating on an issue, but that is exactly what Congress did. The regulation we are seeking to overturn says to States: Ignore the law that 85 Senators passed 15 months ago. Ignore the law President Obama called a "Christmas miracle." Ignore the law Governors, teachers, school boards, and superintendents all supported, and even ignore why they supported it, and listen instead to unelected bureaucrats at the U.S. Department of Education.

This regulation issued by the Department of Education specifically does things or requires States to do things Congress said in our law that the Department cannot do; therefore, it violates the law.

For example, Congress said to the Department: You cannot tell States what to do about fixing low-performing schools in Alaska or Tennessee or your State; that is a State decision. But this regulation does that anyway.

Congress said to the Department: You cannot tell States exactly how to rate the public schools. But this regulation does that anyway.

This isn't a trivial matter. The remarkable consensus that developed in 2015 in support of the bill fixing No Child Left Behind was, as I said earlier, to reverse the trend toward a national school board and restore to States, classrooms, teachers, and communities decisions about what to do about schools. People are fed up with Washington telling teachers and schools and superintendents and States so much about what to do about their children in 100,000 public schools. So this regulation, which contravenes the law, goes to the heart of that consensus.

This resolution ensures that the law is implemented the way Congress wrote it. This resolution restores flexibility. This resolution preserves local decision making. This resolution scuttles new and burdensome reporting requirements that are in the Department regulation. This resolution ensures strong accountability for our schools, but it is State accountability. That is what we decided in our law.

Chaos? My distinguished friend from Washington said "chaos." The Secretary of Education has announced

that States may continue to follow the exact same timeline that the former Secretary, Secretary King, announced for sending in their State plans. If they have questions about how to do that, they can read the law, they can read the guidance, they can read frequently asked questions, or they can make a telephone call.

This resolution does not in any way give the Secretary new authority. In fact, it limits her authority and the authority of the next Secretary. If we stand up and say we are not going to allow any Secretary of Education, whether it is Secretary King or Secretary DeVos, to, in 23 different instances in a regulation, contravene the authority granted in a law, that means we won't have Secretaries imposing their own policies. We will have Congress writing the law. This regulation—the one we are overturning is not required by the law. It is allowed by the law, but it is not required by the law. School districts can read the law.

Future Secretaries will be able to write regulations on this subject. Of course they will. When you overturn a regulation, it does mean the Secretary can't issue a new regulation that is substantially the same, but that simply means, in a commonsense way, the Secretary can't turn right around and do the same thing we just overturned.

This is a question of whether we are going to restore the national school board that 85 Senators voted to reverse. This is a question of whether you believe Congress writes the law or the U.S. Department of Education writes the law. This resolution upholds the law that received 85 votes from U.S. Senators.

I urge my colleagues to vote aye. An "aye" vote preserves the bipartisan consensus. A "nay" vote undermines the bipartisan consensus.

I yield the floor.

I yield back any remaining time.

The PRESIDING OFFICER (Mrs. FISCHER). All time is yielded back.

The joint resolution was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. The joint resolution having been read the third time, the question is, Shall the joint resolution pass?

Mr. PERDUE. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Georgia (Mr. ISAKSON).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 50, nays 49, as follows:

[Rollcall Vote No. 84 Leg.]

YEAS—50

Alexander	Fischer	Paul
Barrasso	Flake	Perdue
Blunt	Gardner	Risch
Boozman	Graham	Roberts
Burr	Grassley	Rounds
Capito	Hatch	Rubio
Cassidy	Heller	Sasse
Cochran	Hoeven	Scott
Collins	Inhofe	Shelby
Corker	Johnson	Strange
Cornyn	Kennedy	Sullivan
Cotton	Lankford	Thune
Crapo	Lee	Tillis
Cruz	McCain	Toomey
Daines	McConnell	Wicker
Enzi	Moran	Young
Ernst	Murkowski	

NAYS—49

Baldwin	Harris	Peters
Bennet	Hassan	Portman
Blumenthal	Heinrich	Reed
Booker	Heitkamp	Sanders
Brown	Hirono	Schatz
Cantwell	Kaine	Schumer
Cardin	King	Shaheen
Carper	Klobuchar	Stabenow
Casey	Leahy	Tester
Coons	Manchin	Udall
Cortez Masto	Markey	Van Hollen
Donnelly	McCaskill	Warner
Duckworth	Menendez	Warren
Durbin	Merkley	Whitehouse
Feinstein	Murphy	Wyden
Franken	Murray	
Gillibrand	Nelson	

NOT VOTING—1

Isakson

The joint resolution (H.J. Res. 57) was passed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The bill clerk read the nomination of Seema Verma, of Indiana, to be Administrator of the Centers for Medicare and Medicaid Services.

The PRESIDING OFFICER. The Senator from Florida.

FREEDOM FOR BOB LEVINSON

Mr. NELSON. Madam President, I come to the floor with a heavy heart because 10 years ago today, Robert Levinson, a former FBI agent, was detained in Iran on the tourist island of Kish Island in the Persian Gulf.

Bob is a very respected, long-time FBI agent who had served his country for 28 years and had since retired. He is the longest held civilian in our Nation's history. He is a husband, a father of seven, and now a grandfather of six, and he deserves to be reunited with his family.

Since Bob's detention, American officials have sought Iran's cooperation in locating and returning Bob to his family. Of course, Iranian officials have promised over and over their assistance, but after 10 long years, those promises have amounted to nothing. Bob still is not home.

The bottom line is, Iran is responsible for returning Bob to his family. If Iranian officials don't have Bob, then they sure know where to find him. So today we renew our call on Iran to make good on those promises and return Bob, return him to where he ought to be, with his family.

Iran's continued delay in returning him, in addition to the very serious disagreements the United States has with the Government of Iran about its missile program, its sponsorship of terrorism, and its human rights abuses, is just another obstacle Iran must overcome if it wants to improve relations with the United States.

We also urge the President and our allies to keep pressing Iran to make clear that the United States has not forgotten Bob and will not forget him until he is home. Obviously, we owe this to Bob, a servant of America, and we certainly owe it to his family.

To Bob's family, we recognize your tireless efforts over those 10 long years to bring your dad home, and we offer our sympathies.

Madam President, I yield the floor.

The PRESIDING OFFICER. The majority whip.

AMERICAN HEALTH CARE ACT

Mr. CORNYN. Madam President, this week the Senate continues to press forward on a number of congressional review actions; in this case, a disapproval that will roll back and repeal many Obama-era regulations that have hurt people across the country and strangled our economic growth.

By doing away with excessively burdensome rules and regulations, we are delivering on our promise to the American people to actually do what we can to help the economy, to grow the economy, to create jobs and not hurt it with unnecessary, expensive, and burdensome redtape.

Earlier this year, we began the legislative process to deliver on our biggest promise: repealing and replacing ObamaCare with more affordable and more accessible healthcare options, options that will work for all American families. The American Health Care Act, introduced in the House on Monday, is the first step in fulfilling that promise.

ObamaCare is collapsing. It has already failed countless families across the country, and it has forced people off good insurance plans they liked and strong-armed them to sign up for plans that were more expensive, offered less care, and didn't even let them use the doctor of their choice. So we would be revisiting healthcare even if Hillary Clinton had been elected President of the United States because ObamaCare is in a meltdown mode.

ObamaCare has also saddled our economy with more than a trillion dollars in new taxes. Most of those taxes are so hidden that most Americans are probably not aware of the fact that

there is even a tax charged on the premium for their health insurance policy, for example. Well, all of these taxes end up being absorbed and have to be paid by American families.

At its very core, the individual mandate of ObamaCare was a major power play and overreach by the Federal Government. Basically, what it said was, if you don't buy the government-prescribed health insurance plan, we are going to fine you; we are going to penalize you.

The government should not be able to force anyone to spend their own hard-earned money for something they don't want but have to buy under a threat of financial penalty. The American people have spoken up loudly and clearly and rightfully demanded that Congress do better, and we will.

Since the 2010 timeframe—when our colleagues on the other side of the aisle passed ObamaCare with 60 votes in the Senate, a majority in the House, and with the White House—they have lost the majority in the Senate, they have lost the majority in the House, and they have lost the White House. I think ObamaCare has been one of the major reasons why, because people, the more they learn about it, the less they like it, and they don't appreciate Washington forcing them to do things they don't want to do with their own money.

About 2 months ago, one of my constituents in Texas wrote me about her skyrocketing healthcare costs. Before last year, her premium was about \$325 a month. A short time later, that was revised to \$436 a month. This same Texan later moved from one city to another and, because of her change of address, her premium jumped to \$625 a month. It started at \$325 and is now \$625. In 2017, thanks to ObamaCare, her premium went up again to an astronomical \$820 a month. It started at \$325 before ObamaCare and is now \$820 a month. I don't know many people who could absorb that kind of increase in their healthcare insurance premium.

In about a year, her monthly healthcare payment jumped by more than 150 percent—150 percent. That is hardly what I would call affordable; thus, the misnamed Affordable Care Act should be the un-Affordable Care Act.

To make matters worse, she then found that her provider would be putting a halt to individual plans in Texas, something that has been a recurring theme in my State and across the country. So while President Obama said: If you like your plan, you can keep your plan, as a result of ObamaCare, she was not able to keep her plan so she had to find a new plan and a new doctor, a plan ultimately with less care, less flexibility, and even a higher price.

Suffice it to say, for this constituent of mine and for millions more like her, ObamaCare is not working. ObamaCare

is not affordable, and it is hurting Texans. It is time for Congress to keep its promise that we have made in every election since that given the privilege of governing—of being in the majority, being in a position to change things—we would repeal and replace ObamaCare with options that fit the needs of all Americans and their families at a price they can afford.

Mr. SANDERS. Will my friend from Texas yield for a question?

Mr. CORNYN. I will not, not at this time.

Fortunately, we now have a President in the White House who clearly sees the failure of ObamaCare and wants to do something about it. Republicans in Congress have introduced a bill, which is now being marked up in the House, that the President can actually sign, once it is passed, to get us out of this mess. The American Health Care Act is the vehicle to do just that, and I am glad President Trump endorsed the plan earlier this week.

It is a work in progress. The House committees are marking it up as we speak. There will be changes along the way, but, ultimately, the House will pass the bill and send it to the Senate. Then we will have an opportunity to offer our amendments during the course of its passage. The important point to make, though, is that this legislation will actually put patients first so they are not forced into a plan that they don't want or that provides coverage they can't afford. It does away with the outrageous new taxes and the penalties that have made the economy worse off and have made life harder for American families.

The legislation will also give families more flexibility so they can get the healthcare specific to their needs that actually works for them. If they decide, for example, to get a major medical policy that is relatively inexpensive and then use a health savings account to use pretax dollars to pay for their regular doctors' visits, they will have the flexibility to do that. So this legislation promotes sensible reforms to ensure that big ticket items like Medicaid are put on a more sustainable fiscal path.

I have heard some suggestions that this legislation actually guts Medicaid. That is false. That is not true. It actually continues at current levels in this shared State and Federal program, but it is subject to a cost-of-living index that will actually put Medicaid on a more sustainable path. Just as importantly, it will also return the authority back to the States to come up with the flexible programs they need to deal with the specific healthcare needs of the people of their State.

This legislation makes sure that Medicaid doesn't lose sight of its design, which is to serve the most vulnerable among us who can't afford access to quality healthcare. It provides them

that access—and better access—by providing flexibility to the States.

We know that the States and the Federal Government spend an awful lot of money on Medicaid. In Texas, for example, my State spent close to one-third of its budget on Medicaid last year—one-third of all State spending—and it is uncapped, so it goes up every year by leaps and bounds. Under the American Health Care Act, Medicaid will be tied to the number of people in the State using it, a per capita rate, which makes sense, and it represents the first major overhaul of the program in decades.

ObamaCare left us with unchecked government spending, more taxes, and fewer healthcare options. This bill is the opposite of ObamaCare in every way. It will control spending in a commonsense way, it will repeal ObamaCare's taxes and the individual and employer mandate, and it will provide more flexible free market options for families across the country. That is not just a bumper sticker or advertisement; that is actually what is contained in the legislation.

I look forward to working with my colleagues in the House, in the Senate, and in the Trump administration to get this done in the next few weeks.

Madam President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MARKEY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MARKEY. Madam President, here we go again, debating the nomination of a Trump candidate who is both unqualified and reflects an extreme ideology for the Department she will hope to lead. In this case it is Seema Verma, and the Department is the Centers for Medicare and Medicaid, or CMS, as it is often called.

Why is CMS, an acronym for a department that most Americans don't even know about, so important that its nominee would make it to the floor of the U.S. Senate for debate? Because 100 million Americans receive health insurance coverage under one of our Federal insurance programs—Medicare, Medicaid, the Children's Health Insurance Program, and the health insurance marketplace created by the Affordable Care Act, all of which are under the jurisdiction of CMS.

CMS is the traffic cop of our Federal Government healthcare system. It makes sure that Americans have access to affordable, quality healthcare by administering and overseeing all aspects of our Federal health program. It promotes healthcare innovation and works to reduce waste, fraud, and abuse throughout our healthcare system.

Under the Trump administration and Republican leadership, which has vowed to repeal ObamaCare and get rid of Medicaid as we know it, the leader of CMS will be the person responsible for reducing Federal spending on public insurance programs, particularly for the poor, the elderly, and the disabled. Seema Verma is President Trump's nominee to try to meet that misguided and heartless challenge.

Republicans have an ancient animosity toward Medicaid, and it would seem that Ms. Verma shares that prejudice. Ms. Verma is most well known for proposals that penalize and create roadblocks to coverage for low-income Americans. She supports changes to Medicaid that would make it harder for those who need Medicaid to access it. This stance is fundamentally antithetical to the core principle of Medicaid, which is providing coverage for those who cannot afford it. For the most part, we are talking about poor people in the United States of America in 2017.

Despite the fact that research shows the onerous premiums or cost sharing for low-income individuals served as barriers to enrolling in and obtaining care, Ms. Verma supported a plan to require Medicaid enrollees to pay premiums through monthly contributions to a health savings account. Guess what. People who are poor enough to qualify for Medicaid rarely have enough money to dedicate to savings accounts of any kind. They are living day to day, week to week, month to month.

She also supports putting in place restrictions that put more burdens on low-income Americans than even private insurance. It will be Grandma and Grandpa who will pay the highest price.

Medicaid isn't just a line in our healthcare budget; it is a lifeline for millions of seniors in every State of the country. Here are the facts about the importance of Medicaid to our seniors. It is anticipated that by 2060, there will be more than 98 million Americans over the age of 65. The number of individuals over the age of 85 is expected to reach 14.6 million in 2040—triple the number in 2014. Of this population, 70 percent will likely use long-term services and supports, of which Medicaid is the primary player. Medicaid spent \$152 billion on long-term support services like nursing home care in 2014.

Let me say that again. The entire defense budget is about \$550 billion. We spent as a nation \$152 billion—a little less than one-third of the defense budget—to take care of Grandma and Grandpa in nursing homes in 2014. They may have Alzheimer's, they may have other diseases, but, unfortunately, most families can't save \$50, \$60, \$70,000 for year after year of nursing home coverage; that is Grandma and Grandpa.

The anticipated growth rate for Medicaid beneficiaries over the age of 65 is four times the rate of growth for all Medicaid beneficiaries. The only thing growing faster than the need for Medicaid is the number of people who are opposed to repealing the Medicaid expansion under ObamaCare. Medicaid pays for nearly two-thirds of individuals living in nursing homes.

Can I say that again? Medicaid pays for two-thirds of individuals living in nursing homes in our country. So if you know a family member who is in a nursing home who has Alzheimer's or some other disease, you can just assume that Medicaid is helping that family to ensure that Grandma or Grandpa is getting the care they deserve for what they did to build this great country.

Fundamentally restructuring Medicaid will place additional strain on already strapped State budgets because nursing facility care is a mandated Medicaid benefit. States may offset the increased costs in covering this service by further cutting payments to providers or removing benefits that seniors want and need, like home- and community-based services. It also puts more strain on working-class families because if Medicaid isn't picking up the cost of putting your grandma in a nursing home, that comes out of the pockets of other contributors to the family.

Unfortunately, Republicans want to undermine the Medicaid expansion under the Affordable Care Act, which is benefiting millions of seniors. They want to force seniors to pay more out-of-pocket for healthcare or forgo coverage because they cannot afford it.

What Republicans refuse to accept is that the Affordable Care Act is the most important program we have put in place for seniors since Medicare. The uninsured rate for Americans aged 50 to 64 dropped by nearly half after the passage of the ACA. The uninsured rate for this older population living in Medicaid expansion States was 4.6 percent while the uninsured rate for the same population living in a non-Medicaid expansion State was 8.7 percent—almost double.

Not only does the Republican proposal amount to an age tax by substantially increasing the amount an insurance company can charge for an older person, but it provides older Americans with fewer resources than what is available under ObamaCare to help cover their increased costs for care.

Unfortunately, as Republicans attempt to repeal ObamaCare, CMS is authorized by President Trump's Executive order to "minimize the unwarranted economic and regulatory burdens" of ObamaCare. In simple terms, that means undoing and privatizing vital provisions of the Affordable Care Act as soon as possible under the law.

CMS has also picked up a sledgehammer. It has already proposed new

rules of slashing open enrollment times for the exchanges by over a month. It has proposed rules to relax the minimum standards for what qualifying health plans sold on the exchanges have to cover.

Now, more than ever, we need a leader at CMS who understands and respects the fundamental need for healthcare for our seniors, and for so many of them, that need is met by Medicaid. Ms. Verma's disdain for Medicaid is simply an insurmountable problem for the millions of older Americans in this country who rely upon this fundamental program.

Given her lack of experience and extreme views, several major groups that represent millions of working-class Americans have voiced strong opposition to her confirmation.

This is what the American Federation of State, County and Municipal Employees of the AFL-CIO said:

"Leading CMS is too important a role to be held by an individual who is committed to policies so radical they would jeopardize the health and lives of ordinary Americans."

I could not agree more.

Seema Verma is the wrong person to run CMS at a time when millions of Americans are relying on the dignity and coverage that Medicare and Medicaid provide.

Instead of cutting funding for defense, Donald Trump wants to cut programs for the defenseless. The Trump administration would rather bestow billions more to the Pentagon to pay for new nuclear weapons, which we do not need and cannot afford, all the while supporting cuts to Medicaid and senior health. We should be cutting Minuteman missiles instead of Medicaid. We should be cutting gravity bombs instead of Grandma's prescriptions.

The Trump administration's plan for Medicaid and our overall healthcare system would be a nightmare for Grandma and Grandpa and millions of middle-class Americans.

I am opposed to Seema Verma's nomination, and I call on my colleagues to join me in voting no on her nomination when it is presented on the Senate floor.

I yield the floor.

The PRESIDING OFFICER (Mr. SASSE). The Senator from Colorado.

NOMINATION OF NEIL GORSUCH

Mr. GARDNER. Mr. President, I rise to support the nomination of Judge Neil Gorsuch to the U.S. Supreme Court. Hopefully, we will see his confirmation in the weeks to come.

As I have come to the floor and talked about before, Judge Gorsuch is a fourth-generation Coloradan who serves on the Tenth Circuit Court of Appeals, which is the U.S. circuit court that is housed in Denver, CO. It is the circuit court that oversees about 20 percent of the land mass in the States

of Colorado, Oklahoma, and places in between. Once he is confirmed to the Supreme Court, Neil Gorsuch will become the second Coloradan to have served on the Court.

We have a great history of another Supreme Court Justice who served on the highest Court. Associate Justice Byron White had the distinction of being the only Supreme Court Justice to lead the NFL in rushing, and he was also from Colorado.

If Judge Gorsuch is confirmed, Justice Gorsuch will join Byron White as another Coloradan on the High Court. Justice Rutledge also received his bachelor's of law degree from the University of Colorado. So we do have a great history of Colorado westerners joining our Nation's highest Court.

Mr. Gorsuch was confirmed to the Tenth Circuit Court a little over 10 years ago—11 years ago—in 2006, by a unanimous voice vote. He was so popular and so well supported that there was not even a rollcall vote taken in this Chamber. It was a simple acclamation by a voice vote. In fact, Gorsuch's nomination hearing was deemed so noncontroversial that the last time, Senator GRAHAM was the only committee member to attend.

One may ask oneself what made and continues to make Judge Gorsuch such a mainstream nominee. I do not think we need to look any further than his original Judiciary Committee questionnaire to see that Judge Gorsuch possesses the right temperament and the right view of the role of judges.

I thought it was important that I read this from 11 years ago when Judge Gorsuch was confirmed to the Tenth Circuit Court. The questionnaire he filled out for the Judiciary Committee included then-Neil Gorsuch's—trying to be Judge Gorsuch—response to judicial activism and what it meant to Neil Gorsuch prior to his confirmation to the Tenth Circuit Court.

Here is what he replied to the Judiciary Committee in that committee questionnaire:

The Constitution requires Federal judges to strike a delicate balance. The separation of powers embodied in our founding document provides the judiciary with a defined and limited charter.

Judges must allow the elected branches of government to flourish and citizens, through their elected representatives, to make laws appropriate to the facts and circumstances of the day.

Judges must avoid the temptation to usurp the roles of the legislative and executive branches and must appreciate the advantages these democratic institutions have in crafting and adapting social policy as well as their special authority, derived from the consent and mandate of the people, to do so.

At the same time, the Founders were anxious to ensure that the judicial branch never becomes captured by or subservient to the other branches of government, recognizing that a firm and independent judiciary is critical to a well-functioning democracy.

The Constitution imposes on the judiciary the vital work of settling disputes, vindicating civil rights and civil liberties, ensuring equal treatment under the law, and helping to make real for all citizens the Constitution's promise of self-government.

There may be no firmly fixed formula on how to strike the balance envisioned by the Constitution in specific cases, but there are many guideposts discernible in the best traditions of our judiciary.

A wise judge recognizes that his or her own judgment is only a weak reed without being fortified by these proven guides.

For example, a good judge recognizes that many of the lawyers in cases reaching the court of appeals have lived with and thought deeply about the legal issues before the court for months or years. A lawyer in the well is not to be treated as a cat's paw but as a valuable colleague whose thinking is to be mined and tested and who, at all times, deserves to be treated with respect and common courtesy.

A good judge will diligently study counsels' briefs and the record and seek to digest them fully before argument and then listen with respectful discernment to the arguments made by his or her colleagues at the bar.

A good judge will recognize that few questions in the law are truly novel, that precedents in the vast body of Federal law reflect the considered judgment of those who have come before us and embody the settled expectation of those in our own generation.

A good judge will seek to honor precedent and strive to avoid its disparagement or displacement.

A good judge will listen to his or her colleagues and strive to reach consensus with them. Every judge takes the same judicial oath; every judge brings a different and valuable perspective to the office.

A good judge will appreciate the different experiences and perspectives of his or her colleagues and know that reaching consensus is not always easy but that the process of getting there often tempers the ultimate result, ensuring that the ultimate decision reflects the collective wisdom of multiple individuals of disparate backgrounds who have studied the issue with care.

Throughout the process of adjudicating an appeal, a good judge will question not only the positions espoused by the litigants but also his or her own perceptions and tentative conclusions as they evolve.

And a good judge will critically examine his or her own ideas as readily and openly as the ideas advanced by others.

A good judge will never become so wedded to any view of any case so as to preclude the possibility of changing his or her mind at any stage—from argument through the completion of a written opinion.

Pride of position, fear of embarrassment associated with changing one's mind, along, of course, with personal politics or policy preferences have no useful role in judging; regular and healthy doses of self-skepticism and humility about one's own abilities and conclusions always do.

This is the response that then-Neil Gorsuch, prior to his becoming Judge Gorsuch, gave to the Senate Judiciary Committee and in response to a questionnaire about judicial activism and about what makes a good judge in his talking about fidelity to precedent, talking about the ability to reach a conclusion that may be in disagreement with one's own personal opinions, making sure that we respect the different branches of government, making

sure that one listens to one's colleagues who are arguing a case and who have spent years in their getting to know the case and its every detail, and scrubbing your mind to question the positions that you thought you had to make sure that they mesh with the law, not with opinion.

Judge Gorsuch, when he was introduced at the White House when being nominated by the President, said that a judge who agrees with every opinion he reaches is probably a bad judge.

The institution we serve has that fidelity to the Constitution that we must preserve, that we must guard. Guardians of the Constitution, which judges represent, is something we confirm. It is our job to make sure the kind of judges we place on courts represent the kind of judge Neil Gorsuch truly is.

It is this temperament, this fidelity to the Constitution, this appropriate temperament, and remarkable humility that has made Judge Gorsuch a consensus pick in the past and, I believe, that could be a consensus pick in the near future.

It is reflected in the fact that, on February 23, Senator BENNET and I, along with the Judiciary Committee, received a letter from Colorado's diverse legal community in support of Judge Gorsuch's nomination to the Supreme Court.

The letter reads as follows:

As members of the Colorado legal community, we are proud to support the nomination of Judge Neil Gorsuch to be our next Supreme Court Justice. We hold a diverse set of political views as Republicans, Democrats, and Independents. Many of us have been critical of actions taken by President Trump. Nonetheless, we all agree that Judge Gorsuch is exceptionally well qualified to join the Supreme Court. He deserves an up-or-down vote.

We know Judge Gorsuch to be a person of utmost character. He is fair, decent, and honest, both as a judge and as a person. His record shows that he believes strongly in the independence of the judiciary. Judge Gorsuch has a well-earned reputation as an excellent jurist. He voted with the majority in 98% of the cases he heard on the 10th Circuit, a great portion of which were joined by judges appointed by Democratic Presidents. Seven of his opinions have been affirmed by the U.S. Supreme Court—four unanimously—and none has been reversed.

We ask that Colorado's Senators join together and support this highly qualified nominee from Colorado. Regardless of the politics involved in prior confirmation efforts, including what many consider to be the mistreatment of Judge Garland's nomination, a filibuster now will do Colorado no good.

Judge Gorsuch deserves a fair shake in the confirmation process. Please vote against a filibuster and vote for Judge Gorsuch's confirmation to the Supreme Court.

This letter from James Lyons is another such letter talking about the importance of the confirmation of Judge Gorsuch. I couldn't agree more with this letter and the letter that I read.

Judge Gorsuch is an exceptionally qualified jurist, to use their words, and

he deserves a fair shake in the confirmation process that includes a timely up-or-down vote.

I ask unanimous consent that this letter be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

FEBRUARY 7, 2017.

Hon. CHUCK GRASSLEY,
Chairman, Committee on the Judiciary,
U.S. Senate.

DEAR SENATOR GRASSLEY: I write this letter in strong support of the nomination and confirmation of Judge Neil Gorsuch for Associate Justice of the United States Supreme Court.

Judge Gorsuch has been known to me professionally for over twenty years, and his family even longer. In the mid-nineties, we were counsel together in successfully representing co-defendants in a major securities matter involving class action and derivative lawsuits in several jurisdictions across the country as well as SEC and Congressional investigations. Over the course of that complex representation in the following years, I came to observe first-hand his considerable lawyering skills, intellect, judgment and temperament. He was one of the finest trial lawyers with whom it has been my pleasure to be associated in my career. We also became personal and good friends which continued during the following years at his firm, later during his time at the Department of Justice and since returning to Denver to serve on the bench.

I was delighted by his appointment to the U.S. Court of Appeals for the Tenth Circuit based here in Denver. (He honored me by having me be one of two lawyers to introduce him to the court at his formal investiture.) Over his years of service on that court, he has distinguished himself with his work ethic, keen and thorough understanding of the case under review, his formidable analytical ability, and the clarity of his opinions. I have read many of his opinions and watched him in oral argument. He is engaging, courteous to counsel and demonstrates a full and unusual appreciation for the human impact of his decisions on the people involved. These are the qualities of an outstanding jurist.

Judge Gorsuch has been active and an important voice in the legal community and academy. He has written extensively, lectured and taught in continuing legal education seminars and served on the important federal Rules Committee, among others. He also has found time to sit on student moot courts and teach both ethics and federal jurisdiction at the University of Colorado Law School. He is regularly regarded by his students as one of their very best law professors—effective, challenging and personable.

Judge Gorsuch's intellect, energy and deep regard for the Constitution are well known to those of us who have worked with him and have seen first-hand his commitment to basic principles. Above all, his independence, fairness and impartiality are the hallmarks of his career and his well-earned reputation.

Sincerely,

JAMES M. LYONS.

Mr. GARDNER. Mr. President, I look forward to working with my colleagues across the aisle to make sure we fill this vacancy on the Supreme Court with one of this Nation's truly brilliant legal minds.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MORAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. KENNEDY). Without objection, it is so ordered.

CUBA TRADE ACT

Mr. MORAN. Mr. President, I come to the floor today to speak about legislation I have recently introduced, although it is a follow-on to legislation I pursued over a number of years.

We have now introduced in this Congress the Cuba Trade Act. This is legislation which would lift the trade embargo to allow farmers and ranchers and small businesses and other private sector industries to freely conduct business, to sell products—agricultural products in particular—to the nation of Cuba and to its people.

Last month, I spoke about the terrific difficulties our farmers in Kansas and across the country are facing due to low commodity prices. The farm economy has fallen by nearly 50 percent since 2013, and that decline is expected to continue in 2017, making this perhaps, if not the worst, certainly one of the worst economic downturns in farm country since the Great Depression.

In 2016, harvests in our State and across much of the country were record-breaking yields and historic in their magnitude, in fact. What that means is there are still piles of wheat, corn, and other grains all across Kansas just sitting on the ground next to the grain mill bins that are already filled to capacity. To sell this excess supply, our farmers need more markets to sell the food and fiber they produce.

Approximately 95 percent of the world's customers live outside U.S. borders. Markets in the United States will continue to grow, and they will evolve and will continue to meet the domestic consumer demand, providing the best, highest quality, safest food supply in the world, but in order to boost prices for American farmers, we need more markets. We need them now, we need them in the future, and we need to be able to indicate to our farmers that hope is in the works in global markets.

We have talked about the importance of trade, of exports from the United States, and particularly for the citizens of Kansas. That is particularly true for an agricultural State like ours where, again, 95 percent of the consumers live someplace outside of the United States. Cuba is only 90 miles off our border. They offer the potential for increased exports of all sorts of products but especially Kansas wheat.

In fact, while we are introducing this legislation now, we started down this

path to increase our ability to sell agriculture commodities, food, and medicine to Cuba back when I was a Member of the House of Representatives. I offered an amendment then to an appropriations bill that lifted the embargo—the ability to sell; it would allow the ability to sell those foods, agricultural commodities, and medicine to Cuba for cash, up front. That bill was passed. It was controversial then. This issue of what our relationship ought to be with Cuba has always been contentious. But I remember the vote was about I think 301 to 116. A majority of Republicans and a majority of Democrats said it is time to do something different with our relationship with Cuba.

This was a significant step in opening up the opportunity to the products of American farmers and ranchers to that country. No longer were food, medicine, and agriculture commodities prohibited from being sold. And it worked for a little while, but unfortunately, in 2005, the Treasury Department changed the regulations, and it complicated the circumstances related to the embargo.

Cuba imports the vast majority of its food. In fact, wheat is Cuba's second largest import, second only to oil.

A point I would stress is that this is a unilateral sanction. Keep in mind that when we don't sell agricultural commodities to Cuba, somebody else does. While our unilateral trade barriers block our own farmers and ranchers from filling the market, willing sellers such as Canada, France, China, and others benefit at American farmers' expense. When we can't sell wheat that comes from a Kansas wheat field to Cuba, they are purchasing that wheat from France and Canada and other European countries. When the Presiding Officer's rice crop can't be sold to Cuba, it is not that they are not buying rice; they are buying it from Vietnam, China, or elsewhere.

It costs about \$6 to \$7 per ton to ship grain from the United States to Cuba. It costs about \$20 to \$25 to ship that same grain from the European Union. However, we lose this competitive advantage because of the regulations in place that drive up the cost of Cuban consumers dealing with the United States.

To understand what we are missing out on in Cuba, consider our current trade relationship with the Dominican Republic. The DR is also a nearby Caribbean nation with a population comparable to Cuba. Income levels and diet are similar. Between 2013 and 2015, the Dominican Republic imported an average of \$1.3 billion of U.S. farm products. During that same time span, Cuba imported just \$262 million—over \$1 billion in difference. That is right. That is \$1 billion of exports that U.S. farmers are missing an opportunity on because of the U.S. trade restrictions on Cuba. This example helps illustrate

the substantial potential that exists for increased sale of agriculture commodities to Cuba.

The Cuba Trade Act I just introduced simply seeks to amend our own country's laws so that American farmers can operate on a level playing field with the rest of the world. While boosting American exports remains the primary goal of lifting the embargo, I also think there is an opportunity for us to increase the reforms and to improve the lives of the Cuban people as well.

I have often said here on the Senate floor and on the House floor and back home in Kansas we often say: We will try something once. If it doesn't work, we might even try it again. Maybe we will try it a third or a fourth time. But after more than 50 years of trying to change the nature of the Cuban Government through this kind of action, through this embargo, many Kansans would say it is time to try something else.

The Cuban embargo was well-intentioned at the time it was enacted. Today, however, it only serves to hurt our own national interests by restricting Americans' freedom to conduct business with that country. In my view, it is time to make a change, and we ought to be able to sell wheat, rice, and other agricultural commodities from the United States for cash to Cuba. This legislation would allow that at no expense to the American taxpayer.

KANSAS WILDFIRES

Mr. President, there is a lot to be proud about in being a Kansan. We have lots of challenges in our State, and we are undergoing serious ones at the moment. For those who have noticed on the news, although it is not particularly a story here in the Nation's Capital, Kansas is ablaze. Fires are devastating acres and acres. In fact, nearly 700,000 acres of grasslands in our State have been burned. Fires have started. We have had winds for the last 3 days of 50 to 60 miles an hour, and dozens of communities and counties have been evacuated. Lots of places have been hard hit. My home county of Rooks experienced those fires. Hutchinson, a community of 50,000 people, had to evacuate 10,000 people in what we would consider in our State a pretty big place. So they have been rampant and they have been real, and there have been significant consequences to many lives in our State.

As people know, Kansas is an agriculture place. We raise lots of crops, but we are certainly a livestock State, and our ranchers are experiencing the significant challenges that come from loss of pasture, the death of their cattle, and the burning of their fences.

On my way over here, I was reading a couple of articles that appeared in the Kansas press that I wanted to bring to my colleagues' attention. There is

nothing here that necessarily asks for any kind of government help, but it does highlight the kind of people I represent.

There is a farm in Clark County. The county seat is Ashland. It is on the border with Oklahoma. Eighty-five percent of the county's grassland, 85 percent of the acres in that county have been burned. This means the death of hundreds, if not thousands, of cattle in that county. That is the economic driver of the communities there. Ashland, the county seat, has a population of about 900 or 1,000—the biggest town in the county—and its future rests in large part upon what happens in agriculture.

There are lots of great ranch families in our State. One of those is the Gardiners. The Gardiner Ranch is in Clark County. Their story is told a bit in today's edition of the *Wichita Eagle*. They are known as some of the best ranchers in the country. For more than 50 years, they have provided the best Angus cattle. They have customers across the country. It is a family ranch. This is multigenerational, and three brothers now ranch together. It is not an unusual way that we do business in Kansas.

In addition to the economic circumstances that agriculture presents in our State, it is one of the reasons I appreciate the opportunity to advocate on behalf of farmers and ranchers. It is one of the last few places in which sons and daughters work side by side with moms and dads, and grandparents are involved in the operation. Grandkids grow up knowing their grandparents. There is a way of life here that is important to our country. Our values, our integrity, and our character are often transmitted from one generation to the next in this circumstance because we are still able to keep the family together, working generation to generation. The Gardiners are an example of that, but there are hundreds of Kansans who exemplify this.

I would like to tell the story of Mr. Gardiner, as reported by the *Wichita Eagle*. Mr. Gardiner said that he was slowly driving by some of his estimated 500 cattle that had died in this massive wildfire, and he complained on their behalf that they never had a chance. The fire was so fast. His ranch, as I said, is one of the most respected. The quality of the family's Angus cattle has been a source of pride and national attention for more than 50 years.

Like others, the Gardiners have endured plenty of bumps—and this is him telling their story—over five generations of ranching. The drought and dust of the 1930s was tough, he said, and there were even drier times in the 1950s. About 5 years ago, there was another drought in our State that was so devastating. He said his family lost 2,000 acres when they couldn't make a payment to the bank. Blizzards in 1992 killed a lot of cattle.

My point is that nothing is easy about this life, but there is something so special about it. The point I want to make is that people are responding to help, and I thank Kansans and others from across the country who are responding to the disasters that are occurring across our State throughout this week and into the future. This isn't expected to go away anytime soon.

Mr. Gardiner said that more hay is on the way, and the process of rebuilding fences will begin, hopefully, within a few weeks. He said he was sent word that Mennonite relief teams were coming from two Eastern States to work on his fences and to do so without pay. Truckloads of hay are already en route and rolling in. This story indicates that many of those truckloads of hay are coming from ranchers who in the past have bought livestock from the Gardiners.

Mr. Gardiner's veterinarian, Randall Spare, said that the Gardiners have long been known for taking exceptional care of their customers. The veterinarian says, "Now it's their turn" for the customers to repay them. "The Gardiners are the cream of the crop, like their cattle. I'm not surprised so many people [from so many places] are wanting to help them."

The reporter says that while he was talking to Mr. Gardiner for this interview, Mr. Gardiner answered his cell phone as his pickup slowly rolled across a landscape that now looked so barren. The reporter said that many of the calls were from clients who just called to send their best or to be brought up to date and to ask the Gardiners how they could help and how the Gardiners were holding up.

Mr. Gardiner said:

It's really something [special], when you hear a pause on the other end of the line and you know it's because [the person who called is] crying because they care that much. It gets like that with ranching. It's like we're all family.

That is a great thing about our State. It is like that with Kansas. We are all a family. But the fact is that his family is still alive. He tells the story of not knowing whether his brother and his wife were alive. The fire swept around them, but they found a place that avoided the fire, a wheat field where the wheat was still green and so short that the fire didn't intrude. But he stopped his truck to think a bit and, the story indicates, to sob a bit.

He watched as his brother Mark and his wife Eva disappeared behind a wall of fire as they tried to save their horses and dogs at their home. Ultimately, the house was destroyed. Mr. Gardiner, the one the reporter was talking to, said:

I had no choice but to turn around and drive away, with the fire all around me. For a half-hour I didn't know if my brother and his wife were dead or alive. I really didn't.

He said that then his brother and his wife and some firefighters gathered in

the middle of that wheat field. It was so short and so green, it wouldn't burn. He said:

It was so smoky I didn't even know exactly where we were at. But then a firefighter came driving by and told us everybody made it out. That's when I knew Mark and his wife were alive. That's when I knew everything would eventually be all right. I am telling you, that's when you learn what's really important.

So today I come to the Senate floor to express my gratitude for the opportunity to represent Kansans like the Gardiners, farmers and ranchers across our State but city folks, as well, who know the importance of family, who know that living or dying is an important aspect of life but that how they live is more important, and to thank those people—not just from Kansas but from across the country—who have rallied to the cause to make sure there is a future for these families and for the farming and ranching operations.

It is a great country in which we care so much for each other, and that is exemplified in this time of disaster that is occurring across my State. I am grateful to see these examples, and I would encourage my colleagues that we behave the way Kansas farmers and ranchers do—live life for the things that are really meaningful and make sure we take care of each other.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MORAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Seema Verma, of Indiana, to be Administrator of the Centers for Medicare and Medicaid Services, Department of Health and Human Services.

Mitch McConnell, Steve Daines, John Cornyn, Tom Cotton, Bob Corker, John Boozman, John Hoeven, James Lankford, Roger F. Wicker, John Barrasso, Lamar Alexander, Orrin G. Hatch, David Perdue, James M. Inhofe, Mike Rounds, Bill Cassidy, Thom Tillis.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Seema Verma, of Indiana, to be Administrator of the Centers for Medicare and Medicaid Services, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Georgia (Mr. ISAKSON), and the Senator from Florida (Mr. RUBIO).

Further, if present and voting, the Senator from Florida (Mr. RUBIO) would have voted "yea."

The PRESIDING OFFICER. (Mr. PERDUE). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 54, nays 44, as follows:

[Rollcall Vote No. 85 Ex.]

YEAS—54

Alexander	Fischer	Moran
Barrasso	Flake	Murkowski
Blunt	Gardner	Paul
Boozman	Graham	Perdue
Burr	Grassley	Portman
Capito	Hatch	Risch
Cassidy	Heitkamp	Roberts
Cochran	Heller	Rounds
Collins	Hoeven	Sasse
Corker	Inhofe	Scott
Cornyn	Johnson	Shelby
Cotton	Kennedy	Strange
Crapo	King	Sullivan
Cruz	Lankford	Thune
Daines	Lee	Tillis
Donnelly	Manchin	Toomey
Enzi	McCain	Wicker
Ernst	McConnell	Young

NAYS—44

Baldwin	Gillibrand	Peters
Bennet	Harris	Reed
Blumenthal	Hassan	Sanders
Booker	Heinrich	Schatz
Brown	Hirono	Schumer
Cantwell	Kaine	Shaheen
Cardin	Klobuchar	Stabenow
Carper	Leahy	Tester
Casey	Markey	Udall
Coons	McCaskill	Van Hollen
Cortez Masto	Menendez	Warner
Duckworth	Merkley	Warren
Durbin	Murphy	Whitehouse
Feinstein	Murray	Wyden
Franken	Nelson	

NOT VOTING—2

Isakson Rubio

The PRESIDING OFFICER. On this vote, the yeas are 54, the nays are 44.

The motion is agreed to.

The Senator from Kansas.

Mr. MORAN. Mr. President, I ask unanimous consent that notwithstanding the provisions of rule XXII, following leader remarks on Monday, March 13, the Senate resume executive session for the consideration of Executive Calendar No. 18, and that the vote on confirmation occur at 5:30 p.m.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. MORAN. Mr. President, on behalf of the majority leader, there will be no further votes this week in the U.S. Senate.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. WYDEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WYDEN. Mr. President and colleagues, today the Senate turns to consider the nomination of Seema Verma to be the Administrator of the Centers for Medicare and Medicaid Services.

I would be the first to say that in coffee shops across the land, people are not exactly buzzing about the office known as CMS, but the fact is, this is an agency that controls more than a trillion dollars in healthcare spending every year. Even more important and more relevant right now, if confirmed, and if TrumpCare somehow gets rammed through the Congress over loud and growing opposition, this is going to be a major issue on her plate right at the get-go.

I thought it would be useful to just give one example of the connection involved in this legislation. TrumpCare cuts taxes for the special interests and the fortunate few by \$275 billion, stealing a chunk of it from the Medicare trust fund that pays for critical services to the Nation's older people.

If TrumpCare passes and Ms. Verma is confirmed, under section 132 of the bill, she would be able to give States a green light to push the very frail and sick into the high-risk pools that have historically failed at offering good coverage to vulnerable people at a price they can afford. Under section 134 of TrumpCare, Ms. Verma would be in charge of deciding exactly how skimpy TrumpCare plans would be and how much more vulnerable people would be forced to pay out of their pockets for the care they need.

Under section 135 of the bill, if confirmed, Ms. Verma could be paving the way for health insurers to make coverage more expensive for older people approaching retirement age.

Given all that, I want Members to understand there is a real link between this nomination and the debate about TrumpCare, and this is, in effect, the first discussion we have had about TrumpCare since these bills started to get moving without any hearings and getting advanced in the middle of the night.

The odds were against Republicans writing a single piece of legislation that would make healthcare more expensive, kick millions off their coverage, weaken Medicare and Medicaid, and produce this Robin Hood in reverse, this huge transfer of wealth from working people to the fortunate. Nobody thought you could do all of that at the same time, but somehow the majority found a way to do it. Republicans are rushing to get it passed before the American people catch on.

As part of this debate about Seema Verma, we are going to make sure people understand this nomination is intertwined with what happens in the discussion about TrumpCare and how these particularly punitive provisions

with respect to Medicare and Medicaid would affect our people.

For 7 years, my colleagues on the other side have pointed to the Affordable Care Act as pretty much something that would bring about the end of Western civilization and, at a minimum, would basically continue a system responsible for every ill in our healthcare system. That was the argument. The Affordable Care Act is responsible for just about every ill and will practically be the end of life as we know it.

Their slogan was to “repeal and replace,” and it was a slogan they rode through four elections to very significant success. The only problem was, it was really repeal and run, and that replacement was nowhere in sight. Now the curtain has been lifted. The lights are shining on TrumpCare, and it sure looks to me like there are a lot of people not enjoying the movie. TrumpCare goes back to the days when healthcare in America mostly worked for the healthy and the wealthy.

We have a lot of debate ahead, so we are not going to just lay it all out here in one shot.

I do want to mention some key points on the roll that Ms. Verma, if confirmed, would play. I want to start by addressing what this means in terms of dollars and cents.

If you look at the fact that the Medicare tax, which everybody pays every single time they get a paycheck, and that money is used to preserve this program that is the promise of fairness to older people—the Medicare tax would be cut for only one group of Americans in this bill. I find this a staggering proposition. The people who need it the least, couples with incomes of over \$250,000, people who need it the least would be given relief from the Medicare tax—not working families, just the wealthy.

As I indicated, we are talking all told about \$275 billion worth of tax cuts to the special interests and the fortunate few, and it is largely paid for by taking away assistance to working people to help, for example, pay for their premiums.

I brought up the ACA Medicare payroll tax for a reason because I think when Americans look at their next paycheck—if you are a cop or a nurse and you get paid once or twice a month and you live, say, in Coos Bay, OR, or in Medford, another Oregon community, you will see it on your paycheck. If you are a cop or a nurse, no tax relief for you, but if you make over \$250,000—on a tax that is used to help strengthen Medicare’s finances, at a time when we are having this demographic revolution—the relief goes to people right at the top, and you reduce the life expectancy of the trust fund for 3 years.

The first thing I will say with respect to what this means, the provision I have just outlined breaks a clear prom-

ise made by then-Candidate Trump not to harm Medicare.

I remember these commercials—we all saw scores and scores of them—Candidate Trump said to America’s older people—many of whom voted for him, I think, to a great extent because they heard this promise—he said: You know, you have worked hard for your Medicare. We are not going to touch it. We are not going to mess with it.

When the President was asked about cutting Medicare, here is what he said: Medicare is a program that works. People love Medicare, and it is unfair to them. I am going to fix it and make it better, but I am not going to cut it.

The President of the United States said he is not going to cut it.

Well, that promise not to harm Medicare lasted 6½ weeks into the Trump administration so the wealthy—the wealthy—could get a tax reduction, the fortunate few who need it least, and the effect would be to cut by 3 years the life of the Medicare trust fund.

I think that ought to be pretty infuriating and concerning for people who work hard—cops and nurses and people who are 50, 55, 60 today. They are counting on Medicare to be around when they retire, but because TrumpCare made it a focus to give tax relief to the fortunate few, that tax relief cuts 3 years off the life of the Medicare trust fund.

If that wasn’t enough, people who are 50, 55, 60, before Medicare, they are going to get another gut punch. This one is in the form of higher costs.

In parts of my home State—particularly in rural areas like Grant County, Union County, and Lake County—I am sure I am going to hear about this. I have townhall meetings in each one of my counties. A 60-year-old who makes \$30,000 a year—now those are the people we have long been concerned about, particularly people between 55 and 65 because they are not yet eligible for Medicare.

A 60-year-old, in communities like I just mentioned, who makes \$30,000 a year, could see their costs go up \$8,000 or more. The reason that is the case is a big part of TrumpCare. It is based on something we call an age tax.

Back in the day when I was the director of the Oregon Gray Panthers—and I was really so fortunate at a young age to be the director of the group for close to 7 years—we couldn’t imagine something like the hit on vulnerable older people that this age tax levies. Republicans want to give the insurance companies the green light to charge older Americans five times as much as they charge younger Americans. The reality is that older people are going to pay a lot more under TrumpCare. That is what we were trying to prevent all those years with the Gray Panthers. We didn’t want to see older people pay more for their healthcare, the way they are going to under TrumpCare if they are 50 or 55 or 60.

I think the real question is whether they are going to be able to afford insurance at all. The reality is that a lot of those older people whom I have just described—and I have met them at my townhall meetings—every single week they are walking on an economic tightrope. They balance their food costs against their fuel costs and their fuel costs against their rent costs. Along comes TrumpCare and pushes them off the economic tightrope where they just won’t be able to pay the bills, particularly older people in rural areas.

So the reality is that it is expensive to get older in America, and we ought to be providing tools to help older people. But what TrumpCare does is, instead of giving tools to older people to try to hold down the costs, TrumpCare basically empties the toolbox of assistance and basically makes older people pay more.

Next, I want to turn to the Medicaid nursing home benefit. Working with senior citizens, I have seen so many older people—the people who are on an economic tightrope, who are scrimping and saving—even as they forego anything that wouldn’t be essential, burn through their savings. So when it is time to pay for nursing home care, they have to turn to Medicaid. The Medicaid Program picks up the bill for two out of every three seniors in nursing homes.

Now, today the Medicaid nursing home benefit comes with a guarantee. I want to emphasize that it is a guarantee that our country’s older people will be taken care of. All of those folks—the grandparents whom we started working for in those Gray Panther days—had an assurance that grandparents wouldn’t be kicked out on the street. TrumpCare ends that guarantee.

You could have State programs forced into slashing nursing home budgets. You could see nursing homes shut down and the lives of older people uprooted. We could, in my view, have our grandparents that are depending on this kind of benefit get nicked and dimed for the basics in home care that they have relied on.

When it comes to Medicaid, TrumpCare effectively ends the program as it exists today, shredding the healthcare safety net in America. It doesn’t only affect older people in nursing homes. It puts an expiration date—a time stamp—on the Medicaid coverage that millions of Americans got through the Affordable Care Act. For many of those vulnerable persons, it was the first time they had health insurance. So what TrumpCare is going to come along and do is to put a cap on that Medicaid budget and just squeeze them down until vulnerable persons’ healthcare is at risk.

If low-income Americans lose their coverage through Medicaid, it is a good bet that the only TrumpCare plans

they will be able to afford are going to be worth less than a Trump University degree.

I want to move next to the effects of the bill on opioid abuse. Clearly, by these huge cuts to Medicaid, TrumpCare is going to make America's epidemic of prescription drug abuse-related deaths even worse. Medicaid is a major source of coverage for mental health and substance use disorder treatment, particularly after the Affordable Care Act, but this bill takes away coverage from millions who need it. We have had Republican State lawmakers speaking out about this issue as well as several Members of the majority in the Congress.

Colleagues, just about every major healthcare organization is telling the Congress not to go forward with the TrumpCare bill—physicians, hospitals, AARP—that is just the beginning. But the majority is just charging forward, rushing to get this done as quickly as possible.

We are going to have more to say about these issues.

I see my colleagues here.

To close, just by intertwining, how this appointment is going to be a key part of the discussion of TrumpCare revolves around the questions we asked Ms. Verma.

For example, I was trying to see if this bill would do anything to help older people hold down the cost of medicine. Now we have heard the new President talk about how he has all kinds of ideas about controlling the cost of medicine. Here was a bill that could have done something about it.

I see my colleagues, Senator STABENOW and Senator CANTWELL.

I said to the nominee: I would be interested in any idea you have—any idea you have—to hold down the cost of medicine. On this side we have plenty of ideas. We want to make sure that Medicare could bargain to hold down the cost of medicine. We have been interested in policy to allow for the importation of medicine. We said: Let's lift the veil of secrecy on pharmaceutical prices.

I asked Ms. Verma: How about one idea—just one—that you would be interested in that would help older people with their medicine costs. She wouldn't give us one example.

I am going to go through more of those kinds of questions, because the reality is—and I see Senators STABENOW and CANTWELL here—that what we got in the committee was essentially healthcare happy talk. Every time we would ask a question, she would say: I am for the patients; I want to make sure everybody gets good care.

So I thank my colleagues, and I yield for Senator CANTWELL.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, will the Senator yield for a question?

Mr. WYDEN. Of course.

Ms. CANTWELL. Mr. President, I ask this of my colleague, the Senator from Oregon, because Washington, Oregon, and so many other States spend so much time innovating. The proposal we are seeing coming out of the House of Representatives really isn't innovation. I like to say that if you are looking at this, just at the specifics, the per capita cap is really just a budget mechanism. It doesn't have anything to do with innovation. It just has to do with basically triggering a cut to Medicaid and shifting that cost to the States. My concern is that we already do a lot with a lot less, and we know how to innovate. We would prefer that the rest of the country follow that same model. I would ask the Senator from Oregon: Do you see any innovation in this model, in capping and cutting the amount of Medicaid and shifting that to the States?

Mr. WYDEN. My colleague from Washington is ever logical.

When I looked at this, I thought of it as an innovation desert because I was looking for some new, fresh ideas. We have seen some of them from Senator CANTWELL's State, and I think the Senator from Washington makes a very important point with that poster because the reality is that this is a cap. This is a limit on what States are going to get. As I touched on in my comments, I think what is going to happen is this cap is not going to be enough money for the needs. I think this is going to slash the help for nursing home care under Medicaid, which pays two-thirds of the bill, and I think the nursing home care under this flawed TrumpCare proposal is going to get nicked and dined.

My colleague from Washington is right. I tried to read section by section, and we have read it several times. But we wanted to make sure to look—to my colleague's point—for innovation, and this proposal is an innovation desert.

Ms. CANTWELL. I ask the Senator from Oregon this through the Presiding Officer. The innovation that was already in the Affordable Care Act really did address the Medicaid population, in which so much of that cost is for long-term care and nursing home care. So Medicaid equals long-term care for so many Americans. In the Affordable Care Act we accelerated the process of shifting the cost to community-based care because it is more convenient for patients and up to one-third of the cost of a nursing home. So if we keep more people in their homes, that is better innovation.

In the Affordable Care Act, we incentivized States. In fact, we had 21 States take us up on that—including Arkansas, Connecticut, Georgia, Iowa, Kentucky, Louisiana, New Hampshire, Texas, Ohio, Nevada, Nebraska. There are many States that are doing this in-

novation and basically trying to move the Medicaid population to community-based care so we can save money.

Savings from rebalancing could make up for a large portion of the money the House is trying to cut in this bill. Basically, they are not saving the money. They are shifting the burden to the States, instead of giving innovative solutions to people to have community-based care; that is, long-term care services and staying in their home longer. Who doesn't want to stay in their home longer? Then we support them through community-based delivery of long-term healthcare services, and we save the Nation billions of dollars.

In fact, our State did this over a 15-year period of time, and we saved \$2.7 billion. That is the kind of innovation we would like to see. But instead of implementing the innovation we started in the Affordable Care Act, they are trying to cap the Medicaid funding, which basically is changing the relationship from a mutually supported State and Federal partnership to a capped federal block grant. They are just saying: We are going to cost-shift this burden to you the States.

I saw that the Center on Budget and Policy Priorities analyzed the current House proposal and found it would result in a \$387 billion cost shift to the States. Does the Senator from Oregon think that Oregon has the kind of money to take its percentage of that \$370 billion?

To my colleague from Michigan: Does the Senator think the State of Michigan has the dollars to take care of that Medicaid population with that level of a cut?

Ms. STABENOW. If I might lend my voice on this and thank both of my colleagues, Senator CANTWELL has been the leader in so many ways on innovation in the healthcare system as we debated next to each other in the Finance Committee on the Affordable Care Act.

I wanted to share that in Michigan, where we expanded Medicaid, because of changes that have been made and work that is being done in the budget going forward in the new year, there is now close to \$500 million more in the State of Michigan budget than was there before because of Medicaid expansion and the ability to manage healthcare risk. People have more healthcare coverage. We actually have 97 percent of the children in Michigan who can see a doctor today, which is incredible. At the same time the State is going to save close to \$500 million in the coming year's budget.

Mr. WYDEN. If I can add this, because I think my colleagues are making a very important point. If you look at the demographics, there are going to be 10,000 people turning 65 every day for years and years to come. Senators STABENOW and CANTWELL are making a point about flexibility. The reality is,

if I look at the demographic picture, we are going to need more out of a lot of care options—institutional care, community-based coverage. But I think the point Senator CANTWELL started us on is that, at a time when we have a demographic where we are going to need more for a variety of care options—a continuum of care—what my State is basically saying is that we are going to get less of everything. There is going to be less money for the older people who have nursing home needs. I am looking at a new document from the Oregon Department of Human Services, and it indicates that we are going to lose substantial amounts—something like \$150 million for community-based kinds of services. So I appreciate the point my two colleagues are making.

Ms. CANTWELL. Mr. President, if I could, I will ask the Senator from Oregon one more question, and maybe my other colleagues will join in.

When you do not realize the savings and you cost-shift to the States, some of the key populations that you hurt are pregnant women and children. We do not want to have less money. If you think about Medicaid, pregnant women and children are a big part of the population.

I know our colleague from Pennsylvania has joined us, and he has been a champion for the Children's Health Insurance Program—CHIP—and everything that we do for women and children. I don't know if he has seen this in his State. I don't know if the Senator from Oregon or the Senator from Michigan or the Senator from Pennsylvania wants to comment on this—on the notion that we are not realizing the savings from delivery innovations like rebalancing, and then figuring out how to best utilize those for the delivery of the services that so many people are counting on. With a per capita cap, you are really going to be starting in a very bad place with the people who need these resources the most, and when it comes to Medicaid, women and children are front and center in this debate.

I hate the fact that somebody is going to cost-shift to the States, that the States are not going to have enough money, and then the very people who would end up paying the price are the women and children. I don't know if the Senator from Oregon, the Senator from Michigan, or the Senator from Pennsylvania wants to comment on that.

Ms. STABENOW. I thank the Senator very much. I will say this briefly and then turn to our colleague from Pennsylvania, who has been such a champion for children.

I would say first—again, as I said a moment ago—that, because of Medicaid, because of the healthcare expansion, 97 percent of the children in Michigan now can see a doctor. That

means moms who are pregnant and babies, and moms and dads are less likely to be going to bed at night and saying: Please, God, do not let the kids get sick, because they can actually go to a doctor.

It reminds me, though, of the other thing happening on the floor and the larger question of the nominee for the Centers for Medicare and Medicaid Services. In the larger context, I asked her about whether or not maternity care and prenatal care should be covered as a basic healthcare requirement for women. I mean, it is pretty basic for us. She wouldn't answer the question. Essentially, she said women can buy extra if they want it. The new Secretary of Health and Human Services said that we, as women, can buy extra coverage for basic healthcare coverage for us. So it all comes together—Medicaid, the nominee on the floor, and what the House is doing to take away maternity care. It is really just bad news for moms and babies.

Mr. WYDEN. I would only add that what we learned in our hearings and in our discussion is that women, particularly the women served by the Medicaid Program, are really dealing with the consequences of opioid addiction as well.

In our part of the world, I would say to Senator STABENOW and Senator CASEY—in Oregon and Washington—we feel like we have been hit with a wrecking ball with this opioid problem. Again, when Senator CANTWELL talks about shifting the costs, she is not talking about something abstract. This is going to take away money for opioid treatment.

So I am very pleased that my colleague is making these points, and I look forward to the presentation.

Mr. CASEY. Mr. President, I thank Senator CANTWELL for raising the issue about the impact of this decision that the Congress will make with regard to a particular healthcare bill and then also, particularly, the Medicaid consequences.

I was just looking at what is a 2-page report that was just produced today and that I was just handed from the Center on Budget and Policy Priorities. It is State specific.

In this case, looking at the data from Pennsylvania—I will not go through all of the data on Medicaid—just imagine that three different groups of Americans have benefited tremendously from the Medicaid Program every day. That is why what is happening in the House is of great concern to us.

We have in Pennsylvania, for example—just in the number of Pennsylvanians who have a disability—722,000 Pennsylvanians with disabilities who rely upon Medical Assistance for their medical care. Medical Assistance is our State program that is in partnership with Medicaid. There are 261,000 Pennsylvania seniors who get their

healthcare through Medicaid. Hundreds and hundreds of thousands of people who happen to be over the age of 65 or who happen to have a disability of one kind or another are totally reliant, on most days, on Medicaid. The third group, of course, is the children, and 33 percent of all of the births in Pennsylvania are births that are paid for through Medicaid.

When we talk about this bill that is being considered in the House or when we talk about the confirmation vote for the Administrator for the Centers for Medicare and Medicaid Services, this is real life. What happens to this legislation and what happens on this nomination is about real life for people who have very little in the way of a bright future if we allow some here to do what they would like to do, apparently, to Medicaid.

It sounds very benign to say that you want to cap something or that you want to block-grant. They are fairly benign terms. They are devastating in their impact, and we cannot allow it to happen. That is why this debate is so critical.

I have more to say, but I do commend and salute the work by Senator CANTWELL, Senator STABENOW, and Senator WYDEN in fighting these battles.

I will read just portions of a letter that I received from a mom in Coatesville, in Southeast Pennsylvania, about her son, Rowan. The mom's name is Pam. She wrote to us about her son, who is on the autism spectrum. In this case, she is talking about the benefits of Medicaid—Medical Assistance we call it in Pennsylvania.

Here is what she wrote in talking about the benefits that he receives. After he was enrolled in the program, she said that Rowan had the benefit of having a behavioral specialist consultant. That is one expert who was helping Rowan, who was really struggling at one point. A second professional they had helping him was a therapeutic staff support worker. So there was real expertise to help a 5-year-old child get through life with autism.

Here is what his mom Pam wrote in talking about, since he was enrolled, how much he has benefited and how much he has grown and progressed:

He benefited immensely from the CREATE program by the Child Guidance Resource Centers, [which is a local program in Coatesville]. Thankfully, it is covered in full by Medicaid.

She goes on to write the following, and I will conclude with this:

Without Medicaid, I am confident I could not work full time to support our family. We would be bankrupt, and my son would go without the therapies he sincerely needs.

Here is how Pam concludes the letter. She asks me, as her representative—as her Senator—to think about her and her family when we are deliberating about a nomination like this and about healthcare legislation.

She writes:

Please think of us when you are making these decisions. Please think about my 9-month-old daughter, Luna, who smiles and laughs at her brother, Rowan, daily. She will have to care for Rowan later in life after we are gone. Overall, we are desperately in need of Rowan's Medical Assistance and would be devastated if we lost these benefits.

This is real life for people. Sometimes it is far too easy here in Washington for people to debate as if these things are theoretical—that if you just cut a program or cap a program or block-grant a program, you are just kind of moving numbers around and moving policy around. This is of great consequence to these families, and we have to remember that when we are making decisions around here.

Everyone who works in this building as an employee of the Federal Government gets healthcare. We do not have someone else around the country who is debating whether or not we are going to have healthcare, like those families on Medicaid are having to endure.

I thank the Senator from Washington. I know that Senator STABENOW from Michigan may have more to add on this. We have a big battle ahead, but this is a battle that is not only worth fighting, but it is absolutely essential that we win the battle to protect and support Medicaid.

Ms. STABENOW. Mr. President, as Senator WYDEN's colloquy comes to an end, I will make a few comments in addition to those of my colleagues, and I very much appreciate all of their work.

There are so many different things to talk about as it relates to how healthcare impacts people. As Senator CASEY said, this is very personal; it is not political. There are a lot of politics around this, but it is very, very personal.

In Michigan, when we are talking about healthcare, in Medicaid alone we are talking about 650,000 people who have been able to get coverage now. Most of them are working in minimum wage jobs, and they now are able to get healthcare but couldn't before, as well as their children. That adds to the majority of seniors who are in nursing homes now, folks getting long-term care, folks getting help for Alzheimer's and other challenges and who are relying on Medicaid healthcare to be able to cover their costs.

I want to share a letter, as well, from Wendy, a pediatric nurse practitioner from Oakland County in Michigan. We have received so many letters—I am so grateful for that—and emails.

She writes:

As a pediatric nurse practitioner, I have seen so many of my patients benefit from the Affordable Care Act. Physical exams for the kids are now covered in full, with no co-pay. This means the kids are in to see us, which means we catch healthcare issues and early problems with growth or development that otherwise might be undetected and left untreated until it became a much bigger problem.

Isn't that what we all want for our children, to catch things early?

Immunizations are covered, which keeps everyone safer. Screening tests are covered, so potential problems are caught while they can still be managed. This better care keeps kids healthier and happier and prevents longer term care costs.

She goes on to write:

The Medicaid expansion means even more kids are covered, keeping not only those children healthier but keeping everyone around them healthier. Previously, parents of children who did not have insurance coverage would not seek care until the children were so ill that they could not see another option. Frequently, these children then utilized emergency room care—

Which, by the way, is the most expensive way to treat health problems—[it was] not only a missed opportunity for complete and preventative healthcare but at a cost passed on to the community.

On a much more personal level, in 2015, our granddaughter, at age 3, was diagnosed with epilepsy related to a genetic condition . . . which made her brain form abnormally. On top of the epilepsy, she has developmental delays and autism, all related to her double cortex syndrome. Although our daughter and son-in-law are fully employed (teacher and paramedic), she qualifies for Children's Special Health Care (under Medicaid). This has been a huge blessing for us, and without it our family would have been financially devastated.

We are hopeful that my granddaughter will continue to have good seizure control and will develop to reach her full potential, but without the care that her private insurance and Children's Special Health Care provides, she would not have much of a chance of getting anywhere near her potential. I do not want to even consider how it will affect her future if insurance companies can refuse to cover her care due to her preexisting condition.

She concludes:

Please do not let partisan politics take precedence over doing what is right and what is best for the health of every U.S. citizen.

I know we are all getting hundreds of thousands of letters and emails and phone calls of very similar stories because healthcare is personal to each of us—to our children, our grandchildren, our moms, and dads, and grandpas and grandmas. It is not political.

I am very grateful for my colleagues' being here today. I want to speak not only about the importance of expansion under Medicaid but also about the person who would be in charge of that very, very important set of services. That is the nomination in front of us, that of Seema Verma to be the Administrator of the Centers for Medicare and Medicaid Services.

This is a critical position, especially given the ongoing efforts that we are seeing right now to repeal healthcare—the Affordable Care Act—and replace it with legislation that would literally rip away coverage for millions of people and pull the thread that unravels our entire healthcare system. The decisions of the Administrator, both as an adviser to the President and as some-

one with the authority to make large changes in the implementation of existing law, will have far-ranging consequences for all of us—certainly, for the people whom we represent and especially for those who need healthcare, have begun receiving it, and now may very well see it taken away.

In the Finance Committee, when I asked Ms. Verma about Medicaid, I found that her positions would hurt families in Michigan, would hurt seniors in nursing homes, and would hurt children. And looking at her long record as a consultant on Medicaid, we know that Mrs. Verma's proposals limit healthcare coverage and make it harder to afford healthcare coverage, putting insurance companies ahead of patients and families once again.

I am also very concerned about her position on maternity coverage. During the hearing, I asked Ms. Verma whether women should get access to basic prenatal care and maternity care coverage as the law now allows—I am very proud of having authored that provision in the Finance Committee—or whether insurance companies should get to choose whether to provide basic healthcare coverage for women. I reminded her that before the Affordable Care Act, only 12 percent of healthcare plans available to somebody going out to buy private insurance offered maternity care—the vast majority did not—and that the plans that did often charged extra or required waiting periods. Her response indicated that coverage of prenatal and maternity care should be optional—optional. We as women cannot say our healthcare is optional.

The next CMS Administrator should be able to commit to enforcing the law requiring maternity care to be covered and commit to protecting the law going forward for women. Being a woman should not be a preexisting condition. Getting basic healthcare should not mean we have to buy riders or extra coverage because being a woman and the coverage we need is somehow not viewed as basic by the insurance company. We have had that fight. Women won that fight with the Affordable Care Act. We should not go backward.

I followed up with Ms. Verma, along with many colleagues, but have not received a response.

Over 100 million Americans count on Medicare and Medicaid. They need a qualified Administrator who puts their needs first, and I cannot vote for a nominee who does not guarantee that she will fight for the resources and the healthcare that the people of Michigan count on and need.

TRUMPCARE

Finally, I wish to take a moment to talk about the healthcare bill that has now come out of committees in the House and will be voted on in the House and then coming to us in the

Senate. Frankly, let me start by saying that this is a mess—it is a mess on process, and it is a mess on substance.

As a member of the Finance Committee, I can tell my colleagues firsthand that this was not rammed through the Senate Finance Committee when we passed the Affordable Care Act. We had months and months and months of hearings, of which I attended every one, I think, and after that, the floor debate and that discussion and the discussion in the House. We knew what it would cost before we brought it up, by the way, which saved a lot of money by doing a better job of managing healthcare costs and creating innovation for our providers.

But the truth is that when we look closely at what is being debated in the House, for families in Michigan and across the country, it is really a triple whammy: higher costs, less healthcare coverage, and more taxes. Overall, it means more money out of your pocket as an American citizen, unless you are very wealthy, and it means less healthcare. This is not a good deal.

It cuts taxes for the very wealthy and for insurance companies. It gives an opportunity for insurance company execs to get pay increases and cuts taxes for pharmaceutical companies. Someone making more than \$3.7 million a year would save almost \$200,000. Let me say that again. Someone making more than \$3.7 million a year would put \$200,000 in their pocket as a result of this healthcare bill, TrumpCare. To put that in perspective, 96 percent of Michigan taxpayers would not qualify for this. Ninety-six percent of everybody in Michigan who gets up every day, goes to work, works hard—some take a shower before work, some take a shower after work—they are working hard every single day, and they would pay more, while the small percentage of those at the very top would get \$200,000 back in their pockets.

As I indicated, it provides a tax break for insurance company CEOs to get a raise of up to \$1 million but increases taxes and healthcare costs for the majority of Americans. Middle-class Americans and those working to get into the middle class would see tax increases and lose healthcare coverage at the same time—such a deal.

For seniors, this would allow insurance companies to hike rates on older Americans by changing the rating system. AARP, a nonpartisan organization, has indicated that premiums would increase up to \$8,400 for somebody who is 64 years of age earning \$15,000 a year. So they earn \$15,000 a year, and their premiums could go up by more than half of what they are making. To put that in perspective—again, a comparison of who wins and loses under this plan—if you are 64 years old and earn \$15,000 a year, you pay more—\$8,400 more. If you are 65 years of age and earn over \$3.5 million

a year, you put \$200,000 more back in your pocket. This is a rip-off for the majority of Americans and should not see the light of day.

On top of that, TrumpCare creates Medicaid vouchers. We have been talking with colleagues about the change in Medicaid. What does that mean? Well, instead of being a healthcare plan that covers nursing home care, whether that is someone who needs very little care or someone who has Alzheimer's or other extensive needs, your mom and dad or grandmom and granddad would get a voucher, and if it didn't cover the care in the nursing home, as it does now, then your family would have to figure out a way to make up the difference. We could very possibly have the situation we had before the passage of the Affordable Care Act where a lot of folks were going bankrupt trying to figure out—you use the equity in your home, except because of what happened in the financial crisis, you may not have much equity in your home anymore. So you try to figure out, how do I make up the difference to help my mom or dad or granddad and grandmom in the nursing home? That will be a very common discussion, I would guess, if this passes. So turning Medicaid into a voucher system would cut nursing home care and healthcare for families.

Let me also say that when there is a healthcare emergency like we had in Flint, MI, with 100,000 people being poisoned with lead and over 9,000 children under the age of 6 with extensive lead poisoning, and we had the President and the past administration step in to help those children because of the health problems from the lead exposure, that would not be possible under this new regime. It will not be possible to step in when there is a healthcare emergency for children or for a community.

In Michigan today, 150,000 seniors depend on healthcare through Medicaid for long-term care. Three out of five seniors in nursing homes in my State—three out of every five seniors—count on Medicaid for their long-term care. This radically changes and dismantles that healthcare system. We have nearly 1.2 million children in Michigan and 380,000 people with disabilities who use this system.

So we have a situation where we would see a radically different healthcare system for seniors and additional costs for seniors, which is why the AARP is calling this the senior tax. We would see children losing their healthcare. We would see insurance companies being put back in charge of decisions—decisions about whether women can get basic care and what, if any, kind of preexisting condition coverage happens. What I have seen is something that doesn't work and is going to put more costs back onto families.

There is mental healthcare and the ability to make sure that if you have a healthcare challenge, such as cancer or some other kind of challenge, your doctor is going to be able to treat you and give you all the care you need, not just a lump sum that the insurance company has decided that they are willing to spend. Then there is accountability as it relates to how much of your healthcare dollars that you spend goes into your medical care. There are a whole range of things that have been put in place so that you have more confidence that at least you are getting what you are paying for. Those things go away and insurance companies are put back in charge. They are given a big tax cut. The insurance company execs are given an opportunity for big increases in their pay, while everybody else is paying more.

So let me go back to where I started. TrumpCare, the bill being voted on in the House, is really a triple whammy for the people of Michigan: higher costs, less coverage, and more taxes. It makes no sense. I will strongly oppose it when it comes to the Senate. I am hopeful that we can put this aside, stop all of the politics about repeal, and have a thoughtful discussion about how we can work together to bring down costs and to be able to address concerns to make healthcare better, not take it away.

Thank you, Mr. President.

The PRESIDING OFFICER (Mr. CASIDY). The Senator from Rhode Island.

Mr. REED. Mr. President, I rise today in opposition to the nomination of Ms. Seema Verma to be Administrator of the Centers for Medicare and Medicaid Services, or CMS.

As a \$1 trillion agency with oversight over Medicare, Medicaid, and the Children's Health Insurance Program, as well as State health insurance marketplaces, CMS is providing affordable health insurance to 100 million Americans, including nearly half a million Rhode Islanders.

Given the responsibility that this post entails of ensuring access to health care coverage for our most vulnerable citizens, coupled with a lack of commitment to fighting back against proposals by this administration and some of my colleagues on the other side of the aisle to dismantle these programs, I cannot support Ms. Verma's nomination to be CMS Administrator.

CMS is responsible for a key aspect of the Affordable Care Act—the health insurance marketplaces—which provide an avenue for all consumers to shop for the health insurance options that fit their needs and connect consumers with tax credits and subsidies that make the coverage affordable.

President Trump and his new Health and Human Services Secretary Tom Price are adamant about repealing the ACA and rolling back these benefits. In her confirmation hearing, Ms. Verma

was asked multiple times to commit to protecting the ACA for the millions of Americans who were able to access coverage for the first time because of the law, but she would not do so. This, to me, is unacceptable.

CMS also works with States and other agencies at the Department of Health and Human Services to ensure that the plans offered on the exchanges are not only affordable but also provide real coverage for when it is most needed. I am concerned with Ms. Verma's beliefs about what health insurance coverage should look like.

During her confirmation hearing, she spoke at length about providing consumers more choices about their healthcare. Yet she opposes many of the protections the ACA provides for consumers. For example, she implied that she thought maternity care should be optional. It seems to me that for many families, they would be left with the choice to either pay for maternity care entirely out-of-pocket—all the while paying premiums and copays to the insurance company—or to go without care at all. I don't think these are the kinds of choices we should be imposing on families.

Turning my attention to Medicaid for a minute, I am deeply concerned about the Republican proposals to fundamentally change Medicaid and shift costs to States and to consumers. These proposals aren't new. Year after year, Republicans—often under the leadership of then-Congressman, now-HHS Secretary Tom Price—have proposed block-granting Medicaid, cutting the program by hundreds of billions of dollars. While Ms. Verma is not yet confirmed, she did express support in her confirmation hearing for this very concept—block-granting or capping Medicaid spending. Just this week, we saw a new version of this proposal, which simply delays cuts to Medicaid until 2020. In my opinion, this is just a veiled attempt to help gain support for the effort now and then turn around and decimate Medicaid in a few years.

In my home State of Rhode Island, nearly 300,000 Rhode Islanders access healthcare through Medicaid. That is about one-third of our population, roughly. That is a significant number for a small State like Rhode Island. Let's break down that number to see who would be impacted by these across-the-board cuts to Medicaid.

One out of four children in Rhode Island gets care from Medicaid and half of the births in the State are financed through Medicaid. One in two Rhode Islanders with disabilities are covered by Medicaid, and 60 percent of nursing home residents in the State get their care from Medicaid. Think about what would happen if this funding is cut—and that is the trajectory of the Republican proposals—States would have to decide, among these populations, who will get health care, children or the el-

derly in nursing homes, the disabled or other Medicaid recipients. If States try to make up the difference, that would result in cuts elsewhere, such as education and infrastructure. Indeed, given the demands for health care, given the tensions between seniors and nursing homes, and children needing care, the States will try their best to pull from other areas. What is the next biggest area of State expenditure? Education. Now you will have pressure on State education budgets. Higher education particularly will be pressured. All of this will be the ripple effect from these proposed cuts to Medicaid. And make no mistake, when Ms. Verma and my colleagues talk about converting Medicaid to a block grant program or capping spending, it is not about flexibility for the States, it is about reducing the Federal commitment to providing funding to the States.

Lastly, I am concerned about Ms. Verma's ability to safeguard Medicare for our seniors. Over 200,000 Rhode Islanders access care through Medicare, a benefit they have worked for and earned over their entire careers. I believe Medicare is essential to the quality of life for Rhode Island's seniors and for seniors across the country, and indeed for the children and families of these seniors. In fact, I supported the ACA because it made key improvements to Medicare that strengthened its long-term solvency and increased benefits, such as closing the prescription drug doughnut hole and eliminating cost-sharing for preventive services such as cancer screenings.

Over 15,000 Rhode Islanders saved \$14 million on prescription drugs in 2015, an average of \$912 per beneficiary. In the same year, over 92,000 Rhode Islanders took advantage of free preventive services, representing over 76 percent of the beneficiaries. Repealing the ACA means repealing these benefits for seniors and shortening the life of the Medicare trust fund by over a decade.

Unfortunately, Ms. Verma has little to no experience working with Medicare, and in her hearing and written responses to questions, she appeared to have very little to no familiarity with major aspects of Medicare. In her confirmation hearing and accompanying documents, she simply has not proven herself to be an effective advocate for protecting these earned benefits for our seniors.

We need an Administrator for CMS who will work to safeguard health care coverage for children, seniors, and people with disabilities, who will seek to strengthen Medicaid, Medicare, CHIP, and our entire healthcare system. For the reasons I have outlined, along with other reasons some of my colleagues have raised, Ms. Verma, in my opinion, is not up to this task. As such, I will oppose the nomination and encourage my colleagues to do the same.

I yield the floor.

Mr. President, I request the ability to yield the remainder of my postcloture time to Senator WYDEN.

The PRESIDING OFFICER. The Senator has that right.

Mr. REED. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WYDEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRUMP CARE

Mr. WYDEN. Mr. President, here we are, with our colleagues on their way home, and I thought it would be helpful to take a minute and give an assessment of where the TrumpCare debate is at this point because we have seen the two major committees in the House act. Some \$300 billion was slashed from safety net health programs, while insurance company executives making over \$500,000 annually were given a juicy tax break as a bonus.

To put this into perspective, this tax break that the insurance companies' CEOs seem to have after two committees in the other body have acted on TrumpCare—the amount of the bonuses for the insurance company executives would be enough to cover the TrumpCare-created shortfall in Oregon's community-based services for the elderly and the disabled two or three times over.

What we are talking about is how hundreds of billions of dollars in tax breaks are going to the fortunate few and special interests, while some of the money is coming from stealing a chunk of those dollars from the Medicare trust fund. And this is very much intertwined with the nominee's work because she would be overseeing Medicare payments to rural hospitals in places like Louisiana and Oregon.

What I am going to turn to now is what TrumpCare, based on these two committees, means for rural areas. And, of course, it repeals the Medicaid expansion. It caps the Medicaid Program. In my own view, and I know the Senator from Louisiana knows a lot about healthcare, in rural communities—and most of our towns are under 10,000 in population. I am from southeast Portland. I love southeast Portland. The only regret I didn't get to play for the Portland Trail Blazers. Most of the communities in our State are under 10,000 in population. As the Senator from Louisiana knows, we are talking about critical access facilities. We are talking about sole community hospitals. We are talking about the facilities that deal with acute care.

During the last major break over the President's holiday, I started what is going to be a yearlong effort for me, and I called it the rural healthcare listening tour. It is eye-popping to have

those rural healthcare providers who in my State have worked so hard to find ways to get beyond turf and battles, to work together—the hospitals, the doctors, the community health centers, and the like. They have built an extraordinary effort that helps to wring more value out of scarce dollars. Their programs are based on quality, not on volume.

By the way, they are a huge source of economic growth and jobs for our rural communities. I spent the President's Day recess, and the next major recess as well getting out and listening to them. The verdict from Oregon's healthcare providers, who have worked very hard at being innovative, trying to make better use of what are called nontraditional services, said these kinds of cuts are not an option if you want to meet the needs of so many who have signed up as a result of the Medicaid expansion.

TrumpCare ends the Medicaid expansion, rolling back Federal matching funds in 2020. The rural hospitals in my State are frequently the only healthcare provider available for hundreds of miles. The Medicaid expansion helped these hospitals keep their doors open.

I don't think it is hard to calculate why the hospitals are speaking out against the flood approach of TrumpCare. They have a lot of facilities in rural areas that are already on tight margins. If these communities lose the ability to cover needy people, some of the essential hospitals—and I just described three types of them—are going to have to close, and the reality is going to be that patients aren't going to have any doctor anywhere nearby.

Understand, if the majority insists on ramrodding TrumpCare through—and at this point we have, I believe—staff just told me that there aren't any budget estimates. As of now, the Congressional Budget Office is tasked with providing accurate assessments of the budget implications. There are not any budget implications.

So here is the latest. It comes from media that I think is not considered by many Trump supporters to be a purveyor of fake news. This comes from FOX News. They said: Unknown in the new healthcare plan, unknown in TrumpCare—the cost. How many lose or gain insurance?

I am very pleased that my colleague from New Hampshire has come to join me because some of this, I would say to my friend from New Hampshire, leaves you incredulous because this comes from FOX News. FOX News is hardly a source for what many Trump supporters would consider fake news. FOX News is asking the question because they are saying it is unknown. It is unknown in the new healthcare plan, Senator SHAHEEN, according to FOX News. The cost is unknown, and how many lose or gain insurance is unknown.

I would say to my colleagues, because my friend from Louisiana has joined the Finance Committee, and I remember welcoming him and Senator MCCASKILL, our new members. My colleague from Louisiana is a physician and is very knowledgeable about these issues. I don't know how you have a real healthcare debate in America—and I have been working on this since I was director of the Gray Panthers at home back in the days when I had a full head of hair and rugged good looks. When we would start a debate, nobody would consider starting it without having an idea of costs or how many lose or gain insurance. How much more basic, I say to Senator SHAHEEN, does it get than that? Are these "gotcha" questions? Are these alternative facts? Are these people who are hostile to conservatives? I think not. FOX News—unknown in the new healthcare plan.

I have been outlining what this means in terms of the transfer of wealth from working families in New Hampshire and Oregon to the most fortunate in our country—people who make \$250,000 or more. They are actually going to be the only people in America who get their Medicare tax cut. So you have this enormous transfer of wealth, what I call the reverse Robin Hood: taking from the working people and giving to the fortunate few.

After two committees have now acted in the other body—two committees have acted—FOX News says the big questions are outstanding. The Senator from New Hampshire knows a lot about rural healthcare. I was just outlining to my colleagues what this means for critical access hospitals, sole community hospitals, acute care facilities. These are the centerpieces of many rural communities, the essence of rural life. You can't have rural life without rural healthcare.

Here we are on Thursday afternoon—with many of our colleagues out there tackling jet exhaust fumes heading home—and the big questions, according to FOX News, are outstanding.

I am very pleased the Senator is here. As usual, she is very prompt and appreciated.

I look forward to her remarks.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, before my colleague from Oregon leaves, I want to ask him a question.

I am reminded, in 2009 and 2010, as we were working on the Affordable Care Act, that the HELP Committee held 14 bipartisan roundtables, 13 bipartisan hearings, 20 bipartisan walkthroughs on healthcare reform. The HELP Committee then considered nearly 300 amendments and accepted more than 160 Republican amendments, and the Finance Committee—where my colleague is the ranking member—held 17 roundtables, summits, and hearings on the topic. The Finance Committee also

held 13 member meetings and walkthroughs, 38 meetings and negotiations, for a total of 53 meetings on healthcare reform. During its process, the Finance Committee adopted 11 Republican amendments.

Don't you find it particularly ironic that we are seeing this TrumpCare legislation being pushed through on the House side—and what we are hearing, the rumors about what is going to happen in the Senate is it is not going to have any hearings and it is going to be brought to the floor and we are expected to vote on it without having a chance for the public to know what is in it.

Mr. WYDEN. My colleague is making a very important point. I think we all know the Senate budget process is a lot of complicated lingo. People in the coffee shops in New Hampshire and Oregon don't follow all the fine points of reconciliation.

As the Senator has just said, what they are using is a process that is known as reconciliation. That is the most partisan process you can come up with. There is no more partisan kind of process, and we were talking about the tally. As of this afternoon, two committees in the House have acted.

The Senator from New Hampshire just mentioned, I think, there were 11 Republican amendments in just one of the committees.

Mrs. SHAHEEN. Right.

Mr. WYDEN. As of this afternoon at 4, after hours and hours of debate, I am of the impression that not a single significant Democratic amendment has been adopted—so the Senator's point of highlighting the difference in the process, where we had all of the hearings and all of the opportunities that you have to have to get a good, bipartisan bill.

As my colleague knows, I don't take a backseat to anybody in terms of bipartisan approaches in healthcare. I have worked with Republicans—Chairman HATCH, chronic care. Senator BENNET and I worked on a bill with eight Democrats and eight Republicans. I appreciate your making this point.

As of this afternoon, as far as I can tell, no Democratic amendment has been adopted. You highlighted 11 Republican amendments getting adopted in just one committee. As we indicated, FOX News—not exactly hostile to some of the ideas being advanced by the majority—has certainly called them out on this.

Mrs. SHAHEEN. I appreciate the eloquent comments from the Senator from Oregon and all of his efforts to make sure we don't take away healthcare for so many people who desperately need it.

That is why I came to the floor today, because I spent the week we were back home—not last week but the week before—talking to constituents in New Hampshire and listening to what their concerns were.

What I heard was that people were deeply, deeply concerned and very upset by the efforts here to repeal the Affordable Care Act, when they didn't know what the replacement meant for them. In dozens of conversations and roundtable discussions at a townhall forum, Granite Staters shared stories of how the Affordable Care Act has been a lifeline for them. I heard from people who say their lives have been saved by the law.

In fact, we can see what is at risk in the State of New Hampshire, where we have almost 600,000 Granite Staters who have preexisting conditions. We have 118,000 people who could lose coverage. We have 50,000 Granite Staters with marketplace plans who are in the exchange, 42,000 who are enrolled in Medicaid, and 31,000 who have tax credits that lower the cost of healthcare for them. If that is taken away, so many of those people have no option for getting healthcare.

What we know now, after we have finally seen the plan Republican leaders are talking about, we know those fears were well founded that they were worried they were going to lose their healthcare. What we have seen is legislation to repeal the Affordable Care Act that would have catastrophic consequences not only for people in New Hampshire but for people across this country.

It is especially distressing that TrumpCare—as it has been introduced by the Republicans—would roll back expansion of the Medicaid Program, which has, in New Hampshire and across this country, been an indispensable tool in our efforts to combat the opioid epidemic. In addition, we are seeing, as the Senator from Oregon pointed out, that TrumpCare would terminate healthcare subsidies for the middle class and for other working Americans, and it would replace those subsidies with totally inadequate tax credits—as low as \$2,000, which doesn't begin to pay for healthcare coverage for an individual, much less a family. This means as many as 20 million Americans could lose their healthcare coverage.

Even as the bill makes devastating cuts to the middle class, it gives the wealthiest Americans a new tax break worth several hundred thousand dollars per taxpayer. I think this proposed legislation is totally out of touch with the lives of millions of working Americans, people whose health and financial situation would be turned upside down by the bill.

Last week, in his response to President Trump's address to Congress, former Gov. Steve Beshear of Kentucky said something that really resonated with me. He reminded us that people who have access to healthcare thanks to ObamaCare are “not aliens from some other planet.” As he described, “They are our friends and neighbors.

... We sit on the bleachers with them on Friday night. We worship in the pews with them on Sunday morning. They're farmers, restaurant workers, part-time teachers, nurses' aides, construction workers, entrepreneurs,” and often minimum wage workers. “And before the Affordable Care Act, they woke up every morning and went to work, just hoping and praying they wouldn't get sick, because they knew they were just one bad diagnosis away from bankruptcy.”

To understand why people in New Hampshire are so upset and fearful about efforts to repeal the Affordable Care Act, we have to look again at this chart because some 120,000 Granite Staters could lose their health insurance. That is nearly 1 in every 10 people in the State of New Hampshire.

In particular, repeal of the Affordable Care Act would very literally have life-or-death consequences for thousands of people who are fighting opioid addiction, who have been able to access life-saving treatment thanks to the expansion of Medicaid and the Affordable Care Act.

Sadly, one of the statistics we are not happy about in New Hampshire is that we have the second highest rate of per capita drug overdose deaths in the country. We trail only West Virginia. The chief medical examiner in New Hampshire projects that there were 470 drug-related deaths in 2016, including a sharp increase in overdose deaths among those who were 19 years old or younger. For a small State like New Hampshire, this is a tragedy of staggering proportions, affecting not just those who overdose but their families and entire communities.

I am happy to say, in the last couple of years, we made real progress in combating this epidemic because we had the Affordable Care Act and its expansion of Medicaid, which has given thousands of Granite Staters access to life-saving treatment. Over the past year, I had a chance to visit treatment centers all across New Hampshire. I met with individuals who are struggling with substance use disorders and providers who are trying to make sure they get the treatment they need.

Last month, at a center in the Mo-nadnock region of New Hampshire, I had an amazing private meeting with more than 30 people in recovery from substance use disorders. They are putting their lives back together, hoping to reclaim their jobs, to get back with their families, and they are able to do that largely because of treatment that is made possible by the Affordable Care Act.

One patient shared her story with me. As with so many others in treatment, her story is one of making mistakes, of falling into dependency, of struggling with all her might to escape her addiction. She is in recovery for the second time, and she said that this

time for her is a life-or-death situation. She has no family support. She worries that she will be homeless when she leaves the treatment program, but she is grateful for the Affordable Care Act because it has given her one more shot at getting sober and the chance for a positive future.

At a forum in Manchester—New Hampshire's largest city—a courageous woman named Ashley Hurteau said that access to healthcare as an enrollee in Medicaid expansion was critical to her addiction recovery. She had been arrested following the overdose death of her husband. Ashley said an understanding police officer and a drug court were key to her recovery. She added this:

I am living proof that, by giving individuals suffering with substance use disorder access to health insurance, we, as a society, are giving people like me the chance to be who we really are again.

Without that access to treatment, where would Ashley be?

Several weeks ago I received a letter from Nansie Feeny, who lives in Concord, the capital of New Hampshire. She told me the Affordable Care Act had saved her son's life. This is what she wrote:

[My son] Benjamin went to Keene State College with the same hopes and dreams many have when building their American dream. While there he tried heroin. Addiction overcame him but did not stop him from graduating. After graduation he suffered a long road of near death existence. After a couple of episodes where he had to be revived (fentanyl) he chose recovery. And it was due to ObamaCare that we were able to get him insured so he could get the proper help he needed and [into] a suboxone program that assisted him with staying “clean.”

In April—

She wrote, and you could read between the lines how relieved she was—

it will be a year for Ben in his recovery. Without ObamaCare, this would not have been possible. . . . I can't find the words to define my gratitude to President Obama. I believe my son would not be alive today if it were not for this plan that provided the means he needed to get the help he needed at the time he needed it. Ben still has a long road ahead of him but I will see to it that he never walks it alone.

I also want to share a powerfully moving letter from Melissa Davis, an attorney in Plymouth, NH. Ms. Davis writes:

I am a lawyer who frequently works on behalf of clients who are suffering from substance use disorder, mental health conditions, or a combination of both. I have been working with these clients for over 10 years and I can tell you that access to health insurance has always been the biggest obstacle in obtaining quality and consistent treatment. Since passage of the Affordable Care Act and the expansion of Medicaid, my clients are actually able to access real treatment in ways they never were before. Before the ACA, there were far too many times where my clients were unable to afford private substance use disorder treatment, wait lists at community mental health agencies were extremely long, and AA and NA were

not enough. Without treatment, these clients often ended up in jail or worse, dead. I still have clients who face obstacles to obtaining quality treatment, but the ability to get insurance removes a huge obstacle.

Ms. Davis concludes with this warning:

I am sincerely afraid for what will happen to my clients and my community if access to quality substance use disorder and mental health treatment is taken away from those people who need it most because they are unable to get insurance. Please do everything you can to save the ACA.

In dozens of visits to New Hampshire during the campaign, President Trump pledged aggressive action to combat the opioid crisis. In his address to Congress last week, he once again promised action to expand treatment and end the opioid crisis. But despite these bold words and big promises, the President's actions have sent a totally different signal. His actions threaten an abrupt retreat in the fight against the opioid epidemic.

By embracing the House Republican leadership's plan to repeal the Affordable Care Act, President Trump has broken his promise to the people of New Hampshire. This misguided bill would roll back the expansion of Medicaid, and it could terminate treatment for hundreds of thousands of people in New Hampshire and across America who are recovering from substance use disorders.

Meanwhile, the President's nominee to serve as Administrator of the Centers for Medicare and Medicaid Services, Seema Verma, has been an outspoken advocate of deep cuts to Federal funding for Medicaid. As we have seen with so many of the Trump administration nominees, Ms. Verma has an underlying hostility to the core mission of the agency that she has been asked to lead.

Seema Verma is currently a health policy consultant who has called for less Federal oversight of the Medicaid Program and advocated for policies expressly designed to discourage patients from seeking care—for instance, by imposing cost-sharing burdens on Medicaid recipients. In addition, she is a staunch advocate of block-granting Medicaid and turning it into a per capita cap system. Over time, this would lead to profound cuts to Medicaid, forcing States to raise eligibility requirements and terminate coverage for millions of recipients.

Let's be clear as to who these recipients are. In 2015, the 97 million Americans covered by Medicaid included 33 million children, 6 million seniors, and 10 million people with disabilities. Seniors, including nursing home costs, account for nearly half of all Medicaid expenditures.

These are some of the most vulnerable people in our society, and they will be the targets of Ms. Verma's determined efforts to cut funding for Medicaid and terminate coverage for millions of current recipients.

I also have deep concerns about this nominee's commitment to protecting women's healthcare. During her confirmation hearing in the Finance Committee, Ms. Verma was asked if women should get access to prenatal care and maternity coverage as afforded under the Affordable Care Act or whether insurance companies should get to choose whether to cover this for women.

Ms. Verma tried to clarify when she met with me that she hadn't really meant what she said. But what she said was that maternity coverage should be optional, that women should pay extra for it if they want it. Of course, the problem with this position is that it takes us backward to the days before the ACA, when only 12 percent of policies on the individual insurance market offered maternity coverage.

In the State of New Hampshire, before the Affordable Care Act, you could not buy an individual policy that covered maternity benefits. They were not written. Insurers who offered coverage charged exorbitant rates with high deductibles, plus benefit caps of only a few thousand dollars. This is a major reason why, before the Affordable Care Act, women were systematically charged more for health insurance than men. In the eyes of insurance companies, being a woman was seen as a pre-existing condition, and they charged us more accordingly.

Well, the American people don't want drastic cuts to Medicaid, cuts that will threaten coverage for children, for seniors, for people with disabilities, and for those receiving treatment for substance use disorders. That is why I intend to vote against the confirmation of Seema Verma to head CMS.

In recent years, we have made impressive gains, securing health coverage for millions of Americans and significantly improving the health of the American people. I can't support a nominee who wants to reverse these gains.

In recent weeks, all of our offices have been flooded with calls, with emails, with letters opposing the Trump administration's plans to repeal ObamaCare and undermine both the Medicare and Medicaid Programs. We need to listen to these voices. We need to keep the Affordable Care Act and the expansion of Medicaid.

There are things we can do to make it better, and we should work together to do that. But we have heard from people loud and clear across this country. It is time now to respect their wishes, to come together to fix this landmark law, and to ensure that it works even better for all Americans.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, before my colleague from New Hampshire leaves, does she have a quick minute for a question?

Mrs. SHAHEEN. Absolutely.

TRUMPCARE

Mr. WYDEN. I thank her for her presentation. It was factual and very specific, and I think it really highlighted so many of the concerns that we have at this point.

I want to see if I could get this straight on the opioid issue. Here you all are in New Hampshire, right in the center of the Presidential campaign. All of the candidates are coming through, and they are practically trying to outdo each other in terms of their pledges to deal with this wrecking ball that is the opioid addiction that has swept through New Hampshire and, of course, my own home State as well.

I remember then-Candidate Trump being particularly strong and assertive about how he was going to fight opioids.

I think what my colleague said—and I am curious, so I am going to ask a couple of questions because I don't think folks even in my home State are aware of some of these things. So I am going to ask my colleague about it.

Are folks in New Hampshire aware at this point—my colleague put up that Trump chart, showing how the people didn't know what was being cut and how much it was going to cost and all the rest. Are people in New Hampshire at this point aware of the fact that this is essentially after a campaign in their home State, which certainly put out a lot of TV commercials and campaign rhetoric in the fight on opioids?

I think my colleague said that when people unpack this, they are going to see that this is a major broken promise, that TrumpCare is a major broken promise on opioids because, in terms of the time sequence, they all had debates and commercials, then we finally got some money in order to have treatment.

And I think what my colleague said is that now, as a result of TrumpCare and the cap on Medicaid, there will not be the funds to get the treatment to people who are so needy. Is that what this is going to be about in New Hampshire?

Mrs. SHAHEEN. That is absolutely correct.

I remember meeting one young man early in the fall, in the middle of the campaign early last year. He came up to me in Manchester and said: I am so worried about what is going to happen in this election because I am in recovery; I am an addict. He said: I am worried that whoever gets elected is not going to continue to make sure that I can get the treatment I need. He said: I am worried about Mr. Trump.

As my colleague pointed out, Donald Trump, when he was campaigning in New Hampshire, made a lot of promises about how he was going to address the heroin and opioid epidemic, how he was going to make sure that people could

get treatment, treatment at a cost they could afford.

Well, thanks to the Affordable Care Act and the expansion of Medicaid and the great work by our Republican legislature and our Democratic Governor—then-Governor HASSAN, who is now in the Senate—we passed a plan to make sure that people who had substance use disorders could get treatment.

Last year we had 48,000 applications submitted under the expansion of Medicaid for treatment of substance use disorders. If we pulled the plug on that Medicaid expansion so that people couldn't get that treatment, they wouldn't have anywhere to go.

That is what I heard when I was at Phoenix House in Dublin, in the western part of New Hampshire, a couple of weeks ago. I was sitting around with about 30 people in recovery, people who are hopeful for the first time in a long time because they are in treatment and they can see they can put their lives back together.

I said to them: What happens if we no longer have the Medicaid Program?

They said: We don't have any other options. We don't have treatment.

What we heard from President Trump is that he was going to introduce a healthcare plan that was going to cover more people for less money and better quality. Well, that is not what we are seeing.

The TrumpCare that was introduced in the House this week that they marked up and that is going to be coming to the Senate doesn't do that. It reduces coverage under the Medicaid Program. It would throw thousands of people off of their treatment for substance use disorders, and there is nowhere else for them to go.

This is not an acceptable plan. This does not do what the President promised he was going to do. It is not what he promised in New Hampshire, it is not what he promised in the campaign, and it is not what he has promised since he became President.

Mr. WYDEN. I think my colleague's point is well taken.

As we have been saying, this is very much intertwined with the Seema Verma nomination because what we learned in the committee is, in Indiana, where she touts her pioneering work, if somebody had an inability to pay for a short period of time, they would be locked out of the program. So in terms of Medicaid, this is going to cause a real hardship.

I had already outlined that it is going to cause a hardship in another program that is important to New Hampshire, and that is Medicare, because we are implementing what is called the MACRA, the new reimbursement system for doctors. We asked her questions about rural care, and she didn't know the answer either.

I particularly wanted my colleague to walk us through this situation with

respect to how New Hampshire residents are going to see TrumpCare as it relates to opioid addiction after they have all these grandiose promises and the many debates and commercials.

I thought I would ask if my colleague has time for one other question.

In New Hampshire, as in Oregon, we have a lot of seniors. It looks to me as if somebody who is, say, 58 years old or 62 years old is just going to get hammered by what we call the age tax because in these bills, which are now moving like a freight train with the House already moving in two committees, Republicans want to give insurance companies a green light to charge older people five times as much as they charge younger people. So I cited a number of my small, rural counties—Grant County, Union County, Lake County—and how a 60-year-old who makes \$30,000 a year can see their insurance costs, because of the age tax, go up something like \$8,000 a year.

I don't have the numbers as of now—Finance staff is still working on that for every single State—but obviously that tax sure looks like it is going to hit somebody in New Hampshire, an older person, people before they are eligible for Medicare, and particularly in that 55-to-65 bracket. It looks like it is going to hit them very hard. How is that going to be received, because in my time in New Hampshire, we talked about it, and a lot of those people really are walking on economic tightropes. They are balancing their food bill against their fuel bill and their fuel bill against their rent bill. I know my colleague spends a lot of time trying to advocate for them, help them through small business approaches. How are they going to be able to absorb what is clearly going to be thousands of dollars in new out-of-pocket health costs?

Mrs. SHAHEEN. I think that is a huge problem. New Hampshire has a population that is one of the fastest aging in the country. As Senator WYDEN points out, not only does the TrumpCare legislation change how people on Medicare are charged for their health insurance, but it also would change the other aspects of the Affordable Care Act that have been beneficial, such as preventive care under Medicare.

It would also change the effort to close the doughnut hole—the cost of the prescription drugs that seniors buy. That has been a huge benefit to people in New Hampshire over the last few years because they are beginning to see their costs for prescription drugs affected positively. So it will have a huge impact on seniors in New Hampshire.

The other issue that will have an impact not only on seniors but on everybody is what will happen to our rural hospitals. In New Hampshire, because we have a lot of rural areas in the State, we have a lot of small towns.

Most of our hospitals are small and rural. They have benefitted significantly under the Affordable Care Act because they have been able to get paid for people who come to the emergency room for treatment. We have gotten a lot of people out of emergency rooms and into primary care. Most hospitals have seen about a 40-percent decline in people using emergency rooms for their healthcare. That has been a huge, important benefit to our rural hospitals that are operating on very thin margins that we need to keep open, not just because of the healthcare they provide but because of the jobs they provide. In most of our small communities, those hospitals are among the biggest employers.

There are huge impacts if we repeal the Affordable Care Act and we put in place this TrumpCare policy that doesn't cover as many people. It is going to cost more, it is going to reduce the help people are getting through their healthcare coverage, and it is going to have a detrimental impact on people in the State of New Hampshire and across this country.

Mr. WYDEN. I thank my colleague.

We have heard Republicans say repeatedly that anything they are going to do with Medicare is not going to hurt today's enrollees or people nearing retirement. The fact is, TrumpCare hurts both. It is going to shorten the life expectancy of the Medicare trust fund, and those older people—I will be curious, when my colleague returns—I will be very interested to hear what seniors in New Hampshire who are 56 to 68 and are walking on that economic tightrope are going to say.

I thank my colleague from New Hampshire for the excellent presentation.

Mrs. SHAHEEN. I thank the Senator, and thank the Senator for his fight to help as we try to prevent people across this country from losing their healthcare.

Mr. WYDEN. I thank my colleague, and we are going to prosecute this cause together.

I see that the chairman of the Finance Committee has arrived. He graciously said I could take another 5 minutes or so of our time.

Before we wrap up this part of our presentation, I want to point out that we have outlined how people who are dealing with the consequences of opioid addiction would be hurt by TrumpCare. We have outlined how seniors who are not yet eligible for Medicare are going to be hurt and how seniors who are now on Medicare are going to certainly be hurt by reducing access to nursing home benefits. Now I would like to wrap up by going to the other end of the age spectrum and talk for a moment about children.

Nearly half of Medicaid recipients are kids, and the program of the Republicans—now that we have two committees in effect out of chute with

their proposals—restructures the program in the most arbitrary way, using these caps, shifting costs to States. And the reality is that Medicaid is a major source of help for children. There is early and periodic screening, diagnosis, and treatment benefits. But with reduced funding, the States are going to be forced to make difficult decisions about which benefits they can keep providing. States are going to be forced to reduce payments to providers, particularly for kids, providers such as pediatric specialists, and limit access to lifesaving specialty care.

My own sense is that this is shortsighted at best, and it is like throwing the evidence about children and their health needs in the trash can. Children receiving Medicaid benefits are more likely to perform better in school, miss fewer days of school, and pursue higher education.

Before I yield the floor to my good friend and colleague Chairman HATCH, I want to come back to what disturbs me the most about all of this. All of these dramatic changes to Medicare and Medicaid that strip seniors and some of our most vulnerable citizens are being made at the cost of hundreds of billions of dollars to these programs while, in effect, there is an enormous transfer of wealth given to the most fortunate in America in the two bills that were passed by the other body today in the committee. In effect, for example, people who make over \$250,000 will not have to make the additional payments under the Medicare tax. If ever there were a group of people in America who doesn't need additional tax relief, it is those people.

As we wrap up this portion of the presentation, I want people to just think about looking at their paycheck. Every time you get a paycheck in America, there is a line for Medicare tax. Everybody pays it. It is particularly important right now because 10,000 people will be turning 65 every day for years and years to come.

What the tax provisions of this legislation mean—and they are part of hundreds of billions of dollars of tax cuts—for insurance executives making over \$500,000 annually, there are yet additional juicy writeoffs, while seniors and those of modest means are going to bear the brunt of those reductions. Nothing illustrates it more than cutting the Medicare tax, colleagues.

I don't know how anyone can go home in any part of the country and say: You know, we are going to have to charge older people between 50 and 65 a lot more for their coverage, and by the way, insurance company executives making \$500,000 a year are going to get more tax relief. I don't think it passes the smell test in America. It is reverse Robin Hood. There is no other way to describe it. It is transferring wealth from working families and those who are the most vulnerable. When working

Americans see their paycheck and see the Medicare tax, I hope they remember that in this bill, the Medicare tax is reduced for only one group of people—people making more than \$250,000 a year.

I want tax reform. The chairman of the Finance Committee knows that. I have introduced proposals to do that. But I don't know how we get tax reform when they are giving the relief to the people at the top of the economic ladder and it is coming out of the pockets of working people and working families. Everybody is going to be able to see it right on their paycheck, right there with the Medicare tax.

I think we will continue this debate, but on issue after issue, with the nominee on the floor, Ms. Verma, what she will do if confirmed is directly related to TrumpCare. For example, we told her in the committee that we wanted her to give one example—just one—of an idea to hold down pharmaceutical prices, which is something else that is important to older people.

TrumpCare, by the way, could have included proposals to try to help hold down the cost of medicine. Guess what, folks. On pharmaceutical prices, there is no there, there either. It doesn't do anything to help people.

This vote we will have on Tuesday is the first step in the discussion of how this particular nominee would handle the implementation of TrumpCare. Her job oversees Medicare payments to hospitals. It is really intertwined, this nomination and TrumpCare, and we couldn't get any responses to how she meets the needs of working families, as I just mentioned, with respect to pharmaceuticals, and we are pretty much in the dark with respect to how she would carry out her duties. As of now, we don't see how she is going to do much to try to eliminate some of the extraordinary harm that is going to be inflicted on the vulnerable and seniors on Medicare and Medicaid as a result of TrumpCare.

I reserve the remainder of my time, and I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

REPUBLICAN HEALTHCARE BILL

Mr. HATCH. Mr. President, I rise today to speak once again on the so-called Affordable Care Act and the ongoing effort to repeal and replace. We all know the House of Representatives has produced a repeal and replace package, and both the Ways and Means and Energy and Commerce Committees have been marking it up. We don't know what it is right now. In other words, the endeavor to right the wrongs of ObamaCare is moving steadily forward on the other side of the Capitol, and soon it will be the Senate's turn to act. I commend my colleagues for introducing this legislation and moving it forward. This is an important step, and I don't think I am

alone when I say that I am watching the progress in the House very carefully to see how things proceed and what the final House product will look like.

Of course, virtually all Republicans in Congress want to repeal and replace ObamaCare. We are in unison there. While there are some differences of opinion on how best to do that, there is generally unanimity on that point. I am confident that whatever differences exist among House Members will be worked out through the House's legislative process.

In addition, whatever passes in the House will be subject to the input and review of the Senate and to the rules of the budget reconciliation process. I want to note that I have heard from a number of Senators who have items they would like to see included when the bill comes before the Senate. I actually have several ideas of my own. However, there are limits as to what we can do under the budget reconciliation rule. Many of the proposed policy changes I have heard, although they have merit, would be banned by the rules and subject to the 60-vote threshold. That said, I am committed to working with my colleagues on both sides of the floor to ensure that the Senate process on this bill is productive and that it yields a result we can support.

Long story short: This process is far from over. We have a lot more work to do. It is worth pointing out that the vast majority of the policies at play in this discussion and virtually all of the spending fall under the exclusive jurisdiction of the Senate Finance Committee, which I chair. Make no mistake. The Finance Committee is already hard at work and has been for some time. In many respects, I suppose you could say we have been working on this effort since the day ObamaCare was signed into law. However, for obvious reasons, our work has intensified over the past several months.

In working through this process, I have been in constant contact with Chairmen BRADY and WALDEN, who head up the relevant committees in the House. I have also been working closely with the Speaker's office, and I have been gathering input from Governors around the country. In addition, I have been working closely with the distinguished chairman of the Senate Budget Committee, Senator ENZI, who has the chief responsibility of navigating the budget process and shepherding a final repeal-and-replace bill through all the necessary rules and restrictions.

In all of those conversations, we have been talking about the process, and we have been talking about the timing. Most importantly, we have been talking about the substance of the healthcare reforms and how we can best serve the interests of the American people.

Throughout this effort, we have been reminded that Republicans currently control the White House and both Chambers in Congress due, in large part, to our stated commitment to repeal and replace ObamaCare, and we intend to deliver on that promise.

I would like to take a few minutes to talk about some of the policies we will need to tackle as we take up the House healthcare bill in the coming weeks.

Once again, the vast majority of the policies and virtually all of the spending involved in this effort fall under the Finance Committee's exclusive jurisdiction, and I intend to make sure all of my colleagues are well informed on the issues and that in the end whatever version of the bill we pass in the Senate reflects the collective will of a majority of Senators.

All told, there are five major policy areas that are addressed in the House bill that fall under the Finance Committee's purview.

First, there are the provisions to repeal the ObamaCare taxes. This is big. If one recalls, I came to the floor a few weeks ago and pointed out how misguided it would be, in my view, to start picking and sorting through the ObamaCare taxes to decide which to keep and which to leave in place. The House bill repeals them, along with the individual and employer mandates, both of which reside in the Tax Code. I have been working with Chairman BRADY on this issue. In the end, I believe the Senate version of the bill should do the same, and I am going to continue to push to ensure it does.

Second, there is the issue of premium tax credits. Chairman BRADY and I have been working extensively on this issue as well. The House bill replaces the ObamaCare premium subsidies with a refundable tax credit for the purpose of State-approved health insurance, limited to those who do not qualify for other governmental healthcare programs and who have not been offered insurance benefits from their employers. Most major ObamaCare replacement proposals that we have seen contain some version of health insurance tax credits. The House approach represents a significant improvement over the ObamaCare premium subsidies. The Senate, when it takes up the bill, will have to consider how best to implement the tax credits. I will continue to work with my House and Senate colleagues to ensure that the tax credits are designed to help those lower and middle-income Americans who are the most in need.

Third, there are the issues surrounding Medicaid. Chairman WALDEN and his predecessor, Chairman UPTON, and I have been working extensively on this matter. As we know, the vast majority of the newly insured people who the proponents of ObamaCare have cited as proof that the system is working have been covered by the expanded Medicaid Program.

The problem, of course, is that the Affordable Care Act did not do anything to improve Medicaid, which was already absurdly expensive for States, and ultimately unsustainable, not to mention the fact that it provides substandard healthcare coverage.

The House bill draws down the ObamaCare Medicaid expansion and makes a number of significant changes to the underlying program. Most notably, it establishes per capita caps on Federal Medicaid spending, which are intended to give States more flexibility and predictability while also controlling Federal outlays related to the program.

We have received substantial input on this matter from Governors around the country, and virtually all of them agree changes need to be made. Given these concerns and the sheer vastness of the Medicaid Program under ObamaCare, the Senate will have to tackle this issue when it takes up the budget reconciliation legislation in the next few weeks.

I am confident that in working with my colleagues in the House and Senate and with the Governors, we can find the right solution.

Fourth, there is the issue of savings accounts for healthcare costs. I have long been an advocate for the expanded use of HSAs and FSAs. Needless to say, I was particularly opposed to the ObamaCare provisions that limited the use of these savings accounts and essentially marginalized their usefulness for consumers and patients.

The House bill removes a number of restrictions on these accounts that have been imposed by ObamaCare, and it goes further to remove longstanding restrictions on HSAs in order to expand their use and give patients and consumers more options to pay for health expenses.

I am very supportive of this approach. In fact, the language from the House bill mirrors the legislation I introduced this year—the Health Savings Act of 2017.

Fifth, there are some important transition issues that need to be addressed.

To get at these issues, the House bill creates a Patient and State Stability Program, under the Social Security Act, that would distribute \$100 billion to States over 10 years to enhance flexibility for States in how they manage healthcare for their high-risk and low-income populations.

For example, the funds could be used to, among other things, help individuals with cost-sharing. This program was proposed with the idea of giving States an expanded role in the healthcare system, a goal that is shared by most Republicans in Congress and something that almost all of the Governors have told us they want to see.

There are other issues from the House bill in the broader healthcare de-

bate that will demand some attention when we consider the bill in the Senate. However, almost all of them fall under these general categories. Once again, the vast majority of them fall under the sole jurisdiction of the Senate Finance Committee, the primary committee.

There are other critical issues out there which do not involve the Tax Code, the Social Security Act, or Federal health programs. Yet they are extremely important.

The biggest mistake made by those who drafted ObamaCare and forced it through Congress was their failure to address healthcare costs in any meaningful way. After all, cost is the largest barrier preventing people from obtaining health insurance coverage, and the increasing healthcare costs are among the most prominent factors leading to wage stagnation for U.S. workers. Yet ObamaCare did little to address this problem, and in fact it has made things worse.

If we are going to fully keep our promises to the American people with regard to ObamaCare, we are going to have to eventually address these issues. After all, most people's negative interaction with the Affordable Care Act has come in the form of increased healthcare costs. If we are going to truly right all of ObamaCare's wrongs, we need to tackle the costs head on.

This will mean, among other things, fixing the draconian regulatory regime in our health insurance markets and giving individuals the ability to select only the coverage they want and need. Many of these types of issues fall far outside of the Finance Committee's jurisdiction and are under the watchful eye of the distinguished chairman of the Senate HELP Committee.

The House bill also includes some provisions that are intended to address these concerns. I assume our distinguished colleague running the HELP Committee is working tirelessly to address the issues, and others, both through the reconciliation exercise or some alternative means.

Ultimately, if our goal is to place the healthcare system in a better position than it has been under ObamaCare, costs will have to factor heavily into the equation. I am looking forward to receiving guidance and leadership on the HELP Committee on these important market reform issues.

Overall, I believe we can and will be successful in this endeavor to fix our broken healthcare system. The American people are counting on us to do so. At the end of the day, success in that endeavor is, in my view, going to require a robust Senate process that allows this Chamber to work its will.

We have two Chambers in Congress for a reason. The House reconciliation bill needs 218 votes to pass. The Senate will also have to act when we receive the bill, and we will need to produce a

package that can get at least 51 votes in this Chamber and hopefully more. That may mean some differences between the Senate and the House versions of the bill, but that is not problematic in my view. It is not particularly novel or unusual for different views and ideas to be resolved through the legislative process rather than simply dissipating when a bill is introduced. It seems to me that is not novel, and I am not the only one who has this view.

Earlier this week, Secretary Price sent a letter to the chairmen of the House Ways and Means and Energy and Commerce Committees. The letter commended the chairmen for their work and praised the legislation they unveiled to repeal and replace ObamaCare.

The Secretary also noted that this was not the end of the process but that the introduction of the House bill was a “necessary and important first step” and that the administration anticipated that the Congress would be “making necessary technical and appropriate changes” to get a final bill to the President that he can sign, which reminds us of the other important advocate in this endeavor. President Trump ultimately needs to support the bill that is passed by each Chamber of Congress, and his support for our efforts is paramount.

While, at this point, it may not be entirely clear what the final bill will look like, we do know two things for certain. First, we know that ObamaCare is not working. As the majority leader said yesterday, ObamaCare is a direct attack on the American middle class. Thanks to skyrocketing premiums, shrinking options in the health insurance market, burdensome mandates, and harmful taxes, millions of Americans are dealing with the failures of ObamaCare on a daily basis. We need to act now to fix these problems.

Second, we know that by introducing its bill and moving it through the legislative process, the House has taken significant steps in advancing this effort, and the leaders in the House should be commended for doing so.

Long story short, I have nothing but praise for the leaders in the House this week for the work they have done on these issues. Remember, this is just the beginning. I look forward to working with my colleagues in both Chambers to get this over the finish line so the Republicans can collectively make good on our promises with regard to ObamaCare.

NOMINATION OF NEIL GORSUCH

Mr. President, I rise to speak on the nomination of Neil Gorsuch to the U.S. Supreme Court.

Later this month, Judge Gorsuch will come before the Senate Judiciary Committee for his confirmation hearing. I wish to speak today on what we can

and should expect to happen during that hearing.

First, some background. This will be the 14th Supreme Court confirmation hearing I have participated in. I have seen some truly outstanding hearings in which both the nominee and the Senators acquitted themselves well. I have also seen some hearings that have gone far off the rails, in which some Senators hurled unfounded allegations or sought to twist the nominee’s clearly distinguished record. I am hopeful Judge Gorsuch’s hearing will be the former type.

We have before us a supremely qualified, highly respected, and extremely thoughtful nominee. Judge Gorsuch has had a stellar legal career, and by all accounts, he is a man of tremendous integrity, kindness, and respect. He is the sort of person all Americans should want on the Supreme Court. He does not approach cases with preconceived outcomes in mind. He seeks to apply the law fairly and impartially in line with what the democratically elected representatives who enacted the law had in mind. He will be a truly outstanding Justice.

Judge Gorsuch’s hearing will focus on his background, his temperament, and his approach to judging. So let’s talk a little about what we know about Judge Gorsuch. We know he has an outstanding academic record. He graduated from Columbia University and Harvard Law School and obtained a doctor of philosophy in law from Oxford University. We know he had a highly successful legal career before becoming a judge.

He clerked for two Supreme Court Justices before entering private practice here in Washington. He made partner in only 2 years, which shows how highly his colleagues at the firm thought of him and his work.

Following a decade in private practice, Judge Gorsuch was appointed Principal Deputy Associate Attorney General at the Department of Justice, where he oversaw the Department’s antitrust, civil, and environmental tax units.

In 2006, President Bush nominated Judge Gorsuch to the U.S. Court of Appeals for the Tenth circuit—the circuit in which I reside. The Senate confirmed Judge Gorsuch unanimously by voice vote a short 2 months later. At Judge Gorsuch’s investiture, then-Senator Ken Salazar, who later served as President Obama’s Interior Secretary, praised Judge Gorsuch’s “sense of fairness and impartiality.” That fairness and impartiality, which was evident to my colleagues even then, was a large reason why Judge Gorsuch won confirmation without a single dissenting vote.

Judge Gorsuch’s hearing will also affect us on his temperament and approach to judging. No one can seriously doubt that Judge Gorsuch has an excel-

lent judicial temperament. A recent article in *Slate*—no rightwing paper, by any means—described the judge as “thoughtful and fair-minded, principled, and consistent.”

The *Denver Post*, which twice endorsed President Obama for President and endorsed Hillary Clinton in this past election, also recently endorsed Judge Gorsuch’s nomination, saying: “From his bench in the U.S. Tenth Circuit Court of Appeals, he has applied the law fairly and consistently.”

Clearly, Judge Gorsuch has the right temperament to serve on the Supreme Court.

His approach to judging is also spot-on. Judge Gorsuch’s opinions show that he is not only an excellent writer but also that he understands the proper role of a judge in our constitutional system. He consistently explains his reasoning by reference to fundamental constitutional principles. He does not seek to push the law toward the outcomes he favors but instead tries to apply it in harmony with the understanding of those who wrote and passed it. In so doing, he shows a healthy respect for the legislative process and for the democratically elected branches of government.

As Judge Gorsuch said in a speech shortly after Justice Scalia’s passing, “Judges should be in the business of declaring what the law is, using traditional tools of interpretation, rather than pronouncing the law as they might wish it to be in light of their own political views.”

Judge Gorsuch’s opinions demonstrate that he understands fundamentally the importance of this principle and that he seeks faithfully to apply it in his own judging.

Against this impressive list of qualifications, Democrats and their liberal allies strain mightily to find plausible grounds to oppose Judge Gorsuch’s nomination. They misread his opinions, misstate his reasoning, and in general paint a picture of a man who simply does not exist. We can expect more of this at his confirmation hearing. In particular, we can expect to be raised again and again the risible and flatly false claim that Judge Gorsuch is outside the “judicial mainstream.” These arguments against Judge Gorsuch are not persuasive—not even close. We see hints of them in the various letters liberal interest groups have sent Congress claiming that Judge Gorsuch is a threat to the Republic—a danger to our very way of life. The over-the-top language these groups use only serves to highlight the weakness of their case against Judge Gorsuch.

One such letter called the judge “an ultra-conservative jurist who will undermine our basic freedoms and threaten the independence of the Federal judiciary.” The letter goes on to say that there is “zero evidence that Judge Gorsuch will be an independent check

on this runaway and dangerous administration.”

As an initial matter, I would ask: If Judge Gorsuch is such an existential threat to the Republic, where were all these groups 10 years ago when he won confirmation to the Tenth Circuit unanimously? Did Judge Gorsuch spend the first 40 years of his life hiding what a monster he is, revealing his true self only once safely ensconced on the Federal bench?

The outlandishness of these claims against Judge Gorsuch is made clear by the support he has received from prominent liberals, including President Obama's own Solicitor General, Neal Katyal. In an op-ed published in the *New York Times*, Neal Katyal praised Judge Gorsuch's fairness and decency and said that he had no doubt that, if confirmed, Judge Gorsuch would “help to restore confidence in the rule of law.” Katyal further wrote that Judge Gorsuch's record as a judge reveals a commitment to judicial independence, a record that should “give the American people confidence that he will not compromise principle to favor the President who appointed him.”

It bears mention here that Mr. Katyal is no shrinking violet when it comes to standing up to the executive branch. He rose to prominence in the legal community through his work representing Guantanamo detainees. So when he says Judge Gorsuch will not shy away from holding Federal officials to account, frankly, his words carry weight.

Then there is the phrase we are likely to hear invoked again and again at Judge Gorsuch's hearing and beyond: “judicial mainstream.” Liberals will tie themselves in knots claiming that Judge Gorsuch is some sort of fringe jurist, that his views place him on the far flank of the Federal judiciary. Any honest observer will tell you that these claims are complete bunk. President Obama's Solicitor General and liberal publications like *Slate* would not offer praise for Judge Gorsuch if he were some kind of a nut.

In reality, the claims that Judge Gorsuch is outside the mainstream boil down to three things: a willful misreading of his decisions, a disingenuous attempt to redefine what it means to be mainstream, and an inability to count. On the misreading point, opponents of Judge Gorsuch claim that his decisions say things that they very clearly do not say or stand for propositions that even a generous reading cannot substantiate. They say he favors large corporations over employees, when really he just believes Federal employment laws mean what they say. They say he opposes contraception and family planning, when really he just believes religious liberty statutes should be enforced.

Judge Gorsuch's opponents also cite as examples of his purported extre-

mism decisions that liberal Democratic appointees joined or that a majority of his colleagues agreed with. They will take a case in which more than half—or sometimes all—of the judges who heard the case agree with Judge Gorsuch and say the decision was outside the mainstream. I don't know about my colleagues, but I always thought that being in the mainstream had something to do with being somewhere in the vicinity of your peers or colleagues on a given issue. But, apparently, that is not what the left means.

Rather, in their failing campaign against Judge Gorsuch, liberals have redefined “mainstream” to really mean nothing at all. It has become a code word for liberal, for the sorts of results that liberals would like to see. But being in the mainstream and being liberal are not the same thing, despite Democrats' fondest desires. There is such a thing as diversity of thought, which the left used to venerate, at least until the confirmation wars and the rise of the conformity cult on college campuses.

So to my colleagues—and to the American people—I say: Do not be deceived when liberals say that Judge Gorsuch is outside the mainstream. He understands that the proper role of a judge in our constitutional system is to interpret the laws in accordance with the understanding of those who wrote and ratified those laws. This approach to judging leaves lawmaking power to the people's elected representatives and confines the judge's role to implementing the policy choices selected by those representatives. It is an approach consistent with our Constitution, our core values, and democracy itself.

It may be at times that this approach yields results that liberals don't like, but that doesn't place it outside the mainstream. It cannot be the case that the test of whether a judge is in the mainstream is whether that judge reaches consistently liberal results. When the people's elected representatives enact into law a conservative policy, a judge faithfully applying that law may well reach a conservative result. The opposite is true when the people's elected representatives enact into law a liberal policy.

All of this is to say that we cannot judge a nominee solely on the basis of whether we like the results he or she reaches. As Justice Scalia famously said:

If you're going to be a good and faithful judge, you have to resign yourself to the fact that you are not always going to like the conclusions you reach. If you like them all the time, you are probably doing something wrong.

That is an interesting statement by one of the great judges, whom Judge Gorsuch will replace.

Liberals want judges who will always reach liberal results, but that is not

the role of the judge. It is the role of a legislator, and a judge is certainly not a legislator.

So when you hear liberals say Judge Gorsuch is outside the mainstream, recognize that they are talking about results—specifically, liberal results—and recognize that that is not the proper inquiry for a Supreme Court confirmation hearing.

A Supreme Court confirmation hearing should be about the nominee, the nominee's experience, and whether the nominee understands his or her properly constrained role as a judge under our Constitution. On all of these metrics, Judge Gorsuch is off-the-charts qualified.

When the good judge comes before the Judiciary Committee, listen to the answers he gives. Ask yourself whether what he says is consistent with the separation of powers and the system the Framers designed. Compare his measured demeanor and thoughtful responses to the histrionics you see from his opponents on the left.

I have full confidence that when the hearing is over and the last question has been asked, Judge Gorsuch will have shown the Senate that he is unquestionably qualified and fully prepared to serve our Nation on the Supreme Court.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. BLUNT). The Senator from Delaware.

Mr. CARPER. Mr. President, it is good to be with my colleagues and the chair of the Senate Finance Committee. I am pleased to say a few words about the President's nominee, Seema Verma, who, if confirmed, will lead us at the Centers for Medicare and Medicaid Services. She is from Indiana, and folks I know in Indiana have said that she knows a lot about Medicaid, but not nearly so much about Medicare, which is a cause for some concern.

If confirmed, let me just say we certainly look forward to working with her and with the team she will have around her in that responsibility. It is a very tough job, as the Presiding Officer knows.

HEALTHCARE

What I would really like to focus on is that I want to go back in time, if I could. I want to go back to 1993. I am not sure what the Presiding Officer was doing in 1993, but I was a brand-new Governor in 1993. We had a brand-new President and a brand-new First Lady. She was asked—I presume by her husband, or maybe she just decided on her own—to try to do what Presidents had talked about doing for a long time; that is, to try to make sure that everybody in our country had healthcare coverage. Her name was Clinton, and what she came up with, in consultation with a lot of folks, was something that was called *HillaryCare*—not always as a compliment, but sometimes, in some

cases, derisively. I think our Republican friends, who were somewhat pointed in their criticism of it, were basically asked: Well, where is your idea?

In 1993, a guy named John Chafee, whom the Presiding Officer knows—we served with his son Lincoln in the Senate, and Lincoln went on to be Governor of Rhode Island—took up the challenge, along with at least 20 other Senators—I think mostly Republican and a couple of Democrats—and they offered legislation in 1993 that was the Republican alternative to HillaryCare.

At the end of the day, HillaryCare did not survive, as we know, and the Chafee proposal from that time essentially went away in that particular Congress. What he had proposed had five major concepts to it. One of those was the idea that folks who didn't have healthcare coverage should be able to get their coverage in their own State—unless they were very wealthy—and to be able to get coverage in a large group plan. They called them exchanges or marketplaces, which would be established in each State. If that sounds familiar, it should.

They also said that folks who were going to get their coverage who didn't have coverage for healthcare in these 50 States would get some help in buying down the cost of their healthcare, and they would get that by the adoption of a sliding-scale tax credit which would buy down the cost of premiums for low-income people. The lower their income, the bigger the tax credit was; the higher the income, the lower the tax credit. And finally, it phased down.

There were concerns raised by insurance companies that it would be hard to insure folks who were going to be getting healthcare coverage on these exchanges in each of these States because a lot of these people hadn't had healthcare in a long time. There was an expectation that they would have a high demand for healthcare, they would need a lot of healthcare, and they would be a hard group to insure because their need for healthcare was very large. The insurance companies were fearful that the group of people in each of the States they would be asked to insure on the exchanges would not be insurable—not in the way in which the insurance companies could break even or make money.

This idea came along. Just to insure that we have a good mix of healthy and maybe not-so-healthy people in the exchanges to insure in each of the States, Senator Chafee and these folks came up with the idea that people would be mandated to get coverage in the States—everybody. You can't make people get coverage, but under the Chafee plan, for folks who didn't, they would have to pay a fine, and the fine, over time, would go up and become stiffer. So finally, people might say: Well, I am paying all this money for no

healthcare coverage. Maybe I ought to get coverage and stop having to pay this fine. At least I would have something for my money.

The two other things in the original legislation from Senator Chafee and company were something called an employer mandate, the idea that employers were mandated to provide coverage. At least employers with a minimum number of employees would have to provide coverage—to provide a large group plan within their business or within their employment. That was the employer mandate in the Chafee proposal.

The other thing that was in Chafee, as I recall, was something like a provision that said to insurance companies: You can't just stop providing coverage for people because they have a pre-existing condition; you have to insure people.

So those are the five major precepts: No. 1, creating exchanges in every State or marketplaces for people to get their coverage; No. 2, sliding-scale tax credits to help drive down the costs for low-income people for their coverage in their States; No. 3, individual mandates, or trying to make sure the mix of people insured was actually insurable, without the insurance companies losing an arm and a leg; No. 4, employer mandates that employers of a certain size have to provide coverage for their employees; and, finally, the idea of knocking people off coverage because of preexisting conditions was a no-no.

As we know, HillaryCare was not adopted, and neither was the Chafee plan. But it turned out the Chafee plan had legs, as they say in show business. It means it actually lasted beyond just being a bill introduced in the Senate in 1993.

It surfaced in Massachusetts about 10 years later, thanks to Governor Mitt Romney, who was thinking about running for President. Some of the people advising him said: You know, Governor, you could probably help your chances of running for President if Massachusetts could be the first State to have universal healthcare coverage for its residents. That sounded pretty enticing.

He said: How do we do this?

They looked up the Chafee bill. They apparently knew about it, thought about it, and said: Let's take the Chafee proposal and do that in Massachusetts.

That is what they did. Guess what. They found that they did a pretty good job in terms of covering more people on the coverage side. It worked pretty well. Where it didn't work very well was on the affordability side. As we might imagine, there were the young invincibles—like some of these pages we have down here and their older brothers and sisters who maybe say: I don't need healthcare coverage. I am

young and invincible. I will never get sick and go to the hospital.

They had a sliding scale. They had an individual mandate, but they had a fine people had to pay over time. Eventually, as more years went by, the young and healthy people said: I might as well get coverage. It helped provide for a better mix of folks in the exchange to provide insurance for. So they did a better job on the cost and, after a while, affordability.

When we went to work in the beginning of the Obama administration in 2009 on the Affordable Care Act, some people think Democrats just sat down in our caucus and just rolled out a plan and said: This is what we are going to do to provide healthcare coverage to people. That is not what we did. We spent a lot of time trying to figure out what we should do. We had, I want to say, dozens of hearings in the open, in public, on the Finance Committee. I am sure they had other hearings in the Health, Education, Labor, and Pensions Committee, which shares jurisdiction with Finance on this subject. We had dozens of hearings. We actually had the head of the Congressional Budget Office come and testify.

We had a pretty good idea of what it would cost. We had a pretty good idea of what impact it would have on the Medicare trust fund. It turned out that the adoption of the Affordable Care Act extended the life of the Medicare trust fund by, I think, 12 years. It actually brought down the Federal budget deficit over the next 10 years by quite a sizeable amount, and over the 10 years after that by even more. The idea was to provide coverage for a lot of people who wouldn't have it—actually, using the Chafee plan.

I think it is really ironic, sometimes almost humorous, when my Republican friends—and they are my friends—attack the Affordable Care Act. The piece that they attack is, I like to say, their stuff. They are the Chafee-Romney ideas.

I studied economics at Ohio State and studied some more in business school after the Vietnam war. I like market approaches to problems. So I find real virtue and interest in what Chafee came up with and what Romney put to work. Romney provided kind of a laboratory in Massachusetts to see how that idea would work—maybe not on a national scale but at least on a statewide scale, with a lot of people involved.

I am troubled by where we find ourselves today. During Presidential campaigns, I know people say things in campaigns that maybe they don't mean or maybe they exaggerate or something like that. But I think the campaign might have been over and Donald Trump had been elected President. He promised, I believe shortly thereafter, that his plan to repeal and replace the Affordable Care Act would lower the

cost of health insurance, while providing better coverage for everyone. That is what he said. His plan to repeal and replace the Affordable Care Act would lower the cost of health insurance, while providing better coverage for everyone.

I realize that the ink is barely dry on what the two House committees—the Ways and Means Committee and the Energy and Commerce Committee—have been working on. As best we can tell at this point in time, the bill they reported out of the committees—and I presume they are going to vote in the full House pretty soon, if they haven't already—but the House Republican bill to repeal the Affordable Care Act does just the opposite of what Donald Trump called for. It does not lower the cost of health insurance, as best we can tell, and it doesn't provide better coverage for everyone. The House Republican bill to repeal the ACA does nothing to slow down the growth of healthcare costs.

One of the great virtues of the Affordable Care Act is the focus on value. How do we get better results, better healthcare outcomes, for less money? If we go back to where we were 8 years ago and compare how much we were spending in this country for healthcare as a percentage of gross domestic product, we were spending 18 percent. One of our major competitors in the world—a major ally but a major competitor—is Japan. In 2009, while we were spending 18 percent of GDP, Japan was spending 8 percent—less than half as much, 8 percent of GDP. They got better results, and they covered everybody.

So as we were approaching the debate and eventually the markup on voting on the Affordable Care Act, we had this in the back of our mind. We looked around the world to see what seemed to be working to get better results for less money, and we looked at Massachusetts to see how that was working and what we could learn from what they called RomneyCare up there.

But the House Republican bill to repeal the ACA does, as best we can tell at this point in time, very little—maybe nothing—to slow the growth of healthcare costs, and that is a shame. Apparently, fewer people will be insured. I think Standard & Poor's estimates as many as 10 million people could lose coverage under the House Republican plan. Insurance markets will destabilize faster. I mentioned earlier that a great concern insurance companies had is that they would end up in each or in a number of States with a pool of people to insure in the exchanges that were uninsurable—the elderly, maybe the sick, people who hadn't gotten healthcare for a long time. It is hard to insure that group and stay in business if you are a health insurance company. There was a concern about destabilization and insta-

bility within the markets for health insurance.

The individual mandate is replaced by something called the continuous coverage requirement. I would like to think it is going to work. I am not sure it would. But under this, I understand that people who go without a health insurance plan for more than 2 months will be charged a 30-percent surcharge when they are able to get back on and reenroll. People with expensive healthcare conditions will be willing to pay a penalty. But how about healthier people who often chose to stay out of the health insurance markets?

Also, as best we understand, in the House Republican plan, health insurance plans will become less robust, and many Americans will only be able to afford rather skimpy insurance plans. Preliminary estimates of the House GOP plan shows that insurance costs for the average person would increase by roughly \$1,500. By 2020, the average person would pay \$2,400 more.

I had the privilege of representing Delaware as Governor. One of the things I was responsible for in the treasurer's office was administering fringe benefits for State employees and teachers and a lot of folks. So this is something I have thought about over the years—about healthcare coverage for people.

We have only three counties—unlike Missouri, where the Presiding Officer is from, which has probably hundreds of counties—maybe not that many. But we only have three. In our southernmost county, Sussex County, we have a lot of chickens, a lot of corn, and a lot of soybeans. We have five-star beaches. A number of people like to come to Delaware to retire. We have no sales tax. We have very low property taxes in Sussex County. And for people who are not making a ton of money, we have pretty low personal income tax.

Take the example of a 60-year-old Delawarean in Sussex County who makes \$30,000 a year. Under the Affordable Care Act, they get a tax credit. I mentioned earlier a sliding-scale tax credit. If you are lower income, it is a bigger tax credit. If you are a higher income, it finally fades out when your income goes up to a certain level. But for somebody making \$30,000 a year in Sussex County, under the current law—the Affordable Care Act—the tax credit in 2020 will be about \$10,000 to help buy down the cost of their coverage.

As I understand it, under the GOP health plan, for their comparable tax credit for the same person in Sussex County—which, quite frankly, has a lot of people 60, 65, 70 years old who make this amount of money down there; a lot are retired or semi-retired—the tax credit in 2020 would be \$4,000. That is about \$6,200 less. If you happen to be this person, you may want to think twice about which of these two paths you want to take.

We have another chart here that might be helpful. This is something we got from AARP. When we are passing legislation or drafting legislation or debating legislation, we are always interested in what key stakeholders feel. AARP is a big stakeholder. They represent a lot of people 50 and older. We are interested in hearing from folks who represent seniors. AARP represents the views of a lot—not all. We are interested in the views of those like doctors, the American Medical Association, nurses, providers. We are interested in hearing from hospitals. As it turns out—again, while the ink is barely dry on what is coming out of the House of Representatives—AARP tells us they are not very excited. Well, maybe they are excited about it, but not in a good way.

They say the change in structure will dramatically increase premiums for older consumers. That is what we have seen from the previous chart. In their example, AARP tells us about a 64-year-old person who is earning about \$15,000. Their premiums go up \$8,400. They are making \$15,000 a year. I don't know how they pay for much of anything else with that kind of increase in their premium costs. That is a concern for me and certainly a concern for the folks at AARP and the people they represent, the millions of people they represent.

TrumpCare. The House has come up with different names. Some call it ObamaCare light, ObamaCare 2.0 or .5. Some people call it TrumpCare. The House is working on it. The concern we are hearing from a lot of folks is that it forces women to pay more for basic care.

Let's go back to the care for women. My wife and I have been married 31 years. I don't know everything about healthcare needs for women, but I do know this. A lot of women I have known—including my own family, my sister, my mom, and my wife's family—their primary healthcare provider is their OB/GYN. I didn't know that for a long time—not for everybody, but for a lot of people that is who their primary care provider is. For millions of women, surprisingly, their primary healthcare provider happens to be an OB/GYN or healthcare provider who works at Planned Parenthood.

For some people, Planned Parenthood is synonymous with abortions, but I think a very small percentage of what they do relates to abortions. What they do, for the most part, is try to make sure women get the healthcare they need, a lot of times in the OB-GYN realm but also in terms of contraception.

Somebody told me the other day that the cost of contraception for a woman in a year could be as much as \$1,000. It is not cheap. The cost of a single delivery of a child from an unplanned pregnancy that is paid for by Medicaid is over \$10,000, if I am not mistaken.

A lot of times, as we know, especially if a young person brings a baby into the world, maybe doesn't finish high school or whatever, the outcome can be not that good for that child. I heard Mary Wright Edelman of the Children's Defense Fund say these words. If a 16-year-old girl becomes pregnant, does not graduate from high school, does not marry the father of her child, there is an 80-percent likelihood they will live in poverty. The same 16-year-old girl who does not have a baby, finishes high school, graduates, waits until at least 21 to have a child, marries the father of the child, there is an 8-percent likelihood they will live in poverty. Think about that.

That suggests to me that we should—particularly for young people and those not so young who are sexually active—we want to make sure that when they are ready to bring a child into the world they can do that, a healthy child, a child with a lot of promise in their life.

For those who aren't prepared to bring that child, raise that child, prepare that child for success, contraception is needed. One of the things the Affordable Care Act does is provide access for that contraception. I am fearful the plan in the House of Representatives, however well-intentioned, will take away that opportunity for a lot of women and frankly for their children.

We have other people who have arrived on the floor. I want to be mindful of their time.

I don't know if we have another chart to look at before I yield.

We have all heard of double whammy. This has been described as TrumpCare, ObamaCare light, whatever you want to call it. It has a triple whammy. One of those is higher costs, a second is less coverage, and for some people, particularly low- and middle-income folks, more taxes. For certain people whose income is over one-quarter million dollars, they get a tax break. It adds up to quite a bit for somebody who makes a lot of money, but this is not the kind of triple whammy we ought to be supporting.

When the bill gets over here, if it gets out of the House, we will have a chance to slow down and hopefully do hearings in the light of day and bring in the folks from CBO, ask them to score this, let us know what is the real impact of what is being proposed in the House. Does it really save money? Does it do what President-Elect Trump said he wanted to do, which is make sure everybody gets coverage and be less expensive. Does it really do that? And we need to find out what the impact is on taxpayers. Is this the holy grail of better results for less money or is this something altogether different?

The Presiding Officer, from Missouri, is somebody who is pretty good at working across the aisle. I would like to think I am too. We have worked to-

gether on a number of issues. When you are working on something that is this big and this complex and has this kind of impact on our country, we are always better off if we can somehow fashion a bipartisan compromise and something that would have bipartisan support.

We tried to do that in the Affordable Care Act. I know my Republican friends feel we didn't, but I was there. I know we tried. In fact, the evidence that we tried was literally the foundation for what we do for the Affordable Care Act, a Republican proposal from Senator Chafee and 20 other Republicans, including ORRIN HATCH and including CHUCK GRASSLEY from Iowa. I think that was a pretty good effort.

If this bill makes its way over here, we need to have at least a strong effort, maybe a better effort, maybe a more successful effort in the end.

If we are not going to repeal the Affordable Care Act, actually find a way to repair it and make it better, there are things we can do. I know I can think of some—I know the Presiding Officer can as well—that would move us closer to better coverage at a more affordable price.

The last thing I would say is this. I have a Bible study group that meets here on Thursdays with Barry Black, who opens our session with a prayer every day that we are in session. We also have his Bible study group that meets for about a half an hour, 45 minutes in the Capitol—Democrats and Republicans. We pray together, share things together. I describe it as the seven or eight of us who need the most help.

He is always reminding us of our obligation to the least of these. There is a passage of Scripture in Matthew 25 that a lot of us have heard of, and I am sure you have heard this in Missouri too. It says: When I was hungry, did you feed me? When I was naked, did you clothe me? When I was thirsty, did you get me to drink? When I was sick and imprisoned, did you visit me? When I was a stranger in your land, did you take me in?

It doesn't say anything about when I didn't have any healthcare coverage and my only access to healthcare was an emergency room to a hospital. It doesn't say that in Matthew 25. I think the implications are clear. They are the least of these as well. They need our help, and I think we have a moral obligation, as people of faith, to help them.

We also have a fiscal imperative because while the Federal deficit is down from \$1.4 trillion 6, 7, 8 years ago, down to about one-third of that, it is still high. We need to make more progress on that. We have a fiscal imperative to meet that moral imperative.

With that, I think I will call it quits. I know my colleagues will be disappointed, but they are standing here,

from all over the country, waiting to say their piece. I am going to yield to them and wish them all a good weekend, and I look forward to seeing you on Monday.

I yield the floor.

Before I do, I yield the remainder of my postcloture debate time to Senator RON WYDEN of Oregon.

The PRESIDING OFFICER. The Senator has that right.

The Senator from Arkansas.

HOMELAND SECURITY

Mr. BOOZMAN. Mr. President, when President Trump began his campaign for the White House, he made national security and, in particular, homeland security a cornerstone of his platform. His calls to secure the border to keep terrorists off U.S. soil and to protect our communities struck a chord with a large majority of Americans who for years felt that Washington ignored their very real concerns about our porous borders and broken immigration system.

As expected, the President moved quickly to deliver on his promises to fix this broken system. This week, the Trump administration rolled out a revised version of this Executive order aimed at restoring confidence in the procedures we have used to vet refugees fleeing from nations that are known to harbor radical and violent extremists.

The revised version appears to have benefited from the engagement of the President's Cabinet, especially the key input of Homeland Security Secretary Kelly. This valuable input underscores how important it is for the President to have his team in place to govern effectively.

Senate Democrats have slowed the confirmation process at every turn. I encourage them to abandon the political games so we can quickly fill the remaining vacancies that require Senate confirmation.

It is vital that every affected agency is engaged in these types of decisions. That isn't possible if the Senate is failing to do its duty to confirm the President's nominees. Congress has many problems to tackle, but protecting our Nation is at the top of that list. That requires we work together to govern.

It also requires we take a step back from the heated rhetoric and have honest conversations. Taking the fundamental steps to protect our homeland does not diminish the fact that we are a welcoming nation that strives to help the vulnerable.

It is no secret that ISIS and other volatile extremists want to exploit our Nation's generosity and welcoming spirit to sneak terrorists onto American soil. This plan has worked well in Europe. ISIS believes it can work here as well. We can, and must, take reasonable measures to prevent that.

It is reasonable, responsible, in fact, to put a pause on accepting refugees

from these nations in order to fix the flaws in the process and instill confidence in the system. The revised order removes Iraq from the list of countries. That is a move in the right direction. It shows that the Iraqis have taken the right steps in agreeing to increase their cooperation with us, and effecting positive outcomes in our relations with these nations is what this pause is all about.

Four of the countries on this list don't even have a U.S. Embassy. So you can understand how difficult it is to get a complete picture of the refugees seeking asylum from those countries when we don't even have a means by which to communicate.

Once the President's Executive order goes into effect, every country will be evaluated within 20 days. If a country comes up short of where it needs to be, it will have 50 days to fix the failures and communications with us.

The reasonable measures we are taking to reduce this threat in no way run counter to the ideals our Nation is built upon. We can be proud of the resources the United States has provided to support those fleeing persecution in war-torn Syria. I have visited the refugee camps we support in Jordan and Turkey. Our commitment to their well-being is strong. The rhetoric doesn't match the realities when it comes to this issue.

The administration's efforts to secure our borders has been met with similar hyperbole. Again, there is nothing unreasonable about ensuring that we know who is coming into our Nation. We are a nation of immigrants and must remain welcoming to those who want to achieve the American dream. We should be proud of our record to naturalize those who immigrate here legally. We naturalize more new citizens per year than the rest of the world combined. Enforcing the law, ensuring the safety and security of our Nation, will not change our commitment to being a welcoming society to those who seek a better life.

But you can't create policies to secure our homeland while wearing rose-colored glasses. There are terrorists seeking to exploit our good graces so they can attack us here at home. This is not a scare tactic; this is reality, and we have to root our policies in reality.

As chairman of the Appropriations Homeland Security Subcommittee, I strongly support President Trump's efforts to get Washington to uphold our most important responsibility: protecting the American people. I stand ready to work with him, Secretary Kelly, and my colleagues to accomplish this goal.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Michigan.

Mr. PETERS. Mr. President, I rise today to express my opposition to the confirmation of Seema Verma as Ad-

ministrator of the Centers for Medicare and Medicaid Services, known as CMS.

As CMS Administrator, Ms. Verma would oversee healthcare coverage for more than 55 million seniors and disabled individuals in the Medicare Program. In addition, she would be the primary authority for the Medicaid Program, the Children's Health Insurance Program, and our Nation's health insurance marketplace. Together, these programs cover over 70 million Americans.

I have serious concerns that if confirmed, Ms. Verma will pursue shortsighted changes to our healthcare system that could jeopardize care for working families, while providing huge benefits to corporate interests.

Ms. Verma has openly stated her desire to put insurance companies back in charge of our healthcare by allowing insurers to deny women maternity care coverage as an essential health benefit. She has also expressed support for proposals that would weaken essential health benefits that ensure coverage for mental healthcare, preventive screenings, and comprehensive pediatric care for children. These comprehensive services form the backbone of the healthcare system that invests in preventive care, improving outcomes, lowering costs, and puts consumers in charge of their own healthcare. Ms. Verma is proposing to take us back to the days when insurance companies were in control and when they would tell you what was best, not you or your doctor.

She has also expressed support for dangerous and radical proposals that would change Medicare as we know it. I believe that when it comes to Medicare, our future CMS Administrator should be doing everything he or she can to strengthen an incredibly successful program. Ms. Verma, instead, supports policies that reduce the quality of care and increase costs on older Americans.

Our Nation's seniors have worked hard their entire lives. We owe them a secure and dignified retirement. When Congress was first debating the Affordable Care Act in 2009, I heard from seniors who had split their pills in half or would forgo their prescriptions altogether just to put food on their table. This is simply unacceptable in this great country of ours.

It is important to remember that the Affordable Care Act extended the solvency of Medicare by more than a decade, while simultaneously bringing down prescription drug costs for seniors. Because of improvements to Medicare in the Affordable Care Act, the average senior in Michigan saved over \$1,000 on prescription drug costs in 2015.

While this shows the success the ACA has had in helping older Americans, there is still much more work to do. We must keep moving forward to strengthen and improve Medicare. I am

concerned Ms. Verma will move us backward.

During her confirmation hearing, she failed to express her opposition to proposals that would increase Medicare's eligibility age. This means that Michigan's construction workers, nurses, and autoworkers would need to spend more years on their feet before they see the coverage they have earned.

Ms. Verma provided no clear direction on what she will do to strengthen the Medicare Program, and I am concerned that she sees older Americans as just one more line on a budget. These Americans have worked hard their entire lives, and the very last thing we should be doing is making cuts at their expense. Instead, we should focus on proven advances in technology that improve Medicare and cut costs without jeopardizing care for seniors and disabled individuals.

I worked with my colleagues in Congress to introduce bipartisan proposals that will do just that. For example, Medicare spends one out of every three dollars on diabetes treatment. The total economic cost of diabetes is estimated to be \$245 billion every year. I have introduced bipartisan legislation that allows Medicare to enroll individuals at risk for developing diabetes into medical nutrition therapy services proven to decrease the likelihood they will develop diabetes in the first place. I have also introduced bipartisan legislation that expands Medicare's use of telemedicine, increasing access for patients in rural and underserved communities and bringing down future health costs by ensuring patients get the preventive care they need to stay healthy.

I will keep working to improve and modernize our healthcare system without sacrificing care for the most vulnerable. Unfortunately, I do not believe Ms. Verma shares this commitment. I am voting against Ms. Verma's nomination because our seniors and working families deserve a CMS Administrator who is fighting to improve their healthcare, not one who merely sees them as a budgetary obligation.

I will oppose her confirmation, and I strongly urge my colleagues to do the same.

Mr. President, I yield 35 minutes of my postcloture debate time to Senator WYDEN.

THE PRESIDING OFFICER. The Senator has that right.

Mr. PETERS. I yield the floor.

Ms. CANTWELL. Mr. President, I rise to discuss the nomination of Seema Verma for Administrator of the Centers for Medicare and Medicaid Services, CMS.

We have before us a nominee that would run an agency responsible for the healthcare of more than 100 million Americans, with an annual budget of about \$1 trillion. This is the agency that administers Medicare, Medicaid,

the Children's Health Insurance Program, and health insurance exchanges. In short, CMS is the single most consequential agency in health care.

Yes, I am deeply concerned about this administration's ideas on Medicare and on the individual insurance market, over both of which CMS has profound influence, but I am most concerned about their plans for Medicaid.

Based on Ms. Verma's history, her actions, her statements, and her testimony before the Senate Finance Committee, it is clear to me that Mrs. Verma is not only complicit but is leading the charge to wage a war on Medicaid.

Why do I say that? Let us look at Ms. Verma's record, actions, and testimony on Medicaid. In Indiana, Ms. Verma made millions of dollars in consulting fees by kicking poor working people off of Medicaid for failure to pay monthly contributions similar to premiums. This plan forced people making \$10,000 a year, \$5,000 a year, or even homeless people with virtually no income to pay a monthly contribution or be penalized. As a result of Ms. Verma's work, about 2,500 Hoosiers have been cut from care. Evaluations of this plan by independent experts show it is confusing to beneficiaries and has not demonstrated better results than traditional Medicaid expansion. Meanwhile, enrollment is far lower than projected.

During my meeting with her and in her testimony before the Senate Finance Committee, Ms. Verma stated that Medicaid should not be an option for able-bodied people. Ms. Verma seems to think the private sector can serve this population on its own. Based on what we know about the historical affordability challenges in the individual health insurance market, I find this notion hard to believe.

My State is innovating in Medicaid through "rebalancing" from nursing homes to home and community care, integrating behavioral health and primary care, and adopting of innovative new waivers through collaboration with the Federal Government. In fact, Washington State realized more than \$2.5 billion in savings over 15 years through rebalancing efforts; yet Ms. Verma will not commit to a single delivery system reform idea.

Ms. Verma claims Medicaid is a top-down Federal power grab. On the contrary, Medicaid is an optional State program, with all States participating. Every State participates because they know Medicaid is a good strategy for covering a low-income and vulnerable population and supporting their healthcare delivery system. Medicaid is highly flexible right now, and States have wide latitude over eligibility, benefits, provider reimbursements, and overall administration of their Medicaid programs.

Ms. Verma claims Medicaid produces poor outcomes, but she cannot offer a

single credible clinical outcome or quality measure that the program is not achieving. Meanwhile, data show that patient satisfaction in Medicaid is high and the program achieves improved public health and clinical outcomes for its patients.

Most concerning, Ms. Verma has repeatedly endorsed the administration and Republicans' plan to permanently cap Medicaid, which would hurt patients, States, health providers, and local economies.

I am voting no on Seema Verma's nomination for CMS Administrator because I cannot endorse a full-scale assault on the Medicaid Program.

Mr. RUBIO. Mr. President, Seema Verma has a proven track record of helping States create patient-centered healthcare systems that improve quality and access and give individuals and families more control over their healthcare. Due to a family commitment, I was unable to participate in the cloture vote. However, I strongly support Ms. Verma's nomination and look forward to working with her on the many important healthcare issues facing Florida and our country.

The PRESIDING OFFICER. The Senator from Alaska.

TRIBUTE TO GLEN HANSON

Mr. SULLIVAN. Mr. President, I have been coming down to the floor for the past several months recognizing Alaskans who make our State great and our country better for all of us. I really enjoy doing this because it gives me an opportunity to share the excellent work my citizens are doing in their communities. It also gives me a few minutes to highlight to all my colleagues here in the Senate—and to some of those Americans who might be watching at home—to talk a little bit more about the unique place I call home and am honored to serve and represent in the Senate.

This week, I would like to honor pilot Glen Hanson, who is right now somewhere flying above racing sled dogs in the far north in Alaska, literally as we speak.

Before I get to how he is helping Alaskans and how he is this week's Alaskan of the Week, let me take you back through a remarkable bit of history that happened in Nome, AK, in 1925, when a diphtheria serum was desperately needed for the children in Nome. The nearest batch of serum was 1,000 miles away in Anchorage, AK. There weren't—and still aren't—any roads that connect Nome to Anchorage. There was very challenging winter weather during this time, so no airplanes could fly. In fact, the nearest train station was over 700 miles away from Nome, so people traveled mostly by dog sled.

On the night of January 27, 1925, musher "Wild Bill" Shannon tied a 20-pound package of serum wrapped in protective fur around his sled. He and

his nine dogs started the journey called then the "Great Race of Mercy" across the frozen Alaska land. Miles later, he met up with another racer and another team of dogs, and the relay continued all across Alaska, over 1,000 miles—20 mushers and 150 sled dogs—through some of the world's most rugged terrain and some of the world's most brutal weather. In fact, right now in parts of Alaska where the Iditarod is happening, it is 40 to 50 below zero.

That original race, the Great Race of Mercy, began to be reenacted, with some twists, in 1973 and continues today. In fact, it is going on right now, the Iditarod, the Last Great Race, in my great State. People from all across the world come to participate in it and come to watch it. It is the quintessential Alaskan event that involves the work of hundreds of Alaskans, lodge owners, veterinarians, dogs, dog handlers, volunteers, pilots—hundreds, thousands.

Alaska, as you might know, is home to more veterans per capita than any other State, but we are also home to more pilots per capita than any other State. Our pilots are a vital part of our economy and transportation, and they are a vital part of the Iditarod. In fact, the race couldn't exist without them.

Every year, more than a dozen volunteer pilots load their planes for the Iditarod race with more than 100,000 pounds of dog food, hundreds of bales of hay, and lumber for tents. They fly the veterinarians, the judges, the dog handlers, and so many of the volunteers out to the checkpoints hundreds of miles away. We call them the Iditarod Air Force, and every one of them deserves recognition.

That gets me back to Anchorage resident Glen Hanson, who is our Alaskan of the Week. Glen, along with his brother Bert, is tied among this year's pilots as the longest serving volunteer in the Iditarod Air Force. He began volunteering for the Last Great Race—the Iditarod Air Force—in 1984. Glen has since put in roughly 1,500 hours of volunteer time, making sure that the Last Great Race continues and that the dogs and the mushers are taken care of—taken care of right now in 40 to 50 below zero, as this race is going on.

This year, Glen won the Alaska Air Carriers Association Iditarod Humanitarian Service Award. Upon receiving it, the Air Carriers Association wrote to Glen:

You are obviously an accomplished pilot held in high regard by your peers. While there are many volunteers working to make the race possible, you consistently go above and beyond the call of duty. You are always quietly willing to take every assignment, no matter how unglamorous or uncomfortable. You step up time after time to fly in the challenging air strips to ensure that the musher supplies and race personnel are available to keep the race safe.

Thank you, Glen, for all you do to keep our great Alaska history alive.

And thanks to all the pilots in the Iditarod Air Force this year and so many of the other volunteers who keep everybody safe—and are doing it right now during this year's Iditarod. And to all the mushers and these great dogs, good luck. Everyone involved makes this truly the last great race in America.

MORNING BUSINESS

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO MASTER SERGEANT KEARY MILLER

Mr. McCONNELL. Mr. President, today it is my honor to congratulate retired MSgt Keary Miller of the Kentucky Air National Guard's 123 Special Tactics Squadron. On January 17, 2017, the U.S. Air Force awarded Master Sergeant Miller, of Goshen, KY, its highest honor, the Air Force Cross. This award is presented "for extraordinary heroism while engaged in military operations against an opposing foreign force." It is second only to the Congressional Medal of Honor.

In March 2002, Miller served in the Battle of Takur Ghar as part of Operation Anaconda in the Paktia province of Afghanistan. Their mission was to defeat Taliban forces hiding in on the Takur Ghar Mountain.

During the mission, two MH-47E Chinook helicopters took enemy fire as they attempted to land. The helicopter lurched in an attempt to evade taking damage. The quick maneuvering caused PO1 Neil C. Roberts to fall from the rear ramp out of the vehicle. Miller, a pararescuman, was in a third helicopter to rescue Roberts. However, his vehicle was hit with automatic weapons fire and rocket propelled grenades when it was 20 feet above the ground.

The enemy fire damaged Miller's helicopter and forced them to touch down on Takur Ghar. After a hard landing, Miller and his team formed a defensive posture despite five critical casualties. Through rocket propelled grenade, mortar, and small arms fire, Miller dragged the wounded helicopter pilot to safety. For the next 17 hours, Miller and his team engaged the enemy in intense fighting, and he displayed astonishing bravery as he helped the wounded and resupplied his comrades.

Through his heroic actions, Miller successfully brought 10 seriously wounded soldiers to medical treatment and recovered seven Americans killed in action.

For his service, the Air Force awarded Miller the Silver Star on November 1, 2003. However, as part of the Depart-

ment of Defense's review of combat medals, the Secretary of the Air Force Deborah Lee James upgraded the award to the Air Force Cross.

In a statement, James said "These are people whose lifestyle includes going above and beyond the call of duty and exemplifying the Air Force core values of integrity first, service before self and excellence in all we do."

To further commemorate Miller's extraordinary service, the National Museum of the United States Air Force at Wright-Patterson Air Force Base has included his actions in the Battle of Takur Ghar in a permanent exhibition on battlefield airmen.

On behalf of a grateful nation, I want to extend my sincerest thanks to Master Sergeant Keary Miller for his service to the United States and the Kentucky Air National Guard. I ask my colleagues to join me in honoring this distinguished Kentuckian. He has earned this prestigious award, and he is a true American hero.

TRIBUTE TO GEORGE FLYNN

Mr. McCONNELL. Mr. President, today it is my honor to celebrate former Pulaski County circuit clerk George Flynn. Although he began his retirement last year, his community is still recognizing him for his three decades of public service. The Somerset-Pulaski County Chamber of Commerce presented the "Distinguished Community Service Award"—its top honor—to Flynn in recognition of his dedicated work to the people of Pulaski County.

In both his personal life and professional work, Flynn tirelessly tried to make his community a better place. He was first elected in 1987 because he "is [the] personification of a 'one of us' attitude necessary to attract votes in Pulaski County." Because of his exemplary work as circuit clerk, the people reelected him four times. In his tenure, he worked with five circuit court judges and oversaw the modernization of all court records.

After a proud career of public service, Flynn said he is ready to spend his days sleeping in, enjoying time with his wife, Resa, his grandchildren, and his dogs. He has earned a relaxing retirement. I would like to extend my warmest congratulations to George Flynn for a notable career of public service and this much deserved award.

REMEMBERING WILLIAM "BILL" HOLEMAN

Mr. McCONNELL. Mr. President, today I wish to honor the life of William Holeman. Preacher Bill, as he was known, came to eastern Kentucky in 1953 and almost immediately made a lasting impact.

For over 60 years, Bill travelled throughout eastern Kentucky, teaching around 40,000 schoolchildren each

year about bullying, drug abuse, and his Christian faith with the Youth Haven Bible Camp. Although his family described him as a humble man, Bill had a real passion for his vocation.

To help teach the kids, Bill employed ventriloquist dummies named Henry and Homer. He developed their personalities and spread his message with laughter and fun.

Bill dearly loved eastern Kentucky and its people. He devoted his life to them, and many children were forever changed by his work.

Preacher Bill will surely be missed, and Elaine and I send our condolences to his wife, Joyce, and their children Susan, Gail, Gary, and Eddie.

REMEMBERING SHERIFF CHARLES EDWARD "FUZZY" KEESEE

Mr. McCONNELL. Mr. President, today I wish to remember the life of the longest serving county sheriff in the history of Kentucky, Pike County Sheriff Charles Edward Keese. After more than 40 years of hard work, "Fuzzy," as he was affectionately known, passed away at the age of 89.

A veteran of the Second World War, Fuzzy became a lasting icon in Pike County. Deputy Judge/Executive Brian Morris said "You can't serve for more than four decades and not personally touch every household in Pike County." He was a compassionate public servant, a dedicated law enforcement officer, and a good man. The community will surely remember Fuzzy's impact and miss him deeply.

Elaine and I send our condolences to Sheriff Keese's wife, Easter, his brother, Alben, and his sister, Nancy Jo.

ADDITIONAL STATEMENTS

TRIBUTE TO LYLE BURGESS

• Mr. DAINES. Mr. President, this week, I have the distinct honor of recognizing Lyle Burgess of Ryegate. Lyle has been a dependable leader for the people of Golden Valley County for over a generation. He has contributed to the community in the fields of education and emergency services. Golden Valley County is located in the middle of Montana, and Lyle has been in the middle of events in the county for many years.

After graduating from Eastern Montana College, now known as Montana State University-Billings, Lyle began a 30-year career as a school teacher at Ryegate High School. A few years after he started teaching, Lyle began serving as a first responder with the Golden Valley County Emergency Medical Services. Although he is now retired from teaching, Lyle continues to serve his community: he went on to become the director of EMS. Today he still serves in that role. As director, Lyle is

responsible for training new first responders and getting them ready to be Emergency Medical Technicians. The familiar saying "once a teacher, always a teacher" rings true for Mr. Burgess. Golden Valley County Sheriff Robert Pallas referred to Lyle and his colleague at EMS, Mary Ann Schladweiler, as the "staples" of the program.

Golden Valley County is home to just about 800 residents. The rural setting magnifies the necessity of having great folks like Lyle and Mary Ann offer their time and talent in the service of others. Montana is a State blessed with many treasures, and the greatest treasure of all is the people. Thank you, Lyle, for going above and beyond in the community and teaching others by your example.●

TRIBUTE TO EVELYN FRANCES STEARNS

● Ms. HASSAN. Mr. President, I ask my colleagues to join me in honoring Evelyn Frances Stearns, who celebrates her 100th birthday on March 31, 2017. Evelyn was born in South Berwick, ME, the daughter of Perley and Helen Marshall.

She was a resident nurse graduate of Nashua Memorial Hospital in Nashua, NH, and was later a 3 and a half year veteran in the Army Nurse Corps, working as an operating room nurse in the U.S. and South Pacific theatres during World War II.

During the war, she was part of the 9th General Hospital originating in Fort Devens, MA, and then shipped to Townsville, Australia.

In 1944, she was transported to the Southwest Pacific, where she served in New Guinea during the battles that took place. She was awarded a Bronze Star Medal for her service.

On February 18, 1945, she was promoted from second lieutenant to first lieutenant.

In June of 1946, she married Fred C. Stearns from Winchester, NH, and the two had four children: Linda, Diane, Gail, and Sally.

Evelyn raised her three girls while employed at the Valley Regional Hospital in Claremont, NH, as the operating room supervisor. There, she was known as "Our mother, the owl." Tough, but fair, Evelyn didn't miss a trick.

After 22 years there, she retired in 1982.

Evelyn is known around the city of Claremont for her daily walks, often in excess of 5 miles a day, up until the age of 98. She also found great joy in maintaining her home inside and out until the day she left, 6 months ago. Her work ethic exhausted her children and grandchildren, who were amazed at her tenacity.

She continues to be an avid bridge player, and enjoys crosswords and reading mysteries.

Among her family, Evelyn has seven grandchildren and nine great-grandchildren.●

TRIBUTE TO WENDY DiVECCHIO

● Mr. HELLER. Mr. President, today I wish to congratulate Wendy DiVecchio on becoming the chief executive officer of the Greater Las Vegas Association of Realtors, GLVAR. It gives me great pleasure to recognize DiVecchio's recent success and her dedication to the great State of Nevada.

Founded in 1947, GLVAR has always led our State in professionalism. GLVAR, the Nevada representative for the National Association of Realtors, is the largest professional organization within southern Nevada, providing 13,000 of its members educational resources, professional training, and political representation. GLVAR has truly made an impact on our State, specifically in Las Vegas.

As a longtime resident of Las Vegas, DiVecchio has served in several different departments within the GLVAR for over 17 years, holding many of the company's crucial positions. Over the years, DiVecchio served as educational director, national chairwoman for local and State Realtor associations, and interim CEO. Recognizing her exceptional efforts, DiVecchio also earned the Realtor Certified Executive designation from the National Association of Realtors. While working full-time at GLVAR, she also earned a bachelor's and master's degree in business management from the University of Phoenix.

In her new role, DiVecchio will oversee more than 30 employees and all other aspects of the GLVAR, including its move into a new headquarters located in southern Las Vegas. Although she will be faced with more responsibility, DiVecchio has proven she is up to the task and will succeed to her fullest potential.

As Nevada's senior Senator, I applaud DiVecchio's impressive feats and commend her for demonstrating such valuable commitment and loyalty to GLVAR. I am both humbled and honored by her hard work, and I am proud to call her a fellow Nevadan. Today I ask all of my colleagues to join me in congratulating Wendy DiVecchio on her recent promotion to GLVAR's CEO and wish her well in her future endeavors. I give my deepest appreciation for all that she has done for the Silver State.●

TRIBUTE TO STACEY ESCALANTE

● Mr. HELLER. Mr. President, today I wish to recognize Stacey Escalante of Las Vegas. Stacey is a Nevada mother who battled cancer and won. Ever since she defeated cancer, Stacey has taken herself to new heights and translated her strength into action. Her story

makes us all proud to call Nevada home.

Stacey Escalante was diagnosed with stage 3 skin cancer over 10 years ago when she was still a news reporter for KVBC, now KSNV-TV. Up until this point, she was a model for health, but as we all know, cancer is a disease of its own. After several medical procedures, constant trips to the doctor, Stacey had to endure years of screenings and follow-up medical procedures before the cancer finally went into remission. During this time, she was forced to take a leave of absence from her job in order to recover. Even worse, she had to spend an extended period of time away from her family and friends.

During this recovery, Stacey wanted to come back home. She knew she would recover if she got to be at home surrounded by her family and coworkers who cared deeply about her. Fortunately, Stacey was able to return home and be with her family and friends; there she continued to fight cancer tooth and nail.

After she recovered, Stacey didn't just go back to work and pick up where she left off. Instead, Stacey became a cancer survivor, willing to stand up for cancer patients and those unaware of the dangers that tanning beds can cause to the human body. Stacey also remains incredibly active, a hard-working single mom who is still dedicated to living a healthy lifestyle. Despite time away from her career, Stacey worked through the setbacks and is now a publicist at Orca Communications and continues to have an exciting career in public relations.

Stacey's battle with cancer and getting to where she is today is a testament to her determination. She has a passionate story to tell, and I believe that she will continue to inspire others to do the same. She epitomizes what it means to fight back and go even further by spreading the word about the dangers posed by tanning beds and advocate for other women's health issues. I am truly inspired by her story.

I am both humbled and honored to acknowledge Stacey Escalante for her perseverance and willingness to share her story and get involved to make the great State of Nevada an even stronger, healthier State. I wish her continued efforts the absolute best. I will continue to pray for her as well as her wonderful family and friends who stood by her side every step of the way.●

TRIBUTE TO LIEUTENANT COLONEL MATT JONKEY

● Mr. HELLER. Mr. President, today I wish to congratulate LTC Matt Jonkey on completing his master of arts degree in security studies at the Naval Postgraduate School Center for Homeland Defense and Security, CHDS. It gives me great pleasure to recognize him for

his recent success and his continued dedication to serving the great State of Nevada.

CHDS is our Nation's epicenter for homeland security education located at the Naval Postgraduate School, NPS. Among the many programs CHDS offers, its masters program is exceptionally prestigious and provides its graduates with a vast array of useful skills. Additionally, the program offers extensive analysis of the security operation within the United States. To complete this intense 18-month program, CHDS graduates must exercise unconventional critical thinking skills, advanced leadership tactics, and develop a comprehensive understanding of security policy and operations.

In addition to graduating from the University of Nevada at Reno with a bachelor's degree in criminal justice, lieutenant colonel Jonkey also managed to build an impressive career within the Nevada National Guard. He has held several positions with many responsibilities, ranging from aviation management to weapons of mass destruction response. Currently, lieutenant colonel Jonkey serves as commander of the 92nd WMD-CST where he oversees the Nevada National Guard's response to weapons of mass destruction and other HAZMAT-related disasters in support of civil authorities. Furthermore, lieutenant colonel Jonkey is also an outstanding father to his two daughters and a loving husband to his wife, Ashley.

During his time in the CHDS program, lieutenant colonel Jonkey engaged in strategic and organizational debate with high-level, national security operatives across the country. Additionally, lieutenant colonel Jonkey completed a thesis on government drones and the Department of Defense's abilities to respond to homeland disasters. After a rigorous 18-month online and in-residence program, lieutenant colonel Jonkey graduated from the CHDS program on December 16, 2016.

I commend lieutenant colonel Jonkey for his unwavering dedication to his career and his courageous contributions to Nevada. His character is truly admirable and stands as a shining example for future generations. As a member of the Senate Veterans' Affairs Committee, I applaud lieutenant colonel Jonkey's steadfast allegiance to the Silver State and his determination to complete this highly esteemed milestone.

I ask my colleagues and all Nevadans to join me in congratulating lieutenant colonel Matt Jonkey for his recent achievement and his service to Nevada. I wish him the best of luck in all of his future endeavors.●

TRIBUTE TO ROBERT K. SCHRATZ

● Mr. HELLER. Mr. President, today I wish to recognize the 100th birthday of Robert K. Schratz, a WWII veteran and an incredible family man. I am proud to honor him for reaching such an impressive milestone in his life, and I want to acknowledge his unwavering courage and service to our Nation.

Mr. Schratz, an avid outdoorsman and Eagle Scout, was born in Pittsburgh, PA, on January 25, 1917. As a graduate from Carnegie Tech with a degree in civil engineering, Schratz went on to work for the Pittsburgh and Lake Erie Railroad as a design engineer. However, after the attack on Pearl Harbor, he enlisted into the U.S. Army Air Corps.

In 1944, Schratz graduated from the Air Corps as a multiengine pilot and a second lieutenant. He flew over 168 missions, including the Berlin Airlift, and served a 4-year Pentagon assignment. Over several years, Schratz was stationed all over the world, including Texas, Mississippi, Washington, DC, Alabama, England, Germany, and Japan. Schratz was also stationed at Stead Air Force Base in Nevada, a place he truly admired and would eventually call home. After retiring from the Air Force as a lieutenant colonel, Schratz and his beloved wife, Barbara, permanently moved to Reno, NV, where Schratz worked for the City of Reno Engineer's office for over a decade.

As a World War II veteran, Schratz's commitment to his country and his dedication to his family and community will be preserved for generations to come. As a member of the Senate Veterans' Affairs Committee, I recognize that Congress has a responsibility to honor these brave individuals, and I remain committed to upholding this promise for veterans and servicemembers in Nevada and throughout the Nation.

Additionally, I am pleased to recognize Schratz for passing on his legacy of serving our country through several generations. Lieutenant Colonel Schratz's son, Robert K. Schratz II, served as a captain in the U.S. Marine Corps while his son, Mark Schratz, also served in the U.S. Air Force. His grandson, Wayne Cates, served in the U.S. Navy, and his great-granddaughter, Hospital Corpsman Third Class Emily Cates, currently serves in the U.S. Navy. I truly commend these members of the Schratz family and am grateful for their devotion to protecting our Nation's freedoms.

I applaud Robert K. Schratz for his courageous contributions to the United States of America and to freedom-loving nations around the world. His service to his country and his bravery and dedication to his family and community earn him a place among the outstanding men and women who have valiantly defended our Nation. Today I am

honored to commend Mr. Schratz and celebrate an inspiring milestone achieved by such an upstanding Nevadan.●

RECOGNIZING KIT'S KITCHEN

● Mr. HELLER. Mr. President, today I wish to recognize a great small business and charitable organization that is leading by example, serving the community, and making a difference in the great State of Nevada. Chanthy Walsh and her husband own a nonprofit restaurant called KIT's Kitchen, which is located in Henderson, NV. The name stems from the nonprofit foundation they run called Kids in Transition. Both organizations work side by side to help those in need.

Since November 2016, KIT's Kitchen has been training underprivileged youth, while providing affordable meals to the local community. This restaurant provides its volunteers with real work experience and teaches them what it takes to succeed in the restaurant and hospitality industry. To me, it is more than just learning about the restaurant; these kids are being taught hard work, about giving back to their community, and what it means to make a commitment and be held accountable to it—values that go beyond the workplace.

In addition to their impressive restaurant, Mrs. Walsh and her husband, Tim, direct a nonprofit called the Kids in Transition Foundation, which is designed to help young people build a successful career. This foundation provides meals, scholarships, financial aid, and mentoring advice to Nevada's youth. Together, these efforts are building a better future for Nevada.

As a father, I understand firsthand how much of an asset Chanthy Walsh and her work is to the Silver State. Considering these young Nevadans are the future, I am proud to see Ms. Walsh strive to make Nevada brighter every single day. It is this dedication to community and giving back that makes a difference in so many people's lives.

Today I ask my colleagues and all Nevadans to join me and recognizing this organization, its employees, and its impressive leader. Chanthy Walsh provides an outstanding service to the local community and to our great State. As Nevada's senior Senator, I am humbled by her efforts and a true commitment to making a difference in people's lives. I hope others can look to her for inspiration on how to make their community a better place for everyone.●

75TH ANNIVERSARY OF APPLIED PHYSICS LABORATORY

● Mr. VAN HOLLEN. Mr. President, today, we commemorate the 75th anniversary of the founding of Johns Hopkins University's Applied Physics Laboratory.

I am fortunate to represent Maryland, a State that plays a leading role in science, technology, and innovation. From NASA's Goddard Space Flight Center, to the National Oceanic and Atmospheric Administration, to the National Institute of Standards and Technology, Maryland is at the frontier of discovery and innovation. Among Maryland's leaders in space, science, and innovation is the Applied Physics Laboratory, or APL.

From its humble beginnings in a converted auto dealership in Silver Spring, MD, to its current state-of-the-art facility in Howard County, APL has designed, built, and launched countless spacecraft and instruments. Like the Goddard Space Flight Center, APL provides a great economic boost for Maryland, employing thousands of Marylanders and generating \$1 billion in annual revenues. APL serves both civil and national security clients, in areas from homeland protection and undersea warfare to missile systems and biomedicine.

Early on the morning of July 14, 2015, along with representatives from NASA and the Southwest Research Institute, and my old friend Dr. Tom Krimigis, I was able to visit APL to witness the Pluto flyby of the spacecraft New Horizons. I waited eagerly as New Horizons flew 7,800 miles above the surface of Pluto, making it the first spacecraft to explore the dwarf planet. The excitement and pride in the room was palpable. Maryland and the Applied Physics Laboratory were once again playing a critical role in the history of human discovery.

I am grateful for the work that APL has done. And I look forward to the work that APL will continue to do, well into the future. I join my Colleague, Senator BEN CARDIN, in sponsoring a resolution congratulating the Johns Hopkins University Applied Physics Lab on the 75th anniversary of the Lab's founding.

Humanity has long asked: From where did we come? And are we alone? Places like APL will help us answer fundamental questions like these. I am proud to represent them here in the U.S. Senate, and I look forward to working with them to keep science, space, and space technology strong and vibrant in Maryland and the United States for years to come.

I congratulate APL, Johns Hopkins, and its many partners as they celebrate this important milestone.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages

from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 10:03 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 1301. An act making appropriations for the Department of Defense for the fiscal year ending September 30, 2017, and for other purposes.

ENROLLED BILL SIGNED

At 12:15 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

S.442. An act to authorize the programs of the National Aeronautics and Space Administration, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore (Mr. HATCH).

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, March 9, 2017, she had presented to the President of the United States the following enrolled bill:

S. 442. An act to authorize the programs of the National Aeronautics and Space Administration, and for other purposes.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. GRASSLEY, from the Committee on the Judiciary, without amendment:

S. 419. A bill to require adequate reporting on the Public Safety Officers' Benefits program, and for other purposes.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. CORKER for the Committee on Foreign Relations.

*David Friedman, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Israel.

Nominee: David M. Friedman.

Post: Ambassador to Israel.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: \$50,000.00, 6/17/2016, Trump Victory Committee; \$1,000.00, 10/26/2012, Josh Mandel Senate Victory Committee.

2. Spouse: None.

3. Children and Spouses: Daniel Friedman: none. Jana Friedman: none. Jacob Friedman: none. Danielle Friedman: none. Aliza Romanoff: none. Eli Romanoff: \$75.17, 10/13-20/2016; Trump/Pence 2016. Talia Friedman: none. Katie Friedman: none.

4. Parents: Morris Friedman—(deceased), none; Adelaide Friedman: none.

5. Grandparents: Benjamin Friedman—(deceased), none; Mary Friedman—(deceased), none; Lewis Gottlieb—(deceased), none; Josephine Gottlieb—(deceased), none.

6. Brothers and Spouses: Mark Friedman, none; Rose Friedman, none.

7. Sisters and Spouses: Naomi Wolinsky, none; Steven Wolinsky, none.

By Mr. GRASSLEY for the Committee on the Judiciary.

Charles R. Breyer, of California, to be a Member of the United States Sentencing Commission for a term expiring October 31, 2021.

Danny C. Reeves, of Kentucky, to be a Member of the United States Sentencing Commission for a term expiring October 31, 2019.

By Mr. BURR for the Select Committee on Intelligence.

*Daniel Coats, of Indiana, to be Director of National Intelligence.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. SANDERS (for himself and Mr. SCHATZ):

S. 586. A bill to amend the Internal Revenue Code of 1986 to modify the treatment of foreign corporations, and for other purposes; to the Committee on Finance.

By Mr. ROBERTS:

S. 587. A bill to amend the Internal Revenue Code of 1986 to limit substantiation requirements for charitable contributions to returns submitted by the donor; to the Committee on Finance.

By Mr. MURPHY (for himself, Mr. THUNE, Mr. SCHATZ, Mr. TOOMEY, and Ms. HEITKAMP):

S. 588. A bill to require the Securities and Exchange Commission to clarify what constitutes a general solicitation under the Federal securities laws, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. KING:

S. 589. A bill to amend the Federal Election Campaign Act of 1971 to require all political committees to notify the Federal Election Commission within 48 hours of receiving cumulative contributions of \$1,000 or more from any contributor during a calendar year, and for other purposes; to the Committee on Rules and Administration.

By Mr. RISCH (for himself and Mr. CRAPO):

S. 590. A bill to authorize the Secretary of Agriculture to maintain or replace certain

facilities and structures for commercial recreation services at Smith Gulch in Idaho, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. MURRAY (for herself, Ms. COLLINS, Ms. BALDWIN, Mr. BENNET, Mr. BLUMENTHAL, Mr. BROWN, Mr. COONS, Mr. DURBIN, Mr. FRANKEN, Mr. KING, Mr. MURPHY, Mr. SCHATZ, Mr. SANDERS, Mrs. SHAHEEN, Mr. TESTER, Mr. WARNER, and Ms. CANTWELL):

S. 591. A bill to expand eligibility for the program of comprehensive assistance for family caregivers of the Department of Veterans Affairs, to expand benefits available to participants under such program, to enhance special compensation for members of the uniformed services who require assistance in everyday life, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. KAINE (for himself, Mr. ROUNDS, and Mr. PERDUE):

S. 592. A bill to amend title 10, United States Code, to support meeting the increasing needs of the United States for a cybersecurity and information assurance workforce by reinvigorating and modifying the Information Assurance Scholarship Program of the Department of Defense, and for other purposes; to the Committee on Armed Services.

By Mrs. CAPITO (for herself, Mr. BOOZMAN, Mr. BENNET, and Ms. HEITKAMP):

S. 593. A bill to amend the Pittman-Robertson Wildlife Restoration Act to facilitate the establishment of additional or expanded public target ranges in certain States; to the Committee on Environment and Public Works.

By Mr. CORNYN (for himself, Mr. CRUZ, and Mr. LEAHY):

S. 594. A bill to authorize the Secretary of Homeland Security to work with cybersecurity consortia for training, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. FLAKE (for himself, Mr. MCCAIN, and Mr. JOHNSON):

S. 595. A bill to provide U.S. Customs and Border Protection with additional flexibility to expedite the hiring process for applicants for law enforcement positions, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BLUMENTHAL (for himself, Mr. SCHUMER, Mr. MARKEY, Mr. MENENDEZ, and Mrs. FEINSTEIN):

S. 596. A bill to direct the Administrator of the Federal Aviation Administration to prescribe regulations establishing minimum standards for space for passengers on passenger aircraft, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. CASEY (for himself, Mr. TOOMEY, Mr. DONNELLY, and Ms. COLLINS):

S. 597. A bill to increase Federal Pell Grants for the children of fallen public safety officers, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. GILLIBRAND (for herself and Mr. PAUL):

S. 598. A bill to amend the Internal Revenue Code of 1986 to provide an above-the-line deduction for child care expenses, and for other purposes; to the Committee on Finance.

By Mr. DONNELLY (for himself and Mr. YOUNG):

S. 599. A bill to redesignate the Indiana Dunes National Lakeshore as the "Indiana Dunes National Park", and for other pur-

poses; to the Committee on Energy and Natural Resources.

By Mr. DURBIN (for himself and Ms. DUCKWORTH):

S. 600. A bill to require rulemaking by the Administrator of the Federal Emergency Management Agency to address considerations in evaluating the need for public and individual disaster assistance, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. DURBIN (for himself, Mr. WICKER, Mr. REED, Mr. COCHRAN, Mr. MERKLEY, and Mr. BROWN):

S. 601. A bill to ensure that significantly more students graduate college with the international knowledge and experience essential for success in today's global economy through the establishment of the Senator Paul Simon Study Abroad Program in the Department of Education; to the Committee on Health, Education, Labor, and Pensions.

By Ms. COLLINS (for herself and Mr. CARPER):

S. 602. A bill to amend the Internal Revenue Code of 1986 to include automated fire sprinkler system retrofits as section 179 property and classify certain automated fire sprinkler system retrofits as 15-year property for purposes of depreciation; to the Committee on Finance.

By Mr. BENNET:

S. 603. A bill for the relief of Jeanette Vizguerra-Ramirez; to the Committee on the Judiciary.

By Mr. HATCH (for himself, Mr. DAINES, and Mrs. FISCHER):

S. 604. A bill to allow certain State permitting authority to encourage expansion of broadband service to rural communities, and for other purposes; to the Committee on Environment and Public Works.

By Mr. DAINES (for himself and Mr. TESTER):

S. 605. A bill to amend the Forest and Rangeland Renewable Resources Planning Act of 1974 and the Federal Land Policy and Management Act of 1976 to discourage litigation against the Forest Service and the Bureau of Land Management relating to land management projects; to the Committee on Environment and Public Works.

By Mr. NELSON (for himself, Mr. BLUMENTHAL, Ms. KLOBUCHAR, Mrs. GILLIBRAND, Mr. CARDIN, Mr. CASEY, and Mr. BROWN):

S. 606. A bill to amend the Internal Revenue Code of 1986 to prevent taxpayer identity theft and tax refund fraud, and for other purposes; to the Committee on Finance.

By Mr. CRUZ:

S.J. Res. 37. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Energy relating to "Energy Conservation Program: Test Procedures for Compressors"; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. NELSON (for himself and Mr. RUBIO):

S. Res. 85. A resolution calling on the Government of Iran to fulfill repeated promises of assistance in the case of Robert Levinson, the longest held United States civilian in our Nation's history; to the Committee on Foreign Relations.

By Mr. COONS (for himself, Mr. COCHRAN, Mrs. SHAHEEN, Mr. WICKER, Mr. CARPER, Mr. BOOZMAN, Mr. BENNET, Mr. DURBIN, Mr. TESTER, Ms. HIRONO, Ms. BALDWIN, Ms. HASSAN, Mr. WYDEN, Mr. HEINRICH, Ms. DUCKWORTH, Mr. FRANKEN, Mr. WHITEHOUSE, Mr. MERKLEY, Mr. MARKEY, Mr. BOOKER, Mr. REED, Ms. WARREN, Mr. PETERS, Mr. VAN HOLLEN, Mrs. GILLIBRAND, Mr. MCCAIN, Mr. MORAN, Mr. BLUNT, Mr. MANCHIN, and Mr. CASEY):

S. Res. 86. A resolution recognizing the contributions of AmeriCorps members and alumni to the lives of the people of the United States; considered and agreed to.

ADDITIONAL COSPONSORS

S. 116

At the request of Mr. HELLER, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 116, a bill to amend title 10, United States Code, to permit veterans who have a service-connected, permanent disability rated as total to travel on military aircraft in the same manner and to the same extent as retired members of the Armed Forces entitled to such travel.

S. 129

At the request of Mr. WICKER, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 129, a bill to reauthorize and amend the National Sea Grant College Program Act, and for other purposes.

S. 200

At the request of Mr. MARKEY, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 200, a bill to prohibit the conduct of a first-use nuclear strike absent a declaration of war by Congress.

S. 261

At the request of Mr. BLUNT, the names of the Senator from Maine (Ms. COLLINS) and the Senator from Arkansas (Mr. COTTON) were added as cosponsors of S. 261, a bill to amend the Federal Food, Drug, and Cosmetic Act to improve and clarify certain disclosure requirements for restaurants and similar retail food establishments, and to amend the authority to bring proceedings under section 403A.

S. 264

At the request of Mr. LANKFORD, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. 264, a bill to amend the Internal Revenue Code of 1986 to allow charitable organizations to make statements relating to political campaigns if such statements are made in ordinary course of carrying out its tax exempt purpose.

S. 379

At the request of Mr. WHITEHOUSE, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 379, a bill to amend title II of the Social Security Act to eliminate the five month waiting period for disability insurance benefits under such

title for individuals with amyotrophic lateral sclerosis.

S. 413

At the request of Mrs. CAPITO, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 413, a bill to amend title XVIII of the Social Security Act to prohibit prescription drug plan sponsors and MA-PD organizations under the Medicare program from retroactively reducing payment on clean claims submitted by pharmacies.

S. 419

At the request of Mr. GRASSLEY, the names of the Senator from California (Mrs. FEINSTEIN), the Senator from Hawaii (Ms. HIRONO), the Senator from Illinois (Mr. DURBIN), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Missouri (Mr. BLUNT), the Senator from Minnesota (Mr. FRANKEN), the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 419, a bill to require adequate reporting on the Public Safety Officers' Benefits program, and for other purposes.

S. 438

At the request of Mr. BLUNT, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 438, a bill to encourage effective, voluntary investments to recruit, employ, and retain men and women who have served in the United States military with annual Federal awards to employers recognizing such efforts, and for other purposes.

S. 482

At the request of Mr. THUNE, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 482, a bill to amend the Internal Revenue Code of 1986 to treat certain amounts paid for physical activity, fitness, and exercise as amounts paid for medical care.

S. 488

At the request of Mr. TOOMEY, the name of the Senator from Nebraska (Mr. SASSE) was added as a cosponsor of S. 488, a bill to increase the threshold for disclosures required by the Securities and Exchange Commission relating to compensatory benefit plans, and for other purposes.

S. 543

At the request of Mr. TESTER, the names of the Senator from Washington (Mrs. MURRAY) and the Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of S. 543, a bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs to include in each contract into which the Secretary enters for necessary services authorities and mechanism for appropriate oversight, and for other purposes.

S. 544

At the request of Mr. TESTER, the name of the Senator from Wisconsin

(Ms. BALDWIN) was added as a cosponsor of S. 544, a bill to amend the Veterans Access, Choice, and Accountability Act of 2014 to modify the termination date for the Veterans Choice Program, and for other purposes.

S. 546

At the request of Mr. BARRASSO, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 546, a bill to reduce temporarily the royalty required to be paid for sodium produced on Federal lands, and for other purposes.

S. 569

At the request of Ms. CANTWELL, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 569, a bill to amend title 54, United States Code, to provide consistent and reliable authority for, and for the funding of, the Land and Water Conservation Fund to maximize the effectiveness of the Fund for future generations, and for other purposes.

S. 578

At the request of Mr. LANKFORD, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 578, a bill to amend title 5, United States Code, to provide requirements for agency decision making based on science.

S. 579

At the request of Mr. LANKFORD, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 579, a bill to require agencies to publish an advance notice of proposed rule making for major rules.

S. 582

At the request of Mr. JOHNSON, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 582, a bill to reauthorize the Office of Special Counsel, and for other purposes.

S. 584

At the request of Mr. LANKFORD, the names of the Senator from Utah (Mr. HATCH) and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of S. 584, a bill to amend chapter 6 of title 5, United States Code (commonly known as the Regulatory Flexibility Act), to ensure complete analysis of potential impacts on small entities of rules, and for other purposes.

S.J. RES. 27

At the request of Mr. CASSIDY, the names of the Senator from Georgia (Mr. PERDUE), the Senator from West Virginia (Mrs. CAPITO), the Senator from Wyoming (Mr. BARRASSO) and the Senator from South Carolina (Mr. SCOTT) were added as cosponsors of S.J. Res. 27, a joint resolution disapproving the rule submitted by the Department of Labor relating to "Clarification of Employer's Continuing Obligation to Make and Maintain an Accurate Record of Each Recordable Injury and Illness".

S.J. RES. 28

At the request of Mr. INHOFE, the names of the Senator from Iowa (Mrs. ERNST), the Senator from Utah (Mr. HATCH), the Senator from Mississippi (Mr. COCHRAN), the Senator from South Dakota (Mr. ROUNDS) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of S.J. Res. 28, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Administrator of the Environmental Protection Agency relating to accidental release prevention requirements of risk management programs under the Clean Air Act.

S.J. RES. 32

At the request of Mr. HATCH, the name of the Senator from Alaska (Ms. MURKOWSKI) was withdrawn as a cosponsor of S.J. Res. 32, a joint resolution disapproving the rule submitted by the Department of Labor relating to savings arrangements established by States for non-governmental employees.

S.J. RES. 33

At the request of Mr. HATCH, the name of the Senator from Alaska (Ms. MURKOWSKI) was withdrawn as a cosponsor of S.J. Res. 33, a joint resolution disapproving the rule submitted by the Department of Labor relating to savings arrangements established by qualified State political subdivisions for non-governmental employees.

S. CON. RES. 7

At the request of Mr. ROBERTS, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S. Con. Res. 7, a concurrent resolution expressing the sense of Congress that tax-exempt fraternal benefit societies have historically provided and continue to provide critical benefits to the people and communities of the United States.

S. RES. 83

At the request of Mr. MARKEY, the names of the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Maine (Mr. KING) and the Senator from Pennsylvania (Mr. TOOMEY) were added as cosponsors of S. Res. 83, a resolution expressing the sense of the Senate regarding the trafficking of illicit fentanyl into the United States from Mexico and China.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. MURRAY (for herself, Ms. COLLINS, Ms. BALDWIN, Mr. BENNET, Mr. BLUMENTHAL, Mr. BROWN, Mr. COONS, Mr. DURBIN, Mr. FRANKEN, Mr. KING, Mr. MURPHY, Mr. SCHATZ, Mr. SANDERS, Mrs. SHAHEEN, Mr. TESTER, Mr. WARNER, and Ms. CANTWELL):

S. 591. A bill to expand eligibility for the program of comprehensive assistance for family caregivers of the Department of Veterans Affairs, to expand benefits available to participants under such program, to enhance special compensation for members of the uniformed services who require assistance in everyday life, and for other purposes; to the Committee on Veterans' Affairs.

Ms. COLLINS. Mr. President, I am once again delighted to join my colleague, Senator PATTY MURRAY, to introduce the Military and Veteran Caregiver Services Improvement Act of 2017. Our bill would greatly expand eligibility for VA caregiver support services by including veterans from all eras, allow veterans to transfer their post 9/11 GI bill benefits to their dependents, expand eligibility for the VA caregivers program to include a wider range of injuries that may have previously gone unrecognized, and provide crucial support for our Nation's caregivers themselves.

In 2014, my former colleague and friend, Senator Elizabeth Dole, commissioned a study by the RAND Corporation to learn more about the military caregiver population and explore common issues experienced by America's caregivers. The experts at RAND found that those caring for our servicemembers and veterans provide nearly \$14 billion worth of unpaid services every year—an incredible cost that would otherwise be passed on to the Nation.

There are more than 5.5 million military caregivers in the United States, and of those, 1.1 million are caring for post-9/11 veterans. These are spouses, parents, children, and other loved ones who have voluntarily put their lives on hold to provide our returning servicemembers with a trusted continuum of care that could not be replicated without them. Many of them will provide this care for years, if not decades, to come.

Tragically, caring for those suffering from the scars of war takes an enormous toll. According to the RAND study, military caregivers face increased instances of mental and physical health problems, chronic absenteeism from work, deteriorating personal relationships, legal and financial troubles, and feelings of isolation. These difficulties are often more pronounced for post-9/11 military caregivers.

Our Nation owes America's veterans our deepest gratitude. Their sacrifices are often very visible. In many cases our veterans have earned medals or awards for their bravery that they can wear proudly on their chest. But our military and veteran caregivers truly are hidden heroes, serving alongside our veterans to provide the love, care, and support they need. Despite their enormous sacrifice, these hidden heroes often do not receive the awards

and admiration. That does not mean that they don't deserve it. We must honor our commitment to veterans by answering the call to better support those caring for our wounded, ill, and injured warriors.

Our legislation would help strengthen the services offered to caregivers. The Military and Veteran Caregiver Services Improvement Act is an important step in helping those who have assumed the mantle of caring for the men and women who have served our Nation so honorably. I urge all of my colleagues to join Senator MURRAY and me in honoring and supporting our Nation's military caregivers.

By Mr. Kaine (for himself, Mr. Rounds, and Mr. Perdue):

S. 592. A bill to amend title 10, United States Code, to support meeting the increasing needs of the United States for a cybersecurity and information assurance workforce by reinvigorating and modifying the Information Assurance Scholarship Program of the Department of Defense, and for other purposes; to the Committee on Armed Services.

Mr. Kaine. Mr. Presidents, a skilled workforce is essential to addressing the growing cyber security challenges in the United States. The Department of Defense, DOD, Cyber Strategy, issued in April 2015, cites building the cyber workforce among its objective's for achieving the essential strategic goal of maintaining ready forces and capabilities to conduct cyberspace operations. In Virginia, it is estimated that 36,000 cybersecurity jobs remain unfilled.

Beginning in 2001, DOD funded the Information Assurance Scholarship Program, IASP, which boosts the Nation's cyber workforce through scholarship and capacity-building grants to colleges and universities designated by the National Security Agency and the Department of Homeland Security as Centers of Academic Excellence, CAE. Scholarship recipients are required to fulfill a service obligation by working in a cyber security position at DOD upon graduation.

According to a DOD report from February 2015, the IASP Program had employed 593 students and awarded 180 capacity-building grants to CAEs. However, due to budget constraints, DOD reduced funding for the IASP beginning in 2013 and stopped recruiting new students. The IASP received its peak funding level of \$7.5 million in 2005—for fiscal year 2017, it received \$500,000.

Today, I am pleased to introduce with my colleague Senator Rounds, the DOD Cyber Scholarship Program Act of 2017. The DOD Cyber Scholarship Program Act of 2017 would reinvigorate the IASP to boost our Nation's cyber workforce. The bill would rename the IASP as the DOD Cyber Scholarship Program and express the Sense of Con-

gress that the program is an important tool for boosting our cyber defense workforce.

The DOD Cyber Scholarship Program Act would also modify the program by expanding scholarships to students pursuing Associate's Degrees. There are currently 46 two-year institutions designated as CAEs, which would be eligible to apply for grants. Associate's degree programs could provide a valuable source of technical personnel, at a lower cost, to DOD. The bill would require that at least 5 percent of scholarship funds go to 2-year program students.

The DOD Cyber Scholarship Program Act would authorize the DOD Cyber Scholarship Program to receive \$10 million in fiscal year 2018. At its peak in 2005, the IASP received \$7.5 million. Since then, the cost of tuition has increased considerably and the need for skilled cyber professionals has never been greater. Ten million dollars is an appropriate funding level to reinvigorate the program, expand it to associate's degree recipients, and allow for manageable program execution from DOD and the National Security Agency.

The DOD Cyber Scholarship Program is a commonsense, bipartisan bill that would help students succeed in today's economy and strengthen our national security. There are good-paying jobs in Virginia and across the country in the cyber field that are going unfilled, and it is clear we must make it easier for students to access the programs that prepare them for these roles. Expanding scholarship funds so they're available to community college students will help put more of our nation's students on a path to success and support our national security needs.

By Mr. Cornyn (for himself, Mr. Cruz, and Mr. Leahy):

S. 594. A bill to authorize the Secretary of Homeland Security to work with cybersecurity consortia for training, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mr. Cornyn. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 594

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Cybersecurity Preparedness Consortium Act of 2017".

SEC. 2. DEFINITIONS.

In this Act—

(1) the term "consortium" means a group primarily composed of non-profit entities, including academic institutions, that develop, update, and deliver cybersecurity training in support of homeland security;

(2) the terms “cybersecurity risk” and “incident” have the meanings given those terms in section 227(a) of the Homeland Security Act of 2002 (6 U.S.C. 148(a));

(3) the term “Department” means the Department of Homeland Security; and

(4) the term “Secretary” means the Secretary of Homeland Security.

SEC. 3. NATIONAL CYBERSECURITY PREPAREDNESS CONSORTIUM.

(a) IN GENERAL.—The Secretary may work with a consortium, including the National Cybersecurity Preparedness Consortium, to support efforts to address cybersecurity risks and incidents, including threats of terrorism and acts of terrorism.

(b) ASSISTANCE TO THE NCCIC.—The Secretary may work with a consortium to assist the national cybersecurity and communications integration center of the Department (established under section 227 of the Homeland Security Act of 2002 (6 U.S.C. 148)) to—

(1) provide training to State and local first responders and officials specifically for preparing for and responding to cybersecurity risks and incidents, including threats of terrorism and acts of terrorism, in accordance with applicable law;

(2) develop and update a curriculum utilizing existing programs and models in accordance with such section 227, for State and local first responders and officials, related to cybersecurity risks and incidents, including threats of terrorism and acts of terrorism;

(3) provide technical assistance services to build and sustain capabilities in support of preparedness for and response to cybersecurity risks and incidents, including threats of terrorism and acts of terrorism, in accordance with such section 227;

(4) conduct cross-sector cybersecurity training and simulation exercises for entities, including State and local governments, critical infrastructure owners and operators, and private industry, to encourage community-wide coordination in defending against and responding to cybersecurity risks and incidents, including threats of terrorism and acts of terrorism, in accordance with section 228(c) of the Homeland Security Act of 2002 (6 U.S.C. 149(c));

(5) help States and communities develop cybersecurity information sharing programs, in accordance with section 227 of the Homeland Security Act of 2002 (6 U.S.C. 148), for the dissemination of homeland security information related to cybersecurity risks and incidents, including threats of terrorism and acts of terrorism; and

(6) help incorporate cybersecurity risk and incident prevention and response (including related to threats of terrorism and acts of terrorism) into existing State and local emergency plans, including continuity of operations plans.

(c) PROHIBITION ON DUPLICATION.—In carrying out the functions under subsection (b), the Secretary shall, to the greatest extent practicable, seek to prevent unnecessary duplication of existing programs or efforts of the Department.

(d) CONSIDERATIONS REGARDING SELECTION OF A CONSORTIUM.—In selecting a consortium with which to work under this Act, the Secretary shall take into consideration the following:

(1) Any prior experience conducting cybersecurity training and exercises for State and local entities.

(2) Geographic diversity of the members of any such consortium so as to cover different regions throughout the United States.

(e) METRICS.—If the Secretary works with a consortium under subsection (a), the Sec-

retary shall measure the effectiveness of the activities undertaken by the consortium under this Act.

(f) OUTREACH.—The Secretary shall conduct outreach to universities and colleges, including historically Black colleges and universities, Hispanic-serving institutions, Tribal Colleges and Universities, and other minority-serving institutions, regarding opportunities to support efforts to address cybersecurity risks and incidents, including threats of terrorism and acts of terrorism, by working with the Secretary under subsection (a).

(g) TERMINATION.—The authority to carry out this Act shall terminate on the date that is 5 years after the date of enactment of this Act.

By Mr. DURBIN (for himself and Ms. DUCKWORTH):

S. 600. A bill to require rulemaking by the Administrator of the Federal Emergency Management Agency to address considerations in evaluating the need for public and individual disaster assistance, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mr. DURBIN. Mr. President, I am proud to introduce the Fairness in Federal Disaster Declarations Act today, together with my colleague Senator DUCKWORTH, to try to bring some transparency and fairness into FEMA's disaster declaration process.

The inspiration for this bill was a tragic one. On February 29, 2012, a category F-4 tornado tore through southeastern Illinois, causing major damage in the towns of Harrisburg and Ridgway. Eight people in Harrisburg died in that event and 15 people were killed in total. Winds reached 175 miles per hour. It is not too much of a stretch to say these two small towns were almost wiped off the map.

And just last week, on February 28, 2017, another tragedy struck the small towns of Ottawa and Naplate after a category F-3 tornado tore through North Central Illinois. Two people in Ottawa died in last week's storm and at least 50 homes were damaged or destroyed.

Requests for Federal assistance after a disaster are made by the Governor of each State based on State emergency management damage assessments. In the case of the Harrisburg and Ridgway tornado, the Governor's request for a Federal emergency declaration for individual assistance was denied, as was the State's appeal of that decision. With that denial, individuals whose homes or properties were damaged were precluded from direct Federal help.

When I asked FEMA why it denied the Governor's request, I was told that the disaster did not meet or exceed the State's per capita figure. Currently, FEMA multiplies the number of people in a State by \$1.43 to determine a threshold of the amount of damage a State would incur to be considered for Federal assistance. In Illinois, that fig-

ure is more than \$18 million. In other words, because Illinois is a highly populous State, it is presumed it can absorb the costs of cleanup and recovery from disasters up to more than \$18 million.

From 2002 to 2012, Illinois was denied Federal disaster assistance seven times. Texas was denied 13 times. Florida was denied Federal disaster assistance eight times during that period, and California, New Jersey, and New York were each denied four times.

FEMA's formula does not work for large, populous States, particularly those with a concentrated urban area, like Illinois.

Illinois ran into this issue again in November 2013 when tornadoes swept through the State. That time, six people were killed and whole neighborhoods were nearly destroyed. The cities of Washington, Gifford, and New Minden, Illinois, experienced some of the worst tornado damage I have ever seen. Their infrastructure was decimated, but because Illinois did not meet one of FEMA's criteria, we were denied Federal public assistance.

In the case of last week's tornado in Ottawa and Naplate, Illinois, may not even be able to request federal help because damage assessments are too low to reach anything close to FEMA's per capita requirement. But for these small towns, covering losses and cleaning up damage of this magnitude can put a real strain on the community.

The Fairness in Federal Disaster Declaration seeks to improve the disaster analysis by assigning a value to each of the factors FEMA must consider when determining whether Federal disaster assistance will be made available. When it comes to individual assistance—funding to help people repair and rebuild their homes—the breakdown would be as follows:

Concentration of damages—the density of damage in an individual community—would be considered 20 percent of the analysis. Trauma—the loss of life and injuries and the disruption of normal community functions—would be 20 percent. Special Populations—including the age and income of the residents, the amount of home ownership, etc.—would comprise 20 percent. Voluntary agency assistance—a consideration of what the volunteer and charitable groups are providing—would make up 5 percent. The amount of Insurance coverage—20 percent. And average amount of individual assistance by State, which includes the per capita analysis, would make up 5 percent of the analysis.

The bill also would add a seventh consideration to FEMA's metrics—the economics of the area, which will receive 10 percent consideration. This includes factors such as the local assessable tax base, the median income as it compares to that of the State, and the poverty rate as it compares to that of the State.

For Federal public assistance, the breakdown would be similar, with a greater emphasis placed on the localized impacts of the disaster, which would warrant 40 percent of the analysis.

It is reasonable that FEMA should take into consideration the size of the State requesting assistance, but current regulations penalize large States. Assigning values to the factors will help ensure that the damage to a specific community weighs more than a State's population.

Illinois is a geographically large State with a concentrated urban area. And downstate communities are being punished for it.

If the cities of Ottawa and Naplate, Washington and Gifford, and Harrisburg and Ridgway cannot qualify under FEMA's current criteria for Federal assistance, something is wrong. The way FEMA evaluates whether to declare an area Federal disaster is not effective. It is working against small communities in States with large populations.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 600

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Fairness in Federal Disaster Declarations Act of 2017".

SEC. 2. REGULATORY ACTION REQUIRED.

(a) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency (in this Act referred to as the "Administrator" and "FEMA", respectively) shall amend the rules of the Administrator under section 206.48 of title 44, Code of Federal Regulations, as in effect on the date of enactment of this Act, in accordance with the provisions of this Act.

(b) NEW CRITERIA REQUIRED.—The amended rules issued under subsection (a) shall provide for the following:

(1) PUBLIC ASSISTANCE PROGRAM.—Such rules shall provide that, with respect to the evaluation of the need for public assistance—

(A) specific weighted valuations shall be assigned to each criterion, as follows—

- (i) estimated cost of the assistance, 10 percent;
- (ii) localized impacts, 40 percent;
- (iii) insurance coverage in force, 10 percent;
- (iv) hazard mitigation, 10 percent;
- (v) recent multiple disasters, 10 percent;
- (vi) programs of other Federal assistance, 10 percent; and
- (vii) economic circumstances described in subparagraph (B), 10 percent; and

(B) FEMA shall consider the economic circumstances of—

(i) the local economy of the affected area, including factors such as the local assessable tax base and local sales tax, the median income as it compares to that of the State, and the poverty rate as it compares to that of the State; and

(ii) the economy of the State, including factors such as the unemployment rate of

the State, as compared to the national unemployment rate.

(2) INDIVIDUAL ASSISTANCE PROGRAM.—Such rules shall provide that, with respect to the evaluation of the severity, magnitude, and impact of the disaster and the evaluation of the need for assistance to individuals—

(A) specific weighted valuations shall be assigned to each criterion, as follows—

- (i) concentration of damages, 20 percent;
- (ii) trauma, 20 percent;
- (iii) special populations, 20 percent;
- (iv) voluntary agency assistance, 10 percent;
- (v) insurance, 20 percent;
- (vi) average amount of individual assistance by State, 5 percent; and
- (vii) economic considerations described in subparagraph (B), 5 percent; and

(B) FEMA shall consider the economic circumstances of the affected area, including factors such as the local assessable tax base and local sales tax, the median income as it compares to that of the State, and the poverty rate as it compares to that of the State.

(c) EFFECTIVE DATE.—The amended rules issued under subsection (a) shall apply to any disaster for which a Governor requested a major disaster declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) and was denied on or after January 1, 2012.

By Mr. DURBIN (for himself, Mr. WICKER, Mr. REED, Mr. COCHRAN, Mr. MERKLEY, and Mr. BROWN):

S. 601. A bill to ensure that significantly more students graduate college with the international knowledge and experience essential for success in today's global economy through the establishment of the Senator Paul Simon Study Abroad Program in the Department of Education; to the Committee on Health, Education, Labor, and Pensions.

Mr. DURBIN. Mr. President, today, Senator WICKER of Mississippi and I are reintroducing the Senator Paul Simon Study Abroad Program Act. This bill, named for a mentor of mine—the late Senator from Illinois, embodies a vision Paul Simon believed in throughout his life: a vision centered on our country's need for a culturally aware, and globally knowledgeable population and workforce.

Senator Simon saw these characteristics as essential to our country's economy, society, and national security. He believed that by building meaningful relationships with people around the world, America would grow even stronger as a nation. In his words, "America's incompetence in foreign languages and cultural awareness jeopardizes our Nation's future in global affairs. This lack of global perspective damages America's ability to compete in world markets. The more our country becomes competent in foreign languages and cultures, the more enhanced our foreign policy decisions will become."

He also believed that to truly be educated, our students needed more than a minimal understanding of the world around them. To be truly educated,

they need to immerse themselves in the beliefs, customs, language, and environment of a culture other than their own. I share these beliefs with Senator Simon and many Republicans in this Chamber share them as well.

At a time when there are calls from some to shut out immigrants and refugees and pull away from other parts of the world, these beliefs are more important than ever. We need to continue to give our young people the opportunity to interact with people from all over the world, so they can develop their own informed opinions and beliefs.

Undergraduate study abroad programs are a popular source for this type of engagement. Unfortunately, far too few students take advantage or have the means to take advantage of this opportunity. Annually, less than 2 percent of undergraduate students participate in study abroad.

Those who do study abroad don't reflect the incredible diversity of our postsecondary institutions. Minority students, first-generation college students, community college students, and students with disabilities are significantly underrepresented in the study abroad population. These students miss out on the valuable personal and educational growth that comes from a study abroad experience, including interacting with other cultures, developing foreign language skills, and expanding international knowledge through firsthand experience.

We also know that those who currently study abroad do so mostly in highly developed countries. In fact, over 50 percent of students who study abroad each year do so in Europe. Increasing the diversity of study abroad destinations to include countries in Asia, the Middle East, Africa, South America, and Latin America will help American students develop a global perspective and build the insight and skills needed to better understand the global challenges of the 21st century.

In 2004, Congress took the first step towards expanding study abroad when it authorized the Commission on Abraham Lincoln Study Abroad Fellowship Program to provide recommendations to Congress and the President on expanding study abroad programs.

The Senator Paul Simon Study Abroad Program Act combines the vision of Senator Simon with the recommendations of the Abraham Lincoln Study Abroad Commission. It establishes a competitive grant program for institutions of higher education to encourage the sustainable expansion of study abroad opportunities for students in the United States.

Over the next 10 years, this grant program aims to increase the number of undergraduate students studying abroad each year to one million students. It also emphasizes increasing opportunities for nontraditional students, minority students, and students

with disabilities so that the demographics of students who study abroad more closely reflect the population of current undergraduate students.

This bill also focuses on getting students to study abroad in nontraditional destinations particularly in developing countries. We need to send more students to developing nations because these are the places that America needs to better understand. This legislation takes important steps toward expanding and diversifying participation in study abroad.

Senator WICKER and I are pleased to be joined today in introducing this bill by Senators REED, COCHRAN, MERKLEY, and BROWN. I am also pleased that several organizations have endorsed this bill including the Association of Public and Land-grant Universities, the Association of International Educators, the American Council on Education, the Association of American Universities, and the Hispanic Association of Colleges and Universities.

In today's increasingly interconnected world, study abroad participation is an important element of a meaningful undergraduate education. Expanded access to study abroad opportunities is necessary to prepare the next generation of Americans with the global knowledge and skills needed to succeed. I hope other colleagues will join us in that effort.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 601

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Senator Paul Simon Study Abroad Program Act of 2017".

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) To prepare students for success in the modern global economy, opportunities for study abroad should be included as part of a well-rounded education.

(2) Study abroad programs provide students with unparalleled access to international knowledge, an unmatched opportunity to learn foreign languages, and a unique environment for developing cultural understanding, all of which are knowledge and skills needed in today's global economy.

(3) Less than 2 percent of all enrolled post-secondary students in the United States study abroad for credit in any given year, and minority students, first generation college students, community college students, and students with disabilities are significantly underrepresented in study abroad participation.

(4) Congress authorized the establishment of the Commission on the Abraham Lincoln Study Abroad Fellowship Program pursuant to section 104 of the Miscellaneous Appropriations and Offsets Act, 2004 (division H of Public Law 108-199). Pursuant to its mandate, the Lincoln Commission submitted to

Congress and the President a report of its recommendations for greatly expanding the opportunity for students at institutions of higher education in the United States to study abroad, with special emphasis on studying in developing nations.

(5) According to the Lincoln Commission, "[e]xperience shows that leadership from administrators and faculty will drive the number of study abroad participants higher and improve the quality of programs. Such leadership is the only way that study abroad will become an integral part of the undergraduate experience." A competitive grant program is necessary to encourage and support such leadership.

SEC. 3. PURPOSES.

The purposes of this Act are—

(1) to ensure that significantly more students have access to quality study abroad opportunities;

(2) to ensure that the diversity of students studying abroad reflects the diversity of students and institutions of higher education in the United States;

(3) to encourage greater diversity in study abroad destinations by increasing the portion of study abroad that takes place in nontraditional study abroad destinations, especially in developing countries; and

(4) to encourage a greater commitment by institutions of higher education to expand study abroad opportunities.

SEC. 4. SENATOR PAUL SIMON STUDY ABROAD PROGRAM.

Section 741 of the Higher Education Act of 1965 (20 U.S.C. 1138) is amended—

(1) in subsection (a)—

(A) by redesignating paragraphs (12) and (13) as paragraphs (13) and (14), respectively; and

(B) by inserting after paragraph (11) the following:

"(12) awarding grants under the Senator Paul Simon Study Abroad Program described in subsection (g);"; and

(2) by adding at the end the following:

"(g) SENATOR PAUL SIMON STUDY ABROAD PROGRAM.—

"(1) DEFINITIONS.—In this subsection:

"(A) INSTITUTION OF HIGHER EDUCATION.—The term 'institution of higher education' has the meaning given the term in section 101(a).

"(B) NATIONAL OF THE UNITED STATES.—The term 'national of the United States' means a national of the United States or an alien lawfully admitted for permanent residence (as those terms are defined in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101)).

"(C) NONTRADITIONAL STUDY ABROAD DESTINATION.—The term 'nontraditional study abroad destination' means a location that is determined by the Secretary to be a less common destination for students who study abroad.

"(D) STUDENT.—The term 'student' means a national of the United States who is enrolled at an institution of higher education located within the United States.

"(E) STUDY ABROAD.—The term 'study abroad' means an educational program of study, work, research, internship, or combination thereof that is conducted outside the United States and that carries academic credit.

"(2) SENATOR PAUL SIMON STUDY ABROAD PROGRAM.—

"(A) ESTABLISHMENT.—There is established in the Department a program to be called the 'Senator Paul Simon Study Abroad Program'.

"(B) OBJECTIVES.—The objectives of the program established under subparagraph (A)

are, that not later than 10 years after the date of enactment of the Senator Paul Simon Study Abroad Program Act of 2017—

"(i) not less than 1,000,000 undergraduate students will study abroad annually;

"(ii) the demographics of study abroad participation will reflect the demographics of the United States undergraduate population by increasing the participation of underrepresented groups; and

"(iii) an increasing portion of study abroad will take place in nontraditional study abroad destinations, with a substantial portion of such increases in developing countries.

"(C) COMPETITIVE GRANTS TO INSTITUTIONS OF HIGHER EDUCATION.—In order to accomplish the objectives set forth in subparagraph (B), the Secretary shall award grants on a competitive basis to institutions of higher education, individually or in a consortium, based on applications by the institutions that—

"(i) set forth detailed plans for using grant funds to further such objectives;

"(ii) include an institutional commitment to expanding access to study abroad;

"(iii) include plans for evaluating progress made in increasing access to study abroad;

"(iv) describe how increases in study abroad participation achieved through the grant will be sustained in subsequent years; and

"(v) demonstrate that the programs have established health and safety guidelines and procedures.

"(D) NONGOVERNMENTAL INSTITUTIONS.—Consortia of institutions of higher education applying for grants described in subparagraph (C) may include nongovernmental institutions that provide and promote study abroad opportunities for students.

"(E) COMMISSION ON THE ABRAHAM LINCOLN STUDY ABROAD FELLOWSHIP PROGRAM.—In administering the program, the Secretary shall take fully into account the recommendations of the Commission on the Abraham Lincoln Study Abroad Fellowship Program, established pursuant to section 104 of the Miscellaneous Appropriations and Offsets Act, 2004 (division H of Public Law 108-199).

"(F) CONSULTATION.—In carrying out this paragraph, the Secretary shall consult with representatives of diverse institutions of higher education, educational policy organizations, and others with appropriate expertise.

"(3) ANNUAL REPORT.—Not later than December 31 of each year following the date of enactment of the Senator Paul Simon Study Abroad Program Act of 2017, the Secretary shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives a report on the implementation of this subsection during the prior fiscal year.

"(4) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subsection such sums as may be necessary for fiscal year 2018 and each subsequent fiscal year."

By Ms. COLLINS (for herself and Mr. CARPER):

S. 602. A bill to amend the Internal Revenue Code of 1986 to include automated fire sprinkler system retrofits as section 179 property and classify certain automated fire sprinkler system retrofits as 15-year property for purposes of depreciation; to the Committee on Finance.

Ms. COLLINS. Mr. President, I rise to introduce the Fire Sprinkler Incentive Act. I am pleased to be joined by my colleague from Delaware, Senator CARPER, in introducing this bipartisan bill.

In the United States, the annual cost of fires is enormous. In 2015, according to the National Fire Protection Association (NFPA), fires resulted in approximately \$14 billion in direct property loss. In addition, more than 3,000 civilians were killed and more than 15,000 people were injured in fires. The NFPA also reports that a fire department responded to a structure fire every 63 seconds.

These statistics are of particular concern in Maine, which has some of the oldest housing stock in the country and which has experienced deadly apartment building fires. In 2014, an apartment fire resulted in the deaths of six people—Maine's deadliest fire in nearly four decades.

Historically, Maine has also seen commercial property damaged by fires. In fact, much of the construction in the historic areas of Portland was done following a devastating fire in 1866. This fire destroyed a third of the city, including most of Portland's commercial buildings, many of its churches, and countless homes.

The NFPA reports that when fire sprinklers are present during a large fire, they are effective 96 percent of the time, saving billions of dollars in property damage but more importantly, thousands of lives. Our bill would encourage commercial building owners to invest in fire safety upgrades. While building codes require sprinklers in new commercial buildings, a great number of structures across the U.S. were built and put in service before sprinklers were required.

Small business building owners, however, may find it difficult to fund retrofit sprinklers. To help these owners, our bill would provide two tax incentives to encourage them to make this lifesaving investment.

Currently, commercial building owners must depreciate fire sprinkler retrofits over a lengthy 39-year period. The period for residential buildings is 7½ years. This bill reclassifies fire sprinkler retrofits as 15-year depreciable property, thus allowing building owners to write off their costs more quickly. The bill also provides an option for certain small businesses to deduct the cost of the fire system upgrades immediately under Section 179 of the tax code. Together, these proposals will provide a strong incentive for building owners to install fire sprinkler systems.

This bill was originally drafted in response to the deadly nightclub fire in West Warwick, RI, in 2003, which killed a staggering 100 people. That building did not have a fire sprinkler system. Let us work together to lessen the

chances of another tragedy like this one. I invite my colleagues to join Senator CARPER and me in support of this bipartisan, common sense legislation.

Mr. President, I ask unanimous consent that a letter of support be printed in the RECORD.

There being no objection, the letter of support was ordered to be printed in the RECORD, as follows:

INTERNATIONAL ASSOCIATION
OF FIRE CHIEFS,
Fairfax, VA, March 6, 2017.

Hon. SUSAN COLLINS,
U.S. Senate,
Washington, DC.

DEAR SENATOR COLLINS: On behalf of the more than 12,000 chief fire and emergency service officers of the International Association of Fire Chiefs (IAFC), thank you for introducing the Fire Sprinkler Incentive Act (FSIA). The IAFC appreciates your leadership in creating an incentive for property owners to retrofit their properties with automatic fire sprinkler systems. If passed, the FSIA will be an important tool to save lives in the future.

Fires continue to be a devastating problem in Maine and across the United States. According to the National Fire Protection Association (NFPA), in 2015 alone, there were more than 1.3 million fires in the United States which resulted in nearly 3,300 civilian deaths, 15,700 civilian injuries, and \$14.3 billion in property damage. Additionally, the U.S. Fire Administration reports that the relative risk of fire death in Maine is 1.5 times higher than the U.S. average. Fire sprinkler systems play a crucial role by significantly increasing the chances of surviving a fire and reducing property damages. The NFPA found that a fire sprinkler system decreases the likelihood of dying in a fire by 83%, reduces property damage by 74%, and confines a fire to its room of origin in 95% of instances. Incentivizing fire sprinkler systems simply makes sense from both life safety and public policy perspectives.

Despite the clear benefits of fire sprinkler systems, the current tax code fails to incentivize these lifesaving systems. Your legislation would fix this oversight by classifying fire sprinkler systems as Section 179 expenses and allowing property owners to deduct the cost of retrofitting their buildings. Additionally, the FSIA will allow high-rise building owners to depreciate the costs of these systems much faster than the current tax code allows. The FSIA provides a real incentive for building owners to protect not only their properties but the lives of those people inside them.

Thank you again for your strong support for the fire and emergency service. The IAFC looks forward to continuing to work with you to protect communities across Maine and the entire United States.

Sincerely,
FIRE CHIEF JOHN D. SINCLAIR,
President and Chairman of the Board.

By Mr. DAINES (for himself and Mr. TESTER):

S. 605. A bill to amend the Forest and Rangeland Renewable Resources Planning Act of 1974 and the Federal Land Policy and Management Act of 1976 to discourage litigation against the Forest Service and the Bureau of Land Management relating to land management projects; to the Committee on Environment and Public Works.

Mr. DAINES. Mr. President, I ask unanimous consent that the text of the Litigation Relief for Forest Management Projects Act be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 605

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Litigation Relief for Forest Management Projects Act".

SEC. 2. FOREST AND RANGELAND RENEWABLE RESOURCES PLANNING ACT OF 1974.

(a) CONSULTATION REGARDING LAND MANAGEMENT PLANS.—Section 6(d) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604(d)) is amended—

(1) by striking "(d) The Secretary" and inserting the following:

"(d) PUBLIC PARTICIPATION AND CONSULTATION.—

"(1) IN GENERAL.—The Secretary"; and

(2) by adding at the end the following:

"(2) NO ADDITIONAL CONSULTATION REQUIRED AFTER APPROVAL OF LAND MANAGEMENT PLANS.—

"(A) IN GENERAL.—Notwithstanding any other provision of law, the Secretary shall not be required to engage in consultation under this subsection or any other provision of law (including section 7 of Public Law 93-205 (16 U.S.C. 1536) and section 402.16 of title 50, Code of Federal Regulations (or a successor regulation)) with respect to—

"(i) the listing of a species as threatened or endangered, or a designation of critical habitat pursuant to Public Law 93-205 (16 U.S.C. 1531 et seq.), if a land management plan has been adopted by the Secretary as of the date of listing or designation; or

"(ii) any provision of a land management plan adopted as described in clause (i).

"(B) EFFECT OF PARAGRAPH.—Nothing in this paragraph affects any applicable requirement of the Secretary to consult with the head of any other Federal department or agency—

"(i) regarding any project to implement a land management plan, including a project carried out, or proposed to be carried out, in an area designated as critical habitat pursuant to Public Law 93-205 (16 U.S.C. 1531 et seq.); or

"(ii) with respect to the development of a modification to a land management plan that would result in a significant change (within the meaning of subsection (f)(4) in the land management plan.".

(b) DEFINITION OF SECRETARY; CONFORMING AMENDMENTS.—

(1) DEFINITION OF SECRETARY.—Section 3(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1601(a)) is amended, in the first sentence of the matter preceding paragraph (1), by inserting "(referred to in this Act as the 'Secretary')" after "Secretary of Agriculture".

(2) CONFORMING AMENDMENTS.—The Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1600 et seq.) is amended, in sections 4 through 9, 12, 13, and 15, by striking "Secretary of Agriculture" each place it appears and inserting "Secretary".

SEC. 3. FEDERAL LAND POLICY AND MANAGEMENT ACT OF 1976.

Section 202(f) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712(f)) is amended—

(1) by striking “(f) The Secretary” and inserting the following:

“(f) PUBLIC INVOLVEMENT.—

“(1) IN GENERAL.—The Secretary”; and

(2) by adding at the end the following:

“(2) NO ADDITIONAL CONSULTATION REQUIRED AFTER APPROVAL OF LAND USE PLANS.—

“(A) IN GENERAL.—Notwithstanding any other provision of law, the Secretary shall not be required to engage in consultation under this subsection or any other provision of law (including section 7 of Public Law 93–205 (16 U.S.C. 1536) and section 402.16 of title 50, Code of Federal Regulations (or a successor regulation)), with respect to—

“(i) the listing of a species as threatened or endangered, or a designation of critical habitat, pursuant to Public Law 93–205 (16 U.S.C. 1531 et seq.), if a land use plan has been adopted by the Secretary as of the date of listing or designation; or

“(ii) any provision of a land use plan adopted as described in clause (i).

“(B) EFFECT OF PARAGRAPH.—

“(i) DEFINITION OF SIGNIFICANT CHANGE.—In this subparagraph, the term ‘significant change’ means a significant change within the meaning of section 219.13(b)(3) of title 36, Code of Federal Regulations (as in effect on the date of enactment of this subparagraph), except that—

“(I) any reference contained in that section to a land management plan shall be deemed to be a reference to a land use plan;

“(II) any reference contained in that section to the Forest Service shall be deemed to be a reference to the Bureau of Land Management; and

“(III) any reference contained in that section to the National Forest Management Act of 1976 (Public Law 94–588; 90 Stat. 2949) shall be deemed to be a reference to this Act.

“(ii) EFFECT.—Nothing in this paragraph affects any applicable requirement of the Secretary to consult with the head of any other Federal department or agency—

“(I) regarding a project carried out, or proposed to be carried out, with respect to a species listed as threatened or endangered, or in an area designated as critical habitat, pursuant to Public Law 93–205 (16 U.S.C. 1531 et seq.); or

“(II) with respect to the development of a new land use plan or the revision of or other significant change to an existing land use plan.”.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 85—CALLING ON THE GOVERNMENT OF IRAN TO FULFILL REPEATED PROMISES OF ASSISTANCE IN THE CASE OF ROBERT LEVINSON, THE LONGEST HELD UNITED STATES CIVILIAN IN OUR NATION'S HISTORY

Mr. NELSON (for himself and Mr. RUBIO) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 85

Whereas United States citizen Robert Levinson is a retired agent of the Federal Bureau of Investigation (FBI), a resident of Coral Springs, Florida, the husband of Christine Levinson, father of their seven children, and grandfather of their six grandchildren;

Whereas Robert Levinson traveled from Dubai, United Arab Emirates, to Kish Island, Iran, on March 8, 2007;

Whereas, after traveling to Kish Island and checking into the Hotel Maryam, Robert Levinson disappeared on March 9, 2007;

Whereas, in December 2007, Robert Levinson's wife, Christine, traveled to Kish Island to retrace Mr. Levinson's steps and met with officials of the Government of Iran who pledged to help in the investigation;

Whereas for 10 years, the United States Government has continually pressed the Government of Iran to provide any information on the whereabouts of Robert Levinson and to help ensure his prompt and safe return to his family;

Whereas officials of the Government of Iran promised their continued assistance to the relatives of Robert Levinson during the visit of the family to the Islamic Republic of Iran in December 2007;

Whereas, in November 2010, the Levinson family received a video of Mr. Levinson in captivity, representing the first proof of life since his disappearance and providing some initial indications that he was being held somewhere in southwest Asia;

Whereas, in April 2011, the Levinson family received a series of pictures of Mr. Levinson, which provided further indications that he was being held somewhere in southwest Asia;

Whereas Secretary of State John Kerry stated on August 28, 2013, “The United States respectfully asks the Government of the Islamic Republic of Iran to work cooperatively with us in our efforts to help U.S. citizen Robert Levinson.”;

Whereas, on September 28, 2013, during the first direct phone conversation between the heads of governments of the United States and Iran since 1979, President Barack Obama raised the case of Robert Levinson to President of Iran Hassan Rouhani and urged the President of Iran to help locate Mr. Levinson and reunite him with his family;

Whereas, on August 29, 2014, Secretary of State Kerry again stated that the United States “respectfully request[s] the Government of the Islamic Republic of Iran work cooperatively with us to find Mr. Levinson and bring him home”;

Whereas, on January 16, 2016, the Government of Iran released five United States citizens detained in Iran;

Whereas, on January 17, 2016, President Obama stated that “even as we rejoice in the safe return of others, we will never forget about Bob,” referring to Robert Levinson, and that “each and every day but especially today our hearts are with the Levinson family and we will never rest until their family is whole again”;

Whereas, on January 19, 2016, White House Press Secretary Josh Earnest stated that the United States Government had “secured a commitment from the Iranians to use the channel that has now been opened to secure the release of those individuals that we know were being held by Iran . . . to try and gather information about Mr. Levinson's possible whereabouts”;

Whereas the Government of Iran's most recent commitment to assist in and the diplomatic channel dedicated to locating and returning Bob Levinson have not yielded any meaningful results;

Whereas, on November 23, 2016, the United Nations Working Group on Arbitrary Detention (UNWGAD) issued Opinion No. 50/2016, concerning Robert Levinson in which the UNWGAD found Iran responsible for the arbitrary detention of Mr. Levinson;

Whereas, on November 26, 2013, Mr. Levinson became the longest held United States civilian in our Nation's history; and

Whereas the Federal Bureau of Investigation continues to offer a \$5,000,000 reward for

information leading to Mr. Levinson's safe return: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes that March 9, 2017, marks 10 years since the disappearance of Robert Levinson from Kish Island, Iran;

(2) recognizes that Robert Levinson is the longest held United States civilian in our Nation's history;

(3) notes that repeated pledges by officials of the Government of Iran to provide their Government's assistance in the case of Robert Levinson have not led to any meaningful progress in locating or returning Robert Levinson;

(4) urges the Government of Iran to take meaningful steps towards fulfilling its repeated promises to assist in locating and returning Robert Levinson, including immediately providing all available information from all entities of the Government of Iran regarding the disappearance of Robert Levinson to the United States Government;

(5) urges the President and the allies of the United States to continue to press the Government of Iran at every opportunity to locate and return Robert Levinson, notwithstanding ongoing and serious disagreements the United States Government has with the Government of Iran on a broad array of issues, including Iran's ballistic missile program, sponsorship of international terrorism, and human rights abuses;

(6) notes that in addition to these other serious issues, further delay in locating and returning Robert Levinson remains a significant obstacle to improving United States-Iran relations; and

(7) expresses sympathy to the family of Robert Levinson for their anguish and expresses hope that their ordeal can be brought to an end in the near future.

SENATE RESOLUTION 86—RECOGNIZING THE CONTRIBUTIONS OF AMERICORPS MEMBERS AND ALUMNI TO THE LIVES OF THE PEOPLE OF THE UNITED STATES

Mr. COONS (for himself, Mr. COCHRAN, Mrs. SHAHEEN, Mr. WICKER, Mr. CARPER, Mr. BOOZMAN, Mr. BENNET, Mr. DURBIN, Mr. TESTER, Ms. HIRONO, Ms. BALDWIN, Ms. HASSAN, Mr. WYDEN, Mr. HEINRICH, Ms. DUCKWORTH, Mr. FRANKEN, Mr. WHITEHOUSE, Mr. MERKLEY, Mr. MARKEY, Mr. BOOKER, Mr. REED, Ms. WARREN, Mr. PETERS, Mr. VAN HOLLEN, Mrs. GILLIBRAND, Mr. MCCAIN, Mr. MORAN, Mr. BLUNT, Mr. MANCHIN, and Mr. CASEY) submitted the following resolution; which was considered and agreed to:

S. RES. 86

Whereas, since its inception in 1994, the AmeriCorps national service program has proven to be a highly effective way to engage the people of the United States in meeting a wide range of local and national needs and promote the ethics of service and volunteerism;

Whereas, since 1994, more than 1,000,000 individuals have taken the AmeriCorps pledge to “get things done for America” by becoming AmeriCorps members;

Whereas, each year, AmeriCorps, in coordination with State service commissions, provides opportunities for approximately 80,000 individuals across the United States to give back in an intensive way to communities, States, and the United States;

Whereas AmeriCorps members have served more than 1,400,000,000 hours nationwide, helping to—

- (1) improve the lives of the most vulnerable people of the United States;
- (2) protect the environment;
- (3) contribute to public safety;
- (4) respond to disasters; and
- (5) strengthen the educational system of the United States;

Whereas, since 1994, more than \$8,700,000,000 in AmeriCorps funds have been invested in nonprofit, community, educational, and faith-based groups and those funds leverage hundreds of millions of dollars in outside funding and in-kind donations each year;

Whereas, in 2016, AmeriCorps members recruited and supervised more than 2,300,000 community volunteers, demonstrating the value of AmeriCorps as a powerful force for encouraging people to become involved in volunteering and community service;

Whereas, in 2016, AmeriCorps members served at approximately 21,000 locations across the United States, including at nonprofit organizations, schools, and faith-based and community organizations;

Whereas AmeriCorps National Civilian Community Corps campuses in Mississippi, Maryland, Iowa, California, and Colorado strengthen communities and develop future leaders through team-based service;

Whereas AmeriCorps members nationwide, in return for the service of those members, have earned more than \$3,300,000,000 to use to further their own educational advancement at colleges and universities across the United States;

Whereas AmeriCorps members, after their terms of service with AmeriCorps end, have been more likely to remain engaged in their communities as volunteers, teachers, and nonprofit professionals than the average individual;

Whereas, in 2009, Congress passed the bipartisan Serve America Act (Public Law 111-13; 123 Stat. 1460), which authorized the expansion of national service, expanded opportunities to serve, increased efficiency and accountability, and strengthened the capacity of organizations and communities to solve problems;

Whereas national service programs have engaged millions of people in the United States in results-driven service in the most vulnerable communities of the United States, providing hope and help to individuals with economic and social needs;

Whereas national service and volunteerism demonstrate the best of the spirit of the United States, with people turning toward problems and working together to find community solutions; and

Whereas AmeriCorps Week, observed in 2017 from March 4 through March 11, is an appropriate time for the people of the United States to salute current and former AmeriCorps members for their positive impact on the lives of people in the United States, to thank the community partners of AmeriCorps for making the program possible, and to encourage more people in the United States to become involved in service and volunteering; Now, therefore, be it

Resolved, That the Senate—

- (1) encourages the people of the United States to join in a national effort to—

- (A) salute AmeriCorps members and alumni; and

- (B) raise awareness about the importance of national and community service;

- (2) acknowledges the significant accomplishments of the members, alumni, and community partners of AmeriCorps;

- (3) recognizes the important contributions made by AmeriCorps members and alumni to the lives of the people of the United States; and

- (4) encourages individuals of all ages to consider opportunities to serve in AmeriCorps.

AUTHORITY FOR COMMITTEES TO MEET

Mr. CORNYN. Mr. President, I have 9 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

ARMED SERVICE COMMITTEE

The Committee on Armed Services is authorized to meet March 9, 2017 at 9:30 a.m.

BANKING, HOUSING, AND URBAN AFFAIRS COMMITTEE

The Committee on Banking, Housing, and Urban Affairs is authorized to meet March 9, 2017, at 10 a.m.

FOREIGN RELATIONS COMMITTEE

The Committee on Foreign Relations is authorized to meet March 9, 2017 at 10:30 a.m.

FOREIGN RELATIONS COMMITTEE

The Committee on Foreign Relations is authorized to meet March 9, 2017 at 10:45 a.m., to hold a hearing entitled "Resolving the Conflict in Yemen: U.S. Interests, Risks, and Policy."

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet on March 9, 2017 at 10 a.m., in SD-226 of the Dirksen Senate Office Building.

VETERANS' AFFAIRS COMMITTEE

The Committee on Veterans' Affairs is authorized to meet March 9, 2017, at 10 a.m., in room SD-G50 of the Dirksen Senate Office Building.

SELECT COMMITTEE ON INTELLIGENCE

The Senate Select Committee on Intelligence is authorized to meet March 9, 2017, at 2 p.m., in room SH-219 of the Senate Hart Office Building.

SELECT COMMITTEE ON INTELLIGENCE

The Senate Select Committee on Intelligence is authorized to meet March 9, 2017, at 2 p.m., in room SH-219 of the Senate Hart Office Building.

SUBCOMMITTEE ON REGULATORY AFFAIRS AND FEDERAL MANAGEMENT

The Subcommittee on Regulatory Affairs and Federal Management of the Committee on Homeland Security and Governmental Affairs is authorized to meet March 9, 2017, at 10 a.m. to conduct a hearing entitled, "Agency Use of Science in the Rulemaking Process: Proposals for Improving Transparency and Accountability."

APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the majority leader,

pursuant to the provisions of Public Law 114-323, appoints the following individual to serve as a member of the Western Hemisphere Drug Policy Commission: Ambassador Cliff Sobel of Florida.

The Chair, on behalf of the majority leader, pursuant to the provisions of Public Law 99-93, as amended by Public Law 99-151, appoints the following individuals to serve as members of the United States Senate Caucus on International Narcotics Control: the Honorable CHUCK GRASSLEY of Iowa, Chairman, the Honorable JOHN CORNYN of Texas, the Honorable JAMES RISCH of Idaho, and the Honorable DAVID PERDUE of Georgia.

The Chair, on behalf of the President pro tempore, pursuant to the provisions of Public Law 106-79, appoints the following Senator to the Dwight D. Eisenhower Memorial Commission: the Honorable THAD COCHRAN of Mississippi.

RECOGNIZING THE CONTRIBUTIONS OF AMERICORPS MEMBERS AND ALUMNI TO THE LIVES OF THE PEOPLE OF THE UNITED STATES

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 86.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 86) recognizing the contributions of AmeriCorps members and alumni to the lives of the people of the United States.

There being no objection, the Senate proceeded to consider the resolution.

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 86) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

ORDERS FOR MONDAY, MARCH 13, 2017

Mr. SULLIVAN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 2 p.m., Monday, March 13; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later

in the day, and morning business be closed.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL MONDAY,
MARCH 13, 2017, AT 2 P.M.

Mr. SULLIVAN. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 5:46 p.m., adjourned until Monday, March 13, 2017, at 2 p.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF AGRICULTURE

SONNY PERDUE, OF GEORGIA, TO BE SECRETARY OF AGRICULTURE.

THE JUDICIARY

JONATHAN H. PITTMAN, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS, VICE JEANETTE J. CLARK, RETIRED.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. SEAN L. MURPHY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. TONY D. BAUERNFEIND
BRIG. GEN. MARK D. CAMERER
BRIG. GEN. WILLIAM T. COOLEY
BRIG. GEN. STEPHEN L. DAVIS
BRIG. GEN. PATRICK J. DOHERTY
BRIG. GEN. JAMES A. JACOBSON
BRIG. GEN. DAVID A. KRUMM
BRIG. GEN. JEFFREY A. KRUSE
BRIG. GEN. MICHAEL A. MINIHAN
BRIG. GEN. SHAUN Q. MORRIS
BRIG. GEN. THOMAS E. MURPHY
BRIG. GEN. DAVID S. NAHOM
BRIG. GEN. STEPHEN W. OLIVER, JR.
BRIG. GEN. JOHN M. PLETCHER
BRIG. GEN. SCOTT L. PLEUS
BRIG. GEN. JOHN T. RAUCH, JR.
BRIG. GEN. BRIAN S. ROBINSON
BRIG. GEN. RICKY N. RUPP
BRIG. GEN. DIRK D. SMITH
BRIG. GEN. KIRK W. SMITH
BRIG. GEN. PAUL W. TIBBETS IV
BRIG. GEN. ANDREW J. TOTH
BRIG. GEN. MARK E. WEATHERINGTON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. DAGVIN R. M. ANDERSON
COL. JASON R. ARMAGOST
COL. CRAIG R. BAKER
COL. GENTRY W. BOSWELL
COL. RICHARD H. BOUTWELL
COL. RYAN L. BRITTON
COL. BRIAN R. BRUCKBAUER
COL. LANCE R. BUNCH
COL. TODD D. CANTERBURY
COL. CASE A. CUNNINGHAM
COL. EVAN C. DERTIEN
COL. MICHAEL L. DOWNS
COL. TROY E. DUNN
COL. DEREK C. FRANCE
COL. DAVID M. GAEDECKE
COL. PHILIP A. GARRANT
COL. ANTHONY W. GENATEMPO
COL. KRISTIN E. GOODWIN
COL. CHRISTOPHER J. IRELAND
COL. DAVID R. IVERSON
COL. JOEL D. JACKSON
COL. RONALD E. JOLLY, SR.
COL. MICHAEL G. KOSCHESKI
COL. DAVID J. KUMASHIRO

COL. JOHN D. LAMONTAGNE
COL. LEAH G. LAUDERBACK
COL. CHARLES B. MCDANIEL
COL. JOHN C. MILLARD
COL. ALBERT G. MILLER
COL. JOHN J. NICHOLS
COL. ROBERT G. NOVOTNY
COL. LANSING R. PILCH
COL. DONNA D. SHIPTON
COL. JEREMY T. SLOANE
COL. PHILLIP A. STEWART
COL. DAVID H. TABOR

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. PAUL A. OSTROWSKI

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. SEAN B. MACFARLAND

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. FRANCISCO A. ESPAILLAT

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY MEDICAL CORPS TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major general

BRIG. GEN. RONALD J. PLACE

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COL. JEFFREY A. ROACH

HOUSE OF REPRESENTATIVES—Thursday, March 9, 2017

The House met at 10 a.m. and was called to order by the Speaker.

MORNING-HOUR DEBATE

The SPEAKER. Pursuant to the order of the House of January 3, 2017, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

TOWN HALL MEETING IN CHICAGO

The SPEAKER. The Chair recognizes the gentleman from Illinois (Mr. GUTIERREZ) for 5 minutes.

Mr. GUTIERREZ. Mr. Speaker, there is no doubt in my mind that the resistance to this President and his policies is growing in America's heartland. If the 1,200 people who came to my townhall meeting in Chicago on Monday night are any indication, there is a movement in the United States that is standing up to the fear, the racism, the lies, and the divisiveness that comes from the President, his people, and his Twitter account every single day.

The Logandale School auditorium and gym was packed. No, not like The National Mall on Inauguration Day with wide-open spaces and the President's imaginary crowd of 1.5 million people. No, my townhall was actually packed like The Mall on the day after the inauguration for the Women's March. It was a diverse crowd of people who care about America and defending their country. It was overwhelming.

We had Ahmed Rehab, the inspirational leader of CAIR-Chicago, talking about what was going on in Chicago to resist the President's new and unimproved ban on refugees and Muslims. He was joined by Equality Illinois, Planned Parenthood, and the Little Village Environmental Justice Organization, talking about how the people of Chicago are coming together to resist the President's attacks on women's health, on LGBTQ rights, on public schools and education, on women's rights, and on the environment.

It was the intersection of all of the communities and the issues that are under attack by President Trump and his co-President Bannon. This townhall was the mother of all intersectionality

events—right there in Chicago, in America's heartland.

No, they were not paid activists. They were ordinary people trying to get answers and defend their community against an unprecedented threat coming from the White House and Republicans in Congress.

For more than an hour, I answered questions, and then I stayed in the parking lot for another hour and talked with people who still had questions—and some were heartbreaking.

A public school teacher I have known for years asked me how she can help her students. Her kids are being kept out of school or are losing sleep or are displaying signs of depression because of the fear that they have that they will be separated from their parents if they are deported. She wants to comfort them, but the reality is she cannot.

Individuals asked me how they can protect families who are terrified that they will get separated and destroyed.

Just this week, a mother I have known for years who has a stay of deportation and has been regularly reporting to ICE officials for years told me she is being deported in 6 weeks. She has a U.S. citizen husband and four U.S. citizen children, and she has complied with the law and she has complied and reported to authorities, only to be told that, under Trump, the rules have changed and she is now a top priority for deportation—not because she should be deported, but because she can be deported.

This fear is having an impact on families and children. But what came through to me at the townhall meeting is that families, vulnerable immigrants, and millions of children with a birthright to live as Americans are not alone. There are thousands and thousands of allies who are joining together to defend families in Chicago and everywhere else.

At the townhall on Monday, I appealed for help because this is the very same room that this coming Saturday, Mr. Speaker, my office will be holding a citizenship workshop. I asked those who are already citizens to come and help those who are applying for citizenship, and hundreds of hands went up in the air saying they are ready to help.

We scheduled the citizenship workshop because we are unable to satisfy my constituents' huge demand for citizenship information. Some days we have lines out the door at my office on Fullerton Avenue with people wanting to know: How can I become a citizen of the United States of America?

So all day Saturday, we will have a small army of family defenders trained in citizenship helping their neighbors pursue naturalization and the American Dream. Just as you see the school packed with voters and constituents, you will see the room packed this Saturday with people applying for citizenship to the United States of America and packed with Americans that are already citizens ready to help them.

That is what Chicago is all about, and that is what the heartland is all about, and that is what America is all about.

Women in hijabs and women in pink hats are standing together to fight attacks on Muslims and attacks on women's rights. Environmental activists are joining men and women who fly the rainbow flag of the LGBTQ community to resist the President's agenda. The entire community will stand together as the mass deportation wave becomes a day-to-day reality in our communities. And the message is clear: if you come for one of us, you have to go through all of us.

My constituents demanded I be a wrench in Trump's cruel agenda, and I, Mr. Speaker, do not intend to disappoint them.

The SPEAKER pro tempore (Mr. DENHAM). Members are reminded to refrain from engaging in personalities toward the President.

HEALTH CARE FOR MINERS

The SPEAKER pro tempore. The Chair recognizes the gentleman from West Virginia (Mr. JENKINS) for 5 minutes.

Mr. JENKINS of West Virginia. Mr. Speaker, I met last week with a group of West Virginia coal miners who are worried about their future. They are worried about their pensions and healthcare benefits that will expire soon, benefits that they worked their whole life to earn, benefits the Federal Government promised them more than 70 years ago.

During our meeting at the UMWA Career Center in Beckley, I met Preston Thomas of Raleigh County. He spent 36 years in the mines before retiring in 2010. Preston relies on the healthcare benefits he earned to provide prescription drug coverage for his wife. If this coverage is allowed to expire in April, his wife will no longer have access to the medications she needs.

Mr. Speaker, Preston is asking—I am calling on—Congress to keep the promise we made to him, to his fellow miners, to their wives, to their husbands,

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

to their widows. We must pass legislation I have cosponsored to protect these hard-earned benefits.

I urge my colleagues to join me in supporting this legislation and protecting the hardworking miners like Preston. We owe it to all of them to keep our word.

REPUBLICAN ACA REPEAL BILL

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Washington (Ms. JAYAPAL) for 5 minutes.

Ms. JAYAPAL. Mr. Speaker, I rise in strong opposition to TrumpCare, the Republican plan to privatize Medicare, penalize working families, and prioritize the wealthy.

The Republican majority is in denial about the tremendous gains of the Affordable Care Act in covering tens of millions of people across this Nation.

In my home State of Washington, Mr. Speaker, because of the Affordable Care Act, the average annual premium increases have dropped from 18.5 percent, before the passage of the ACA, to 6.7 percent in 2017. The growth of individual enrollment reached nearly 320,000 people in 2015; and with Medicaid expansion in Washington State, the decline in the uninsured plummeted to 7 percent in 2015, from over 13 percent in 2009. 605,000 Washingtonians also gained coverage through Medicaid expansion.

All of these gains, Mr. Speaker, are in jeopardy as TrumpCare threatens to strip 20 million people, many of whom voted for Mr. Trump, of their health care. Across the Nation, older Americans will be forced to pay premiums five times higher than what others will pay for health care.

Four hundred of the wealthiest families in America will be handed a tax break worth \$7 million a year, all on the backs of working families. According to the Tax Policy Center, under TrumpCare, the top 0.1 percent of earners would receive an average tax cut of \$197,000, while older Americans would face increases of almost \$7,000 each.

Under TrumpCare, many employers will stop providing coverage, letting their employees fend for themselves with a tax credit. Compared to the subsidies that Americans have today, the tax credits will end up being a tax hike.

Not only does TrumpCare impose radical new restrictions on a woman's right to comprehensive health coverage, it defunds Planned Parenthood, robbing women with nowhere else to turn of essential preventative care and affordable contraceptives.

Mr. Speaker, these are sad, sad facts. But the stories from hundreds of my constituents are even more heart-breaking. Lynn told me:

If I were to get a bad illness, it would kill me financially. And the stress alone from

having my health insurance taken is causing me health problems already.

Luke wrote to tell me that when his wife needed emergency gall bladder surgery while he was a student, the bills would have been crushing. He said:

Without the ACA, we would have been saddled with nearly \$40,000 in hospital bills, ER, one surgery, and one overnight stay.

Kristy shared:

Without contraceptive care that is covered in the ACA, I would never be able to afford my IUD. I might have an unwanted pregnancy, and I wouldn't be able to afford another child. This means so much to me as a woman, a mother, and as a human. I am able to have power to make decisions about my family, and this means the world to me.

The lessons and stories like this, Mr. Speaker, are what we should be incorporating into our legislative deliberations, not cynical attempts to penalize people for wanting to have basic health insurance coverage for themselves and their families.

What is worse, the Republican majority seems intent on obscuring the real cost of this misguided proposal. Mr. Speaker, the majority deserves this President. They are cut from the same cloth and relying on the power of obfuscating the truth.

Since President Trump is not being forced to be transparent about his taxes or his financial entanglements with foreign interests like Russia, the Republican majority doesn't think that they need to ask the nonpartisan Congressional Budget Office to offer the true picture of how many people will be hurt by their bill and how much it will cost the American people. This is simply no way to govern.

At the most fundamental level, health care is a human right and not a luxury, as our Republican colleagues would have us believe; a healthy population is a healthy workforce; a healthy workforce is a healthy economy; and a healthy economy is a healthy nation.

TrumpCare puts all Americans at risk. Let's work together to protect and expand our health care and put this mess behind us.

HONORING THE LIFE OF PATRICK LOWERY COGGINS

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. KATKO) for 5 minutes.

Mr. KATKO. Mr. Speaker, I rise today to honor the life of a young man from my district, Patrick Lowery Coggins. Pat recently passed away at the young age of 27 after a courageous and lifelong battle with Duchenne muscular dystrophy.

Despite the challenges he faced, Pat lived a full and inspirational life, graduating from high school and college and then returning home to work in communications for the Syracuse Chiefs AAA baseball team.

I had the distinct honor and privilege of meeting Pat when he and his Central New York United teammates won the National Power Wheelchair Soccer Tournament in 2015. Pat and his teammates were incredible advocates for increased opportunities for individuals with disabilities.

And I might add that I got in one of those power wheelchairs and tried to do what Pat did playing soccer, and it was not easy. So I commend him for his skill in that regard as well.

□ 1015

Pat was beloved by his family, friends, coworkers, and so many in our community. He made a lasting and positive impact on all who knew and loved him.

In Pat's memory, and for all of those who suffer from rare and incurable diseases, we must continue to invest in research, treatments, and cures.

Rest in peace, Pat.

END HUNGER NOW

The SPEAKER pro tempore. The Chair recognizes the gentleman from Massachusetts (Mr. MCGOVERN) for 5 minutes.

Mr. MCGOVERN. Mr. Speaker, this week, the Food Research & Action Center, known as FRAC, and Feeding America, in conjunction with the National Child and Adult Care Food Program Forum, hosted their annual fly-in. Over 1,200 hunger advocates from every State came to Washington, D.C., to meet with their local Members of Congress and to emphasize the importance of the Federal antihunger programs in alleviating food insecurity and poverty amongst our most vulnerable constituents.

These advocates delivered powerful messages to Members of Congress: as we consider the FY 2018 budget and appropriations legislation, and as we work to craft a 2018 farm bill, our antihunger safety net must stay intact. That means no block grants or structural changes to SNAP; no funding cuts to SNAP or any other antihunger programs.

These advocates, Mr. Speaker, also delivered paper plates to their Members of Congress containing powerful messages from constituents who rely on antihunger safety net programs.

I would urge all my colleagues to make sure they read these paper plates. These aren't statistics. These are real human beings. These are our constituents, our brothers and sisters.

I would like to read a few of the messages that were sent to me from people in my district.

This is from a client at the Northbridge Food Pantry in Massachusetts: "Without food assistance, I wouldn't have any other source of nourishment. I have many medical issues, and a proper diet is necessary."

This is from, again, another client from the Northbridge Food Pantry: "Food stamps are important to me and my family because I have lung cancer, and it is next to impossible to find a job, to buy food. My husband barely makes enough to pay the bills, that is not counting food."

Also, another client from the Northbridge Food Pantry: "Food stamps are important to me 'cause I don't make any money to support myself, let alone I'm disabled and I only make \$16 for SNAP. I need food to survive and to stay healthy."

This is from a client at Centro Las Americas in Worcester: "For me, they are very important, so that my children have good balance and nutrition."

Also, from Centro Las Americas in Worcester: "Well, for me, they fill a gap because I am a single father who has a child."

This is from a client at the Marie Anne Center in Worcester, Massachusetts: "I think SNAP is important because it helps, because it helps families."

This is from a client at the Amherst Survival Center: "It means there is food every night."

Also, from the Amherst Survival Center: "I thank God for the food pantry because most of my income goes toward bills. The food pantry really relieves the anxiety of not having enough to go around. Thank you."

Also, from the Amherst Survival Center: "I am in bad health. I can't work. The food pantry really helps my family. Thanks to the food pantry. Thanks Survival Center."

Also, from the Amherst Survival Center: "It means there is food every night."

This is from Loaves and Fishes, a food pantry in Worcester, Massachusetts: "A person has to live."

Also, from Loaves and Fishes: "It is very important that I get the food stamps. Please don't take them away. They help me out a lot."

This is also from Loaves and Fishes: "SNAP helps supplement my disability from cancers, but my benefit level has been cut."

From the Marie Anne Center, a client writes: "It is important to keep food stamps because other poor families don't have money. And the food stamps help them. Also, I think you should keep SNAP because if you take it away, that's basically you saying that other people won't eat."

This is also from the Northbridge Food Pantry: "In my given situation, without the local food banks and SNAP, I would not be able to eat three meals per day."

From a client at Loaves and Fishes: "A person has to live."

Finally, this is from the Amherst Survival Center. A client writes: "Thank you, Amherst Survival Center. You are a saving grace."

Mr. Speaker, again, I urge my colleagues to understand that, in the United States of America, the richest country in the history of the world, we have close to 42 million Americans who are food insecure or hungry. They are our neighbors. They are counting on us in this Congress to do something, not to give them a cold shoulder.

I will, in all frankness, say to my colleagues that we are not doing nearly enough. Hunger is a political condition. We have the resources, we know what to do, but we don't have the political will.

So, rather than cutting these nutrition safety net programs, rather than threatening to block grant SNAP, cut SNAP, or cut other antihunger and nutrition programs, we ought to come together and support them. We ought to dedicate ourselves to ending hunger now. We have a moral obligation to do that.

I urge my colleagues to read the plates that were delivered to their offices and join with me in ending hunger now.

LET'S FIX, NOT FIGHT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, last week, I had the opportunity to gather in Upper Senate Park with thousands of individuals from across the country to demand that Congress "Fix Not Fight" and work together to build a better, safer, and stronger nation.

The No Labels Problem Solvers Conference brought together thousands of citizens from across all 50 States to kick-start a year of action in creating a more united path forward for our country.

Proudly, I have been part of this movement from the beginning. As a member of the Problem Solvers Caucus, I hope we can all come to the table, find common ground, and focus on finding solutions.

Of course, there are some areas where we are never going to agree, and that is okay. Our differences should not divide us. Instead, we must exhibit good governance, good leadership, and serve our constituents in a manner that is worthy of the office we hold. After all, the only way that we will build a better America today and for all generations that follow us is if we come together now. Let's get to work.

SUPPORT STUDENT LOAN DEBT RELIEF FOR FARMERS

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to talk about the cornerstones of our rural communities: our American farmers.

These men and women are stewards of all of our land and provide the country with a safe and affordable food sup-

ply, but we need to do more to cultivate the next generation of farmers. They face tough odds by the very nature of the business, and there is a critical shortfall of skilled young and beginning farmers and ranchers.

That is why, together with Congressman JOE COURTNEY of Connecticut and Congressman JOHN FASO of New York, we introduced the Young Farmer Success Act. This legislation will provide incentives for those who would like to pursue a future in the agriculture industry by adding farmers to the Public Service Loan Forgiveness Program, which currently offers loan payback assistance for professions such as government service, teaching, and nursing.

Under the program, eligible public service professionals who make 10 years of income-driven student loan payments can have the balance of their loans forgiven.

Farming is an expensive business to enter, in part because of skyrocketing land prices, and beginning farmers often see small profits or even losses in their first years of business.

In 2011, the National Young Farmers Coalition conducted a survey of 1,000 young farmers and found that 78 percent of respondents struggled with a lack of capital.

A 2014 followup survey of 700 young farmers with student loan debt found that the average burden of student loans was \$35,000, and that 53 percent of respondents are currently farming, but have a hard time making their student loan payments; while another 30 percent are interested in farming, but haven't pursued it as a career because their salary as a farmer wouldn't be enough to cover their student loan payments.

Mr. Speaker, food security is national security and it aids the long-term sustainability of our country. Our rural communities are in crisis and declining. We should do everything in our power to recruit a new generation of farmers.

Did you know that the number of new farmers entering the field of agriculture has dropped by 20 percent and the average farmer age has now risen above 58 years old? We must encourage new farmers to enter this critical industry.

I urge my colleagues to support the bipartisan Young Farmer Success Act. The skyrocketing cost of higher education and the growing burden of student loan debt are presenting major obstacles for young ranchers. The burden of student loan debt can thwart their ability to purchase the farming operations they need to get started and drive them away from a career in agriculture altogether.

Let's pass this bill and help the men and women who put food on the table for American families throughout America. Our farmers feed, and we should give them every incentive to

continue to do so. The American people deserve a safe, reliable, and sustainable food source. Our farmers provide that.

GOP ACA REPEAL

The SPEAKER pro tempore. The Chair recognizes the gentleman from Maryland (Mr. HOYER) for 5 minutes.

Mr. HOYER. Mr. Speaker, I just came from the Energy and Commerce Committee. That committee, along with the Ways and Means Committee and the Education and the Workforce Committee, is seized of the responsibility to consider the harmful American Health Care Act being offered by the Republicans as a better way. It is anything but a better way.

Mr. Speaker, they don't want the American public to see what they are doing. They met all through the night. They have been meeting now for over 24 hours, without sleep, without rest, without reflection, and with no opportunity, Mr. Speaker, for the American people to see what is going on. In the dead of night, out of the sight of the public, they are hiding their bill and rushing to judgment.

Why? Because they know, as they have seen in town meeting after town meeting after town meeting—that is, of course, those Republicans who have had town meetings—that the American public is extraordinarily concerned and worried they are going to lose the health care that they receive through the Affordable Care Act.

They are concerned about the premiums and deductibles that they have to pay skyrocketing because of the Republican bill that is being proposed. They are concerned that Medicare and Medicaid are going to be decimated and the life of Medicare reduced in terms of its ability to pay the benefits promised.

Mr. Speaker, the President stood at that rostrum and said he had a healthcare bill that was going to give healthcare coverage for everybody—not just some, but everybody—at less expense and greater quality. There is no such bill that the President has provided us with. If there is, and if he has such a bill, Mr. Speaker, I will support it, but it is certainly not the bill that the Ways and Means Committee ended its work on at 4:30 a.m. this morning.

The American people, Mr. Speaker, ought to be asking: What are you hiding? What is the rush? You have had 7 years to consider this bill. That is 7 years. We are meeting tomorrow, we are meeting next week, we are meeting the week after. It is not as if we are going on a summer break and we need to rush to judgment. It is not that we need to keep the American people out of consideration of this bill.

Mr. Speaker, Democrats in committee and on this floor are doing everything we can to slow down this process and to open the doors, open the

windows, and keep the lights on so that the people who deserve to know how a Republican bill to repeal the Affordable Care Act will impact their lives and the lives of their family and their children.

□ 1030

Houses Republicans are marking up this bill without holding a single hearing—not one hearing—for a bill that gives \$600 billion in tax cuts and cuts hundreds of billions of dollars from health care. The tax cuts go to the wealthiest in America. Perhaps that is why there are no hearings. Perhaps that is why they didn't invite any witnesses. Perhaps that is why they are rushing to judgment before the Congressional Budget Office, which is non-partisan and will give us an accurate estimate of its cost and who is going to be hurt—Mr. Speaker, apparently they don't want the American people to get those facts before their representatives have to make a decision.

I know they voted for repealing the Affordable Care Act almost 65 times here in this House. Democrats have voted against that because we believe the Affordable Care Act is working.

Is it working perfectly? No.

Do we need to join together and make it work better for the American people? Yes.

This bill will impact, Mr. Speaker, every single American family and business. If enacted, it will force Americans across the country to pay more for less coverage and fewer benefits. Shamefully, Republicans are hoping they can jam this bill through the House and Senate before Members have to go home and face their constituents in April. That is why we are having to rush, because they don't want their Members to go home in April and say: This is what we are considering, what do you think? Because they know. Because they have had hearings, town meetings. They haven't had any hearings on this bill, but they have had town meetings, and every American has seen the reporting on that, angry Americans fearful that they are going to lose benefits absolutely critical to them and their families.

They continued marking up this bill through the night, using the very same tactics they claimed we were using when considering the Affordable Care Act. We had over 79 hearings not in the middle of the night, but during the day. We had over 181 witnesses. That is opposed to zero—zero—witnesses on this bill. Shame. It gives a lie to the representation of transparency and openness and accountability that our Speaker has said he would operate this House to ensure that those happened.

They used the same tactics that they claim, as I said, that we were considering. In fact, here is what Tom Price, who was then a member of the House of Representatives, now the Secretary of

the Health and Human Services, said: "The negotiations are obviously being done in secret and the American people really just want to know what they are trying to hide."

He said that on January 6, 2010.

180 witnesses, 79 hearings, a year and a half or more of consideration, yet we have a bill that was introduced Monday night. Today is Thursday. Monday night it was introduced, and no hearings. Wednesday, deep into the night, and this morning this bill is being marked up.

KEVIN BRADY, the chairman of the Committee on Way and Means, who held a markup until 4:30 a.m., said this: "I think there is never a more critical time for the American public to weigh in on an important issue than on health care today and there is a lot about this bill we don't know."

He said that in a townhall August 10, 2009. Well, now he is chairman of the committee, and apparently he has decided that the American public doesn't need to know now. When we were in charge, he thought the public needed to know, and that is why we had those 79 hearings and 181 witnesses and townhalls, thousands of meetings and townhalls around the country on the Affordable Care Act. But Mr. BRADY apparently doesn't think that is applicable when he is in charge of the committee.

Then Speaker, now former Speaker John Boehner said this: "Can you say it was done openly, with transparency and accountability? Without backroom deals struck behind closed doors, hidden from the people? Hell, no, you can't."

But now the shoe is on the other foot, and my Republican colleagues are in charge. They are full speed ahead, and the doors are closed, the windows are shuttered, and the blinds are drawn.

The process we had in 2009 and 2010 to write and adopt the Affordable Care Act included, as I said, 79 hearings versus zero hearings on this bill. Zero. None. 181 witnesses that I have referred to. Zero witnesses, zero Americans included from the public in this process. We had a 2-year process that was open and recognized how consequential the legislation would be, ensuring that Americans from all over the country, including doctors, healthcare organizations, providers, insurance companies, average citizens could weigh in.

Now in their rush to pass their repeal, Republicans are doing everything they said was wrong and much more. Republicans are terrified that the American people will find out what is in this bill. The problem they have is a lot of their Members have found out what is in this bill, and they don't like it. Hardly any newspaper in America likes it. We think the public is thinking they are moving too fast and are going to hurt them. They are afraid, however, of having to face angry constituents who will see that this bill

will take healthcare coverage away from 20 million Americans and cause out-of-pocket costs to go up for millions more. This bill could destabilize even the employer-based insurance market. That is people who know nothing about the exchange, but they have insurance through their employer. This bill will destabilize their insurance as well.

The point is, Mr. Speaker, we don't know for sure how bad it is. We know it is bad, and that is information we ought to have before being asked to vote on the floor or in committee on such consequential legislation. My Republican friends say, well, we will have a CBO score by the time we consider it on the floor. But they don't want that information out for very long because it is going to be very negative.

Democrats will continue, Mr. Speaker, to do everything in our power to slow down this process and throw back the curtain Republicans have pulled over this bill and this process in an attempt to hide the details of their dangerous plan from the American people. We are ready, as I said, to turn the lights out in this Chamber before we let the Republican repeal bill turn the lights out on coverage and care for millions of our fellow Americans. I do not yield my conviction to oppose this bill as strongly, as long as I possibly can.

PHILANDER SMITH COLLEGE CELEBRATES THE 140TH ANNI- VERSARY OF ITS FOUNDING

The SPEAKER pro tempore. The Chair recognizes the gentleman from Arkansas (Mr. HILL) for 5 minutes.

Mr. HILL. Mr. Speaker, the distinguished minority leader from Maryland certainly knows my great affection for him and his leadership of the opposition. We are the opposition here. I have to say that should he not have access to C-SPAN, like all of us, we invite him to tune in to C-SPAN and the Committee on Ways and Means and the Committee on Energy and Commerce and enjoy this long markup, Mr. Leader, and it is quite the contrary.

Mr. HOYER. Will the gentleman yield?

Mr. HILL. I yield to the gentleman from Maryland.

Mr. HOYER. It may not be true of your constituents, but most of my constituents were asleep between 12 and 6 this morning.

Mr. HILL. I thank the gentleman. Reclaiming my time, I recognize that. But the American people, Mr. Leader, want us to work to correct the deficiencies in the Affordable Care Act, to repeal and replace it, make it better for the American people, to lower premiums, give more access, let people choose the plan they want.

I would remind the leader that there was no C-SPAN camera in Ms. PELOSI's office when the original Affordable

Care Act was cobbled together over Christmas break, certainly not in the light of the American people.

So I urge people who are watching C-SPAN today, go to readthebill.gop, understand what is going on to repair and replace the Affordable Care Act, engage with your Member of Congress, and let's make health care available for all of our citizens. Let's make it truly affordable. Let's take care of the least of these, but let's do it in a patient-centered, market-based approach.

Mr. Speaker, today I come to the House floor to honor my friends at Philander Smith College in Little Rock. They celebrate their Founder's Day, commemorating the 140th anniversary of their founding in 1877. Philander Smith is a Historically Black College and an early higher education institution built and created by former African-American slaves, the first such institution west of the Mississippi River.

Graduating thousands of students over its 140-year legacy, the college is particularly important to Arkansas' history, economy, and higher education community. Currently, approximately 760 students are enrolled at Philander Smith, and the college continues to play an integral role in preparing predominantly minority and low-income students for careers and employment in Arkansas and throughout our country. I always enjoy my opportunities to be on campus, engaging with their bright, dedicated young minds.

The college's president, Dr. Roderick Smothers, recently joined his HBCU colleagues here in Washington to meet with the White House and leadership in Congress and talk about the challenges facing our Historically Black Colleges and their students. I appreciate Dr. Smothers' dedication to his students and their education at Philander Smith. I am proud to represent such a historic and valuable institution.

I congratulate Philander Smith on its 140th anniversary. I look forward to many more decades of their success.

HATE CRIMES IN AMERICA

The SPEAKER pro tempore. The Chair recognizes the gentleman from Georgia (Mr. JOHNSON) for 5 minutes.

Mr. JOHNSON of Georgia. Mr. Speaker, since November's election, it seems that there have been a rise in incidents of hate crimes in this country. This wave of hate crimes has spread fear and anxiety in communities of different faiths, ethnicities, and cultures across this country. On Tuesday, multiple Jewish community centers, schools, and organizations across the Nation, including in Atlanta, received anonymous bomb threats. This follows a wave of over 120 threats against Jewish community centers across America as well as the senseless desecration of graves at Jewish cemeteries countrywide.

I suspect, Mr. Speaker, that these are not unrelated incidents of juvenile delinquents. This is rank, organized anti-Semitic activity. It is systematic and organized activity meant to terrorize Jews in America. This comes at a time when Islamophobia is taking root and spreading across America. Mosques are being burned to the ground, Muslim children are being bullied at school, and Muslim women are subjected to having attackers snatching their hijabs from their heads as they walk the streets.

The President's Muslim ban is payback on the pledge he made to his supporters during the campaign. Meanwhile, in February, a 32-year-old Indian man was shot and killed, another was wounded, and a third man who intervened was shot and wounded by a gunman shouting "Get out of my country."

□ 1045

Again, on March 3, a Sikh man was shot in Seattle by an attacker yelling, "Go back to your country." At that time, the attacker had a mask on. During these incidents, our President has remained uncharacteristically silent on these attacks. His silence comes after his anti-Mexican, anti-Muslim, and anti-Obama campaign sparked American White nationalists to feel emboldened.

This is a dangerous and slippery slope that we are on, ladies and gentlemen. It must end, and it must end now. As Dr. King once said: "Injustice anywhere is a threat to justice everywhere." We must protect all communities that have come under assault.

Today I introduce the Reaffirming DHS' Commitment to Countering All Forms of Violent Extremism Act of 2017 to ensure that countering violent extremism funds within the Department of Homeland Security are used to tackle the rise of rightwing extremism, which threatens the safety of us all here in America.

HEALTH CARE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Kentucky (Mr. BARR) for 5 minutes.

Mr. BARR. Mr. Speaker, ObamaCare is collapsing. It is hurting more people than it is helping. It is forcing Americans to buy insurance they don't like, they don't need, and cannot afford. Premiums have increased by an average of 25 percent this year. Deductibles are skyrocketing. Nearly 70 percent of U.S. counties have only two or fewer insurers offering plans on their State's exchanges. Thirty-four percent fewer doctors and other healthcare providers accept ObamaCare insurance compared to private insurance. Congress must act decisively to protect the American people from this failed law.

The American Health Care Act is an important step in this process. While

not perfect, it moves us significantly in the right direction, which is why The Wall Street Journal says that the legislation would be “the most consequential social policy reform since the welfare overhaul of 1996.”

I am also encouraged that the committees of jurisdiction are, as we speak, entertaining amendments in regular order that will improve the legislation. But even without these amendments, the American Health Care Act is a dramatic improvement over ObamaCare.

The bill ends job-killing individual and employer mandates. It cuts \$1 trillion of ObamaCare's worst taxes, including the medical device tax, the health care insurance tax, and the Medicare payroll tax. It blocks Federal funds from Planned Parenthood. It reduces regulations so that individuals can buy plans that they want and can afford. And it reforms Medicaid by returning power to the States.

Some have criticized this bill because it lacks certain important reforms that will bend the cost curve down, such as association health plans, interstate competition, reforms to facilitate more competition and choice in the private health insurance marketplace, and medical liability reform. These are important reforms, and I support them.

In fact, I have introduced a medical liability reform bill that would deal with the doctor shortage and junk lawsuits and reduce costs. Unfortunately, these reforms are not eligible for inclusion in the reconciliation bill under the rules of the Senate. But it is important to note that this is just the first phase in a three-phase process to repeal and replace ObamaCare.

This bill is a crucial and necessary first step in a step-by-step process. In stark contrast to ObamaCare, we are actually reading the bill, and we invite the American people to do the same—readthebill.gop. I hope all Americans will take this opportunity to learn more about this bill and offer their feedback.

Mr. Speaker, we have tried to put Washington in charge of health care. Now it is time to put patients, their doctors, and their families in charge.

CFPB REGULATIONS HINDERING MANUFACTURED HOUSING FINANCING

Mr. BARR. Mr. Speaker, last month, a hospital worker in Paducah, Kentucky, applied for a loan of \$38,500 to finance a manufactured home. He had an 8 percent down payment. His monthly income was \$2,200 per month—plenty to cover the all-in housing costs of \$670 per month. The payment for his own home would have been less than what he was spending on rent, but he was unable to get financing. He contacted his local banks and credit unions, but they did not finance manufactured homes.

This hospital worker from Kentucky can't get financing because of the very entity that was created to protect con-

sumers—the Consumer Financial Protection Bureau. That is right, the Federal Government is protecting people right out of homeownership. Consumers are protected so much they can't even purchase a manufactured home.

Lenders have stopped making manufactured housing loans because of the Dodd-Frank Act and CFPB regulations. Even worse, current owners are having to sell their homes below market value to cash buyers because potential buyers can't find financing.

And this isn't just anecdotal. Government statistics prove that CFPB rules have prevented credit-worthy consumers from accessing affordable financing that would allow them to purchase manufactured homes. According to 2014 HMDA data, manufactured home loan volume for loans under \$75,000 decreased in the first year that these regulations went into effect.

This is proof that many lenders who were previously willing to make manufactured home loans are no longer capable of doing so under Dodd-Frank. These are exactly the kinds of top-down bureaucratic Federal regulations that my constituents in rural Kentucky are fed up with.

The CFPB has the authority to make adjustments to its requirements, but it has refused to act even when the data shows that consumers are being harmed.

A bipartisan group of Members of this body came together in the last Congress to do what the CFPB has refused to do. The House voted three times to make these changes so that people seeking to purchase manufactured homes would have access to financing.

I invite my colleagues to join me in this fight for consumers. Let's work together to make these changes to the CFPB and to their regulations and stop Federal bureaucrats from hurting modest income Americans who need access to affordable housing and deserve access to the American Dream of homeownership.

GUN VIOLENCE RESEARCH

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Florida (Mrs. MURPHY) for 5 minutes.

Mrs. MURPHY of Florida. Mr. Speaker, each year, about 33,000 Americans die in gun-related incidents, and twice as many are wounded.

Over 60 percent of gun deaths are suicides. Individuals in emotional distress who attempt suicide with a gun rarely survive, so they don't get the chance to reconsider, to recover, and to live on.

Nearly 35 percent of gun deaths in this country are homicides, with one human being using a firearm to take the life of a fellow human being. These homicides occur as a part of the daily drumbeat of violence, particularly in

cities, but also our suburbs and small towns.

Homicides in certain cities have become so customary they are relegated to the back pages of newspapers or not covered at all. Of course, the lack of public attention does not diminish the private pain felt by a victim's family and friends.

Homicides in America also take place in the context of mass shootings that make headlines because the carnage is so immense. The most recent incident was the deadliest in American history. On June 12, 2016, an individual using a semiautomatic rifle shot 49 people to death and wounded 53 at the Pulse nightclub in my hometown of Orlando.

My guest to the President's address to Congress last week was Dr. Marc Levy, a surgeon in Orlando. He and his team operated on victims of the Pulse nightclub shooting, some of whom had their bodies torn apart. As Dr. Levy and other first responders that fateful evening can attest, a weapon designed for the battlefield transformed a celebration of life into a scene of devastation and death that resembled a war zone.

Although Orlando united in the wake of the Pulse attack, earning the label “Orlando Strong,” our city was profoundly and permanently affected by this tragedy. I don't want another American community to experience what we have endured.

That is why today I am introducing legislation that would take a modest but meaningful step forward. Specifically, my bill would ensure that the CDC can offer evidence-based research into the causes of gun-related incidents and potential ways to reduce gun deaths and injuries. This research would inform policymakers as they consider whether to enact reasonable reforms that both save lives and protect the constitutional rights of law-abiding gun owners.

The decision rests with elected officials about whether to pass new laws designed to keep the most dangerous weapons out of the hands of the most dangerous individuals, in a manner consistent with the Second Amendment. But lawmakers of both parties should have the benefit of the best scientific research on the subject as they deliberate and debate.

My bill is necessary because, for 20 years, Congress has included a policy rider that, as a practical matter, has prevented the CDC and other HHS agencies from supporting research on gun-related incidents.

I can respect that elected officials, like the diverse Americans that they represent, have a range of views about the wisdom of enacting reasonable reforms within the space allowed by the Second Amendment. What I cannot respect is any lawmaker who would seek to suppress research into gun-related incidents merely because the lawmaker

fears this research could serve as the basis for legislative action that the lawmaker does not favor.

Restricting research because you disagree with its results is unAmerican to its core, a deviation from our proud national tradition of free and open inquiry.

As lawmakers, we must recognize that gun incidents are claiming the lives of too many of our citizens and tearing apart too many of our communities. In deciding how best to confront this challenge, we should seek out and sponsor research on this subject, not shun it.

For this reason, my bill would repeal the current policy rider and express the sense of Congress that no such policy riders should be enacted in the future.

I hope my colleagues will cosponsor this legislation, which underscores the importance of fact-based policymaking, and places people before politics.

TRUMPCARE COSTS MORE AND DELIVERS LESS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ) for 5 minutes.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, in listening to my colleagues on the other side of the aisle this morning, I am struck by the adage, "You are entitled to your opinion, but you are not entitled to your own facts."

I think it is important to note that the reality of the passage of the Affordable Care Act in 2010 was that there were hundreds of hours of hearings, many opportunities for all Members to provide input, mandatory processes that allowed for changes to that legislation that eventually became law, discussion, and a CBO analysis that shed light on the true cost—nothing like what has been described during the 24-hour whirlwind in the middle of the night that has resulted in the ramming through of legislation that will clearly increase costs and cover fewer individuals.

Mr. Speaker, as a mother, a breast cancer survivor, and a proud Floridian, I rise today in opposition to the majority's irresponsible proposal to repeal the Affordable Care Act.

After preaching for 7 years about a superior alternative to ObamaCare, my colleagues across the aisle have finally revealed their TrumpCare plan to the American people.

As you might expect from TrumpCare, it promises more, delivers less, has fewer protections, and costs more. In other words, it will make America sick again.

To add insult to injury, my Republican colleagues have moved this bill under the cover of darkness, without any hearings or even an analysis of its

cost from the Congressional Budget Office.

However, we do have an earlier CBO report that estimates that 15 million people would lose health insurance just as a result of repealing the individual mandate, which this bill, of course, does.

Perhaps even more disturbing is the fact that President Trump told 129 million Americans like me, as a breast cancer survivor with preexisting conditions, that he would preserve the ACA provision prohibiting insurance companies from dropping us or denying us coverage, but he and his Republican colleagues in the House broke their promise and did not keep their word.

The bill would once again allow insurance companies to charge people higher premiums when they have a preexisting condition, which will make coverage unaffordable. That is unconscionable.

This bill will also punish millions of people who experience a lapse in coverage. Before we had the Affordable Care Act, an estimated 59.1 million people lacked continuous coverage for at least part of the previous year.

One of those 59.1 million people was Suzanne Boyd from my district in Sunrise, Florida, who, with two daughters heading to college, was just starting to realize her dream of owning her own special events small business as her full-time job. Suzanne had insurance coverage for years through her husband's employer-sponsored health plan, until 2012, when her husband, Mark, died of lung cancer. Two weeks later, the family lost their employer-sponsored health insurance. Only 5 months after that, Suzanne, now widowed and uninsured, was diagnosed with Hodgkin lymphoma.

As Suzanne has said, before the Affordable Care Act, she wouldn't even have been able to think about starting her own business. She probably would have looked for another corporate job with health benefits. But knowing she would soon be able to obtain insurance under the ACA and that her preexisting condition couldn't be held against her when she applied, she started her company in 2013. She eventually qualified for a plan that cost her \$192 a month with substantial government subsidies.

□ 1100

Under the Republican plan, people like Suzanne may be forced to pay a 30 percent higher premium each month in order to receive care.

Make no mistake: these massive increases in healthcare costs dumped on the backs of American working families will only benefit the wealthiest few. The 400 richest families in America will see a tax break worth \$7 million a year. That would make the GOP bill one of the largest transfers in wealth from low- and middle-income families to the wealthiest in recent memory.

This tax cut for the wealthy will also fall on the shoulders of seniors across America who will be forced to pay premiums five times higher than what younger individuals pay for health coverage. Not only is that cruel, but it is also unsustainable.

According to the 2016 Medicare Trustees Report, the Medicare trust fund is solvent until 2028, 11 years longer than what was expected before the enactment of the Affordable Care Act reforms. In contrast, as the AARP noted, certain repeal provisions in the GOP bill could hasten the insolvency of Medicare by up to 4 years and diminish Medicare's ability to pay for services in the future.

Millions of seniors depend on Medicare in conjunction with Medicaid to cover their long-term care needs, but Republicans' plans to make America sick again would destroy Medicaid as we know it. At least 11 million Americans stand to lose their healthcare coverage with the passage of this bill. And if you are fortunate enough not to be one of those 11 million, well, then I hope you are not, either, one of the tens of millions of seniors with long-term care needs, Americans with disabilities, pregnant women, children, or others who rely on Medicaid, because these drastic cuts and per capita caps are going to hurt them, too.

TrumpCare's assault on Medicaid will also disproportionately affect women. This is an unconscionable piece of legislation that must have the light of day shining on it and that must not be allowed to become law. Democrats will stand in the breach to make sure that Americans don't get sick like they used to.

CELEBRATING SCHOOL SOCIAL WORKERS

The SPEAKER pro tempore (Mr. WOODALL). The Chair recognizes the gentlewoman from Wisconsin (Ms. MOORE) for 5 minutes.

Ms. MOORE. Mr. Speaker, the month of March is when social workers throughout the country celebrate Social Work Month. I am here today to honor a special group of social workers who work in one of the most important institutions in our society: our schools.

To honor the vital role school social workers serve in our communities, I am proud to introduce H.R. 171, to recognize the many contributions of school social workers and to designate this week, March 5 through 11, as School Social Work Week.

School social workers are critical members of a school's educational team. They strengthen partnerships between students' homes, schools, and communities as they work to ensure student academic success. School social workers are uniquely trained and specially equipped to mentor students who face emotional, academic, and behavioral barriers to learning.

Their expertise guides students through serious life challenges, including poverty, disability, sexual and physical abuse, addiction, bullying, and various forms of familial separation such as military deployment, divorce, and incarceration. We now understand how these adverse childhood experiences and chronic exposures to the stressors affect the developing brain, particularly in a school setting where the academic demands are high and the social pressures can be life changing.

We must better support these students to overcome these barriers to success. We now have the science and research to inform our policies so that we are not just funneling these children out of a school system and into a prison system. We must prioritize the economic benefits of effective and preventive solutions and provide the necessary supports.

School social workers provide these services in our schools by connecting students and families to available resources in the community, particularly in areas that have been hit hardest by poverty. School social workers improve the success rate of children coming from a disadvantaged background, lending a much-needed hand in our efforts to create a more equal society. Families and communities want these services for their children. School districts should prioritize and invest in staffing models and programs that offer mental health services.

Research tells us that individuals who suffer from mental illness will have developed these symptoms by age 14. The Centers for Disease Control finds that behavioral disorders are increasing in youth and presenting themselves at younger ages. Fewer than one in five of these children will ever receive needed mental health services.

We also know that suicide is the second leading cause of death for young people ages 10 through 24. School mental health programs provided and enhanced by school social workers are critical to early identification of mental health problems.

Research indicates that school mental health programs improve educational outcomes by decreasing absences, decreasing disciplinary referrals, and improving academic achievement. Our students deserve the support. Our students need school social workers to help them succeed.

Unfortunately, there are often not enough school social workers available in school districts to meet the many, many needs of at-risk youth. The 1-to-250 maximum recommended ratio of school social workers to students is exceeded in almost all school districts in the United States, with some experiencing ratios as high as 1 to 21,000.

As we seek to improve our educational opportunities, maximizing the new opportunities and flexibility of the Every Student Achieves Act, let us use

this week to recognize the contributions of school social workers and the vital role they play in helping our children reach their fullest potential.

WHAT WE KNOW AND DON'T KNOW ABOUT THE GOP HEALTHCARE PLAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. TAKANO) for 5 minutes.

Mr. TAKANO. Mr. Speaker, I rise this morning to share with my constituents what we know about the Republican healthcare plan and, more importantly, what we don't know.

We know that the Republican proposal to replace the Affordable Care Act will cut taxes for the wealthiest people in America.

We know that it will eventually eliminate the Medicaid expansion, which is responsible for ensuring millions of Americans, including nearly 80,000 people in my district alone.

We know that the GOP replacement plan shifts costs to seniors and low-income families while restricting women's access to reproductive health.

We know that it is a windfall for the healthy and wealthy and a disaster for nearly everyone else.

Now, this is what we know about the GOP healthcare plan, but perhaps more alarming is what we don't know. My Republican colleagues cannot answer the two most important questions about their proposal: How much will it cost and how many people will it cover?

Mr. Speaker, Congress should not take any further action on this bill without knowing its impact on the budget and its consequences for the American people.

I am stunned—stunned—that my Republican colleagues are planning to move forward on a plan that is, quite literally, a matter of life and death for millions of American families without knowing exactly what they are moving forward with.

Mr. Speaker, in 2009 and 2010 when Democrats held a televised healthcare summit with Republican leaders, when the Senate HELP Committee marked up the Affordable Care Act over a full month and accepted 160 Republican amendments, and when the Senate Finance Committee held 31 meetings over 60 hours, even after that process, Republicans said that Democrats rammed the healthcare bill through Congress without reading it. Now the Republican majority is moving forward with their replacement plan without knowing what it costs and what it will mean for American families.

This level of hypocrisy and recklessness is insulting to the American people, and it is dangerous for the future of our healthcare system.

There is already plenty to dislike about what we know is in this bill. Who

knows what we will find out when we uncover the rest.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 11 o'clock and 10 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. POE of Texas) at noon.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

God of the universe, we give You thanks for giving us another day.

We ask Your blessing upon this assembly and upon all who call upon Your name. Send Your spirit to fill their hearts with those divine gifts You have prepared for them.

May Your grace find expression in their compassion for the weak and the poor among us, and may Your mercy encourage good will in all they do and accomplish this day.

As the Members of the people's House face the demands of our time, grant them and us all Your peace and strength that we might act justly, love tenderly, and walk humbly with You.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from New Hampshire (Ms. KUSTER) come forward and lead the House in the Pledge of Allegiance.

Ms. KUSTER of New Hampshire led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 9, 2017.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on March 9, 2017, at 9:16 a.m.:

That the Senate agreed to without amendment H.J. Res. 58.

That the Senate agreed to S.J. Res. 1.

That the Senate passed S. 496.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

FLEXIBLE PELL GRANTS FOR 21ST CENTURY STUDENTS

(Ms. STEFANIK asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. STEFANIK. Mr. Speaker, the Pell Grant Program is the backbone of all Federal student aid. These grants provide access and opportunity to thousands of students across the country.

When I speak with North Country students and teachers in my district, I hear about the positive impacts of Pell grants. In my district, an average of 52 percent of students attending SUNY institutions are offered Pell grants.

Today's learners are different than previous generations, and their advancement toward completion is stifled by a Federal aid system built upon traditional spring and fall semesters. To support our students, I have introduced the Flexible Pell Grants for 21st Century Students Act, important legislation to expand access to Pell grants year-round. This change will allow students to accelerate toward completion and achieve their goals with less debt.

We must do more to bring flexibility to higher education, and I encourage all of my colleagues to support this important bill.

HONORING TRUCKER DUKES

(Ms. GABBARD asked and was given permission to address the House for 1 minute.)

Ms. GABBARD. Mr. Speaker, today let us honor and recognize a young Maui boy whose life touched hearts around the world and whose legacy will live on through the millions that he inspired.

Trucker Dukes was not quite 4 years old when he took his last breath this

past Friday after a painful battle with stage IV neuroblastoma and 2 years of intense treatment.

Trucker's dad is a firefighter, and like father, like son, Trucker loved fire trucks. When Trucker went to New York for treatment, the New York Fire Department coordinated a very special third birthday party celebration and swore him in as an honorary firefighter.

After Trucker passed away, his parents, Shauna and Joshua, shared this message: "If there's one thing I hope, it is that you love a little harder . . . a little better. Go home, stop the craziness in your life, and just kiss your loved ones more, tell them you love them more. None of us are promised tomorrow."

RECOGNIZING THE BEST BUDDIES FRIENDSHIP WALK IN SOUTH FLORIDA

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, since its creation in 1989, Best Buddies has grown into a leading nonprofit entity that has provided countless opportunities for people with intellectual and developmental disabilities. Through its eight programs, participants are able to learn social skills, leadership development, integrated employment, and so much more. Today, Best Buddies has a presence in all 50 States and has spread internationally across many continents.

I am also proud to say that the founder and the chairman of Best Buddies, Anthony Shriver, is a Floridian and a constituent.

This Saturday, Best Buddies will be hosting its South Florida Friendship Walk which will take place at Museum Park, located in my congressional district, and I pray for a safe and successful event.

I would like to express my tremendous appreciation to Best Buddies and the truly great people who support its cause.

HONORING THE LATE CONGRESS- MAN ENI FALEOMAVEGA

(Ms. JUDY CHU of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JUDY CHU of California. Mr. Speaker, as chair of the Congressional Asian Pacific American Caucus, or CAPAC, I rise today to honor our former colleague, the Honorable Eni Faleomavega of American Samoa, who passed away last month.

Eni was a true patriot, leader, and friend who dedicated his life to serving our country. His unwavering commitment to improving the lives of all

Americans was integrally woven into the fabric of his distinguished military and public service career.

As a founding member of CAPAC, he was also a strong champion for the Asian American, Native Hawaiian, and Pacific Islander community across the country.

Throughout his nearly three decades in Congress, he led notable efforts to secure critical funding for American Samoa and worked tirelessly to cultivate stronger U.S. relations throughout the Asia-Pacific region.

It was a privilege to work with Eni, and I will never forget his warmth and strong dedication to bettering our community and our country.

I thank Eni for his lifetime of leadership and service and send my thoughts to his family during this difficult time.

FIXING OUR BROKEN HEALTHCARE SYSTEM

(Mr. FLEISCHMANN asked and was given permission to address the House for 1 minute.)

Mr. FLEISCHMANN. Mr. Speaker, I rise today because ObamaCare has failed the American people; and one of its biggest failures is that, instead of lowering costs, healthcare prices have increased. Americans are paying more for coverage, and families are hurting.

In my State of Tennessee, premiums are rising by an average of 63 percent. Why pay so much for health insurance if you still can't afford to see a doctor? It puts us right back where we started. And no one—no one—thought the status quo before ObamaCare was good enough.

I am glad to see the American Health Care Act was released, and I look forward to working on specific legislative details with my colleagues so that we can finally fix our broken healthcare system.

THE AFFORDABLE CARE ACT

(Ms. KUSTER of New Hampshire asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. KUSTER of New Hampshire. Mr. Speaker, I rise today to express my deep concern with the proposal put forward by my Republican colleagues to repeal the Affordable Care Act.

Most Americans want to increase access to health care, lower costs, and cover more Americans; but this bill, TrumpCare, will increase costs, limit access, and cover fewer Americans.

This plan will cut Medicaid, which has helped literally tens of thousands of people in my State—in the Granite State—access health insurance for the first time.

It has increased treatment and recovery services for those struggling with substance use disorder.

We, like many States across this country, are grappling with a heroin

epidemic. People are dying in my district from heroin overdoses and the fatal synthetic fentanyl. For the first time, they have access to health care. They have access to drug treatment. They have access to recovery services. And yet this bill will pull the rug out from underneath these Granite Staters and their families.

I urge my colleagues to vote “no.”

AMERICANS HURT BY OBAMACARE

(Mr. GIBBS asked and was given permission to address the House for 1 minute.)

Mr. GIBBS. Mr. Speaker, today I rise to talk about Melanie, a constituent from Ohio's Seventh Congressional District.

Melanie and her husband are near retirement. Before ObamaCare, their monthly health insurance premiums were around \$600. ObamaCare promised them reduced insurance premiums and increased access to care.

But this promise to Melanie, like it was to millions of Americans, was broken. Melanie's premium skyrocketed to nearly \$1,000 a month for a plan with a \$5,000 deductible. Her monthly premium is now more than their mortgage.

When her husband was laid off, their options were limited: continuing coverage through COBRA or entering the ObamaCare marketplace. The ObamaCare plans were even more expensive. While Melanie's husband was looking for work, they depleted their savings trying to maintain health insurance.

Melanie is one of millions of Americans who have been hurt by ObamaCare. It has raised Melanie's premiums and deductible, and when she needed an affordable option in an emergency, it wasn't there.

ObamaCare is collapsing. It is time to repeal it and provide relief to the millions of Americans suffering because of it.

COASTAL EROSION

(Mr. KILMER asked and was given permission to address the House for 1 minute.)

Mr. KILMER. Mr. Speaker, climate change is real; and it is so real that, before Donald Trump became President, he petitioned Ireland for a permit to build a seawall for one of his greatest golf courses in the world. His permit application said rising sea levels and extreme weather conditions from climate change threatened his property.

As President, he seems to have changed his tune. In fact, a draft budget proposal from the administration zeros out investments in NOAA's Coastal Zone Management Program, zero dollars for an initiative that provides critical resources to communities

facing the same threat from rising sea levels as the President's golf courses.

You know, if it sounds like I am outraged about this, it is because I find this so outrageous. This is going to hurt people in coastal communities.

I would like to invite the President to Taholah on the Quinault Indian Reservation. Tribal elders would tell him that the ocean that was once a football field away is now their front porch and creeps closer and closer every day.

They would like a brand-new seawall, too. But, unfortunately, they aren't billionaires. They need a partner in the Federal Government to protect their homes. So do folks in Ocean Shores and Westport and Neah Bay and coastal communities throughout my State.

Before releasing his budget, I hope the President remembers that it is not just his golf course that is at risk. We are talking about people's homes and people's lives, and they deserve better than this.

OBAMACARE HURTING TEXAS FAMILIES

(Mr. CARTER of Texas asked and was given permission to address the House for 1 minute.)

Mr. CARTER of Texas. Mr. Speaker, ObamaCare is hurting Texas families, as the Speaker knows. The law has led to higher costs, fewer choices, and less access to the quality health care that is what the American people deserve.

Currently, over 70 percent of the counties nationwide have two or fewer insurers. Texas could see as much as a 48 percent rate increase in 2017. This is proof that ObamaCare is failing.

Hardworking Americans and their families have been begging for an end to the ObamaCare burden. It is up to this House to provide one.

House Republicans have forged a new path to patient-centered health care. Our plan looks out for the most vulnerable and allows for Americans to choose a plan that best suits their healthcare needs.

I am committed to repealing the broken promises of ObamaCare and replacing them with health care that works for Texas families.

□ 1215

TRUMPCARE

(Mr. JEFFRIES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JEFFRIES. Mr. Speaker, this is day 49 of the Trump administration, which has been characterized by chaos, crisis, and confusion. Donald Trump promised to bring the jobs back, but the jobs bill must be in the witness protection program because, for the life of me, I can't find it.

Instead, we get TrumpCare, a bill that would destroy health care in

America as we know it. TrumpCare will increase premiums on the American people. TrumpCare will increase copays on the American people. TrumpCare will increase deductibles on the American people. TrumpCare will increase the cost of prescription drugs on the American people. TrumpCare will reduce coverage for the American people. TrumpCare will be a disaster. And that is why House Democrats are going to do everything in our power to stop this reckless version of health care for America.

CONGRATULATIONS TO THE CHURUBUSCO HIGH SCHOOL BASKETBALL TEAM

(Mr. BANKS of Indiana asked and was given permission to address the House for 1 minute.)

Mr. BANKS of Indiana. Mr. Speaker, I rise today to recognize a historic accomplishment that took place this past Saturday night in northeast Indiana. As you may know, in Indiana, we love basketball. We affectionately refer to our passion for the game as Hoosier Hysteria.

This is a special time of the year for Hoosiers. Every year, high school teams across our State compete in the annual Indiana high school basketball tournament. For one team, this year turned into a special season. Churubusco High School, located in Whitley County, first competed in the Indiana boys high school tournament in 1981. Over the years, many great players wore the Eagles uniform, but Churubusco High School never won a sectional title until this year.

This past Saturday night the Eagles claimed the Class 2A Woodlan Sectional, winning Churubusco's first sectional championship trophy in the 99-year history of its boys basketball program. Eagle senior Luke Foote, who scored 26 points in the sectional championship game, said after the win: “It is huge for the community knowing that history was made. It means a lot to the guys that put on the jersey before us. . . .”

I congratulate the Churubusco Eagles, head coach Chris Paul, and the entire Churubusco community on this historic accomplishment. The celebration of this sectional title is truly a century in the making.

REPUBLICAN HEALTHCARE BILL

(Mr. FOSTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FOSTER. Mr. Speaker, for 7 years, Republicans have been making promises about their secret healthcare plan. They said that under their plan, nobody would have to carry health insurance if they did not want to; and then when they got sick, they could demand their health insurance with no

exclusions for preexisting conditions, no limits on coverage for expensive diseases, and that their coverage would be better and cheaper than ObamaCare for all Americans.

While they made these questionable promises, the Affordable Care Act provided more than 20 million Americans with lifesaving health care. And now, after 7 years, Republicans have finally revealed their secret plan. We now see that virtually all their promises were lies. Their plan will rapidly bankrupt Medicare, and those over 50 will see massive cost increases, and millions will lose their health care.

They did keep one promise, though. Massive new tax cuts for the wealthy. For that, millions of American families will pay a terrible price.

REPUBLICAN RESCUE MISSION

(Mr. MARSHALL asked and was given permission to address the House for 1 minute.)

Mr. MARSHALL. Mr. Speaker, as a physician, I know firsthand ObamaCare is in a death spiral. Now we are on a rescue mission. The President and our replacement bill repeals the ObamaCare mandates and taxes, but preserves three important protections:

One, we don't allow denying coverage or charging patients more with preexisting conditions.

Two, we don't allow insurers to charge women more for being women.

Three, we allow children to stay on their parents' plan until age 26.

Going forward, we bend the cost curve downward by decentralizing health care, promoting competition, and expanding HSAs. We make health care more affordable by providing tax credits, creating value pools, and more judiciously redirecting Medicaid dollars back to those who need it most: children, elderly, and those with disabilities.

BOB LEVINSON'S FAMILY DESERVES ANSWERS

(Mr. DEUTCH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DEUTCH. Mr. Speaker, today, March 9, marks 10 years since my constituent Bob Levinson disappeared in Iran. I had hoped that I would not have to come to the floor today to mark this day or to introduce another resolution on Bob. I had hoped that Bob would be home in south Florida with his wife, his seven children—one of whom is with us today—and his six grandchildren. Bob should be home in time to see his two new grandchildren born later this year.

Ten years is too long. This family deserves answers. Iran must stop playing games, promising to assist finding Bob, agreeing last year to open a new dedi-

cated channel for Bob's case, only time and time again refusing to follow through. Iran must provide meaningful information that will bring Bob home. This new administration must press Iran at every opportunity. I stand ready to work with them and with anyone who is committed to bringing Bob back home to his family where he belongs.

DRIVING DOWN HEALTHCARE COSTS

(Mr. FERGUSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FERGUSON. Mr. Speaker, I rise today in support of the American Health Care Act. For 25 years, I practiced dentistry in Georgia's Third District, and I saw firsthand a healthcare system in need of reform to reduce costs and increase access to care.

After ObamaCare was signed into law, these problems only got worse. I saw my patients, friends, and neighbors forced away from their doctors that they trusted. Instead of decreasing costs, patients saw their premiums skyrocket, their deductibles skyrocket, and their access to care limited. As a healthcare provider, I want to do what is best for my patients. I committed to them that I would come to Congress to repeal ObamaCare and undo the damage that it has done to our healthcare system.

The legislation we are currently considering in the House, the American Health Care Act, is just the first step toward keeping that promise. By passing this legislation, we begin to move the ball down the field and gain yardage rather than continuing to lose ground. This is not our only play. It is the first step in beginning to drive down costs and increasing access to care for patients.

This legislation will keep our promise to repeal ObamaCare and eliminate the government mandates that force people to purchase a product that they don't want. It will allow patients the freedom to make their own healthcare decisions and drive down their costs.

REPEALING THE ACA HURTS MY DISTRICT

(Mr. EVANS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. EVANS. Mr. Speaker, I want to share with you what repealing the Affordable Care Act means to Pennsylvania's Second Congressional District:

369,000 people who receive health care from their employers could lose consumer protections;

335,000 people with health coverage that covers preventive care services could lose their coverage;

62,000 people covered by Medicaid expansion could lose their coverage;

21,000 people who receive financial assistance will be at greater risk of not being able to afford coverage.

These are our mothers and fathers, brothers and sisters, sons and daughters, and friends and neighbors. Philadelphia deserves a healthcare law that offers quality, affordable care. We must continue to speak up and speak out against the new healthcare law that hurts so many people in our city, our State, and our Nation.

HONORING SARA WOODS

(Mr. BACON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BACON. Mr. Speaker, in honor of Women's History Month, I recognize a dedicated public servant from Nebraska. Sara Woods' contributions to our community as an educator, volunteer, and leader serve as a model for current and future generations across our Nation.

Mrs. Woods has lived a life of service and inspiration impacting the community with her dedication. Throughout her educational career, she has encouraged her students to be engaged learners. Sara was crucial in the creation of many service organizations whose purpose is to equip, train, and encourage young leaders to serve their communities. She currently serves on the boards of several nonprofits in Omaha and works to improve conditions for youth, women, and the homeless.

In recognition of her service, she received the University of Nebraska Omaha Chancellor's Award in 2005 and the YWCA Women of Distinction award in 2009.

Sara now oversees the operation of the Barbara Weitz Community Engagement Center. She was involved in the creation and development of this institute, which works to combine great ideas and organizations with the boundless energy of the University of Nebraska Omaha campus.

Mrs. Woods has helped cultivate the same passion for service in others and fostered stronger bonds within our community and beyond. We would do well to adopt her inspiring passion for public service.

HONORING VAIL TOWN MANAGER STAN ZEMLER

(Mr. POLIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POLIS. Mr. Speaker, it is with great honor that I rise before this body to recognize Mr. Stan Zemler of Vail, Colorado, who is leaving local government service after a career of over 30 years in our great State of Colorado.

Mr. Zemler served as the town of Vail's manager for the past 13 years. Before that, as the city of Boulder's acting and deputy city manager, as the Boulder Urban Renewal Authority's executive director, and as the CEO of the Boulder Chamber of Commerce, where I met Stan almost 20 years ago. What a terrific career with positive impacts on both Boulder County and Eagle County, two very important counties in my district.

Stan's leadership is about community partnering and consensus building. He really worked hard with various agencies, including Federal, State, local government, with the U.S. Forest Service, and the Department of Transportation to enhance Vail's local community, international guest services and amenities, and strengthened its economic position as a sustainable international resort.

He has been active in working with others in the I-70 Coalition and Colorado Association of Ski Towns. He has won numerous awards for his service. He will be missed in Eagle County for his service. We remember him fondly in Boulder County.

Mr. Speaker, it is with great pride that I rise to pay tribute to Stan Zemler on behalf of the residents of the Second Congressional District and myself personally. His distinguished service to the town of Vail and municipal government is an important legacy for many years to come.

HEALTH INSURANCE IN NAME ONLY

(Mr. YODER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. YODER. Mr. Speaker, I rise today to highlight a few of my constituents who are struggling under the weight of ObamaCare. Like many Americans who are self-employed, Kim and Randall are two Kansans who obtain health insurance under the Affordable Care Act's marketplace.

Kim's premiums have more than doubled from \$188 to \$392 per month; but, worse, her deductible has actually gone from about \$700 to \$6,500. Randall's premiums are even worse, coming in at around \$700 per month, with a deductible of \$6,800.

I reference these two examples because they highlight one of the primary problems of the Affordable Care Act: coverage with deductibles approaching \$7,000 really isn't coverage at all. It is health insurance in name only.

This week House Republicans have rolled out the initial draft of our plan to repeal and replace the ACA. We are doing it thoughtfully and carefully through the open committee process as we speak. The bill and summaries are available online at readthebill.gop.

Mr. Speaker, ObamaCare is collapsing. Let's work together as Democrats and Republicans to repair our broken healthcare system and truly give the American people access to affordable care.

TRUMPCARE IS A DISASTER

(Mr. TED LIEU of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TED LIEU of California. Mr. Speaker, I rise to oppose TrumpCare. This legislation is a "bigly" disaster. TrumpCare will cause Americans to pay more for less health insurance coverage. It doesn't just affect the 20 million people who are now at threat of losing their health insurance. It affects all 156 million Americans under employer-based health coverage whose premiums will now increase because of the chaos that TrumpCare is causing in the health insurance markets.

I agree with Republican Senator TOM COTTON about once every 3 years. This is one of those times. We both agree that TrumpCare is a disaster and that the House Republicans need to start over.

□ 1230

CARING FOR OUR VETS

(Mr. ARRINGTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ARRINGTON. Mr. Speaker, I am so proud and so excited and so honored to be able to serve in the United States House of Representatives and to serve on the Veterans' Affairs Committee. I did not serve in the military, but now I have the amazing blessing of serving those who did serve to protect our freedom to keep us safe.

I am filing my first piece of legislation today, and it is the Veterans, Employees and Taxpayer Protection Act of 2017. In my first hearing as chair of the Subcommittee on Economic Opportunity, I heard with great concern, and even outrage, that some employees at the VA spend 100 percent of their time on union activity. Even physicians and nurses and folks who are hired to provide health care to our veterans, 100 percent of their time on union activity.

The law says their activity and time on union activities should be reasonable and in the best interest of the public. I don't believe in west Texas, or any area around the country, that it is reasonable and in the best interest of the public to spend 100 percent of your time on union activity and not fulfilling the mission. And, in this case, it is protecting and serving and caring for our vets.

#RESISTREPEAL

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON LEE. Mr. Speaker, as we speak, 24 Members, Democrats, have been sitting with our Republican friends in Energy and Commerce for more than 24 hours, hunkered down on a bill that no one has seen, no one has read, or no one knows what it is about. Contrast that to the Affordable Care Act with over 79 hearings, over a 2-year period, hundreds and hundreds of hours of hearings, 181 witnesses from both sides of the aisle, ongoing interaction with the American people. And what did we get? Over 20 million people, lower costs in Medicare, Medicaid, and employer coverage.

What are we getting now in this document that is called a healthcare bill? Loss of coverage with 15 million Americans kicked off of health insurance, 73 million Americans may lose their health insurance, undermining employer-sponsored coverage that more than 177 million individuals would be jeopardized, no CBO assessment of what it is going to cost, how many jobs will be lost, and you will be paying more for your insurance and getting less. And the loved ones that you have in nursing homes that are dependent upon Medicaid, even though they worked, may be kicked out as we speak.

Go forward on the D.C. 24 #ResistRepeal.

CONSERVATIVE PRINCIPLES COMPEL US TO FIX HEALTH CARE

(Mr. COLLINS of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COLLINS of Georgia. Mr. Speaker, I rise today to remind us of the need to repeal ObamaCare. We have an opportunity to address the Affordable Care Act. It is real simple: by gutting it.

In northeast Georgia, I have heard again and again how my neighbors have suffered at the hands of ObamaCare. ObamaCare levied \$1 trillion in new taxes, not including the de facto taxes that came to middle class Americans in the form of increased deductible and insurance premiums.

The laws that our friends across the aisle forced on the American people while they worked in the shadows have crippled our healthcare system. The Affordable Care Act is not affordable, and it is not acceptable. Not from my neighbors and not for your loved ones, Mr. Speaker.

Democrats created a brave new world in which coverage came with no promise of quality health care, in which insurance markets continue to crumble and families watch their healthcare resources slip away.

The only way forward is to say good-bye to ObamaCare, good-bye to personal and employer mandates. Good-bye to additional and frivolous taxes. Good-bye to unnecessary spending. Good-bye to heartbreaking healthcare outcomes. Good-bye, and good riddance.

PROVIDING FOR CONSIDERATION OF H.R. 720, LAWSUIT ABUSE REDUCTION ACT OF 2017, AND PROVIDING FOR CONSIDERATION OF H.R. 985, FAIRNESS IN CLASS ACTION LITIGATION ACT OF 2017

Mr. COLLINS of Georgia. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 180 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 180

Resolved, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 720) to amend Rule 11 of the Federal Rules of Civil Procedure to improve attorney accountability, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. All points of order against provisions in the bill are waived. No amendment to the bill shall be in order except those printed in part A of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. At any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 985) to amend the procedures used in Federal court class actions and multidistrict litigation proceedings to assure fairer, more efficient outcomes for claimants and defendants, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall

not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115-5. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part B of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Georgia is recognized for 1 hour.

Mr. COLLINS of Georgia. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. COLLINS of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on House Resolution 180, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. COLLINS of Georgia. Mr. Speaker, I am pleased to bring forward this rule on behalf of the Rules Committee. The rule provides for consideration of H.R. 720, the Lawsuit Abuse Reduction Act, and H.R. 985, the Fairness in Class Action Litigation Act.

The rule provides for 1 hour of debate for each bill, equally divided between the chairman and ranking member of the Judiciary Committee. The rule also provides for a motion to recommit for both pieces of underlying legislation.

Yesterday, the Rules Committee had the opportunity to hear from Judiciary Committee Chairman BOB GOODLATTE and Congressman STEVE COHEN on behalf of the Judiciary Committee, as well as Subcommittee on Regulatory Reform, Commercial and Antitrust Law Ranking Member HANK JOHNSON.

The Rules Committee made in order 12 amendments total—four amendments to H.R. 720 and eight amendments to H.R. 985, representing ideas from both sides of the aisle.

I want to thank Chairman GOODLATTE and the Judiciary Committee staff for their work on both pieces of legislation. I am a member of the Judiciary Committee, and we had the opportunity to consider both pieces of legislation and enjoyed lively discussion at the markup for both bills.

Mr. Speaker, as you are aware, we have worked tirelessly in this House to pass litigation reforms that would promote access to the courts for all Americans and ensure that the cost of litigation isn't used as a tool to force settlements.

We have also talked about how to restore reason and remove burdens on hardworking Americans. These bills help us achieve those goals.

Both bills have enjoyed thorough discussion at both the committee level and on the floor, both in this Congress and in previous Congresses.

H.R. 720, the Lawsuit Abuse Reduction Act, was introduced by my friend from Texas, Congressman LAMAR SMITH. Similar legislation to H.R. 720 has passed the House before, and I look forward to its consideration again.

This legislation provides a balanced solution to frivolous lawsuits, based on the simple principle that if an attorney files a baseless lawsuit that has no grounding in fact or law, the attorney should have to compensate the victim of their legal action.

This legislation does not change the standard for rule 11 sanctions; it simply gives this important rule some teeth by making sanctions mandatory instead of discretionary.

Opponents will argue that this bill will stifle robust examinations of existing law by discouraging otherwise meritorious lawsuits.

To be certain, LARA does not change in any way the existing standards for determining what is and what is not a frivolous lawsuit, as determined under rule 11. In fact, LARA expressly provides that "nothing in" the changes made to rule 11 "shall be construed to bar or impede the assertion or development of new claims, defenses, or remedies under Federal, State, or local laws, including civil rights laws, or under the Constitution of the United States."

H.R. 985, the Fairness in Class Action Litigation Act, was introduced by Chairman GOODLATTE. This legislation now also includes the Furthering Asbestos Claims Transparency, or FACT,

Act, authored by Congressman FARENTHOLD from Texas.

H.R. 985 provides a targeted solution to a unique problem. At its core, the bill addresses whether the injury suffered by named plaintiffs in a class action suit accurately reflects injuries suffered by the class.

Let me be clear, again, this bill does not kill the class action. Opponents would have you believe that it does, but these claims have become a knee-jerk reaction to attempts to address clear abuses in the legal system.

We want to make the system work for victims of these abuses and of other injustices. We want to make it more difficult for anyone to take advantage of the courts and make legal recourse more accessible for those who genuinely deserve relief.

As a case in point, when Congress passed the Class Action Fairness Act, CAFA, in 2005, opponents claimed that its passage would mean the end of class action suits. Actually, it had two targeted goals: to reduce abusive forum-shopping by plaintiffs and, in certain circumstances, to require greater Federal scrutiny procedures throughout the review of class action settlements.

For example, you may remember an infamous Alabama class action involving Bank of Boston in which the attorneys' fees exceeded the relief to the class members. As a result, class members lost money paying attorneys for their legal victory.

Twelve years ago, opponents of CAFA made virtually identical arguments against that reform that they are making against H.R. 985 today. These objections are unsupported by history.

In fact, researchers at the Federal Judicial Center conducted a study on the impact of CAFA and concluded that—postenactment—there was an increase in the number of class actions filed in or removed to the Federal courts based on diversity jurisdiction, consistent with the congressional intent behind that law.

We see that necessary reforms have resulted in a class action option that is alive and well, representing an important part of our legal system. And it will remain that way. Claims to the contrary, Mr. Speaker, are just simply inaccurate.

H.R. 985 is a targeted solution that says a Federal court may not certify a proposed class unless the party seeking the class action demonstrates through admissible evidentiary proof that each proposed class member suffered an injury of the same type and extent as the injury of the named class representative or representatives.

This requirement also exists in rule 23 of the Federal Rules of Civil Procedure. Unfortunately, not all courts appropriately interpret or apply these standards.

□ 1245

To claim that this bill, which codifies existing standards, would kill class ac-

tion suits is just simply not supported by facts.

Class actions exist for a reason, a reason vindicated both by compassion and by wisdom. The class action option exists to allow a group of individuals who have been similarly harmed to join together to seek appropriate compensation for their injuries.

In today's world, we see abuse after abuse of that legitimate purpose. As a result, we have seen the rise of a class of people who may bear legitimate injuries, but we also see countless others who have suffered no injury at all yet are vying for class action spoils to which they have no right. The no-injury class actions are designed to exploit companies to achieve a quick payday through accusations that are not grounded in genuine injuries.

Class actions should be preserved as a tool for those who are harmed to plead their case and receive just compensation. H.R. 985 will allow courts to focus their resources on cases in which the people have actually suffered injuries. This helps ensure that we hold responsible parties accountable for their actions.

As I mentioned, H.R. 985 also includes the Furthering Asbestos Claims Transparency, or FACT, Act. The FACT Act is designed to reduce fraud and compensation claims for asbestos-related diseases. This is a critical step to preserving resources for true victims because, unfortunately, double-dipping has become too common in asbestos claims.

For every dollar awarded to fraudulent claims, there is \$1 less available to true victims who are facing mesothelioma or other asbestos-related illnesses. These victims are often those to whom our country owes its greatest debt: our veterans. Veterans currently comprise 9 percent of the population, yet they make up approximately 30 percent of the asbestos victims. Veterans are uniquely positioned to benefit from the increased transparency that this bill offers.

Despite the positive impact that increased transparency can have for veterans, detractors claim that the legislation will negatively impact the privacy rights of claimants. Allow me to be clear, Mr. Speaker: this is not true. The bill actually requires far less personal information from claimants than State courts currently require in their disclosure documents.

This legislation will reduce fraud in the asbestos trust system to safeguard assets in order to compensate future asbestos victims, veterans or otherwise.

Mr. Speaker, H.R. 985 and H.R. 720 will establish meaningful reforms to our litigation system. I believe the United States is the greatest country in the world, and our justice system is designed to be free and fair, yet we have seen our justice system abused by

people who seek ill gain at the expense of actual victims. These bills that today's rule provides for help us to right that wrong. They may not be perfect, but they recognize existing flaws in the system and strive to fix those flaws to better serve the American public.

With that, Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield myself such time as I may consume.

I thank my colleague and friend from Georgia for yielding time to me.

Mr. Speaker, with this package of bills, the majority is taking a sledgehammer to civil litigation. I know that my colleague and I are not going to agree with that because I listened intently to what he had to say. But it is closing courthouse doors to ordinary people who are injured in the workplace and makes it harder for working people wronged by the rich and powerful to seek justice.

First, H.R. 985 is really a solution in search of a problem. It uses the false notion of rampant fraud in the legal system to shield corporate wrongdoers and deny their victims relief.

Second, H.R. 906 has the potential to further victimize asbestos victims.

Third, H.R. 720 would roll back significant improvements to the Rules of Civil Procedure and repeat a failed experiment that led to a decade of problems in the courts. By requiring mandatory sanctions that tie judges' hands, we saw an avalanche of unnecessary litigation.

The majority is wasting time and taxpayer money to make changes that evidence and the experts tell us are not necessary and could actually cause more harm than good. It doesn't make sense.

But consider, Mr. Speaker, how the majority conducted itself on health care for a decade now. Almost immediately after President Obama signed the Affordable Care Act into law, 13 Republican State attorneys general filed a Federal lawsuit opposing health reform. That was back in 2010. Since that time, the majority has voted over and over again—more than 60 times—to undermine the ACA.

CBS News has highlighted that it costs the taxpayers an estimated \$24 million a week to run the House of Representatives. Think how many millions of dollars of legislative time the majority wasted on these votes that never had any chance of becoming law under the previous President. They wasted taxpayers' dollars and they wasted precious time. The majority spoke again and again about repeal and replace, and all the while, they didn't have a thing in the world to replace the health care with.

Former Speaker John Boehner recently made that clear, and it wasn't until this week that the majority finally let Members of Congress and the

American people see their latest effort—and it would be a catastrophe for families across the country. More and more groups and individuals are lining up against it.

People would be forced to pay more for worse coverage if they could afford any coverage at all. The bill would also defund Planned Parenthood, which more than 2.5 million people, men and women, rely on for lifesaving preventive care, like cancer screenings and STI testing, every single year.

It is truly astonishing that the majority is trying to rush through this bill without a Congressional Budget Office estimate about how much it would cost or what impact it would have on the insurance market.

Let me quote from a Washington Post story this morning written by the great Karen Tumulty:

While it is not uncommon for panels to consider legislation without the Congressional Budget Office first weighing in, veterans of the process say that doing so on bills as far-reaching as the healthcare overhaul is rare and ill-advised.

We don't have any idea how many people would gain or lose coverage without the CBO estimate, but we do know that this bill would take us back to the days before the Affordable Care Act when American people were on their own to try and get health care without any real safeguards in place at all; when families were liable to go bankrupt from heavy healthcare costs in a year's time, and the ACA protects them from that by saying that once an insured person has spent \$4,500 a year on health care, the insurance company will pay the rest, and for a family, \$12,500 to insure them. That is something so rarely talked about that is in this bill that I think is of vast importance, and we would lose that.

Billionaires would get a tax break, but working families probably couldn't afford health care.

We are rushing through this healthcare bill without a proper understanding of its cost or its impacts. The majority completely skipped the hearing process and, therefore, hasn't heard from experts or doctors or people battling an illness—except, I guess, what is going on torturing people over in the Energy and Commerce Committee where they have been there since, what, over 24 hours now.

So we were encouraged yesterday when we learned at the Rules Committee that White House Secretary Sean Spicer had said at a briefing yesterday:

Every Member of the House and the Senate will be able to have their opportunity to have amendments offered through the committee process and on the floor.

It looks like we are not going to have that opportunity. And I do not have enthusiasm for the notion that we will have an open rule since, under this Speaker we have not had any, and the

Democrats long to be able to offer some amendments to this bill. I certainly hope that that might be the case.

Now, the only way that happens is through the open rule. As I said, we haven't seen one of those in Speaker RYAN's leadership. I hope the majority follows through with the White House's promise of an open rule because, more than anything on this, the American people deserve an open and transparent process as this bill moves forward.

Mr. Speaker, I reserve the balance of my time.

Mr. COLLINS of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Sometimes it is often said that we discuss the issues that come to the floor, and there are real debates taking place across the street right now dealing with our discussions around health care. But I want to go back to actually the bills that we are dealing with in the rule and discuss the part of where do sometimes these issues come from, especially when we are discussing things like H.R. 985 and class act litigation.

This came, actually, from outside the walls here and outside into the real world where this is being practiced. One of the things that is happening is that Federal judges have been looking to Congress to reform the class action system which currently allows lawyers to fill classes with hundreds of thousands of unmeritorious claims and use the artificially inflated classes to force defendants to settle the case.

As the Supreme Court has recognized, "even a small chance of a devastating loss" inherent in most decisions to certify a class produces an "in terrorem" interim effect that often forces settlement independent of merits of the case.

Mr. Speaker, I understand that fear because what we are dealing with many times in these class actions—and I know the Speaker and others are aware—is the definition of the class that really depends on the case itself, not as much of the merits of the case because of the potential of a devastating loss. So the actual class certification becomes something that is the main driver in these cases.

Notice what Ruth Bader Ginsberg said about this. She recognized this when she said: "A court's decision to certify a class . . . places pressure on the defendant to settle even unmeritorious claims." That is pretty powerful from a Supreme Court Justice talking about these issues.

Judge Diane Wood of the Seventh Circuit Court of appeals, appointed by President Clinton back in the day, has explained that class certification "is, in effect, the whole case."

Then-Chief Judge of the Seventh Circuit Richard Posner explained that certification of a class action, even one

lacking merit, forces defendants "to stake their companies on the outcome of a single jury trial, or be forced by fear of the risk of bankruptcy to settle even if they have no legal liability."

Mr. Speaker, listen to what these judges are saying. They are saying, number one, that the class certification is the most important thing because it depends on the outcomes and forces settlements. Notice what was said here by Supreme Court Justice Ginsberg, "unmeritorious claims." Judge Diane Wood, Seventh Circuit, talked about it being "the whole case." Judge Posner says that, in actuality, they are forced to settle "even if they have no legal liability."

In another Seventh Circuit Court decision, the court wrote: "One possible solution to this problem is requiring judges to do some threshold level of review of the merits of a class action before allowing certification, that is, approval of a class . . . It is cases like the one before us that demonstrate precisely why the courts, and Congress, ought to be on the lookout for ways to correct class action abuses. Given the complexity of our legal system, it is impossible to develop perfect standards for identifying and quickly disposing of frivolous claims. Inevitably this court and other courts will be faced with the cases that waste the time and money of everybody. Beyond addressing the legal claims before us as we would in any ordinary case, we must frankly identify situations where we suspect the lawyers, rather than the claimants, are the only potential beneficiaries."

Again, not coming in a vacuum, it is coming from the courts who see this on a regular basis, from Judge Ginsberg on down, saying: This is the whole deal. This is why we do these things.

Mr. Speaker, this is something that does need to be taken up. It is something that we are proud to bring to the floor. In doing so, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield myself such time as I may consume.

If we defeat the previous question, I will offer an amendment to the rule that would require a CBO cost estimate to be made publicly available for any legislation that amends or repeals the Affordable Care Act which may be considered in the Energy and Commerce or Ways and Means Committees or on the House floor.

The Committees on Ways and Means and Energy and Commerce are marking up repeal legislation today. Legislation this significant should not advance through the committee process, let alone the House, without first hearing from our nonpartisan budget experts at CBO on what the cost and overall impact would be.

Mr. Speaker, one of the most enduring symbols of fairness is Lady Justice, who is depicted holding the Scales of

Justice that represent fairness in our courts. That central idea is embodied in the fact that justice in the United States of America is supposed to be delivered fairly, without any bias toward wealth or privilege.

It is no secret that sometimes we do struggle to live up to that ideal. We have seen evidence of that far too often recently. But, Mr. Speaker, this Chamber shouldn't be actively working to tilt those scales toward the rich and the powerful, but that is what this legislation would do. Considering these bills wastes their money and fritters away the time we should be spending addressing our crumbling infrastructure and the skyrocketing cost of education.

And, Mr. Speaker, today we got from the American Society of Civil Engineers the new grades on our infrastructure. This year we get a D minus, and we should certainly do better than that.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment into the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

The SPEAKER pro tempore (Mr. ROGERS of Kentucky). Is there objection to the request of the gentlewoman from New York?

There was no objection.

Ms. SLAUGHTER. Mr. Speaker, I yield back the balance of my time.

□ 1300

Mr. COLLINS of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I think what we are hearing today—and I think what we are going through in the process—is issues of real change, issues of discussions that have been going on in our country for really now almost 8 years. It has been 7 years since the Affordable Care Act, ObamaCare, was passed.

We are seeing the changes that have taken place, Mr. Speaker, from your time here and my time here on really dealing with the American people and dealing with the substances of what their concerns and fears are. The things that I have come before this body and debated many times were what does the view look like from outside of this Chamber.

Inside this Chamber, we have raucous debates. We have discussions on things. And at the end of the day, I believe sometimes, Mr. Speaker, those sitting at home say: Does anybody listen to me? Does anybody hear my call?

Over the past few years, we have seen through election results and we have seen through times of change here in this body that the Affordable Care Act is nothing like affordable. In fact, as many have described it, it has been in a death spiral. We are beginning to work on that.

Now, I understand how that can make the other side, the ones who gave

us the Affordable Care Act, ObamaCare, not want to see that changed. I can appreciate that.

Reality must set in at some point, and reality says that to defend something that is failing is asking for a status quo that hurts people. Now, I believe my friends across the aisle don't want to do that, but that is what they are doing, holding onto a legacy that is only a legacy for many of heartbreak and problems.

Did it help in some ways? Are we finding some? Did we address issues over the past few years and begin the discussion of preexisting conditions, keeping our children on until 26, and removing caps? Those were all discussed and could have been handled in many different ways besides the government takeover of health care.

Instead, we chose to use an ideological position to begin the process of moving forward, and moving forward in which government will put its fingers on the scale and government will begin to say what is right and what is wrong. What we found in the whole process was our individual mark is destroyed.

I have had some of my colleagues actually say: Let's just start over and go back to the way it was. That would be nice, except that land doesn't exist anymore.

Even if you wanted to—and I don't think we need to—we need to move forward with free-market solutions that put access to affordable health care for all Americans on the table, so that we can actually bend the cost curve so that we can actually work to help people. That is what we are working on. We are going to continue to work on making a smooth transition from the disaster that many of us have seen over the past few years. When we do that, change will come, and change is hard.

My folks back home are looking for change that helps, by Brittany Ivey, who joined me here for the joint session just a few weeks ago, who had employer-based health coverage with her family taken. She had to make choices about healthcare coverage and staying home. These choices make families' decisions harder because they would rather make the decision to stay with family, but are having to work because health care became unaffordable. It is these kind of choices that we are laying out for the American people to listen and to say: What do we need to do and how do we need to go forward?

So when we look ahead, we take issues of health care seriously. The gentlewoman from New York (Ms. SLAUGHTER) is a friend. She states her position eloquently. It is always good to be on the floor with her. We disagree, and this is the place for this disagreement. This is a time in which we share; this is a time in which we come together. And what the Republican majority will do, Mr. Speaker, is keep its promises.

Now, I have had a moment of sharing what we are doing in health care, but also let's get back to why we are here, for the rule. The rule deals with abuses in the system; it deals with fairness.

Mr. Speaker, today we are discussing reforms to our litigation system that increase fairness, balance, and transparency. These principles are part of our larger goals as House Republicans to create a system that works better for the American people and restores accountability to the system.

We agree that there are legitimate lawsuits and legitimate class action suits. No one is arguing against that. In fact, I firmly believe that Americans should have access to a robust legal system that protects them.

We encounter a problem, however, when frivolous lawsuits are lobbed against small businesses and employers in attempts to profit without warrant and at the expense of jobs.

The bills provided for by the underlying rule help us address this challenge and to ensure that the litigation system functions as intended, rather than being manipulated to improperly target individuals or entities for profit.

The rule itself provides for robust debate on the legislation and amendments from both sides of the aisle.

I would encourage my colleagues to look favorably on these bills as a step toward reining in unnecessary and burdensome litigation and making the legal system work better to address true grievances and harms.

Mr. Speaker, that last statement probably sums up what we need to be about here. Let's look at the truth. Let's help people. Let's remember why we are here and, that is, those who sent us.

The material previously referred to by Ms. SLAUGHTER is as follows:

AN AMENDMENT TO H. RES. 180 OFFERED BY
MS. SLAUGHTER

At the end of the resolution, add the following new section:

SEC. 3. In rule XXI add the following new clause:

13. (a) It shall not be in order to consider a measure or matter proposing to repeal or amend the Patient Protection and Affordable Care Act (PL 111-148) and the Health Care and Education Affordability Reconciliation Act of 2010 (PL 111-152), or part thereof, in the House, in the Committee of the Whole House on the state of the Union, or in the Committees on Energy and Commerce and Ways and Means, unless an easily searchable electronic estimate and comparison prepared by the Director of the Congressional Budget Office is made available on a publicly available website of the House.

(b) It shall not be in order to consider a rule or order that waives the application of paragraph (a).

THE VOTE ON THE PREVIOUS QUESTION: WHAT
IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and

a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. COLLINS of Georgia. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. SLAUGHTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 1 o'clock and 6 minutes p.m.), the House stood in recess.

□ 1416

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. ALLEN) at 2 o'clock and 16 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Ordering the previous question on House Resolution 180; and

Adopting House Resolution 180, if ordered.

The first electronic vote will be conducted as a 15-minute vote. The second electronic vote will be conducted as a 5-minute vote.

PROVIDING FOR CONSIDERATION OF H.R. 720, LAWSUIT ABUSE REDUCTION ACT OF 2017, AND PROVIDING FOR CONSIDERATION OF H.R. 985, FAIRNESS IN CLASS ACTION LITIGATION ACT OF 2017

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 180) providing for consideration of the bill (H.R. 720) to amend Rule 11 of the Federal Rules of Civil Procedure to improve attorney accountability, and for other purposes, and providing for consideration of the bill (H.R. 985) to amend the procedures used in Federal court class actions and multidistrict litigation proceedings to assure fairer, more efficient outcomes for claimants and defendants, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The vote was taken by electronic device, and there were—yeas 233, nays 186, not voting 10, as follows:

[Roll No. 138]

YEAS—233

Abraham	Goodlatte	Palmer
Aderholt	Gowdy	Paulsen
Allen	Granger	Pearce
Amash	Graves (GA)	Perry
Amodei	Graves (LA)	Pittenger
Arrington	Graves (MO)	Poe (TX)
Babin	Griffith	Poliquin
Bacon	Grothman	Posey
Banks (IN)	Guthrie	Ratcliffe
Barletta	Harper	Reed
Barr	Harris	Reichert
Barton	Hartzler	Renacci
Bergman	Hensarling	Rice (SC)
Biggs	Herrera Beutler	Roby
Billirakis	Hice, Jody B.	Roe (TN)
Bishop (MI)	Higgins (LA)	Rogers (AL)
Bishop (UT)	Hill	Rogers (KY)
Black	Holding	Rohrabacher
Blackburn	Hollingsworth	Rokita
Blum	Hudson	Rooney, Francis
Bost	Huizenga	Rooney, Thomas
Brady (TX)	Hultgren	J.
Brat	Hunter	Ros-Lehtinen
Bridenstine	Hurd	Roskam
Brooks (AL)	Issa	Ross
Brooks (IN)	Jenkins (KS)	Rothfus
Buchanan	Jenkins (WV)	Rouzer
Buck	Johnson (LA)	Royce (CA)
Bucshon	Johnson (OH)	Russell
Budd	Johnson, Sam	Rutherford
Burgess	Jones	Sanford
Byrne	Joyce (OH)	Scalise
Calvert	Katko	Schweikert
Carter (GA)	Kelly (MS)	Scott, Austin
Carter (TX)	Kelly (PA)	Sensenbrenner
Chabot	King (IA)	Sessions
Chaffetz	King (NY)	Shimkus
Cheney	Kinzing	Shuster
Coffman	Knight	Simpson
Cole	Kustoff (TN)	Smith (MO)
Collins (GA)	Labrador	Smith (NE)
Collins (NY)	LaHood	Smith (NJ)
Comer	LaMalfa	Smith (TX)
Comstock	Lamborn	Smucker
Conaway	Lance	Stefanik
Cook	Latta	Stewart
Costello (PA)	Lewis (MN)	Stivers
Cramer	LoBiondo	Taylor
Crawford	Long	Tenney
Culberson	Loudermilk	Thompson (PA)
Curbelo (FL)	Love	Thornberry
Davidson	Lucas	Tiberi
Davis, Rodney	Luetkemeyer	Tipton
Denham	MacArthur	Trott
Dent	Marchant	Turner
DeSantis	Marino	Upton
DesJarlais	Marshall	Valadao
Diaz-Balart	Massie	Wagner
Donovan	Mast	Walberg
Duffy	McCarthy	Walden
Duncan (SC)	McCaul	Walker
Duncan (TN)	McClintock	Walorski
Dunn	McHenry	Walters, Mimi
Emmer	McKinley	Weber (TX)
Farenthold	McMorris	Webster (FL)
Faso	Rodgers	Wenstrup
Ferguson	McSally	Westerman
Fitzpatrick	Meehan	Williams
Fleischmann	Messer	Wilson (SC)
Flores	Mitchell	Wittman
Fortenberry	Moolenaar	Womack
Fox	Mooney (WV)	Woodall
Franks (AZ)	Mullin	Yoder
Frelinghuysen	Murphy (PA)	Yoho
Gaetz	Newhouse	Young (AK)
Gallagher	Noem	Young (IA)
Garrett	Nunes	Zeldin
Gibbs	Olson	
Gohmert	Palazzo	

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Adams	Boyle, Brendan	Cartwright
Aguilar	F.	Castor (FL)
Barragán	Brady (PA)	Castro (TX)
Bass	Brown (MD)	Chu, Judy
Beatty	Brownley (CA)	Cicilline
Bera	Bustos	Clark (MA)
Beyer	Butterfield	Clarke (NY)
Bishop (GA)	Capuano	Clay
Blumenauer	Carbajal	Cleaver
Blunt Rochester	Cárdenas	Clyburn
Bonamici	Carson (IN)	Cohen

Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
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Scott (VA)
Scott, David
Serrano
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Sherman
Sires
Slaughter
Smith (WA)
Soto
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Suozi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

A message from the Senate by Ms. Byrd, one of its clerks, announced that the Senate has agreed to without amendment a joint resolution of the House of the following title:

H.J. Res. 57. Joint Resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Education relating to accountability and State plans under the Elementary and Secondary Education Act of 1965.

INNOCENT PARTY PROTECTION ACT

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 725.

The SPEAKER pro tempore (Mr. EMMER). Is there objection to the request of the gentleman from Virginia?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 175 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 725.

The Chair appoints the gentleman from Georgia (Mr. JODY B. HICE) to preside over the Committee of the Whole.

□ 1455

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 725) to amend title 28, United States Code, to prevent fraudulent joinder, with Mr. JODY B. HICE of Georgia in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Maryland (Mr. RASKIN) each will control 30 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. GOODLATTE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, hardworking Americans are some of the leading victims of frivolous lawsuits and the extraordinary costs that our legal system imposes.

Every day, local businessowners routinely have lawsuits filed against them based on claims that have no substantive connection to them as a means of forum shopping on the part of the lawyers filing the case. These lawsuits present a tremendous burden on small businesses and their employees.

The Innocent Party Protection Act, introduced by Judiciary Committee member Mr. BUCK of Colorado, will help reduce the litigation abuse that regularly drags small businesses into court for no other reason than as part of a lawyer's forum shopping strategy.

In order to avoid the jurisdiction of the Federal courts, plaintiffs' attorneys regularly join instate defendants to the lawsuits they file in State court

even if the instate defendants' connections to the controversy are minimal or nonexistent.

Typically the innocent but fraudulently joined instate defendant is a small business or the owner or employee of a small business. Even though these innocent instate defendants ultimately don't face any liability as a result of being named as a defendant, they, nevertheless, have to spend money to hire a lawyer and take valuable time away from running their businesses or spending time with their families to deal with matters related to a lawsuit to which they have no real connection.

To take just a few examples, in *Bendy v. C.B. Fleet Company*, the plaintiff brought a product liability claim against a national company for its allegedly defective medicinal drink. The plaintiff also joined a resident local defendant health clinic alleging it negligently instructed the plaintiff to ingest the drink.

The national company removed the case to Federal court and argued that the small, local defendant was fraudulently joined because the plaintiff's claims against the clinic were time barred by the statute of limitations, showing no possibility of recovery.

Despite finding the possibility of relief against the local defendant "remote," the court remanded the case after emphasizing the draconian burden on the national company to show fraudulent joinder under the current rules.

The court practically apologized publicly to the joined party stating: "The fact that Maryland courts are likely to dismiss Bendy's claims against the local defendant is not sufficient for jurisdiction, given the Fourth Circuit's strict standard for fraudulent joinder."

Shortly after remand, all claims against the local defendant were dismissed, of course, after its presence in the lawsuit served the trial lawyers' tactical purpose of forum shopping. When courts themselves complain about the unfairness of current court rules, Congress should take notice.

In *Baumeister v. Home Depot*, Home Depot removed a slip-and-fall case to Federal court. The day after removal and before conducting any discovery, the plaintiff amended the complaint to name a local business, which it alleged failed to maintain the store's parking lot.

The court found the timing of the amended complaint was "suspect," noting the possibility that the sole reason for amending the complaint to add the local defendant as a defendant could have been to defeat diversity jurisdiction.

□ 1500

Nevertheless, the court held Home Depot had not met its "heavy burden" of showing fraudulent joinder under

current law because the court found it was possible, even if it were just a tenth of a percent possible, that the newly added defendant could potentially be held liable and remanded the case back to State court. Once back in State court, the plaintiff stipulated to dismiss the innocent local defendant from the lawsuit, but only after it had been used successfully as a forum-shopping pawn.

Trial lawyers join these unconnected instate defendants to their lawsuits because today a case can be kept in State court by simply joining as a defendant a local party that shares the same local residence as the person bringing the lawsuit. When the primary defendant moves to remove the case to Federal court, the addition of that local defendant will generally defeat removal under a variety of approaches judges currently take to determine whether the joined defendant prevents removal to Federal court.

One approach judges take is to require a showing that there is "no possibility of recovery" against the local defendant before a case can be removed to Federal court or some practically equivalent standard. Others require the judge to resolve any doubts regarding removal in favor of the person bringing the lawsuit. Still others require the judge to find that the local defendant was added in bad faith before they allow the case to be removed to Federal court.

The current law is so unfairly heavy-handed against innocent local parties joined to lawsuits that Federal Appeals Court Judge J. Harvie Wilkinson of the Fourth Circuit Court of Appeals has publicly supported congressional action to change the standards for joinder, saying: "That's exactly the kind of approach to Federal jurisdiction reform I like because it's targeted. And there is a problem with fraudulent jurisdiction law as it exists today, I think, and that is that you have to establish that the joinder of a nondiverse defendant is totally ridiculous and that there is no possibility of ever recovering . . . that's very hard to do," he says. "So I think making the fraudulent joinder law a little bit more realistic . . . appeals to me because it seems to me the kind of intermediate step that addresses real problems."

The bill before us today addresses those real problems in two main ways:

First, the bill allows judges greater discretion to free an innocent local party from a case where the judge finds there is no plausible case against that party. That plausibility standard is the same standard the Supreme Court has said should be used to dismiss pleadings for failing to state a valid legal claim, and the same standard should apply to release innocent parties from lawsuits.

Second, the bill allows judges to look at evidence that the trial lawyers

aren't acting in good faith in adding local defendants. This is a standard some lower courts already use to determine whether a trial lawyer really intends to pursue claims against the local defendant or is just using them as part of their forum-shopping strategy.

This bill is strongly supported by the National Federation of Independent Business and the U.S. Chamber of Commerce, among other legal reform advocates. Please join me in supporting this vital legislation to reduce litigation abuse and forum shopping and to protect innocent parties from costly, extended, and unnecessary litigation.

I reserve the balance of my time.

Mr. RASKIN. Mr. Chairman, I yield myself as much time as I may consume.

Mr. Chairman, we have seen a number of bills this session which are designed to shut the door on victims of corporate misfeasance and negligence and to nail the door shut. H.R. 725 is part of this wave of legislation.

Like most other bills we have seen this session with brazenly Orwellian titles, the so-called Innocent Party Protection Act of 2017 has nothing to do with protecting innocent parties. Rather, it is just the latest attempt to tilt the civil justice system dramatically in favor of big corporate defendants by making it much more difficult for plaintiffs to pursue State law claims in State courts under the system of federalism designed by our Founders.

Again, this is a familiar experience because the bill addresses a completely nonexistent problem. If there had been a real problem, the Judiciary Committee might have held a hearing in which we could have invited groups to come forward who support tort victims. They could have come and testified about why it was so important for the interests of civil justice for us to pass this legislation.

But there was no hearing at all. We didn't hear any witnesses, much less the testimony of those groups that represent victims of mass toxic torts, asbestos poisoning, lead poisoning, sex discrimination lawsuits—none of it.

In fact, the groups that we would have called, if we were interested in the testimony of victims and people seeking civil justice, oppose this legislation overwhelmingly: the Alliance for Justice opposes it; the Center for Justice and Democracy opposes it; the Consumer Federation of America opposes it; the National Association of Consumer Advocates opposes it; the National Consumer Law Center opposes it; the Natural Resources Defense Council opposes it; Public Citizen opposes it; the Sierra Club opposes it.

Under current law, a defendant may remove a case, alleging State law claims, to a Federal court only if there is complete diversity of citizenship between all plaintiffs and all defendants. If the plaintiff adds an in-state defend-

ant to the case solely for the purpose of defeating jurisdiction, this constitutes fraudulent joinder today; and in such circumstances, the case may be removed directly to Federal court.

In determining whether a joinder was fraudulent, the court considers only whether there was any basis for a claim against the nondiverse defendant. The defendant must show that there was no possibility of recovery or no reasonable basis for adding the nondiverse defendant to the suit.

This very high standard has guided our Federal courts for more than a century and it has functioned well, and the bill's proponents offer no objective evidence to the contrary. And again, we have had no hearing. For a new Member of Congress like me, who comes from the Maryland State Senate, I am absolutely astonished and amazed that we would think of overturning a standard fixture in our civil justice system without so much as a hearing as to what the problem is.

H.R. 725 would replace a time-honored standard with an ambiguous one that would dramatically increase the costs and burdens of litigation on plaintiffs in Federal courts. It would try to strip our State courts of their basic powers to hear cases relating to their citizens. This is an assault on federalism.

The measure would require a court to deny a motion remanding to the State courts unless the court finds, one, that it is "plausible to conclude that applicable State law would impose liability" on an in-state defendant; two, that the plaintiff had a "good faith intention to prosecute the action against each" in-state defendant or to seek a joint judgment; and three, that there was no "actual fraud in the pleading of jurisdictional facts."

This gauntlet of hurdles suddenly shifts the burden and creates a presumption that a Federal court should hear the case, making it far more expensive and difficult for plaintiffs to have their cases heard in State court.

H.R. 725 would effectively overturn the local defendant exception, which prohibits removal to Federal court even if complete diversity of citizenship exists when the defendant is a citizen of the State where the suit was filed.

The bill's radical changes to longstanding jurisdictional practice reveal the authentic purpose behind the measure. It is simply intended to stifle the ability of plaintiffs to have their choice of forum and, possibly, even their day in court.

In addition, H.R. 725 would sharply increase the cost of litigation for plaintiffs and further burden the Federal court system. For example, the meanings of terms like "plausible" and "good faith intention" are ambiguous and will spawn substantial litigation over their proper interpretation and

application, further postponing decisions and justice.

Additionally, these standards would require a court to engage in a mini-trial during the early procedural stages of the case without any opportunity for the full development of evidence. Again, this would sharply increase the burdens and costs of litigation for ordinary citizens, for plaintiffs, which appears to be, to my mind, the only possible contemplated result of this legislation.

Finally, we need to focus on the fact that this bill offered by the majority raises profound federalism concerns, which I would have hoped they would be attentive to. Matters of State law should be decided by State courts, subject to certain exceptions as set forth in the Constitution.

It was our constitutional design that matters of civil dispute and conflict go to State courts, State judges, and State juries, all of them closer to the people themselves, unless you have a Federal question, a matter of Federal statutory law, a matter of Federal constitutional law, or you have got diversity jurisdiction.

H.R. 725 bulldozes this key federalism constraint and casts a shadow, unnecessarily and improperly, over State courts, the courts of the people. By applying sweeping and vaguely worded new standards to the determination of when a State case must be remanded to State court, the bill denies State courts the ability to decide and, ultimately, to shape the unfolding of State law. This is completely contrary to the design of the Founders, many of them Virginians, like Thomas Jefferson and James Madison and George Mason, who wanted the State courts to be the central arena for the resolution of civil conflicts and tort disputes.

Simply put, H.R. 725 tramples State sovereignty and our basic constitutional structure. For these reasons and for the fact that nobody has demonstrated there is a real problem, I urge the House to resist this unnecessary and flawed legislation, and I reserve the balance of my time.

Mr. FARENTHOLD. Mr. Chairman, I yield myself such time as I may consume.

Since this bill was marked up in the last Congress, the very same plausibility standard used in this bill was adopted by the Federal Circuit Court of Appeals in which fraudulent joinder cases arise with the greatest frequency.

Last Congress, Ranking Member CONYERS said of the bill, it should simply pick one of the existing articulations in the fraudulent joinder standard and codify that into law. At the time, the plausibility approach was applied by some district courts, but just last year, the Fifth Circuit Court of Appeals adopted the same plausibility standard this bill contains in a case called *International Energy*.

The Fifth Circuit stated: We must consider whether the plaintiff pleaded “enough facts to state a claim to relieve that is plausible on its face.” The plaintiff in that case petitioned for rehearing en banc, but the rehearing was denied, with not a single judge on the Fifth Circuit requesting a vote.

In just the last year, district courts in the Fifth Circuit have issued more than 40 fraudulent joinder decisions without much difficulty and with the results that indicate just the sort of reasonable reform that would occur nationwide when we get this bill passed into law.

So this is about making the system work and opening the door to the Federal courts so companies from foreign states are not unfairly, potentially disadvantaged.

The other piece of this that is easy to neglect is the local defendant. I don’t know if the gentleman across the aisle has ever been sued. I have friends who have been sued. It is an emotionally and financially devastating procedure. You have got to take time off from your life and business to defend it. You have got to hire a lawyer, which is incredibly expensive. This is to protect the innocent third parties and open the doors to the Federal courts and just make it fairer and easier.

Mr. Chairman, I reserve the balance of my time.

Mr. RASKIN. Mr. Chairman, I yield myself such time as I may consume.

I very much appreciate my colleague’s remarks there. I want to make one point before I yield to my distinguished colleague from New York.

Mr. Chairman, my colleague asked us to reckon with the fact that it is emotionally devastating for people to be sued, and, undoubtedly, it is in certain cases. But compare whatever it might feel like to be sued in whatever case he might have in mind with the outrageous emotional devastation caused by asbestos poisoning, by lead poisoning, by mass sexual harassment, sex discrimination, race discrimination, all of the torts that come to dominate what takes place in our courts. So if we are going to have a new emotional devastation standard, I would put the plaintiffs up against the large corporate defendants any day.

Mr. Chairman, I yield 3 minutes to my distinguished colleague from New York (Mr. NADLER).

Mr. NADLER. Mr. Chairman, I rise in opposition to H.R. 725, the misnamed Innocent Party Protection Act. The main purpose of this bill is to make it easier to remove State cases to Federal courts, where large corporate defendants have numerous advantages over consumers and injured workers.

□ 1515

Let’s not talk about the emotional devastation. We are talking about large, corporate defendants. We are not

worried about their emotions. Their litigation departments are quite capable of handling the emotions.

This bill will clog the Federal courts, drain judicial resources, upset well-established law, and delay justice for plaintiffs seeking to hold businesses accountable for the injuries they cause. It is yet another attempt by the Republican majority to stack the deck in favor of large corporations.

This bill is the opening salvo of this week’s series of bills by the Republicans to close off access to the courts to ordinary Americans. With every step they take, whether it be to remove more State cases to Federal courts, to make class action suits more difficult to bring, or to reclassify more lawsuits as frivolous and subject to mandatory sanctions, they are limiting access to court help for ordinary Americans.

The so-called Innocent Party Protection Act would upend the century-old doctrine of fraudulent joinder, in which a defendant from the same State as the plaintiff is improperly added to a case in order to defeat diversity jurisdiction in Federal court, and, therefore, keep the case in a State court. Under current law, a defendant claiming fraudulent rejoinder has the burden of showing that there is “no reasonable basis” for a claim against the instate defendant, and, therefore, the case should remain in Federal court.

This bill would turn that process on its head by placing the burden on the plaintiff to show that there is a “plausible” claim against the instate defendant and that the plaintiff has a “good faith intention” to pursue a claim against that defendant. Both standards are undefined in the bill, but it is likely that many plaintiffs would find these hurdles impossible to overcome at the initial stages of litigation before discovery.

Furthermore, defendants will use this forum shopping bill to delay justice by routinely challenging jurisdiction. It will drain court time and allow corporate defendants to force plaintiffs to expend their limited resources on what should be a simple procedural matter. Under this bill, the preliminary determination of jurisdiction would become a baseless, time-consuming mini-trial before a second time-consuming trial on the merits. While large corporations could easily accommodate such costs, injured workers, consumers, and patients cannot.

The practical effect of this bill is to force cases based on State law, which should properly be heard in State courts, to be considered in our overburdened Federal courts instead. Large corporations generally believe that Federal courts are a friendlier forum, especially since they are overburdened and they can afford to wait whereas the plaintiffs cannot, and they believe that they have a better chance of escaping liability for their actions in the Federal court.

There is no evidence of a systemic crisis of fraudulent joinder, nor is there evidence that the courts cannot properly handle whatever issues may arise under current law. There is certainly no evidence that what wealthy corporations need are greater advantages in the courts. Yet, this bill hands them yet another gift from the Republican majority, and it is ordinary consumers and injured workers who will suffer.

Mr. Chairman, I urge a “no” vote on this legislation.

Mr. FARENTHOLD. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this bill is not about protecting big corporations. This bill is about protecting the small-business owner or the employee who is fraudulently joined into a case who has to go out and hire his or her own lawyer.

I remember something my law school professor once told me back in the day at St. Mary’s University School of Law in San Antonio, Texas, and it stuck in my mind ever since: When you get sued, you may be able to beat the rap, but you can’t beat the ride.

It is expensive, it is emotionally draining, and it is time consuming.

I have no problem at all, and this bill is not designed to protect corporations. It is designed to protect, just as its name states, innocent parties. These are people who are joined solely to defeat diversity jurisdiction. We are just changing the standard slightly to one adopted by the Fifth Circuit Court of Appeals to make it much more fair to these innocent parties.

Mr. Chairman, I reserve the balance of my time.

Mr. RASKIN. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Georgia (Mr. JOHNSON).

Mr. JOHNSON of Georgia. Mr. Chairman, I thank the gentleman from Maryland for yielding me the time.

Mr. Chairman, I rise in opposition to H.R. 725, the so-called Innocent Party Protection Act of 2017. This cynically misnamed bill is a Republican Party effort to coddle and protect their corporate wrongdoing supporters by making it harder for injured victims to sue the corporation in State court. A more accurate name for the Innocent Party Protection Act actually would be the Corporate Wrongdoer Protection Act.

Make no mistake about it, Mr. Chairman, this bill is my Republican friends’ attempt to—it is clear whom they are working for. They refer to corporate wrongdoers as innocent parties. If some day you or your loved one are injured or harmed due to the negligence or intentional act of others, you have the option to sue in State or Federal court based on the residence of the wrongdoers. However, if your case should be removed to Federal court upon a motion by one of the defendants, as a plaintiff, there are grounds upon which you could have the case remanded back to the State court.

Republicans want to call this fraudulent joinder. However, a decision to sue all of the wrongdoers in your State court is not fraud. Instead, it is a legal practice dating back over 100 years which provides balance and prevents more powerful interests from choosing which court the case can be heard. They want to stack the deck.

For example, if it was your grandmother who was physically neglected or sexually assaulted at a nursing home, you would not only seek criminal charges against the wrongdoer, but you would want to file a lawsuit against both the individual attacker and the company that negligently hired, trained, or failed to adequately supervise the perpetrator under their employ.

By the way, it is becoming increasingly common for nursing homes to be owned by large conglomerates or out-of-State hedge funds. Under current law, you have the right to sue in State court, but rather than going all the way to Federal court in the State the corporation is based, you have the option to stay near your home in State court. H.R. 725 would do away with that option by giving the corporate wrongdoer the ability to keep the case in Federal court, thus unfairly increasing the burden on innocent victims and making it less likely for the smaller party to sue in the first place.

Mr. Chairman, I ask my colleagues to oppose this bill.

Mr. FARENTHOLD. Mr. Chairman, in the gentleman from Georgia's example, this bill wouldn't apply at all. If my grandmother were assaulted in a nursing home, I would certainly sue the nursing home company. I would also join the person who actually did it who most likely definitely will be a resident of the State that the lawsuit was going in. There would clearly be a plausible cause of action against that tortfeasor.

Mr. Chairman, I didn't practice personal injury law. I was an agriculture lawyer. But this would be an easy case for me to prove in his example. We are not trying to protect anybody who has done something wrong. We are trying to protect people who are joined into a lawsuit solely for the purpose of forum shopping.

Mr. Chairman, I reserve the balance of my time.

Mr. RASKIN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I think that we are actually progressing in our discussion of the issue because we presently have a law against fraudulent joinder. They simply want to make it far more difficult for plaintiffs to get justice in State courts. The law already makes it impossible to fraudulently join someone.

So in the case offered by the distinguished gentleman from Georgia, I could very much see an out-of-State

corporate behemoth that owns nursing homes across the country saying that all of this should be in Federal court because the person who actually committed the sexual assault instate is judgment-proof because they don't have any money and that is not really a plausible opportunity to recover, and, therefore, it should stay in Federal court.

The grand irony here, Mr. Chairman, is that the party which sings lullabies about federalism and states' rights is in the business of stripping our State courts and our people of the opportunity to get into State court. All of this is about forcing everybody into Federal court. I remember a President who recently said in his inaugural address that the whole sum and substance of his administration is to give power back to the States and back to the people, but this legislation is designed to wreck federalism and to force everybody into Federal court where the big corporate defendants and the fancy lawyers have every conceivable advantage over people who are just trying to get justice when they have been injured in their State.

Mr. Chairman, the substantive issues at stake here are obviously complex, and I would invite all Americans to try to research what is going on. But if you don't have the time to actually study the more than a century in which we have had current fraudulent joinder rules and you don't have time to go and examine the bill as submitted by the majority, then just consider the procedure that has gotten us to this point.

There has been no hearing on this bill, there has been no call for this bill by anybody who has been injured in a civil tort case, and all of the groups that try to stand up for citizens against the largest corporations who are bankrolled by billions of dollars and are trying to force everybody these days into arbitration and to shut the courthouse door, all of those groups are opposed to the legislation because they understand what it is going to do.

It is going to make it far more difficult for people to prosecute civil claims when they have been injured in something like a sexual harassment case, a sexual violence case, a discrimination case, an asbestos poisoning case, or a mass toxic tort. It is going to be far more difficult for people to get justice in their State courts.

Apparently, the interests of the large corporate polluters and inflictors of injuries—tortfeasors—are so important that we are willing to trample the basic principles of our constitutional design which is that these kinds of cases go into State court for State resolution, we reserve the Federal courts for complicated questions of Federal law and real cases of diversity jurisdiction, not phony cases of diversity jurisdiction where they try to eliminate the

instate defendant, but real cases of diversity jurisdiction where nobody else is involved.

Mr. Chairman, I yield back the balance of my time.

Mr. FARENTHOLD. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, this really is about trying to stop bringing phony cases in. You are bringing phony defendants in, and that is what we are trying to stop. We have got to be fair about this.

It is not often that we have the opportunity to protect innocent local folks and businesses from costly and meritless lawsuits. This is an opportunity to rein in forum shopping and abuses by trial lawyers and hold them to a good faith standard in litigation. We can do that by passing a bill that is just a few pages long. That is the opportunity we have today.

All this bill does—all this bill does—is say that innocent, local parties—mostly small businesses—can't be added to a lawsuit for forum shopping purposes, and it only prohibits this when there is no plausible case against these small businesses or the case against them isn't brought in good faith.

Who could argue with that?

Mr. Chairman, for that reason, I urge all my colleagues to support this legislation, and I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Chair, I rise in strong opposition to H.R. 725, the Innocent Party Protection Act of 2017.

H.R. 725 is the latest Republican effort to deny plaintiffs access to the forum of their choice and, possibly, to their day in court.

H.R. 725 seeks to overturn longstanding precedent in favor of a vague and unnecessary test that forces state cases into federal court when they do not belong there, and gives large corporate defendants an unfair advantage to cherry-pick their forum without the normal burden of proving proper jurisdiction.

This bill would upend long established law in the area of federal court jurisdiction, specifically addressing the supposed overuse of fraudulent joinder to defeat complete diversity jurisdiction in a case.

It was previously known as the Fraudulent Joinder Prevention Act; however, this bill is not about fraud.

It is a corporate forum-shopping bill that would allow corporations to move cases properly brought in state courts into federal courts.

If enacted this bill would tip the scales of justice in favor of corporate defendants and make it more difficult for injured plaintiffs to bring their state claims in state court.

Corporate defendants support this bill because they prefer to litigate in federal court, which usually results in less diverse jurors, more expensive proceedings, longer wait times for trials, and stricter limits on discovery.

For plaintiffs, who are supposed to be able to choose their forums, this legislation would result in additional time, expense, and inconvenience for the plaintiff and witnesses.

H.R. 725 would effectively eliminate the local defendant exception to diversity jurisdiction under 28 U.S.C. 1441(b)(2), which currently prohibits removal to federal court even

when there is complete diversity when a defendant is a citizen of the state in which the action is brought.

The current standard used by courts to determine whether the joinder of a non-diverse defendant is improper, however, has been in place for a century, and no evidence has been put forth demonstrating that this standard is not working.

Rather, the Fraudulent Joinder Doctrine, is a well-established legal doctrine providing that: fraudulent joinder will only be found if the defendant establishes that the joinder of the diversity-destroying party in the state court action was made without a reasonable basis of proving any liability against that party.

There is no evidence that federal courts are not already properly handling allegations of so-called fraudulent joinder after removal under current laws.

H.R. 725 reverses this longstanding policy by imposing new requirements on federal courts considering remand motions where a case is before the court solely on diversity grounds.

Specifically, it changes the test for showing improper joinder from a one-part test, (no possibility of a claim against a nondiverse defendant) to a complicated four-part test, requiring the court to find fraudulent joinder if:

- 1) There is not a plausible claim for relief against each nondiverse defendant;
- 2) There is objective evidence that clearly demonstrates no good faith intention to prosecute the action against each defendant or intention to seek a joint judgment;
- 3) There is federal or state law that clearly bars claims against the nondiverse defendants; or
- 4) There is actual fraud in the pleading of jurisdictional facts.

What should be a simple procedural question for the courts, now becomes a protracted mini-trial, giving an unfair advantage to the defendants (not available under current law) by allowing defendants to engage the court on the merits of their position.

By requiring litigation on the merits at a nascent jurisdictional stage of litigation based on vague, undefined, and subjective standards like plausibility and good faith intention, and by potentially placing the burden of proof on the plaintiff, this bill will increase the complexity and costs surrounding litigation of state law claims in federal court and potentially dissuade plaintiffs from pursuing otherwise meritorious claims.

Further, taking away a defendant's responsibility to prove that federal jurisdiction over a state case is indeed proper alters the fundamental precept that a party seeking removal should bear the heavy burden of establishing federal court jurisdiction.

The bill is a win-win for corporate defendants.

At its most harmful, it will cause non diverse defendants to be improperly dismissed from the lawsuit.

At its least harmful, it will cause an expensive, time-consuming detour through federal courts for plaintiffs.

Wrongdoers would not be held accountable for the harm they cause, while the taxpayers ultimately foot the bill.

For example: large corporate defendants (i.e. typically the diverse defendants) would be

favorable by the bill because, if the nondiverse defendant is dismissed from the case, they can blame the now-absent in-state defendant for the plaintiff's injuries.

Smaller nondiverse defendants would also be favored because the diverse defendant does all the work for them.

The diverse defendant removes the case to federal court and then argues that the non-diverse defendant is improperly joined.

If the federal court retains jurisdiction, the nondiverse defendant must be dismissed from the case.

If one or more defendants are dismissed from the case, it is easy for the remaining defendant to finger point and blame the absent defendant for the plaintiff's injuries.

Even if a federal court remands the case to state court under the bill, the defendants have successfully forced the plaintiff to expend their limited resources on a baseless, time-consuming motion on a preliminary matter.

While large corporate defendants can easily accommodate such costs, plaintiffs (i.e. injured consumers, patients and workers) cannot.

Regardless of whether the case is remanded to state court or stays in federal court, this new, mandated inquiry will be a drain on the limited resources of federal courts.

By mandating a full merits-inquiry on a procedural motion, H.R. 725 is expensive, time-consuming, and wasteful use of judicial resources.

The bill would result in needless micro-management of federal courts and a waste of judicial resources.

Lastly, by seeking to favor federal courts over state courts as forums for deciding state law claims, this bill offends the principles of federalism.

While it purports to fix a non-existent problem, it creates problems itself.

The ability of state courts to function independently of federal courts' procedural analysis is a necessary function of the success of the American judiciary branch.

For these reasons, I urge my colleagues to join me in opposing the underlying legislation, H.R. 725, the dubiously named, Innocent Party Protection Act of 2017.

The Acting CHAIR (Mr. SIMPSON). All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule, and shall be considered as read.

The text of the bill is as follow:

H.R. 725

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Innocent Party Protection Act".

SEC. 2. PREVENTION OF FRAUDULENT JOINDER.

Section 1447 of title 28, United States Code, is amended by adding at the end the following:

"(f) FRAUDULENT JOINDER.—

"(1) This subsection shall apply to any case in which—

"(A) a civil action is removed solely on the basis of the jurisdiction conferred by section 1332(a);

"(B) a motion to remand is made on the ground that—

"(i) one or more defendants are citizens of the same State as one or more plaintiffs; or

"(ii) one or more defendants properly joined and served are citizens of the State in which the action was brought; and

"(C) the motion is opposed on the ground that the joinder of the defendant or defendants described in subparagraph (B) is fraudulent.

"(2) The joinder of a defendant described in paragraph (1)(B) is fraudulent if the court finds that—

"(A) there is actual fraud in the pleading of jurisdictional facts with respect to that defendant;

"(B) based on the complaint and the materials submitted under paragraph (3), it is not plausible to conclude that applicable State law would impose liability on that defendant;

"(C) State or Federal law clearly bars all claims in the complaint against that defendant; or

"(D) objective evidence clearly demonstrates that there is no good faith intention to prosecute the action against that defendant or to seek a joint judgment including that defendant.

"(3) In determining whether to grant or deny a motion under paragraph (1)(B), the court may permit the pleadings to be amended, and shall consider the pleadings, affidavits, and other evidence submitted by the parties.

"(4) If the court finds that all defendants described in paragraph (1)(B) have been fraudulently joined under paragraph (2), it shall dismiss without prejudice the claims against those defendants and shall deny the motion described in paragraph (1)(B)."

The Acting CHAIR. No amendment to the bill shall be in order except those printed in House Report 115-27. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. SOTO

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in House Report 115-27.

Mr. SOTO. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, line 10, strike "This" and insert "Except as otherwise provided in this subsection, this".

Page 5, line 4, strike the close quotation mark and the period which follows.

Page 5, after line 4, insert the following:

"(5) This subsection does not apply with respect to a case in which the plaintiff seeks compensation for public health risks, including byproducts of hydraulic fracturing, well stimulation, or any water contamination."

The Acting CHAIR. Pursuant to House Resolution 175, the gentleman from Florida (Mr. SOTO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. SOTO. Mr. Chairman, my amendment would create an exception to this bill for instances of public health risks, including byproducts of hydraulic fracturing, well stimulation, or any water contamination. Fracking, especially in my home State of Florida, is dangerous, and its effects can be far-reaching. Just last week, a State senate committee voted unanimously to ban the practice in our State, and the bill continues to move through.

Pollution can reach our aquifers that provide drinking water to millions. Sometimes concerned citizens must go to court to stop this. Access to justice is a fundamental American right, and we must protect it. Sometimes in Washington, up is down and right is wrong. This, unfortunately, is the case with the so-called Innocent Party Protection Act.

□ 1530

This bill is incredibly harmful to those injured by corporate wrongdoers. If someone drinks poisoned water as a result of fracking, well stimulation, or general water contamination, this bill will make it harder for them to get justice for their injuries. By restricting access to State courts, the courts that are closest to the people, this bill would deny justice.

The bill will deny plaintiffs their right to choose a State court forum for their claims and will instead allow defendant companies that negligently pollute water to drag a case out, which will drive up costs and increase burdens for plaintiffs by removing it to Federal court.

Then, once a case is in Federal court, instead of litigating over the merits of the case, the courts will argue over the various requirements that this bill establishes. Placing a higher threshold that a plaintiff must satisfy to get the case sent back to State court is unnecessary and unduly burdensome.

The amendment I am offering would restore access to justice. It would allow people whose water has been contaminated by fracking and related activities to seek damages from corporate wrongdoers.

This amendment isn't just a hypothetical exercise. Here in my hand I hold 18 cases involving fracking. They are 18 cases where fracking led to injury. In 10 of these cases, plaintiffs sued in State court, raising State claims, yet defendants removed the case to Federal court, only to have the Federal court remand the cases back to the State due to lack of diversity jurisdiction.

Thus, I hold here 10 cases where a remand back to State court would be denied under this bill. If this bill had been enacted, I hold here 10 cases that would have been denied justice. Four of these 18 hydraulic fracturing cases are still pending. Will we deny justice for these four cases?

For these plaintiffs and for future plaintiffs, I ask my colleagues to vote in favor of this amendment and safeguard justice to all who drink water.

Mr. Chair, I urge support of my amendment, and I reserve the balance of my time.

Mr. FARENTHOLD. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. FARENTHOLD. Mr. Chairman, this amendment should be roundly opposed for the simple reason it doesn't protect any victims, but it also victimizes local parties in the types of cases covered by the amendment.

The purpose of the underlying bill is to allow judges greater discretion to free innocent local parties—that is, innocent people and innocent small businesses—from lawsuits when those innocent local parties are dragged into a case solely because a plaintiff's attorney wants to do some forum shopping.

These innocent local parties have, at most, an attenuated connection to the claims made by the trial lawyer against some national company a thousand miles away. These innocent local parties shouldn't have to suffer the time, expense, and emotional drain of a lawsuit when the plaintiff can't even come up with a plausible claim. The base bill protects these innocent local parties from being dragged into a lawsuit as a party just to keep the case in State court.

Now, let's bring in this amendment, which denies the bill's protection to innocent local parties adjoined to a lawsuit simply because the legal allegations in the case fall into one arbitrary category and that one is in another. It is terribly unfair.

This amendment would allow these things to happen to innocent people in the name of allowing trial lawyers to scuttle the hydraulic fracking industry through lawsuits. Innocent people are innocent people, and they should be protected against being dragged into lawsuits regardless of the nature of the case.

This doesn't deny anybody access to the courts. It protects innocent parties from being dragged into a case for forum shopping.

Every single one of the gentleman's cases will be heard in court. They will have their day in court and they will have justice based on the facts.

This bill does not protect wrongdoing corporations. This bill protects people who are dragged into a lawsuit strictly for procedural purposes.

Mr. Chairman, I reserve the balance of my time.

Mr. SOTO. Mr. Chairman, water is not arbitrary. The right to clean water is not arbitrary. It is essential. Just ask the plaintiffs in these cases. Just ask the people of Flint. Just ask victims of fracking across our Nation, which is why we in Florida are looking to ban the practice.

So this isn't just some arbitrary area. This is an essential area that is affecting issues right now throughout the Nation.

Mr. Chairman, I yield to the gentleman from Maryland (Mr. RASKIN).

Mr. RASKIN. Mr. Chairman, the Soto amendment is an excellent amendment and I can't see why anybody would oppose it. I can't see, in the first instance, why anyone would want to keep the people's cases out of the people's courts in their own States.

It seems as if there is a move somewhere in this Congress that is so intent on protecting polluters and the manufacturers of auto defects that they are willing to trample our basic principles of federalism and invade the proper province of the courts.

The Soto amendment would exempt from this bill all cases in which the plaintiff seeks compensation for public health risks like fracking or any other kind of water contamination. Water contamination is devastating to our communities regardless of the source, as demonstrated by the ongoing Flint water crisis in Michigan.

This bill makes it easier for large corporations to remove State law claims to Federal court, where they think they have got a better chance of beating the claims of the small guy. The Soto amendment at least would carve out cases where there are public health risks at stake, such as those caused by fracking, which has been proven to generate earthquakes, well contamination, and the poisoning of local water supplies.

Mr. SOTO. Mr. Chairman, I yield back the balance of my time.

Mr. FARENTHOLD. Mr. Chairman, I am not going to get sucked into a debate of hydraulic fracking. Being from Texas, we might have a whole difference of opinion on that.

But I do want to point out, with respect to this bill, it doesn't deny anyone access to courts, it doesn't deny anyone access to justice regardless of what claim. I don't think it is fair we take out one particular claim or not one particular claim. That seems to go against fundamental fairness as well.

This bill is all about fairness. It is about fairness to keep people from being dragged into court solely because a plaintiff's attorney needs a local defendant to avoid diversity jurisdiction.

I oppose this amendment. I urge my colleagues to support this amendment and support the underlying bill.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. SOTO).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. RASKIN. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by

the gentleman from Florida will be postponed.

AMENDMENT NO. 2 OFFERED BY MR. CARTWRIGHT

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 115-27.

Mr. CARTWRIGHT. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 5, line 4, strike the close quotation mark and the period which follows.

Page 5, after line 4, insert the following:

“(5) This subsection shall not apply to a case in which the plaintiff seeks compensation resulting from the bad faith of an insurer.”.

The Acting CHAIR. Pursuant to House Resolution 175, the gentleman from Pennsylvania (Mr. CARTWRIGHT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. CARTWRIGHT. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I also oppose this underlying bill, which is why I call it, as others have, the wrongdoer protection act for multistate and multinational corporations, and for that purpose, I add this amendment.

It is no coincidence that these corporate wrongdoers want to force consumers to fight them in Federal court. That is the effect of this bill, to enlarge Federal court diversity jurisdiction.

It is no coincidence that the corporate wrongdoers want to fight in Federal court. It is not because they think the Federal judges are better looking or the Federal judges are more polite or the decor in the Federal courtrooms is nicer to look at. That is not it all. They want to go there because they are more likely to prevail and to beat consumers in Federal court. They know that.

They know that, after a generation of regrettable decisions across the street by the Supreme Court of the United States, Federal court has become very favorable turf for corporate wrongdoers—generations of bad decisions that invite and exhort Federal judges to forget about the Seventh Amendment in our Bill of Rights.

You remember the Seventh Amendment. It was written by James Madison. It was announced as approved by Secretary of State Thomas Jefferson, whose statue stands right outside this Chamber. It was an amendment that says very simply: “. . . in suits at common law, where the value in controversy shall exceed \$20, the right of trial by jury shall be preserved. . . .”

There is nothing ambiguous about that statement. It is not hard to understand. It is about how important the

right to trial by jury is to us here in these United States.

But since the 1980s, there has been this steady drumbeat of decisions from the United States Supreme Court encouraging and emboldening Federal court judges to decide and dismiss cases without the trouble of a jury trial. Their toolkit is enormous for doing that: motions to dismiss, motions for judgment on the pleadings, motions for summary judgment, motions for directed verdict, motions for judgment as a matter of law.

Cases do get thrown out every day in this country without the trouble of a jury trial, and the Seventh Amendment right to a jury trial is not preserved. That is why wrongdoer corporations prefer to be in the Federal court.

Federal court has become candy land for corporate wrongdoers in this country, and this bill helps them stay there and fight consumers in Federal court. It changes the law to allow corporate wrongdoers to do that.

I want to give you some very strong reasons, Mr. Chairman, why this bill is so bad.

Number one, it is discriminatory. Unless you are a multistate or multinational corporation, this bill doesn't help you. If you are an individual sued in State court, this bill does not help you. If you are a small-business owner only doing work in your State, this bill does not help you. Only multistate, multinational corporations get help from this bill, and that is why I call it the wrongdoers protection act for multistate and multinational corporations.

Number two, it is burdensome. The Federal courts are already overworked and understaffed. The civil caseload is growing at 12 percent a year. There are currently 123 vacancies in our Federal judiciary. There is no reason to add to this burden by changing the law.

Number three, this bill forces State court cases into Federal court. We have a crowd in this House that consistently preaches about states' rights and the need to cut back on the Federal Government's reach, but a bill like this comes along and they drop that state's rights banner like it is a hot potato and pick up the coat of arms of the multistate, multinational corporations.

If you really do care about states' rights, you should be voting “no” on this bill.

You see, these cases called diversity cases are filed in State court under State law. Ever since the 1930s, in the Erie Railroad case, if you take these cases and handle them in Federal court, the Federal judges are bound by law to follow State law, not Federal law.

Mr. Chairman, there is nobody better at interpreting and following State law than State court judges. It stands to reason.

I offer this amendment that is at the desk to exempt consumer cases against insurance companies for bad faith in insurance practices. If the majority is going to persist and present this gift to multistate and multinational corporations, at least include this amendment and protect consumers trying to fight insurance companies.

Mr. Chairman, I yield back the balance of my time.

Mr. FARENTHOLD. Mr. Chair, I claim the time in opposition.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. FARENTHOLD. Mr. Chairman, this amendment continues to victimize innocent local parties just because they happen to be in an insurance case.

The underlying bill is designed to protect folks from being dragged into a lawsuit just to facilitate forum shopping by plaintiffs' attorneys.

The purpose of this bill is to allow judges greater discretion to free these innocent local parties. They are the ones that are suffering as a result of this.

This amendment denies the bill's protection to innocent local parties joined to a lawsuit simply because the legal allegations in the case fall into one arbitrary category rather than another, just like the previous amendment. It is terribly unfair. Innocent people are innocent people, and they should be protected from being dragged into a lawsuit regardless of the nature of the case.

The rules we have developed in this great country to protect the innocent are rules of general application, such as the rules protecting people's rights to have their side of the story told and the rules protecting people from biased or inaccurate testimony.

We should all be appalled by the suggestion that these general protections designed to protect innocent people from criminal liability should be suspended because the case is one of assault and battery or murder or somehow relates to insurance. It is the same kind of logic.

□ 1545

Our country is rightfully proud of its principles providing due process and equal protection, but these concepts are meaningless if they are only selectively applied to some type of cases and not others. And for the same reason, we should all be outraged at the suggestion that the rules of fairness, designed to protect the innocent, should be suspended in civil law cases because a case involves one particular subject matter or another. But that is exactly what this misguided amendment does.

This amendment would allow a plaintiff's lawyer to drag an individual insurance adjuster into a lawsuit even when the applicable State law makes it absolutely clear that only insurers, not

individual people, are subject to bad faith claims. How does the sponsor explain this to a person like Jack Stout, why a lawyer pulled him into a bad faith lawsuit targeting State Farm? Mr. Stout was a local insurance agent who merely sold a policy to the plaintiff, met and spoke with the plaintiff once, and had nothing to do with processing the plaintiff's homeowner's insurance claim. A Federal District Court in Oklahoma found he was fraudulently joined and dismissed the claim against him, but under this amendment, the innocent person would have been stuck back in the lawsuit.

What about a person like Douglas Bradley, where the plaintiff's lawyer named him as a defendant in a bad faith lawsuit against an insurer? In that case, the complaint included Mr. Bradley, an insurance agent, as a defendant in the caption of the case. It referred to defendant, singular, not defendants. Throughout the entire pleadings, it didn't even mention his name. A Federal District Court in Indiana dismissed this claim against him as fraudulently joined, but under this amendment, this innocent person would have been stuck back in the lawsuit. It is not fair, it is expensive, and it is emotionally draining to these innocent parties.

For that reason, I urge opposition to the amendment and support of the underlying bill.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. CARTWRIGHT).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. CARTWRIGHT. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Pennsylvania will be postponed.

Mr. FARENTHOLD. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. NUNES) having assumed the chair, Mr. SIMPSON, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 725) to amend title 28, United States Code, to prevent fraudulent joinder, had come to no resolution thereon.

which to revise and extend their remarks and include extraneous materials to H.R. 985.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 180 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 985.

The Chair appoints the gentleman from Idaho (Mr. SIMPSON) to preside over the Committee of the Whole.

□ 1549

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 985) to amend the procedures used in Federal court class actions and multidistrict litigation proceedings to assure fairer, more efficient outcomes for claimants and defendants, and for other purposes, with Mr. SIMPSON in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Texas (Mr. FARENTHOLD) and the gentleman from Maryland (Mr. RASKIN) each will control 30 minutes.

The Chair recognizes the gentleman from Texas.

Mr. FARENTHOLD. I yield myself such time as I may consume.

Mr. Chairman, recently an independent research firm surveyed companies in 26 countries and found that 80 percent of those companies that were subject to class action lawsuits were U.S. companies, putting those U.S. companies at a distinct economic disadvantage when competing with companies worldwide.

But the problem of overbroad class action doesn't just affect U.S. companies. It affects consumers in the United States who are forced into lawsuits they don't want to be in. How do we know that? We know that because the median rate at which consumer class action members take the compensation offered in a settlement is incredibly low. That would be 0.023 percent. That is two-hundredths of a percent. That is right, only the tiniest fraction of consumer class action members bother to claim the compensation awarded them in a settlement. That is clear proof that vastly large numbers of class members are satisfied with the products they purchase, don't want compensation, and don't want to be lumped into a ginormous class action lawsuit.

Federal judges are crying out for Congress to reform the class action lawsuit system, which currently allows trial lawyers to fill classes with hundreds and thousands of unmeritorious claims and use those artificially in-

flated claims to force defendants to settle the case. Liberal Justice Ruth Bader Ginsburg has recognized that "A court's decision to certify a class . . . places pressure on the defendant to settle even unmeritorious claims."

Judge Diane Wood of the Seventh Circuit Court of Appeals, appointed by President Clinton, has explained that class certification "is, in effect, the whole case." And as one appeals court judge, nominated by President Obama, wrote in his dissent in a recent class action case, "The chief difficulty we confront in this case arises from the fact that some of the members of the class have not suffered the . . . injury upon which this entire case is predicated and that could constitute as many as 24,000 consumers who would have no valid claim against the defendants under the state laws even if the named plaintiffs win on the merits."

He went on to chastise the other judges who allowed the class action to proceed, writing "if the district court does not identify a culling method to ensure that the class, by judgment, includes only members who were actually injured, this court has no business simply hoping that one will work."

The purpose of a class action is to provide a fair means of evaluating similar, meritorious claims, not to provide a way for lawyers to artificially inflate the size of a class to extort a larger settlement fee for themselves, siphoning money away from those actually injured, and increasing prices for everyone.

Just look at an accounting of recent class action settlements. The SUBWAY food chain was sued in a class action because trial lawyers complained their foot-long subs weren't a full foot long. As part of the settlement, small amounts were paid to the 10 class representatives, but the millions of other class members received nothing; not a dime, not a sandwich. Meanwhile, the lawyers were awarded \$520,000 in fees. The settlement was appealed, and during oral arguments Judge Diane Sykes remarked that "A class action that seeks only worthless benefits for the class should be dismissed out of hand. That's what should have happened here. . . . This is a racket."

The Coca-Cola Company was sued in a class action lawsuit involving Vitaminwater. Class members received zero dollars in the settlement. The lawyers were awarded \$1.2 million in fees.

In a case involving Facebook, the company agreed to settle the case by paying class counsel \$3 million. Zero dollars were paid to class members. The Ninth Circuit affirmed the deal, but in a withering dissent, Judge Kleinfeld observed that "Facebook users who had suffered damages . . . got no money, not a nickel, from the defendants. Class counsel, on the other hand, got millions."

This bill includes several reforms. It prevents people from being forced into

FAIRNESS IN CLASS ACTION LITIGATION ACT OF 2017

GENERAL LEAVE

Mr. FARENTHOLD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in

a class with other uninjured or minimally injured class members, only to have the compensation of injured parties reduced. It prevents trial lawyers from using incestuous, litigation-factory arrangements to gin up lawsuits. It requires courts to use objective criteria in determining who is injured in a class action and how compensation will actually reach the victims. It requires that injured victims get paid first, before the lawyers, and that lawyer fees be limited to a reasonable percentage of the money received by victims.

It requires judges to itemize exactly who gets what in a class action settlement and who is paying and controlling the lawyers. It requires all the rules governing class action be followed, that expensive pretrial proceedings be put on hold while the court determines if the case can't meet class certification requirements, and allows appeals of those class certification orders so justice can be done faster.

It ensures lawyers don't add plaintiffs just for forum shopping purposes, and it requires the verification of allegations in multidistrict pretrial proceedings, ensuring defendants receive due process while plaintiffs, not lawyers, get the benefits of any cost savings achieved by the multidistrict pretrial process.

H.R. 985 also contains provisions to include much-needed transparency into the asbestos bankruptcy trust system. On too frequent an occasion, by the time asbestos victims assert their claims for compensation, the bankruptcy trust formed for their benefit has been diluted by fraudulent claims, leaving these victims without their entitled recovery.

The reason that fraud is allowed to exist within the asbestos trust system is the excessive lack of transparency created by plaintiffs' firms. The predictable result of this reduced transparency has been a growing wave of claims and reports of fraud.

This bill strikes the proper balance of transparency and preserving the dignity and medical privacy of asbestos victims while also minimizing the administrative impact on the asbestos trusts. This bill saves the money in these trusts, which is a limited amount of money, to make sure future claimants, many of whom are veterans, have the opportunity to seek and receive compensation for their injuries and prevent double-dipping and fraud.

Please join me in supporting this bill on behalf of consumers and injured parties everywhere.

Mr. Chairman, I reserve the balance of my time.

Mr. RASKIN. I yield myself such time as I may consume.

Mr. Chairman, I rise in strong opposition to H.R. 985, the so-called Fairness in Class Action Litigation and Furthering Asbestos Claims Transparency Act of 2017.

I want to thank my distinguished colleague from Texas for his presentation and for also making clear that the overriding purpose here is really to give the class action mechanism the guillotine. Now, this doesn't formally abolish the class action mechanism. It is not the guillotine, but it is a strait-jacket. Let's be very clear, the whole purpose of this legislation is to make it virtually impossible for class action lawsuits to be brought by groups of citizens who share a common injury from things such as consumer rip-offs, pharmaceutical drug mistakes, faulty product design, sex discrimination, sexual harassment, poisonous breast implants, asbestos poisoning, lead poisoning, and so on—all of the billions of dollars worth of tort actions, nothing fraudulent about them, all of them already determined by courts and by juries to have taken place against our citizens, and they want to make it virtually impossible for people to proceed in court under the class action mechanism.

I began with a very important process observation which I noted before, Mr. Chairman. There has been no hearing on this legislation. There have been no calls for this legislation from people allegedly suffering the horrors of the reified class action lawyers. I notice that while my thoughtful colleague from Texas uses much of his time to deplore the work of plaintiffs' lawyers, he says nothing about defendants' lawyers, who have defended guilty parties in all of the cases we have mentioned before—all of the mass toxic torts, all of the drug injury cases, all of the environmental crimes and torts, all the asbestos poisoning and so on—and they have got a right to do that. They are simply doing their job. But the plaintiffs' lawyers have a right to do their job, too. That is how our system works.

I find it fundamentally disturbing that anybody would be out denouncing lawyers for representing people who have been injured in a tort case. But I oppose this misguided legislation because it sends another huge Valentine and wet kiss to large corporate polluters and tortfeasors but gives the finger to millions of American citizens who suffer injuries from these defendants.

This legislation would shield corporate wrongdoers by making it far more difficult for them to get together to obtain justice in a class action lawsuit. So whether it is by making it almost impossible for Americans to pursue their day in court through the class action vehicle or threatening the privacy of asbestos victims, it is clear that H.R. 985 wants to give corporate polluters and tortfeasors the power to play hide-and-go-seek with their victims in Federal court whenever they want to.

□ 1600

And it raises the broader question of who rightfully should hold power in a representative democracy like ours. Should it be large, private corporations, who are seeking rightfully their own profits? Or should it be the people, who are supposed to be sovereign?

I say it is the people.

This bill only favors the interests of the already powerful, to the detriment of the vast majority of the American people.

In cases seeking monetary relief, the bill requires a party seeking class certification to show that every potential class member suffered the same type and scope of injury at the certification stage, something that is virtually impossible to do. This requirement alone would sound the death knell for class actions, which are the principal means we have in court for consumers to hold wrongdoers accountable, without having to engage in multiple duplicative actions all over a State or all over the country, piling up the expenses for courts.

Most importantly, class actions make it feasible for those who have smaller but not inconsequential injuries to get justice. These injuries include diverse matters like products liability, employment discrimination, sexual harassment, and so on.

It is already very difficult to pursue class actions. Under current law, the courts strictly limit the grounds by which a large group of plaintiffs may be certified as a class, including the existing requirement that their claims raise common and factual legal questions, and that the class representative's claims must be typical of those of the other class members.

Finally, title II of H.R. 985 gives asbestos defendants—the very entities whose products have injured millions of Americans—new weapons with which to go out and harm their victims. This part of the bill would require a bankruptcy asbestos trust to report on the court's public case docket—which is then made immediately available on the internet—the name and exposure history of each asbestos victim who gets payment from a trust, as well as the basis of any payment made to that victim.

As a result, the confidential personal information of asbestos claimants, including their names and entire exposure histories, would be irretrievably released into the public domain. Imagine what identity thieves, reporters, insurers, potential employers, lenders, and data collectors could do with this sensitive information.

The proper title of this section of H.R. 985 should be the alternative fact act, not the FACT Act, because it penalizes the victims while favoring the perpetrators.

The bill requires the trusts to make intrusive disclosures of victims' personal information, but it makes no

comparable demands on asbestos manufacturers, some of which intentionally concealed the life-threatening dangers of their products not just for months or years, but for decades, the result of which millions of unsuspecting workers and consumers were exposed to this toxic substance.

Essentially, this bill re-victimizes asbestos victims by exposing their private information to all of the world—information that has absolutely nothing to do with compensation for asbestos exposure.

Accordingly, I must oppose also this highly flawed provision of the legislation.

Mr. Chairman, I reserve the balance of my time.

Mr. FARENTHOLD. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would like to point out to my colleague across the aisle that over the past several Congresses, we have had multiple hearings on class action reform and asbestos trust litigation, all of which are easily and publicly available.

I further would like to go on to say this bill doesn't prevent any claim from being brought as a class action—zero, zip, none. All it does is maximize the recovery of the victims.

Under this bill, a class action lawyer's fees are pegged to a reasonable percentage of the money actually received by the client under the settlement. What that will do is incentivize lawyers to make the maximum amount available to their clients, to seek the maximum recovery for their client.

Under this bill, class action lawyers will no longer be able to agree to settlements that give them millions of dollars and get their clients absolutely nothing, or maybe a coupon, if they are lucky.

Under this bill, a class action lawyer will get more in fees as long as they agree to a settlement that actually means that their clients, the actual plaintiffs, are getting a reasonable amount of money. Imagine that: incentivizing lawyers to do the best work for their clients. That is what this bill does.

I would also like to talk for a second about the asbestos portion of this. I have to say that this is a little troubling for me. The disclosure requirements in the FACT Act portion of this bill requires less than would be required in a State court pleading for damages. It is the minimum amount of information necessary to make sure somebody isn't double-dipping. It specifically protects medical records and social security numbers. It is designed as a fraud prevention tool.

The argument that this is designed to protect companies that manufactured asbestos is flawed. This is designed for the asbestos trust—companies that have gone bankrupt and set

aside large amounts of money to be paid to the victims of asbestos. This protects the assets in those trusts, not the tortfeasor companies. We are making sure there is enough money in these trusts to pay future victims by stopping fraudulent claims today.

Mr. Chairman, I urge my colleagues to support this bill, and I reserve the balance of my time.

Mr. RASKIN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am afraid that the eloquence of my opponent might cloud the issue for some of the people in America. So rather than having us go back and forth disputing the character of the legislation before you, I urge everybody to go to it. But let's go to some of the people who care most about protecting innocent Americans from corporate wrongdoing and injury in the marketplace and in the workplace, and let's see what they have got to say about it.

Mr. Chairman, I have a letter to the House from groups who oppose this legislation as an assault on the rights of consumers and workers, including the Alliance for Justice, the American Association for Justice, Americans for Financial Reform, the Asbestos Disease Awareness Organization, the California Kids IAQ, the Center for Justice and Democracy, the Center for Science in the Public Interest, Central Florida Jobs with Justice, Coal River Mountain Watch, the Committee to Support the Antitrust Laws, Consumer Action, Consumer Federation of America, Consumer Watchdog, Consumers for Auto Reliability and Safety, Consumers Union.

I have just gone through the Cs. I am not going to take us all the way through the Zs, Mr. Chairman. But America's consumer groups are opposed to this legislation, and America's workers' groups are opposed to this legislation. It is a wolf in sheep's clothing, Mr. Chairman.

I have also gotten, specifically on the asbestos point, a letter from groups concerned with occupational health and safety who strongly oppose the Furthering Asbestos Claim Transparency Act, saying that this bill will drain critical resources that have been set aside to secure justice for victims of asbestos diseases, while simultaneously publishing those victims' personal information on the internet. Included in this very long list of opponents are the Asbestos Disease Awareness Organization, the Communications Workers of America, the Maine Labor Group on Health, the National Council for Occupational Safety and Health, the New Jersey State Industrial Union Council, and on and on.

So, again, they pushed this legislation through the House of Representatives at the speed of light, but under the cloak of darkness with no hearing at all. And then they come out and say:

It is really for you, trust us. We are the Federal Government. We are here to help you. We are going to move all of the cases into Federal Court, and we are going to make it a lot easier to nullify class actions.

Mr. Chairman, I yield 3 minutes to the gentleman from New York (Mr. NADLER).

Mr. NADLER. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise in strong opposition to H.R. 985, the so-called Fairness in Class Action Litigation and Furthering Asbestos Claim Transparency Act.

This outrageous legislation would severely limit the ability of injured consumers and workers to obtain relief through class action lawsuits. If that were not bad enough, the bill also contains a totally unrelated measure to violate the privacy of asbestos victims, and subject them to potential discrimination. Together, this legislation is just one more measure in the Republican parade of bills this week to further tilt the playing field in favor of wealthy corporations over ordinary people.

Class action suits are an essential tool to enable victims of corporate wrongdoing to be compensated for their injuries and to deter future misconduct. Plaintiffs often seek to band together as a class when the potential damages they could receive individually are too low to make it practical to hire a lawyer and bring a lawsuit alone. But, as members of a class, they have the power to secure relief from a multimillion-dollar company and put an end to its illegal practices.

That is exactly why the big corporations oppose them. It makes it harder for those companies to operate with impunity from the law, with little regard for the injuries they may cause.

It was class action lawsuits that helped uncover years of corrupt practices in the tobacco industry and began to turn around a public health disaster, not to mention recover billions of dollars. It was class action lawsuits that revealed contamination of groundwater that cause certain forms of cancer. It was class action lawsuits that revealed fraudulent pricing practices and misleading advertising by drug companies, widespread employment discrimination, and predatory payday lending practices. Class action lawsuits also helped expose and bring down the sham university peddled on winning victims by the current occupant of the White House.

But this bill includes a range of provisions that would make such class action suits practically impossible. For example, it would require each member of a class to suffer "the same type and scope of injury" as the named class representative. What this means is that if two people use a defective product, but one suffers first-degree burns

while the other person suffers third-degree burns, they cannot join together in a class because their injuries are of a different scope. Or take a company with a pattern of racial discrimination. If some workers are being paid less than others for doing the same job while other workers find themselves repeatedly passed over for deserved promotions, they cannot join in the same class action because they would not be deemed to have suffered the same type of injury—one having been paid less, the other having been passed over for promotions—despite being victims of the same discriminatory policies.

This is just one of a host of unnecessary and onerous requirements placed on victims by this bill that makes it virtually impossible to form a class. When added together, it amounts to a giant bailout for wealthy corporations at the expense of injured consumers and workers.

Mr. Chairman, we do not want the Federal courts to be simply collection agencies to large corporations. We need justice for the small, ordinary person.

Mr. Chairman, I urge my colleagues to defeat this legislation.

Mr. FARENTHOLD. Mr. Chairman, I reserve the balance of my time.

Mr. RASKIN. Mr. Chairman, I thank Mr. NADLER for his excellent comments.

Mr. Chairman, I yield 3 minutes to the gentleman from Georgia (Mr. JOHNSON).

Mr. JOHNSON of Georgia. Mr. Chairman, I rise in opposition to H.R. 985, a monster of a bill, combining the anticonsumer Fairness in Class Action Litigation Act and the antictim Furthering Asbestos Claim Transparency Act.

H.R. 985 has the same goals and objectives as the bill that just slithered out of this body just a few moments ago, the so-called Innocent Party Protection Act, which more appropriately should be called, the Corporate Wrongdoer Protection Act.

H.R. 985 is part of a wave of anticonsumer corporate wrongdoer protection bills being considered this week by this Republican-controlled Congress. The purpose of these bills is to protect and insulate big corporations from being held accountable when they rob, hurt, and maim everyday Americans struggling to make it here in America.

As a former and long-term Member of the House Armed Services Committee, I would like to first remind this body of Susan Vento and Judy Van Ness, brave widows, who joined us during the Judiciary Committee markup of the FACT Act and shared with us the heartbreak asbestos exposure has caused their families.

Susan is the widow of our late colleague, Congressman Bruce Vento. Judy's husband, Richard, was a Navy veteran, who served this country with

distinction. Both men saw their lives tragically cut short—Bruce at 60 and Richard at 62—both by mesothelioma.

Georgia is ranked 23rd in the Nation for mesothelioma and asbestos-caused deaths, in part due to the large number of military operations, facilities, and military industrial complex projects throughout the State. Virtually every ship commissioned by the U.S. Navy between World War II and the Korean war contained several tons of asbestos in the engine room insulation, fireproof doors, and miles of pipes. While the military discontinued asbestos products around 1980, hundreds of military and civilian installations were left with asbestos in the flooring and ceiling tiles, cement foundations, as well as in thousands of military vehicles.

□ 1615

After defending our freedom abroad, many veterans returned to the civilian workforce where they were further exposed to asbestos, people such as Richard Van Ness, who suffered asbestos exposure while on a Navy destroyer and during his career as a union pipefitter. Unfortunately, veterans like Richard comprise over 30 percent of all asbestos-caused mesothelioma deaths, despite making up only 8 percent of the Nation's population.

Eighteen veterans' groups, including the Military Order of the Purple Heart, AMVETS, and the Vietnam Veterans of America, these organizations have expressed their strong opposition to this bill. I include a letter from them in the RECORD.

FEBRUARY 14, 2017.

Re Veterans Service Organization oppose the "Furthering Asbestos Claims Transparency (FACT) Act".

Hon. PAUL RYAN,
Speaker of the House, House of Representatives,
Washington DC.

Hon. KEVIN MCCARTHY,
Majority Leader, House of Representatives,
Washington DC.

Hon. BOB GOODLATTE,
Chairman, House Judiciary Committee, House of
Representatives, Washington DC.

Hon. NANCY PELOSI,
Minority Leader, House of Representatives,
Washington, DC.

Hon. STENY HOYER,
Minority Whip, House of Representatives,
Washington, DC.

Hon. JOHN CONYERS,
Ranking Member, House Judiciary Committee,
House of Representatives, Washington, DC.

DEAR SPEAKER RYAN, LEADER MCCARTHY, LEADER PELOSI, WHIP HOYER, CHAIRMAN GOODLATTE, AND RANKING MEMBER CONYERS: We, the undersigned Veterans Service Organizations oppose the "Furthering Asbestos Claims Transparency (FACT) Act." We have continuously expressed our united opposition to this legislation via written testimony to the House Judiciary Committee, House Leadership, in-person meetings and phone calls with members of Congress. It is extremely disappointing that even with our combined opposition, the FACT Act will be marked up in the House Judiciary Committee later this week.

Veterans across the country disproportionately make up those who are dying and af-

flicted with mesothelioma and other asbestos related illnesses and injuries. Although veterans represent only 8% of the nation's population, they comprise 30% of all known mesothelioma deaths.

When our veterans and their family members file claims with the asbestos bankruptcy trusts to receive compensation for harm caused by asbestos companies, they submit personal, highly sensitive information such as how and when they were exposed to the deadly product, sensitive health information, and more. The FACT Act would require asbestos trusts to publish their sensitive information on a public database, and include how much money they received for their claim as well as other private information. Forcing our veterans to publicize their work histories, medical conditions, majority of their social security numbers, and information about their children and families is an offensive invasion of privacy to the men and women who have honorably served, and it does nothing to assure their adequate compensation or to prevent future asbestos exposures and deaths.

Additionally, the FACT Act helps asbestos companies add significant time and delay paying trust claims to our veterans and their families by putting burdensome and costly reporting requirements on trusts, including those that already exist. Trusts will instead spend valuable time and resources complying with these additional and unnecessary requirements delaying desperately needed compensation for our veterans and their families to cover medical bills and end of life care.

The FACT Act is a bill that its supporters claim will help asbestos victims, but the reality is that this bill only helps companies and manufacturers who knowingly exposed asbestos to our honorable men and women who have made sacrifices for our country.

We urgently ask on behalf of our members across the nation that you oppose the FACT Act.

Signed:

Air Force Association; Air Force Sergeants Association; Air Force Women Officers Association; AMVETS; AMSUS, the Society of Federal Health Professionals; Association of the United States Navy; Commissioned Officers Association of the US Public Health Service, Inc.; Fleet Reserve Association; Jewish War Veterans of the USA; Military Officers Association of America; Military Order of the Purple Heart of the U.S.A.; National Defense Council; Naval Enlisted Reserve Association; Non Commissioned Officers Association of the United States of America; The Retired Enlisted Association, USCG; Chief Petty Officers Association; US Army Warrant Officers Association; Vietnam Veterans of America.

The CHAIR. The time of the gentleman has expired.

Mr. RASKIN. I yield an additional 30 seconds to the gentleman.

Mr. JOHNSON of Georgia. I thank the gentleman, and I would ask my colleagues to join me and the distinguished members of those 18 veterans' organizations and oppose this bill.

Mr. FARENTHOLD. Mr. Chairman, I yield myself such time as I may consume.

Clearly there are two groups of individuals who we are not fearful will commit fraud. It is our Nation's veterans and servicemembers. At the same time, there is no reason to distinguish

between the disclosure obligation of veteran servicemembers and the disclosure obligations of ordinary citizens.

This FACT Act provision is designed to protect veterans from fraud and make sure our future veterans who are exposed and other people who are exposed in their jobs to asbestos have the resources available because the company that actually made the asbestos is most likely bankrupt and out of business now.

There are finite resources in these trusts, and we owe it to our servicemembers and to future victims of asbestosis or mesothelioma to make sure there is money there to take care of their medical bills and compensate them for the injuries. That is the purpose of the FACT Act portion of this bill.

Mr. Chair, I reserve the balance of my time.

Mr. RASKIN. Mr. Chair, I yield 3 minutes to the gentleman from Rhode Island (Mr. CICILLINE).

Mr. CICILLINE. Mr. Chairman, I rise in opposition to H.R. 985, the Fairness in Class Action Litigation and Furthering Asbestos Claim Transparency Act of 2017.

Mr. Chairman, there can be no doubt that this legislation is an assault on the civil justice system. By effectively banning class actions, H.R. 985 would give wrongdoers a permission slip to avoid public scrutiny or liability for their unlawful conduct. Worse still, this legislation also contains the text of the so-called FACT Act, which is designed to delay justice for asbestos victims and deny accountability for corporate defendants.

As the ranking member of the House Judiciary Subcommittee that exercises jurisdiction over this bill, I am strongly opposed to this dangerous and offensive measure.

For decades, medical experts have closely linked asbestos exposure with mesothelioma, a form of lung cancer, and other forms of lung disease. Asbestos manufacturers have also known about the deadly effects of asbestos exposure; but, as a Federal judge noted in 1991, there is compelling evidence that these companies sought to conceal this information from workers and the general public. Instead of sharing this critical information, which could have saved countless lives through exposure prevention, asbestos companies "continued to manufacture one of the most widely used asbestos products without informing workers or the public," as the nonprofit Environmental Working Group has reported.

Real examples of this widespread corporate deception are legion, but one in particular stands out. In 1966, the senior executive of a corporation that currently operates as a subsidiary of Honeywell wrote that, if asbestos victims "enjoyed a good life while working with asbestos products, why not die from it."

In the wake of numerous lawsuits related to asbestos-related deaths, Congress amended the bankruptcy code in 1994 to authorize the use of trusts for the settlement of asbestos liability.

In 2001, the nonpartisan Government Accountability Office conducted an exhaustive study of these trusts but did not find a single example of fraudulent conduct. Despite this finding, proponents of H.R. 985 now make the outrageous and totally unsupported claim that victims of asbestos exposure have committed fraud—more alternative facts.

In the name of what they describe as transparency, the bill would force trusts to publicly disclose asbestos victims' sensitive personal information, including their names, partial Social Security numbers, and the like. Beyond the obvious consequences these requirements would have in the form of hacking and identity theft, this information is already available to relevant parties on a confidential basis through the discovery process, as both the GAO and the RAND Corporation have reported.

I agree with the majority that asbestos trusts must be accountable and transparent to both present and future claimants, but there is no evidence to suggest any wrongdoing or any fraud. This legislation would only make it easier for wrongdoers to get away with harming others and to make it harder for Americans to be compensated for these injuries.

Mr. Chairman, I urge my colleagues to oppose H.R. 985.

Mr. FARENTHOLD. Mr. Chairman, I yield myself such time as I may consume.

I am going to have to beg to differ with my colleague from across the aisle.

Fraud has been documented in news reports, State court cases, and in testimony before the Judiciary Committee.

The Wall Street Journal conducted an investigation that found thousands of dispiritedly filed claims. Court documents in many States, including Delaware, Louisiana, Maryland, New York, Ohio, Oklahoma, and Virginia, attest to widespread fraud. Most recently, a bankruptcy case in North Carolina uncovered a startling number of dispiritedly filed claims.

Additionally, the Judiciary Committee heard testimony over the course of four hearings about the FACT Act, during which witnesses repeatedly testified that fraud existed within the asbestos trust bankruptcy situation. Keep in mind that the fraud reported today has been in spite of the lack of disclosure that exists.

Consistent with other multimillion-dollar compensation programs, there is fraud occurring in the asbestos trust system, and the FACT Act will go a long way to uncovering that fraud. The FACT Act is designed to provide the

minimum amount of transparency necessary to prevent this fraud while protecting the personal information of those victims of asbestos.

Mr. Chair, I reserve the balance of my time.

Mr. RASKIN. Mr. Chairman, I yield 2 minutes to the gentlewoman from Minnesota (Ms. MCCOLLUM).

Ms. MCCOLLUM. Mr. Chair, asbestos is a deadly poison. It can cause lung cancer and mesothelioma. Once detected, these patients survive only, on average, 8 to 14 months. It was true for Congressman Bruce Vento, who proudly served the families of Minnesota's Fourth District for more than 23 years in this House.

Bruce was a friend, and he died from mesothelioma 8½ months after he was diagnosed. Congress has a responsibility to find real solutions to support mesothelioma victims and their families, but H.R. 985 would not support the families. In fact, it exposes families at a time of great vulnerability.

It exposes them by putting their identity, their name, their address, and the last four digits of their Social Security number on a public website—a public website—when this information has already been given in a confidential manner.

It is especially outrageous to me that once again this legislation is on the floor and it fails to protect children who are victims of asbestos exposure from having their information shared publicly. Parents should have the peace of mind knowing that their child's privacy is secure and not on the internet where who knows who would be out possibly preying on them.

I ask my colleagues to stand with me, stand with the mesothelioma victims, stand with their families, stand with their children, and oppose this bill, as they have asked me to do.

Mr. FARENTHOLD. I reserve the balance of my time.

Mr. RASKIN. Mr. Chair, I yield 4 minutes to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. Mr. Chair, I thank the gentleman for yielding.

I rise in opposition to H.R. 985. In addition to the legislation's many problems that have already been mentioned by my colleagues, I am particularly concerned about what the bill does in the so-called FACT Act, which will have a devastating impact on workers exposed to asbestos.

I am acutely aware of the devastating impact that asbestos exposure has on working men and women in this country because I represent an area with several shipyards. In the last few decades, in my district alone, several thousand local shipyard workers have developed asbestosis, lung cancer, and mesothelioma from asbestos exposure that occurred between the 1940s and 1970s. Hundreds of these workers have already died, and asbestos deaths and

disabilities are continuing due to the long latency period associated with this illness.

I believe that we cannot consider the legislation affecting the victims of asbestos exposure without remembering exactly who caused the problem. Court findings show that the companies made willful and malicious decisions to expose their employees to asbestos. Here are a couple of examples.

One case, in 1986, after hearing both sides, the New Jersey Supreme Court declared:

It is indeed appalling to us that the company had so much information of the hazards of asbestos workers as early as the mid-1930s and that it not only failed to use that information to protect the workers, but, more egregiously, it also attempted to withhold this information from the public.

A few years earlier, the Superior Court, Appellate Division, in New Jersey said that: "The jury here was justified in concluding that both defendants, fully appreciating the nature, extent, and gravity of the risk, nevertheless made a conscious and coldblooded business decision, in utter and flagrant disregard of the rights of others, to take no protective or remedial action."

In a separate case in Florida, after hearing both sides, the court declared that:

The clear and convincing evidence in this case revealed that, for more than 30 years, the company concealed what it knew about the dangers of asbestos. In fact, the company's conduct was even worse than concealment. It also included intentional and knowing misrepresentations concerning the danger of its asbestos-containing product.

That is who we are talking about. These are the types of companies who will benefit from this legislation. Any suggestion that people are getting paid more than once is absurd. The fact of the matter is, because of bankruptcies, most of them aren't getting anywhere close to what they actually should be receiving, but the bill before us does not help those victims. It actually hurts them.

The bill is nothing more than a scheme to delay the proceedings and allow the victims to get even less than they are getting now. Because of the delay, many of the victims will die before they get to court. This helps the guilty corporations that have inflicted this harm on innocent victims because, if the plaintiffs die before they get to court, their pain and suffering damages are extinguished. If they can delay the cases enough so that the plaintiffs die before they get to trial, the corporations will not only get to delay their payments, but when they finally pay, they will pay much less.

These are the people who made those conscious and coldblooded business decisions. Those are the ones who will actually benefit from this legislation at the expense of hardworking, innocent victims. The victims of this corporate wrongdoing oppose this bill.

Regrettably, many of those victims are our veterans because they were working aboard Navy ships.

Mr. Chair, we should reject this legislation.

Mr. FARENTHOLD. Mr. Chair, I reserve the balance of my time.

Mr. RASKIN. Mr. Chairman, I yield myself such time as I may consume.

We obviously have a different vantage point on what is taking place in the civil courtrooms of America today. On our side, we look out over America and in the courts and we see millions of our neighbors, our fellow citizens who are suffering the effects of asbestos poisoning, which is real, not imaginary; lead poisoning, which is real, not imaginary; and manufacturing defects by large automobile manufacturers and others.

They look at it and all they see is fraud, and they want to put the class action mechanism in a straightjacket to make it extremely difficult, if not impossible, for people to pursue class actions. They want to put the names of asbestos victims up online for the whole world to see.

Obviously, we have got a division of opinion within the legislative branch. What about the judiciary itself?

Well, the Judicial Conference of the United States, the policymaking arm of the Federal judiciary, and the American Bar Association both strongly oppose H.R. 985. The conference report that has been studying class actions for 5 years has considered many of the issues addressed in H.R. 985. It strongly urges Congress not to amend the class action procedures found in rule 23 outside the Rules Enabling Act process.

□ 1630

Likewise, the ABA observes the many problems of advancing comprehensive class action reform without a hearing to examine all the complicated issues involved with so many rule changes.

Mr. Chairman, the other side invoked some hearings. I was astonished to hear it because I have been here for several months. I just joined Congress. I didn't have any hearings. It turns out I understand they were referring to hearings that took place last year, perhaps the year before, where I understand—but all of it is hearsay to me because I wasn't here—that actual victims of asbestos poisoning were not permitted themselves to testify. It was a completely one-sided, lopsided process, and I will try to get to the bottom of that in order to determine it.

This is what happens when they are moving legislation through this body at lightening speed, but really in the thick of darkness because we don't have any meaningful, transparent communication about what the underlying issues are.

Well, I restate my opposition to this. The class action mechanism has been a

central vehicle for justice for Americans for many decades. And now without so much as a hearing, without the mobilization of any proof that this should be done over the objections of the Judicial Conference of the United States, over the objections of the American Bar Association, and over the objections of every consumer group and worker group that has written in that I have seen, they are purporting to be acting in the name of the American people. In fact, what they are doing is they are pulling the rug out from underneath the class action vehicle.

Class actions have been so central to vindicating the rights of people who have been victimized by corporate polluters and toxic contaminators and automobile manufacturers who knowingly put defective instruments into cars, leading to people's deaths and injuries, and they want to make it more difficult for people to pursue justice in the courts.

I urge all of my colleagues to study this legislation the best they can and to reject it.

Mr. Chairman, I yield back the balance of my time.

Mr. FARENTHOLD. Mr. Chairman, I yield myself such time as I may consume.

I want to address the fact that there have been numerous hearings on the FACT Act and the problems associated with it. There was one hearing before the Judiciary Committee on the Constitution on September 9, 2011. There were three legislative hearings before the Subcommittee on Regulatory Reform, Commercial, and Antitrust Law, one during the 112th Congress, one during the 113th Congress, and one during the 114th Congress. I am sure the gentleman's staff could have gotten him copies of those.

I also point out that the minority used these opportunities to call witnesses that were representatives of the plaintiffs' asbestos trial bar. They called the attorneys to voice their concern about the bill, not the victims. In fact, the minority called the same witness for three out of the four hearings. Now they claim that asbestos victims were never provided an opportunity to testify.

The Judiciary Committee has provided ample opportunity to include asbestos victims' views on the legislation in the record, and there are many letters and statements from victims in the record.

In closing, I do want to say—going back to the class action part of this bill for a second only—that only the tiniest fraction of consumers in class actions bother to claim the compensation awarded them in the settlement. That is clear proof that the vastly large number of class members are satisfied with the products they have purchased, don't want compensation, and don't want to be lumped into a gigantic class action lawsuit.

Federal judges are crying out for Congress to reform the class action system, which currently allows trial lawyers to fill classes with hundreds and thousands of meritorious claims and use those artificially inflated classes to force defendants to settle the case.

As I recounted, class action settlements have left lawyers with millions of dollars while victims receive absolutely nothing or a coupon, at best. The bill prevents people from being forced into class actions with other uninjured or minimally injured members only to have the compensation of injured parties reduced. It requires that lawyer fees be limited to a reasonable percentage of the money injured victims actually receive. I urge my colleagues to support the bill.

I also want to talk a second about the FACT Act. We hear these stories about these corporations that did all of this wrong. Many of them are bankrupt, and the only money available to the victims are the money that has been set aside in these asbestos trust funds. When an unscrupulous attorney makes a claim against multiple trusts or files claims in Federal court and State court, it is difficult, if not impossible, to find out if that claim has already been made. The FACT Act makes that easily available while providing privacy necessary to protect the victims.

The FACT Act is designed to protect the future victims and make sure there is money there for the children, for the veterans, for the hardworking Americans who are injured by asbestos but whose symptoms have not yet manifested. Sometimes these asbestos-related diseases take decades to show up, and there needs to be money there to take care of those folks. That is what this legislation is intending to do, not to protect corporations.

I urge my colleagues to support this bill that provides much-needed reform to the class action system and to the asbestos trust system.

Mr. Chairman, I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Chair, I rise in strong opposition to Rules Committee Print 115-5 of H.R. 985, the Fairness in Class Action Litigation and Furthering Asbestos Claim Transparency Act of 2017, which is a radical measure that would overturn centuries of American law.

This committee print buries the "Furthering Asbestos Claim Transparency Act of 2017," crammed through committee on a party-line vote, within the overarching legislation intended to effectively obliterate class actions in America, H.R. 985, the Fairness in Class Action Litigation Act of 2017.

I oppose this two-for-one bill combination because it will, in sum, undermine the enforcement of this Nation's civil rights laws and upend decades of settled class action law.

The fact that the House would even consider such sweeping, reckless legislation without holding a single hearing is an outrage.

This poorly drafted legislation will create needless chaos in the courts without actually solving any demonstrated problem.

Class action lawsuits are among the most important tools to enable injured, cheated, and or victimized individuals and small businesses to hold large corporations and institutions accountable and deter future misconduct.

H.R. 985 would eviscerate that tool.

Let me remind my colleagues that class actions are critical for the enforcement of laws prohibiting discrimination in employment, housing, education, and access to public areas and services.

As the Supreme Court has recognized in *Amchem Products, Inc. v. Windsor*, class actions provide "vindication of the rights of groups of people who individually would be without effective strength to bring their opponents into court at all."

Amchem Products, Inc. v. Windsor, 521 U.S. 591, 617 (1997). Courts have interpreted Rule 23 of the Federal Rules of Civil Procedure, the federal class action rule, over decades and the Advisory Committee on Civil Rules has, through its deliberative process, reviewed and amended the rule to ensure its fair and efficient operation.

No further revisions are needed at this time.

Civil rights injuries are never identical and are already subject to rigorous judicial review. H.R. 985 imposes a new and impossible hurdle for class certification.

This alone would sound the death knell for most class actions.

It requires that the proponents of the class demonstrate that each class member has suffered the same type and scope of injury.

At this early stage of a civil rights class action, it is frequently impossible to identify all of the victims or the precise nature of each of their injuries.

Classes inherently include a range of affected individuals, and in no case does every member of the class suffer the same scope of injury from the same wrongful act.

But even if this information were knowable, class members' injuries would not be the same.

As a simple example, those overcharged for rent will have different injuries.

In an employment discrimination class action, the extent of a class member's injuries will depend on a range of factors, including their job position, tenure, employment status, salary, and length of exposure to the discriminatory conditions.

For this reason, nearly forty years ago, the Supreme Court developed a two-stage process for such cases in *International Brotherhood of Teamsters v. U.S.*, 431 U.S. 324, 371-72 (1977).

In the first stage, the court determines whether the employer engaged in a pattern or practice of discrimination.

If the employer is found liable, the court holds individual hearings to determine the relief (if any) for each victim.

The Supreme Court recently reaffirmed the use of the *Teamsters* model for discrimination class actions in part because of the individualized nature of injuries.

In the case of *Wal-Mart Stores, Inc. v. Dukes*, 564 U.S. 338, 366 (2011).

Thus, this bill would overturn the approach established four decades ago to permit a class

of victims of discrimination to seek effective relief.

Certainly, many civil rights, discrimination and employment class actions, including cases involving refusals by companies to properly pay workers, would not satisfy these criteria.

Some provisions would make it even more difficult to bring race and gender discrimination class actions.

Other provisions would have a dramatic impact on cases against toxic polluters.

For example, arbitrary and unworkable standards for attorneys' fees undermine civil rights enforcement.

If a case is successful, the judge awards a reasonable fee based upon the time that the advocates have spent working on the case.

This method of determining attorneys' fees provides for consistent and predictable outcomes, which is a benefit to all parties in a lawsuit.

H.R. 985 would entirely displace this well-settled law with a standard long ago rejected as arbitrary and unworkable.

Under the bill, attorneys' fees would be calculated as a percentage of the value of the equitable relief. § 1718(b)(3).

But how is a judge to determine the cash value of an integrated school, a well-operating foster care system, the deinstitutionalization of individuals with disabilities, or myriad other forms of equitable relief secured by civil rights class actions?

Asking judges to assign a price tag in such cases is an impossible task and would lead to uncertainty and inconsistency.

Non-profit organizations cannot bear the risk of these long and expensive cases if, at the end, their fees are calculated under this incoherent and capricious standard.

Indeed, the bill creates an incentive for defendants to prolong the litigation so as to make it economically impossible for plaintiffs' attorneys to continue to prosecute the litigation.

In addition, by considering this bill now, Congress is circumventing the process that Congress itself established for promulgation of federal court rules under the Rules Enabling Act, bypassing both the Judicial Conference of the United States and the U.S. Supreme Court.

Civil rights class actions are often about systemic reforms that benefit the most vulnerable.

Interference with the proper federal court rules process is reckless and irresponsible, particularly when this proposal is so damaging to victims.

Mr. Chair, the only beneficiaries of the so-called FACT Act, are the very entities that knowingly produced a toxic substance that killed or seriously injured thousands of unsuspecting American consumers and workers.

The FACT Act would force asbestos patients seeking any compensation from a private asbestos trust fund to reveal on a public web site private information including the last four digits of their Social Security numbers, and personal information about their families and children.

In fact, not a single asbestos victim has come forward in support of this legislation.

Worse, this bill would allow victims of asbestos exposure to be further victimized by requiring this information about their illness to be made publicly available to virtually anyone who has access to the Internet.

For example, the bill requires all payment demands, as well as, the names and exposure histories of each claimant—together with the basis for any payment the trust made to such claimants—to be publicly disclosed.

This sensitive information must be posted on the court's public docket, which is easily accessible through the Internet with the payment of a nominal fee.

Once irretrievably released into the public domain, this information would be a virtual treasure trove for data collectors and other entities for purposes that have absolutely nothing to do with compensation for asbestos exposure.

Insurance companies, prospective employers, lenders, and predatory scam artists as well as the victim's neighbors would have access to this information.

Many of the people who would be hurt by the FACT Act are veterans, who are disproportionately affected by asbestos disease.

To address this serious failing of the bill, I offered an amendment which would ensure that the quarterly reports required under the FACT Act, contain only aggregate payment information.

My amendment also deletes the bill's burdensome discovery requirement.

As noted by the widow of our former colleague Congressman Bruce Vento who passed away from asbestos-induced mesothelioma, the bill's public disclosure of victims' private information: "could be used to deny employment, credit, and health, life, and disability insurance."

Mrs. Vento also warned that asbestos victims "would be more vulnerable to identity thieves, con men, and other types of predators."

Supporters of this legislation say that Bankruptcy Code section 107 will prevent such results.

But, they are wrong; this provision only permits—it does not require—the bankruptcy court to issue a protective order.

In fact, such relief may only be granted for cause if the court finds that "disclosure of such information would create undue risk of identity theft or other unlawful injury to the individual."

What this means is that an asbestos victim would have to retain counsel and go to court in order to prove cause to obtain relief.

And, even though Bankruptcy Rule 9037 does require certain types of personal information to be redacted from a document filed in a bankruptcy case, said Rule would be overriden by this legislation, as written.

Accordingly, for these reasons and more, I oppose this harmful legislation.

The Acting CHAIR (Mr. JOYCE of Ohio). All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

It shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an

amendment in the nature of a substitute consisting of the text of Rules Committee Print 115-5. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 985

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) *SHORT TITLE.*—This Act may be cited as the "Fairness in Class Action Litigation and Furthering Asbestos Claim Transparency Act of 2017".

(b) *TABLE OF CONTENTS.*—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—FAIRNESS IN CLASS ACTION LITIGATION

Sec. 101. Short title; reference; table of contents.

Sec. 102. Purposes.

Sec. 103. Class action procedures.

Sec. 104. Misjoinder of plaintiffs in personal injury and wrongful death actions.

Sec. 105. Multidistrict litigation proceedings procedures.

Sec. 106. Rulemaking authority of Supreme Court and Judicial Conference.

Sec. 107. Effective date.

TITLE II—FURTHERING ASBESTOS CLAIM TRANSPARENCY

Sec. 201. Short title.

Sec. 202. Amendments.

Sec. 203. Effective date; application of amendments.

TITLE I—FAIRNESS IN CLASS ACTION LITIGATION

SEC. 101. SHORT TITLE; REFERENCE; TABLE OF CONTENTS.

(a) *SHORT TITLE.*—This title may be cited as the "Fairness in Class Action Litigation Act of 2017".

(b) *REFERENCE.*—Whenever, in this title, reference is made to an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 28, United States Code.

(c) *TABLE OF CONTENTS.*—The table of contents of this title is as follows:

Sec. 101. Short title; reference; table of contents.

Sec. 102. Purposes.

Sec. 103. Class action procedures.

Sec. 104. Misjoinder of plaintiffs in personal injury and wrongful death actions.

Sec. 105. Multidistrict litigation proceedings procedures.

Sec. 106. Rulemaking authority of Supreme Court and Judicial Conference.

Sec. 107. Effective date.

SEC. 102. PURPOSES.

The purposes of this title are to—

(1) assure fair and prompt recoveries for class members and multidistrict litigation plaintiffs with legitimate claims;

(2) diminish abuses in class action and mass tort litigation that are undermining the integrity of the U.S. legal system; and

(3) restore the intent of the framers of the United States Constitution by ensuring Federal court consideration of interstate controversies of national importance consistent with diversity jurisdiction principles.

SEC. 103. CLASS ACTION PROCEDURES.

(a) *IN GENERAL.*—Chapter 114 is amended by inserting after section 1715 the following:

"§ 1716. Class action injury allegations

"(a) *IN GENERAL.*—A Federal court shall not issue an order granting certification of a class

action seeking monetary relief for personal injury or economic loss unless the party seeking to maintain such a class action affirmatively demonstrates that each proposed class member suffered the same type and scope of injury as the named class representative or representatives.

"(b) *CERTIFICATION ORDER.*—An order issued under Rule 23(c)(1) of the Federal Rules of Civil Procedure that certifies a class seeking monetary relief for personal injury or economic loss shall include a determination, based on a rigorous analysis of the evidence presented, that the requirement in subsection (a) of this section is satisfied.

"§ 1717. Conflicts of interest

"(a) *REQUIRED DISCLOSURES.*—In a class action complaint, class counsel shall state whether any proposed class representative or named plaintiff in the complaint is a relative of, is a present or former employee of, is a present or former client of (other than with respect to the class action), or has any contractual relationship with (other than with respect to the class action) class counsel. In addition, the complaint shall describe the circumstances under which each class representative or named plaintiff agreed to be included in the complaint and shall identify any other class action in which any proposed class representative or named plaintiff has a similar role.

"(b) *PROHIBITION OF CONFLICTS.*—A Federal court shall not issue an order granting certification of any class action in which any proposed class representative or named plaintiff is a relative of, is a present or former employee of, is a present or former client of (other than with respect to the class action), or has any contractual relationship with (other than with respect to the class action) class counsel.

"(c) *DEFINITION.*—For purposes of this section, 'relative' shall be defined by reference to section 3110(a)(3) of title 5, United States Code.

"§ 1718. Class member benefits

"(a) *DISTRIBUTION OF BENEFITS TO CLASS MEMBERS.*—A Federal court shall not issue an order granting certification of a class action seeking monetary relief unless the class is defined with reference to objective criteria and the party seeking to maintain such a class action affirmatively demonstrates that there is a reliable and administratively feasible mechanism (a) for the court to determine whether putative class members fall within the class definition and (b) for distributing directly to a substantial majority of class members any monetary relief secured for the class.

"(b) *ATTORNEYS' FEES IN CLASS ACTIONS.*—

"(1) *FEE DISTRIBUTION TIMING.*—In a class action seeking monetary relief, no attorneys' fees may be determined or paid pursuant to Rule 23(h) of the Federal Rules of Civil Procedure or otherwise until the distribution of any monetary recovery to class members has been completed.

"(2) *FEE DETERMINATIONS BASED ON MONETARY AWARDS.*—Unless otherwise specified by Federal statute, if a judgment or proposed settlement in a class action provides for a monetary recovery, the portion of any attorneys' fee award to class counsel that is attributed to the monetary recovery shall be limited to a reasonable percentage of any payments directly distributed to and received by class members. In no event shall the attorneys' fee award exceed the total amount of money directly distributed to and received by all class members.

"(3) *FEE DETERMINATIONS BASED ON EQUITABLE RELIEF.*—Unless otherwise specified by Federal statute, if a judgment or proposed settlement in a class action provides for equitable relief, the portion of any attorneys' fee award to class counsel that is attributed to the equitable relief shall be limited to a reasonable percentage of the value of the equitable relief, including any injunctive relief.

“§ 1719. Money distribution data

“(a) **SETTLEMENT ACCOUNTINGS.**—In any settlement of a class action that provides for monetary benefits, the court shall order class counsel to submit to the Director of the Federal Judicial Center and the Director of the Administrative Office of the United States Courts an accounting of the disbursement of all funds paid by the defendant pursuant to the settlement agreement. The accounting shall state the total amount paid directly to all class members, the actual or estimated total number of class members, the number of class members who received payments, the average amount (both mean and median) paid directly to all class members, the largest amount paid to any class member, the smallest amount paid to any class member and, separately, each amount paid to any other person (including class counsel) and the purpose of the payment. In stating the amounts paid to class members, no individual class member shall be identified. No attorneys’ fees may be paid to class counsel pursuant to Rule 23(h) of the Federal Rules of Civil Procedure until the accounting has been submitted.

“(b) **ANNUAL SETTLEMENT DISTRIBUTION REPORTS.**—Commencing not later than 12 months after the date of enactment of this section, the Judicial Conference of the United States, with the assistance of the Director of the Federal Judicial Center and the Director of the Administrative Office of the United States Courts, shall annually prepare and transmit to the Committees on the Judiciary of the Senate and the House of Representatives for public dissemination a report summarizing how funds paid by defendants in class actions have been distributed, based on the settlement accountings submitted pursuant to subsection (a).

“§ 1720. Issues classes

“(a) **IN GENERAL.**—A Federal court shall not issue an order granting certification of a class action with respect to particular issues pursuant to Rule 23(c)(4) of the Federal Rules of Civil Procedure unless the entirety of the cause of action from which the particular issues arise satisfies all the class certification prerequisites of Rule 23(a) and Rule 23(b)(1), Rule 23(b)(2), or Rule 23(b)(3).

“(b) **CERTIFICATION ORDER.**—An order issued under Rule 23(c)(4) of the Federal Rules of Civil Procedure that certifies a class with respect to particular issues shall include a determination, based on a rigorous analysis of the evidence presented, that the requirement in subsection (a) of this section is satisfied.

“§ 1721. Stay of discovery

“In any class action, all discovery and other proceedings shall be stayed during the pendency of any motion to transfer, motion to dismiss, motion to strike class allegations, or other motion to dispose of the class allegations, unless the court finds upon the motion of any party that particularized discovery is necessary to preserve evidence or to prevent undue prejudice to that party.

“§ 1722. Third-party litigation funding disclosure

“In any class action, class counsel shall promptly disclose in writing to the court and all other parties the identity of any person or entity, other than a class member or class counsel of record, who has a contingent right to receive compensation from any settlement, judgment, or other relief obtained in the action.

“§ 1723. Appeals

“A court of appeals shall permit an appeal from an order granting or denying class-action certification under Rule 23 of the Federal Rules of Civil Procedure.”.

(b) **CONFORMING AMENDMENT.**—The table of sections for such chapter is amended by insert-

ing after the item pertaining to section 1715 the following:

““Sec. 1716. Class action injury allegations.

““Sec. 1717. Conflicts of interest.

““Sec. 1718. Class member benefits.

““Sec. 1719. Money distribution data.

““Sec. 1720. Issues classes.

““Sec. 1721. Stay of discovery.

““Sec. 1722. Third-party litigation funding disclosure.

““Sec. 1723. Appeals.”.

SEC. 104. MISJOINDER OF PLAINTIFFS IN PERSONAL INJURY AND WRONGFUL DEATH ACTIONS.

Section 1447 is amended—

(1) by redesignating subsection (d) as subsection (e);

(2) by redesignating subsection (e) as subsection (f); and

(3) by inserting after subsection (c) the following:

“(d) **MISJOINDER OF PLAINTIFFS IN PERSONAL INJURY AND WRONGFUL DEATH ACTIONS.**—

“(1) This subsection shall apply to any civil action in which—

“(A) two or more plaintiffs assert personal injury or wrongful death claims;

“(B) the action is removed on the basis of the jurisdiction conferred by section 1332(a); and

“(C) a motion to remand is made on the ground that one or more defendants are citizens of the same State as one or more plaintiffs.

“(2) In deciding the remand motion in any such case, the court shall apply the jurisdictional requirements of section 1332(a) to the claims of each plaintiff individually, as though that plaintiff were the sole plaintiff in the action.

“(3) The court shall sever the claims that do not satisfy the jurisdictional requirements of section 1332(a) and shall remand those claims to the State court from which the action was removed. The court shall retain jurisdiction over the claims that satisfy the jurisdictional requirements of section 1332(a).”.

SEC. 105. MULTIDISTRICT LITIGATION PROCEEDINGS PROCEDURES.

Section 1407 is amended by adding at the end the following:

“(i) **ALLEGATIONS VERIFICATION.**—In any coordinated or consolidated pretrial proceedings conducted pursuant to subsection (b), counsel for a plaintiff asserting a claim seeking redress for personal injury whose civil action is assigned to or directly filed in the proceedings shall make a submission sufficient to demonstrate that there is evidentiary support (including but not limited to medical records) for the factual contentions in plaintiff’s complaint regarding the alleged injury, the exposure to the risk that allegedly caused the injury, and the alleged cause of the injury. The submission must be made within the first 45 days after the civil action is transferred to or directly filed in the proceedings. That deadline shall not be extended. Within 30 days after the submission deadline, the judge or judges to whom the action is assigned shall enter an order determining whether the submission is sufficient and shall dismiss the action without prejudice if the submission is found to be insufficient. If a plaintiff in an action dismissed without prejudice fails to tender a sufficient submission within the following 30 days, the action shall be dismissed with prejudice.

“(j) **TRIAL PROHIBITION.**—In any coordinated or consolidated pretrial proceedings conducted pursuant to subsection (b), the judge or judges to whom actions are assigned by the Judicial Panel on Multidistrict Litigation may not conduct any trial in any civil action transferred to or directly filed in the proceedings unless all parties to the civil action consent to trial of the specific case sought to be tried.

“(k) **REVIEW OF ORDERS.**—

“(1) **IN GENERAL.**—The Court of Appeals having jurisdiction over the transferee district shall permit an appeal to be taken from any order issued in the conduct of coordinated or consolidated pretrial proceedings conducted pursuant to subsection (b), provided that an immediate appeal from the order may materially advance the ultimate termination of one or more civil actions in the proceedings.

“(2) **REMAND ORDERS.**—Notwithstanding section 1447(e), a court of appeals may accept an appeal from an order issued in any coordinated or consolidated proceedings conducted pursuant to subsection (b) granting or denying a motion to remand a civil action to the State court from which it was removed if application is made to the court of appeals within 14 days after the order is entered.

“(1) **ENSURING PROPER RECOVERY FOR PLAINTIFFS.**—The claimants in any civil action asserting a claim for personal injury transferred to or directly filed in coordinated or consolidated pretrial proceedings conducted pursuant to subsection (b) shall receive not less than 80 percent of any monetary recovery obtained in that action by settlement, judgment or otherwise. The judge or judges to whom the coordinated or consolidated pretrial proceedings have been assigned shall have jurisdiction over any disputes regarding compliance with this requirement.”.

SEC. 106. RULEMAKING AUTHORITY OF SUPREME COURT AND JUDICIAL CONFERENCE.

Nothing in this title shall restrict in any way the authority of the Judicial Conference and the Supreme Court to propose and prescribe general rules of practice and procedure under chapter 131 of title 28, United States Code.

SEC. 107. EFFECTIVE DATE.

The amendments made by the title shall apply to any civil action pending on the date of enactment of this title or commenced thereafter.

TITLE II—FURTHERING ASBESTOS CLAIM TRANSPARENCY**SEC. 201. SHORT TITLE.**

This title may be cited as the “Furthering Asbestos Claim Transparency (FACT) Act of 2017”.

SEC. 202. AMENDMENTS.

Section 524(g) of title 11, United States Code, is amended by adding at the end the following:

“(8) A trust described in paragraph (2) shall, subject to section 107—

“(A) file with the bankruptcy court, not later than 60 days after the end of every quarter, a report that shall be made available on the court’s public docket and with respect to such quarter—

“(i) describes each demand the trust received from, including the name and exposure history of, a claimant and the basis for any payment from the trust made to such claimant; and

“(ii) does not include any confidential medical record or the claimant’s full social security number; and

“(B) upon written request, and subject to payment (demanded at the option of the trust) for any reasonable cost incurred by the trust to comply with such request, provide in a timely manner any information related to payment from, and demands for payment from, such trust, subject to appropriate protective orders, to any party to any action in law or equity if the subject of such action concerns liability for asbestos exposure.”.

SEC. 203. EFFECTIVE DATE; APPLICATION OF AMENDMENTS.

(a) **EFFECTIVE DATE.**—Except as provided in subsection (b), this title and the amendments made by this title shall take effect on the date of the enactment of this title.

(b) **APPLICATION OF AMENDMENTS.**—The amendments made by this title shall apply with respect to cases commenced under title 11 of the

United States Code before, on, or after the date of the enactment of this title.

The ACTING Chair. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part B of House Report 115–29. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. GOODLATTE

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in part B of House Report 115–29.

Mr. GOODLATTE. Mr. Chairman, I have amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, line 12, strike “of,” and all that follows through line 15, and insert “or employee of”.

Page 4, insert after line 19 the following:

“(d) EXCEPTION.—This section shall not apply to a private action brought as a class action that is subject to section 27(a) of the Securities Act of 1933 (15 U.S.C. 77z–1(a)) or section 21D(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78u–4(a)).”

Page 8, line 14, add at the end the following: “This section shall not apply to a private action brought as a class action that is subject to section 27(a) of the Securities Act of 1933 (15 U.S.C. 77z–1(a)) or section 21D(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78u–4(a)).”

Page 9, line 6, strike “amended—” and all that follows through line 12 and inserting the following: “amended by inserting after subsection (e) the following:”

Page 9, line 13, strike “(d)” and insert “(f)”.

Page 9, line 16, insert “commenced in a State court” before “in which”.

Page 10, line 2, strike “defendants” and insert “plaintiffs”.

Page 10, line 3, strike “plaintiffs” and insert “defendants”.

Page 10, line 9, strike “The court” and insert “Except as provided in paragraph (4), the court”.

Page 10, line 14, insert after “section 1332(a).” the following:

“(4) The court shall retain jurisdiction over a claim that does not satisfy the jurisdictional requirements of section 1332(a) if—

“(A) the claim is so related to the claims that satisfy the jurisdictional requirements of section 1332(a) that they form part of the same case or controversy under Article III of the United States Constitution; and

“(B) the plaintiff consents to the removal of the claim.”

Page 11, line 7, strike “30 days” and insert “90 days”.

Page 11, line 19, strike “any trial in any civil action” and insert “a trial in a civil action”.

Page 11, line 21, strike “to the civil action” and insert “to that civil action”.

Page 11, line 21, strike “to trial of” and all that follows through “to be tried” on line 22.

Page 12, line 4, insert after “provided that” the following: “the order is applicable to one

or more civil actions seeking redress for personal injury and that”.

Page 12, line 8, strike “1447(e)” and insert “1447(d)”.

Page 12, strike line 15, and all that follows through “requirement.” on line 25, and insert the following:

“(1) ENSURING PROPER RECOVERY FOR PLAINTIFFS.—A plaintiff who asserts personal injury claims in any civil action transferred to or directly filed in coordinated or consolidated pretrial proceedings conducted pursuant to subsection (b) shall receive not less than 80 percent of any monetary recovery obtained for those claims by settlement, judgment, or otherwise, subject to the satisfaction of any liens for medical services provided to the plaintiff related to those claims. The judge or judges to whom the coordinated or consolidated pretrial proceedings have been assigned shall have jurisdiction over any disputes regarding compliance with this requirement.”

The Acting CHAIR. Pursuant to House Resolution 180, the gentleman from Virginia (Mr. GOODLATTE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. GOODLATTE. Mr. Chairman, the manager’s amendment makes several technical changes to the bill, none of which alter its basic policy, but all of which add clarity to the bill where necessary.

First, in the section of the bill governing conflicts of interest, this amendment strikes the prohibition on the use of the same class counsel if the named plaintiff is a present or former client or has a contractual relationship with the class counsel. In some instances, those restrictions may unduly limit the availability of class counsel or class representatives, so this amendment would remove them. It also clarifies that nothing in the conflicts of interest section of the bill applies to securities class actions, which have their own provisions for selection of class representatives and counsel elsewhere in the U.S. Code. The same exemption for securities class actions is made to the stay of discovery section of the bill because, again, securities class actions have their own discovery stay provisions elsewhere in the U.S. Code.

Second, the amendment makes technical changes to the misjoinder section of the bill, making clear it applies only to civil actions commenced in State court and subsequently removed to Federal court, and that a Federal court can retain jurisdiction over claims that are so related to each other that they form part of the same case and controversy under Article III of the Constitution, and the plaintiff consents to the removal of the claim.

Third, the amendment extends from 30 days to 90 days the amount of time for Federal courts to review the sufficiency of the allegations verification submissions made in the section on multidistrict litigation. The amendment also makes clear that a par-

ticular case may not be tried in a multidistrict proceeding unless all parties in that particular case consent—not all parties in the entire multidistrict proceeding. And it also makes clear in the section providing that the claimant shall not receive less than 80 percent of any monetary recovery, that such section does not alter the claimant’s obligations to satisfy liens on the recovery—that is, debts owed to the Federal Government or to private insurers—for medical services received by the claimant for the treatment of the injuries alleged in the litigation. So, for example, if a person took a medicine and alleges he suffered injury as a result, a Federal program may have paid for the treatment of the injury. If the person gets a settlement of his claim, it would include money for those medical services that should be paid back to the Federal Government. The revision makes clear that the satisfaction of such liens should come out of the 80 percent received by the claimant. The amendment also makes clear that the authorization for appeals from orders in MDL proceedings is limited to cases seeking redress for personal injury.

Mr. Chairman, I urge my colleagues to join me in supporting these clarifying and improving amendments, and I reserve the balance of my time.

Mr. RASKIN. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Maryland is recognized for 5 minutes.

Mr. RASKIN. Mr. Chairman, I rise in opposition to the manager’s amendment to H.R. 985 with all due deference to the chair of our committee.

Although the amendment makes a number of mostly technical amendments to the bill, it still fails to address the numerous fundamental flaws that we have identified in the underlying legislation, which is a dagger pointing at the heart of class action lawsuits in America.

The major substantive change that I noted under the manager’s amendment was that class certification would still be prohibited when a named plaintiff or class representative is a relative or employee of the class counsel, but made some other changes narrowing the scope of the conflict of interest provision slightly. The amendment still fails to address the fundamental problem with that provision, which is that there is no justification for concluding that the specified relationships are, per se, problematic or that class certification should be denied just because such a relationship exists.

The general problem pervading the legislation remains. The first is a procedural problem, which we have identified.

I was delighted that the gentleman from Texas (Mr. FARENTHOLD) responded to our complaint that we had

had no hearings on the bill. In response to that, he directed my attention to a hearing that took place in 2011, 6 years ago.

There are nine members of the Judiciary Committee who just joined this year and many dozens of Members who have joined the House since 2011. It is true that we could go back and read it within the 24 hours we had to do that before the markup took place. We could also go back and just read at that point the Constitution of the United States, which guarantees to everybody a jury trial which attempts to establish civil justice in America.

What we are getting instead is an attempt to put class action lawsuits and civil liability into a straitjacket. It is an attempt to make it far harder for people to see their rights vindicated when they have been violated by an auto manufacturer, someone who is putting asbestos into materials that are being used near servicemembers, those who are selling poisonous breast implants, and so on.

I am rising in opposition to the amendment simply because it does nothing to answer the many massive objections leveled against this legislation by consumer groups like the Consumer Federation of America, by groups defending civil justice, like the Alliance for Justice, and indeed by the Judicial Conference of the United States and the American Bar Association, both of which strongly oppose this legislation because they do not think it is warranted. They don't think that it responds to any problems that are really out there.

Mr. Chairman, I yield back the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. GOODLATTE).

The amendment was agreed to.

□ 1645

AMENDMENT NO. 2 OFFERED BY MR. DEUTCH

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in part B of House Report 115-29.

Mr. DEUTCH. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, strike line 22, and insert the following: "In a class action".

Page 4, strike line 9, and all that follows through line 19.

The Acting CHAIR. Pursuant to House Resolution 180, the gentleman from Florida (Mr. DEUTCH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. DEUTCH. Mr. Chairman, the right to choose one's own counsel is a

basic right in our democracy. This is a right that is a foundation of a fair and impartial judicial system.

Having the right to choose one's own attorney ensures that a person can hire an attorney who will best represent their interests and protect their rights in the judicial process.

H.R. 985, the Fairness in Class Action Litigation Act, undermines this basic right by requiring a court to deny any class action certification based solely on a proposed class representative or named plaintiff being represented by a family member. The bill provides no discretion to the court and no exceptions.

The bill uses an expansive definition that includes not only immediate family members, but extended parts of a family tree by blood and marriage. Such a broad definition is an unfair restriction on the right to an attorney of one's own choosing.

Previously, the manager's amendment modified this provision but did not relieve these concerns. Such broad, blanket assumptions about family relationships fail to recognize the importance of trust and expertise into the attorney-client relationship.

In many instances, a family member will best represent their interests in court or could have specialized training and experience relevant to the case, yet the language in this bill does not provide for any discretion or any exceptions.

The fact that a lawyer representing a potential class is a family member of a named class member does not, in itself, create a conflict of interest; and under current law, there is a process for courts to address real conflicts of interest when they arise.

Under the Federal Rules of Civil Procedure Rule 23(g), courts have an extensive list that must be satisfied when appointing counsel to represent a class. There also already is a strong disincentive against conflicts through fairness hearings after settlement is reached. Any potential conflict of interest risks spoiling the agreement and wasting the efforts of counsel and the class.

Removing the discretion of the courts is overly broad and will remove access to appropriate counsel where no conflict exists. I urge strong support for my amendment and the removal of this provision from this bill.

I reserve the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. GOODLATTE. Mr. Chairman, this amendment should be defeated. Abraham Lincoln left behind pages of notes on a lecture he was to give to lawyers. They say: "Never stir up litigation. A worse man can scarcely be found than one who does this. Who can

be more nearly a fiend than he who habitually overhauls the register of deeds in search of defects in titles, whereon to stir up strife and put money in his pocket?"

That was Lincoln in the 1850s. Here is Forbes Magazine just a couple of years ago:

The lead plaintiff in the 5-Hour case . . . worked in marketing for a cosmetic surgery center in California. But in a grueling 5-hour deposition, she admitted she had been recruited to serve as a plaintiff by her cousin, who worked for a Texas lawyer; had purchased two bottles of 5-Hour ENERGY specifically to sue the manufacturer; had never complained to the company or sought a refund; and had signed a backdated retainer agreement with the trial lawyer, Rubinstein, the fellow seen here at his own deposition. . . . Another one of Rubinstein's clients . . . admitted she had served as a plaintiff for Rubinstein in at least four class actions over products like Swanson pot pies and lipstick. . . . Emails and other communications 5-Hour's lawyers uncovered in their suit showed that Rubinstein belonged to a loose affiliation of lawyers who ran an assembly-line process of identifying companies to sue and then helping each other find plaintiffs.

Lawsuits are supposed to be initiated by truly injured plaintiffs seeking redress, not invented by lawyers who hunt for a plaintiff to assert a supposed injury made up by the lawyer.

Few class members bother to collect the payments available in class action settlements, in large part because they don't feel injured by the supposedly wrongful conduct in the first place.

In too many cases, trial lawyers come up with an idea for a lawsuit and then search for a person who has bought the product, or they send a relative or employee to buy the product so they will have someone who can sue on behalf of a proposed class of all other buyers. No product purchaser has actually complained or feels cheated; it is just lawyers in pursuit of money. That is a major reason why so few class members bother to collect the payments available in class action settlements. They don't feel injured by the supposedly wrongful conduct in the first place.

This abuse of the class action lawyer-driven lawsuits must end. The base bill, therefore, requires lawyers to disclose how proposed class representatives became involved in the class action. Further, it prohibits class actions in which any proposed class representative, that is, a named plaintiff that will be representing everyone else in the class action, is a relative of or an employee of the class action lawyer.

Further clarifications making clear that this provision will not apply to present or former clients of, or those who have had any contractual relationship with, class counsel have already been made to the bill in the manager's amendment. The only prohibition that remains in the bill is the bar on class counsel using a relative or employee as a class representative. Clearly, that shouldn't be permitted.

The class representative is supposed to be representing the class interests, to independently “be the client” for the class, and tell counsel what to do. That independence will be gone if the class representative is a relative or employee of the class counsel. This amendment should be defeated.

Mr. Chairman, I yield back the balance of my time.

Mr. DEUTCH. Mr. Chairman, I urge my colleagues to adopt this important amendment to ensure that they have an opportunity to be heard when they are injured by an attorney of their choice.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. DEUTCH).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. DEUTCH. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. DEUTCH

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part B of House Report 115–29.

Mr. DEUTCH. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 6, strike line 1 and all that follows through line 8.

The Acting CHAIR. Pursuant to House Resolution 180, the gentleman from Florida (Mr. DEUTCH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. DEUTCH. Mr. Chairman, freedom of speech, freedom of religion, the right to vote, the right to be free from cruel and unusual punishment, and other rights enumerated in the Constitution have an intrinsic value that cannot be adequately expressed in dollars and cents. When a person's constitutional rights are violated, they cannot be made whole entirely with money, and yet the bill that we have before us today would require our judicial system to hang a price tag on our most cherished constitutional rights.

Under H.R. 985, the Fairness in Class Action Litigation Act, if a “judgment or proposed settlement in a class action provides for equitable relief, the portion of any attorney's fee award to class counsel that is attributed to the equitable relief shall be limited to a reasonable percentage of the value of the equitable relief, including any injunctive relief.”

Mr. Chairman, when a court grants such relief, it is not awarding money to

a plaintiff. In these cases, the courts are stepping in to say this is a violation of constitutional rights and it must stop.

My amendment would strike the provision in this bill that would devalue our fundamental rights by requiring a highly subjective and wasteful, costly, and demeaning process of putting a price tag on these rights. Worse, it would deter attorneys from bringing critical civil lawsuits that reform systemic and widespread violations of individual rights.

When we think of class actions, we usually imagine a group of people seeking money to compensate them for an injury or a harm—a toxic spill, a horrific accident, an Erin Brockovich-type story. But the reality is that there are many class actions that do not seek monetary damages but are fighting to right a systemic wrong in our society.

These class actions have made lasting changes to our legal system and society that have moved our country closer to equality and justice, landmark class actions such as: *Brown v. Board of Education*, ending separate but equal as a basis for racial segregation in our schools; *Allen v. State Board of Elections*, finding that section 5 of the Voting Rights Act requires preclearance of any changes in voting practices; and *Alexander v. Holmes County School District*, requiring immediate integration of the schools. In these cases, plaintiffs asked the courts to protect and preserve their constitutional rights for themselves and others in similar situations in the future.

Under the system set forward by H.R. 985, a court would have to also set a dollar value to the judgment. How do you place a price tag on desegregating our Nation's public schools? How do you place a price tag on protecting the right to vote? How do you put a price tag on preserving the Constitution's Sixth Amendment right to counsel? How do you put a price tag on the fundamental right of marriage? It is not possible. These are fundamental, constitutional rights, and these rights are priceless.

If this bill were to become law, courts and civil cases would become bogged down in ancillary litigation aimed at establishing the value of rights, rights that are protected through equitable and injunctive relief. It would be a mess, and we don't have to make this unforced error.

I oppose the underlying bill, but it is my sincere hope that, if the House is going to pass it, the least that we can do is remove this provision from the bill and end this insulting pretense that the courts or anyone else can put a dollar value on our constitutional freedoms.

I urge support for my amendment, and I reserve the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. GOODLATTE. Mr. Chairman, this amendment should be defeated.

Insofar as a class action seeks equitable relief, that is, the nonmonetary relief, including any injunctive relief that seeks to stop the defendant from doing something wrong, the portion of any class action lawyer's fee should be limited to a reasonable percentage of the value of that relief as determined by the court.

This provision won't affect fee awards in civil rights cases because both the monetary and equitable relief attorney's fees provision in this bill are qualified with the initial phrase, “unless otherwise specified by Federal statute.”

The Civil Rights Attorney's Fee Award Act of 1976 allows a court, in its discretion, to award reasonable attorney's fees as part of the costs to a prevailing party in Federal civil rights lawsuits, including cases brought under 28 U.S.C. section 1983, the statute most commonly used to assert civil rights claims. Consequently, this bill won't affect attorney's fees in civil rights class actions at all.

Regarding other equitable relief cases that don't involve civil rights claims, Federal courts routinely determine the value of intangible relief such as equitable or injunctive relief for purposes of determining whether the amount in controversy requirement—currently, \$75,000 to get into court—is met.

A majority of courts consider only the value of the injunctive relief from the plaintiff's perspective or viewpoint. Some courts determine the jurisdictional amount by evaluating the claim from the perspective of the party seeking Federal court jurisdiction. Others have adopted the “either viewpoint” rule, which allows the court to look to either the plaintiff's or the defendant's viewpoint in establishing the amount in controversy in cases seeking some form of injunctive relief.

The bottom line is that, under this bill, Federal courts will be able to use either approach in deciding the value of the injunctive relief provided to class members; and generally speaking, counsel should be paid on the basis of what lawyers actually deliver to their clients.

This base bill, of course, does not alter in any way the relief that would be granted to equitable relief class action members. It only limits the fees attorneys would receive to a reasonable percentage of the value of what the class members actually received. So all this amendment would do would be to put more money in the hands of lawyers and less in the hands of victims.

I urge my colleagues to oppose this amendment, and I reserve the balance of my time.

Mr. DEUTCH. Mr. Chairman, section 1983 that my friend, the chairman, refers to as to providing attorney's fees, requires a determination of attorney's fees by the number of hours reasonably expended on litigation multiplied by a reasonable hourly fee.

□ 1700

This bill is very different from that. Instead of referring to hours and an hourly rate reasonably spent by an attorney, this bill requires the court to establish the value of the actual, equitable, or injunctive relief.

As I have suggested already, I cannot think of anyone who would believe that we should leave it up to a court to put a value on our constitutional rights that are, without question, priceless in our democracy.

Mr. Chairman, I urge my colleagues to support this good amendment, and I yield back the balance of my time.

Mr. GOODLATTE. Mr. Chairman, constitutional rights are priceless, but attorney's fees have to be set by the court. Who else is going to set them in those cases?

I want to correct the gentleman, again, on this point about section 1983 cases because this bill says very clearly: unless otherwise specified by Federal statute.

So this bill is not affected by the very example that he cites because that is something that is otherwise specified by Federal statute.

Mr. Chairman, I urge my colleagues to oppose this needless and harmful amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. DEUTCH).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. DEUTCH. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida will be postponed.

AMENDMENT NO. 4 OFFERED BY MR. SOTO

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in part B of House Report 115-29.

Mr. SOTO. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 8, strike line 7 and all that follows through line 14 (and amend the amendment to the table of contents on page 9 after line 3 accordingly).

The Acting CHAIR. Pursuant to House Resolution 180, the gentleman from Florida (Mr. SOTO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. SOTO. Mr. Chairman, my amendment would strike section 1721 of this Fairness in Class Action Litigation Act of 2017. The irony of section 1721 is it unfairly subjects class action plaintiffs to an inevitable deluge of prolonged delay.

A stay of discovery means no depositions. It means injured people will not get essential documents. It means victims will not be entitled to the names of necessary witnesses and more as long as a motion that may dispose of the case is pending. There is nothing to prevent a corporation from filing motion after motion to obstruct a victim's path to justice.

Numerous consumer, civil rights, environmental, labor, and other public interest groups oppose this bill because it builds in an automatic stay of discovery in the district court whenever an alleged wrongdoer files any one of a list of motions, including common motions like a motion to strike, a motion to dismiss, and a motion to dispose of class action allegations. There will be no end to the filing of these motions. This is an invitation for gamesmanship and delay and will deprive judges of the ability to properly manage their cases.

The framers of the bill want you to believe that plaintiffs are greedy, undeserving people who want to hinder small business. This could not be further from the truth. If there are big settlements, it is because the damage to the victims was heinous.

Is there any doubt that huge corporations would file motion after motion to obstruct these victims from getting the facts they need?

Class actions are critical for enforcement of laws prohibiting discrimination in employment, housing, education, and access to public areas and services.

At the end of the day, if we are trying to reduce litigation, why have this glaring loophole where someone continues to file motions to stop ordinary discovery from going forward?

Mr. Chairman, I urge Members to support my amendment, and I reserve the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I claim time in opposition to the amendment.

The Acting CHAIR (Mr. BYRNE). The gentleman from Virginia is recognized for 5 minutes.

Mr. GOODLATTE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this amendment should be rejected. The discovery process—the pretrial process in a lawsuit in which trial lawyers demand documents and other things from the people they are suing—imposes huge costs on defendants, particularly because of the astronomical costs associated with the discovery of electronic information, such as emails.

Law Technology News has reported that the total cost of electronic dis-

covery rose from \$2 billion in 2006 to \$2.8 billion in 2009 and estimated that the total cost would rise 10 to 15 percent annually over the next few years. In a more recent case study of Fortune 500 companies, the RAND Institute found that the median total cost for electronic discovery among participants totaled \$1.8 million per case.

These costs are asymmetric. While defendants typically are subject to gigantic discovery costs, because they are large organizations possessing large amounts of data, plaintiffs have little information in their possession, and, therefore, are subject to a very small financial burden during the discovery process.

Moreover, discovery conducted before a motion to dismiss is decided is unfair. Why should defendants bear the burden of paying for discovery before a complaint is held legally sufficient, especially when the threat of huge costs may coerce an unjustified settlement?

The reality for most civil litigation is that the defendants' obligation to bear these exorbitant discovery costs incentivizes plaintiffs to serve burdensome discovery requests on defendants with zero downside risk to themselves. As professor Martin Redish has explained: "The fact that a party's opponents will have to bear the financial burden of preparing the discovery response actually gives litigants an incentive to make discovery requests, and the bigger expense to be borne by the opponent, the bigger incentive to make the request."

Because defendants seek to avoid these exorbitant costs, discovery is all too often used as a weapon to coerce settlement of claims regardless of their merit. Even the Supreme Court has recognized this problem, lamenting that the threat of discovery expense will push cost-conscious defendants to settle even anemic cases before reaching trial.

For example, assume that a defendant moves to dismiss a class action because it doesn't assert any valid claims. Under current law, the named plaintiff can serve massive discovery requests that force defendants to spend \$10 million to collect the requested documents. A rational decision for that defendant is to settle the case for millions, even if 4 months later the court grants the motion to dismiss, finding the class claims to be totally without merit. That is because, without a stay in discovery, the defendants will, in the meantime, have been required to spend all or part of the \$10 million costs complying with the discovery requests for, it turns out, no legitimate reason. Trial lawyers pursue discovery in this circumstance primarily in an effort to pressure the defendant to settle invalid claims.

The subsection of the bill entitled "Stay of discovery" would stop the use of discovery to coerce unjustified settlements by requiring Federal courts

to stay discovery pending resolution of rule 12 motions—that is, motions to dismiss for failure to state a claim—motions to strike class allegations, motions to transfer, and other motions that would dispose of class allegations unless the court finds that particularized discovery is necessary to preserve evidence or to prevent undue prejudice to a party.

Mr. Chairman, this amendment should be defeated, and I reserve the balance of my time.

Mr. SOTO. Mr. Chairman, even if we included motions to dismiss in the stay, which are at the beginning of the case because they are dispositive motions, there are still motions to strike that are left in this bill.

After surviving a motion to dismiss, motions to strike are regularly filed. Anybody who has had any time in the courtroom know they can be filed over and over and over again. There is no limit of them under the Federal Rules of Civil Procedure. So simply by filing motion to strike after motion to strike, a defendant can continue to delay justice; and justice delayed is justice denied.

Mr. Chairman, I yield back the balance of my time.

Mr. GOODLATTE. Mr. Chairman, the gentleman will be pleased to know that tomorrow we will consider on the floor of this House legislation that, under rule XI, would impose mandatory sanctions on attorneys who engage in the type of activity he just described. That is an abuse as well. It will be covered by that legislation. But this legislation is appropriate to make sure that justice is done in class action litigation.

Mr. Chairman, I urge my colleagues to oppose this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. SOTO).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. SOTO. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida will be postponed.

AMENDMENT NO. 5 OFFERED BY MR. JOHNSON OF GEORGIA

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in part B of House Report 115–29.

Mr. JOHNSON of Georgia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 8, line 21, insert after “Civil Procedure.” the following (and amend the amendment to the table of contents on page 9 after line 3 accordingly):

“§ 1724. Applicability

“Sections 1716 through 1723 shall not apply in the case of any civil action alleging fraud.”.

The Acting CHAIR. Pursuant to House Resolution 180, the gentleman from Georgia (Mr. JOHNSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. JOHNSON of Georgia. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, my amendment ensures the draconian class action rules created by H.R. 985 do not apply to cases alleging fraud.

Corporate malfeasance and fraudulent practices are an ongoing problem facing American consumers. We saw this firsthand with the recent Wells Fargo case. In response to the company creating over 2 million phony bank and credit card accounts, thousands of account holders certified as a class to hold Wells Fargo accountable in court. However, under H.R. 985’s new requirements, this class action would have been stopped dead in its tracks at the certification phase. This is because the bill does not clearly define exactly how similar the scope and how similar the type of injury a class member must suffer. Since each individual Wells Fargo account holder endured varying degrees of financial harm from the company’s unauthorized actions, it is unclear if the victims would be considered a class under these new rules.

The Volkswagen Dieselgate scandal is another example of a fraud case that would be at risk under these new rules. The German company defrauded thousands of consumers by selling cars that did not meet EPA emissions standards. The cars were, instead, fitted with illegal defeat software, which allowed them to pass routine emissions tests while still producing up to 35 times the legal limits of nitrogen oxides. A new MIT study found that the excess emissions generated by these cars between 2008 and 2015 will cause 1,200 premature deaths in Europe and 60 in the United States. This is in addition to the thousands of consumers who faced financial loss because they owned these defective vehicles that they could not trade in or sell.

As part of the class action settlement, consumers were able to recoup their losses through a buyback program. As currently drafted, H.R. 985 would have made such a settlement unlikely because of the restrictions on cases involving financial injuries.

Finally, we have the notorious and infamous Trump University class action. Class certification was granted for the thousands of students who were hurt by the President’s allegedly fraudulent for-profit scheme. Over 7,000 students were eligible for the class action because they were cheated into think-

ing they would become the next big real estate mogul. Instead, students lost thousands of dollars and wasted valuable time at this joke of a school.

To avoid any admission of wrongdoing or face an embarrassing trial, the President and the now-defunct Trump University opted for a \$25 million settlement. Because of the impossible certification requirements in H.R. 985, it is safe to assume that Trump University’s lawyers would have had a field day dismantling this class action from the very beginning of the litigation.

Earlier this week, it was reported in The New York Times that one of the students is opting out of the settlement, and if this bill passes, the risk will be that the class action could fall apart to the benefit of President Trump.

□ 1715

Knowing how litigious our President is, this outcome is highly likely, as H.R. 985 applies not just to future cases but, suspiciously, pending ones as well—an almost unheard of clause to include in legislation.

We cannot allow corporations, whether foreign or domestic, whether controlled by an unnamed board or by the President of the United States, to defraud consumers without facing accountability. My amendment looks to protect Americans in such cases and allows them to move forward in the courts as part of a class action.

Mr. Chairman, I ask my colleagues to support my amendment, and I reserve the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. GOODLATTE. Mr. Chairman, this amendment would subject certain class members to unfair treatment and should be rejected.

The purpose of a class action is to provide a fair means of evaluating like claims, not to provide a means of artificially inflating the size of a class to extort a larger settlement value. Exempting a subset of cases from the bill, as this amendment would do, would serve only to incentivize the creation of artificially large classes to extort larger and unfair settlements from innocent parties for the purpose of disproportionately awarding uninjured parties.

Why should only the claimants covered by the amendment be subject to particularly unfair treatment by being allowed to be forced into a class action with other uninjured or minimally injured members, only to see their own compensation reduced? This does a disservice to those claimants. Yet, that is exactly what this amendment would do.

Regardless of the subject matter, class action plaintiffs are increasingly

inclined to include fraud claims in their complaints. If they are suing about an allegedly defective product, they will add fraud claims, alleging that the manufacturer committed fraud by not disclosing the defect. If they are suing for a breach of contract, they will add fraud allegations, saying that the defendant didn't disclose the alleged breach, and so on and so forth.

Thus, this amendment would effectively gut the entire bill, since, to avoid its important reforms, class action lawyers would simply add fraud claims to their complaints, as they are increasingly prone to do in any event.

Regarding the Volkswagen case, some opponents have urged that, if enacted, the base bill would have prevented the filing of the class actions related to the Volkswagen diesel emission controversy. Those assertions are false.

This bill's injury provision would be readily satisfied in the VW cases, as class members presumably would argue that they have been injured by their purchase of vehicles with noncompliant emission systems.

Further, if the scope or type of injury differed among class members, separate class actions could be filed for each group, as actually occurred with respect to differing models in the Volkswagen MDL proceeding.

The bill's requirement about class representative disclosures would be easily satisfied. Many class members are interested in the litigation and presumably ready to serve as conflict-free class representatives who would not run afoul of these provisions.

The bill's ascertainability provisions would pose no obstacles because vehicle registration records would provide reliable class member lists and counsel could easily demonstrate a method to get any relief to class members.

Requiring that payment of counsel fees await distribution of class benefits and that fees reflect a reasonable percentage of benefits actually received by class members would not impede bringing such cases.

The cases would be litigated without resort to issues classes. Disclosure of any third-party litigation funding of the class actions wouldn't preclude such cases. The provision doesn't prohibit such funding. Only disclosure is required. Staying discovery while motions to dismiss are pending also poses no roadblock.

Mr. Chairman, again, I urge my colleagues to defeat this gutting amendment, and I reserve the balance of my time.

Mr. JOHNSON of Georgia. Mr. Chairman, protecting big, multinational corporations from fraud claims is not only unfair, it is odious. If you can't hold a big, multinational corporation accountable for fraud, then your money is at risk, your health is at risk, and the lives of innocent people are at risk.

Mr. Chairman, I ask that all of my colleagues support this amendment, which protects the American people from fraud.

Mr. Chairman, I yield back the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I would just say to the gentleman that there is nothing in this bill that would restrict access to class actions based upon fraud claims. And in fact, this bill is designed to maximize the recovery for those fraud victims, rather than lining the pockets of attorneys.

Mr. Chairman, I urge my colleagues to oppose the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. JOHNSON).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. JOHNSON of Georgia. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

AMENDMENT NO. 6 OFFERED BY MR. CONYERS

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in part B of House Report 115-29.

Mr. CONYERS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 8, line 25, insert after "Civil Procedure." the following (and amend the amendment to the table of contents on page 9 after line 3 accordingly):

"§ 1724. Applicability

"Sections 1716 through 1723 shall not apply in the case of any civil action alleging a violation of a civil right."

The Acting CHAIR. Pursuant to House Resolution 180, the gentleman from Michigan (Mr. CONYERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. CONYERS. Mr. Chairman, I rise in support of my amendment, which would exempt H.R. 985's unnecessary and burdensome class action provisions all class actions asserting civil rights claims.

Class actions are an important litigation tool that consumers, workers, and anyone else who has suffered injury can use to vindicate their rights. They are also a critical mechanism for enforcing public policy and are especially key in the enforcement of Federal civil rights laws.

For instance, plaintiffs in employment discrimination cases who seek backpay because of an adverse employment decision often pursue class actions because such cases tend to be the kind that are well-suited for class

treatment. These cases typically concern multiple victims who were subjected to the same discriminatory employment practice or policy.

While damages awarded pursuant to a single plaintiff may not be large enough to deter the employer's alleged wrongdoing, aggregate damages awarded to plaintiffs as a result of class action would have a deterrent effect.

Unfortunately, this bill, H.R. 985, requires class action plaintiffs to prove at the certification stage that every potential class member suffered the same type and same scope of injury, a requirement that is obviously virtually impossible and cost prohibitive to meet.

This onerous requirement would effectively deter employment discrimination and other civil rights plaintiffs from proceeding with any class action.

As if this provision were not onerous enough, H.R. 985 would also harm civil rights plaintiffs by making it virtually impossible to pursue class actions pursuant to Rule 23(c)(4) of the Federal Rules of Civil Procedure.

All Federal appeals courts interpret that provision as allowing courts to certify a class limited to one issue in a case, such as liability, without having to certify a putative class for the entire cause of action.

Allowing courts to decide common questions within a case, while permitting other issues to be determined on an individual basis, would promote judicial efficiency, which is also one of the principal benefits of class actions.

H.R. 985, however, would prohibit certification of such "issue" class actions unless the putative class for the entire cause of action is certified, which would only further delay and possibly deny justice for plaintiffs.

This provision would have a particularly devastating impact on civil rights class actions that often can only be maintained as to particular issues, such as liability.

Indeed, for these, and many other reasons, including the bill's mandatory appeals provision, its automatic stay of discovery, and its draconian and unworkable standards for setting attorneys' fees, 123 civil rights groups and organizations have written a letter to the Judiciary Committee in strong opposition to H.R. 985, which I include in the RECORD.

MARCH 7, 2017.

Re Strong Opposition to H.R. 985—Section 2.
Hon. PAUL RYAN,
Speaker, House of Representatives,
Washington, DC.
Hon. NANCY PELOSI,
Minority Leader, House of Representatives,
Washington, DC.

DEAR SPEAKER RYAN AND LEADER PELOSI: We understand that the House will soon consider H.R. 985, the "Fairness in Class Action Litigation and Furthering Asbestos Claim Transparency Act of 2015." The 123 signatory civil rights organizations and advocates write to strongly oppose Section 2 of H.R. 985. The bill will undermine the enforcement

of this nation's civil rights laws and upend decades of settled class action law. This sweeping and poorly drafted legislation will create needless chaos in the courts without actually solving any demonstrated problem. In this letter, we highlight the most egregious of its many harms.

As advocates for the marginalized and often invisible members of our society, we write to remind House members that class actions are critical for the enforcement of laws prohibiting discrimination in employment, housing, education, and access to public areas and services. As the Supreme Court has recognized, class actions provide "vindication of the rights of groups of people who individually would be without effective strength to bring their opponents into court at all." *Amchem Products, Inc. v. Windsor*, 521 U.S. 591, 617 (1997). Courts have interpreted Rule 23 of the Federal Rules of Civil Procedure, the federal class action rule, over decades and the Advisory Committee on Civil Rules has, through its deliberative process, reviewed and amended the rule to ensure its fair and efficient operation. No further revisions are needed at this time.

H.R. 985 ADDS YEARS OF ADDITIONAL DELAY, EXPENSE, AND DISRUPTION

One of the stated purposes of the bill is to "assure . . . prompt recoveries," yet it includes provisions that will extend the duration of cases by years and add exponentially to the expense on both sides.

The bill allows for an automatic appeal—in the middle of every case—of the class certification order. Such appeals are extraordinarily disruptive and typically add one to three years to the life of the case. While the case sits in an appellate court, expenses and fees rise, memories fade, and injured victims remain without justice. Automatic appeals of all class certification orders will clog our already-taxed Courts of Appeals. Appeals of class certification rulings are already permitted at the discretion of the Courts of Appeals. An appeal of every class certification ruling is unnecessary.

The bill similarly builds in an automatic stay of discovery in the district court whenever an alleged wrongdoer files any one of a list of motions. This is an invitation for gamesmanship and delay, and will deprive judges of the ability to properly manage their cases.

The bill, by its terms, applies to all cases pending upon the date of enactment. This means that hundreds of cases that have been litigated and certified under existing law would start from scratch with new standards, new class certification motions, and new automatic interlocutory appeals. The resulting waste of judicial resources would be enormous.

CIVIL RIGHTS INJURIES ARE NEVER IDENTICAL AND ARE ALREADY SUBJECT TO RIGOROUS JUDICIAL REVIEW

H.R. 985 imposes a new and impossible hurdle for class certification. It requires that the proponents of the class demonstrate that "each class member has suffered the same type and scope of injury." At this early stage of a civil rights class action, it is frequently impossible to identify all of the victims or the precise nature of each of their injuries.

But even if this information were knowable, class members' injuries would not be "the same." As a simple example, those overcharged for rent will have different injuries. In an employment discrimination class action, the extent of a class member's injuries will depend on a range of factors, including their job position, tenure, employment

status, salary, and length of exposure to the discriminatory conditions. For this reason, nearly forty years ago, the Supreme Court developed a two-stage process for such cases in *International Brotherhood of Teamsters v. U.S.*, 431 U.S. 324, 371–72 (1977). In the first stage, the court determines whether the employer engaged in a pattern or practice of discrimination. If the employer is found liable, the court holds individual hearings to determine the relief (if any) for each victim. The Supreme Court recently reaffirmed the use of the Teamsters model for discrimination class actions in part because of the individualized nature of injuries. *Wal-Mart Stores, Inc. v. Dukes*, 564 U.S. 338, 366 (2011). Thus, this bill would overturn the approach established four decades ago to permit a class of victims of discrimination to seek effective relief.

For the same reason, the bill's limitation on "issue classes" will impede the enforcement of civil rights laws. Under current practice, the district court will decide in some cases that the best approach is to resolve the illegality of a discriminatory practice in an initial proceeding, and then allow class members to pursue individual remedies on their own. In such cases, class certification for the core question of liability (often a complex proceeding) will be tried and resolved just once for the benefit of the many affected individuals. These issue classes can promote both efficiency and fairness. Section 1720, however, would deprive courts of this ability that they currently have to manage class actions to ensure justice.

REQUIRING THE EARLY IDENTIFICATION OF CLASS MEMBERS IS UNNECESSARY

Section 1718 seeks to impose a heightened standard for identifying class members, an approach that has been rejected by the majority of circuits to have considered the question. This stringent standard would not further any interest that is not already adequately protected by Rule 23, which requires that the court consider whether the case is manageable and the class action device is the "superior" method for fairly and efficiently resolving the case.

Moreover, §1718 would impose a nearly insurmountable hurdle in situations where a class action is the only viable way to pursue valid but low-value claims. In such cases, records of who has been affected may have been destroyed by the wrongdoer, may be incomplete, or may have never existed at all. In those cases, individual notice to all class members may be impossible. But, without class certification in these situations, class members who have valid claims and who can be identified would not be allowed to recover. The bill also ignores the important objective of deterring and punishing wrongdoing, and encourages defendants not to maintain relevant records.

ARBITRARY AND UNWORKABLE STANDARDS FOR ATTORNEYS' FEES UNDERMINE CIVIL RIGHTS ENFORCEMENT

Civil rights class actions are often about systemic reforms that benefit the most vulnerable. In many cases, the sole remedy is an injunction to change illegal laws or practices. To ensure that non-profit legal organizations and other advocates are able to undertake these important, complex, and often risky cases, dozens of our civil rights laws incorporate fee-shifting provisions. If a case is successful, the judge awards a reasonable fee based upon the time that the advocates have spent working on the case. This method of determining attorneys' fees provides for consistent and predictable outcomes, which is a benefit to all parties in a lawsuit.

H.R. 985 would entirely displace this well-settled law with a standard long ago rejected as arbitrary and unworkable. Under the bill, attorneys' fees would be calculated as a "percentage of the value of the equitable relief." §1718(b)(3). But how is a judge to determine the cash value of an integrated school, a well-operating foster care system, the deinstitutionalization of individuals with disabilities, or myriad other forms of equitable relief secured by civil rights class actions? Asking judges to assign a price tag in such cases is an impossible task and would lead to uncertainty and inconsistency.

Non-profit organizations cannot bear the risk of these long and expensive cases if, at the end, their fees are calculated under this incoherent and capricious standard. Indeed, the bill creates an incentive for defendants to prolong the litigation so as to make it economically impossible for plaintiffs' attorneys to continue to prosecute the litigation.

These serious issues warrant, at a minimum, careful consideration and public hearings. A rush to pass such far-reaching and flawed legislation will deny access to justice for many and undermine the rule of law.

Respectfully Submitted,

JOCELYN D. LARKIN,
Executive Director, Impact Fund.

SIGNATORIES

1. 9to5, National Association of Working Women
2. A Better Balance
3. Advancement Project
4. American Association of University Women
5. American Civil Liberties Union
6. Asian American Legal Defense and Education Fund
7. Asian Americans Advancing Justice—Asian Law Caucus
8. Asian Americans Advancing Justice—Los Angeles
9. Association of Late Deafened Adults
10. Atlanta Women for Equality
11. Baltimore Neighborhoods, Inc.
12. Business and Professional Women/St. Petersburg-Pinellas
13. California Employment Lawyers Association
14. California Women's Law Center
15. Campaign for Educational Equity, Teachers College, Columbia University
16. Center for Children's Advocacy
17. Center for Independence of the Disabled, New York
18. Center for Justice and Accountability
19. Center for Popular Democracy
20. Center for Public Representation
21. Center for Responsible Lending
22. Central Alabama Fair Housing Center
23. Centro Legal de la Raza
24. Chet Levitt Fund for Employment Law
25. Child Care Law Center
26. Children's Law Center, Inc.
27. Children's Rights
28. Civil Rights Education and Enforcement Center
29. Colorado Cross-Disability Coalition
30. Columbia Legal Services
31. Communities for a Better Environment
32. Community Development Project of the Urban Justice Center
33. Community Justice Project
34. Community Legal Services in East Palo Alto
35. Dade County Bar Association Legal Aid Society
36. Disability Law Center
37. Disability Rights Advocates
38. Disability Rights Education and Defense Fund
39. Disability Rights Maryland

40. Domestic Violence Legal Empowerment and Appeals Project
 41. Earthjustice
 42. EarthRights International
 43. Empire Justice Center
 44. Environmental Justice Coalition for Water
 45. Equal Justice Center
 46. Equal Justice Society
 47. Equal Rights Advocates
 48. Farmworker Justice
 49. Florida Justice Institute, Inc.
 50. Florida Legal Services, Inc.
 51. Florida's Children First
 52. Freedom Network USA
 53. Heart of Florida Legal Aid Society Inc
 54. Homeowners Against Deficient Dwellings
 55. Human Rights Defense Center
 56. Human Trafficking Pro Bono Legal Center
 57. Impact Fund
 58. Institute for Science and Human Values
 59. Jacksonville Area Legal Aid, Inc.
 60. Justice in Motion
 61. Lambda Legal
 62. LatinoJustice PRLDEF
 63. Law Foundation of Silicon Valley
 64. Lawyers Civil Rights Coalition
 65. Lawyers' Committee for Civil Rights of the San Francisco Bay Area
 66. Lawyers' Committee for Civil Rights Under Law
 67. Legal Aid at Work (formerly Legal Aid Society—Employment Law Center)
 68. Legal Aid Justice Center
 69. Legal Aid of Manasota
 70. Legal Aid of Marin
 71. Legal Aid Service of Broward County, Inc.
 72. Legal Aid Society of NYC
 73. Legal Aid Society of Palm Beach County, Inc.
 74. Los Angeles Center for Community Law and Action
 75. Make the Road New York
 76. MALDEF
 77. Maurice & Jane Sugar Law Center for Economic & Social Justice
 78. Metropolitan Washington Employment Lawyers Association
 79. Mississippi Center for Justice
 80. NAACP Legal Defense and Educational Fund, Inc.
 81. National Advocacy Center of the Sisters of the Good Shepherd
 82. National Center for Lesbian Rights
 83. National Center for Transgender Equality
 84. National Center for Youth Law
 85. National Disability Rights Network
 86. National Employment Law Project
 87. National Employment Lawyers' Association
 88. National Employment Lawyers' Association—New York
 89. National Housing Law Project
 90. National Immigration Law Center
 91. National Law Center on Homelessness & Poverty
 92. National Partnership for Women & Families
 93. National Women's Law Center
 94. New Mexico Environmental Law Center
 95. North Carolina Justice Center
 96. North Florida Center for Equal Justice, Inc.
 97. Northwest Health Law Advocates
 98. Oregon Communication Access Project
 99. Prisoners' Legal Services of Massachusetts
 100. Prison Law Office
 101. Public Advocates
 102. Public Counsel

103. Public Interest Law Project
 104. Public Justice
 105. Public Justice Center
 106. Public Utility Law Project of New York
 107. Rhode Island Center for Justice
 108. San Diego Volunteer Lawyer Program, Inc.
 109. Southern Center for Human Rights
 110. Southern Legal Counsel, Inc.
 111. Southern Poverty Law Center
 112. Southwest Pennsylvania Chapter, National Organization for Women
 113. Southwest Women's Law Center
 114. Tenants Together
 115. Texas Fair Defense Project
 116. Transgender Law Center
 117. Uptown People's Law Center
 118. Washington Lawyers' Committee for Civil Rights and Urban Affairs
 119. Washington State Communication Access Project
 120. Western Center on Law & Poverty
 121. Women's Employment Rights Clinic, Golden Gate University
 122. Women's Law Project
 123. Workplace Fairness

Mr. Chairman, I yield back the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. GOODLATTE. Mr. Chairman, with great deference and respect to my friend and colleague, the ranking member, this amendment would subject certain class members to unfair treatment and, thus, should be rejected.

First, the bill's provisions on type and scope of injury only apply to proposed classes "seeking monetary relief for personal injury or economic loss." Insofar as civil rights cases do not seek money damages, they are completely unaffected by the bill and would proceed just as they do today.

However, if money damages are sought by a proposed class, then, of course, they should be subject to the procedures in the bill. The purpose of a class action is to provide a fair means of evaluating like claims, not to provide a means of artificially inflating the size of a class to extort a larger settlement value.

Exempting a subset of money damage cases from the bill, as this amendment would do, would serve only to incentivize the creation of artificially large classes to extort larger and unfair settlements from innocent parties for the purpose of disproportionately awarding uninjured parties.

Any claims seeking monetary relief for personal injury or economic loss should be grouped in classes in which those who are the most injured receive the most compensation. Why should civil rights claimants seeking money damages be subject to particularly unfair treatment by being allowed to be forced into a class action with other uninjured or minimally injured members, only to see their own compensation reduced? That does a disservice to those claimants. Yes, that is exactly what this amendment would do.

Further, the bill's provision on attorneys' fees won't affect fee awards in civil rights cases at all because both the monetary and equitable relief attorneys' fees provision in the bill are qualified with the initial phrase "unless otherwise specified by Federal statute."

The Civil Rights Attorney's Fee Award Act of 1976 allows a court, in its discretion, to award reasonable attorneys' fees as part of the costs to a prevailing party in Federal civil rights lawsuits, including cases brought under 28 U.S.C. section 1983, the statute most commonly used to assert civil rights claims.

Consequently, this bill will not affect attorneys' fees in civil rights class actions at all, including, of course, cases brought under the Americans with Disabilities Act, which has its own attorneys' fees provision.

The conflicts of interest provision reflects a valid concern in all class actions. The courts need to know how the named plaintiffs came to be involved in class actions in all types of cases to ensure there aren't conflicts and that the due process rights of all class members are protected.

The issues class provision won't disrupt the manner in which civil rights cases are normally litigated. Discovery stays while dispositive motions are pending won't disrupt civil rights cases. Like any other case, the plaintiffs need to show they have a facially valid complaint before discovery should commence.

Disclosure of third-party funding is no less important in civil rights cases than in other class actions. The appeals provision benefits both plaintiffs and defendants, giving either side the right to appeal if class certification is granted or denied.

I urge all my colleagues to oppose this amendment, which would set back the just causes of civil rights claimants.

Mr. Chairman, I yield back the balance of my time.

□ 1730

The Acting CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. CONYERS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. CONYERS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Michigan will be postponed.

AMENDMENT NO. 7 OFFERED BY MS. JACKSON LEE

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in part B of House Report 115-29.

Ms. JACKSON LEE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Beginning on page 13, strike line 19 and all that follows through line 15 on page 14, and insert the following:

“(8) A trust described in paragraph (2) shall file with the bankruptcy court, not later than 60 days after the end of every quarter, a report that shall be made available on the court’s public docket and with respect to each such reporting period contains an aggregate list of demands received and an aggregate list of payments made.”.

The Acting CHAIR. Pursuant to House Resolution 180, the gentlewoman from Texas (Ms. JACKSON LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE. Mr. Chairman, I think the question is: Is there any collegiality and respect for the Federal judicial system?

Let me read a letter in reference to the underlying bill:

We strongly urge Congress not to amend the class action procedures found in rule 23 outside of the Rules Enabling Act process.

It goes on to talk about an advisory committee, but I don’t know any sentence more clear than that. I know that as a parent raising a child, “do not” and “no” are very clear, yet we maintain this debate on the floor of the House.

Let me also mention a debate that is tomorrow, but I think it is relevant to my amendment, LARA. This is a rule that was in in 1983. In 1993, it was thrown out because it had a deleterious effect on meritorious civil rights cases, employment cases, and others. The Lawsuit Abuse Reduction Act, that is tomorrow. The courts also don’t want you to do that, and most of the courts say it is a waste of resources.

My amendment is going to help us solve the problem for this bill, H.R. 985. It would improve the rules of the committee print by replacing the substantive text of the bill with a requirement that the bankruptcy asbestos trust report quarterly an aggregate list of demands received and payments made. Specifically, the Jackson Lee amendment protects the privacy of asbestos victims from overly broad and invasive disclosure requirements by striking from the bill’s text personal information disclosure mandates.

Mr. Chairman, the only beneficiaries of the so-called FACT Act are the very entities that knowingly produced a toxic substance that killed or seriously injured thousands of unsuspecting American consumers and workers—it is the defendants. And, no, it does not provide for a safety for the trust.

Worse, this bill would allow victims of asbestos exposure to be further victimized by requiring information about their illness to be made publicly available to virtually anyone who has ac-

cess to the internet. Once irretrievably released into the public domain, this information would be a virtual treasure trove for data collectors and other entities for purposes that have absolutely nothing to do with the compensation for asbestos exposure.

Why do these people have to be doubly, triply penalized? They are already dying, many of them.

Insurance companies, prospective employers, lenders, predatory scam artists all have access to these unsuspecting and devastated families or victims. I ask my colleagues to support this commonsense Jackson Lee amendment.

Mr. Chair, I wish to thank the Chair and Ranking Member of the Rules Committee for making the Jackson Lee Amendment in order.

Mr. Chair, thank you for this opportunity to explain the Jackson Lee Amendment to Rules Committee Print 115–5 of H.R. 985, the “Fairness in Class Action Litigation And Furthering Asbestos Claim Transparency Act of 2017.”

My amendment would improve the Rules Committee Print 115–5 to H.R. 985 by replacing the substantive text of the bill with a requirement that the bankruptcy asbestos trust report quarterly an aggregate list of demands received and payments made.

Specifically, the Jackson Lee Amendment protects the privacy of asbestos victim plaintiffs from overly broad and invasive disclosure requirements, by striking from the bill’s text personal information disclosure mandates.

Mr. Chair, the only beneficiaries of the so-called “FACT Act,” are the very entities that knowingly produced a toxic substance that killed or seriously injured thousands of unsuspecting American consumers and workers.

In fact, I am unaware of any asbestos victim who supports this legislation.

Worse yet, this bill would allow victims of asbestos exposure to be further victimized by requiring information about their illness to be made publicly available to virtually anyone who has access to the Internet.

For example, the bill requires all payment demands, as well as, the names and exposure histories of each claimant together with the basis for any payment the trust made to such claimants to be publicly disclosed.

This sensitive information must be posted on the court’s public docket, which is easily accessible through the Internet with the payment of a nominal fee.

Once irretrievably released into the public domain, this information would be a virtual treasure trove for data collectors and other entities for purposes that have absolutely nothing to do with compensation for asbestos exposure.

Insurance companies, prospective employers, lenders, and predatory scam artists as well as the victim’s neighbors would have access to this information.

To address this serious failing of the bill, my amendment would ensure that the quarterly reports required under the “FACT Act,” contain only aggregate payment information.

My amendment also deletes the bill’s burdensome discovery requirement.

As noted by the widow of our former colleague Representative Bruce Vento who

passed away from asbestos-induced mesothelioma, the bill’s public disclosure of victims’ private information: “could be used to deny employment, credit, and health, life, and disability insurance.”

Mrs. Vento also warned that asbestos victims “would be more vulnerable to identity thieves, con men, and other types of predators.”

I am sure that the supporters of this legislation will say that Bankruptcy Code section 107 will prevent such results.

But this provision only permits—it does not require—the bankruptcy court to issue a protective order.

In fact, such relief may only be granted “for cause” if the court finds that “disclosure of such information would create undue risk of identity theft or other unlawful injury to the individual.”

What this means is that an asbestos victim would have to retain counsel and go to court in order to prove “cause” to obtain relief.

And, even though Bankruptcy Rule 9037 does require certain types of personal information to be redacted from a document filed in a bankruptcy case, said Rule would be overridden by this legislation, as written.

Accordingly, I urge my colleagues to support the Jackson Lee amendment to ensure that the privacy of asbestos victims is protected.

Mr. Chairman, I reserve the balance of my time.

Mr. FARENTHOLD. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. FARENTHOLD. Mr. Chairman, the FACT Act is designed to require increased transparency to combat fraud committed against asbestos trusts. This amendment strikes the requirement that asbestos trusts publish the very data that is necessary to detect fraud between the trusts and State tort proceedings. In its place, this amendment calls for only a quarterly report with an aggregate list of demands received by the trusts.

The simple aggregation of information is worthless in allowing parties to make a meaningful inquiry into whether or not they are being defrauded. This amendment guts the bill, and I urge opposition.

Mr. Chairman, I reserve the balance of my time.

Ms. JACKSON LEE. Mr. Chairman, how much time is remaining on my side?

The Acting CHAIR. The gentlewoman from Texas has 2 minutes remaining.

Ms. JACKSON LEE. Mr. Chairman, let me say whose side I want to stand on, and that is the side of Mrs. Vento, the widow of our former colleague, Representative Bruce Vento, who passed away from asbestos-induced cancer.

The bill’s public disclosure of victims’ private information could be used to deny employment, credit, and health, life, and disability insurance. Mrs. Vento also warned that asbestos

victims would be more vulnerable to identity thieves, con men, and other types of predators.

There is no reason for this bill. Not only is the Judicial Conference of Federal Judges against it, but victims are crying out: Stop it, and stop it now.

Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentlewoman from Texas has 1½ minutes remaining.

Ms. JACKSON LEE. Mr. Chairman, I include in the RECORD a StarTribune article.

[From the StarTribune]

STAND WITH FAMILIES AFFECTED BY
ASBESTOS, AND HELP KILL FACT ACT

My husband was the late U.S. Rep. Bruce F. Vento, who served for almost 24 years in the House of Representatives representing Minnesota's Fourth Congressional District. He died from mesothelioma in 2000 within eight and a half months of being diagnosed.

Mesothelioma is an aggressive cancer caused by asbestos exposure. Bruce was exposed while working his way through college as a laborer, years before he became involved in public life.

With his death, our country lost a hard-working and humble public servant years before his time. Bruce's parents, siblings, children, grandchildren and I lost so much more.

Since his death, I have worked with asbestos patients and family members from across the country to fight for a ban on asbestos and to protect the rights of people whose lives have been forever affected by this terrible poison.

I have recently been involved in the effort to stop the so-called "Furthering Asbestos Claims Transparency Act," or FACT Act, which would obstruct justice for victims dying from asbestos-related diseases while giving a handout to the very corporations that knowingly poisoned and killed them.

The FACT Act would require that the personal information of sick and dying asbestos patients and their families be posted on a public website, including names, addresses, medical diagnoses, financial compensation received and the last four digits of our Social Security numbers.

This is precisely the kind of information that law enforcement officials tell the public we should not share on the Internet because it leaves us vulnerable to identity thieves and con artists.

The House could be considering a vote on this bad legislation in the coming weeks, making it all the more urgent that we act now to protect the privacy of asbestos victims and their families.

Supporters of the FACT Act are the corporations that exposed innocent workers, consumers and their family members to asbestos, while concealing what they knew about this dangerous poison. They claim that this gross violation of our privacy is necessary in order to protect asbestos patients from fraud against the asbestos trust funds that were set up to compensate asbestos victims and their families. Yet, not a single instance of fraud against the trust funds has been identified.

What is worse, while the bill's supporters claim that they are doing it for asbestos victims, not one victim of asbestos exposure or an affected family member has been allowed to be heard on this legislation. The only people who would be directly affected by the bill have been completely shut out of the process.

The FACT Act would also bog down the asbestos trust funds in endless paperwork to respond to information requests from asbestos companies. This would drain the funds of money that is desperately needed to compensate sick and dying victims. As the victims get more and more desperate, they will be willing to settle cases for pennies on the dollar, taking needed compensation away from families and leaving it in the pockets of the responsible companies.

I recently traveled to Washington, D.C., and met with Sens. Al Franken and Amy Klobuchar and Rep. Betty McCollum, all of whom committed to work with asbestos patients and family members to stop the FACT Act from becoming law. I hope that we can count on the rest of Minnesota's congressional delegation to stand with asbestos patients and families and against the FACT Act.

Ms. JACKSON LEE. Mr. Chairman, without having the ability to hear my colleague's opposition, I know that the supporters of this legislation will say that Bankruptcy Code section 107 will prevent these devastating results, but it is not true. This provision only permits it. It does not require the bankruptcy court to issue a protective order.

My amendment protects these vulnerable victims against the release of their data, making them, in addition to the devastating disease that they got from asbestos—and our good friend Bruce Vento, many of us knew Congressman Vento, we knew his wife, and we knew that his death was both untimely and devastating, and now you are saying to victims like him: Release all the data. Open yourself up to more. Open your families up to more.

The Jackson Lee amendment is a commonsense amendment that will provide for an asbestos trust report quarterly, an aggregate list of demands received and payments made. As well, it would protect the privacy of asbestos victim plaintiffs from overly broad and invasive disclosure requirements by striking down the bill's text about personal information disclosure mandates. No matter what my good friend from Texas says, he does not have an answer to protecting the privacy of these victims.

I ask our colleagues to support a commonsense response. Stop it now. The courts don't want it, and it is horrible for the victims. It is doubling down on people who have lost loved ones and victims who are suffering from asbestos-induced cancer. I ask my colleagues to support the Jackson Lee amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. FARENTHOLD. Mr. Chairman, the FACT Act requires that a very basic amount of information be released to protect against fraud against the asbestos trust system. I am standing with future victims of asbestos.

The diseases associated with asbestos typically don't manifest themselves for decades, in some cases, beyond or after

exposure. These trusts are being drained by fraudulent and duplicative claims. These requirements of disclosure prevent that fraud by requiring the minimal amount of information being required. In fact, a judge with 29 years of bench experience testified before the Committee on the Judiciary that the FACT Act provides more protection in terms of confidentiality of records than the legal system is able to do.

This is commonsense legislation, does not invade people's privacy, and preserves these trust funds to make sure all victims are compensated. Mr. Chairman, I urge my colleagues to oppose the Jackson Lee amendment.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Ms. JACKSON LEE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Texas will be postponed.

AMENDMENT NO. 8 OFFERED BY MR. ESPAILLAT

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in part B of House Report 115–29.

Mr. ESPAILLAT. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 13, line 21, insert "subject to subparagraph (C)," after "(A)".

Page 14, line 6, strike "and" at the end.

Page 14, line 7, insert "subject to subparagraph (C)," after "(B)".

Page 14, line 15, strike the close quotation marks and the period at the end, and insert "and".

Page 14, after line 15, insert the following: "(C) not comply with subparagraphs (A) and (B) with respect to such claimant who is or has been living in public housing (as such term is defined in section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b))) or any dwelling unit for which rental assistance is provided under section 8 of such Act (42 U.S.C. 1437f).".

The Acting CHAIR. Pursuant to House Resolution 180, the gentleman from New York (Mr. ESPAILLAT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. ESPAILLAT. Mr. Chairman, I rise in support of my amendment to H.R. 985, the Fairness in Class Action Litigation and Furthering Asbestos Claim Transparency Act of 2017.

My amendment would exempt a claimant who is or has been living in public housing or any dwelling unit for

which rental assistance was provided under the Section 8 housing program. While I firmly believe that every individual should be exempt from this outrageous provision, my amendment recognizes that we, the Federal Government, are the landlords, the owners, if you may, of public housing.

Speaker RYAN is a landlord of public housing. Our leader, the gentlewoman from California, is a landlord of public housing. The President is a tenant of public housing. The White House is public housing. While the White House has hot water, a nice roof, and likely no asbestos, it is still public housing. We, the taxpayers, pay the rent. We, as the Federal Government on both sides of the aisle, are the owners and the landlords of public housing.

As the owners of public housing, we have a unique obligation to the people living in these units. We are responsible for the dilapidated conditions of our public housing units, and we are responsible for the health and well-being of low-income tenants living in them.

Much of our public housing was built in the 1950s and 1960s, coinciding with what was perhaps the peak time for the use of asbestos-containing products in building and construction materials. This has left thousands of our most vulnerable citizens at risk of exposure to asbestos, which has killed as many as 15,000 Americans each year.

People who have a legitimate claim and have been exposed to asbestos while living in either public housing or Section 8 housing should be afforded the due process they deserve and given the opportunity to bring their claims in a timely manner. I think this entire bill is a misnomer and should be renamed the unfairness in class action litigation act.

No one—no one—should have their due process rights delayed or denied. There is no doubt that the consequences of this legislation will be especially and uniquely detrimental to low-income individuals. This legislation will completely upend privacy and bankruptcy laws.

As it stands today, our laws guarantee that a claimant's information is protected. This bill, however, will require that an individual claimant's personal information and the amount they have received from the trust be made available on a public website. Not only is this a complete and total disregard for the individual's privacy, but it makes the most vulnerable in our society prey for financial predators.

My amendment will guarantee that tenants living in public housing and Section 8 housing are not subjected to such an outrageous shift in privacy rights. The bill sends trusts on a wild goose chase for information that may not even be there, while they should be spending their time working through the pending claims.

These companies hid the dangers of asbestos for decades, for far too long,

and there is absolutely no reason why we should be helping them now. Rather than wasting time and taxpayer dollars obstructing the judicial system, we should be focusing on initiatives that will update our crumbling infrastructure. And, yes, public housing is undoubtedly infrastructure.

Finally, the CBO has indicated that, financially, this amendment will cost nothing. This amendment will cost absolutely nothing. But I can promise you that not adopting it will come at a great cost to our system of justice. I ask my colleagues to adopt this amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. FARENTHOLD. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. FARENTHOLD. Mr. Chairman, this amendment would prevent asbestos trusts from disclosing claims information submitted by individuals living in public housing in its quarterly reports and in response to information requests.

There is no reason to distinguish between the disclosure obligations of individuals living in public housing and the disclosure obligations of ordinary citizens. To the extent that claimants do not affirmatively identify themselves as living in public housing, this amendment would require asbestos trusts to determine whether claimants qualify in these categories, further draining them of funds needed to compensate future victims.

The FACT Act balances the need for transparency and protecting claimants' privacy. The FACT Act excludes any confidential medical records and the claimants' Social Security numbers. We should ensure that bankruptcy asbestos claims are processed in an open, fair, and transparent method in order to protect the limited amount of money reserved for compensating future asbestos victims.

□ 1745

The FACT Act should apply uniformly to all claimants, and it should not impose disparate burdens relating to individuals living in public housing.

Mr. Chairman, for that reason, I urge my colleagues to oppose the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. ESPAILLAT).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. ESPAILLAT. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by

the gentleman from New York will be postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part B of House Report 115-29 on which further proceedings were postponed, in the following order:

Amendment No. 2 by Mr. DEUTCH of Florida.

Amendment No. 3 by Mr. DEUTCH of Florida.

Amendment No. 4 by Mr. SOTO of Florida.

Amendment No. 5 by Mr. JOHNSON of Georgia.

Amendment No. 6 by Mr. CONYERS of Michigan.

Amendment No. 7 by Ms. JACKSON LEE of Texas.

Amendment No. 8 by Mr. ESPAILLAT of New York.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 2 OFFERED BY MR. DEUTCH

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. DEUTCH) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 182, noes 227, not voting 20, as follows:

[Roll No. 140]

AYES—182

Adams	Conyers	Green, Al
Aguilar	Cooper	Green, Gene
Amash	Correa	Grijalva
Barragán	Costa	Gutiérrez
Bass	Courtney	Hanabusa
Beatty	Crist	Hastings
Bera	Crowley	Heck
Beyer	Cuellar	Higgins (NY)
Bishop (GA)	Cummings	Himes
Blumenauer	Davis, Danny	Hoyer
Blunt Rochester	DeFazio	Huffman
Bonamici	Delaney	Jackson Lee
Boyle, Brendan	DeLauro	Jeffries
F.	DelBene	Johnson (GA)
Brady (PA)	Demings	Johnson, E. B.
Brown (MD)	DeSaulnier	Jones
Brownley (CA)	Deutch	Kaptur
Bustos	Dingell	Keating
Butterfield	Doggett	Kennedy
Capuano	Doyle, Michael	Khanna
Carbajal	F.	Kihuen
Cárdenas	Ellison	Kildee
Cartwright	Engel	Kilmer
Castor (FL)	Eshoo	Kind
Castro (TX)	Esty	Krishnamoorthi
Chu, Judy	Evans	Kuster (NH)
Ciçilline	Foster	Larsen (WA)
Clark (MA)	Frankel (FL)	Larson (CT)
Clarke (NY)	Fudge	Lawrence
Clay	Gabbard	Lawson (FL)
Cleaver	Gallego	Lee
Clyburn	Garamendi	Levin
Cohen	Gonzalez (TX)	Lewis (GA)
Connolly	Gottheimer	Lieu, Ted

Lipinski
Loebsack
Lofgren
Lowenthal
Lowe
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta

Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Ros-Lehtinen
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Russell
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano

NOES—227

Abraham
Aderholt
Allen
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Farenthold
Faso
Ferguson
Fitzpatrick

Fleischmann
Flores
Fortenberry
Fox
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jordan
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer

MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)

Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton

Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup

NOT VOTING—20

Barletta
Brady (TX)
Carson (IN)
Curbelo (FL)
Davis (CA)
DeGette
Espallat

Jayapal
Joyce (OH)
Kelly (IL)
Langevin
Matsui
McCauley
Moore

Richmond
Rush
Sinema
Speier
Titus
Wilson (FL)

ANNOUNCEMENT BY THE ACTING CHAIR
The Acting CHAIR (during the vote).
There are 2 minutes remaining.

□ 1807

Messrs. POSEY, STIVERS, and TURNER changed their vote from “aye” to “no.”

Messrs. KRISHNAMOORTHY, SOTO, CORREA, and CLEAVER changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Ms. WILSON of Florida. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted “yea” on rollcall No. 140.

Mr. ESPAILLAT. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted “yea” on rollcall No. 140.

AMENDMENT NO. 3 OFFERED BY MR. DEUTCH

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. DEUTCH) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 189, noes 228, not voting 12, as follows:

[Roll No. 141]

AYES—189

Adams
Aguilar
Amash
Barragan
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)

Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cardenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Ciocline
Clark (MA)
Clarke (NY)

Clay
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis, Danny

DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Engel
Eshoo
Espallat
Esty
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind

Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowe
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis

Price (NC)
Quigley
Raskin
Rice (NY)
Rooney, Thomas J.
Ros-Lehtinen
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Russell
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Sewell (AL)
Shea-Porter
Sherman
Sires
Slaughter
Smith (WA)
Soto
Speier
Suozi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Waters, Maxine
Watson Coleman
Welch
Yarmuth

NOES—228

Abraham
Allen
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook

Costello (PA)
Cramer
Crawford
Culberson
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Fox
Fox
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Harper

Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jordan
Joyce (OH)
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur

Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Poe (TX)
Poliquin
Posey

Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Serrano
Sessions
Shinkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik

Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOT VOTING—12

Aderholt
Barletta
Cleaver
Davis (CA)

Ellison
Kaptur
Katko
Matsui

Richmond
Rush
Sinema
Titus

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1811

So the amendment was rejected.

The result of the vote was announced
as above recorded.

AMENDMENT NO. 4 OFFERED BY MR. SOTO

The Acting CHAIR. The unfinished
business is the demand for a recorded
vote on the amendment offered by the
gentleman from Florida (Mr. SOTO) on
which further proceedings were post-
poned and on which the noes prevailed
by voice vote.

The Clerk will redesignate the
amendment.

The Clerk redesignated the amend-
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-
minute vote.

The vote was taken by electronic de-
vice, and there were—ayes 192, noes 230,
not voting 7, as follows:

[Roll No. 142]

AYES—192

Adams
Aguilar
Amash
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan
F.

Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline

Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Costa
Courtney
Crist
Crowley

Cuellar
Cummings
Curbelo (FL)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael
F.
Ellison
Engel
Eshoo
Españillat
Esty
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna

Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebach
Lofgren
Lowenthal
Lowe
Lujan Grisham,
M.
Luján, Ben Ray
Lynch
Maloney,
Carolyn B.
Maloney, Sean
McCollum
McEachin
McGovern
McNerney
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halloran
O'Rourke
Pallone
Panetta
Pascarella
Payne
Pelosi
Perlmuter
Peters
Peterson
Pingree

Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Ros-Lehtinen
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Russell
Ryan (OH)
Sanchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sires
Slaughter
Smith (WA)
Soto
Speier
Suozy
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—230

Abraham
Aderholt
Allen
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer

Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)

Graves (MO)
Griffith
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta

Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce

Perry
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas
J.
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shinkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)

Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOT VOTING—7

Barletta
Davis (CA)
Matsui

Richmond
Rush
Sinema

Titus

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1815

Mr. GAETZ changed his vote from
“aye” to “no.”

So the amendment was rejected.

The result of the vote was announced
as above recorded.

AMENDMENT NO. 5 OFFERED BY MR. JOHNSON OF GEORGIA

The Acting CHAIR. The unfinished
business is the demand for a recorded
vote on the amendment offered by the
gentleman from Georgia (Mr. JOHNSON)
on which further proceedings were
postponed and on which the noes pre-
vailed by voice vote.

The Clerk will redesignate the
amendment.

The Clerk redesignated the amend-
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-
minute vote.

The vote was taken by electronic de-
vice, and there were—ayes 190, noes 230,
not voting 9, as follows:

[Roll No. 143]

AYES—190

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)

Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan
F.
Brady (PA)
Brown (MD)
Brownley (CA)

Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)

Castro (TX) Hoyer
 Chu, Judy Huffman
 Cicilline Jackson Lee
 Clark (MA) Jayapal
 Clarke (NY) Jeffries
 Clay Johnson (GA)
 Cleaver Johnson, E. B.
 Clyburn Jones
 Cohen Kaptur
 Connolly Keating
 Conyers Kelly (IL)
 Cooper Kennedy
 Correa Khanna
 Costa Kihuen
 Courtney Kildee
 Crist Kilmer
 Crowley Kind
 Cuellar Krishnamoorthi
 Cummings Kuster (NH)
 Curbelo (FL) Langevin
 Davis, Danny Larsen (WA)
 DeFazio Lawrence
 DeGette Lawson (FL)
 Delaney Lee
 DeLauro Levin
 DelBene Lewis (GA)
 Demings Lieu, Ted
 DeSaulnier Lipinski
 Deutch Loeback
 Dingell Lofgren
 Doggett Lowenthal
 Doyle, Michael Lowey
 F. Lujan Grisham,
 Ellison M.
 Engel Luján, Ben Ray
 Eshoo Lynch
 Espallat Maloney,
 Esty Carolyn B.
 Evans Maloney, Sean
 Faso McCollum
 Foster McEachin
 Frankel (FL) McGovern
 Fudge McNerney
 Gabbard Meeks
 Gallego Meng
 Garamendi Moore
 Gonzalez (TX) Moulton
 Gottheimer Murphy (FL)
 Green, Al Nadler
 Green, Gene Napolitano
 Grijalva Neal
 Gutiérrez Nolan
 Hanabusa Norcross
 Hastings O'Halleran
 Heck O'Rourke
 Higgins (NY) Pallone
 Himes Panetta

NOES—230

Abraham
 Aderholt
 Allen
 Amash
 Amodei
 Arrington
 Babin
 Bacon
 Banks (IN)
 Barr
 Barton
 Bergman
 Biggs
 Bilirakis
 Bishop (MI)
 Bishop (UT)
 Black
 Blackburn
 Blum
 Bost
 Brady (TX)
 Brat
 Bridenstine
 Brooks (AL)
 Brooks (IN)
 Buchanan
 Buck
 Bucshon
 Budd
 Burgess
 Byrne
 Calvert
 Carter (GA)
 Carter (TX)
 Chabot
 Chaffetz

Cheney
 Coffman
 Cole
 Collins (GA)
 Collins (NY)
 Comer
 Comstock
 Conaway
 Cook
 Costello (PA)
 Cramer
 Crawford
 Culberson
 Davidson
 Davis, Rodney
 Denham
 Dent
 DeSantis
 DesJarlais
 Diaz-Balart
 Donovan
 Duffy
 Duncan (SC)
 Duncan (TN)
 Dunn
 Emmer
 Farenthold
 Ferguson
 Fitzpatrick
 Fleischmann
 Flores
 Fortenberry
 Foxx
 Franks (AZ)
 Frelinghuysen
 Gaetz

Gallagher
 Garrett
 Gibbs
 Gohmert
 Goodlatte
 Gosar
 Gowdy
 Granger
 Graves (GA)
 Graves (LA)
 Graves (MO)
 Griffith
 Grothman
 Guthrie
 Harper
 Harris
 Hartzler
 Hensarling
 Herrera Beutler
 Hice, Jody B.
 Higgins (LA)
 Hill
 Holding
 Hollingsworth
 Hudson
 Huizenga
 Hultgren
 Hunter
 Hurd
 Issa
 Jenkins (KS)
 Jenkins (WV)
 Johnson (LA)
 Johnson (OH)
 Johnson, Sam
 Jordan

Joyce (OH)
 Katko
 Kelly (MS)
 Kelly (PA)
 King (IA)
 King (NY)
 Kinzinger
 Knight
 Kustoff (TN)
 Labrador
 LaHood
 LaMalfa
 Lamborn
 Lance
 Latta
 Lewis (MN)
 LoBiondo
 Long
 Loudermilk
 Love
 Lucas
 Luetkemeyer
 MacArthur
 Marchant
 Marino
 Marshall
 Massie
 Scott, David
 Mast
 McCarthy
 McCaul
 McClintock
 McHenry
 McKinley
 McMorris
 Rodgers
 McSally
 Meadows
 Meehan
 Messer
 Mitchell
 Moolenaar
 Mooney (WV)

Mullin
 Murphy (PA)
 Newhouse
 Noem
 Nunes
 Olson
 Palazzo
 Palmer
 Paulsen
 Pearce
 Perry
 Pittenger
 Poe (TX)
 Poliquin
 Posey
 Ratcliffe
 Reed
 Reichert
 Renacci
 Rice (SC)
 Roby
 Roe (TN)
 Rogers (AL)
 Rogers (KY)
 Rohrabacher
 Rokita
 Rooney, Francis
 Rooney, Thomas
 J.
 Ros-Lehtinen
 Roskam
 Ross
 Rothfus
 Rouzer
 Royce (CA)
 Rutherford
 Sanford
 Scalise
 Schweikert
 Scott, Austin
 Sensenbrenner
 Sessions

Shimkus
 Shuster
 Simpson
 Smith (MO)
 Smith (NE)
 Smith (NJ)
 Smith (TX)
 Smucker
 Stefanik
 Stewart
 Stivers
 Taylor
 Tenney
 Thompson (PA)
 Thornberry
 Tiberi
 Tipton
 Trott
 Turner
 Upton
 Valadao
 Wagner
 Walberg
 Walden
 Walker
 Walorski
 Walters, Mimi
 Weber (TX)
 Webster (FL)
 Wenstrup
 Westerman
 Williams
 Wilson (SC)
 Wittman
 Womack
 Woodall
 Yoder
 Young (AK)
 Young (IA)
 Zeldin

NOT VOTING—9

Barletta
 Davis (CA)
 Larson (CT)

Matsui
 Richmond
 Rush

Sinema
 Titus
 Yoho

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
 There is 1 minute remaining.

□ 1818

So the amendment was rejected.

The result of the vote was announced
 as above recorded.

Stated against:

Mr. YOHIO. Mr. Speaker, had I been
 present, I would have voted "Nay" on rollcall
 No. 143, the Hank Johnson Amendment No.
 5.

AMENDMENT NO. 6 OFFERED BY MR. CONYERS

The Acting CHAIR. The unfinished
 business is the demand for a recorded
 vote on the amendment offered by the
 gentleman from Michigan (Mr. CON-
 YERS) on which further proceedings
 were postponed and on which the noes
 prevailed by voice vote.

The Clerk will redesignate the
 amendment.

The Clerk redesignated the amend-
 ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
 has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-
 minute vote.

The vote was taken by electronic de-
 vice, and there were—ayes 191, noes 230,
 not voting 8, as follows:

[Roll No. 144]

AYES—191

Adams
 Aguilar
 Barragán
 Bass
 Beatty
 Bera
 Beyer
 Bishop (GA)
 Blumenauer
 Blunt
 Bonamici
 Boyle, Brendan
 F.
 Brady (PA)
 Brown (MD)
 Brownley (CA)
 Bustos
 Butterfield
 Capuano
 Carbajal
 Cárdenas
 Carson (IN)
 Cartwright
 Castor (FL)
 Castro (TX)
 Chu, Judy
 Cicilline
 Clark (MA)
 Clarke (NY)
 Cleaver
 Clyburn
 Cohen
 Connolly
 Conyers
 Cooper
 Correa
 Costa
 Courtney
 Crist
 Crowley
 Cuellar
 Cummings
 Curbelo (FL)
 Davis, Danny
 DeFazio
 DeGette
 Delaney
 DeLauro
 DelBene
 Demings
 DeSaulnier
 Deutch
 Dingell
 Doggett
 Doyle, Michael
 F.
 Ellison
 Engel
 Eshoo
 Espallat
 Esty
 Evans
 Faso
 Fitzpatrick
 Foster
 Frankel (FL)

Fudge
 Gabbard
 Gallego
 Garamendi
 Gonzalez (TX)
 Gottheimer
 Green, Al
 Green, Gene
 Grijalva
 Gutiérrez
 Hanabusa
 Hastings
 Heck
 Higgins (NY)
 Himes

Neal
 Nolan
 Norcross
 O'Halleran
 O'Rourke
 Pallone
 Panetta
 Pascrell
 Payne
 Pelosi
 Perlmutter
 Peters
 Peterson
 Pingree
 Pocan
 Polis
 Price (NC)
 Quigley
 Raskin
 Rice (NY)
 Rosen
 Roybal-Allard
 Ruiz
 Ruppertsberger
 Russell
 Ryan (OH)
 Sánchez
 Sarbanes
 Schakowsky
 Schiff
 Schneider
 Schrader
 Scott (VA)
 Scott, David
 Serrano
 Sewell (AL)
 Shea-Porter
 Sherman
 Sires
 Levin
 Lewis (GA)
 Lieu, Ted
 Lipinski
 Loeback
 Lofgren
 Lowenthal
 Lowey
 Lujan Grisham,
 M.
 Luján, Ben Ray
 Lynch
 Maloney,
 Carolyn B.
 Maloney, Sean
 McCollum
 McEachin
 McGovern
 McNerney
 Meeks
 Meng
 Moore
 Moulton
 Murphy (FL)
 Nadler
 Napolitano

NOES—230

Abraham
 Aderholt
 Allen
 Amash
 Amodei
 Arrington
 Babin
 Bacon
 Banks (IN)
 Barr
 Barton
 Bergman
 Biggs
 Bilirakis
 Bishop (MI)
 Bishop (UT)
 Black
 Blackburn
 Blum
 Bost
 Brady (TX)
 Brat
 Bridenstine
 Brooks (AL)

Brooks (IN)
 Buchanan
 Buck
 Bucshon
 Budd
 Burgess
 Byrne
 Calvert
 Carter (GA)
 Carter (TX)
 Chabot
 Chaffetz
 Cheney
 Coffman
 Cole
 Collins (GA)
 Collins (NY)
 Comer
 Comstock
 Conaway
 Cook
 Costello (PA)
 Cramer
 Crawford

Culberson
 Davidson
 Davis, Rodney
 Denham
 Dent
 DeSantis
 DesJarlais
 Diaz-Balart
 Donovan
 Duffy
 Duncan (SC)
 Duncan (TN)
 Dunn
 Emmer
 Farenthold
 Ferguson
 Fleischmann
 Flores
 Fortenberry
 Foxx
 Franks (AZ)
 Frelinghuysen
 Gaetz
 Gallagher

Garrett Love
Gibbs Lucas
Gohmert Luetkemeyer
Goodlatte MacArthur
Gosar Marchant
Gowdy Marino
Granger Marshall
Graves (GA) Massie
Graves (LA) Mast
Graves (MO) McCarthy
Griffith McCaul
Grothman McClintock
Guthrie McHenry
Harper McKinley
Harris McMorris
Hartzler Rodgers
Hensarling McSally
Herrera Beutler Meadows
Hice, Jody B. Meehan
Higgins (LA) Messer
Hill Mitchell
Holding Moolenaar
Hollingsworth Mooney (WV)
Hudson Mullin
Huizenga Murphy (PA)
Hultgren Newhouse
Hunter Noem
Hurd Nunes
Issa Olson
Jenkins (KS) Palazzo
Jenkins (WV) Palmer
Johnson (LA) Paulsen
Johnson (OH) Pearce
Johnson, Sam Perry
Jordan Pittenger
Joyce (OH) Poe (TX)
Katko Poliquin
Kelly (MS) Posey
Kelly (PA) Ratcliffe
King (IA) Reed
King (NY) Reichert
Kinzinger Renacci
Knight Rice (SC)
Kustoff (TN) Roby
Labrador Roe (TN)
LaHood Rogers (AL)
LaMalfa Rogers (KY)
Lamborn Rohrabacher
Lance Rokita
Latta Rooney, Francis
Lewis (MN) Rooney, Thomas
LoBiondo J.
Long Ros-Lehtinen
Loudermilk Roskam

NOT VOTING—8

Barletta Matsui
Clay Richmond
Davis (CA) Titus
Rush

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1821

So the amendment was rejected.

The result of the vote was announced
as above recorded.

AMENDMENT NO. 7 OFFERED BY MS. JACKSON
LEE

The Acting CHAIR. The unfinished
business is the demand for a recorded
vote on the amendment offered by the
gentlewoman from Texas (MS. JACKSON
LEE) on which further proceedings were
postponed and on which the noes pre-
vailed by voice vote.

The Clerk will redesignate the
amendment.

The Clerk redesignated the amend-
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-
minute vote.

The vote was taken by electronic de-
vice, and there were—ayes 193, noes 229,
not voting 7, as follows:

[Roll No. 145]

AYES—193

Adams Gabbard
Aguilar Gallego
Barragán Garamendi
Bass Gonzalez (TX)
Beatty Gottheimer
Bera Green, Al
Beyer Green, Gene
Bishop (GA) Grijalva
Blumenauer Gutiérrez
Blunt Rochester Hanabusa
Bonamici Hastings
Boyle, Brendan Heck
F. Higgins (NY)
Brady (PA) Himes
Brown (MD) Hoyer
Brownley (CA) Huffman
Bustos Jackson Lee
Butterfield Jayapal
Capuano Jeffries
Cárdenas Johnson (GA)
Carson (IN) Johnson, E. B.
Cartwright Jones
Castor (FL) Kaptur
Castro (TX) Keating
Chu, Judy Kelly (IL)
Cicilline Kennedy
Clark (MA) Khanna
Clarke (NY) Kihuen
Clay Kildee
Kind Kilmer
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
LoBiondo
Loeb sack
Lofgren
Lowenthal
Lowey
Lujan Grisham,
M.
Luján, Ben Ray
Lynch
Maloney,
Carolyn B.
Maloney, Sean
McCollum
McEachin
McGovern
McKinley
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler

NOES—229

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Cheney
Coffman
Cole
Collins (GA)

Dunn
Emmer
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Fox
Fox
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
Long
Loudermilk
Rokita
Rooney, Francis
Rooney, Thomas
J.
Roskam
Rosen
Ros-Lehtinen
Roybal-Allard
Ruiz
Ruppersberger
Russell
Ryan (OH)
Sanchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sires
Slaughter
Smith (WA)
Soto
Speier
Suozi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—7

Barletta Richmond
Davis (CA) Titus
Matsui Rush
Sinema

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1825

So the amendment was rejected.

The result of the vote was announced
as above recorded.

AMENDMENT NO. 8 OFFERED BY MR. ESPAILLAT

The Acting CHAIR. The unfinished
business is the demand for a recorded
vote on the amendment offered by the
gentleman from New York (MR.
ESPAILLAT) on which further pro-
ceedings were postponed and on which
the noes prevailed by voice vote.

The Clerk will redesignate the
amendment.

The Clerk redesignated the amend-
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-
minute vote.

The vote was taken by electronic device, and there were—ayes 193, noes 228, not voting 8, as follows:

[Roll No. 146]

AYES—193

Adams Frankel (FL) Napolitano
Aguilar Fudge Neal
Barragán Gabbard Nolan
Bass Gallego Norcross
Beatty Garamendi O'Halleran
Bera Gonzalez (TX) O'Rourke
Beyer Gottheimer Pallone
Bishop (GA) Green, Al Panetta
Blumenauer Green, Gene Pascarell
Blunt Rochester Grijalva Payne
Bonamici Gutiérrez Pelosi
Boyle, Brendan Hanabusa Perlmutter
F. Hastings Peters
Brady (PA) Heck Peterson
Brown (MD) Higgins (NY) Pingree
Brownley (CA) Himes Pocan
Bustos Hoyer Polis
Butterfield Huffman Price (NC)
Capuano Jackson Lee Quigley
Carbajal Jayapal Raskin
Cárdenas Jeffries Rice (NY)
Carson (IN) Johnson (GA) Ros-Lehtinen
Cartwright Johnson, E. B. Rosen
Castor (FL) Jones Roybal-Allard
Castro (TX) Kaptur Ruiz
Chu, Judy Keating Ruppersberger
Cicilline Kelly (IL) Russell
Clark (MA) Kennedy Ryan (OH)
Clarke (NY) Khanna Sánchez
Clay Kihuen Sarbanes
Clever Kildee Schakowsky
Clyburn Kilmer Schiff
Cohen Kind Schneider
Connolly Krishnamoorthi Schrader
Conyers Kuster (NH) Scott (VA)
Cooper Langevin Scott, David
Correa Larsen (WA) Serrano
Costa Larson (CT) Sewell (AL)
Courtney Lawrence Shea-Porter
Crist Lawson (FL) Sherman
Crowley Lee Sires
Cuellar Levin Slaughter
Cummings Lewis (GA) Smith (WA)
Curbelo (FL) Lieu, Ted Soto
Davis, Danny Lipinski Speier
DeFazio Loebsock Suozzi
DeGette Lofgren Swallow (CA)
Delaney Lowenthal Takano
DeLauro Lowey Thompson (CA)
DelBene Lujan Grisham, Thompson (MS)
Demings M. Tonko
DeSaulnier Luján, Ben Ray Torres
Deutsch Lynch Tsongas
Diaz-Balart Maloney, Vargas
Dingell Carolyn B. Veasey
Doggett Maloney, Sean Vela
Doyle, Michael McCollum Velázquez
F. McEachin Visclosky
Ellison McGovern Walz
Engel McNeerney Wasserman
Eshoo Meeks Schultz
Espallat Meng Waters, Maxine
Esty Moore Watson Coleman
Evans Moulton Welch
Faso Murphy (FL) Wilson (FL)
Foster Nadler Yarmuth

NOES—228

Abraham Brady (TX) Collins (NY)
Aderholt Brat Comer
Allen Bridenstine Comstock
Amash Brooks (AL) Conaway
Amodel Brooks (IN) Cook
Arrington Buchanan Costello (PA)
Babin Buck Cramer
Bacon Bucshon Crawford
Banks (IN) Budd Culberson
Barr Burgess Davidson
Barton Byrne Davis, Rodney
Bergman Calvert Denham
Biggs Carter (GA) Dent
Bilirakis Carter (TX) DeSantis
Bishop (MI) Chabot DesJarlais
Bishop (UT) Chaffetz Donovan
Black Cheney Duffy
Blackburn Coffman Duncan (SC)
Blum Cole Duncan (TN)
Bost Collins (GA) Dunn

Emmer LaMalfa
Farenthold Lamborn
Ferguson Lance
Fitzpatrick Latta
Fleischmann Lewis (MN)
Flores LoBiondo
Fortenberry Long
Foxy Loudermilk
Franks (AZ) Love
Frelinghuysen Lucas
Gaetz Luetkemeyer
Gallagher MacArthur
Garrett Marchant
Gibbs Marino
Gohmert Marshall
Goodlatte Massie
Gosar Mast
Gowdy McCarthy
Granger McCaul
Graves (GA) McClintock
Graves (LA) McHenry
Graves (MO) McKinley
Griffith McMorris
Grothman Rodgers
Guthrie McSally
Harper Meadows
Harris Meehan
Hartzler Messer
Hensarling Mitchell
Herrera Beutler Moolenaar
Hice, Jody B. Mooney (WV)
Higgins (LA) Mullin
Hill Murphy (PA)
Holding Newhouse
Hollingsworth Noem
Hudson Nunes
Huizenga Olson
Hultgren Palazzo
Hunter Palmer
Hurd Paulsen
Issa Pearce
Jenkins (KS) Perry
Jenkins (WV) Pittenger
Johnson (LA) Poe (TX)
Johnson (OH) Poliquin
Johnson, Sam Posey
Jordan Ratcliffe
Katko Reed
Kelly (MS) Reichert
Kelly (PA) Renacci
King (IA) Rice (SC)
King (NY) Roby
Kinzinger Roe (TN)
Knight Rogers (AL)
Kustoff (TN) Rogers (KY)
Labrador Rohrabacher
LaHood Rokita

NOT VOTING—8

Barletta Matsui Sinema
Davis (CA) Richmond Titus
Joyce (OH) Rush

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1828

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR. The question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SIMPSON) having assumed the chair, Mr. BYRNE, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 985) to amend the procedures used in Federal court class actions and multidistrict litigation proceedings to assure fairer, more efficient outcomes for claimants and de-

fendants, and for other purposes, and, pursuant to House Resolution 180, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on the amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. KILDEE. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. KILDEE. I am opposed.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Kildee moves to recommit the bill H.R. 985 to the Committee on the Judiciary with instructions to report the same back to the House forthwith with the following amendment:

Page 13, insert after line 10 the following (and conform the table of contents accordingly):

SEC. 108. PROTECTING SAFE DRINKING WATER.

Nothing in this title or the amendments made by this title shall apply to any civil action brought to protect public drinking water supplies.

The SPEAKER pro tempore. The gentleman from Michigan is recognized for 5 minutes.

Mr. KILDEE. Mr. Speaker, this is the final amendment to the bill, which will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage, as amended.

My motion to recommit is quite simple. It exempts class action lawsuits that are brought to protect public water supplies.

I know some of you have heard me speak of this. I am from Flint, Michigan, and we know, in my community, what happens when we fail to protect drinking water.

In the course of the day, most Americans take for granted that water that comes from the tap is safe. But for my community of 100,000 people, that is not true. It hasn't been true for years. Since the State government switched to a corrosive water source, the Flint River, they have not been able to drink water out of the tap.

This terrible decision poisoned the city's water supply with corrosive water, resulting in high levels of lead leaching into their water system, going

into their pipes, into their homes, into their bodies, 100,000 people, 7,000 children under the age of 6. Nearly 3 years later, those same families are still reeling from this crisis. It is unacceptable. It is an injustice.

Lead is a potent neurotoxin. There is no safe level of lead. Lead exposure can lead to serious health effects felt for years.

But the impacts are not limited just to health. Those high levels of lead also damaged Flint's infrastructure, and we now have to remove thousands of pipes in order to provide safe water.

Thankfully, this Congress, Democrats and Republicans, came together to provide necessary help for my hometown to fix those pipes. But Flint residents will continue to suffer. That was important, but not enough. There are lots of health effects.

Just recently we learned that many cases, in fact, many deaths that we thought were attributable to pneumonia, were, in fact, Legionnaires' disease, traceable to the bacteria caused by this terrible crisis. A dozen people have already died as a result of Legionnaires' disease, and others, whose deaths may be reclassified, could bring that number much higher.

The corrosiveness of that water not only had health impacts, but it literally destroyed people's homes from the inside out. So, in addition to those service lines, people's plumbing in their homes, their water heaters, their washing machines destroyed, ruined, and their lives potentially ruined as well.

So where does the support, where does the funding come for those losses experienced by residents of my hometown?

It comes from the justice system. This bill would create more barriers for people in my hometown to access that justice system, to seek justice for what happened to them. They have suffered a terrible crisis, and they should be able to seek justice and restitution.

Unfortunately, this bill could prevent people from Flint, and other Americans, from seeking justice, and that is what my motion intends to correct.

In order to receive justice from the harm that they have experienced from this public water source, residents have filed class action suits. This bill severely curtails their access to the courts to seek redress, to seek that restitution. This bill would weaken their access to justice.

My motion is simple. It would allow lawsuits that are brought to protect our precious public water supplies to be exempt from the additional hurdles, from the additional barriers that this underlying bill sets out.

Having safe drinking water is a human right, and the access to that and the access to justice related to that basic human right ought to be completely unfettered. My motion to

recommit would assure that, and I ask all of my colleagues to join me in supporting this motion.

Mr. Speaker, I yield back the balance of my time.

Mr. GOODLATTE. Mr. Speaker, I rise in opposition to the motion.

The SPEAKER pro tempore. The gentleman from Virginia is recognized for 5 minutes.

Mr. GOODLATTE. Mr. Speaker, the base bill contains provisions that allow all claims to go forward as class actions and also maximize awards to deserving victims.

Why would anyone want to single out safe drinking water victims for adverse treatment and deny them the benefits of the base bill that would maximize any recovery they might receive in a class action?

This motion to recommit would do that, and it should be defeated.

In closing, let me say that we know that only the tiniest fraction of consumer class action members ever bother to claim the compensation awarded them in a settlement. That is clear proof that the vast majority—the vast large numbers of class members are satisfied with the product they purchased. They don't want compensation. They don't want to be lumped into gigantic class action lawsuits.

Federal judges are crying out for the Congress to reform the class action system, which currently allows trial lawyers to file classes with hundreds and thousands of unmeritorious claims and use those artificially inflated classes to force defendants to settle the case.

As I have recounted, some class action settlements have left lawyers with millions in fees while the alleged victims receive absolutely nothing.

This bill prevents people from being forced into class actions with other uninjured or minimally injured members, only to have the compensation of injured parties reduced. It requires that lawyer fees be limited to a reasonable percentage of the money injured victims actually receive.

I urge my colleagues to join me in opposing this motion to recommit and supporting this bill on behalf of the consumers and injured parties everywhere.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. KILDEE. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—ayes 188, noes 234, not voting 7, as follows:

[Roll No. 147]

AYES—188

Adams	Gabbard	Neal
Aguilar	Gallego	Nolan
Barragán	Garamendi	Norcross
Bass	Gonzalez (TX)	O'Halleran
Beatty	Gottheimer	O'Rourke
Bera	Green, Al	Pallone
Beyer	Green, Gene	Panetta
Bishop (GA)	Grijalva	Pascarell
Blumenauer	Gutiérrez	Payne
Blunt Rochester	Hanabusa	Pelosi
Bonamici	Hastings	Perlmutter
Boyle, Brendan	Heck	Peters
F.	Higgins (NY)	Peterson
Brady (PA)	Himes	Pingree
Brown (MD)	Hoyer	Pocan
Brownley (CA)	Huffman	Polis
Bustos	Jackson Lee	Price (NC)
Butterfield	Jayapal	Quigley
Capuano	Jeffries	Raskin
Carbajal	Johnson (GA)	Rice (NY)
Cárdenas	Johnson, E. B.	Rosen
Carson (IN)	Jones	Roybal-Allard
Cartwright	Kaptur	Ruiz
Castor (FL)	Keating	Ruppersberger
Castro (TX)	Kelly (IL)	Ryan (OH)
Chu, Judy	Kennedy	Sánchez
Cicilline	Khanna	Sarbanes
Clark (MA)	Kihuen	Schakowsky
Clarke (NY)	Kildee	Schiff
Clay	Kilmer	Schneider
Cleaver	Kind	Schrader
Clyburn	Krishnamoorthi	Scott (VA)
Cohen	Kuster (NH)	Scott, David
Connolly	Langevin	Serrano
Conyers	Larsen (WA)	Sewell (AL)
Cooper	Larson (CT)	Shea-Porter
Correa	Lawrence	Sherman
Costa	Lawson (FL)	Sires
Courtney	Lee	Slaughter
Crist	Levin	Smith (WA)
Crowley	Lewis (GA)	Soto
Cuellar	Lieu, Ted	Speier
Cummings	Lipinski	Suozy
Davis, Danny	Loebsock	Swalwell (CA)
DeFazio	Lofgren	Takano
DeGette	Lowenthal	Thompson (CA)
Delaney	Lowe	Thompson (MS)
DeLauro	Lujan Grisham,	Tonko
DelBene	M.	Torres
Demings	Luján, Ben Ray	Tsongas
DeSaulnier	Lynch	Vargas
Deutch	Maloney,	Veasey
Dingell	Carolyn B.	Vela
Doggett	Maloney, Sean	Velázquez
Doyle, Michael	McCollum	Visclosky
F.	McEachin	Walz
Ellison	McGovern	Wasserman
Engel	McNerney	Schultz
Eshoo	Meeks	Waters, Maxine
Españillat	Meng	Watson Coleman
Esty	Moore	Welch
Evans	Moulton	Wilson (FL)
Foster	Murphy (FL)	Yarmuth
Frankel (FL)	Nadler	
Fudge	Napolitano	

NOES—234

Abraham	Black	Carter (GA)
Aderholt	Blackburn	Carter (TX)
Allen	Blum	Chabot
Amash	Bost	Chaffetz
Amodei	Brady (TX)	Cheney
Arrington	Brat	Coffman
Babin	Bridenstine	Cole
Bacon	Brooks (AL)	Collins (GA)
Banks (IN)	Brooks (IN)	Collins (NY)
Barr	Buchanan	Comer
Barton	Buck	Comstock
Bergman	Bucshon	Conaway
Biggs	Budd	Cook
Bilirakis	Burgess	Costello (PA)
Bishop (MI)	Byrne	Cramer
Bishop (UT)	Calvert	Crawford

Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jordan
Joyce (OH)

Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Poliquin
Poe (TX)
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)

Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOT VOTING—7

Barletta
Davis (CA)
Matsui

Richmond
Rush
Sinema

Titus

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1846

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. CONYERS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 220, noes 201, answered “present” 1, not voting 7, as follows:

[Roll No. 148]

AYES—220

Abraham
Aderholt
Allen
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barr
Barton
Bergman
Biggs
Billakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Donovan
Duffy
Duncan (SC)
Dunn
Emmer
Farenthold
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte

Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jordan
Joyce (OH)

Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOES—201

Adams
Agullar
Amash
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester

Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas

Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn

Cohen
Connolly
Conyers
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Doyle, Michael F.
Duncan (TN)
Ellison
Engel
Eshoo
Español
Esty
Evans
Faso
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.

Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
LoBiondo
Loeb
Lofgren
Lowenthal
Lowe
Lujan Grisham, M.
Lujan, Ben Ray
Lynch
Maloney
Carolyn B. Maloney, Sean
Massie
McCollum
McEachin
McGovern
McKinley
McNerney
Meehan
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Pamela
Pascarella
Payne
Pelosi

Perlmutter
Peters
Peterson
Pingree
Pocan
Poe (TX)
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Kuster (AL)
Rogers (AL)
Ros-Lehtinen
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Russell
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sires
Slaughter
Smith (WA)
Soto
Speier
Suozi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

ANSWERED “PRESENT”—1

Griffith

NOT VOTING—7

Barletta
Davis (CA)
Matsui

Richmond
Rush
Sinema

Titus

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1852

Mr. SUOZZI changed his vote from “aye” to “no.”

Mr. POSEY changed his vote from “no” to “aye.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY COMMITTEE ON RULES REGARDING AMENDMENT PROCESS FOR H.R. 1259 AND H.R. 1367

Mr. SESSIONS. Mr. Speaker, this morning, the Rules Committee issued

announcements outlining the amendment processes for two measures likely to be on the floor next week.

An amendment deadline has been set for Monday, March 13 at 3 p.m. for H.R. 1259, the VA Accountability First Act of 2007; and H.R. 1367, to improve the authority of the Secretary of Veterans Affairs to hire and retain physicians and other employees.

The text of these measures is available on the Rules Committee website.

Feel free to contact me or my staff.

INNOCENT PARTY PROTECTION ACT

The SPEAKER pro tempore. Pursuant to House Resolution 175 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 725.

Will the gentleman from Alabama (Mr. BYRNE) kindly take the chair.

□ 1854

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 725) to amend title 28, United States Code, to prevent fraudulent joinder, with Mr. BYRNE (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, a request for a recorded vote on amendment No. 2 printed in House Report 115-27 offered by the gentleman from Pennsylvania (Mr. CARTWRIGHT) had been postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 115-27 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. SOTO of Florida.

Amendment No. 2 by Mr. CARTWRIGHT of Pennsylvania.

The Chair will reduce to 2 minutes the minimum time for any electronic vote in this series.

AMENDMENT NO. 1 OFFERED BY MR. SOTO

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. SOTO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 189, noes 233, not voting 7, as follows:

[Roll No. 149]

AYES—189

Adams	Fudge	Neal
Aguilar	Gabbard	Nolan
Barragán	Gallo	Norcross
Bass	Garamendi	O'Halleran
Beatty	Gonzalez (TX)	O'Rourke
Bera	Gottheimer	Pallone
Beyer	Green, Al	Panetta
Bishop (GA)	Grijalva	Pascrell
Blumenauer	Gutierrez	Payne
Blunt Rochester	Hanabusa	Pelosi
Bonamici	Hastings	Perlmutter
Boyle, Brendan	Heck	Peters
F.	Higgins (NY)	Peterson
Brady (PA)	Himes	Pingree
Brown (MD)	Hoyer	Pocan
Brownley (CA)	Huffman	Polis
Bustos	Jackson Lee	Price (NC)
Butterfield	Jayapal	Quigley
Capuano	Jeffries	Raskin
Carbajal	Johnson (GA)	Rice (NY)
Cárdenas	Johnson, E. B.	Ros-Lehtinen
Carson (IN)	Jones	Rosen
Cartwright	Kaptur	Roybal-Allard
Castor (FL)	Keating	Ruiz
Castro (TX)	Kelly (IL)	Ruppersberger
Chu, Judy	Kennedy	Ryan (OH)
Cicilline	Khanna	Sánchez
Clark (MA)	Kihuen	Sarbanes
Clarke (NY)	Kildee	Schakowsky
Clay	Kilmer	Schiff
Cleaver	Kind	Schneider
Clyburn	Krishnamoorthi	Schrader
Cohen	Kuster (NH)	Scott (VA)
Connolly	Langevin	Scott, David
Conyers	Larsen (WA)	Serrano
Cooper	Larson (CT)	Sewell (AL)
Correa	Lawrence	Shea-Porter
Costa	Lawson (FL)	Sherman
Courtney	Lee	Sires
Crist	Levin	Slaughter
Crowley	Lewis (GA)	Smith (WA)
Cuellar	Lieu, Ted	Soto
Cummings	Lipinski	Jordan
Curbelo (FL)	Loebback	Speier
Davis, Danny	Loftgren	Suozzi
DeFazio	Lowenthal	Swalwell (CA)
DeGette	Lowe	Takano
Delaney	Lujan Grisham,	Thompson (CA)
DeLauro	M.	Thompson (MS)
DelBene	Luján, Ben Ray	Tonko
Demings	Lynch	Torres
DeSaulnier	Maloney,	Tsongas
Deutch	Carolyn B.	Vargas
Dingell	Maloney, Sean	Veasey
Doggett	McCollum	Vela
Doyle, Michael	McEachin	Velázquez
F.	McGovern	Visclosky
Ellison	McNerney	Walz
Engel	Meeks	Wasserman
Eshoo	Meng	Schultz
Espallat	Moore	Waters, Maxine
Esty	Moulton	Watson Coleman
Evans	Murphy (FL)	Welch
Foster	Nadler	Wilson (FL)
Frankel (FL)	Napolitano	Yarmuth

NOES—233

Abraham	Bost	Cole
Aderholt	Brady (TX)	Collins (GA)
Allen	Brat	Collins (NY)
Amash	Bridenstine	Cramer
Amodei	Brooks (AL)	Comstock
Arrington	Brooks (IN)	Conaway
Babin	Buchanan	Cook
Bacon	Buck	Costello (PA)
Banks (IN)	Bucshon	Cramer
Barr	Budd	Crawford
Barton	Burgess	Culberson
Bergman	Byrne	Davidson
Biggs	Calvert	Davis, Rodney
Bilirakis	Carter (GA)	Denham
Bishop (MI)	Carter (TX)	Dent
Bishop (UT)	Chabot	DeSantis
Black	Chaffetz	DesJarlais
Blackburn	Cheney	Diaz-Balart
Blum	Coffman	Donovan

Duffy	Knight	Rokita
Duncan (SC)	Kustoff (TN)	Rooney, Francis
Duncan (TN)	Labrador	Rooney, Thomas
Dunn	LaHood	J.
Emmer	LaMalfa	Roskam
Farenthold	Lamborn	Ross
Faso	Lance	Rothfus
Ferguson	Latta	Rouzer
Fitzpatrick	Lewis (MN)	Royce (CA)
Fleischmann	LoBiondo	Russell
Flores	Long	Rutherford
Fortenberry	Loudermilk	Sanford
Fox	Love	Scalise
Franks (AZ)	Lucas	Schweikert
Frelinghuysen	Luetkemeyer	Scott, Austin
Gaetz	MacArthur	Sensenbrenner
Gallagher	Marchant	Sessions
Garrett	Marino	Shimkus
Gibbs	Marshall	Shuster
Gohmert	Massie	Simpson
Goodlatte	Mast	Smith (MO)
Gosar	McCarthy	Smith (NE)
Gowdy	McCaul	Smith (NJ)
Granger	McClintock	Smith (TX)
Graves (GA)	McHenry	Smucker
Graves (LA)	McKinley	Stefanik
Graves (MO)	McMorris	Stewart
Green, Gene	Rodgers	Stivers
Griffith	McSally	Taylor
Grothman	Meadows	Tenney
Guthrie	Meehan	Thompson (PA)
Harper	Messer	Thornberry
Harris	Mitchell	Tiberi
Hartzler	Moorenaar	Tipton
Hensarling	Mooney (WV)	Trott
Herrera Beutler	Mullin	Turner
Hice, Jody B.	Murphy (PA)	Upton
Higgins (LA)	Newhouse	Valadao
Hill	Noem	Wagner
Holding	Nunes	Walberg
Hollingsworth	Olson	Walden
Hudson	Palazzo	Walker
Huizenga	Palmer	Walorski
Hultgren	Paulsen	Walters, Mimi
Hunter	Pearce	Weber (TX)
Hurd	Perry	Webster (FL)
Issa	Pittenger	Wenstrup
Jenkins (KS)	Poe (TX)	Westerman
Jenkins (WV)	Poliquin	Williams
Johnson (LA)	Posey	Wilson (SC)
Johnson (OH)	Ratcliffe	Wittman
Johnson, Sam	Reed	Womack
Jordan	Reichert	Woodall
Joyce (OH)	Renacci	Yoder
Katko	Rice (SC)	Yoho
Kelly (MS)	Roby	Young (AK)
Kelly (PA)	Roe (TN)	Young (IA)
King (IA)	Rogers (AL)	Zeldin
King (NY)	Rogers (KY)	
Kinzinger	Rohrabacher	

NOT VOTING—7

Barletta	Richmond	Titus
Davis (CA)	Rush	
Matsui	Sinema	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1859

So the amendment was rejected. The result of the vote was announced as above recorded.

AMENDMENT NO. 2 OFFERED BY MR. CARTWRIGHT

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Pennsylvania (Mr. CARTWRIGHT) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 187, noes 229, not voting 13, as follows:

[Roll No. 150]

AYES—187

Adams	Fudge	Napolitano
Aguilar	Gabbard	Neal
Barragán	Gallejo	Nolan
Bass	Garamendi	Norcross
Beatty	Gonzalez (TX)	O'Halleran
Bera	Gottheimer	O'Rourke
Beyer	Green, Al	Pallone
Bishop (GA)	Griffith	Panetta
Blumenauer	Grijalva	Pascarell
Blunt Rochester	Hanabusa	Payne
Bonamici	Hastings	Perlmutter
Boyle, Brendan	Heck	Peters
F.	Higgins (NY)	Peterson
Brady (PA)	Himes	Pingree
Brown (MD)	Hoyer	Pocan
Brownley (CA)	Huffman	Polis
Bustos	Jackson Lee	Posey
Butterfield	Jayapal	Price (NC)
Capuano	Jeffries	Quigley
Carbajal	Johnson (GA)	Raskin
Cárdenas	Johnson, E. B.	Rice (NY)
Carson (IN)	Jones	Ros-Lehtinen
Cartwright	Kaptur	Rosen
Castor (FL)	Keating	Roybal-Allard
Castro (TX)	Kelly (IL)	Ruiz
Chu, Judy	Kennedy	Ruppersberger
Ciilline	Khanna	Sánchez
Clark (MA)	Kihuen	Sarbanes
Clarke (NY)	Kildee	Schakowsky
Clay	Kilmer	Schiff
Cleaver	Kind	Schneider
Clyburn	Krishnamoorthi	Schrader
Cohen	Kuster (NH)	Scott (VA)
Connolly	Langevin	Scott, David
Conyers	Larsen (WA)	Serrano
Cooper	Larson (CT)	Sewell (AL)
Correa	Lawrence	Shea-Porter
Costa	Lawson (FL)	Sherman
Courtney	Lee	Sires
Crist	Levin	Slaughter
Crowley	Lewis (GA)	Smith (WA)
Cuellar	Lieu, Ted	Soto
Cummings	Lipinski	Speier
Curbelo (FL)	Loebach	Suozi
Davis, Danny	Lofgren	Swalwell (CA)
DeFazio	Lowenthal	Takano
DeGette	Lowe	Thompson (CA)
Delaney	Lujan Grisham,	Thompson (MS)
DeLauro	M.	Tonko
DeBene	Luján, Ben Ray	Torres
Demings	Lynch	Tsongas
DeSaulnier	Maloney,	Vargas
Deutch	Carolyn B.	Veasey
Dingell	Maloney, Sean	Vela
Doyle, Michael	McCollum	Velázquez
F.	McEachin	Visclosky
Ellison	McGovern	Walz
Engel	McNerney	Wasserman
Eshoo	Meeks	Schultz
Espallat	Meng	Waters, Maxine
Esty	Moore	Watson Coleman
Evans	Moulton	Welch
Foster	Murphy (FL)	Wilson (FL)
Frankel (FL)	Nadler	Yarmuth

NOES—229

Abraham	Blum	Cheney
Aderholt	Bost	Coffman
Allen	Brady (TX)	Cole
Amash	Brat	Collins (GA)
Amodei	Bridenstine	Collins (NY)
Arrington	Brooks (AL)	Comer
Babin	Brooks (IN)	Comstock
Bacon	Buchanan	Conaway
Banks (IN)	Buck	Cook
Barr	Bucshon	Costello (PA)
Barton	Budd	Cramer
Bergman	Burgess	Crawford
Biggs	Byrne	Culberson
Bilirakis	Calvert	Davidson
Bishop (MI)	Carter (GA)	Davis, Rodney
Bishop (UT)	Carter (TX)	Denham
Black	Chabot	Dent
Blackburn	Chaffetz	DeSantis

DesJarlais	Kinzinger	Rohrabacher
Diaz-Balart	Knight	Rokita
Donovan	Kustoff (TN)	Rooney, Francis
Duffy	Labrador	Rooney, Thomas
Duncan (SC)	LaHood	J.
Duncan (TN)	LaMalfa	Roskam
Dunn	Lamborn	Ross
Emmer	Lance	Rothfus
Farenthold	Latta	Rouzer
Faso	Lewis (MN)	Royce (CA)
Ferguson	LoBiondo	Russell
Fitzpatrick	Long	Rutherford
Fleischmann	Loudermilk	Sanford
Flores	Love	Scalise
Fortenberry	Lucas	Schweikert
Fox	Luetkemeyer	Scott, Austin
Franks (AZ)	MacArthur	Sensenbrenner
Frelinghuysen	Marchant	Sessions
Gaetz	Marino	Shimkus
Gallagher	Marshall	Shuster
Garrett	Massie	Simpson
Gibbs	Mast	Smith (MO)
Gohmert	McCarthy	Smith (NE)
Goodlatte	McCaul	Smith (NJ)
Gosar	McClintock	Smith (TX)
Growdy	McHenry	Smucker
Granger	McKinley	Stefanik
Graves (GA)	McMorris	Stewart
Graves (LA)	Rodgers	Stivers
Graves (MO)	McSally	Taylor
Grothman	Meadows	Tenney
Guthrie	Meehan	Thompson (PA)
Harper	Messer	Thornberry
Harris	Mitchell	Tiberi
Hartzler	Moolenaar	Tipton
Hensarling	Mooney (WV)	Trott
Herrera Beutler	Mullin	Turner
Hice, Jody B.	Murphy (PA)	Upton
Higgins (LA)	Newhouse	Valadao
Hill	Noem	Wagner
Holding	Nunes	Walberg
Hollingsworth	Olson	Walden
Hudson	Palazzo	Walker
Huizenga	Palmer	Walorski
Hultgren	Paulsen	Walters, Mimi
Hunter	Pearce	Weber (TX)
Hurd	Perry	Webster (FL)
Issa	Pittenger	Wenstrup
Jenkins (KS)	Poe (TX)	Westerman
Jenkins (WV)	Poliquin	Williams
Johnson (LA)	Ratcliffe	Wilson (SC)
Johnson (OH)	Reed	Wittman
Johnson, Sam	Reichert	Womack
Jordan	Renacci	Woodall
Joyce (OH)	Rice (SC)	Yoder
Katko	Roby	Yoho
Kelly (MS)	Roe (TN)	Young (AK)
Kelly (PA)	Rogers (AL)	Young (IA)
King (NY)	Rogers (KY)	Zeldin

NOT VOTING—13

Barletta	King (IA)	Ryan (OH)
Davis (CA)	Matsui	Sinema
Doggett	Pelosi	Titus
Green, Gene	Richmond	
Gutiérrez	Rush	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1902

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. KING of Iowa. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "nay" on rollcall No. 150.

The Acting CHAIR. There being no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WOMACK) having assumed the chair, Mr. BYRNE, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 725) to amend title 28,

United States Code, to prevent fraudulent joinder, and, pursuant to House Resolution 175, he reported the bill back to the House.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Ms. KUSTER of New Hampshire. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentlewoman opposed to the bill?

Ms. KUSTER of New Hampshire. I am opposed in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Ms. Kuster of New Hampshire moves to recommit the bill H.R. 725 to the Committee on the Judiciary with instructions to report the same back to the House forthwith with the following amendment:

Add, at the end of the bill, the following:

SEC. 3. PROTECTING AMERICANS' RIGHT TO HOLD GOVERNMENT OFFICIALS TO ETHICAL STANDARDS.

Nothing in this Act or the amendments made by this Act may be construed to apply to a civil action pertaining to ethics in government.

The SPEAKER pro tempore. The gentlewoman from California is recognized for 5 minutes.

Ms. KUSTER of New Hampshire. Mr. Speaker, this is the final amendment to the bill, which will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage, as amended.

Today, our country is in an era where appropriate ethics and conduct by elected officials is of the utmost importance.

I think we can agree that many representatives and others in government have failed to live up to the expectations of the American people.

We all have immense responsibility to advocate for our constituents, and it is so important that our work and the work of those in this administration reflect our genuine desire to do well on the part of those we represent.

I have heard from literally thousands of my constituents in New Hampshire who are concerned about the President's reluctance to fully give up control of his businesses, his refusal to publicly disclose his tax returns, and the connections between Russia and those in his campaign and the administration. This pattern of nondisclosure and hidden interests in the administration could put our public welfare and, indeed, our national security at stake.

Citizens must have all the legal tools at their disposal to push back against improper ethics and crony capitalism at all levels of government, including

the highest levels of the Federal Government.

This also includes instances in which a business could face unfair competition because conflicts of interest in government provide unfair support to their competitors.

Unfortunately, the bill before us today makes it harder for those who may have been wronged by established and well-funded interests to get a fair shot in court.

My amendment simply states that nothing in this legislation shall be construed to apply to any civil action related to ethics in government. Private citizens trying to hold government officials to high ethical standards should not have barriers like this legislation thrown in their way.

Going forward, I hope that as Republicans and Democrats we can work together to promote legislation and efforts that increase transparency in government, rather than making it more difficult for citizens to hold the government accountable.

I ask that my colleagues support this important motion to recommit.

Mr. Speaker, I yield back the balance of my time.

Mr. FARENTHOLD. Mr. Chairman, I claim the time in opposition.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 5 minutes.

Mr. FARENTHOLD. Mr. Speaker, I am not sure how this bill applies to government ethics at all.

This bill is a simple bill that tells trial lawyers not to sue innocent local people in businesses just so they can forum shop. It tells them that all they have got to do is show a plausible case before they can proceed and that they have got to proceed in good faith.

It has nothing to do with what the amendment proposes. This is to protect innocent folks from being sucked into lawsuits by trial lawyers.

I urge my colleagues to oppose this amendment and support the underlying legislation.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Ms. KUSTER of New Hampshire. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 187, noes 233, not voting 9, as follows:

[Roll No. 151]

AYES—187

Adams	Fudge	Napolitano
Aguilar	Gabbard	Neal
Barragán	Gallego	Nolan
Bass	Garamendi	Norcross
Beatty	Gonzalez (TX)	O'Halleran
Bera	Gottheimer	O'Rourke
Beyer	Green, Al	Pallone
Bishop (GA)	Grijalva	Panetta
Blumenauer	Gutiérrez	Pascrell
Blunt Rochester	Hanabusa	Payne
Bonamici	Hastings	Pelosi
Boyle, Brendan F.	Heck	Perlmutter
Brady (PA)	Higgins (NY)	Peters
Brown (MD)	Himes	Peterson
Brownley (CA)	Hoyer	Pingree
Bustos	Huffman	Pocan
Butterfield	Jackson Lee	Polis
Capuano	Jayapal	Price (NC)
Carbajal	Jeffries	Quigley
Cárdenas	Johnson (GA)	Raskin
Carson (IN)	Johnson, E. B.	Rice (NY)
Cartwright	Jones	Rosen
Castor (FL)	Kaptur	Roybal-Allard
Castro (TX)	Keating	Ruiz
Chu, Judy	Kelly (IL)	Ruppersberger
Cicilline	Kennedy	Ryan (OH)
Clark (MA)	Khanna	Sánchez
Clarke (NY)	Kihuen	Sarbanes
Clay	Kildee	Schakowsky
Cleaver	Kilmer	Schiff
Clyburn	Kind	Schneider
Cohen	Krishnamoorthi	Schrader
Connelly	Kuster (NH)	Scott (VA)
Conyers	Langevin	Scott, David
Cooper	Larsen (WA)	Serrano
Correa	Larson (CT)	Sewell (AL)
Costa	Lawrence	Shea-Porter
Courtney	Lawson (FL)	Sherman
Crist	Lee	Sires
Crowley	Levin	Slaughter
Cuellar	Lewis (GA)	Smith (WA)
Cummings	Lieu, Ted	Soto
Davis, Danny	Lipinski	Speier
DeFazio	Loeb sack	Suozzi
DeGette	Lofgren	Swallow (CA)
Delaney	Lowenthal	Takano
DeLauro	Lowe	Thompson (CA)
DelBene	Lujan Grisham, M.	Thompson (MS)
Demings	Luján, Ben Ray	Tonko
DeSaulnier	Lynch	Torres
Deutsch	Maloney	Tsongas
Dingell	Carolyn B.	Vargas
Doggett	Maloney, Sean	Veasey
Doyle, Michael F.	McCollum	Vela
Ellison	McEachin	Velázquez
Engel	McGovern	Visclosky
Eshoo	McNerney	Walz
Espallat	Meeks	Wasserman
Esty	Meng	Schultz
Evans	Moore	Waters, Maxine
Foster	Moulton	Watson Coleman
Frankel (FL)	Murphy (FL)	Welch
	Nadler	Wilson (FL)
		Yarmuth

NOES—233

Abraham	Buck	Denham
Aderholt	Bucshon	Dent
Allen	Budd	DeSantis
Amash	Burgess	DesJarlais
Amodei	Byrne	Diaz-Balart
Arrington	Calvert	Donovan
Babin	Carter (GA)	Duffy
Bacon	Carter (TX)	Duncan (SC)
Banks (IN)	Chabot	Duncan (TN)
Barr	Chaffetz	Dunn
Barton	Cheney	Emmer
Bergman	Coffman	Farenthold
Biggs	Cole	Faso
Bilirakis	Collins (GA)	Ferguson
Bishop (MI)	Collins (NY)	Fitzpatrick
Bishop (UT)	Comer	Fleischmann
Black	Comstock	Flores
Blackburn	Conaway	Fortenberry
Blum	Cook	Fox
Bost	Costello (PA)	Franks (AZ)
Brady (TX)	Cramer	Frelinghuysen
Brat	Crawford	Gaetz
Bridenstine	Culberson	Gallagher
Brooks (AL)	Curbelo (FL)	Garrett
Brooks (IN)	Davidson	Gibbs
Buchanan	Davis, Rodney	Gohmert

Goodlatte	Lucas	Rothfus
Gosar	Luetkemeyer	Rouzer
Gowdy	MacArthur	Royce (CA)
Granger	Marchant	Russell
Graves (GA)	Marino	Rutherford
Graves (LA)	Marshall	Sanford
Graves (MO)	Massie	Scalise
Griffith	Mast	Schweikert
Grothman	McCarthy	Scott, Austin
Guthrie	McCaul	Sensenbrenner
Harper	McClintock	Sessions
Harris	McHenry	Shimkus
Hartzler	McKinley	Shuster
Hensarling	McMorris	Simpson
Herrera Beutler	Rodgers	Smith (MO)
Hice, Jody B.	McSally	Smith (NE)
Higgins (LA)	Meadows	Smith (NJ)
Hill	Meehan	Smith (TX)
Holding	Messer	Smucker
Hollingsworth	Mitchell	Stefanik
Hudson	Moolenaar	Stewart
Huizenga	Mooney (WV)	Stivers
Hultgren	Mullin	Taylor
Hunter	Murphy (PA)	Tenney
Hurd	Newhouse	Thompson (PA)
Issa	Noem	Thornberry
Jenkins (KS)	Nunes	Tiberi
Jenkins (WV)	Olson	Tipton
Johnson (LA)	Palazzo	Trott
Johnson (OH)	Palmer	Turner
Johnson, Sam	Paulsen	Upton
Jordan	Pearce	Valadao
Joyce (OH)	Perry	Wagner
Katko	Pittenger	Walberg
Kelly (MS)	Poe (TX)	Walden
Kelly (PA)	Poliquin	Walker
King (IA)	Posey	Walorski
King (NY)	Ratcliffe	Walters, Mimi
Kinzing	Reed	Weber (TX)
Knight	Reichert	Webster (FL)
Kustoff (TN)	Renacci	Wenstrup
Labrador	Rice (SC)	Westerman
LaHood	Roby	Williams
LaMalfa	Roe (TN)	Wilson (SC)
Lamborn	Rogers (AL)	Wittman
Lance	Rogers (KY)	Womack
Latta	Rohrabacher	Woodall
Lewis (MN)	Rokita	Yoder
LoBiondo	Rooney, Francis	Yoho
Long	Ros-Lehtinen	Young (AK)
Loudermilk	Roskam	Young (IA)
Love	Ross	Zeldin

NOT VOTING—9

Barletta	Richmond	Sinema
Davis (CA)	Rooney, Thomas	Titus
Green, Gene	J.	
Matsui	Rush	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1914

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. CONYERS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 224, noes 194, not voting 11, as follows:

[Roll No. 152]

AYES—224

Abraham	Amodei	Bacon
Aderholt	Arrington	Banks (IN)
Allen	Babin	Barr

Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Donovan
Duffy
Duncan (SC)
Dunn
Emmer
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)

Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Nunes
Olson
Palazzo

Palmer
Paulsen
Pearce
Perry
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Rutherford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOES—194

Adams
Aguilar
Amash
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan
F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal

Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cuellar

Cummings
Carbello (FL)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DeBene
Demings
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Doyle, Michael
F.
Duncan (TN)
Ellison
Engel
Eshoo
Españillat

Esty
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gonzalez (TX)
Gottheimer
Green, Al
Griffith
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)

Lieu, Ted
Lipinski
Loebsock
Lofgren
Lowenthal
Lowe
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Massie
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Ros-Lehtinen
Rosen

Roybal-Allard
Ruiz
Ruppersberger
Russell
Ryan (OH)
Sánchez
Sanford
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sires
Slaughter
Smith (WA)
Soto
Speier
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—11

Barietta
Clark (MA)
Davis (CA)
Green, Gene
Maloney, Sean

Matsui
Richmond
Rooney, Thomas
J.
Rush

□ 1919

So the bill was passed.
The result of the vote was announced as above recorded.
A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 610

Mr. OLSON. Mr. Speaker, I ask unanimous consent that I be removed as a cosponsor of H.R. 610.

The SPEAKER pro tempore (Mr. THOMPSON of Pennsylvania). Is there objection to the request of the gentleman from Texas?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 637

Mr. SANFORD. Mr. Speaker, I ask unanimous consent that I be removed as a cosponsor of H.R. 637.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

APPOINTMENT OF MEMBER TO MIGRATORY BIRD CONSERVATION COMMISSION

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to section 2 of the Migratory Bird Conservation Act (16 U.S.C. 715a), and the order of the House of January 3, 2017, of the following Member on the part of the House to the Migratory Bird Conservation Commission:

Mr. THOMPSON, California

RIGHT TO TRY POTENTIALLY LIFESAVING DRUGS

(Mr. BIGGS asked and was given permission to address the House for 1 minute.)

Mr. BIGGS. Mr. Speaker, many Americans, including my constituents, fight a terminal illness. Many of them cannot access potentially lifesaving drugs because of the lengthy and bureaucratic Food and Drug Administration's approval process.

Last month Congressman FITZPATRICK and I introduced the Right to Try Act, which is a bill that would provide the option for terminally ill patients to receive drugs that have passed the FDA's basic safety testing but are still working their way through the lengthy government process to receive final approval.

In 2014, my home State of Arizona passed a similar right-to-try law with nearly 80 percent of the vote, thanks to the heroic efforts of my friend, the late Laura Knaperek. She successfully fought to pass right-to-try at the State level even as she was battling a cancer that would ultimately claim her life. I sponsored this bill in memory of Laura and many others who have championed this legislation around the country.

Right-to-try has passed in 33 States, and it needs to be enacted at the Federal level. Our bill gives Americans that right to try. I am grateful for Congressman FITZPATRICK's partnership on this vital issue. I call upon my colleagues to pass this legislation in the House.

HEALTH CARE UNCERTAINTY IN NEW JERSEY

(Mrs. WATSON COLEMAN asked and was given permission to address the House for 1 minute.)

Mrs. WATSON COLEMAN. Mr. Speaker, I wish I could say that the Republicans' attack on the poor and vulnerable through this disastrous healthcare bill is a surprise. But, unfortunately, in my home State, Republican leadership has laid out the framework for their very own attack.

Last week, Governor Chris Christie dealt another blow to the welfare of New Jerseyans by seeking to fund his State budget by siphoning money from

Horizon, the State's largest healthcare insurer, serving over 900,000 Medicaid members in New Jersey. Horizon's reserve fund exists to protect healthcare consumers in the face of uncertainty. But, Mr. Speaker, New Jerseyans are currently facing tremendous uncertainty due to proposals by Republicans in Congress to roll back Medicaid.

Mr. Speaker, the threats are clear. Governor Christie's proposal would destabilize Horizon and raise consumer premiums just when hundreds of thousands of New Jerseyans may lose Medicaid coverage or have premium subsidies withdrawn at the hands of reckless Federal lawmakers.

In my district alone, 40,600 New Jerseyans currently covered by the ACA's Medicaid expansion now stand to lose their coverage if eliminated. Both Governor Christie's budget raid and the Republican healthcare proposal are prescriptions for disaster. These plans are not only lazy and careless, but are also unworkable strategies that will only result in chaos across the healthcare industry of New Jersey and this country.

PENN STATE'S THON FUNDRAISER

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to celebrate one of Penn State's finest events, THON, a 46-hour dance marathon. THON began in 1977. It is the largest student-run philanthropy in the world, and it raises money to fight pediatric cancer. THON ran from February 17 to 19 as dancers stood for 46 hours without sleep at Bryce Jordan Center.

THON is a year-round fundraising and awareness campaign for the fight against childhood cancer, with proceeds going directly to Four Diamonds, which benefits the Penn State Children's Hospital in Hershey, Pennsylvania. Four Diamonds ensures that families who are battling pediatric cancer are not faced with any costs, allowing them to fully focus on the needs of their child. THON 2017 raised more than \$10 million, and since its inception, THON has raised more than \$146 million.

This truly is an event like none other. It shows the power of what Penn State students can do and have been doing to cover the treatment costs for pediatric cancer patients as well as support cancer research. Thank you to all the Penn State students who take part in this spectacular event.

FIX HEALTH CARE, DON'T DESTROY IT

(Mr. CRIST asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CRIST. Mr. Speaker, I rise today in strong support of strengthening the Affordable Care Act. Last Saturday, we held a townhall meeting in my home of St. Petersburg, Florida. Over 550 Pinellas County residents showed up, and the message was overwhelming: Work together, fix health care, don't destroy it, put people above politics.

The Republican bill unveiled this week would drive up healthcare costs, strip away important protections, and leave millions without coverage. It is wrong for senior citizens. It is wrong for women. It is wrong for the poor and the disabled. We are judged by how we treat the least among us.

HONORING ZELL MILLER

(Mr. CARTER of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARTER of Georgia. Mr. Speaker, I rise today to wish the great Georgia Governor and U.S. Senator Zell Miller a happy 85th birthday. He celebrated his milestone on February 24, 2017.

For his undergraduate education, Mr. Miller attended the University of Georgia as well as my alma mater, Young Harris College. He often compared Young Harris to a shoe factory because, as he says, you enter single but you leave as a pair. Fittingly, it is where Mr. Miller met his wife of more than 60 years, Shirley. Also fittingly, it is where I met my wife of 38 years, Amy.

Mr. Miller has dedicated much of his life to serving the public, starting out as the mayor of his small hometown of Young Harris in north Georgia. This outstanding career led him through every level of service, including State senator, Lieutenant Governor, Governor, and United States Senator.

Mr. Miller's dedication to his home State of Georgia and the United States as a whole continues to have lasting effects that are felt to this day. As Governor of Georgia one of Mr. Miller's greatest gifts was the HOPE Scholarship. This fund opens up educational opportunities for thousands of Georgians every year by providing college tuition assistance to qualified students.

Mr. Miller's legacy is well known in Georgia, but his accomplishments and charisma also earned him the respect of his colleagues across our Nation.

Once again, I want to wish a happy 85th birthday to Zell Miller and thank him for his contributions to Georgia and the United States. We can all learn from the great example of his dedication to the public.

□ 1930

CONGRATULATING RUTGERS SCARLET KNIGHTS MEN'S BASKETBALL TEAM

(Mr. PAYNE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAYNE. Mr. Speaker, I rise today to congratulate the Rutgers men's basketball team on a tremendous accomplishment.

With their win last night over The Ohio State University, the Scarlet Knights celebrated their first Big Ten Tournament victory since joining the conference in 2014. Their hard work this season has paid off, and they now advance to play Northwestern tonight.

Mr. Speaker, I would like to congratulate the team, first-year head coach Steve Pikiell, and the entire Rutgers program.

Following their win, Coach Pikiell said that the team learned how to compete this year. Well, last night it certainly showed, and I look forward to watching the Scarlet Knights play tonight and wish them continued success in the tournament.

PAKISTAN IS NOT ON OUR SIDE

(Mr. POE of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE of TEXAS. Mr. Speaker, it is no surprise Pakistan is not the friend they portray themselves to be. They are a devious, deceptive, and disloyal ally.

For years they have supported the Taliban by providing them cover, cash, and weapons. However, this Benedict Arnold ally is among the leading recipients of U.S. foreign assistance for the last 14 years.

Mr. Speaker, we don't need to pay Pakistan to betray us, they will do it for free.

The Taliban's headquarters is, you guessed it, in Pakistan. When a U.S. drone attack took out the Taliban's leader in May 2016, he was in Pakistan.

This should be the last rodeo for Pakistan. This is why I have introduced the Pakistan State Sponsor of Terrorism Designation Act. The bill requires the administration to issue a report containing either a determination that Pakistan is a state sponsor of terrorism or a justification as to why it is not.

It is time to determine whose side Pakistan is on. And, Mr. Speaker, they are not on our side.

And that is just the way it is.

REPUBLICAN HEALTHCARE PLAN FAILS AMERICANS

(Mr. KRISHNAMOORTHY asked and was given permission to address the

House for 1 minute and to revise and extend his remarks.)

Mr. KRISHNAMOORTHY. Mr. Speaker, the Republican healthcare plan would not only fail to improve upon the Affordable Care Act, it would undo the benefits millions of Americans depend on and devastate our economy in the process.

This plan would strip millions of working families of their health care, cut benefits for millions more, and increase premiums for older Americans by 25 percent. It would ravage our economy by destabilizing the healthcare sector and pushing State and local governments to the brink of bankruptcy.

Four Republican Senators have even rejected this bill because of its economically devastating Medicaid cuts.

The Republican plan would force the counties I represent to pay hundreds of millions of dollars more for health care.

This bill would force local governments to raise property taxes or deny health care.

We need healthcare solutions that improve care and strengthen our economy at the same time. We must not settle for this plan, which accomplishes neither.

HARDSHIPS FACED UNDER AFFORDABLE CARE ACT

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, I rise today to share with you one of the countless stories my office has received that highlight the hardships faced under the Affordable Care Act, primarily by middle-income families. This one came in on January 17. Joe writes:

"Mr. LaMalfa, I was penalized \$850 on my 2015 tax return for the transgression of not having been enrolled in the Affordable Care Act.

"I simply cannot afford the now \$895-per-month premium, double, to insure my family of three. I have been forced into what's called self-pay for our doctor visits.

"Cancer biopsies, Z-Packs, dental, and eyeglasses all come out of my paycheck . . . it sure would have been nice to have that extra \$850 penalty to pay for all this."

He ended his message stating, simply: "ObamaCare needs to be repealed and replaced with free market policies that can be purchased across State lines."

His testimony highlights one of the primary issues with the ACA: fewer choices, increasingly expensive premiums, deductibles that are out of sight that are forcing citizens into paying out of pocket for services they need.

Another one of my constituents told me they were ultimately forced to

choose between paying their mortgage and paying their monthly premium. That is not a choice at all, and one that should not have to be made.

REPUBLICAN HEALTHCARE PLAN WILL HAVE DEVASTATING IMPACT

(Mr. SUOZZI asked and was given permission to address the House for 1 minute.)

Mr. SUOZZI. Mr. Speaker, I rise in opposition to the Republican healthcare plan and its devastating impact. When it comes to the Affordable Care Act, I have always said: mend it, don't end it.

I came to Congress wanting to work together on a bipartisan plan that would build and improve upon the Affordable Care Act. Unfortunately, the plan the Republicans have offered and that is supported by the President was written in secret, kept under wraps, and is now being rushed through marathon subcommittee sessions so the American people don't have a chance to actually see what is in this bill.

Republicans refuse to wait for the Congressional Budget Office, a non-partisan group, to tell us how much their plan will cost and how many people will get thrown off their health care plans. Maybe that is because their plan offers tax breaks to the wealthy while the rest of us get stuck paying the bill.

Reductions proposed in this bill would result in over \$1 billion in cuts for New York State this year. Now the American Association of Retired Persons, the American Hospital Association, the American Medical Association, and a growing list of Republican and Democratic Governors throughout the Nation oppose this plan.

So instead of pushing through a bill that we know will result in rising premiums and throw people off their healthcare, let's come together and find a solution that makes sense for all Americans.

OPPOSING REPEAL AND REPLACE

(Mr. SCHNEIDER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCHNEIDER. Mr. Speaker, I rise today in strong opposition to the repeal and replace bill offered by my Republican colleagues. I have never believed ObamaCare was perfect, but it was a step in the right direction.

We will only move our healthcare policy forward by working together to build on the very real successes of ACA and fix the actual problems with the law. But this legislation as proposed does none of that and, in fact, takes us in the opposite direction.

Under the proposed legislation, 10 million Americans would lose their health insurance, according to an anal-

ysis from Standard and Poor's. Seniors would be charged much more than what others pay for health care, and the 3.2 million Illinoisans who depend on Medicaid will face cuts to their coverage.

Mr. Speaker, this House is recklessly and unnecessarily rushing to a vote before we have basic answers. Most importantly, we need to know from the Congressional Budget Office how many people this bill will and will not cover and how much it will cost.

We need to set aside the politics and work in a bipartisan way to give all Americans quality, affordable health care.

I strongly urge my colleagues to oppose the bill.

HONORING CHRISTOPHER "NOTORIOUS B.I.G." WALLACE

(Ms. PLASKETT asked and was given permission to address the House for 1 minute.)

Ms. PLASKETT. Mr. Speaker, this is a very special day to many of us Caribbean Americans as we pay tribute to the life of Christopher Wallace, otherwise known as Biggie Smalls.

Livin' life without fear,
Putting five karats in my baby girl's ear,
Lunches, brunches, interviews by the pool,
Considered a fool 'cause I dropped out of high school,
Stereotypes of a black male,
Misunderstood,
And it's still all good,
And if you don't know, now you know.

HONORING CHRISTOPHER "NOTORIOUS B.I.G." WALLACE

(Ms. CLARKE of New York asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. CLARKE of New York. Mr. Speaker, I rise today in remembrance of Brooklyn's own Notorious B.I.G., Jamaican-American Christopher Wallace.

In celebration of his life and living legacy, I share these words:

Thinkin' back on my one-room shack,
Now my mom pimps an Ac with minks on her back.
And she loves to show me off of course,
Smiles every time my face is up in The Source.

We used to fuss when the landlord dissed us,
No heat, wonder why Christmas missed us.
Birthdays was the worst days,
Now we sip champagne when we thirsty,
Uh, right, I like the life I live,
'Cause I went from negative to positive.
And it's all good.
And if you don't know, now you know.

GREAT LAKES RESTORATION INITIATIVE

(Ms. KAPTUR asked and was given permission to address the House for 1 minute.)

Ms. KAPTUR. Mr. Speaker, I rise today to speak on behalf of an important bipartisan-supported vital Environmental Protection Agency program,

the Great Lakes Restoration Initiative, spanning the largest body of freshwater on the face of the Earth. Many media outlets have suggested that the President intends to cut this program by 90 percent—90 percent.

I would like to clarify that this proposal is not yet official, but it is more than a rumor. So I would like to believe that this President who achieved the White House by carrying the Great Lake States of Michigan, Indiana, Pennsylvania, Wisconsin, and my own Ohio, would not take this awful step backward.

Candidate Trump traveled to Flint, Michigan, and promised that the water situation would never happen if he were President. Is he going to reverse his firm promise of clean water?

The blue economy of the Great Lakes depends on clean water: a \$7 billion maritime industry in Lake Erie alone; jobs related to the automotive and industrial sector of our country; recreational opportunities; and, most importantly, preserves clean drinking water for the millions and millions of people who depend on that today and in the future.

Supporting the Great Lakes Restoration Initiative is not partisan; it is common sense.

HEALTH CARE IN AMERICA

The SPEAKER pro tempore (Mr. BIGGS). Under the Speaker's announced policy of January 3, 2017, the gentleman from Maryland (Mr. RASKIN) is recognized for 60 minutes as the designee of the minority leader.

Mr. RASKIN. Mr. Speaker, I am delighted to have this time on behalf of the minority and the Progressive Caucus. We have a number of very distinguished Representatives who want to talk about what is going on with people's health care in America and the attacks leveled against it this week in Congress.

Before we begin, I yield to my distinguished colleague from New York (Mr. JEFFRIES).

HONORING CHRISTOPHER "NOTORIOUS B.I.G."
WALLACE

Mr. JEFFRIES. Mr. Speaker, I thank the distinguished gentleman from Maryland for yielding.

It was all a dream,
I used to read Word Up! magazine.
Salt-n-Pepa and Heavy D up in the limousine,
Hangin' pictures on my wall,
Every Saturday Rap Attack,
Mr. Magic, Marley Marl.

Those were the words of the late great Notorious B.I.G., Biggie Smalls, Frank White, the King of New York. He died 20 years ago today in a tragedy that occurred in Los Angeles, but his words live on forever.

I have got the privilege of representing the district where Biggie Smalls was raised. We know he went

from negative to positive and emerged as one of the world's most important hip-hop stars. His rags-to-riches life story is the classic embodiment of the American Dream.

Biggie Smalls is gone, but he will never be forgotten. Rest in peace, Notorious B.I.G.

Where Brooklyn at?

□ 1945

Mr. RASKIN. Thank you very much to the distinguished gentleman from New York. We are going to go from the Notorious B.I.G.'s music to the notorious GOP healthcare proposal being considered in Congress this week.

GENERAL LEAVE

Mr. RASKIN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include extraneous materials in the RECORD on the subject of this Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. RASKIN. Mr. Speaker, I am going to yield to my colleague from Minnesota, Mr. ELLISON. It was 7 years ago in March 2010 that President Obama signed the Affordable Care Act into law extending access to affordable health insurance coverage to more than 20 million previously uninsured Americans.

Insurance companies under the new law could no longer deny you insurance because you had a preexisting condition, and, surely, that makes sense. The fact that you have a preexisting medical condition should be the reason that you get health insurance, not the reason you get denied health insurance.

Also, under the new ACA, young people up to age 26 could stay on their family plans, which helps families like mine because I have got a 22-year-old, a 20-year-old, and a 25-year-old. And believe me, they would not have health insurance if not for the Affordable Care Act, and I think my situation is that of millions of people across the country.

But today, the ACA is in mortal danger. The House GOP finally unveiled their plan for repealing and replacing the ACA with something else, which I call the unaffordable care act, that will cost millions of people their health insurance, increase everybody's premiums, reduce everybody's coverage, and bring incoherence and chaos into the system.

Mr. Speaker, I am going to yield to Mr. ELLISON in just a moment to talk about what is going on with this legislation. But I do want to say something about the process by which we arrived here, because back when the Affordable Care Act was being debated—and I wasn't in Congress then, so I approach this just as a historian—there were multiple complaints from the GOP

Members about how fast things were going, how the legislation was being rammed through.

For example, our now-Speaker PAUL RYAN said about the ACA: "Congress is moving fast to rush through a healthcare overhaul that lacks a key ingredient," he said, "the full participation of you, the American people."

GREG WALDEN, the Energy and Commerce chairman from Oregon, said: On a bill of this significance, you would think we would at least allow people to come in who are affected by the extraordinary changes in this bill, and have a chance to let us know how it affects them.

And the Ways and Means Committee chairman today, KEVIN BRADY, said: The Democratic Congress and White House simply aren't listening. The Democrats are ramming it through over the public's objections.

Well, let's go back and look at how long it took the Democrats to get the Affordable Care Act passed and how much public participation and debate there really was.

Here in Congress, there were 79 hearings—I repeat, 79 hearings—on the Affordable Care Act.

There were 181 witnesses, both expert witnesses and members of the public, citizens coming to testify about the need for expanded health insurance coverage for the American people because of the high expenses of health insurance and the rip-offs of various insurance companies.

There were multiple scores that were received from the Congressional Budget Office during that time, as there was constant attention to the budgetary and fiscal implications of the Affordable Care Act.

Now, fast-forward to today. We took a year-and-a-half to get to the Affordable Care Act. How about them? Well, let's see.

The Republicans introduced their bill on Monday. They passed their bill in the dead of night, at 4:30 in the morning, 3 days later. There have been no hearings on the bill. There have been no witnesses to testify on the bill. There have been no expert witnesses. There have been no witnesses from the public.

There is no analysis from the non-partisan Congressional Budget Office on how much the bill will cost American taxpayers, American citizens, on their plans or how many Americans will lose their health care at all.

In other words, the party that complained about how fast the Affordable Care Act came into being, which was over the course of a year and a half with dozens of hearings, and dozens and dozens—more than 100 witnesses and lots of public debate where we went back to our districts and had townhall meetings, where there was orchestrated opposition against the plan, but we still stood there and we engaged in

the dialogue, and we stood up for the Affordable Care Act. The people who said that that was too fast are now ramming through, at unprecedented, breakneck, lightning speed, a bill that will wreak devastation on the healthcare rights of the American people.

That is what is taking place. If you have got a contaminated, clandestine, secret, closed process, it will produce a terrible, undemocratic, and unhealthy result. That is what we are going to describe to you tonight.

I am delighted to yield to my colleague from Minnesota (Mr. ELLISON.)

Mr. ELLISON. Congressman, thank you for that introduction, and thank you for your service to the Congress and the great people of Maryland.

I think it is really important tonight to focus on a few key things about what is happening in Congress. One is that 20 million people stand to lose their healthcare coverage. Many have never had it, and the Republican majority is set to snatch it from their hands. That is really sad.

One of the people who come to mind is actually a young woman who works on my staff. Her name is Abby, and she is a young woman who has her whole life to look forward to, but as a young person, when she was born, she had a disease called toxoplasmosis. She doesn't mind me talking about it because what Abby would tell you if she were here is that it was tough growing up.

She had a lot of medical attention growing up. She was a good student, and she really braved all of the medical care she needed with tremendous courage, and her family was there with her the whole time. But she had numerous surgeries growing up, and she also came close to death's door on more than one occasion.

One thing that she says—and says to anybody who is willing to listen—is that the Affordable Care Act helped save her life. Why? Because Abby has a preexisting condition, a pretty serious illness. And she had insurance companies that have lifetime limits and annual limits on coverage and care.

Without the Affordable Care Act and with the provisions that preceded the Affordable Care Act in the insurance industry, she simply was uninsurable, therefore, not in a position to get the care she needed. By some miracle, she made it to adulthood with the status quo before the Affordable Care Act, but the Affordable Care Act made the difference between her being with us and not.

I was talking to a physician who operates an institution in my district called the Hennepin County Medical Center, HCMC, who said: Look, if you were to stack up all of the diseases in our country that end in fatality, you would have to put up there car accidents, you would have to put up there

heart disease, you would have to put up there pulmonary illnesses and cancers, of course. But, he said, if you stacked those illnesses up on a list, the most fatal in a given year, he said, the third one would be uninsured, people dying because they don't have insurance.

And our Republican majority is here to tell us they are okay with that. It is hard for me to believe, but it is true.

Right in front of us, we know that this repeal will relieve wealthy individuals of paying taxes. If they are able to repeal the Affordable Care Act, people with a lot of money are going to have more of it, and people who needed health care will have less of it.

People who need help dealing with the doughnut hole and need to be filled in with the moneys that come from the Affordable Care Act won't have that anymore. Now they will go back to the status quo of Medicare part D, which is where they get help up to a certain amount, then there is no help, then they have got to spend up to start getting help again. The Affordable Care Act filled in the doughnut hole, and seniors who can barely afford their prescription drugs now will have even more trouble.

Seniors who need Daraprim, which was a medication that cost about 13 bucks until this guy Shkreli bought the patent for it and jacked it up to about 700 bucks, people who need even things like insulin, people who need all kinds of medications now are going to be staring at that doughnut hole all over again.

I mean, we can get up here and talk about the toll, the human tragedy, the pain and suffering that people are looking at, but none of it seems to penetrate the minds of our colleagues. They seem to be deaf to the pleas of people like Abby and so many other people like that.

I was here when my colleagues on the other side brought forth I think as many as 60 attempts to repeal the Affordable Care Act. We would come forth and we would say: People are getting lifesaving treatments that they never could afford before; people are getting treatments that are literally keeping their families intact, keeping their lives intact; people are getting coverage they never had; people have something more than the emergency room to turn to. Our colleagues would just say: Well, we are just going to get rid of it anyway.

In fact, I remember, Mr. Speaker, when the Republicans shut down the government for 16 days because we refused to cooperate with their effort to repeal the Affordable Care Act. TED CRUZ occupied time and demanded that we repeal it. We said we would not turn people like Abby and others back to the tender mercies of the insurance industry. They said: Well, we will shut down the entire government unless you do it. We said no, and, well, here we are.

It is true that we never thought we were going to lose this election. We never thought we would be this deep in the minority, but we now have gotten in a position where the Democrats don't hold the Presidency. We have a President who ran on the promise of repealing the Affordable Care Act, and we have two Houses of Congress that are committed to doing it.

The last line of defense really is the American people, Mr. Speaker. The last line of defense is the American people standing on the most fundamental of rights, the First Amendment, which guarantees them the right to redress grievances, guarantees them the right to petition their government, guarantees them the right to freedom of assembly, guarantees them the right to freedom of faith, guarantees them the right to receive information from a free press.

We are relying on that amendment, Mr. Speaker, to stop these Republican efforts to snatch healthcare access out of the way, out of the hands of Americans. We are relying on Americans to stand up and say: We will not tolerate this—going to community meetings, going out on the street, using their rights as Americans to express their right to have health care. This is what the moment calls for.

Governors, even some Republican Governors, are saying: Wait a minute. This Medicaid expansion, you know, we used it. It is not so bad. It is helping us.

Their pleas are being ignored as well. We are at a critical moment: Will the American people continue to make the same advances that people all over the developed world have made with regard to health care?

You know, Europeans look at us and think there is something wrong with us. Even our northern neighbors look at us and say: Wait a minute. Health care is not a right down there?

No. You get it if you can pay; and if you can't pay and answer somebody's bottom line, you are just out.

We pay the most for health care in the whole wide world, Mr. Speaker. We pay the most—the most—and yet we don't have the best outcomes. We don't have the best indicators of health. Yet our colleagues on the other side of the aisle want to return us to a day when the number one reason that people would declare bankruptcy was medical debt. That is the world we are looking at, and it is really, really something.

Now, many people have said—you know, Democrats say to me all the time, and I am sure they say it to Mr. RASKIN of Maryland: Hey, look, you know, there are things we would change in the Affordable Care Act.

We are not saying that it fell down from tablets in the sky. Of course, there are reasonable amendments that might be made. But I am here to say to you, Mr. Speaker, that the Republican

caucus has never said: We will talk about how we are going to make reasonable amendments to make it better. They have only said to repeal, repeal, repeal.

They have also said replace, but everyone knows you cannot repeal and replace the Affordable Care Act because, if you repeal it, you are repealing all of the taxes that go along with paying for it. And if you repeal the taxes, you are going to tell me that a Republican caucus is going to levy a tax? They think tax is a four-letter word if somebody with a lot of money has to pay it.

□ 2000

Now, they are okay with fees and pushing down regressive taxes. They do that every day and all the time. If somebody with real means has to pony up, even though they are already wealthy, you could never see a Republican do that. It is just not something they are going to do.

The ACA has provided coverage to more than 20 million people. That is 20 million more people who have better patient care, access to doctors and medicines, and are no longer turned away because of preexisting conditions.

The Republican proposal puts the brakes on the progress we have made. People will lose access to insurance coverage. The Republicans gut the preventative health fund, which literally funds programs to invest in keeping people healthy.

Who do Republicans help?

Insurance and pharmaceutical corporations. They get huge tax breaks at the expense of the help and the future of the American people.

The Republican bill doesn't stop there. It is an outright attack on Medicaid. Seniors out there should know that the Republicans are attacking Medicaid. They are attacking Medicaid.

Medicaid is one of our most effective antipoverty programs and provides lifesaving care to millions of elderly, children, pregnant women, and people with disabilities. Republicans want to dismantle the program as we know it and kick people off and leave States to pay for the bill.

This bill takes away health care from women and shifts costs to the older, sicker people. It compromises the Medicare trust fund. It destroys Medicaid and gives tax breaks to corporations and millionaires. It is wrong, and the American people need to oppose it. And I oppose what they are trying to do.

Mr. RASKIN. Mr. Speaker, I hope the gentleman from Minnesota (Mr. ELLISON) will stick around. I want to salute him and congratulate him on his new position, not only as a leading Member of the United States House of Representatives, but now as vice chairman of the Democratic National Committee.

All of your colleagues are beaming with pride about your accomplishments and about your national political leadership, and we are delighted that the rest of the country is going to get to share in your leadership now in your new aggressive role out organizing opposition to what is taking place in Washington today.

I want to take a little break from railing about this unaffordable care act that is going to drive everybody's rates up and throw millions of people off their health insurance.

I want to say a couple of good things that President Trump said as a candidate because he attacked ObamaCare, but he said he wanted a system that covered everybody. He's been quoted many times speaking in favor of a single-payer plan that would cover every citizen. Now, that talk has completely dried up. It has vanished and disappeared.

I urge President Trump to go back to his original instinct, which is that, if you are going to repeal and replace ObamaCare—the Affordable Care Act, as he keeps saying—let's replace it with the kind of system they have in Canada, they have in Europe, and just cover everybody. That would be the direction to go in. But to go backwards to throw millions of people off their health care is precisely what the American people don't want.

Now, here is another proposal that President Trump mentioned in passing when he stood in this Chamber the other night. He said: Let's repeal the special interest lobbyist provision that was snuck into Medicare part D, saying that the government could not negotiate for lower drug prices with the pharmaceutical companies.

Again, that was a very popular talking point for Donald Trump when he was running for President. He campaigned like William Jennings Bryan, but he is governing like William McKinley; that is, a cabinet filled with CEOs and billionaires. He did mention that. That was one tiny crumb, a remnant of the populist campaign he ran.

I urge my Republican colleagues to throw this terrible bill that they are going to waste everybody's time on, that cannot pass, which their Freedom Caucus is totally opposed to; and, instead, focus, at least, on something we can agree on, which is that the 25 or \$30 billion that that special interest provision is costing us should be saved. We should allow the government to negotiate for lower drug prices in the Medicare program the way we are allowed to negotiate for lower drug prices in the Medicaid program and in the VA program.

So we can work together in a bipartisan basis. However, we are not going to allow anybody to throw millions of Americans off of their health insurance plan while driving up everybody else's rates and bringing the whole healthcare system to the brink of ruin.

When I got elected to Congress, I went down to the basement of the Longworth House Office Building after I was sworn in to sign up for my health care because we get health care as part of our jobs as Members of Congress. We pay for it through the local ACA healthcare exchange in the District of Columbia, but we are guaranteed the right to get that because of the Affordable Care Act.

When I went down that morning, I was signing up and I was looking through the memo about what we would be doing during my first week in Congress here. Sure enough, I saw that the GOP leadership had put on there a procedural proposal to set the stage for the dismantling of the Affordable Care Act.

I looked up to see a line of my new colleagues waiting to come and sign up for their health care. Some of them I recognized as my Democratic colleagues, and some of them I recognized as my new distinguished Republican colleagues. And I said to myself: Wait a second. Please tell me that we are not going to have new Members of Congress come in here and sign up for their own health care that they get as part of their job as Representatives in the United States House of Representatives and then go upstairs to this floor to vote to strip millions of people of their health care.

Surely that is not what democratic representation means in the 21st century; that we get to have health care through our jobs, but we are going to take away the health care that other people have. But, my friends, I am sorry to say that is the reality that we are in this week.

Congressman ELLISON is right, we are not taking the position that the Affordable Care Act is perfect. Far from it. I wasn't in Congress then. I don't know if the gentleman from Minnesota (Mr. ELLISON) was. I wasn't in Congress then. But had I been in Congress, I would have been fighting for a single-payer plan.

I am on legislation this session to support a single-payer plan. In other words, the Affordable Care Act, for me, doesn't go far enough in guaranteeing that everybody has health care and in dramatically reducing the role of the insurance companies so we can spend more money on health care and less money on red tape and bureaucracy.

So the Affordable Care Act, which I support with all of my heart right now against all the attacks to dismantle it, was a compromise. It was a very carefully crafted compromise. Remember, we had more than 100 witnesses come and testify about it. They had zero on their crash-and-burn legislation this week. We had dozens and dozens of hearings where we had witnesses come and testify about it. They have had zero on their crash-and-cash legislation—crash the system and give cash

to the insurance companies and the wealthiest people in the country. So we had an open process, and it was a compromise.

I remember very clearly as a State senator in Maryland watching President Obama on TV saying, if we are starting from scratch, he would be in favor of a single-payer plan. He said that would be the logical way to go. It is what they have in Europe. It is what they have in Canada and Mexico.

He said we are path dependent. We are on a particular path. We understand the role that the big insurance companies play, and they have got a lot of political power, and we have got everybody on the GOP side screaming and shouting for the insurance companies. So he said let's figure out a plan where we keep the insurance companies involved.

Guess what? That plan was hatched at The Heritage Foundation, a conservative think tank in Washington, much beloved and revered by the GOP Members of this body. It was the exact same plan that Governor Mitt Romney, their standard bearer running for President a couple of elections ago, put into place in Massachusetts.

The Affordable Care Act was the compromise. Now everybody is on their case because they are hiding under their desks, they are running away from their constituents, and they are canceling their townhalls. Nobody could get a plan out of them.

Suddenly they pull a plan out of their sleeve in the middle of the night. They rush it through this body. They voted on it at, I think, 4:30 in the morning after a 27-hour hearing. Everything is meant to be under the cloak of darkness, and people are making fun of them about how silly it is.

I sympathize with them because there is nothing they can do because the Affordable Care Act was the compromise. Now, they wanted to name it ObamaCare, of course, because they couldn't stand the idea that President Obama would get the political credit for bringing tens of millions of Americans health insurance. So they had to name it on him and then make up all of these stories about how terrible it was.

Guess what? They wake up today. Nobody is calling it ObamaCare anymore. President Obama is doing his own thing. They are calling it the Affordable Care Act, and people are defending it all over the country in 50 States in every congressional district.

You have got indivisible groups that have grown up all over the place, and my dear colleagues on the Republican side of the aisle are afraid to face their own constituents. They are canceling their townhalls, they are hiding under their beds and behind their office sofas, which, in many cases, are the exact same pieces of furniture because they sleep in their offices here. They don't want to face the people and the fact

that we do not want to turn the clock back and go backwards and wreck this system. It is a lot easier to destroy things than to build things.

So we urge the GOP: If you want to meet to make real substantial improvements, expansion of the Affordable Care Act to include more people, to reduce the cost of the bureaucracy, let's do it. But your plan is a terrible plan. Your plan is one that is going to throw millions of people off of their health insurance. Your plan is one that is built around a huge tax break and transfer of wealth upwards in the country—one of the biggest transfers of wealth in the country ever to go in the northward direction.

It is an amazing thing that that is how they have designed their plan.

So it is a huge tax break to the insurance companies and to the wealthiest people, and millions of others are thrown off of their insurance plans. Everybody else's premiums are going to be soaring, and the whole system is likely to come crashing down.

If a foreign government like Russia, for example, were trying to do this to us, we would consider it an act of aggression, an act of war against the American people in our health care. But this is, instead, coming from what used to be one of our great political parties, the party of that President who talked about government of the people, by the people, and for the people.

We have, instead, a wrecking ball targeted right at you, the American people, coming after your health insurance, your health care, your ability to participate as a citizen in our healthcare system. That is a remarkable thing to be taking place in 2017.

Mr. Speaker, I yield to the thoughtful gentleman from Minnesota (Mr. ELLISON).

Mr. ELLISON. Mr. Speaker, I thank the gentleman from Maryland (Mr. RASKIN) for being so clear on the issues in front of the American people. It is so important that we have these Special Order hours so that we can really help the American people understand what is at stake; and what is at stake literally is the health and security of our Nation.

When we talk about security, usually people think about law enforcement and military. There is also the security that families can expect, the security of your health. In this situation, the Nation's security of health and family security is absolutely on the chopping block.

Let me give you an example of what I mean. In the district I represent in Minnesota—which I am so proud to represent the people of the Fifth Congressional District of Minnesota—we used to have an uninsured rate which we thought was low. It was 10.9 percent. If you remember, in the pre-Affordable Care Act days, 10.9 percent

was pretty low. Well, now it is 6.6 percent. That means literally thousands of Minnesotans can now go and get regular doctor care rather than just show up at the ER.

Part of the way that we used the Affordable Care Act in Minnesota in the Fifth Congressional District is that the folks at HCMC set up something called Hennepin Health. What Hennepin Health does is it says: We are going to take some of these Medicaid dollars and we are going to help people who are chronic users of the ER system. We are going to work with other agencies and other providers in the community to help house them stably and then do regular medical surveillance with them.

Do you know what has happened with this program?

The costs at the ER have dropped through the floor. The money has been saved because of the Affordable Care Act. Not only is it about the money—because if you talk to our Republican friends, all they want to talk about is money—something even more important has happened.

□ 2015

When you talk to the people who would go to the ER all the time, they are saying: I have somewhere to live. I have somebody who helps me stay on my medication. I am beginning to rebuild relationships with my family again. Schizophrenia can be very devastating to your mental health; and I was all out of control when I was off my meds, and I used to end up in the ER within an inch of my life. But now, because of the Affordable Care Act, I can get the care that I need, I can be stably housed, I can be productive in my community, I can be a participating family member again.

It has improved their lives.

I don't understand what the Republicans don't understand. It is a good thing to have people to have an option other than the ER.

I heard one of my colleagues on the other side of the aisle say, well, in America, if you show up at a hospital, there is a Federal law that says they have got to take you.

It is true that if you show up at an ER, somebody is going to have to let you in there. They may move you from one hospital to another, but, eventually, the law does say you will end up with somebody seeing you.

Guess what the medical professionals say about it? It doesn't work. It is the most expensive care. It is usually left to people who have allowed an illness to fester and to go on and to advance, which makes it more difficult to treat, more expensive to treat. It is the wrong way to run a healthcare system.

Yet, people have a straight face and say things like, well, you know, you can go to the doctor if you need to. It is called the ER.

This is absolutely not the right thing. And so here we are again, right at this hour where, really, things look kind of grave, and we need the American people to stand up and object. I tell you, we need people to say that they insist upon a humane society where a person suffering from schizophrenia, who is so afflicted by their illness that the only thing they can do is make it through the day and then, if they get sick, maybe somebody will take them to the ER.

We should have a society where that person can get the care they need, can get housing that they need, can be cared for, and can be a participating member in our society with just a little bit more help.

I think that is what makes us Democrats. That is the difference between us and them. We care about people. We believe people are inherently valuable and all have dignity, and we don't believe that you are only as worthy as what is in your pocket or your bank account. We reject that idea out of hand and believe that people must be—if you are too poor to work, too sick to work, too old to work, we believe our society should care for you; and I don't make any apologies to anybody for believing that.

I believe the government should do everything it can to make sure there are enough good-paying jobs for everybody. Lord knows we have got enough work to do around here, potholes here and there, school kids need help. We have got plenty of work to do. That is not the problem.

We have also got plenty of wealth. We have got plenty of wealth in our society. And I believe that if you live in this greatest of all countries in the world—and I believe that, I am so proud to be an American—and you are allowed to make a profit, which I believe in that, I am a former businessperson myself—I don't think it is asking you too much to put a little bit in the pot so some people who can't afford it can go to the doctor.

I don't think it is asking you too much to put a little bit in a pot so a kid can go to school, or so that a senior can get medication, or so that we can have clean water. I don't think it is too much.

But some people think it is too much to say that, even though I have been blessed by being an American and being able to pursue my economic dream, I don't want to give them anything. This is all for me.

I just don't—we are just not on the same page with that. We think that it is all right to make sure that we fund the basic necessities that people need to have a thriving, humane society, and that includes health care.

So tonight, I just want to say to people that it reminds me of a question that a lady asked Benjamin Franklin when Benjamin Franklin walked out of

the Constitutional Congress in Philadelphia, way back so many years ago. The lady said to Benjamin Franklin: What do we have, Mr. Franklin? He said: A democracy if we can keep it.

Part of being a democratic society in this country right now means that we should have health care for people because this society can afford it. Part of what it means to have a civilized democracy in this moment means that people can rise up and lift their voices up to defend their right to have decent health care for all in this society; and we urge people to do that because it is the right thing to do, and this is the right time to do it.

So I want to just yield back to my friend from Maryland. I will be taking my leave at this point, but I want to thank the gentleman for holding down this very important Special Order because the Affordable Care Act is worth fighting for.

As you said, Mr. RASKIN, the Affordable Care Act is not perfect. What piece of legislation ever was?

We have amended the 1964 Civil Rights Act. We have amended the 1965 Voting Rights Act. We amend laws all the time because, as society changes and times change, the needs come up. But to just repeal and then not come anywhere close to replacing, it is wrong, and we must oppose it.

Mr. RASKIN. I thank the gentleman so much and, again, I salute him for his incredible work for the people of Minnesota and the people of America.

Mr. Speaker, how much time do I have left?

The SPEAKER pro tempore (Mr. FASO). The gentleman from Maryland has 20 minutes remaining.

Mr. RASKIN. Mr. Speaker, I just want to tie up some loose ends by exploring a few of the points that Mr. ELLISON raised. But one of the very messy features of this legislation that is barreling through Congress this week is that the GOP leadership understood how popular the ban on denial of coverage for preexisting conditions is. That is going to be a mainstay of American life.

People should not be denied health care because they have a preexisting condition. That is the reason they should get health care, because they have a preexisting condition and they need it.

So they don't want to get rid of that. They understand that that is politically toxic. But they don't want to have the mandate for individuals to have to purchase insurance under the Affordable Care Act. That has been the major problem they have with the ACA. That is their major anathema. They can't stand that.

But guess what? You can't have one without the other. And if they believe in economics and they are being honest, they will have to concede that. Why?

Well, if I am a healthy young person, as I used to be, I will say to myself: Wow, an insurance company has got to cover me, even if I have got a preexisting condition, and I am perfectly healthy now, and I don't have to buy the insurance. So I am just going to go on my merry way, la-di-da, until maybe 1 day I have got a problem, I am in an accident, or I get some kind of diagnosis. At that point, I go to an insurance company, and they are going to cover me.

So they have kept the preexisting condition provision of ObamaCare, which is wildly popular in the country now. They are terrified to touch it now, although they were opposed to it before. But their proposal gets rid of the individual mandate, and it doesn't work. It will bankrupt the entire system. It is not going to work.

Now, another thing is that they are ignoring the extraordinary success of the Affordable Care Act. With whatever flaws it has got, it has been extraordinarily successful. It has dramatically reduced the number of uninsured people. It has insured more than 20 million people who did not have insurance before, and, therefore, it has dramatically reduced the number of people showing up at the hospital in the emergency room with no insurance, and the hospitals have been obligated to see them.

And who pays for that? Guess who pays for it? You do, I do, the American public does when people show up without insurance. But the Affordable Care Act reduced, in a very significant way, the number of people showing up like that.

Now, in my home State of Maryland, we have seen extraordinary reductions in the numbers of people showing up in the emergency room without insurance because of the ACA. We have cut the uninsured rate by more than one-third in Maryland. We had a rate of 10.6 percent. Now it is down to 7 percent since the ACA was implemented.

All of the people who run the hospitals and our healthcare system are terrified that, if the GOP bull in the china shop wrecks the Affordable Care Act, what is going to happen is we are going to have hundreds of thousands of more visits every year in emergency rooms by people who are not covered by insurance, which means that the taxpayers get stuck with the bill again.

Now, let me tell you about my congressional district, the beautiful Eighth Congressional District, of which I am very proud. Everybody loves their district, but I do have the most beautiful, the most extraordinary district in the country. In Montgomery County, Maryland, in Frederick County, Maryland, and in Carroll County, it is gorgeous. Please come out and visit us in Bethesda, in Rockville, throughout Carroll County, throughout Frederick County. Come to Middletown, go to

Thurmont, check it all out. It is beautiful. Come and visit us.

Look what has happened in the Eighth Congressional District. Well, as I said, we have reduced the uninsured rate by a third. We have 444,600 people in the district who have health insurance that covers preventive services today, like cancer screenings and flu shots, without any copays, without any coinsurance or deductibles, and they now stand to lose this access if the majority succeeds in eliminating the ACA provisions requiring health insurers to cover preventive services without cost-sharing.

We have got more than a half a million people in my district with employer-sponsored health insurance who are at risk of losing important consumer protections like the prohibition on annual and lifetime limits, protection against unfair policy rescissions, and coverage of preexisting health conditions if the ACA is entirely or partially repealed.

We have 21,400 people in the district who have purchased high-quality marketplace coverage, who now stand to lose their coverage if the marketplaces are dismantled.

We have 16,000 people in the district who got financial assistance to purchase marketplace coverage in 2016, who are now at risk of coverage becoming unaffordable, if they have their way and they eliminate the premium tax credits, and so and so forth.

Everything is dismantling the protections you have, making your premiums go up, throwing millions of people out of health insurance, and transferring lots of wealth upwards through the tax breaks that they want to give to wealthy people and insurance companies.

By the way, as I understand it, there is a provision that they want to repeal which capped the tax deductibility of insurance company executive salaries beyond a half a million dollars. They want to repeal that, so that would continue to be tax deductible. You could pay them millions of dollars, and they get the tax break because, of course, that is going to be their first priority, making the wealthiest executives in the health insurance companies whole.

Who cares what happens to everybody else, whether they lose their insurance, their premiums go sky-high? They know exactly where their bread is buttered. And that is just the icing on the cake.

Mr. Speaker, I don't think that their legislation can pass because the American people are too smart for it and will not stand for it. I don't think it will pass.

The President is already distancing himself from it. We all started calling it TrumpCare. The word went out that he didn't want it called TrumpCare. We think he knows that it is not going to pass, or, if it does pass, it is going to be

a debacle of historic significance and moment.

None of them want it to be named after them. We have offered RyanCare, we have offered TrumpCare. None of them want to be associated with it.

I don't think it is going through. I understand that the Freedom Caucus, which thinks that there should just be a total free market, is going to vote against their plan, which they say is worse than ObamaCare, which they hated from the beginning. Although they are ideologically opposed to it, they know that ObamaCare is working, and they know that lots of people are being covered on it. And now they are going to be throwing millions of people off of ObamaCare, but they don't get what they want, which is a total free market.

Of course, a free market in health care doesn't work because health care is not a social domain where the market operates.

□ 2030

If you get sick or if you get injured, then you are just taken to the hospital. You don't have a lot of time to shop around for the best hospital or the best doctor. You just need to go in, which is why the civilized countries of the world that can afford it have gotten to the point of a single-payer plan. But they want to take us from the Affordable Care Act backwards. They want it to be a dog-eat-dog medical care system.

The American people are not going to accept that. They don't have a majority in Congress to do it, and it is the job of the minority in Congress which represents a majority of the people. Remember that the Democratic candidate for President received 1.9 million votes more than the Republican candidate for President. So it is the job of the minority which represents the majority of the American people, and it is the job of the people of the United States to say that we reject this sloppy, terrible plan that they are trying to rush through Congress. If they want to have discussions about actually improving things, we are very happy to do it. Otherwise, this cannot be accepted, and the American people need to pay very close attention to what is taking place in Congress this week.

I yield back the remainder of my time, Mr. Speaker.

OBAMACARE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentleman from Florida (Mr. YOHIO) is recognized for 60 minutes as the designee of the majority leader.

Mr. YOHIO. Mr. Speaker, I appreciate the opportunity to spend time here with my colleagues. We just heard a diatribe from our colleagues. It is interesting to me to note how they say

the American people don't want us to change this, but I have to remind my colleagues that I think the American people spoke very loudly on November 8. We have run multiple times to repeal this bill. I heard one of my other colleagues say that we voted over 60 times, and we are going to vote one more time to get rid of the Affordable Care Act because the American people have delivered that message to us, and we have a President that says that we will do this.

I think, as we go through this, we are going to have some interesting conversations. Considering all the bickering and posturing you see in the media by partisans on the left and the right, it is time for Members of this body to step back for a moment and take stock of where we are in the healthcare debate.

I was not a Member of Congress when the Affordable Care Act was passed. I was a practicing large animal veterinarian in private practice plying my trade and not a political animal, if you will. However, I was concerned to see the way the law was passed. My colleagues on the other side were talking about how this was rammed through Congress and how it was passed in the shadows—or how we are doing that now. But I have to remind them that in 2009 it was passed in the dark of night—no Republican input, no debate, and no discussion. It was just passed and rammed down the American people's throat.

I want to go on here, and I want to yield to a couple of my colleagues before I do.

Mr. Speaker, I yield to the gentleman from California (Mr. LAMALFA) because he has to go tend to some other business. I would like to have his input on this. DOUG LAMALFA is my good friend and a great leader up here.

Mr. LAMALFA. Mr. Speaker, I thank my colleague from California (Mr. YOHIO), a good friend here, and my other colleagues here, to allow me the moment to speak.

Mr. Speaker, I am really excited about the opportunity with this new administration for relief for regular Americans from the Affordable Care Act. I think the intentions may have been good when it was passed, but we see the devastating effects from the many emails, letters, calls, and the communications my office received from middle-income families. They are the ones that are the most negatively affected by this act. We have seen their premiums and their deductibles go out of sight. They may not even need to have the insurance anymore because the deductibles are so out of reach for them on cost, so insurance means nothing to them.

Indeed, with most Americans having health insurance before the ACA that they were at least reasonably happy with, they have had that choice taken

away from them. They have had choices taken away. My wife and I were sitting there in December 2013, being forced, just like everybody else, to enroll in a plan with a broken website trying to get it to go through. We knew at the time we were going to have big problems with that.

We even agreed with the Republican conference when we were on the eve of this taking effect. The President decided that maybe we need to have a 1-year pause for this for employers of 100 people or more. We agreed with that. We offered legislation because you are not supposed to just do that with the stroke of a pen. Indeed, it was duly passed legislation with all Democrat votes, no Republican votes, just a few short years before. We agreed, let's lay this for a year, if nothing else, for those larger employers.

But we also said: Mr. President, we should also delay it for everybody else because we know it isn't going to work. We know this is going to do nothing to curb costs. That really is the bottom line. It is the middle-income families that I am really worried about in this thing because, again, we received so many communications from them saying: Please help us. We can't afford it. We are putting off being able to buy a home because we are seeing these costs go up. We are putting off college savings for our kids because our costs are spiraling out of control.

So if we do nothing else in the process, again, are we going to come up with the perfect bill?

There is no perfect bill when you have this many years of the type of government takeover of health care that we have seen here. But we are going to do the best we can because it is those folks out there—middle-income Americans—that we are trying to help to bring relief from the ACA so they can go back to doing the priorities they see: having affordable insurance, doctors they can choose, a plan they can choose, and being able to go off and do the things like saving for their kids' college and maybe buying that home that is part of the American Dream instead of the American nightmare they see it has been.

So I appreciate my colleague, again, having this time this night and for allowing me to speak for a few minutes.

Mr. YOHO. Mr. Speaker, I thank my colleague from California.

Mr. Speaker, as I was saying, I was concerned to see the way the law was passed. It was passed in the middle of the night. I thought it was passed through hastily and without transparency. I did not think that boded well for the law's success. Unfortunately, I was proven right.

If you remember the words of the then-Speaker of the House, it was passed without reading it, and the words were: We have to pass it to see what is in it. We have to pass it to see how it is going to work.

Talk about legislative malpractice that was poured on to the American people to get a bill they didn't want, that nobody read. Yet my colleagues on the other side are talking about how we are running this through without anybody's input. It has had 6 years of input, it is coming together now, and our goal is to fix health care for the American people.

As someone who has practiced medicine, I believe that, despite all the good intentions behind the Affordable Care Act, it was doomed to fail, as most Big Government programs are. In fact, one of the main reasons I ran was on behalf of patient-centered, free-market oriented health care. I supported and still support healthcare reform that allows us in Congress to keep our promises when we talk about what we want to achieve.

I was one of the Members that came up here who lost my health care because of the Affordable Care Act. My premiums have gone up over \$11,000 since I have been here. My deductibles have gone up and my coverage has gone down. It is a disaster. I have to remind my colleague from Minnesota who was talking about how bad the Republican bill is that his own Governor from the State of Minnesota said that this bill is a disaster, the Affordable Care Act in its present form, and his premiums have gone up 45 percent in his own State.

I want to remind this body that many people lost health care they had before ObamaCare was passed with the promise that if you like your plan, you can keep it. It was broken by our own President of the United States. If you like your plan, if you like your doctor, and if you like your insurance company, your premiums will go down \$2,500 on an average. Lie after lie after lie. The American people answered that by electing a majority in Congress to the Republican Party to fix that, and that is what we aim to do.

Supporters of the ACA also told us that the premiums wouldn't increase. It turned out that was false. Premiums in the individual markets have increased partly because ObamaCare has forced insurers to leave the exchange. For example, benchmark silver-level plan premiums have increased by an average of 25 percent from 2016 to 2017, according to the Department of Health. If you like the State of Arizona, the premium this year is going up an astounding 116 percent. They worry about us, and then they blame us for raising the cost of health care. Sophistry, pure sophistry.

Many families have been forced to pay drastically higher out-of-pocket costs, which hits their pocketbooks hard even though they are not wealthy people by any stretch of the imagination. As my friend, Mr. LAMALFA, was talking about the cost, at the end of the month people are finding out they

are running out of money before they run out of the month.

I am reminded of one family in my district whom I met with personally many times over my tenure in Congress. They had to deal with the intense treatments and frequent hospitalizations for an illness that has hit two generations of their family very hard. They had coverage through an employer that they started out with, and it was a \$350-a-month premium right before the ACA passed in 2010. However, around the time the ACA mandates kicked in, their plan went up over \$100 a month. Today their premium is a staggering \$680 a month. That is over \$8,000 a year in premiums, nearly double what they were paying before the ACA. These are the people that sent us up here to fix health care. Unless you are making six figures a year, this is an absolutely painful sum.

Mr. Speaker, I may not generally be a supporter of government benefits, but I do believe very strongly that our government should make every effort in protecting our Nation's vulnerable population, especially the chronically ill. My concern is the ACA has resulted in those groups being harmed more than anybody else. Particularly for those who had employer-provided insurance prior to the ACA, the law's effect has been hurtful, especially if their coverage was for families afflicted by long-term illness. Simply put, no healthcare law should ever make things worse for people who were responsible and had health care to treat a medical condition. If anything, that is the opposite of health care.

Mr. Speaker, I yield to the gentleman from Texas (Mr. BABIN), who is a good friend of mine. Dr. BABIN has practiced dentistry in our military and in the private sector. Right after graduating dental school, he was commissioned in the Air Force as an officer and was stationed overseas. I thank the gentleman for his service. He later returned to his native east Texas to open his own dental practice, which he operated for over three decades. He has served on the Texas State Board of Dental Examiners and as a member of the American Dental Association.

Mr. BABIN. Mr. Speaker, I thank the gentleman for holding a Special Order on a topic that could not be more relevant than at this very time: the failures of ObamaCare.

As a healthcare professional myself, the elected representative of over 700,000 constituents, and the grandfather of 13, I have a duty to see that access to medical care is more affordable for the welfare of my patients, for my constituents, and for the livelihood of my children and my grandchildren.

ObamaCare moved us away from the patient-centered affordable medical care—the traditional doctor-patient relationship—that we have enjoyed for well over a century. ObamaCare was

designed by Washington bureaucrats who, unlike other Americans, are exempt from ObamaCare. In the last 24 hours, I have heard from nearly 1,000 of my constituents who are overwhelmingly begging me to repeal ObamaCare and replace it with a bill that restores their healthcare freedom.

That is no surprise to me. I have heard from thousands of my constituents, including my own patients and my own family members, about how their premiums have skyrocketed and their deductibles have skyrocketed. They have health insurance, but they can't afford to access medical care because their deductibles are too high and their longtime family doctors are no longer accepted as providers in their new health insurance. They have to drive long distances to get to a new and different doctor in their medical plan. They have had medical care interrupted. Simply put, they want this ObamaCare nightmare to end.

A truck driver from Hardin County told me how she was forced to switch plans last year from the PPO that she wanted to keep to an HMO that she did not want. This has made it significantly more difficult for her to find a doctor to accept her insurance when she gets sick out on the road even though she pays much higher in premiums than she did last year for her PPO.

Melissa, who lives in Harris County, has the same story. Last January she had to switch her family to an HMO plan because of ObamaCare's limited choices in her community. This forced her family to leave their doctor of 20 years and their local pharmacy.

Melissa said: I have always been a very responsible American citizen, yet ObamaCare told me what kind of plan that I had to buy.

□ 2045

This is what ObamaCare does. It makes decisions for patients instead of the other way around. Brute Federal force.

The message is clear: ObamaCare's top down, Big Government approach is leading to higher premiums, less choice, and insufficient access for people in my district and all across this great land of ours. These higher out-of-pocket costs and premiums have priced too many Americans out of the insurance market altogether.

Melinda, who lives in the county next to me, had an ObamaCare plan last year and paid nearly \$600 a month. She also had a \$3,000 deductible. She had to spend over \$10,000 before her health insurance plan paid for anything. Even with these high premiums, her insurance plan would not cover many of her asthma medicines or the cataract surgery that she desperately needs.

This year, when her premiums went up another \$100, she dropped coverage altogether. Under ObamaCare, now she

has lost affordable coverage, and she must pay a penalty, a tax.

Angela, from Harris County, actually decided to sign up for an ObamaCare plan after going uninsured for some time. Unfortunately, she soon realized that the cost vastly outweighed the benefits. So this year, she chose again to go without insurance. Now she pays the ObamaCare tax.

Others in my district don't want insurance coverage or only want catastrophic coverage. Yet, they are forced to pay expensive fines. Their freedom of choice is grossly limited.

Gina, a hardworking single mother and businessowner told me that she is now forced to use the little bit of money that she gets from her tax refund to pay the ObamaCare tax.

Charlie from Harris County says that he wants me to vote to repeal the individual mandate, stating that ObamaCare has forced him to buy a product that he doesn't want.

ObamaCare relies on force and coercion, but this is not the American way. If ObamaCare is so good, why did a larger percentage of Americans elect to pay the penalty than to take the subsidy for their coverage last year? The American people deserve much better.

I have got hundreds of similar stories, including those from a college student who couldn't work more than 27 hours a week over her Christmas break to earn money for school because the ObamaCare law imposed costly mandates for her employer if she does.

ObamaCare is in a death spiral and is imposing too much pain and suffering on the American people. Premiums have gone up, on average, by 25 percent across the country for enrollees this year alone. Some States, like Arizona, had a 116 percent increase in premiums.

Twenty-five percent of Americans have only one health insurer to choose from, and 50 percent of Americans live in areas with only two insurance providers. Folks, that is not a choice.

The complaints I am hearing now are at a fever pitch, and the American people are demanding a change now. We need a patient-centered healthcare system driven not by mandates and coercion, but by freedom and choice for my patients, for my constituents, for my family, and for all Americans.

Mr. YOHO. Mr. Speaker, I appreciate Dr. Babin's comments. He is very astute. He has been around health care. You know how this thing is not working and the strain it has put on people in your district, as it has in mine, and people around the country.

I am relieved that Congress is moving forward on legislation to right these wrongs. It feels so good to be a Member of Congress today to live up to a campaign promise that everyone in the majority in the House, Senate, and executive branch says: We are going to fix this; trust us. I have the complete confidence in that. I look forward to engaging with my colleagues.

Mr. Speaker, I yield to the gentleman from Washington (Mr. NEWHOUSE). He is a farmer, small-business man, and good conservative who understands the importance of keeping government out of our healthcare system.

Our country's farmers have been hit hard, just as much as others, by ObamaCare. Congressman NEWHOUSE is, no doubt, well aware of these issues.

Mr. NEWHOUSE. Mr. Speaker, I thank my friend for his leadership on this issue this evening and throughout this year. I also want to thank him for the opportunity to address the House of Representatives on this very important issue that we are dealing with right now.

Mr. Speaker, throughout my time representing the good people of central Washington State in the U.S. Congress, constituents from across my district, the Fourth District, have shared with me their deeply personal stories. These are personal stories about the struggles and the hardships that they have experienced and that they have faced since the passage of the Affordable Care Act.

So let me just relate to you a couple of those because I think they are very important and help illustrate exactly what it is that we are trying to correct.

In late 2016, a gentleman from the city of Yakima wrote to me in distress, as his insurance provider was pulling out of Yakima County.

He told me: My wife and I are losing our healthcare coverage. Our financial lives are about to be radically changed and a literal risk to our health is upon us. The challenge to find affordable, acceptable healthcare insurance will be immense.

That is not unlike another story that I heard in early 2015. A young woman from Grandview wrote to describe her dire situation being forced on to the Affordable Care Act exchange.

She told me: I was paying \$231 a month for a policy that had a \$500 deductible with a \$10 copay.

However, under the ACA, she said her healthcare costs have skyrocketed.

She continues: I now pay \$475 a month for a policy that has a \$5,500 deductible. This is not affordable health care.

It is the middle class American who has worked hard to have a good retirement who is being hit hard by this.

Another gentleman from West Richland recently pleaded that the many middle class workers like him must not be forgotten as we repeal and replace this broken law.

He says: Do not forget us when fixing. We liked our plan, and we lost it.

Just last week, a farmer from Moses Lake called my office and said that, before the ACA, he was paying less than \$200 a month for a catastrophic plan that provided coverage for his family. Now he is forced to pay \$1,000 a month with high deductibles that discourage his family from even being able to use

and access the healthcare insurance that they are paying for.

These are just some of the many stories of the dozens, the hundreds that I have been hearing from over the last couple of years since I started representing the good people of central Washington.

Like I said, these are true stories, personal stories of the struggles that people are facing on a daily basis and have pleaded with us to take strong action to deliver them from this situation that they find themselves in. I think it is similar across the country. As you hear tonight from other Members speaking about their districts, you are hearing similar stories.

So that is something that, I think, as we debate the best way to repeal and to replace the Affordable Care Act, I am committed to ensuring that we protect the most vulnerable.

I am also committed to providing relief for the majority of everyday, middle class Americans who have been devastated by this misguided and broken law.

Let me just say: I hear you, I will not forget about you, and I will keep your stories at the forefront of my mind as we work to fix this failed system.

Mr. YOHO. Mr. Speaker, I thank my good colleague from Washington State. I appreciate his words, his thoughtfulness, and the stories. You learn more from a story than you do facts and figures.

I want to go over a couple of things here. As we have heard, the average increase of health plans in the United States rose by over 35 percent. I already talked about Arizona: 116 percent this year alone.

The insurance exchanges that were set up—the 26 in the beginning—were down to 5, with some counties not even having exchanges to purchase insurance.

I think for the people that are watching this at home, whether they are Members of Congress, the American citizens, I want you to listen to this, and I want to take you back to the information that came out when the Speaker of the House then talked about, we have to pass it to see what is in it, how it is going to work. Then I want you to picture the words of the architect of this bill, Jonathan Gruber: The lack of transparency and the stupidity of the American voter helped ObamaCare pass.

The Democrats want to blame this body, the Republicans, for wrecking health care. This is what they passed on us and the American people.

Mr. Speaker, I yield to the gentleman from Georgia (Mr. CARTER), who is the only pharmacist serving in Congress. As a healthcare professional, he knows these issues very well.

He is the co-chair of the Community Pharmacy Caucus and sits on one of the main healthcare committees in

Congress, the Committee on Energy and Commerce. He ran his own business, like me, and witnessed firsthand the problems that government regulations and red tape cause on job creators, large and small.

I want to remind folks, too, that there were over 22,000 pages of rules and regulations that came out of the Affordable Care Act.

Mr. CARTER of Georgia. Mr. Speaker, I want to thank my good friend, the gentleman from Florida, Representative YOHO, for this opportunity and for hosting this tonight to discuss how ObamaCare is affecting folks at home.

Consider the case of Bob Joiner, an independent adviser in south Georgia. His wife, Kim, is an audiologist who works in a small practice that does not provide healthcare benefits.

Bob and Kim exercise regularly, they watch their nutrition, and they are fortunate to not have any health problems. They also have a 28-year-old son named Wesley.

In 2016, Bob's monthly healthcare premium increased 134 percent, and his son's climbed to an astonishing 190 percent. In total, their 2016 annual premiums were \$4,285.56 for their son Wesley and \$19,026.12 for Bob and Kim.

The Joiners should have been hopeful that, in 2017, they could change their plan for something more affordable. But thanks to the Affordable Care Act, that wasn't the case. This year, only one Affordable Care Act-compliant plan was accessible to them on the healthcare.gov website. An additional policy featuring a higher deduction with lower premiums was available. However, the plan was not ObamaCare-compliant, leaving the Joiners subjected to the Affordable Care Act penalty.

Before ObamaCare, the Joiner family's annual premium for the whole family—the entire family—was \$7,428. At the time, they had access to multiple providers and dozens of plan designs. Unfortunately, ObamaCare has brought chaos into the healthcare system.

I want to repeat that again. Before ObamaCare, the family's annual premium for the whole family—for Bob, Kim, and their son Wesley—was \$7,428. Last year, just for Wesley, it was \$4,285. For Bob and Kim, it was \$19,026. Folks, that is just astonishing. That is not right.

The Joiners are not alone when they explained that they are unable to save for retirement or pay down their mortgage because of progressive increases in healthcare costs. Patients across the country now face this grim reality because ObamaCare has failed.

Just as the Joiners saw patient costs are skyrocketing, last year the Obama administration even admitted that premium hikes were coming for this year's healthcare plans.

It turns out the national average premium increase is an astonishing 25 per-

cent. That is the average. In seven States, it is more than 50 percent. Unbelievable.

Well, Mr. Speaker, today is a new day. This afternoon, the Energy and Commerce Committee completed a marathon markup of its portion of what was ultimately to be the ObamaCare reconciliation bill.

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It was an honor to be a part of that. Twenty-seven hours and 27 minutes we met, and we finally got it out of committee. Now it goes to the Committee on the Budget, along with the bill that the Committee on Ways and Means has sent. So those two bills will be put together and they will go to reconciliation.

Mr. Speaker, I am proud to have been a part of this historic opportunity, taking the first meaningful steps toward entitlement reform and replacing ObamaCare. I thank all of my colleagues who are here this evening taking part in this Special Order as well as thank each Member of Congress who has and continues to take a stand against the idea of a top-down, one-size-fits-all approach to health care.

Our plan presents a better way. The American Health Care Plan will give us access and affordability. It will give us patient-centered health care. Enough of this top-down, cookie-cutter approach that we have had, thinking that everything from Washington, D.C., is better, thinking that we know what the States need. That is not right. What we need is to empower patients. What we need is to have patients in control of their healthcare system, and this is what the American Health Care plan does. It empowers patients through health savings accounts, through tax credits, reforming Medicaid. The American Health Care Plan is on its way. I am excited. I am excited for America.

I, again, thank Representative YOHO for hosting this Special Order. We appreciate your work. I thank all Members of Congress who have had a part of this on both sides of the aisle. I thank everyone. Help is on the way: better health care, market-based health care, where competition and choices will be the case, where insurance companies will be fighting for your business, where you will have choices, where you will have competition in the market. That is what we need. That is what is going to bring healthcare costs down.

Mr. YOHO. Mr. Speaker, I thank Dr. CARTER. I appreciate his being here. The effort he has put in, working diligently to help us right this wrong that has been instilled upon the American people.

Mr. Speaker, I yield to the gentleman from Illinois (Mr. RODNEY DAVIS), a great colleague of mine who is the chairman of the Subcommittee on Biotechnology, Horticulture, and Research

of the Committee on Agriculture; a member of the Committee on Transportation and Infrastructure; and the Committee on House Administration.

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I thank Mr. YOHIO for leading this Special Order tonight to talk about this issue. It is an issue important to the entire country and all hard-working taxpayers of America.

1.4 million people were kicked off their plans and forced to purchase different insurance plans. We saw 45 to 55 percent premium increases in my home State of Illinois in 2017. Deductibles have increased 64 percent nationwide. 31 million people can't afford to use the insurance they have because their deductibles are so unaffordable and high.

One-third of the Nation only has the option of one insurance provider on the \$2 billion websites that we know as the ObamaCare exchanges, a monopoly that drives up costs, and 75 percent of people in my home State of Illinois have one or, at most, two providers.

One in four people in Illinois are on Medicaid. That is unsustainable for a State with an \$8 billion budget deficit.

These statistics tell us ObamaCare is collapsing, and if we do nothing, we will be leaving millions of Americans without any option for healthcare coverage. But we are not offering this alternative because of statistics. We are doing it for Rich and Sandy in Pana, Illinois, whose deductibles went from \$300 to \$2,000 per person for less coverage. We are doing it for Janet from Edwardsville, whose family plan was considered a Cadillac plan and was replaced with a plan that had a \$6,000 deductible. We are doing it for Lynne, a farmer in Springfield, Illinois, who provides insurance for her barn manager, but the best she could find after ObamaCare was one with a premium that increased by more than \$100 and increased her out-of-pocket expenses by another \$1,000.

This is our one shot to fix our failing healthcare system for the constituents I just mentioned and the millions more across the U.S. who have had the same thing happen to them. This is a pretty good bill to start with. After 4 years of watching premiums more than double, deductibles skyrocket, and choices dwindle for my constituents under ObamaCare, I am proud to be part of a responsible healthcare solution to lower costs and increase options for individuals and families.

The American Health Care Act may not be the exact bill we would have written to reform our healthcare delivery system prior to ObamaCare, but we can't go back in time. We have to face reality, and the reality is we have States like Illinois who chose to expand Medicaid, and we can't abruptly rip coverage away from them like ObamaCare did for 1.4 million Americans.

In addition to protecting people with preexisting conditions and allowing young adults under the age of 26 to remain on their parents' insurance, those who currently qualify for Medicaid will remain covered until their economic situation improves.

Our goal should be to ensure that every single person who wants a career, a good-paying job, and wants to get off of Medicaid should be our priority. But when their situation does improve, which is, again, what all of us should hope for, then we help them with monthly, portable, age- and income-based tax credits that will go directly toward paying their health insurance. These also help those who were left behind by ObamaCare, middle class Americans who were forced to buy insurance with costly premiums and deductibles but did not qualify for subsidies.

This is just the first part of our plan, which can be done through the budget reconciliation process. Next is making changes to lower the overall cost of health care so these tax credits go further for every American. We have one chance to fix this for the American people because ObamaCare is collapsing, and I urge all of my colleagues to support this plan.

I thank again my colleague, Mr. YOHIO, for leading this effort tonight.

Mr. YOHIO. Mr. Speaker, I thank the gentleman from Illinois (Mr. RODNEY DAVIS). He brought up a very astute point. This is collapsing on itself. If we were to do nothing, this would collapse, and the American people would be left without any coverage. We have heard other people on the other side say: Leave it alone.

That is irresponsible, and we will not do that. We will repeal and replace the Affordable Care Act, and we remove it from Washington bureaucrats and government mandates. If government can tell you what kind of insurance to buy, you have to buy it, and if you don't, they penalize you, what else can they force you to do?

Our Constitution is not a function of the government. Government is a function of the Constitution. Yet when government steps beyond the boundaries of the Constitution, it is up to us, we, the people—and we are the representatives of we, the people—to change how government works. That is what we are doing with the repeal and the replacement of the Affordable Care Act. We have heard about the nightmare this has caused to the American people, to our economy, the loss of jobs, the depression of job growth, wage growth. We can go on and on for hours, but it is not going to fix this problem.

What I want to focus on for the next few minutes is what the replacement does do. We have heard about the mandates that are going away, the taxes that are going away, the expansion of Medicaid. The reality in America, our

country is in financial dire straits. It is unsustainable. It would be imprudent for us to sit by and do nothing while the country goes into default.

So with the direction we are going, this will bend the cost curve to Medicaid to make it solvent for a longer period of time. This will empower the individual to have health care and make those decisions between the doctor and the patient, the way it should be, instead of a government-controlled mandate.

This empowers individuals to be more responsible for themselves, to incentivize them to go out and buy health care by the use of health savings accounts, where they can buy over-the-counter medications to share with family members the benefit of the health savings account.

Republicans, Democrats, and Independents all want preexisting conditions covered, so that is something we all are in agreement with. There is the argument about should children be able to stay on their parents' policies until the age of 26. Personally, I don't think they should have to—I think they should be out on their own, but I have heard from enough people in my district that I am willing to compromise and go along with that. Truth be known, children could already stay on their parents' health plan until the age of 26 if they were actively enrolled in college or disabled. So we are compromising.

This will make health care better. It puts health care into the hands of the American people and their doctors and drives government out of it. Let them oversee the process.

We have heard over and over again that we need to open up the market across State lines. There is legislation coming out that will free up the insurance companies. We are introducing legislation to hold harmless insurance companies now, before we get through with this process, so that insurance companies are not held to the standards of the Affordable Care Act, so that they can start writing policies today when this legislation passes, so they can write their policies and start marketing now so that the American people will have time to research these products.

There will be a transition period. I can't guarantee it is going to be smooth. I can guarantee you it will be smoother than the last one.

I think the last thing I want to leave the American people with is we don't want to pull the rug out from anybody. We will do everything possible, and I know on both sides of this. I would think the Democrats, with the debacle that they created, the legislative malpractice that they passed in the dark hours of the night in December of 2009 or 2010, that they would want to come to the aid to fix health care for the American people instead of chastising

us and telling us how bad and how wrong we are to interfere.

This plan is going to collapse on its own. We invite them to come to the table to help us fix this because this is for all Americans, not just Republicans. It is for all Americans—Republicans, Democrats, Independents, everybody. I would hope they would come and help us do this.

I think the last thing, Mr. Speaker, is this is a historic opportunity. The Wall Street Journal said never before has there been a chance to change a program as significant as what we are getting ready to do. We are the ones who are going to lead this effort to bring healthcare stability to the American people.

I look forward to the discussions in the future. I ask the American people to believe in the people you sent up here to fix this. We are going to get it right.

One last thing. I will guarantee you that this bill will be read before it is passed, and we will know how it is going to work.

Mr. Speaker, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. JEFFRIES (at the request of Ms. PELOSI) until 4 p.m., March 8.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 496. An act to repeal the rule issued by the Federal Highway Administration and the Federal Transit Administration entitled "Metropolitan Planning Organization Coordination and Planning Area Reform"; to the Committee on Transportation and Infrastructure.

ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled Joint Resolutions of the House of the following titles, which were thereupon signed by the Speaker:

H.J. Res. 37. Joint Resolution disapproving the rule submitted by the Department of Defense, the General Services Administration, and the National Aeronautics and Space Administration relating to the Federal Acquisition Regulation.

H.J. Res. 44. Joint Resolution disapproving the rule submitted by the Department of the Interior relating to Bureau of Land Management regulations that establish the procedures used to prepare, revise, or amend land use plans pursuant to the Federal Land Policy and Management Act of 1976.

H.J. Res. 57. Joint Resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Education relating to accountability and State plans

under the Elementary and Secondary Education Act of 1965.

H.J. Res. 58. Joint Resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Education relating to teacher preparation issues.

SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 442. An act to authorize the programs of the National Aeronautics and Space Administration, and for other purposes.

ADJOURNMENT

Mr. YOHO. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 14 minutes p.m.), the House adjourned until tomorrow, Friday, March 10, 2017, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

752. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission's final rule — Exhibit Hyperlinks and HTML Format [Release Nos.: 33-10322; 34-80132; File No.: S7-19-16] (RIN: 3235-AL95) received March 6, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

753. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Streptomycin; Pesticide Tolerances for Emergency Exemptions [EPA-HQ-OPP-2016-0540; FRL-9957-65] received March 8, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

754. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Oxytetracycline; Pesticide Tolerances for Emergency Exemptions [EPA-HQ-OPP-2016-0539; FRL-9959-19] received March 8, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

755. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Flupyradifurone; Pesticide Tolerances for Emergency Exemptions [EPA-HQ-OPP-2016-0557; FRL-9958-75] received March 8, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

756. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval of California Air Plan; Owens Valley Serious Area Plan for the 1987 24-Hour PM10 Standard [EPA-R09-OAR-2016-0660; FRL-9958-80-Region 9] received March 8, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

757. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval of California Air Plan Revisions, Yolo-Solano Air Quality Management District [EPA-R09-OAR-2016-0245; FRL-9958-43-Region 9] received March 8, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

758. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Revitalization of the AM Radio Service [MB Docket No.: 13-249] received March 6, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

759. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting the Department's final rule — Energy Conservation Program: Energy Conservation Standards for Commercial Prerinse Spray Valves [Docket No.: EERE-2014-BT-STD-0027] (RIN: 1904-AD31) March 7, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

760. A letter from the Labor Member and Management Member, Railroad Retirement Board, transmitting a report in accordance with 5 U.S.C. 552b(j), the annual report for Calendar Year 2016, of the United States Railroad Retirement Board, in compliance with the Government in the Sunshine Act, Public Law 94-409, as amended; to the Committee on Oversight and Government Reform.

761. A letter from the Deputy Assistant Administrator For Regulatory Programs, NMFS, Office for International Affairs and Seafood Inspection, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — International Affairs; Antarctic Marine Living Resources Convention Act [Docket No.: 120201087-6641-02] (RIN: 0648-BB86) received March 7, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

762. A letter from the Deputy Chief, Enforcement Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 1.80(b) of the Commission's Rules; Adjustment of Civil Monetary Penalties to Reflect Inflation received March 7, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SHUSTER. Committee on Transportation and Infrastructure. H.R. 654. A bill to direct the Administrator of the Federal Emergency Management Agency to carry out a plan for the purchase and installation of an earthquake early warning system for the Cascadia Subduction Zone, and for other purposes; with an amendment (Rept. 115-30). Referred to the Committee of the Whole House on the state of the Union.

Mr. SHUSTER. Committee on Transportation and Infrastructure. H.R. 1117. A bill to

require the Administrator of the Federal Emergency Management Agency to submit a report regarding certain plans regarding assistance to applicants and grantees during the response to an emergency or disaster; with an amendment (Rept. 115-31). Referred to the Committee of the Whole House on the state of the Union.

Mr. SHUSTER. Committee on Transportation and Infrastructure. H.R. 1214. A bill to require the Administrator of the Federal Emergency Management Agency to conduct a program to use simplified procedures to issue public assistance for certain projects under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, and for other purposes (Rept. 115-32). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. LYNCH (for himself, Mr. KATKO, Mr. KENNEDY, and Mr. GARAMENDI):

H.R. 1442. A bill to extend the period of eligibility for non-competitive appointment of Peace Corps and VISTA volunteers and certain overseas employees, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCKINLEY (for himself, Mr. WELCH, Mr. CARTWRIGHT, and Ms. ESHOO):

H.R. 1443. A bill to promote energy savings in residential buildings and industry, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on the Budget, Financial Services, Science, Space, and Technology, Transportation and Infrastructure, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROKITA (for himself, Mr. GENE GREEN of Texas, Mrs. ROBY, Mr. HURD, and Ms. EDDIE BERNICE JOHNSON of Texas):

H.R. 1444. A bill to authorize the Department of Labor's voluntary protection program; to the Committee on Education and the Workforce.

By Mr. COFFMAN (for himself, Mr. ABRAHAM, Ms. DELAURO, and Mr. TAKANO):

H.R. 1445. A bill to amend title 38, United States Code, to provide for the circumstances under which the Secretary of Veterans Affairs shall provide reimbursement for emergency ambulance services; to the Committee on Veterans' Affairs.

By Ms. VELÁZQUEZ (for herself, Mr. GALLEGO, Ms. MOORE, Mr. SOTO, Ms. MCCOLLUM, Ms. SCHAKOWSKY, Mr. SERRANO, Mr. CORREA, Mr. MCGOVERN, and Mr. GUTIÉRREZ):

H.R. 1446. A bill to amend section 287(g) of the Immigration and Nationality Act to prohibit State and local officers and employees from performing immigration officer functions; to the Committee on the Judiciary.

By Mr. TAYLOR (for himself and Mr. SCHNEIDER):

H.R. 1447. A bill to extend the protections of the Fair Housing Act to persons suffering from discrimination on the basis of sex or sexual orientation, and for other purposes; to the Committee on the Judiciary.

By Mr. HIMES (for himself, Mr. WELCH, Mr. MOULTON, Mr. GALLEGO, Mr. JONES, Mr. SCHRADER, and Miss RICE of New York):

H.R. 1448. A bill to prohibit funds available for the United States Armed Forces to be obligated or expended for introduction of the Armed Forces into hostilities, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Armed Services, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POE of Texas (for himself and Mr. ROHRBACHER):

H.R. 1449. A bill to require a report on the designation of Pakistan as a state sponsor of terrorism, and for other purposes; to the Committee on Foreign Affairs.

By Mr. ISSA (for himself, Ms. WASSERMAN SCHULTZ, Ms. ROSLEHTINEN, Mr. CURBELO of Florida, Mr. DUNCAN of South Carolina, and Mr. DEUTCH):

H.R. 1450. A bill to modify the prohibition on recognition by United States courts of certain rights relating to certain marks, trade names, or commercial names; to the Committee on the Judiciary.

By Ms. SCHAKOWSKY:

H.R. 1451. A bill to amend the Internal Revenue Code of 1986 to modify the treatment of foreign corporations, and for other purposes; to the Committee on Ways and Means.

By Mr. BLUMENAUER:

H.R. 1452. A bill to amend title 5, United States Code, to prohibit any payment for lodging and other travel expenses by the Federal Government for any such expenses incurred at a hotel owned or operated by the President; to the Committee on Oversight and Government Reform.

By Mr. JOHNSON of Georgia (for himself, Mr. VARGAS, Ms. JUDY CHU of California, Mr. MCGOVERN, Mr. SWALWELL of California, Mr. SOTO, Mr. TAKANO, Ms. NORTON, Mr. RASKIN, Mr. COHEN, Mr. GRIJALVA, and Mrs. WATSON COLEMAN):

H.R. 1453. A bill to reaffirm the commitment of the Department of Homeland Security to countering all forms of extremism, and for other purposes; to the Committee on Homeland Security, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LABRADOR (for himself and Mr. POLIQUIN):

H.R. 1454. A bill to exempt certain 16- and 17-year-old individuals employed in logging or mechanized operations from child labor laws; to the Committee on Education and the Workforce.

By Ms. BONAMICI:

H.R. 1455. A bill to provide for the restoration of Federal recognition to the Clatsop-Nehalem Confederated Tribes of Oregon, and for other purposes; to the Committee on Natural Resources.

By Mr. ROYCE of California (for himself, Mr. SABLON, Ms. LEE, Mr. BLUMENAUER, Mr. KINZINGER, Mr. FARENTHOLD, Mr. GRIJALVA, Mr. COHEN, Mr. KATKO, Mr. MEEHAN, Mr.

HUFFMAN, Mr. WEBER of Texas, Mr. GARRETT, Ms. KAPTUR, Ms. MCSALLY, Mr. MCNERNEY, Mr. CONNOLLY, Mr. FITZPATRICK, Mr. CHABOT, Mr. CURBELO of Florida, Ms. BORDALLO, Mr. KEATING, and Mrs. RADEVAGEN):

H.R. 1456. A bill to prohibit the sale of shark fins, and for other purposes; to the Committee on Natural Resources.

By Mr. TIPTON (for himself, Mr. HULTGREN, Mr. MCHENRY, Ms. SEWELL of Alabama, Ms. SINEMA, and Mr. DAVID SCOTT of Georgia):

H.R. 1457. A bill to establish requirements for use of a driver's license or personal identification card by certain financial institutions for opening an account or obtaining a financial product or service, and for other purposes; to the Committee on Financial Services.

By Mr. BLUMENAUER (for himself, Mr. POCAN, Mrs. NAPOLITANO, Mr. ELLISON, Mr. HUFFMAN, Mr. CARTWRIGHT, Mr. LARSEN of Washington, Mr. CAPUANO, Ms. CLARK of Massachusetts, Mr. DEUTCH, Mr. BEYER, Mr. MOULTON, Mr. SIREN, Ms. SCHAKOWSKY, Mr. LOWENTHAL, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. HASTINGS, Mr. COHEN, Mr. GRIJALVA, Mr. WELCH, and Ms. MCCOLLUM):

H.R. 1458. A bill to amend the Internal Revenue Code of 1986 to increase the excise tax on gasoline, diesel, and kerosene fuels; to the Committee on Ways and Means.

By Mr. EMMER:

H.R. 1459. A bill to place the Financial Stability Oversight Council and the Office of Financial Research under the regular appropriations process, to provide for certain quarterly reporting and public notice and comment requirements for the Office of Financial Research, and for other purposes; to the Committee on Financial Services.

By Mr. YOUNG of Iowa (for himself and Mr. HENSARLING):

H.R. 1460. A bill to require the identification of certain persons who participated in a rule making in publications related to such rule making, and for other purposes; to the Committee on the Judiciary.

By Mr. ARRINGTON:

H.R. 1461. A bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs to submit an annual report to Congress relating to the use of official time by employees of the Department of Veterans Affairs, to limit the instances in which official time may be granted for certain purposes to employees of the Department, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BIGGS:

H.R. 1462. A bill to amend part A of title I of the Elementary and Secondary Education Act of 1965 to allow States, in accordance with State law, to let Federal funds for the education of disadvantaged children follow low-income children to the public school, charter school, accredited private school, or supplemental educational service program they attend, and for other purposes; to the Committee on Education and the Workforce.

By Mr. BURGESS:

H.R. 1463. A bill to prohibit the Secretary of Homeland Security from granting a work authorization to an alien found to have been unlawfully present in the United States; to the Committee on the Judiciary.

By Mr. CARTWRIGHT (for himself, Mr. COHEN, Mr. CURBELO of Florida, Mr. KILMER, Mr. MCGOVERN, and Mr. SOTO):

H.R. 1464. A bill to direct the National Institute of Standards and Technology to convene an effort to make available to standard-developing organizations a consistent, authoritative set of climate information, and for other purposes; to the Committee on Science, Space, and Technology.

By Mr. CASTRO of Texas (for himself, Mr. HURD, Mr. DOGGETT, Mr. SMITH of Texas, and Mr. CUELLAR):

H.R. 1465. A bill to authorize the Secretary of Homeland Security to work with cybersecurity consortia for training, and for other purposes; to the Committee on Homeland Security.

By Ms. CLARK of Massachusetts (for herself, Mr. NOLAN, Ms. SÁNCHEZ, Ms. LEE, Mr. SWALWELL of California, Mr. DESAULNIER, Ms. NORTON, Mr. RUSH, Mr. ELLISON, Mr. SOTO, and Mr. CLEAVER):

H.R. 1466. A bill to amend the Internal Revenue Code of 1986 to provide a high quality child care tax credit, and for other purposes; to the Committee on Ways and Means.

By Mr. COHEN (for himself and Mr. KINZINGER):

H.R. 1467. A bill to direct the Administrator of the Federal Aviation Administration to prescribe regulations establishing minimum standards for space for passengers on passenger aircraft, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. CURBELO of Florida (for himself, Mr. COFFMAN, Mr. DENHAM, Mr. DIAZ-BALART, Ms. ROS-LEHTINEN, Mr. AMODEI, Mr. VALADAO, Miss GONZÁLEZ-COLÓN of Puerto Rico, Mr. UPTON, and Mr. REICHERT):

H.R. 1468. A bill to authorize the cancellation of removal and adjustment of status of certain aliens who are long-term United States residents and who entered the United States as children, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Homeland Security, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DAVIDSON (for himself, Mr. POLIQUIN, and Mr. JORDAN):

H.R. 1469. A bill to establish the Benefit Reform and Alignment Commission to consolidate and realign means-tested direct spending program outlays; to the Committee on Ways and Means, and in addition to the Committees on Education and the Workforce, Agriculture, Natural Resources, Energy and Commerce, Financial Services, Transportation and Infrastructure, Rules, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GALLEG0:

H.R. 1470. A bill to amend the Immigration and Nationality Act to limit the grounds of deportability for certain alien members of the United States Armed Forces, and for other purposes; to the Committee on the Judiciary.

By Mr. GROTHMAN:

H.R. 1471. A bill to suspend assistance to countries denying or delaying accepting aliens ordered removed from the United States, and for other purposes; to the Committee on Foreign Affairs.

By Mr. LANGEVIN (for himself, Mrs. RADEWAGEN, Mrs. BEATTY, Mr. BROWN of Maryland, Ms. BROWNLEY of California, Mr. COHEN, Ms. ESTY, Mr. EVANS, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Ms. HANABUSA, Mr. HASTINGS, Ms. JACKSON LEE, Ms. KAPTUR, Mrs. LAWRENCE, Mr. LYNCH, Ms. MOORE, Ms. ROSEN, Mr. RUSH, Mr. RYAN of Ohio, Ms. SHEA-PORTER, Ms. SINEMA, Mr. SOTO, Mr. TAKANO, Mr. WALZ, Mr. YOUNG of Alaska, Mr. RUPERSBERGER, Mr. CICILLINE, Mr. RASKIN, Ms. PELOSI, and Mr. BILIRAKIS):

H.R. 1472. A bill to expand eligibility for the program of comprehensive assistance for family caregivers of the Department of Veterans Affairs, to expand benefits available to participants under such program, to enhance special compensation for members of the uniformed services who require assistance in everyday life, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committees on Armed Services, Oversight and Government Reform, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. LEE (for herself, Mr. JONES, Mr. CAPUANO, Mr. HUFFMAN, Mr. POCAN, Mr. PALLONE, Mr. MCGOVERN, Mr. LEWIS of Georgia, Ms. FUDGE, Mr. BUTTERFIELD, Mr. CLEAVER, Mr. DESAULNIER, Ms. BASS, Mr. HASTINGS, Ms. MOORE, Mr. RASKIN, and Ms. VELÁZQUEZ):

H.R. 1473. A bill to prohibit the deployment of members of the Armed Forces to Syria for purposes of engaging in ground combat operations, and for other purposes; to the Committee on Armed Services.

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 1474. A bill to authorize the Secretary of Education to award grants to educational organizations to carry out educational programs about the Holocaust; to the Committee on Education and the Workforce.

By Mrs. CAROLYN B. MALONEY of New York (for herself, Mr. CUMMINGS, Mr. MEEHAN, Mr. KING of New York, Ms. KELLY of Illinois, and Mr. DONOVAN):

H.R. 1475. A bill to prevent gun trafficking; to the Committee on the Judiciary.

By Mr. MOOLENAAR:

H.R. 1476. A bill to amend the Internal Revenue Code of 1986 to permit individuals eligible for Indian Health Service assistance to qualify for health savings accounts; to the Committee on Ways and Means.

By Ms. MOORE (for herself, Mr. MCGOVERN, Ms. JACKSON LEE, Mr. JEFFRIES, Mr. SOTO, Ms. MCCOLLUM, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. POCAN, Mr. FOSTER, Ms. CLARK of Massachusetts, Mr. VELA, Mrs. TORRES, Mr. HASTINGS, Mr. RUSH, Ms. CLARKE of New York, Mr. POLIS, Mr. GUTIÉRREZ, Mr. RASKIN, Ms. SÁNCHEZ, Ms. BROWNLEY of California, Ms. LEE, Ms. WILSON of Florida, Mr. TAKANO, Ms. BASS, Ms. WASSERMAN SCHULTZ, Mr. CLEAVER, Ms. SPEIER, and Mr. JOHNSON of Georgia):

H.R. 1477. A bill to prohibit the use of Federal funds to build a wall along the southern border, and for other purposes; to the Committee on Homeland Security, and in addition to the Committee on Foreign Affairs,

for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MURPHY of Florida:

H.R. 1478. A bill to repeal the provision that in practice prohibits the Department of Health and Human Services from sponsoring research on gun violence in fiscal year 2017, and for other purposes; to the Committee on Energy and Commerce.

By Ms. NORTON:

H.R. 1479. A bill to amend the District of Columbia Home Rule Act to eliminate Congressional review of newly-passed District laws; to the Committee on Oversight and Government Reform, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. PINGREE (for herself, Mr. COHEN, Mr. LIPINSKI, and Ms. SLAUGHTER):

H.R. 1480. A bill to amend the Federal Food, Drug, and Cosmetic Act to allow for the personal importation of safe and affordable drugs from approved pharmacies in Canada; to the Committee on Energy and Commerce.

By Mr. REED (for himself and Mr. LANGEVIN):

H.R. 1481. A bill to amend the Internal Revenue Code of 1986 to include automated fire sprinkler system retrofits as section 179 property and classify certain automated fire sprinkler system retrofits as 15-year property for purposes of depreciation; to the Committee on Ways and Means.

By Mr. SIMPSON:

H.R. 1482. A bill to authorize the Secretary of Agriculture to maintain or replace certain facilities and structures for commercial recreation services at Smith Gulch in Idaho, and for other purposes; to the Committee on Natural Resources.

By Mr. SIMPSON (for himself and Mr. PETERSON):

H.R. 1483. A bill to amend the Forest and Rangeland Renewable Resources Planning Act of 1974 and the Federal Land Policy and Management Act of 1976 to discourage litigation against the Forest Service and the Bureau of Land Management relating to land management projects; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SINEMA (for herself and Ms. STEFANIK):

H.R. 1484. A bill to authorize the Secretary of Health and Human Services to award grants to States to provide safety measures to social workers and other similar professionals who work with at-risk populations, and for other purposes; to the Committee on Education and the Workforce.

By Ms. STEFANIK (for herself, Mr. CURBELO of Florida, Mrs. BUSTOS, Mr. PETERS, Miss RICE of New York, Mr. MOULTON, Ms. SINEMA, Mr. KING of New York, Mr. HURD, Mr. KILMER, Mr. MESSER, Mr. MOOLENAAR, Mr. LOEBACK, Mr. WELCH, Mr. FASO, Mr. DESAULNIER, Ms. BONAMICI, Mrs. DAVIS of California, Mr. BYRNE, Mr. WITTMAN, Mr. MACARTHUR, Mr. PAULSEN, Mr. COLLINS of New York, Mr. YOUNG of Iowa, and Mr. POLIS):

H.R. 1485. A bill to amend the Higher Education Act of 1965 to provide students with

increased flexibility in the use of Federal Pell Grants, and for other purposes; to the Committee on Education and the Workforce.

By Mr. THOMPSON of Mississippi:

H.R. 1486. A bill to amend the Homeland Security Act of 2002 to provide funding to secure non-profit facilities from terrorist attacks, and for other purposes; to the Committee on Homeland Security.

By Mrs. TORRES (for herself and Mr. O'ROURKE):

H.R. 1487. A bill to prohibit use of Federal funds to apprehend, detain, or remove from the United States any alien who was granted deferred action under the Deferred Action for Childhood Arrivals Program, if the alien lost their deferred action status solely as a direct or indirect result of any action taken by the President or another Federal official; to the Committee on the Judiciary.

By Mr. VISCLOSKEY (for himself, Mrs. WALORSKI, Mr. BANKS of Indiana, Mr. ROKITA, Mrs. BROOKS of Indiana, Mr. MESSER, Mr. CARSON of Indiana, Mr. BUCSHON, and Mr. HOLLINGSWORTH):

H.R. 1488. A bill to retitle Indiana Dunes National Lakeshore as Indiana Dunes National Park, and for other purposes; to the Committee on Natural Resources.

By Mr. YOUNG of Alaska:

H.R. 1489. A bill to amend title 54, United States Code, to provide for congressional approval of national monuments and restrictions on the use of national monuments, to establish requirements for declaration of marine national monuments, and for other purposes; to the Committee on Natural Resources.

By Mr. JEFFRIES (for himself and Mr. TED LIEU of California):

H. Res. 184. A resolution of inquiry requesting the President and directing the Attorney General to transmit, respectively, certain documents to the House of Representatives relating to communications with the government of Russia; to the Committee on the Judiciary.

By Mr. DEUTCH (for himself and Ms. ROS-LEHTINEN):

H. Res. 185. A resolution calling on the Government of Iran to fulfill repeated promises of assistance in the case of Robert Levinson, the longest held United States civilian in our Nation's history; to the Committee on Foreign Affairs.

By Mr. PASCRELL (for himself, Mr. CROWLEY, Mr. DANNY K. DAVIS of Illinois, Ms. SEWELL of Alabama, Mr. NEAL, Ms. ESHOO, Mr. DOGGETT, Mr. SARBANES, Ms. DELBENE, Mr. THOMPSON of California, and Mr. BLUMENAUER):

H. Res. 186. A resolution of inquiry directing the Secretary of the Treasury to provide to the House of Representatives the tax returns and other specified financial information of President Donald J. Trump; to the Committee on Ways and Means.

By Ms. BASS (for herself, Ms. LEE, Mr. BISHOP of Georgia, Mr. BRADY of Pennsylvania, Mr. LEWIS of Georgia, Mr. CAPUANO, Mr. KEATING, Mr. CICILLINE, Mr. ESPAILLAT, Mr. SUOZZI, Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. KELLY of Illinois, Mr. CASTRO of Texas, Ms. GABBARD, Ms. FRANKEL of Florida, Mr. MEEKS, Mr. SIRES, Mr. DEUTCH, Mr. SCHNEIDER, Mrs. TORRES, Ms. WILSON of Florida, Mr. CONYERS, Ms. JACKSON LEE, Mr. COHEN, Mr. MCGOVERN, Mr. SMITH of New Jersey, Mr. SHERMAN, and Mr. HASTINGS):

H. Res. 187. A resolution relating to efforts to respond to the famine in South Sudan; to the Committee on Foreign Affairs.

By Mr. MCCAUL (for himself, Mr. ROYCE of California, Mr. ENGEL, Mrs. COMSTOCK, Mr. MCCLINTOCK, Mr. SESSIONS, Mr. KEATING, Mr. SHERMAN, Mr. YOUNG of Alaska, and Ms. JUDY CHU of California):

H. Res. 188. A resolution condemning the Government of the Islamic Republic of Iran for the 1988 massacre of political prisoners and calling for justice for the victims; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. HUNTER introduced a bill (H.R. 1490) for the relief of Roberto Luis Dunoyer Mejia, Consuelo Cardona Molina, Camilo Dunoyer Cardona, and Pablo Dunoyer Cardona; which was referred to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. LYNCH:

H.R. 1442.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18.

By Mr. MCKINLEY:

H.R. 1443.

Congress has the power to enact this legislation pursuant to the following:

According to Article I, Section 8, Clause 3 of the Constitution: The Congress shall have power to enact this legislation to regulate commerce with foreign nations, and among the several states, and with the Indian tribes.

By Mr. ROKITA:

H.R. 1444.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. COFFMAN:

H.R. 1445.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States.

By Ms. VELÁZQUEZ:

H.R. 1446.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to . . . provide for the . . . general Welfare of the United States; . . .

Article I, Section 8, Clause 3

The Congress shall have the Power to . . . regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes

By Mr. TAYLOR:

H.R. 1447.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United

States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

To borrow money on the credit of the United States;

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;

To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;

To establish Post Offices and Post Roads;

To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

To constitute Tribunals inferior to the supreme Court;

and Offenses against the Law of Nations;

To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;

To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

To provide and maintain a Navy;

To make Rules for the Government and Regulation of the land and naval Forces;

To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;

To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Armaments, dock-Yards, and other needful Buildings; And

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. HIMES:

H.R. 1448.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, clauses 11, 12, 13, 14, 18

By Mr. POE of Texas:

H.R. 1449.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. ISSA:

H.R. 1450.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, clause 3, "to regulate Commerce with Foreign Nations, and among the several States, and with the Indian Tribes;"

Article 1, Section 8, clause 8, "to promote the Progress of Science and useful Arts, by

securing for limited Times to Authors and Inventors the exclusive Rights to their respective Writings and Discoveries.”

By Ms. SCHAKOWSKY:

H.R. 1451.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 7

By Mr. BLUMENAUER:

H.R. 1452.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution gives Congress the broad authority to provide for the “general Welfare of the United States.”

By Mr. JOHNSON of Georgia:

H.R. 1453.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 (Clauses 1 and 18), which grants Congress the power to provide for the common Defense and general Welfare of the United States; and to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers.

By Mr. LABRADOR:

H.R. 1454.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

“The Congress shall have the Power . . . To regulate commerce with foreign Nations, and among the several States, and with the Indian Tribes”

By Ms. BONAMICI:

H.R. 1455.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.

By Mr. ROYCE of California:

H.R. 1456.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 8, Clause 3 of the U.S. Constitution to regulate commerce.

By Mr. TIPTON:

H.R. 1457.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: “The Congress shall have power . . . To regulate commerce with foreign nations, and among the several states, and with the Indian tribes.

By Mr. BLUMENAUER:

H.R. 1458.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. EMMER:

H.R. 1459.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. YOUNG of Iowa:

H.R. 1460.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States

By Mr. ARRINGTON:

H.R. 1461.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. BIGGS:

H.R. 1462.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution.

By Mr. BURGESS:

H.R. 1463.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 4 of the Constitution of the United States: To Establish an uniform Rule of Naturalization.

By Mr. CARTWRIGHT:

H.R. 1464.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 (relating to the power of Congress to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.)

Article I; Section 8; Clause 18

The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. CASTRO of Texas:

H.R. 1465.

Congress has the power to enact this legislation pursuant to the following:

THE U.S. CONSTITUTION

ARTICLE I, SECTION 8: POWERS OF CONGRESS

CLAUSE 18

The Congress shall have power . . . To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

By Ms. CLARK of Massachusetts:

H.R. 1466.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Constitution of the United States

By Mr. COHEN:

H.R. 1467.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the U.S. Constitution

By Mr. CURBELO of Florida:

H.R. 1468.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4:

The Congress shall have Power * * * To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States.

By Mr. DAVIDSON:

H.R. 1469.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constituion in the Government of the United States, or in any Department or Officer thereof.

By Mr. GALLEGGO:

H.R. 1470.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. GROTHMAN:

H.R. 1471.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4

Article I, Section 8, Clause 18

By Mr. LANGEVIN:

H.R. 1472.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Ms. LEE:

H.R. 1473.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 1474.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 1475.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. MOOLENAAR:

H.R. 1476.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 which grants Congress the power to regulate Commerce with the Indian Tribes.

By Ms. MOORE:

H.R. 1477.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mrs. MURPHY of Florida:

H.R. 1478.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact the Gun Violence Research Act of 2017 pursuant to Article I, Section 8, Clause 18, the Necessary and Proper Clause. The Necessary and Proper Clause supports the expansion of congressional authority beyond the explicit authorities that are directly discernible from the text. Additionally, the Preamble to the Constitution provides support of the authority to enact legislation to promote the General Welfare.

By Ms. NORTON:

H.R. 1479.

Congress has the power to enact this legislation pursuant to the following:

clause 17 of section 8 of article I of the Constitution.

By Ms. PINGREE:

H.R. 1480.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

By Mr. REED:

H.R. 1481.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 and Amendment XVI of the United States Constitution

By Mr. SIMPSON:

H.R. 1482.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 1 (relating to the power of Congress to provide for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, section 3, clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mr. SIMPSON:

H.R. 1483.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 1 (relating to the power of Congress to provide for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, section 3, clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Ms. SINEMA:

H.R. 1484.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Ms. STEFANIK:

H.R. 1485.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the U.S. Constitution.

By Mr. THOMPSON of Mississippi:

H.R. 1486.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution

By Mrs. TORRES:

H.R. 1487.

Congress has the power to enact this legislation pursuant to the following:

According to Article 1: Section 8: Clause 18: of the United States Constitution, seen below, this bill falls within the Constitutional Authority of the United States Congress.

Article 1: Section 8: Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. VISCLOSKY:

H.R. 1488.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 Section 8 of Article I of the Constitution

By Mr. YOUNG of Alaska:

H.R. 1489.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2

"The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State."

By Mr. HUNTER:

H.R. 1490.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, clause 4 of the United States Constitution

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 24: Mr. GALLAGHER.

H.R. 60: Mr. LAHOOD, Ms. ESTY, Mrs. LOVE, Mr. JOHNSON of Georgia, Mr. MCGOVERN, Mr.

HUIZENGA, Ms. HANABUSA, Mrs. COMSTOCK, Mr. YOHO, Mr. QUIGLEY, Mrs. NAPOLITANO, Mr. CASTRO of Texas, Mr. GARAMENDI, and Mrs. MIMI WALTERS of California.

H.R. 289: Mr. O'HALLERAN.

H.R. 305: Mr. TED LIEU of California, Mr. GARAMENDI, and Mr. CUMMINGS.

H.R. 342: Mr. O'HALLERAN.

H.R. 355: Mr. GOODLATTE.

H.R. 369: Mr. BILIRAKIS and Ms. SINEMA.

H.R. 380: Mrs. COMSTOCK, Mr. MCCLINTOCK, and Mr. HILL.

H.R. 389: Mr. GARAMENDI and Mr. SENSENBRENNER.

H.R. 392: Mr. GUTIÉRREZ, Ms. ESTY, Ms. JUDY CHU of California, Mr. SMITH of New Jersey, Mr. DONOVAN, Ms. GRANGER, and Mr. SMUCKER.

H.R. 398: Mr. FITZPATRICK, Mr. BACON, Ms. LOFGREN, Ms. SHEA-PORTER, Mr. TED LIEU of California, Mr. DEUTCH, Mr. DENT, Mr. KING of New York, and Mr. SUOZZI.

H.R. 400: Mr. SMUCKER and Mr. LUCAS.

H.R. 422: Mr. GUTHRIE.

H.R. 427: Mr. KHANNA.

H.R. 457: Ms. SHEA-PORTER.

H.R. 489: Mr. DESAULNIER.

H.R. 502: Mr. SIRES, Ms. ROSEN, Ms. MCCOLLUM, and Ms. DEGETTE.

H.R. 539: Mr. JENKINS of West Virginia.

H.R. 548: Mr. SHUSTER.

H.R. 644: Mr. MCCLINTOCK, Mr. SAM JOHNSON of Texas, and Mr. WITTMAN.

H.R. 674: Mr. WALBERG.

H.R. 676: Ms. FUDGE.

H.R. 695: Mr. CARSON of Indiana.

H.R. 721: Ms. FUDGE, Mr. POSEY, and Ms. MCCOLLUM.

H.R. 747: Mrs. WALORSKI, Mr. BEN RAY LUJÁN of New Mexico, Mr. AGUILAR, and Mr. FRELINGHUYSEN.

H.R. 754: Mr. COHEN, Mr. DELANEY, Mr. GOSAR, and Mr. ROHRBACHER.

H.R. 757: Mr. JEFFRIES, Mr. KILMER, Mr. WALZ, Mr. PALLONE, and Mr. KENNEDY.

H.R. 771: Mr. DESAULNIER.

H.R. 785: Mr. GRIFFITH.

H.R. 804: Mr. O'ROURKE, Ms. KUSTER of New Hampshire and Mr. AGUILAR.

H.R. 807: Mrs. BEATTY, Ms. LOFGREN, Mr. BISHOP of Michigan, and Mr. DELANEY.

H.R. 813: Mr. DOGGETT and Mr. PAYNE.

H.R. 816: Mr. BEYER and Mr. TIPTON.

H.R. 820: Mr. LAMBORN, Mr. GRIFFITH, and Mr. VELA.

H.R. 828: Mr. RYAN of Ohio.

H.R. 846: Mr. AMODEI, Mr. THOMPSON of California, Mr. KIND, and Mr. KENNEDY.

H.R. 849: Mr. GRIFFITH.

H.R. 899: Mr. WILLIAMS.

H.R. 909: Mr. KRISHNAMOORTHY and Mr. SUOZZI.

H.R. 910: Ms. BLUNT ROCHESTER.

H.R. 914: Mr. JEFFRIES.

H.R. 918: Ms. GABBARD.

H.R. 919: Mr. GALLEGO.

H.R. 927: Ms. STEFANIK, Ms. SINEMA, Ms. JENKINS of Kansas, Ms. NORTON, and Ms. SHEA-PORTER.

H.R. 931: Mr. JONES, Mr. YOUNG of Iowa, Mr. KELLY of Pennsylvania, Ms. SPEIER, Ms. ROSEN, Mr. MCKINLEY, Mr. BROWN of Maryland, Mr. WITTMAN, and Mr. TURNER.

H.R. 1005: Mr. FASO, Mr. NEAL, Ms. MENG, Ms. PINGREE, Mr. WELCH, Mr. KILMER, and Mr. CARBAJAL.

H.R. 1006: Mr. AGUILAR.

H.R. 1022: Mr. CUMMINGS, Mr. TED LIEU of California, and Mr. BROWN of Maryland.

H.R. 1038: Mr. JODY B. HICE of Georgia.

H.R. 1045: Mr. EMMER, Mr. ROUZER, Mr. GRAVES of Georgia, and Mr. ARRINGTON.

H.R. 1046: Mr. KING of Iowa, Mr. LOEBSACK, Mr. SHIMKUS, and Mr. BUTTERFIELD.

H.R. 1049: Mr. HECK.

H.R. 1050: Mr. SEAN PATRICK MALONEY of New York and Mr. KIND.

H.R. 1057: Mr. STEWART, Mr. GROTHMAN, and Mr. WENSTRUP.

H.R. 1058: Mr. SOTO.

H.R. 1078: Mr. PETERS and Mr. JONES.

H.R. 1089: Mr. SOTO.

H.R. 1090: Mr. SHIMKUS, Mr. SMUCKER, and Mr. WELCH.

H.R. 1094: Mr. KENNEDY and Mr. DESAULNIER.

H.R. 1096: Mr. AMODEI.

H.R. 1098: Mr. THOMAS J. ROONEY of Florida.

H.R. 1103: Mr. KILMER and Mr. CLEAVER.

H.R. 1109: Mr. LONG and Mr. JOHNSON of Ohio.

H.R. 1130: Mr. HARPER.

H.R. 1136: Mr. WOMACK, Mr. AMODEI, Mr. SENSENBRENNER, and Mr. WESTERMAN.

H.R. 1148: Mr. LOUDERMILK.

H.R. 1154: Mr. RUSSELL, Mr. GENE GREEN of Texas, Mr. CRAWFORD, Mr. ZELDIN, Mr. DENHAM, and Mr. GRAVES of Missouri.

H.R. 1163: Mr. WALZ.

H.R. 1181: Mr. BILIRAKIS and Mr. SESSIONS.

H.R. 1185: Ms. KAPTUR, Mr. POCAN, and Ms. SLAUGHTER.

H.R. 1204: Ms. STEFANIK and Mr. MOOLENAAR.

H.R. 1215: Mr. SMITH of Texas.

H.R. 1241: Ms. ROYBAL-ALLARD.

H.R. 1243: Mr. MCGOVERN, Mr. WELCH, Ms. LOFGREN, Mr. BLUMENAUER, Mr. DONOVAN, Mr. DESAULNIER, Mr. SMITH of New Jersey, and Mr. BRENDAN F. BOYLE of Pennsylvania.

H.R. 1245: Mr. POLIS and Mr. VISCLOSKY.

H.R. 1259: Mr. DUNN, Mr. ROKITA, Mr. BYRNE, Mr. HARPER, Mr. RENACCI, Mr. SESSIONS, Mr. COLE, and Ms. SINEMA.

H.R. 1295: Mr. CARTWRIGHT, Mr. GARAMENDI, Mr. ELLISON, Mr. GRIJALVA, Mr. POCAN, Mr. TONKO, Ms. NORTON, Mr. JONES, Ms. BORDALLO, and Mr. COOPER.

H.R. 1299: Ms. VELÁZQUEZ and Mr. KIND.

H.R. 1310: Mr. GARAMENDI.

H.R. 1317: Mr. POE of Texas, Mr. RENACCI, and Mr. COLE.

H.R. 1320: Mr. LATTI.

H.R. 1322: Ms. ESHOO and Mr. JEFFRIES.

H.R. 1346: Mr. SIRES and Mr. CAPUANO.

H.R. 1358: Mr. YARMUTH, Ms. GABBARD, Mr. VEASEY, Mr. LYNCH, Mr. MICHAEL F. DOYLE of Pennsylvania, Ms. JAYAPAL, Mr. JOHNSON of Georgia, Mr. GUTIÉRREZ, Mr. VARGAS, Mr. THOMPSON of California, and Mr. HASTINGS.

H.R. 1361: Mr. LANGEVIN and Mr. MOULTON.

H.R. 1367: Miss GONZÁLEZ-COLÓN of Puerto Rico, Mr. DUNN, Mr. SESSIONS, and Ms. SINEMA.

H.R. 1368: Ms. MCCOLLUM.

H.R. 1374: Mr. CARTWRIGHT, Mr. SMITH of Washington, Mr. BLUMENAUER and Mr. KENNEDY.

H.R. 1375: Mr. RYAN of Ohio, Mrs. NAPOLITANO, and Mr. KEATING.

H.R. 1382: Mr. BABIN and Mr. DESJARLAIS.

H.R. 1384: Mr. STEWART and Mrs. RADEWAGEN.

H.R. 1387: Mr. LIPINSKI and Mr. RUSSELL.

H.R. 1393: Mr. GOODLATTE.

H.R. 1399: Mr. STEWART and Mr. GOSAR.

H.R. 1421: Mr. GRIJALVA.

H.R. 1422: Mr. HOLLINGSWORTH, Mr. MOONEY of West Virginia, and Mr. POSEY.

H.R. 1433: Ms. GABBARD and Ms. SHEA-PORTER.

H.R. 1435: Mr. GRIJALVA.

H.J. Res. 51: Mr. GRIFFITH.

H.J. Res. 59: Mr. CULBERSON.

H. Con. Res. 10: Mr. CRAMER and Mr. MESSER.

H. Con. Res. 28: Mr. CARTWRIGHT and Mr. CORREA.

H. Res. 28: Mr. KNIGHT.
H. Res. 69: Mr. SMITH of Texas and Mr. HURD.

H. Res. 92: Mr. HURD, Mr. VEASEY, Mr. LATTA, Mr. RENACCI, Mr. MOOLENAAR, Ms. MCSALLY, Mr. WEBER of Texas, Mr. FLEISCHMANN, Mr. COHEN, Mr. LOBIONDO, and Mr. JORDAN.

H. Res. 102: Mr. CICILLINE.

H. Res. 118: Mr. CLAY, Ms. LEE, and Ms. SHEA-PORTER.

H. Res. 129: Mr. TIBERI, Mr. WALZ, and Mr. BRADY of Pennsylvania.

H. Res. 133: Mr. SWALWELL of California, Mr. PERLMUTTER, Mr. RASKIN, Ms. SHEA-PORTER, Ms. GRANGER, Mr. ROUZER, Mr. POSEY, Mr. CONAWAY, Mr. CHABOT, Mr. ROE of Tennessee, Mr. WITTMAN, Mr. WILSON of South Carolina, Mr. BABIN, Mr. HULTGREN, Mr. CÁRDENAS, Mr. RYAN of Ohio, Ms. ROYBAL-ALLARD, Mr. SMITH of Washington, Mr. MEEHAN, Mr. JEFFRIES, Mr. TED LIEU of California, Mrs. BUSTOS, Ms. NORTON, Ms. SCHAKOWSKY, Mr. NEWHOUSE, Mr. DUNCAN of South Carolina, Mr. FLEISCHMANN, Mr. SAM JOHNSON of Texas, Mr. HENSARLING, Mr.

WEBER of Texas, Mr. MARCHANT, Mr. RATCLIFFE, Mr. CULBERSON, Mr. CARTER of Texas, Mr. SESSIONS, Mr. ARRINGTON, and Mr. DESAULNIER.

H. Res. 135: Mr. KATKO, Mr. WEBSTER of Florida, Mrs. RADEWAGEN, Mr. Taylor, and Mr. VALADAO.

H. Res. 136: Ms. JAYAPAL.

H. Res. 140: Mr. MOULTON.

H. Res. 142: Mr. POCAN and Mr. TED LIEU of California.

H. Res. 163: Mr. DENT, Ms. MCCOLLUM, Miss RICE of New York, Mr. POCAN, Mrs. WATSON COLEMAN, Mr. LANCE, Mr. COHEN, Ms. JACKSON LEE, and Mr. RASKIN.

H. Res. 178: Mrs. MURPHY of Florida, Mr. JEFFRIES, Mrs. NAPOLITANO, Ms. HANABUSA, Ms. BLUNT ROCHESTER, Mr. WELCH, Ms. WASSERMAN SCHULTZ, and Mr. LAWSON of Florida.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The amendment to be offered by Chairman GOODLATTE, or a designee, to H.R. 985, the Fairness in Class Action Litigation and Furthering Asbestos Claim Transparency Act, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

DELETION OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:

H.R. 610: Mr. OLSON.

H.R. 637: Mr. SANFORD.

EXTENSIONS OF REMARKS

THE BATTLE OF OKINAWA— TYPHOON OF STEEL

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2017

Mr. POE of Texas. Mr. Speaker, "America was not built on fear. America was built on courage, on imagination and an unbeatable determination to do the job at hand." These words were spoken by President Harry S. Truman after World War II. Our courageous sailors and soldiers defended freedom and liberty on two fronts. In the Pacific, they fought on the beaches, ultimately leading to the surrender of the Japanese. Saipan, Iwo Jima, and Okinawa were the names of some of the island hopping invasion sites. Those of the Greatest Generation proved that when the peace of our nation is threatened, our people will stand up and fight. Tom Morgan is just one of those patriots in the Greatest Generation who answered the call to fight for our great nation.

When World War II began, Tom was just 21 years old. He answered his country's call to duty and joined the U.S. Marines. He fought in all three Pacific battles: Guadalcanal, Saipan, and Okinawa. He contracted malaria on his first tour in 1942 at Guadalcanal. That didn't stop him. In the summer of 1944, he fought in the Battle of Saipan. On July 8, 1944, the stars and stripes were raised in victory over Saipan, and Tom survived his second major battle. Less than a year later, Tom was sent to fight in the Battle of Okinawa, or the Typhoon of Steel as it was called because of intense shelling and gunfire. On that Easter morning, 1945, Tom and his fellow Marines were on board a transport ship eating breakfast in the mess hall when an enemy kamikaze plane hit their ship. Water began filling up in the mess hall, and Tom thought he was going to meet his maker. However, the man above had different plans for Tom. The hatch flew open, and Tom was able to escape. Tom and his fellow Marines sailed on to Okinawa where they stormed the beaches in the final island battle of the Pacific. The bloodiest battle yet was the largest amphibious invasion of World War II: over 60,000 soldiers invaded the island. Tom was one of them in the battle that thundered on for 82 days.

Japanese General Ushijima Mitsuru and his soldiers had created a series of defense lines across the island which provided them with a strong resistance against our soldiers. The Japanese Army staked most of their defenses at Shuri Castle. The Tenth Army battled for nearly two months, inch by inch, hill by hill, to take Shuri Castle.

The Marines seized the Capitol, Naha, and then the Japanese retreated to the southern tip of the island where many surrendered or committed suicide. The generals on both sides

died in the course of battle: General Simon Buckner by a sniper and General Ushijima Mitsuru by suicide. On June 22, 1945, the United States flag was raised in victory over Okinawa. Our soldiers would not have experienced land victory, if not for our sailor's water victory over Japanese kamikaze aircraft.

One of my favorite battleships, the USS *Texas*, participated in the invasion of Okinawa. She provided initial support, gunfire support, and fended off aerial assaults for nearly two months. Suicide plane attacks by the Japanese army and navy were relentless against our navy fleet. The gunfire at Okinawa was the most extensive in history, 26 ships were sunk and 164 damaged. The Mighty T survived; she was an integral part of the Okinawa victory.

Some today forget the feats of these warriors of World War II. Some never came home. American casualties were the highest experienced in any campaign against the Japanese. More than 49,000 American casualties occurred, including 12,000 deaths. They were great Americans and we should always remember them.

My friend Tom's story is not over; he survived his third battle at Okinawa. He remained in the Marines until 1946 and continued his service in the Reserves. He even served three months in the Korean War. At 96 years young, Tom is the oldest active lawman in the State of Texas.

President Ronald Reagan best summed up soldiers like Tom when he said, "Some people spend an entire lifetime wondering if they made a difference. The Marines don't have that problem."

And that's just the way it is.

DUNK CITY

HON. FRANCIS ROONEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2017

Mr. FRANCIS ROONEY of Florida. Mr. Speaker, I rise today in honor of Florida Gulf Coast University with their return into March Madness for a second year in a row. The Eagles scored a big win against the No. 3 seed North Florida on Sunday. This is the third NCAA Tournament appearance for the Eagles since 2013.

I applaud the Florida Gulf Coast Eagles and Head Coach Dooley for their victory. There is a reason why FCGU is known as Dunk City—now go shut down more shot clocks.

PERSONAL EXPLANATION

HON. JIM JORDAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2017

Mr. JORDAN. Mr. Speaker, I was attending a family funeral in Ohio on March 2, and was absent from the House floor during that day's five roll call votes on H.R. 1004.

Had I been present, I would have voted against both Jackson Lee amendments, in favor of the Farenthold amendment, against the motion to recommit, and in favor of final passage.

IN RECOGNITION OF PATROLMAN MILAN BARBER, INDUCTEE TO THE NATIONAL LAW ENFORCE- MENT OFFICERS MEMORIAL

HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2017

Mr. CARTWRIGHT. Mr. Speaker, I rise today to honor Patrolman Milan Barber of the Minersville, Pennsylvania Police Department. Patrolman Barber will be formally inducted to the National Law Enforcement Officers Memorial in Washington, D.C. on May 13 at the 29th Annual Candlelight Vigil during National Police Week.

A veteran of World War II, Milan served in the Navy before becoming a law enforcement officer. Patrolman Barber served the borough of Minersville in Schuylkill County, Pennsylvania. His watched ended on Friday, June 19, 1970 after he suffered a fatal heart attack while on duty. Patrolman Barber and another officer attempted to apprehend an individual suspected of committing theft of a vehicle. The two officers struggled to contain the suspect as he resisted arrest. During the altercation, Patrolman Barber collapsed abruptly. The subject fled the scene while the other officer tended to Patrolman Barber. The suspect was eventually taken into custody and charged with manslaughter, larceny, and resisting arrest. Patrolman Barber was survived by his wife and four children.

The loss of Patrolman Milan Barber was a great tragedy for the people of Minersville. His sacrifice and the sacrifice of all fallen police officers will not be forgotten. Our nation owes a great debt of gratitude to brave individuals like Patrolman Barber for protecting our communities. May he be remembered by all whose lives he touched and made better as he rests in peace.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

HONORING VAIL TOWN MANAGER
STAN ZEMLER

HON. JARED POLIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2017

Mr. POLIS. Mr. Speaker, it is with great honor that I rise before this body of Congress and this nation today to recognize Mr. Stan Zemler of Vail, Colorado who is leaving local government after having served the public for over thirty years in the State of Colorado.

Mr. Zemler has served the Town of Vail as Town Manager for the past thirteen years, the City of Boulder as Acting and Deputy City Manager, the Boulder Urban Renewal Authority as Executive Director, as well as the Boulder Chamber of Commerce as CEO, with a career that has produced positive impacts for both residents and visitors of Colorado.

Zemler's leadership is about community partnering and consensus building, an approach that has helped foster public and private relationships in an effort to achieve the best outcomes for the communities he served, including such partnering for the Billion Dollar Economic Renewal effort in Vail, the completion of numerous public safety infrastructure improvements, and the launch of numerous environmental and forest health initiatives.

During his tenure serving local governments, Zemler has worked with various agencies, including both the federal and state government branches, and closely with the U.S. Forest Service and the Colorado Department of Transportation. The collaborative work has enhanced Vail's local community, international guest services and amenities and strengthened its economic position as a sustainable international resort. The outcomes have included federal legislation and cost sharing with the USFS in protecting forest lands surrounding the Vail Valley as well as the implementation of the Interstate 70 Vail Underpass Project, federal-state-municipal-cost-shared project, which benefits many guests and residents of Vail.

Zemler's longstanding commitment to the State of Colorado is represented by his efforts to showcase and protect its natural and beautiful environment and balance that with an economy that supports tourism and recreation in the Rocky Mountains. His support of the Congressional legislation that expanded recreational uses on forest service lands has allowed for the debut of Epic Discovery on Vail Mountain, an offering of enhanced recreational opportunities. And the Vail community's support of an initiative that was developed because of Vail's surrounding public lands was used as the inspiration for declaration of Colorado Public Lands Day to be celebrated on the third Saturday in May. This acknowledged day recognizes the significant contributions that national, state and local public lands within Colorado make to wildlife, recreation, the economy, and to Coloradans' quality of life.

Zemler has also been very active and influential in his roles serving both the 1-70 Coalition and Colorado Association of Ski Towns, leading these two prominent Colorado organizations that are often heard on topics related to improvements for the I-70 highway corridor

and the future positioning of ski resorts located in municipalities, having served as both Boards' Presidents.

Zemler has been successful in working with his elected officials and community to strategically achieve results that speak to their vision of 1) growing a balanced community; 2) enhancing the town's economy; and 3) elevating the resort experience; all of which have a direct impact on the people who live, work and play in the area, and has resulted in Vail's success in becoming North America's Premier International Mountain Resort Community.

Mr. Speaker, it is with great pride that I rise to pay tribute to Mr. Stan Zemler on behalf of the residents of the 2nd Congressional District and myself. His distinguished service and contributions to the Town of Vail and municipal governments in the State of Colorado will remain his legacy for many years to come.

**INTRODUCTION OF THE DISTRICT
OF COLUMBIA PAPERWORK REDUCTION ACT**

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2017

Ms. NORTON. Mr. Speaker, today, I introduce the District of Columbia Paperwork Reduction Act, to eliminate the wasteful congressional review process for legislation passed by the District of Columbia Council and to align longtime congressional practice and the law. The congressional review process for D.C. bills is almost entirely ignored by Congress, providing it no benefit, but imposes substantial costs, in time and money, on the District. Congress has almost always used the appropriations process rather than the disapproval process to block or nullify D.C.'s legislation, and entirely abandoned the congressional review process as its mechanism for nullifying D.C. legislation 24 years ago, having only used it three times before then. Yet Congress still requires the D.C. Council to use Kafkaesque make-work procedures to comply with the abandoned congressional review process established by the Home Rule Act of 1973.

Our bill would eliminate the congressional review process for legislation passed by the D.C. Council. However, Congress would lose no authority it currently exercises because, even upon enactment of this bill, Congress would retain its authority under clause 17 of section 8 of article I of the U.S. Constitution to amend or overturn any D.C. legislation at any time.

The congressional review process, 30 days for civil bills and 60 days for criminal bills, includes those days when either house of Congress is in session, delaying D.C. bills from becoming law often for many months. The delay forces the D.C. Council to pass most bills several times, using a cumbersome and complicated process to ensure that the operations of this large and rapidly changing city continue uninterrupted, avoiding a lapse of the bill before it becomes final. The congressional calendar means that a 30-day period usually lasts a couple of months and often much longer because of congressional recesses.

The congressional review period for a bill that changed the word handicap to disability lasted nine months. The Council estimates that 50 to 65 percent of the bills it passes could be eliminated if the review period did not exist. To ensure that a bill becomes law, the Council often must pass the same legislation in three forms: emergency (in effect for 90 days), temporary (in effect for 225 days) and permanent. Moreover, the Council has to carefully track the days the House and Senate are in session for each D.C. bill it passes to avoid gaps and to determine when the bills have taken effect. The Council estimates that it could save 5,000 employee-hours and 160,000 sheets of paper per two-year Council period if the review period were eliminated. House Majority Leader KEVIN MCCARTHY addressed the issue of saving such resources by eliminating the amount of paperwork sent to Congress when he proposed a cut in the number of reports that federal agencies are required to submit to Congress. Our bill is a perfect candidate because it eliminates a paperwork process that repeats itself without interruption.

My bill would do no more than align the Home Rule Act with congressional practice over the last 24 years. Of the more than 5,000 legislative acts transmitted to Congress since the Home Rule Act, only three resolutions disapproving D.C. legislation have been enacted (in 1979, 1981, and 1991) and two of those mistakenly involved federal interests, one in the Height Act and the other in the location of chanceries. Placing a congressional hold on 5,000 D.C. bills has not only proven unnecessary, but has imposed costs on the D.C. government, residents and businesses. District residents and businesses are also placed on hold because they have no certainty when D.C. bills, from taxes to regulations, will take effect, making it difficult to plan. Instead of using the congressional review process to nullify D.C. legislation, Congress has preferred to use riders to appropriations bills. Therefore, it is particularly unfair to require the D.C. Council to engage in this labor-intensive and costly process. My bill would only eliminate the automatic hold placed on D.C. legislation and the need for the D.C. Council to comply with a process initially created for the convenience of Congress, but that is now rarely used. This bill would promote efficiency and cost savings for Congress, the District, its residents, and businesses without reducing congressional oversight, and would carry out a policy stressed by Congress of eliminating needless paperwork and make-work redundancy.

I urge my colleagues to support this good-government measure.

PERSONAL EXPLANATION

HON. LYNN JENKINS

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2017

Ms. JENKINS of Kansas. Mr. Speaker, I was absent for roll call votes 129 through 132 on the evening of March 8, 2017. I would have voted in favor of both votes which would provide for consideration of H.R. 725, the Innocent Party Protection Act. I would have also

voted in favor of H. Res. 174 on ordering the previous question and providing for consideration of H.R. 1301, the Department of Defense Appropriations Act of 2017. Lastly, I would have voted against the motion to adjourn.

Had I been present, I would have voted: YEA on Roll Call No. 129, YEA on Roll Call No. 130, YEA on Roll Call No. 131, and NAY on Roll Call No. 132.

RECOGNIZING MRS. NAOMI
COLWELL

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2017

Mr. COFFMAN. Mr. Speaker, I am proud to rise today to recognize the long career and dedicated public service of Mrs. Naomi Colwell, recently selected as the new President and CEO of the Greater Brighton Chamber of Commerce, in Brighton, Colorado.

Naomi is an accomplished executive-level business development professional with over 18 years of chamber of commerce and visitor bureau experience. She has been serving with the Aurora Chamber of Commerce where she successfully ran the Visitors Promotion Advisory Board, and has been responsible for starting 'Our Young Professionals', and 'Women in Business' programs. Her extensive knowledge and background brings essential leadership and guidance to take the Greater Brighton Chamber of Commerce to the next level and to provide the services and programs that will work to assist all of its members.

It is my honor to congratulate Naomi Colwell today, and I take pride in recognizing a great American and public servant.

TRIBUTE TO MR. MARK S. DAVIS

HON. TODD ROKITA

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2017

Mr. ROKITA. Mr. Speaker, I rise today to honor a prominent Hoosier leader and my dear friend, Mr. Mark S. Davis, who passed away on March 4, 2017 surrounded by his loving family.

Mark was born in Kansas City, Missouri before moving to West Lafayette as a child. He graduated from West Lafayette High School and earned his law degree from the Indiana University Robert H. McKinney School of Law. He began his career working in economic development in Indianapolis, Greater Lafayette, and Flint, Michigan before opening law practice in Lafayette.

Mark cared deeply for our community and it showed in what he was able to help the community thrive. He was one of many of a dedicated team to convince Subaru of Indiana Automotive to locate in Tippecanoe County nearly 30 years ago. This effort led to the creation of thousands of jobs and an incredible impact to our economy. Mark was a vocal proponent of the Hoosier Heartland Corridor, the

36-mile highway upgrade which has improved access and safety while bolstering economic development in several Central Indiana counties.

Mark was a man of high character and integrity. He had a servant's heart for his fellow Hoosiers and frequently worked pro bono legal cases for the less fortunate. I never met someone who had anything but positive comments about Mark. He was active in the Rotary Club of Lafayette Indiana and in the Tippecanoe Republican Party, where he served as Party Secretary. Just last summer Mark arranged for me to speak with the Rotary Club where he graciously introduced me before my remarks.

Mark leaves Mary Kay, his beloved wife, four daughters, and eight grandchildren to carry on his legacy of service to fellow Hoosiers. Anyone who knew him well knows what a great loss his passing is for our community and the State of Indiana. May Mark rest in peace. He will not be forgotten.

PERSONAL EXPLANATION

HON. RO KHANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2017

Mr. KHANNA. Mr. Speaker, due to a scheduling miscommunication, I missed Roll Call vote 136 in the House yesterday afternoon of Wednesday, March 8th. Had I been present, I would have voted "no" on roll call No. 136, H.R. 1301, the Department of Defense Appropriations Act for Fiscal Year 2017.

PERSONAL EXPLANATION

HON. LYNN JENKINS

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2017

Ms. JENKINS of Kansas. Mr. Speaker, I was absent for roll call votes 133 through 137 on the evening of March 8, 2017. I would have voted in favor of H. Res. 174 which would provide for consideration of H.R. 1310, the Department of Defense Appropriations Act of 2017. I would have voted against roll call votes 134 and 135 to adjourn. I would have voted in favor of H.R. 1310. Lastly, I would have voted in favor of roll call vote 137 to adjourn.

Had I been present, I would have voted YEA on Roll Call No. 133, NAY on Roll Call No. 134, NAY on Roll Call No. 135, YEA on Roll Call No. 136, and YEA on Roll Call No. 137.

PERSONAL EXPLANATION

HON. C.A. DUTCH RUPPERSBERGER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2017

Mr. RUPPERSBERGER. Mr. Speaker, due to my attendance at an event off the Capitol

Hill campus, I was unable to make Roll Call vote No. 135. Had I been present, I would have voted Aye.

RECOGNIZING THE LIBRARIAN OF
CONGRESS CARLA HAYDEN

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2017

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, today I want to recognize the historic appointment of Ms. Carla Hayden to the post of Librarian of Congress. This is so significant because although more than eighty percent of librarians nationwide are females, the position of Librarian of Congress has been held exclusively by men, until Carla Hayden was appointed by Barack Obama in 2016.

Carla Hayden was enamored by books and reading from an early age, and began her career as a librarian in Chicago at the Museum of Science and Industry and the Chicago Public Library. It was during her time in Chicago that she met Barack and Michelle Obama.

After her impressive time in Chicago, Ms. Hayden left the windy city to take the position of Director at the Enoch Pratt Free Library, the public library system in Baltimore, Maryland. It was here that Ms. Hayden showed her true leadership as she improved and maintained an enormous public library operation. After the death of Freddie Gray, Ms. Hayden made the difficult decision to keep the Baltimore public libraries open in order to encourage people to use safe spaces and avoid violence. It is strong leadership like this that made her an excellent choice to become Librarian of Congress.

Mr. Speaker, yesterday, we celebrated International Women's Day, and I cannot think of a better way to acknowledge this day than by recognizing Carla Hayden, a pioneering woman of color whose very job will allow stories like hers to be told forever.

IN MEMORIAM OF LAURA HOGAN

HON. KYRSTEN SINEMA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2017

Ms. SINEMA. Mr. Speaker, I rise today to recognize a native Arizonan, a tireless community organizer and a valued member of the Southern Arizona political community. Laura Hogan passed away on February 24 in Tucson, Arizona. Laura was born in the small border town of Douglas, Arizona and she loved rural Arizona. She attended Michigan State University but returned to Arizona after graduation to work with former Superintendent of Public Instruction Carolyn Warner on educational policy and consulting.

Laura's passion was the working families of Arizona. She served as Field Director for the Pima Area Labor Federation, helping to organize and mobilize the labor community in Tucson to support candidates at the local, county, state and federal levels. She took that experience to Arizona List in 2007 where she served

as the Political Director since. She simply loved to train and support women in their run for elected office. She has mentored countless young women and helped them plan and achieve their dreams of public service.

Laura was also active in the local Democratic Party, serving as the Chair of Legislative District 30 and a Vice-Chair of the Arizona Democratic Party. She was inducted into the Arizona Democratic Party Hall of Fame in 2016.

I considered Laura a friend and a colleague in the Arizona political community. She was widely respected and admired for her hard work and dedication to her values. She will be greatly missed. I join the Arizona labor community, Democratic Party and Arizona List family in remembering Laura and working to ensure her legacy lives on through our work.

INTRODUCTION OF SEAT EGRESS IN AIR TRAVEL (SEAT) ACT

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2017

Mr. COHEN. Mr. Speaker, today I introduced, along with my colleague Rep. ADAM KINZINGER, the Seat Egress in Air Travel (SEAT) Act, which would direct the Federal Aviation Administration (FAA) to establish minimum seat size standards necessary to ensure the safety and health of airplane passengers. The bill would also require each airline to display the space available (size, width, and distance between rows) for each passenger on the airline website. The bill was introduced in the Senate today by Senator RICHARD BLUMENTHAL, Minority Leader CHUCK SCHUMER and Senators ED MARKEY and BOB MENENDEZ.

Consumers are tired of being squeezed. The average seat distance between rows of seats has dropped from 35 inches before airline deregulation in the 1970s to about 31 inches today. The average width of an airline seat has also shrunk from 18 inches to about 16½.

This isn't just a matter of comfort. It is about safety and health. The FAA requires that planes be capable of rapid evacuation in case of emergency. Furthermore, doctors warn of deep vein thrombosis which can afflict passengers who don't move their legs enough on longer flights.

Moreover, average seat sizes have been shrinking while the average size of Americans has been growing. According to the Centers for Disease Control and Prevention, the average man in 1960 weighed 166 pounds, and the average woman weighed 140 pounds. Now the average man is 196 pounds and the average woman is 166 pounds, and both are about an inch taller.

This just doesn't make any sense.

I hope that Congress will quickly act on this bill to direct the FAA to establish minimum seat size standards to protect the safety and health of airline passengers.

INTRODUCTION OF NO TRUMP ACT

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2017

Mr. BLUMENAUER. Mr. Speaker, the presidency should not be a get-rich-quick scheme. No president or presidential family should be able to exploit the Oval Office to get rich or become even wealthier.

The emoluments clause of the Constitution expressly forbids the President from accepting payments from foreign governments which, in my opinion, happens whenever an agent of a foreign government stays in any president's hotel. While this constitutional protection may have been enough in the past, we are now in uncharted waters. Hardly a week goes by without reports of taxpayer-funded trips by the President or his family to one of his family-owned properties throughout the world. These excesses have surpassed anything that this nation has seen before, and this unprecedented abuse of taxpayer dollars demands an additional ethical check on the office of the presidency.

That's why I'm introducing the No TRUMP Act, the No Taxpayer Revenue Used to Monetize the Presidency Act. This legislation would prohibit the use of taxpayer funds to pay for food, lodging, or other expenses at hotels owned or operated by a president or his or her relatives, ensuring that there is no personal financial incentive for the current or any future president and family to stay or hold official meetings or events at certain properties across the United States or abroad. In the interest of safety, the bill would allow the Secret Service to continue guarding First Family residences—Trump Tower in New York and Mar-a-Lago in Palm Beach, FL.

With so many unresolved concerns about White House business conflicts, this is a responsible step to make sure that the public doesn't subsidize the President's private interests.

APPRECIATING PERRY KIMBALL

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2017

Mr. WILSON of South Carolina. Mr. Speaker, on March 1, 2017, Lexington County, South Carolina lost a favorite son with the death of Perry Kimball. He was one of the community's most dynamic civic leaders.

I was grateful to serve as a pallbearer at Pilgrim Lutheran Church on March 4th with Solicitor Donnie Myers, Paul Scott, H.D. Carter, Councilman Jerry Howard, Danny Kimball, Wayne Kimball, Jim Walsh, Walter Hudson, and Scott Adams. Honorary Pallbearers were John Bozard, William "Bill" Jordan, David Scott Kimball, Pete Oswald, James Shealy, Charles Sinclair, and Jerry Wilkie.

The Officials were Presiding Pastor Glenn Boland, Organist Sandra Lindler, and Lector Peter Reinhart.

The following thoughtful obituary was included in the service program.

James Perry Kimball, 78, of Lexington, entered the Church Triumphant on Ash Wednesday, March 1, 2017. Born in Norfolk, Virginia, on May 29, 1938, he was the son and only child of the late James Rackley Kimball and Dorothy Perry Kimball. Last year he celebrated his 50th Wedding Anniversary with the love of his life, Sheri Rene Snyder Kimball. A lifelong Gamecock fan, Perry was a Gamecock Club Lifetime Donor with a particular passion for USC football, baseball, and men's and women's basketball. Whether he was in the stands or in his lounge chair, he was a loyal Gamecock fan through and through from the 1950s to the present.

After a move to Lake Murray in the early 1970s, he embraced life as a Lexingtonian, dedicated to serving the community with his unmistakable charm and humor. Perry was a member of Pilgrim Lutheran Church, where he was an usher, taught Sunday School and Bible Study, and faithfully served on many committees. He is a Paul Harris Fellow with the Rotary Club of Lexington where he served as past president and had perfect attendance for over 40 consecutive years. Perry remained active in the community by serving on the boards of the Lexington Gamecock Club, the Lexington Chamber of Commerce, the Lexington County Republican Party, and the Country Club of Lexington. He shared his talents on the stage, as well as set design, with the Lexington County Arts Association.

Perry's fondest memories of his childhood were playing on Burney Drive in the Shandon area of Columbia. He was a graduate of Dreher High School, Class of 1956, where he played varsity basketball and was a member of the 1956 Dreher Championship Team. After high school, he attended the University of South Carolina and joined the Sigma Alpha Epsilon Fraternity. Following USC, he served his country in the Army and thereafter, as a first lieutenant in the South Carolina National Guard for ten years.

Mr. Kimball worked in his father's business at Home Heating and Air Conditioning in Columbia and then ventured out on his own to establish Kimball's Commercial Mechanical Contracting in Lexington. As a self-employed businessman he embodied an incredible work ethic which could be seen by many. He worked above and beyond what was expected of him as he served people in his chosen field.

He retired in 2002 intent on having endless tee times and spoiling their five grandchildren. He always had a friendly smile and happy lifestyle even though he had health challenges. The Kimball family is grateful for three physicians, Dr. Horace (Butch) Bledsoe, Dr. C.W. Hendricks, and Dr. Scott Petit, whose medical expertise granted him additional time to impart his faith and humor and to be a great example to others with physical challenges.

He is survived by his wife, Sheri Snyder Kimball, three daughters, Teri Lee Kimball Callen of Columbia, Heather Kimball Ramsey (Jason) of Davidson, NC, Lexanne Kimball Graves (Scott) of Blythewood, and five grandchildren, Jacob Kimball Ramsey, Ava Perry Callen, Jordan Kennedy Ramsey, Anna Leigh Graves, and Wesley Scott Graves, Jr.; and an aunt, uncle, and many cousins and nieces. He was predeceased by a grandchild, Doren Rackley Ramsey.

IN RECOGNITION OF REBEKAH
FRIEND**HON. KYRSTEN SINEMA**

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2017

Ms. SINEMA. Mr. Speaker, I rise today to recognize a community leader, a fighter for working families, and a tireless advocate for women. Rebekah Friend served as the Executive Director and Secretary/Treasurer of the Arizona AFL-CIO since 2002, representing 180,000 union members through over 200 local union affiliates in Arizona. She is retiring this year and I want to personally thank her for her work and dedication to Arizona's labor community.

She was the first woman to be elected president of the Arizona AFL-CIO in 2002 and the state federation's first female Secretary/Treasurer in 2005.

I consider Rebekah a friend and a trusted advisor on any and all issues affecting Arizona workers. Since being elected to the State Legislature in 2004 I have counted on Rebekah to always tell me how policies will impact her members without pulling punches. Her integrity and honesty are just some of the reasons she has been a respected labor leader for so many years.

For over 37 years, Rebekah has been a member of the International Brotherhood of Electrical Workers (IBEW) and a committed advocate for working families. Throughout her career, she has played an integral role in developing legislation to improve the lives of working people in Arizona. She served as the first President of the Coalition for Labor Union Women in Maricopa County, lobbying state legislators on pay equity bills affecting female workers. Rebekah successfully chaired the Minimum Wage Coalition, which brought Proposition 202 to the ballot in 2006 and raised the minimum wage along with a cost-of-living adjustment every year.

Rebekah has received numerous awards of distinction for her public service. In 2004, Rebekah was awarded the YWCA's Woman of the Year, their highest award for a civic leader. In 2016, Rebekah was awarded the Pima Area Labor Federation (PALE) Community Partnership Award. She has also received the Arizona Capitol Times Leader of the Year in Public Policy Award (2007). Recently Rebekah received the AFL-CIO 2017 MLK Unsung Hero Award for the work done on the BASTA Arpaio campaign.

Rebekah has also served on numerous boards and commissions, including the Governor's Council on Workforce Policy, the Arizona Skill Standards Commission and the Governor's Prisoner Re-Entry Task Force. Rebekah is also a co-founder and board member of Emerge Arizona, which helps to identify and train Democratic women to run for elected office. Rebekah has also volunteered her time to assist local food banks and has done extensive mentoring with young women.

I congratulate Rebekah on an incredible career in the service of working families and communities across Arizona. I wish her a well-deserved retirement filled with friends, family and relaxation.

INTRODUCTION OF THE RAISE IT
ACT**HON. EARL BLUMENAUER**

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2017

Mr. BLUMENAUER. Mr. Speaker, America is literally falling apart and falling behind. Every day, we see new stories of deficient bridges, ballooning maintenance backlogs for aging transit systems, urban areas choking on congestion, or rising roadway fatalities. Earlier today, the American Society of Civil Engineers gave America's infrastructure an overall grade of D+, unchanged from 2013. Roads received a D, while transit came in at a D-.

There is universal agreement that we must address these growing infrastructure challenges. The only question is how to pay for it. That's why I'm introducing the Raise And Index to Sustainably and Efficiently Invest In Transportation (RAISE IT) Act.

The federal gas tax, unchanged since 1993, has lost more than 40 percent of its purchasing power due to inflation and rising fuel efficiency. Stuck at 18.4 cents a gallon for 24 years, the gas tax has led to more than a decade of uncertainty in the federal transportation program, a perennially insolvent Highway Trust Fund, and more than \$140 billion borrowed from the general Treasury fund to maintain current, inadequate surface transportation funding levels. The Highway Trust Fund will run a \$15 billion deficit this year and will be bankrupt by 2021.

Raising the gas tax, supported by a broad coalition of stakeholders from the AFL-CIO to the U.S. Chamber of Commerce, AAA, truckers, and transit, would fix the Highway Trust Fund and provide certainty to commuters, businesses, and local governments that count on a strong, continuing federal partnership. The RAISE IT Act would index the federal gas and diesel taxes to inflation and phase in a 15 cent a gallon increase over three years, generating \$210 billion over the next ten years.

Congress should follow the lead of the eight Republican-led states that raised gas taxes in the last two years. Countless editorial boards, transportation and economic policy experts, and blue ribbon panels like Simpson-Bowles Commission, all call for an increase in the federal gas tax. In the words of President Reagan, who more than doubled the gas tax in 1983, "the cost to average motorist will be small, but the benefit to our transportation system will be immense."

ADVANCED CONCEPTS AND SIMULATION PROGRAM IN THE DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2017

HON. DARREN SOTO

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2017

Mr. SOTO. Mr. Speaker, I want to make a statement regarding the passage of H.R. 1301, the Department of Defense Appropriations Act, 2017. In the 114th Congress, an

amendment was offered and accepted by voice vote to H.R. 5293, the Department of Defense Appropriations Act, 2017, that moved \$5 million from the Operation and Maintenance, Defense-Wide account to the Research, Development, Test and Evaluation, Army account's Advanced Concepts and Simulation program. H.R. 1301, maintained a \$3 million increase to the Research, Development, Test and Evaluation, Army account's Advanced Concepts and Simulation program.

These funds allow universities to focus on advancing component technologies required for real time modeling and simulation training. A promising use of this program is the development of a more effective protocol for treating combat-related post-traumatic stress disorder for active duty, retired, and discharged personnel and their families. The use of modeling and simulation technology has enabled new innovative and immersive therapies to be developed, which can extend trauma management therapy protocol.

I support the use of modeling and simulation and thank my colleagues for their shared support.

TRIBUTE TO NEW YORK STATE
ASSEMBLYMAN MICHAEL DEN
DEKKER**HON. JOSEPH CROWLEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2017

Mr. CROWLEY. Mr. Speaker, I rise today to give tribute to a colleague and dear friend, New York State Assemblyman Michael Den Dekker. I have long admired his devotion to improving the lives of others. I know I am not alone in this admiration. Everyone who has worked with Mike has boundless respect for him, and truly enjoys knowing him. He is cheerful, he is kind, and he is a friend to all he meets.

Mike and I go back decades. On September 12, 2001, I went down to Ground Zero for the first time. The past twenty four hours had been some of the most harrowing of my life. As I stepped out of the car, the first thing I laid my eyes on was Mike Den Dekker. He was there, broom in hand, cleaning up. No other story more clearly shows what kind of man Mike is. He does not shy away from hard work, he does not waver in his devotion to others. I have nothing but the deepest respect for my longtime friend and colleague.

Of course, Mike is no stranger to tough work. He worked his way up in the sanitation department, eventually becoming supervisor, and going on to serve the city as a public information officer at the Office of Emergency Management and a facilities manager for the New York City Council, until he ran for State Assembly in 2008. Since then, he has fought tirelessly to improve the lives of New Yorkers and to create a state where everyone has the chance to work hard and succeed.

His work is being recognized on March 13, 2017, as he receives the Charles Stewart Parnell award from the American Irish Legislators. Mr. Speaker, I wish to congratulate him and declare my joy in his receiving of this award.

The award is given each year to an Irish legislator in commemoration of Charles Stewart Parnell, the uncrowned king of Ireland, a brave soul who fought for the people. Mike is unwavering in his devotion to others, and has spent his whole life making his community safer, cleaner, healthier, and happier. It is only natural he should receive such an award to commemorate a lifetime of work. As we Irish say, luck may rise with you, Maith thú, and Go n-eirí an t-ádh leat, Michael.

RECOGNIZING JOHN CREIGHTON ON HIS RETIREMENT

HON. ERIC SWALWELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2017

Mr. SWALWELL of California. Mr. Speaker, I rise to recognize John Creighton on the occasion of his retirement after 33 years of dedicated public service as a Deputy District Attorney for Alameda County.

John's life of service began in 1971, when he enlisted in the U.S. Army. He served in the Intelligence Corps, operating out of the U.S. Army headquarters in Vietnam providing counterintelligence work. In 1973, he worked in Psychological Operations at JFK Special Forces Center at Ft. Bragg, North Carolina, eventually being honorably discharged with the rank of Sergeant in 1974.

In 1979, he enrolled at the University of California at Berkeley, and graduated with a Bachelor of Arts in Political Science. John would go on to receive his Juris Doctorate from the University of San Francisco School of Law in 1984. During his time in college, John worked as a union laborer, truck driver, auto mechanic and paralegal.

In 1984, John was hired by the Alameda County District Attorney's (DA) Office in Oakland. John's distinguished career spanned over three decades, and he prosecuted hundreds of cases, including murder, domestic violence, sexual assault and major narcotics trafficking.

In the DA's office, John was tasked as a Gang Violence Prosecutor, handling complex gang-related felonies at all stages of prosecution, as well as serving as a DA representative to the nationally recognized Gang Intervention Program. John received the Neighborhood Champion Award in 2014 for his work.

John not only served his community in the courtroom, but also devotes his time as a soccer referee with the Jack London Youth Soccer League. Additionally, John previously served as a member on the Board of Directors for both Planned Parenthood Golden Gate and Golden Gate Community Health.

John has fostered lasting, productive partnerships in the East Bay and laid the foundation for others to succeed. His legacy is one of selfless service and tireless justice and compassion, leaving our community and nation safer for all of us. I wish to congratulate John on a long and distinguished career, and I wish him health and happiness in retirement.

PERSONAL EXPLANATION

HON. EMANUEL CLEAVER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2017

Mr. CLEAVER. Mr. Speaker, I regrettably missed votes on Wednesday, March 8, 2017. I had intended to vote No on Roll Call vote 129, No on vote 130, No on vote 131, Yes on vote 132, No on vote 133, Yes on vote 134, Yes on vote 135, Yes on vote 136, Yes on vote 137.

RECOGNIZING LYNN BROWN

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2017

Mr. SHIMKUS. Mr. Speaker, I rise to acknowledge Veteran Services Officer Lynn P. Brown for being selected as Employee of the Quarter for the entire State of Illinois Department of Veterans' Affairs Agency. VSO Brown has been with the agency for nearly 26 years.

VSO Lynn Brown grew up in a family of eight boys in Effingham, Illinois. He graduated from Effingham High School in 1962 and joined the Army in 1966. After training at Fort Leonard Wood, Missouri, and Fort Campbell, Kentucky, Lynn was stationed overseas at Pleiku, South Vietnam, with the 1st Signal Battalion as a personnel specialist and rose to the rank of Spec/5. He received an Honorable Discharge in 1969. Spec/5 Brown was awarded the Army Commendation Medal, National Defense Service Medal, Vietnam Campaign Medal, Vietnam Service Medal with 2 Campaign Stars, Republic of Vietnam Gallantry Cross with Palm, and the Republic of Vietnam Gallantry Cross Unit Citation.

During his career as a VSO, Lynn Brown has served a large section of South Central Illinois veterans. His professional career has been described as defining what a Veteran Services Officer should be, and his private life has become an extension with the same devotion. He continues to serve veterans and their families long after the workday is over, on holidays, and on weekends. He has even built over a hundred shadow boxes for medals and awards for fellow veterans and their families, at no cost to the recipients.

I offer my congratulations to VSO Brown for his outstanding accomplishments while serving veterans. We need more men and women like him.

RECOGNIZING THE HOLT FAMILY

HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2017

Mrs. BLACKBURN. Mr. Speaker, family is the greatest gift life can offer to us. There is no relationship more special or more enduring than the bonds that are found within family. Family is truly the tie that binds us together.

Both the friendship that is shared and struggles overcome are a testament of what is possible when a family is united and dedicated to loving God and one another. Because of their friendship, work, endurance, and giving spirit, it is an honor to recognize the Holt family for their efforts in the pioneering of Williamson County. Their story is a story of faith and family and it is an honor for those of us gathered this evening to share this story.

The presence of the Holt family in this area can be traced back to the 1840's, beginning with Lucretia and Henry Holt. With each trial that came along; with slavery and segregation, each member of the Holt family chose kindness and compassion and in the midst of injustice, they chose forgiveness. Their heritage will forever be memorialized by the naming of Holt Road off of Nolensville Pike and Stanfield Road in Brentwood, Tennessee.

There is much wisdom we can all glean from the example set by the Holt family, who created a generational legacy of love that will be remembered for decades to come. Their story is a story of a life well lived. I ask my colleagues to join me in honoring this family for their influence and impact on Williamson County, Tennessee.

HONORING U.S. NAVY SEABEE'S ON THEIR 25TH ANNIVERSARY

HON. STEVEN M. PALAZZO

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2017

Mr. PALAZZO. Mr. Speaker, I rise today to honor the U.S. Navy Construction Battalion, also known as the Seabees, and congratulate them on their 75th Anniversary. In the opening weeks of World War II, the U.S. Navy began to organize unique and specialized construction battalions to support the building and maintaining of infrastructure in remote island locations throughout the Pacific. On March 5, 1942, these construction battalions were named Seabees by the Department of the Navy and served a vital role in meeting the logistical and strategic challenges the United States faced in the war effort.

Over the past 75 years, the Seabees have met continued challenges in strengthening our national security in times of war and peace. They have been responsible for building and maintaining numerous military support facilities throughout the world, such as military bases, as well as hundreds of miles of airstrips, roadways and bridges. From the beginning of the Second World War to our present day military operations, the Seabees have performed up to the highest standard and have done so while demonstrating outstanding courage, bravery and determination. They have even been immortalized on the silver screen in the 1944 film, *The Fighting Seabees* starring John Wayne.

In honoring the Seabees, let us remember the tremendous sacrifices that these brave men and women, as well as their families, have made in dedicated service to their country for the past 75 years. As a U.S. Marine and current member of the Mississippi National Guard, I can personally attest to how

important their service and sacrifice is to the success of our military.

I am proud to represent Mississippi's 4th district, home to the Naval Construction Battalion Center, where in just the past year, thousands of Seabees, sailors, airmen and soldiers have received training. We congratulate the U.S. Navy Seabees on their 75th Anniversary and reaffirm our commitment to their service.

**NATIONAL LOOK UP DAY FOR
ADAM DAVID NUSZEN**

HON. LEE M. ZELDIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2017

Mr. ZELDIN. Mr. Speaker, I rise today to honor the life of Adam David Nuszen, who tragically lost his life after struggling with mental illness and addiction.

Adam, who grew up in my congressional district, had a bright future ahead of him and was taken too soon from his family and community. According to his mother, Linda, "Adam was the protector of our family. The oldest of three, his arms were always around his siblings and his loyalty was surpassed by his quiet quest for justice. He marveled at the night sky and couldn't resist sharing his enthusiasm with his friends and family. He taught us about the wonder and grandeur of the planets, galaxies and beyond. He was a gifted musician, a poet, a writer, a philosopher and an inventor."

At 22, Adam was suddenly stricken with psychosis and diagnosed with schizophrenia. For ten years, he was in and out of hospitals attempting to balance his disease with normalcy. His illness slowly evolved into the dangerous and devastating world of addiction. Tragically, in November of 2015, Adam lost his life to an overdose while in rehab.

While in rehab, Linda explained to me that despite his dark times, Adam always managed to remind his loved ones to "look ups" or you will miss all that there is in the world. Sadly, their last conversation before he passed, carried this same sentiment and tone. The words look up remain with her today as an important reminder of Adam's character and spirit.

In honor of Adam David Nuszen, I would like to support Linda's request in declaring Adam's Birthday, March 12, National Look Up Day. This is the perfect opportunity to raise awareness and show support for those struggling with addiction and those we have lost to this disease. As members of Congress, we must all continue to support legislation that addresses the rise in drug and alcohol addiction to stop the tragic loss of life that is devastating our communities and loved ones across the country.

PERSONAL EXPLANATION

HON. ERIC SWALWELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2017

Mr. SWALWELL of California. Mr. Speaker, regarding the question considered yesterday,

Wednesday, March 8, on passage of H.R. 1301, the Department of Defense Appropriations Act, 2017, Roll Call Number 136, I am recorded as voting Yes. I intended to vote No.

**IN RECOGNITION OF WENDELL
YOUNG'S SERVICE TO THE
UNITED STATES**

HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2017

Mr. HUDSON. Mr. Speaker, I rise today to recognize Mr. Wendell Young for his service as a noncommissioned officer in the United States Army during World War II. Mr. Young fought across Europe as part of the 2nd Cavalry Regiment's reconnaissance squadron, earning a host of awards and commendations including two Silver Stars.

A native of Rutherford County, North Carolina, Mr. Young was drafted into the Army in 1943. A year later he was deployed to the European Theatre where he served under the legendary General Patton. As the war raged on, Mr. Young saw action throughout France, Germany, Belgium, and Czechoslovakia. He played a part in the Allied victory at the Battle of the Bulge and led an effort to liberate a prisoner of war camp that was housing a large number of both American and Russian troops. During this mission, he earned both of his Silver Stars by exemplifying tremendous personal courage and selflessness to accomplish his objective. In the citation for one of those awards, he was acknowledged for his daring and heroism as an outstanding noncommissioned officer. Furthermore, he was presented the Russian Medal of Courage, making him one of the only Americans to ever receive this honor.

Following the war, Mr. Young returned to North Carolina where he started a family and began a career at the N.C. Cooperative Extension. After 31 years with the Cooperative Extension, he retired and now works part-time for the U.S. Department of Agriculture. Mr. Young is a living example of the American spirit, a man who answered the call of our nation in its time of need. As one of the dwindling number of WWII veterans, his story is one that needs to be cherished and shared so that we may continue to learn from their example. Mr. Young personifies both courage and patriotism and there is no doubt that he is part of the Greatest Generation. It is my hope that Mr. Young will continue to share his story so that we will never forget the lessons of his sacrifice. I wish Mr. Young and his entire family well, and thank him for his service.

Mr. Speaker, please join me today in recognizing the incredible legacy of Mr. Wendell Young.

RECOGNIZING WORLD KIDNEY DAY

HON. ROBIN L. KELLY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2017

Ms. KELLY of Illinois. Mr. Speaker, today, we recognize World Kidney Day and the im-

pact of Chronic Kidney Disease, or CKD, across the globe. In the U.S., 26 million adults have kidney disease and 1-in-3 is at risk. We have to reverse this trend.

African Americans, in particular, suffer from kidney failure at more than three times the rate of Caucasians and constitute more than 32 percent of all patients receiving dialysis for kidney failure. A study says that Hispanics develop kidney failure at a rate of 2:1 compared to Whites. Improving care earlier to stop or slow progression of the disease, and improving access to kidney transplantation for those who do experience kidney failure, are successful tools in order to assist millions of Americans impacted by CKD.

Over 675,000 Americans have irreversible kidney failure, or end-stage renal disease, and need dialysis or a kidney transplant to survive. CKD shortens life expectancy by 5–11 years and more than 95,000 people died of kidney disease last year. Those with diabetes, high blood pressure, a family history of kidney failure, aged 60 or older, or from minority populations are at the greatest risk.

In order to avoid an irreversible stage, there are two simple, quick, and inexpensive tests for chronic kidney disease. If caught early, diet, exercise, and medications can help slow or even reverse some of the damage caused by kidney disease, allowing patients a better life.

I had the opportunity to meet with kidney patients, including Leilah Sampson from Chicago, who is a volunteer with the National Kidney Foundation. When she was 19, Leilah was studying to be a nurse at the historic Tuskegee University when she discovered that she had kidney disease. It quickly progressed to kidney failure, and has since caused significant physical and mental health issues.

How many lives can be improved or saved by a simple set of tests that costs \$80 to \$140? More needs to be done in order to promote testing by physicians and reward them for identifying and managing this chronic disease. In addition, empowering patients through education can help allow them to make informed decisions about all available treatments, further improving their lives.

As Chairwoman of the Congressional Black Caucus Health Braintrust, I am committed to working with Congress and stakeholders in the public health and research communities to promote strategies to fight kidney disease.

**HONORING THE RETIREMENT OF
CAPTAIN DALE HARRIS, JAG
CORPS, U.S. NAVY (RET)**

HON. RICHARD M. NOLAN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2017

Mr. NOLAN. Mr. Speaker, I rise today to honor Captain Dale Harris, JAGC, USN (ret), who recently retired after 23 years of combined active duty and reserve service to our nation with the United States Navy.

Captain Harris was born in Two Harbors, Minnesota and raised in nearby Duluth. After graduating first in his class at East High School in 1985, he received a Bachelor's of

Mechanical Engineering degree from the University of Minnesota in 1990. He subsequently earned his J.D. from Hamline University School of Law, cum laude, in 1993 and began his Navy career.

Captain Harris served on active duty in the Navy JAG Corps from 1993–2000. He was an honors graduate of the Naval Justice School and winner of the school's trial advocacy competition. He spent three years assigned to Everett and Bremerton, Washington, serving stints both as a defense attorney and as a prosecutor, where he handled more than fifty courts-martial and forty administrative discharge boards, quickly gaining notoriety as one of the Navy's best young litigators. Captain Harris then worked as appellate defense counsel at the Navy-Marine Corps Appellate Review Activity in Washington, D.C. In that role, he filed briefs in over one hundred cases, and argued twenty-five cases before military appellate courts. Following his release from active duty in 2000, Captain Harris continued his military service in the Navy Reserve, including distinguished tours as a judge on the Navy-Marine Corps Court of Criminal Appeals and as the Commanding Officer of the Navy and Marine Corps Appellate Review Activity support unit. Over the past 23 years, he earned a well-deserved reputation as one of the preeminent uniformed lawyers of his generation in the area of appellate litigation. For his outstanding service to our Nation, Captain Harris earned numerous personal awards, including four Meritorious Service Medals, three Navy-Marine Corps Commendation Medals, and three Navy-Marine Corps Achievement Medals.

Captain Harris returned home to Northeastern Minnesota in 2000 and served the citizens of Minnesota's Eighth District as an attorney in private practice and later as an Assistant St. Louis County Attorney, where he handled state and federal civil litigation, and provided counsel for the sheriff and Arrowhead Regional Corrections. He continued his appellate work by arguing cases at the Minnesota Court of Appeals, Minnesota Supreme Court, and the U.S. Court of Appeals for the Eighth Circuit. Since 2010, Captain Harris has served his community as a state District Court Judge chambered in Duluth, establishing himself as a fair-minded and extremely capable jurist. The integrity, work ethic and leadership skills that were the hallmark of his military career will continue to define his ongoing public service as a judge.

I commend Captain Harris for his commitment to our country and the sacrifices he and his family made on its behalf. On the occasion of his retirement from the United States Navy, I thank him, his wife, and their four children for their honorable service to our nation and wish them fair winds and following seas as Captain Harris concludes this portion of his distinguished legal career.

HONORING THE REVEREND MICHAEL L. COOPER-WHITE OF PENNSYLVANIA

HON. SCOTT PERRY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2017

Mr. PERRY. Mr. Speaker, today I honor my constituent, the Reverend Michael L. Cooper-White, upon the occasion of his retirement as the 12th president of the Lutheran Theological Seminary at Gettysburg, and more than 40 years of service to the Church.

Rev. Cooper-White has served as President of the Lutheran Theological Seminary at Gettysburg since 2000, where he led efforts to: revise curriculum to strengthen an integrative approach to theological education; strengthen the seminary's fiscal health; and forge the pathway of the forthcoming consolidation with the Lutheran Theological Seminary at Philadelphia to form the United Lutheran Seminary. Rev. Cooper-White also served in leadership positions with the Evangelical Lutheran Church in America, the Eastern Cluster of Lutheran Seminaries, the Washington Theological Consortium and myriad local boards. His ministry has spanned multiple continents and he's served the Church as pastor, teacher, author and engaged citizen.

Reverend Cooper-White's dedication has touched the lives of countless people and challenged all with whom he served to be the best. His legacy of service is commendable.

On behalf of Pennsylvania's Fourth Congressional District, I commend and congratulate Reverend Michael L. Cooper-White upon his retirement after many years of service to the Lutheran Theological Seminary at Gettysburg and our community.

FIRST SPECIAL SERVICE FORCE

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2017

Mr. WILSON of South Carolina. Mr. Speaker, on March 3, 2017, I was grateful to present a Congressional Gold Medal to Joseph Moore of Lexington, South Carolina for his service with the First Special Service Force, a U.S.-Canadian unit of volunteers, who initiated the liberation of Europe at Anzio, Italy, in January 1944.

During the presentation with his family, he presented me with an extraordinary prayer which was read by Eugene Gutierrez at the 2015 Reunion of the First Special Service Force. The following prayer was found on the body of an American soldier killed in action on the beachhead at Anzio:

Look God, I have never spoken to you.
But now I want to say, "How do you do?"
You see, God, they told me you didn't exist.
And like a fool, I believed all this.
Last night from a shell hole, I saw your sky
And figured then they had told me a lie.
Had I taken time to see things you made,
I'd have known they weren't calling a spade
a spade.

I wonder, God, if you'd shake my hand?

Somehow, I feel you will understand.
Funny, I had to come to see your face.
Well, I guess there isn't much more to say.
But, I'm sure glad, God, I met you today.
I guess the zero hour will soon be here,
But I'm not afraid since I know you are near.
There's the signal . . . I've got to go.
I like you lots, I want you to know.
Look now, this will be a horrible fight.
Who knows, I may come to your house tonight.

Though I wasn't friendly to you before,
I wonder, God, if you'd wait at your door?
Look, I'm crying . . . me, shedding tears.
I wish I had known you these many years.
Well, I have to go now, God, goodbye . . .
Strange, since I met you, I'm not afraid to die.

RECOGNIZING THE 29TH ANNIVERSARY OF MASSACRES AGAINST ARMENIANS IN SUMGAIT

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2017

Mr. COSTA. Mr. Speaker, I rise today to recognize the twenty-ninth anniversary of the pogroms against people of Armenian descent in Sumgait, Azerbaijan.

In late February of 1988 the Armenian people of Nagorno Karabakh, more commonly known by its people and descendants as Artsakh, rose up in peaceful protest to demand their right to self-determination. This courageous call for equality and human dignity was met with murderous riots beginning on February 27, 1988 which lasted for three days. Scores of Armenians were killed, hundreds were wounded, and thousands were forced to leave their homes and livelihoods behind.

Undeterred by this oppression, the Armenian community and its dedication to democratic self-determination sparked a movement that finally helped bring an end to the dictatorship of the Soviet Union. The courage demonstrated by the people of Artsakh in demanding their rights even after all of the adversity is admirable and should never be forgotten.

Sadly however, authoritarian leaders in Azerbaijan continue to this day to aggravate efforts by the Organization for Security Co-operation in Europe Minsk Group to achieve lasting peace in Artsakh and the surrounding region. On February 25, 2017, just a few days ago, the ceasefire along the line of contact was breached resulting in several casualties. This aggression is completely unacceptable and further hurts efforts to achieve a peaceful resolution to this conflict.

On behalf of the thousands of Armenian Americans living in my congressional district I ask my colleagues to stand with the people of Artsakh in remembering the lives lost during this tragic conflict. May their memory serve as a reminder for each and every one of us to continue advocating for human rights and democratic freedoms around the world.

THE KHOJALY TRAGEDY

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2017

Mr. GENE GREEN of Texas. Mr. Speaker, on February 25 and 26, 1992, twenty-five years ago, the Armenian military forces occupied the town of Khojaly and destroyed hundreds of innocent lives. Those that weren't killed were wounded or taken hostage while their city was under siege.

Khojaly was recognized as occupied territory from 1988 until 1994 when a ceasefire was signed. The aggression and occupation by Armenian forces has been condemned by the United Nations Security Council.

More than two decades have passed since those horrific events and little attention has been paid to those killed during the attacks and the struggles of displaced person.

According to Human Rights Watch and other international observers the massacre was committed by Armenian troops, reportedly with the help of the former Soviet 366th Motor Rifle Regiment. Human Rights Watch described the Khojaly Massacre as "the largest massacre to date in the conflict" over Nagorno-Karabakh. In a 1992 report, they stated that Armenian forces and the 366th "deliberately disregarded this customary law restraint on attacks."

Every year, more and more organizations and countries recognize the terrible tragedy perpetrated against Azerbaijani citizens in Khojaly that night. Each year, we need to recognize that without constant reminders and vigilance, violence can be perpetrated against innocent people. We need to stand up and remember that it is the right of all people to co-exist peacefully without fear of brutality.

Azerbaijan has been a strong strategic partner and friend of the United States. The tragedy of Khojaly was a war crime which cannot be ignored.

Let's stand with the people of Azerbaijan as they commemorate this tragedy and urge world leaders to help bring a peaceful solution to the occupation of these lands.

RECOGNIZING NACDS RxIMPACT DAY

HON. EARL L. "BUDDY" CARTER

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2017

Mr. CARTER of Georgia. Mr. Speaker, I rise to recognize the Ninth Annual NACDS RxIMPACT Day on Capitol Hill. This is a special day where we will have the chance to recognize pharmacy's many contributions to the American healthcare system.

Organized by the National Association of Chain Drug Stores (NACDS), this event will take place next week, on March 14–15, 2017. More than 400 individuals from the pharmacy community, including practicing pharmacists, pharmacy school faculty and students, state pharmacy association representatives and pharmacy company leaders, will visit us here

on Capitol Hill. Advocates from 47 states will share their views with us about the importance of supporting their access agenda, legislative priorities that will ensure that our constituents will continue to have access to more than 40,000 community and neighborhood pharmacies across the country and be better able to utilize pharmacists to improve healthcare quality while reducing the cost of care.

Patients have always relied on their local pharmacist to meet their healthcare needs and we as policymakers know our local pharmacists to be important community leaders. They are trusted, highly accessible healthcare providers deeply committed to providing high quality, convenient, and efficient healthcare services. A recent national survey showed that 65 percent of the public view pharmacists as individuals who provide credible advice to reduce health costs and in 2016, pharmacists again ranked second in Gallup's Honesty and Ethics survey.

As demand for healthcare services continues to grow, pharmacists have expanded their role in healthcare delivery, partnering with physicians, nurses and other healthcare providers to meet their patients' needs. Innovative services provided by pharmacists do even more to improve overall patient health and wellness.

Pharmacists are highly valued by those that rely on them most, those in rural and underserved areas, as well as older Americans, and those struggling to manage chronic diseases. Pharmacy services improve patients' quality of life as well as healthcare affordability. By helping patients take their medications effectively and providing preventive services, pharmacists help avoid more costly forms of care. Pharmacists also help patients identify strategies to save money, such as through better understanding of their pharmacy benefits, using generic medications, and obtaining 90-day supplies of prescription drugs from local pharmacies. Pharmacists are the nation's most accessible healthcare providers. In many communities, especially in rural areas, the local pharmacist is a patient's most direct link to healthcare. In fact, 91 percent of Americans reside within five miles of a community pharmacy. Utilizing their specialized education, pharmacists play a major role in medication therapy management, disease-state management, immunizations, healthcare screenings, and other healthcare services designed to improve patient health and reduce overall healthcare costs. Pharmacists are also expanding their role into new models of care based on quality of services and outcomes, such as accountable care organizations (ACOs) and medical homes.

The pharmacy advocates of NACDS RxIMPACT Day on Capitol Hill will be promoting an access agenda. They know that we face difficult debates about the future of healthcare and the pharmacy community wishes to work with us to help in the effort to develop comprehensive and consistent approaches to public policy that put pharmacy's value to work for patients and payers. They understand well that the issues we are debating today are highly connected and vital to pharmacy, to all of healthcare, and to society as a whole.

Specifically, advocates will be working to ensure that any changes to the Affordable

Care Act do not jeopardize patient access to their local community retail pharmacy. They will also be seeking our support for H.R. 592, the Pharmacy and Medically Underserved Areas Enhancement Act, a bill I strongly support to allow Medicare Part B to utilize pharmacists to their full capability by providing underserved beneficiaries with services, subject to state scope of practice laws. Already in the 115th Congress, H.R. 592 has 134 cosponsors and the companion bill in the Senate, S. 109, has 32 cosponsors. Finally, they will be talking with us about ways to improve neighborhood pharmacy access for TRICARE beneficiaries and about bringing much-needed transparency and consistency to so-called DIR fees, the complicated fee structure imposed on pharmacies to participate in the Medicare Part D program.

I believe Congress should look at every opportunity to make sure that pharmacists are allowed to utilize their training to the fullest to provide the services that can improve care, increase access and lower costs. In recognition of the Ninth Annual NACDS RxIMPACT Day on Capitol Hill, I would like to congratulate pharmacy leaders, pharmacists, students, and the entire pharmacy community represented by NACDS, for their contributions to the health and wellness of the American people.

HONORING THE LIFE AND SERVICE OF REPRESENTATIVE ENI FALEOMAVAEGA

HON. KEITH ELLISON

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2017

Mr. ELLISON. Mr. Speaker, I rise today to honor the life and service of Representative Eni Faleomavaega. He passed away on February 22, 2017 in his home at age 73. Representative Faleomavaega was American Samoa's lieutenant governor from 1985 through 1989, and congressional delegate from 1989 through 2014.

Mr. Faleomavaega was born in Vailoatai Village, American Samoa in 1943, and graduated from Brigham Young University. He later earned his Juris Doctor and Master of Law degrees at the University of Houston Law Center and the UC-Berkeley, respectively. He served in the United States Army from 1966 through 1969, and fought in the Vietnam War.

In 1973, Mr. Faleomavaega started his life in public service by working as an administrative assistant to American Samoa's first representative, A.U. Fuimaono. Following a six-year stint as staff counsel for the House Committee on Interior and Insular Affairs beginning in 1975, he became attorney general of American Samoa in 1981.

During his time in the House of Representatives, he helped improve the lives of his constituents, directing essential funding to help the development of schools, infrastructure, and health care in American Samoa. Mr. Faleomavaega was a founding member of the Asian Pacific American Caucus in 1994, and was a tireless advocate on behalf of the wider Asian American and Pacific Islander Community. He served thirteen terms, and was a

proud member of both the House Natural Resources Committee and the House Foreign Affairs Committee, where he was a ranking member of the Subcommittee on Asia.

He is survived by his wife, five children and 10 grandchildren. Upon his passing, Mr. Faleomavaega's wife expressed gratitude for the trust placed in him for so many years by the people of American Samoa. I am honored to recognize Representative Eni Faleomavaega for his work as a public servant. We are all better off due to his life of service. He is dearly missed by his friends and colleagues.

COMMUNITY PHARMACIES

HON. H. MORGAN GRIFFITH

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2017

Mr. GRIFFITH. Mr. Speaker, last month Congressman WELCH and I introduced legislation H.R. 1038, Improving Transparency and Accuracy in Medicare Part D Spending Act. The legislation would help ensure that small business pharmacies get reimbursed at the rate they agreed to when they signed the re-

imbursement contract with the pharmacy benefit manager (PBMs).

Our bill would prohibit the PBMs/health plans from retroactively reducing pharmacy reimbursement that has already been contractually agreed to. If you fill up your gas tank when the price is \$2.09 per gallon and the price later goes up to \$2.15, you won't receive a bill demanding payment for the extra six cents per gallon. The same principle should apply to our community pharmacists. They deserve to be reimbursed based on the price of drugs when they are dispensed, not when they are charged. The fact that the PBMs can even do this points to the need for action on this bill and the need for broader Congressional scrutiny of large PBMs.

Most Americans don't know who the large PBMs are and what they do—three large PBMs control roughly 78 percent of the market and manage pharmacy benefits for more than 180 million Americans. PBMs not only manage benefits for insurance companies and employers, they also own their own pharmacies whether that is mail order, specialty or retail.

Unfortunately small pharmacies in Southwest Virginia and Vermont have dealt with direct and indirect remuneration (DIR) fees for the last few years and the fees are only getting worse. The inability of small business

community pharmacy owners to plan in advance for these retroactive fees is truly threatening their ability to operate.

Additionally these fees push patients into the donut hole faster than they would otherwise, a fact that CMS has stated. CMS has also stated these fees are increasing costs to the government, especially in the catastrophic phase of the Part D program. Virtually all catastrophic costs in Part D are borne by the government, and they have increased dramatically in recent years—from \$10 billion in 2010 to \$33 billion in 2015—fueled by pharmacy DIR fees. These PBMs have an extremely robust business relationship with the Federal Government in Part D, FEHB and DOD TRICARE so it certainly seems possible that the Federal Government could be paying more for prescription drugs than it should be.

Our bill was introduced with 15 original cosponsors and we hope that it will see action in the 115th Congress. Prohibiting retroactive fees like this would help CMS have a better ability to understand all the prescription drug spending that is occurring in Medicare Part D. Additionally, Senators SHELLEY MOORE CAPITO (R-WV) and JON TESTER (D-MT) introduced identical legislation on the Senate side which seeks to attain the same goals. We very much appreciate their leadership on this issue.

HOUSE OF REPRESENTATIVES—Friday, March 10, 2017

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Mr. JENKINS of West Virginia).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
March 10, 2017.

I hereby appoint the Honorable EVAN H. JENKINS to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Loving God, thank You for giving us another day.

Be with each of us that we might be our very best, and prove ourselves worthy of Your love and Your grace. Bless our President and those who work in the executive branch and the Supreme Court with Your wisdom and good judgment.

Be with the Members of this people's House in their work and deliberations this day that they might merit the trust of the American people and manifest the strength of our democracy to the nations of the world.

Without You, O Lord, we can do nothing. With You and in You, we can establish a world of peace, goodness, and justice now and into the future.

May all that is done this day be for Your greater honor and glory. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Ohio (Mr. WENSTRUP) come forward and lead the House in the Pledge of Allegiance.

Mr. WENSTRUP led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to five requests for 1-minute speeches on each side of the aisle.

CELEBRATING MARS PETCARE FOR TWO MILLION MAN HOUR SAFETY AWARD

(Mr. WOMACK asked and was given permission to address the House for 1 minute.)

Mr. WOMACK. Mr. Speaker, I rise today to recognize Mars, Incorporated, and Mars Petcare's Fort Smith, Arkansas, facility which was recently honored with the Two Million Man Hour Safety Award from the Arkansas Department of Labor.

As a family-owned business since its founding in 1911, Mars has been a leading example of corporate responsibility practices that benefit their dedicated employees and the communities in which they operate.

Since Mars first opened the doors of its Petcare facility in Fort Smith in 2007, they have provided stable employment to over 200 Mars associates who are responsible for making food for our pets under the brand names Cesar, Nutro, and Sheba.

Impressively, Mars' Fort Smith facility has accumulated 2 million work hours over 5 years without a lost day away from work due to a work-related injury or illness, a direct testament to the great workforce in Fort Smith and the leadership of the Mars organization.

In addition to their excellent safety record, Mars has had a significant impact on my district's local economy. Recently, Mars Petcare announced plans to expand the Fort Smith facility, which is expected to generate an additional 130 new jobs over the next several years.

On behalf of everyone in northwest Arkansas, I am happy to celebrate this important milestone with Mars' Fort Smith facility, and I thank Mars for its continued dedication to our community.

WORKING FAMILIES DESERVE BETTER THAN TRUMPCARE

(Mr. CICILLINE asked and was given permission to address the House for 1 minute.)

Mr. CICILLINE. Mr. Speaker, right now Republicans are racing to pass TrumpCare, legislation that repeals and replaces the Affordable Care Act.

They are racing to pass it to because they know when the American people find out what is in this bill, they won't support it.

But let me tell you what TrumpCare does, Mr. Speaker.

It gives huge tax cuts to insurance companies and the top 1 percent.

It allows insurance companies to raise premiums by 25 percent for older Americans.

It eliminates funding for Planned Parenthood, denying millions of women critical care.

It cuts lifesaving support for the most vulnerable: children, Americans with disabilities, the frail elderly, and nursing home residents.

And it slashes funding for Medicaid.

TrumpCare is a great deal for the wealthy. TrumpCare is a great deal for insurance companies and drug companies. It is a raw deal for everyone else.

Millions will lose healthcare coverage. And let's be clear, people are going to die when this happens. Millions more will end up paying for more lower quality care, and Republicans don't even have a plan to pay for their proposal.

After 7 years, this is it. This is the best they have got: tax cuts for the rich and bad health care for everyone else.

Working families deserve better.

CONGRATULATING THE GENEVA VIKINGS

(Mr. HULTGREN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HULTGREN. Mr. Speaker, I rise today to congratulate the Geneva Vikings girls basketball team on winning their first Class 4A State championship at ISU's Redbird Arena on Saturday.

Facing the Edwardsville Tigers, the Geneva High School girls fought a close back-and-forth game until its final minutes.

Beating an unbeaten team is no small feat. With just 3.7 seconds left on the clock, junior guard Stephanie Hart made a shot to give the Vikings a one-point lead. As center Grace Loberg then stole the ball from the Tigers to run out the clock, the Tigers were unable to answer, giving Geneva the win, 41-40.

Virtually the same thing had happened in the semifinal the day before, when junior guard Margaret Whitley scored the game-winning point with just seconds left.

Clearly, the Vikings do well under pressure. I applaud Coach Sarah Meadows and the Geneva Vikings on their achievement and their hard work.

Go, Vikings.

OPPOSING GOP'S HEALTHCARE REPEAL

(Mrs. NAPOLITANO asked and was given permission to address the House for 1 minute.)

Mrs. NAPOLITANO. Mr. Speaker, good morning, and listen, America.

One of the Affordable Care Act's biggest successes was increasing mental health services for all the people through mental health parity protections and Medicaid expansion.

The GOP's pay-more-for-less bill cuts taxes on the wealthy at the expense of those who can least afford to pay for their health coverage, like low-income families.

One in five of Medicaid's 70 million beneficiaries have a mental health or a substance abuse disorder, and reports show services are needed especially for children. The bill would hurt those people by eliminating Medicaid expansion and gutting mental health services for this group, including the nearly 60,000 now covered in my district.

I strongly oppose this repeal effort and urge our Republican colleagues to work with us to strengthen the Affordable Care Act so more Americans can have access to lifesaving care.

Please, please, do that for us.

HONORING TOP SCHOOLS IN GEORGIA'S FIRST CONGRESSIONAL DISTRICT

(Mr. CARTER of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARTER of Georgia. Mr. Speaker, I rise today to acknowledge the academic accomplishments of several school systems in Georgia's First Congressional District.

Niche is a website which analyzes data gathered from the Department of Education that focuses on academics, student life, test scores, and college enrollment. With this data, they rank each school system and help families find the best schools for their children.

This year, Georgia's First District had the honor of placing 10 school systems in their top 100 school districts in Georgia. It comes as no surprise to me that so many of these outstanding school districts made this great achievement.

Camden County School District ranks as the top school system in the district and even cracked the top 10 for the State, ranking as the number 7 overall school system in Georgia. Camden County scored top marks in the categories of diversity, teachers, health and safety, administration, and sports.

In addition to Camden County, I am proud to recognize, today, the other school districts to reach the top 100: Pierce County, Lowndes County, Ware County, Effingham County, Glynn County, Bryan County, Bacon County, Echols County, and Chatham County.

Congratulations to each school's administration, teachers, and students whose hard work and dedication made this accomplishment possible.

I look forward to the future success that will surely come from these schools.

TRUMP CARE IS DESTRUCTIVE LEGISLATION

(Ms. ROYBAL-ALLARD asked and was given permission to address the House for 1 minute.)

Ms. ROYBAL-ALLARD. Mr. Speaker, President Trump and the Republican Congress promised a better plan for health care that would be good for all Americans.

Now that we have seen their plan, we know the truth. Passage of the American Health Care Act will not improve health care or reduce healthcare costs. Instead, it will cut critical health access and benefits for children, older adults, pregnant women, communities of color, and people living with disabilities.

If TrumpCare becomes law, it will destroy Medicaid as we know it, while also increasing costs of health care for working class families across the country.

It is unconscionable that this kind of destructive legislation should be shoved through Congress without hearings or stakeholder input.

I urge my Republican colleagues to reject this shortsighted bill and work with Democrats to strengthen the Affordable Care Act, a healthcare plan that is working well for millions of Americans.

HONORING CHARLES GERACI

(Mr. WENSTRUP asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WENSTRUP. Mr. Speaker, a member of the Ohio Second District community passed away this week, and our Nation lost a hero.

Charles Geraci was a beloved resident of Norwood, Ohio. He was known as a husband of 70½ years, grandfather to 31, and a great-grandfather to 16.

But he was also an American hero. Charles enlisted in the Army on December 10, 1942, and, after basic training, was stationed in England in 1943. Just a few months later Charles was in the second wave at Omaha Beach in Normandy, where he was wounded while storming the beaches. After recovering and being sent back to his unit, Charles was wounded by shrapnel

and then shot again during combat. He was in Normandy for only 5 months and credits his survival to God.

While his courage earned him three Purple Hearts and the Bronze Star Award, Charles refers to his service during World War II with a deep humility that defines the Greatest Generation. He said: "We were there to do the job, and we did it. And I came back."

Our country can never repay Charles for his service and sacrifice, but we can stand as a grateful nation to honor his life and legacy with our deepest respect.

Our thoughts and prayers are with his wife, Helen, and the rest of the Geraci family.

Truly, it is men and women like Charles Geraci whom we can credit for the gift of freedom that we are able to pass along to our children and grandchildren. They protected and preserved that gift with their very lives. For that, we remain eternally grateful.

PRESERVING HEALTH CARE FOR VETERANS

(Mr. GALLEGO asked and was given permission to address the House for 1 minute.)

Mr. GALLEGO. Mr. Speaker, today I rise as a proud marine on behalf of countless veterans across America whose healthcare options will vanish if House Republicans succeed in repealing the Affordable Care Act. The ACA has provided an invaluable safety net for our Nation's veterans, fulfilling critical gaps in coverage within the VA system.

Mr. Speaker, in the first 2 years after the ACA's implementation, the rate of uninsured veterans dropped by an astonishing 43 percent. This was largely due to the fact that, through the ACA's Medicaid expansion, 7 out of 10 previously uninsured veterans became eligible for coverage.

The Republicans' so-called repeal-and-replace plan would slash veterans' options by abandoning our commitment to a more inclusive Medicaid program. Democrats refuse to compromise on care for our Nation's heroes, and we absolutely refuse to compromise in the fight to preserve the lifesaving Affordable Care Act.

THE PEOPLE'S RIGHTS AMENDMENT

(Mr. MCGOVERN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MCGOVERN. Mr. Speaker, it has been 7 years since the dreadful Citizens United ruling.

In upholding the rights of corporations to donate to political campaigns under the First Amendment, the Supreme Court created an election system that is now corrupted by limitless,

unregulated donations. Ordinary citizens are left powerless, and politicians are increasingly beholden to wealthy special interests.

Since *Citizens United*, we have seen a major telecommunications company, oil companies, and the tobacco industry all attempt to dismantle regulations and disclosure rules by claiming First Amendment rights. Today, I am reintroducing the People's Rights Amendment to overturn *Citizens United* and declare, once and for all, that corporations are not people.

The Constitution was never intended to give corporations the same rights as the American people. Corporations don't breathe; they don't have kids; they don't die in wars.

The Preamble to the Constitution is "We the people," not "We the corporations."

Let us hope this Congress doesn't forget that.

LAWSUIT ABUSE REDUCTION ACT OF 2017

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 720.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 180 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 720.

The Chair appoints the gentleman from West Virginia (Mr. JENKINS) to preside over the Committee of the Whole.

□ 0915

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 720) to amend Rule 11 of the Federal Rules of Civil Procedure to improve attorney accountability, and for other purposes, with Mr. JENKINS of West Virginia in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Michigan (Mr. CONYERS) each will control 30 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. GOODLATTE. Mr. Chairman, I yield myself such time as I may consume.

H.R. 720, the Lawsuit Abuse Reduction Act, would restore mandatory

sanctions for frivolous lawsuits filed in Federal court.

Many Americans may not realize it, but today, under what is called rule 11 of the Federal Rules of Civil Procedure, there is no requirement that those who file frivolous lawsuits pay for the unjustified legal costs they impose on their victims, even when those victims prove to a judge the lawsuit was without any basis in law or fact.

As a result, the current rule 11 goes largely unenforced because the victims of frivolous lawsuits have little incentive to pursue additional litigation to have the case declared frivolous when there is no guarantee of compensation at the end of the day.

H.R. 720 would finally provide light at the end of the tunnel for the victims of frivolous lawsuits by requiring sanctions against the filers of frivolous lawsuits, sanctions which include paying back victims for the full cost of their reasonable expenses incurred as a direct result of the rule 11 violation, including attorneys' fees.

The bill also strikes the current provisions in rule 11 that allow lawyers to avoid sanctions for making frivolous claims and demands by simply withdrawing them within 21 days. This change eliminates the "free pass" lawyers now have to file frivolous lawsuits in Federal court.

The current lack of mandatory sanctions leads to the regular filing of lawsuits that are baseless. So many frivolous pleadings currently go under the radar because the lack of mandatory sanctions for frivolous filings forces victims of frivolous lawsuits to roll over and settle the case, because doing that is less expensive than litigating the case to a victory in court.

Correspondence written by someone filing a frivolous lawsuit, which became public, concisely illustrates how the current lack of mandatory sanctions for filing frivolous lawsuits leads to legal extortion. That correspondence to the victim of a frivolous lawsuit states: "I really don't care what the law allows you to do. It's a more practical issue. Do you want to send your attorney a check every month indefinitely as I continue to pursue this?"

Under the Lawsuit Abuse Reduction Act, those who file frivolous lawsuits would no longer be able to get off scot-free and, therefore, they couldn't get away with those sorts of extortionary threats any longer.

The victims of lawsuit abuse are not just those who are actually sued. Rather, we all suffer under a system in which innocent Americans everywhere live under the constant fear of a potentially bankrupting frivolous lawsuit.

As the former chairman of The Home Depot company has written: "An unpredictable legal system casts a shadow over every plan and investment. It is devastating for startups. The cost of even one ill-timed abusive lawsuit can

bankrupt a growing company and cost hundreds of thousands of jobs."

The prevalence of frivolous lawsuits in America is reflected in the absurd warning labels companies must place on their products to limit their exposure to frivolous claims. A 5-inch brass fishing lure with three hooks is labeled "Harmful if swallowed." A household iron contains the warning "Never iron clothes while they are being worn." A piece of ovenware warns, "Ovenware will get hot when used in oven."

And here are just a couple of examples of frivolous lawsuits brought in Federal court, where judges failed to award compensation to the victims:

A man sued a television network for \$2.5 million because he said a show it aired raised his blood pressure. When the network publicized his frivolous lawsuit, he demanded the court make them stop. Although the court found the case frivolous, not only did it not compensate the victim, it granted the man who filed the frivolous lawsuit an exemption from even paying the ordinary court filing fees.

In another case, lawyers filed a case against a parent, claiming the parent's discipline of their child violated the Eighth Amendment of the Constitution, which prohibits cruel and unusual punishment by the government, not private citizens. One of the lawyers even admitted signing the complaint without reading it.

The court found the case frivolous, but awarded the victim only about a quarter of its legal costs because rule 11 currently doesn't require that a victim's legal costs be paid in full. The Lawsuit Abuse Reduction Act would change that.

I thank the former chairman of the Judiciary Committee, LAMAR SMITH, for introducing this simple, common-sense legislation that would do so much to prevent lawsuit abuse and restore Americans' confidence in the legal system. I urge my colleagues to support it today.

Mr. Chairman, I reserve the balance of my time.

Mr. CONYERS. Mr. Chairman, I yield myself such time as I may consume.

I rise in strong opposition to H.R. 720, the so-called Lawsuit Abuse Reduction Act.

This bill amends rule 11 of the Federal Rules of Civil Procedure in ways that will chill the advancement of civil rights claims and increase exponentially the volume and costs of litigation in the Federal courts.

These concerns are not hypothetical. H.R. 720 restores the deeply flawed version of rule 11 in effect from 1983 to 1993 in two ways: by requiring mandatory sanctions for even unintentional violations rather than leaving the imposition of sanctions to the court's discretion, as is currently the case; and secondly, by eliminating the current rule's 21-day safe harbor provision,

which allows the defending party to correct or withdraw allegedly offending submissions.

Simply put, H.R. 720 will have a disastrous impact on the administration of justice in numerous ways. To begin with, the bill will chill legitimate civil rights litigation, which, to me, of course, is very important.

Civil rights cases often raise novel legal arguments, which made such cases particularly susceptible to sanction motions under the 1983 rule. For example, a Federal Judicial Center study found that the incidence of rule 11 motions under the 1983 rule was "higher in civil rights cases than in some other types of cases."

Another study showed that, while civil rights cases comprised about 11 percent of the cases filed, more than 22 percent of the cases in which sanctions had been imposed were, in fact, civil rights cases.

Under the 1983 rule, civil rights cases were clearly disadvantaged. Yet, H.R. 720 would reserve this problematic regime.

Although the bill's rule of construction is a welcome acknowledgment of the problem, it does nothing to prevent defendants from using rule 11 as a weapon to discourage civil rights plaintiffs. Even a landmark case like *Brown v. Board of Education* might not have been pursued had H.R. 720's changes to rule 11 been in effect at that time, because the legal arguments in the case were novel and not based on then-existing law.

In addition, H.R. 720 will substantially increase the amount, cost, and intensity of civil litigation and create more grounds for unnecessary delay and harassment in the courtroom itself.

By making sanctions mandatory and having no safe harbor, the 1983 rule spawned a cottage industry of rule 11 litigation. Each party had a financial incentive to tie up the other in rule 11 proceedings.

We heard testimony on a previous version of this bill that almost one-third of all Federal lawsuits during the decade that the 1983 rule was in effect were burdened by such satellite litigation, where the parties tried the underlying case and then put each side's counsel on trial.

Finally, H.R. 720 strips the judiciary of its discretion and independence. H.R. 720 overrides judicial independence by removing the discretion that rule 11 currently gives judges in determining whether to impose sanctions and what type of sanctions would be most appropriate. It also circumvents the painstakingly thorough Rules Enabling Act process that Congress established more than 80 years ago.

For all of these reasons, I urge my colleagues to join us in opposing this highly problematic legislation.

Mr. Chairman, I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the Lawsuit Abuse Reduction Act, known as LARA, is just over one-page long, but it would prevent the filing of thousands of frivolous lawsuits in Federal courts. These absurd lawsuits cost many innocent families their savings and often ruin their reputations.

Frivolous lawsuits have been filed against a weather channel for failing to accurately predict storms, against television shows people claimed were too scary, against a university that awarded a low grade, and against a high school that dropped a member from the track team.

Lawyers who bring these cases have everything to gain and nothing to lose under current rules, which allow plaintiffs' lawyers to file frivolous suits without any penalty. Meanwhile, defendants are often faced with years of litigation and substantial attorneys' fees.

Prior to 1993, it was mandatory for judges to impose sanctions, such as orders to pay for the other side's legal expenses, when lawyers filed frivolous lawsuits. Then, the Civil Rules Advisory Committee, an obscure branch of the courts, made penalties optional. This needs to be reversed by Congress.

LARA requires lawyers who file frivolous lawsuits to pay attorneys' fees and court costs of innocent defendants. This will serve as a disincentive to file junk lawsuits.

Further, LARA specifically requires that no changes "shall be construed to bar or impede the assertion or development of new claims, defenses, or remedies under Federal, State, or local laws, including civil rights laws, or under the Constitution of the United States."

So civil rights law would not be affected in any way by LARA, and that might go a long way to reassuring the ranking member's concerns about its impact on civil rights.

Opponents argue that reinstating mandatory sanctions for frivolous lawsuits impedes judicial discretion, but this is false. Under LARA, judges retain the discretion to determine whether or not a claim is frivolous. If a judge determines that a claim is frivolous, then they must award sanctions. This ensures that victims of frivolous lawsuits obtain compensation. But the decision to determine whether a claim is frivolous or not remains with the judge.

The American people are looking for solutions to obvious lawsuit abuse. LARA restores accountability to our legal system by reinstating sanctions for attorneys who are found by a judge to have filed frivolous lawsuits. Though it will not stop all lawsuit abuse, LARA encourages attorneys to think twice before making an innocent party's life miserable.

□ 0930

These attorneys engage in legalized extortion and try to force individuals to settle out of court instead of paying huge legal costs. There is currently no disincentive to deter attorneys from filing frivolous claims. By requiring attorneys who file junk lawsuits to pay the court costs of those they sue, such lawsuits will be discouraged.

I thank Chairman GOODLATTE, the chairman of the Committee on the Judiciary, for bringing this much-needed legislation to the House floor. I ask my colleagues who oppose frivolous lawsuits and who want to protect innocent Americans from false charges to support the Lawsuit Abuse Reduction Act.

Mr. Chairman, I reserve the balance of my time.

Mr. CONYERS. Mr. Chairman, I am pleased to yield 3 minutes to the gentleman from New York (Mr. NADLER), the senior member of the House Committee on the Judiciary.

Mr. NADLER. Mr. Chairman, I rise in opposition to H.R. 720, the Lawsuit Abuse Reduction Act. This bill is supposedly aimed at preventing frivolous litigation, but it would, in fact, generate a whole new set of litigation, further clogging our overburdened Federal courts.

Under rule 11 of the Federal Rules of Civil Procedure, a court may impose sanctions on a party that files a frivolous case or motion. A party subject to a rule 11 violation has a 21-day safe harbor period to withdraw or correct its filing, and sanctions are purely discretionary. This rule serves a vital role in maintaining the integrity of our legal system without creating a chilling effect on presenting novel claims. Judges, when they see frivolous suits, can sanction them and do.

This bill, however, would restore a failed version of rule 11 that was enacted by the Judicial Conference in 1983, but which was repealed 10 years later because it led to disastrous results. Under this bill, sanctions would be mandatory whenever a court rules that rule 11 has been violated. The safe harbor period, when filings can be withdrawn or corrected, would be eliminated.

We do not have to speculate about what would happen as a result of this bill because we have a decade of experience that shows us how catastrophic it would be and was. Under the 1983 rule, which this bill would restore, rule 11 battles became a routine part of civil litigation, affecting one-third of all cases. Rather than serving as a disincentive, the old rule 11 actually made the system even more litigious.

In the decade following the 1983 amendments, there were almost 7,000 reported rule 11 cases, becoming part of approximately one-third of all Federal civil lawsuits. Civil cases effectively became two cases, one on the merits and the other on a set of dueling rule 11

allegations by both parties. The drain on the courts and the parties' resources caused the Judicial Conference to revisit the rule and adopt the changes that this bill would now have us undo.

More troubling was the 1983 rule's impact on civil rights cases, which are often based on novel claims that require significant discovery to establish. A 1991 Federal Judicial Center study found that whereas civil rights cases made up 11.4 percent of Federal cases filed, they constituted 22.7 percent of the cases in which sanctions were imposed. If we return to the old rule, we could see a chilling effect in which untested, but no less valid, civil rights claims are never brought for fear of sanctions.

The courts have ample authority to sanction conduct that undermines the integrity of our legal system. But this legislation is not just a solution in search of a problem. By taking us back to a time when rule 11 actually promoted routine, costly, and unnecessary litigation, this bill is a cure worse than the disease.

Given that we already know this bill will be a failure, one wonders how it would survive its own rule 11 motion if Congress had such a thing. The courts, having tried it for 10 years with disastrous results, rightly rejected this approach 20 years ago, and we should reject it again. I urge a "no" vote.

Mr. SMITH of Texas. Mr. Chairman, I yield such time as he may consume to the gentleman from Ohio (Mr. CHABOT), a senior member of the Committee on the Judiciary.

Mr. CHABOT. Mr. Chairman, I rise in strong support of the Lawsuit Abuse Reduction Act. I want to commend my colleague from Texas (Mr. SMITH) for his leadership on this important bill. Mr. SMITH, of course, who is now the chairman of the Committee on Science, Space, and Technology, was, for a number of years, the chairman of the Committee on the Judiciary, and he has a long reputation, much experience in trying to find ways to make the legal system work better for more people all across the country, and this is part of that, because there is a huge cost associated with the abusive lawsuits that have been filed for many years in this country.

Businesses are a popular target for frivolous lawsuits that lack any legal or factual basis. These lawsuits can easily result in hundreds of thousands of dollars in legal fees and discovery costs. Small businesses oftentimes don't have the financial resources to obtain a dismissal or sometimes even good legal counsel, and, therefore, their only option, in many cases, is to settle the case. In fact, many businesses and other entities put aside—insurance companies do this as well—a nuisance value of many of these cases because they realize so many cases are basically filed for not really legitimate

reasons, but because there is a cash payout at the end of this, and some who are able to will actually put that in their budget. But these expenses don't just cost small businesses time and productivity. Too often they force small businesses into bankruptcy, and that means real people lose their jobs. This happens thousands and thousands and thousands of times all across this country.

Mr. Chairman, as chairman of the House Committee on Small Business, I cannot emphasize enough that we absolutely cannot afford to lose any more small businesses in this country and the associated jobs that go with them.

By ensuring that there are penalties for lawyers filing frivolous lawsuits, H.R. 720 will deter abusive litigation practices that pose a real threat to the stability of many small businesses all across this country. After all, small businesses are the backbone of the economy. About 70 percent of the new jobs created in the American economy nowadays are created by small-business folks, so we should do everything we can to make sure that they are successful and able to hire more and more Americans so that we can get this economy moving again.

I urge my colleagues to support H.R. 720. I again thank Mr. SMITH for putting forth this very wise and thoughtful legislation which I think will go a long way toward improving the legal system that we have in this country.

Mr. CONYERS. Mr. Chairman, I am pleased to yield 4 minutes to the distinguished gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Chairman, I thank the ranking member of the Committee on the Judiciary for his distinguished service and my good friend from Texas for his managing of this bill on which we have a vigorous and active disagreement, but realize that the role of the Committee on the Judiciary is to enhance justice for all Americans, no matter what size business, what ethnicity, racial background, what issue they bring, whether they bring a commercial issue or whether they are for criminal justice.

That is why I rise to oppose this legislation, for it is important that we monitor, promote, codify, and respect justice. I oppose the legislation that aims to restore a long-discredited version of Federal Rule of Civil Procedure 11, in effect from 1983 to 1993. I use as a premise of my argument a letter from the Committee on Rules of Practice and Procedure of the Judicial Conference of the United States, in particular written by two distinguished Federal judges from Arizona, the chair of the Committee on Rules and the chair of the Advisory Committee on Rules, both Federal district court judges. But more importantly, my luck was to meet with a series of judges in the past week, Federal judges, Repub-

lican appointees and some Democratic appointees, and there was a vocal outcry of the outrage of this legislation, asking and begging that this legislation not be put in place.

Let me give you a description from the Federal courts, recognizing: "We of course share the desire of the sponsors of LARA to improve the civil justice system"—and that is the Lawsuit Abuse Reduction Act—"in our Federal courts, including the desire to reduce frivolous filings. But LARA creates a cure worse than the problem it is meant to solve."

"Moreover, as we are both Federal trial judges, our perspective is informed by our ongoing daily experience with the practical operation of the rules."

I, too, am concerned about small businesses. That is why we need to proceed as we are proceeding. It gives thoughtful judges the ability to protect those entities. The facts do not, according to the letter, support any assumption that mandatory sanctions deter frivolous filings.

"A decade of experience with the 1983 mandatory sanctions provision," they go on to say, "demonstrated that it failed to provide meaningful relief from the litigation behavior it was meant to address, and instead generated wasteful satellite litigation that had little to do with the merits of cases."

What good is that for the small litigant? What good will they have when they might be subject to satellite litigation? And so, Mr. Chairman, why would we want to return to the failed, discredited sanction regime rightly abandoned in 1993? H.R. 720 would require courts to impose monetary sanctions for any rule 11 violation, eliminating the safe harbor provision that currently allows attorneys to correct or withdraw a filing before rule 11 proceedings commence. That is justice: I made a mistake, I want to withdraw it. I am suing a small business, I have a different perspective. I know the facts, let me withdraw it.

The cost-shifting provision was eliminated by the courts because it encouraged satellite litigation, and many cases required parallel proceedings. Here is the worst of it: Suppose we were back in 1954. Would *Brown v. Board of Education* be a frivolous lawsuit subject to sanctions, a landmark decision of the United States Supreme Court that declared State laws establishing separate public schools for Black and White students unconstitutional? What about *Griswold* in 1965? It would also be judged as a frivolous lawsuit.

The CHAIR. The time of the gentlewoman has expired.

Mr. CONYERS. Mr. Chairman, I yield an additional 1 minute to the gentlewoman.

Ms. JACKSON LEE. Mr. Chairman, *Griswold* was a landmark case in which

the Supreme Court ruled that we had a right to privacy. Or what about the famous case that was made into a movie, *Loving v. Virginia*? I think for almost 25 years this mixed-marriage couple could not live in their own State. A lawsuit would have been considered frivolous. *Loving* was a landmark case which decided Virginia's antiscegenation statute was unconstitutional.

New York Times Co. v. United States in 1971, the question was on the constitutional freedom of the press. It reinforced the First Amendment.

Mr. Chairman, it is impossible to go back to the old days. I ask my colleagues to support the Jackson Lee amendment, to come up and to oppose the underlying bill in the name of justice for all.

Mr. Chairman, I include in the RECORD a list of seven notable cases the Lawsuit Abuse Reduction Act may have barred from a courtroom.

SEVEN NOTABLE CASES THE "LAWSUIT ABUSE REDUCTION ACT" MAY HAVE BARRED FROM A COURTROOM

Contrary to proponents' claims, LARA does not deter frivolous lawsuits. Rather it deters meritorious cases by imposing a one-size-fits-all mandate for federal judges. Mandatory sanctions inevitably chill meritorious claims particularly in cases of first impression or involving new legal theories, including cases to protect civil rights, the right to privacy, the environment, collective bargaining and the First Amendment. Our system of justice is a moving body of law, and novel legal theories have the ability to shift public policy and law.

Below are seven notable cases that LARA may have prevented because the cases presented what—at the time they were presented to the court—would have been considered novel legal theories:

Brown v. Board of Education of Topeka, 347 U.S. 483 (1954): *Brown* was a landmark decision of the United States Supreme Court that declared state laws establishing separate public schools for black and white students unconstitutional. The decision overturned the *Plessy v. Ferguson* decision of 1896 which allowed state-sponsored segregation. The Court's unanimous decision stated that "separate educational facilities are inherently unequal." As a result, de jure racial segregation was ruled a violation of the Equal Protection Clause of the Fourteenth Amendment of the United States Constitution. This ruling paved the way for integration and the civil rights movement.

Griswold v. Connecticut, 381 U.S. 479 (1965): *Griswold* was a landmark case in which the Supreme Court ruled that the Constitution protected a right to privacy. The case involved a Connecticut law that prohibited the use of contraceptives. By a vote of 7-2, the Supreme Court invalidated the law on the grounds that it violated the "right to marital privacy."

Lawrence v. Texas, 539 U.S. 558 (2003): In *Lawrence*, the Supreme Court considered the issue of whether adult consensual sexual activity is protected by the Fourteenth Amendment guarantee of equal protection under the law. The Court found that the petitioners were free as adults to engage in the private conduct in the exercise of their liberty under the Due Process Clause. The decision decriminalized the Texas law that made

it illegal for two persons of the same sex to engage in certain intimate sexual conduct.

Massachusetts v. Environmental Protection Agency, 549 U.S. 497 (2007): In this case, twelve states and several cities of the United States brought suit against the United States Environmental Protection Agency (EPA) to force the federal agency to regulate carbon dioxide and other greenhouse gases as pollutants. The Supreme Court found that Massachusetts, due to its "stake in protecting its quasi-sovereign interests" as a state, had standing to sue the EPA over potential damage caused to its territory by global warming. The Court rejected the EPA's argument that the Clean Air Act was not meant to refer to carbon emissions in the section giving the EPA authority to regulate "air pollution agent[s]."

Loving v. Virginia, 388 U.S. 1 (1967): *Loving* was a landmark civil rights case in which the United States Supreme Court, by a 9-0 vote, declared Virginia's anti-miscegenation statute, the "Racial Integrity Act of 1924," unconstitutional, thereby ending all race-based legal restrictions on marriage in the United States.

New York Times Co. v. United States, 403 U.S. 713 (1971): This case considered whether the *New York Times* and *Washington Post* newspapers could publish the then-classified Pentagon Papers without risk of government censure. The question before the Court was whether the constitutional freedom of the press, guaranteed by the First Amendment, was subordinate to a claimed need of the executive branch of government to maintain the secrecy of information. The Supreme Court ruled that the First Amendment protected the right of the *New York Times* to print the materials.

Tennessee Valley Authority v. Hill, 437 U.S. 153 (1978) (*The Snail Darter Case*): In *TVA*, the Supreme Court affirmed a court of appeals' judgment, which agreed with the Secretary of Interior that operation of the federal Tellico Dam would eradicate an endangered species. The Court held that a prima facie violation of § 7 of the Endangered Species Act, 16 U.S.C. § 1536, occurred, and ruled that an injunction requested by respondents should have been issued.

Mr. Chair, I rise in strong opposition to H.R. 720, the "Lawsuit Abuse Reduction Act of 2017," because it is both unnecessary and counterproductive.

I oppose this legislation that aims to restore a long-discredited version of Federal Rule of Civil Procedure 11, in effect from 1983 to 1993.

The current Rule 11 allows federal courts, in their discretion, to impose sanctions for frivolous filings and it encourages litigants to resolve such issues without court intervention.

As written, H.R. 720 would change the sanctions for a violation of Federal Rules of Civil Procedure 11 to a cost-shifting sanction payable to the opposing party, an antiquated version of the Rule in effect from 1983 until 1993.

Why, Mr. Chair would we return to the failed and discredited sanction regime rightly abandoned in 1993?

H.R. 720 would require courts to impose monetary sanctions for any Rule 11 violation, eliminating the safe harbor provision that currently allows attorneys to correct or withdraw a filing before Rule 11 proceedings commence.

That cost-shifting provision was eliminated by the courts because it encouraged satellite

litigation; many cases required parallel proceedings—one on the merits of the lawsuit and one on the Rule 11 motion.

The 1983 rule had a particularly negative disproportionate impact on plaintiffs, especially plaintiffs in civil rights cases, because plaintiffs in such cases often raise novel legal arguments, leaving them vulnerable to a Rule 11 motion by a defendant.

Reinstating this mandatory fee shifting rule, as H.R. 720 does, will again have a chilling effect on plaintiffs' claims, especially individual plaintiffs taking on large corporate interests.

Sanctions were more often imposed against plaintiffs than defendants and more often imposed against plaintiffs in certain kinds of cases, primarily in civil rights and certain kinds of discrimination cases.

A leading study on this issue showed that although civil rights cases made up 11.4% of federal cases filed, 22.7% of the cases in which sanctions had been imposed were civil rights cases.

The imposition of mandatory fees and costs ultimately shifts the purpose of the Rule from deterrence to compensation, encouraging parties to always file Rule 11 motions in the hopes of gaining additional compensation.

Both the Judicial Conference of the United States and the U.S. Supreme Court support preservation of the current version of Rule 11(c) and restoring the true balance between punishing unwarranted conduct and deterring unnecessary litigation.

Given the highly problematic experience under the 1983 rule, which sparked extensive and costly litigation, the rule burdened already strained federal court system, adversely affecting cases of all types, including civil litigation among businesses.

Congress should be looking for ways to decrease, not increase wasteful burdens on courts, and should avoid rule changes that have a discriminatory impact on civil rights, employment, environmental, and consumer cases.

For these reasons and more, I oppose this bill.

Mr. SMITH of Texas. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the Judicial Conference, by its own admission, objects to any amendments to the Federal rules it doesn't propose itself, but Congress has the constitutional authority and responsibility to establish and amend the Federal rules. It also has the duty to address problems with the judicial system that fall within its enumerated powers. Reducing frivolous lawsuits and ensuring that those who face meritless filings are able to receive compensation for losses caused by frivolous claims is a significant improvement to our justice system.

Also, Mr. Chairman, I would ask my colleagues, does a bill that grants the victims of corporate fraud the right to damages create satellite litigation? Of course it doesn't. What it does is create a means of guaranteed compensation for a wrong suffered. This bill does just that. It creates a means of guaranteed compensation for a wrong suffered;

namely, the wrong of a frivolous lawsuit.

It is the job of judges to apply the law. It is the job of Members of Congress to write the law. We are the people's representatives, and all of us have constituents who have been the victims of frivolous lawsuits. We are responsible for the lack of any redress today for the victims of frivolous lawsuits, and we aim to remedy that today by passing this bill on behalf of the constituents who sent us here. If you deny that the victims of frivolous lawsuits are real victims, then vote against this bill, but if you think the victims of frivolous lawsuits should be entitled to compensation, just like anyone else who proves their legal claims in court, you should support this bill.

Mr. Chair, I reserve the balance of my time.

□ 0945

Mr. CONYERS. Mr. Chairman, it is my pleasure to yield 4 minutes to the gentleman from Georgia (Mr. JOHNSON).

Mr. JOHNSON of Georgia. Mr. Chairman, I thank the ranking member for yielding.

Mr. Chairman, I rise in opposition to H.R. 720, the Lawsuit Abuse Reduction Act of 2017—which is misnamed, just as all of the other bills that we have considered this week that are trying to crush the ability of plaintiffs, people who have been injured, due to the negligence or intentional acts of others—legislation designed to keep plaintiffs out of court and protect wrongdoing corporations.

This bill is misnamed the Lawsuit Abuse Reduction Act. I would propose that we take out the word “abuse” and just leave it as it really is, which is the Lawsuit Reduction Act of 2017. That is what this legislation is designed to do, is to stop litigation in its tracks.

We have been debating the merits of a bill that the Judicial Conference itself does not find useful, especially considering the fact that they have already been through so-called lawsuit abuse reduction reform in the past. The Judicial Conference, of course, is the group of judges that helps to formulate policy for the judiciary, and they are the ones who know. We should consult with them. Of course, we have, as the legislative branch, the ability to legislate in those areas; but it doesn't make much sense for us to override or to ignore the views of the Judicial Conference when it comes to their own business.

That is what this legislation does. It doesn't lend itself to the support of the Judicial Conference, which is important, especially since they have already been through lawsuit abuse reduction reform efforts that were put into place by this body, the same ones that we are considering today. They didn't work then; they don't work today.

H.R. 720 ignores the discretion of well-versed judges to impose sanctions against attorneys engaging in unnecessary litigation. Because there have been critiques that the pleading standards in rule 8 of the Federal Rules of Civil Procedure give parties a license to bring a multiplicity of frivolous lawsuits, rule 11 is meant to act like a check.

Under rule 11, judges can sanction attorneys when they deem it is appropriate to curb unmeritorious lawsuits, and they use it. There is no question about that. Parties are being sanctioned every day under rule 11.

H.R. 720 now requires that judges impose mandatory sanctions with monetary compensation and deprive litigants of the opportunity to cure a defective lawsuit. The problem with this approach is that it makes the cost of litigation skyrocket as litigants are required to pay for attorneys' fees and other filing fees.

In addition, it creates a vicious cycle of litigation where parties engage in many trials over penalties to be paid as a result of rule 11 sanction motions rather than getting to the actual merits of the case. This approach was tried 20 years ago. It didn't work then, and there is no compelling reason to think that it is going to work today.

I ask my colleagues to oppose H.R. 720, just as I ask them to oppose these other attacks on the ability of plaintiffs to bring cases in court against wrongdoing corporate defendants, many of them multinationals.

Mr. SMITH of Texas. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, a few minutes ago, a judicial poll was mentioned. But I would point out to all of my colleagues that only one survey was done that consisted mostly of judges who had experience under both the stronger rule with mandatory sanctions. That poll showed overwhelming support for mandatory sanctions. When judges who had experience under both the stronger and weaker versions of rule 11 were polled, they overwhelmingly supported mandatory sanctions for frivolous lawsuits.

The survey of 751 Federal judges found that an overwhelming majority of Federal judges believed, based on their experience under both a weaker and stronger rule 11, that a stronger rule 11 did not impede development of the law: 95 percent; the benefits of the rule outweighed any additional requirement of judicial time: 72 percent; the stronger version of rule 11 had a positive effect on litigation in the Federal courts: 81 percent; and the rule should be retained in its then current form: 80 percent. Incredible.

A 2005 survey was also mentioned. In that survey, only 278 judges responded, as opposed to the 751 who responded to the survey done in 1990. Over half of the judges who responded to the 2005

survey had no experience under the stronger rule 11 because they were appointed to the bench after 1992. So that 2005 survey tells us very little about how judges comparatively view the stronger versus the weaker rule 11.

I would also point out that in the 1990 survey, roughly twice as many responded as in the 2005 survey.

Mr. Chairman, I reserve the balance of my time.

Mr. CONYERS. Mr. Chairman, I yield myself such time as I may consume. These constitute my closing observations on this measure.

Mr. Chairman, H.R. 720 would turn back the clock to a time when rule 11 discouraged civil rights cases, restricted judicial discretion, and engendered vast amounts of time-consuming and costly so-called satellite litigation.

Not surprisingly, the Judicial Conference of the United States, the principal policymaking body for the judicial branch charged with proposing amendments to the Federal Rules of Civil Procedure under the careful, deliberate process specified in the Rules Enabling Act, opposes this measure, noting that it creates a cure worse than the problem it is meant to solve.

Likewise, the American Bar Association opposes this legislation, as do numerous consumer and environmental groups, including: Public Citizen, the Alliance for Justice, the Center for Justice and Democracy, the Consumer Federation of America, Consumers Union, Earthjustice, the National Association of Consumer Advocates, and six other major organizations.

Finally, last Congress, the Obama administration, strongly opposed a substantively identical measure, noting that the bill was “both unnecessary and counterproductive,” and that it “actually increases litigation.”

Accordingly, I urge my colleagues in this body to reject this flawed bill.

Mr. Chairman, I yield back the balance of my time.

Mr. SMITH of Texas. Mr. Chairman, I yield myself such time as I may consume.

Let me first point out that this bill is being key voted by the United States Chamber of Commerce. It has been endorsed by the National Federation of Independent Business, and also endorsed by the Physicians Insurance Association of America.

Mr. Chairman, let me remind Members what the base bill—which is just a page long—actually does. It makes it mandatory for the victims of frivolous lawsuits filed in Federal Court to be compensated for the harm done to them by the filers of frivolous lawsuits. The bill doesn't change the existing standards for determining what is or is not a frivolous lawsuit. So under the bill, mandatory sanctions would only be awarded to victims of frivolous lawsuits when those lawsuits have no basis in law or fact.

The victims of frivolous lawsuits are real victims. They have to shell out thousands of dollars, endure sleepless nights, and spend time away from their family, work, and customers, just to respond to frivolous pleadings. Few would ever claim that judges should have the discretion to deny damage awards to victims of legal wrongs proved in court.

So why should judges have the discretion to deny damage awards to victims of frivolous lawsuits who prove in court that the case brought against them was, indeed, frivolous?

A vote against LARA, including a vote for the motion to recommit, is a denial of the fact that victims of frivolous lawsuits are real victims. But they are real victims, and they deserve to be guaranteed compensation when they prove in court that the claims against them are frivolous. This bill would do just that, and for these reasons, I urge my colleagues to support it.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR (Mr. HULTGREN). All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule. The bill shall be considered as read.

The text of the bill is as follows:

H.R. 720

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Lawsuit Abuse Reduction Act of 2017”.

SEC. 2. ATTORNEY ACCOUNTABILITY.

(a) SANCTIONS UNDER RULE 11.—Rule 11(c) of the Federal Rules of Civil Procedure is amended—

(1) in paragraph (1), by striking “may” and inserting “shall”;

(2) in paragraph (2), by striking “Rule 5” and all that follows through “motion.” and inserting “Rule 5.”; and

(3) in paragraph (4), by striking “situated” and all that follows through the end of the paragraph and inserting “situated, and to compensate the parties that were injured by such conduct. Subject to the limitations in paragraph (5), the sanction shall consist of an order to pay to the party or parties the amount of the reasonable expenses incurred as a direct result of the violation, including reasonable attorneys’ fees and costs. The court may also impose additional appropriate sanctions, such as striking the pleadings, dismissing the suit, or other directives of a non-monetary nature, or, if warranted for effective deterrence, an order directing payment of a penalty into the court.”.

(b) RULE OF CONSTRUCTION.—Nothing in this Act or an amendment made by this Act shall be construed to bar or impede the assertion or development of new claims, defenses, or remedies under Federal, State, or local laws, including civil rights laws, or under the Constitution of the United States.

The Acting CHAIR. No amendment to the bill shall be in order except those printed in part A of House Report 115-29. Each such amendment may be offered only in the order printed in the

report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. SOTO

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in part A of House Report 115-29.

Mr. SOTO: Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, strike line 11 and all that follows through line 13, and insert the following:

(2) in paragraph (2)—

(A) by inserting after “be presented to the court if” the following: “discovery has not been completed and if”; and

(B) by striking “within 21 days” and inserting “within 14 days”; and

The Acting CHAIR. Pursuant to House Resolution 180, the gentleman from Florida (Mr. SOTO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. SOTO. Mr. Chairman, my amendment would reinstate the Federal Rules of Civil Procedure rule 11(c)(2) safe harbor provision, which allows parties to avoid penalties, by withdrawing or correcting the claims within 14 days from when the alleged violation of rule 11(b) becomes known, anytime up until the end of the discovery period.

This bill would force attorneys to assess their case blindly as it stands. Every attorney knows to assess their case based upon an objective set of facts regarding the situation.

A good attorney would never overpromise a cause of action, but this bill prevents even a fair assessment of a case. A full and accurate analysis of the merits of the case must be done on day one, because this bill requires mandatory sanctions with no grace period. We have tried this already, and it did not work.

This bill will eliminate rule 11(c)(2)’s safe harbor provision, which currently allows the target of a rule 11 motion for sanctions to withdraw or correct the paper claim, defense, contention, or denial that is the subject of the motion for sanctions within 21 days after service.

Between 1938 and 1983, there were only 19 rule 11 filings. In 1983, rule 11 was changed to the standard being proposed by this bill. In the 10 years without this safe harbor provision, nearly 7,000 motions for sanctions were made. A 1989 study showed that roughly one-third of all Federal civil lawsuits involved rule 11 satellite litigation, and approximately one-fourth of all those cases on the docket involved rule 11 ac-

tions that did not result in sanctions. Thus, attorneys had a dual job: one to try the case, and the other to try the opposing counsel.

We can’t go back to a failed system. The amount of sanction litigation that clogged the system was so extensive that in 1993, a mere 10 years after this failed legal experiment began, a safe harbor provision was established to unclog the system, and it worked. Since then, the amount of rule 11 sanction satellite litigation has come down, and the courts are now better able to focus on the case at hand.

In committee, Mr. CICILLINE of Rhode Island, recommended the reimplementation of the 21-day safe harbor provision.

□ 1000

Instead of following this common-sense proposal, the committee rejected it by an 18-4 vote. I believe such an important provision needs to be revisited, but with a compromise. That is why I drafted this amendment that offers a 14-day safe harbor provision; and as a measure to protect further abuse, my safe harbor amendment is only available prior to the completion of discovery, yet another attempt to have a compromise here.

The intent for this discovery provision is that an attorney, during discovery, may realize a flaw in their case. Such a revelation should allow an attorney to correct or withdraw their claim without having the fear of having mandatory automatic sanctions imposed on them. Instead, this bill, as written, immediately places sanctions on the mistaken lawyer. This is well-intentioned, but it does not acknowledge the realities of litigation or the legal process.

In the real world, clients can easily misrepresent a situation to their counsel, and the truth won’t be known until discovery. This bill will have a stifling effect on the legal community and will lead to denied justice because attorneys will not be willing to take a case unless it is a guaranteed win.

We should take the lessons learned from the 1983 experiment and preserve the safe harbor provision to protect well-intended plaintiffs’ attorneys and not stack the deck against those who seek justice.

Mr. Chair, I urge support for my amendment, and I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. SMITH of Texas. Mr. Chairman, I oppose this amendment which allows lawyers who file frivolous claims to escape any sanction.

It is essential that LARA reverse the 1993 amendments to rule 11. The current rule allows those who file frivolous lawsuits to avoid sanctions by

withdrawing claims within 21 days after a motion for sanctions has been filed. This loophole, which LARA closes, gives unscrupulous lawyers an unlimited number of free passes to file frivolous pleadings with impunity.

Justice Scalia correctly predicted that such amendments would, in fact, encourage frivolous lawsuits. Opposing the 1993 amendments in which the 21-day rule was instated, Justice Scalia wrote:

In my view, those who file frivolous suits in pleadings should have no safe harbor. The rules should be solicitous of the abused and not of the abuser. Under the revised rule, parties will be able to file thoughtless, reckless, and harassing pleadings, secure in the knowledge that they have nothing to lose: if objection is raised, they can retreat without penalty.

LARA would eliminate the free pass lawyers use to file frivolous lawsuits. This amendment would eliminate that free pass that is so costly to innocent Americans.

Mr. Chairman, I oppose the amendment, and I yield back the balance of my time.

Mr. SOTO. Mr. Chair, there is a sanction in place. You have to remove your claim or your assertion that is in question, and there is the cost of time that any attorney has to put in. But at the end of the day, we have already been down this road and it has failed. Now all we are going to see is more litigation again without the requisite increase in funding to our Federal courts.

And so what we are going to see is anybody who sued—whether you are a plaintiff suing or defendant—is going to now have far more complex, dual-track litigation, and that is going to increase costs on businesses and on individuals who are facing litigation in our Federal courts. I believe we need to keep the lessons learned from the past, and I urge Members to adopt my amendment.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. Soto).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. SOTO. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida will be postponed.

AMENDMENT NO. 2 OFFERED BY MS. JACKSON LEE

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in part A of House Report 115–29.

Ms. JACKSON LEE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, beginning on line 19, strike “shall consist of an order to pay” and all that follows through “reasonable expenses incurred” on line 20, and insert “may consist of an order to pay the reasonable expenses incurred by the party or parties”.

The Acting CHAIR. Pursuant to House Resolution 180, the gentlewoman from Texas (Ms. JACKSON LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE. Mr. Chairman, let me again emphasize our mutual commitment to justice and why I think the underlying bill skews justice and tips the scale of justice on Lady Justice.

I again refer you to the sitting experts, and that is the Judicial Conference of the United States, comprised of Federal judges all across America. I can't help but recite this sentence that strikes me as one as strong as possible to have been cited in a letter.

Their referral to LARA, the Lawsuit Abuse Reduction Act, in this one sentence, recognizing the concern about frivolous lawsuits or filings, they say:

But LARA creates a curse worse than the problem it is meant to solve.

I think that that one sentence says it all. We are not here solving a problem. We are here creating a problem.

I am particularly struck by the comments regarding small businesses. My amendment improves H.R. 720 by preserving the current law and practice of courts awarding attorneys' fees when justice requires.

As written, H.R. 720 would change the sanctions for violation of Federal Rules of Civil Procedure 11 to a cost-shifting sanction, payable to the opposing party, an antiquated version of the rule in effect from 1983 until 1993. That cost-shifting provision was eliminated by the courts because it encouraged satellite litigation.

The Jackson Lee amendment would preserve the sanctions currently available under rule 11, which provide the correct balance in punishing unwarranted conduct—this is under the present status of rule 11—without encouraging unnecessary litigation.

Specifically, my amendment will strike a provision of the legislation that mandates the award of reasonable attorney fees and costs. Instead, it restores judicial discretion to award such fees and costs when warranted.

Take small business A, who is mad at big bank XYZ. They mishandled my account, and they filed a lawsuit. Unfortunately, the bookkeeper—not accountant—bookkeeper that the small business used really made the mistake, but the judge, recognizing the small business had good intentions, would not have to mandatorily force them to be sanctioned and to pay attorneys' fees but might then have discretion. That is how you help small business A.

I ask my colleagues to support the reasonable Jackson Lee amendment.

Mr. Chair, thank you for this opportunity to explain the Jackson Lee Amendment to H.R. 720.

My amendment improves H.R. 720 by preserving the current law and practice of courts awarding attorney fees when justice so requires.

As written, H.R. 720 would change the sanctions for a violation of Federal Rules of Civil Procedure (FRCP) 11 to a cost-shifting sanction payable to the opposing party, an antiquated version of the Rule in effect from 1983 until 1993.

That cost-shifting provision was eliminated by the courts because it encouraged satellite litigation.

The Jackson Lee Amendment would preserve the sanctions currently available under Rule 11, which provide the correct balance in punishing unwarranted conduct, without encouraging unnecessary litigation.

Specifically, my amendment will strike a provision of the legislation that mandates the award of reasonable attorneys' fees and costs, and instead restores judicial discretion to award such fees and costs when warranted.

The Jackson Lee Amendment preserves the balance found in the current version of Rule 11, which gives the court discretion to determine an appropriate sanction.

H.R. 720 seeks a return to the failed and discredited sanction regime rightly abandoned in 1993.

By eliminating the mandatory fee-shifting provision, the 1993 Rule discouraged satellite litigation and encouraged parties to move forward with the merits of the case.

Under the prior Rule 11, during the 1983–1993 time, mandatory fee-shifting was used to discourage plaintiffs from bringing meritorious claims using novel legal theories in civil rights and employment rights cases.

Reinstating this mandatory fee shifting rule, as H.R. 720 does, will again have a chilling effect on plaintiffs claims, especially individual plaintiffs taking on large corporate interests.

The Jackson Lee Amendment would preserve the current version of Rule 11(c) and restore the true balance between punishing unwarranted conduct and deterring unnecessary litigation.

The old rule disproportionately affected plaintiffs, especially plaintiffs in civil rights cases.

Sanctions were more often imposed against plaintiffs than defendants and more often imposed against plaintiffs in certain kinds of cases, primarily in civil rights and certain kinds of discrimination cases.

A leading study on this issue showed that although civil rights cases made up 11.4% of federal cases filed, 22.7% of the cases in which sanctions had been imposed were civil rights cases.

The imposition of mandatory fees and costs shifts the purpose of the Rule from deterrence to compensation, encouraging parties to always file Rule 11 motions in the hopes of gaining additional compensation.

For these reasons, I urge my colleagues to join me in supporting the Jackson Lee Amendment.

COMMITTEE ON RULES OF PRACTICE
AND PROCEDURE OF THE JUDICIAL
CONFERENCE OF THE UNITED
STATES,

Washington, DC, April 13, 2015.

Hon. BOB GOODLATTE,
*Chairman, Committee on the Judiciary,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: We write to present the views of the Judicial Conference Rules Committees on H.R. 758, the Lawsuit Abuse Reduction Act of 2015.

As the current chairs of the Judicial Conference's Committee on the Rules of Practice and Procedure (the "Standing Committee") and the Advisory Committee on the Federal Rules of Civil Procedure (the "Advisory Committee"), we oppose H.R. 758, which seeks to reduce lawsuit abuse by amending Rule 11 of the Federal Rules of Civil Procedure. The bill would reinstate a mandatory sanctions provision of Rule 11 adopted in 1983 and removed as counterproductive in 1993. The bill would also eliminate a provision adopted in 1993 that allows a party to withdraw challenged pleadings. Our concerns mirror the views expressed by the Judicial Conference in 2004 and 2005, and by the Standing Committee and Advisory Committee in 2011 and 2013, in response to similar legislation, and reflect our ongoing daily experience with the practical operation of the rules.

We share the desire of the sponsors of H.R. 758 to improve the civil justice system in our federal courts, including the desire to reduce frivolous filings. But legislation that would restore the 1983 version of Rule 11 would create a cure worse than the problem it is meant to solve. Such legislation also contravenes the longstanding Judicial Conference policy opposing direct amendment of the federal rules by legislation rather than through the deliberative process Congress established in the Rules Enabling Act, 28 U.S.C. §§ 2071–2077.

A decade of experience with the 1983 mandatory sanctions provision demonstrated that it failed to provide meaningful relief from the litigation behavior it was meant to address, and instead generated wasteful satellite litigation that had little to do with the merits of cases. The 1983 version of Rule 11 required sanctions for every violation of the rule, and quickly became a tool of abuse. Aggressive filings of Rule 11 sanctions motions required expenditure of tremendous resources on Rule 11 battles having nothing to do with the merits of the case and everything to do with strategic gamesmanship. Many Rule 11 motions in turn triggered counter-motions seeking Rule 11 sanctions as a penalty for filing of the original Rule 11 motion.

The 1993 changes to Rule 11 followed years of examination and were made on the Judicial Conference's strong recommendation, with the Supreme Court's approval, and effective only following a period of congressional review. The 1993 amendments were designed to remedy the major problems with the rule, strike a fair balance between competing interests, and allow parties and courts to focus on the merits of the underlying cases. Since 1993, the rule has included a safe harbor, providing a party 21 days within which to withdraw a particular claim or defense before sanctions can be imposed. If the party fails to withdraw an allegedly frivolous claim or defense within that time, a court may impose sanctions, including assessing reasonable attorney fees. Under the 1993 amendments, sanctioning of discovery-related abuse remains available under Rules

26 and 37, which provide for sanctions that include awards of reasonable attorney fees.

Minimizing frivolous filings is vital. The current rules give judges tools to deal with frivolous pleadings, including the imposition of sanctions where warranted. Rule 12(b)(6) authorizes courts to dismiss pleadings that fail to state a claim. Section 1927 of Title 28 of the United States Code authorizes sanctions against lawyers for "unreasonably and vexatiously" multiplying the proceedings in any case. Other tools to address frivolous filings include 28 U.S.C. § 1915(e), which requires courts to dismiss cases brought in forma pauperis that are frivolous, malicious, or fail to state a claim, and 28 U.S.C. § 1915A, which requires courts to dismiss prisoner complaints against governmental entities, officers, or employees that are frivolous, malicious, or fail to state a claim.

Some may ask, why not give courts another tool to deter frivolous filings by reinstating the 1983 version of Rule 11? The answer is that the very process Congress established to consider rule proposals exposed the 1983 version of Rule 11 as superficially appealing, but replete with unintended consequences, chiefly an explosion of satellite litigation. Congress designed the Rules Enabling Act process in 1934, and reformed it in 1988, to produce the best rules possible through broad public participation and review by the bench, the bar, and the academy. The Enabling Act charges the judiciary with the task of neutral, independent, and thorough analysis of the rules and their operation. The Rules Committees undertake extensive study of the rules, including empirical research, so that they can propose rules that will best serve the American justice system while avoiding unintended consequences. Experience has shown that this process works well. Direct amendment of Rule 11 will not only circumvent the effective Rules Enabling Act process Congress implemented, but as the careful study of Rule 11 undertaken by the Rules Committees over many years demonstrates, direct amendment of Rule 11 as envisioned by H.R. 758 would work against the laudable purpose of improving the administration of justice.

Before proposing the 1993 amendments, the Advisory Committee reviewed several empirical studies of the 1983 version of Rule 11, including studies conducted by the Federal Judicial Center in 1985 and 1988, a Third Circuit Task Force report on Rule 11 in 1989, and a New York State Bar Committee report in 1987. In 1990, the Advisory Committee issued a call for general comments on the rule. The response was substantial and clearly called for a change. The Advisory Committee concluded that Rule 11's cost-shifting provision created an incentive for too many unnecessary Rule 11 motions. Amendments to Rule 11 were drafted by the Advisory Committee and approved by the Standing Committee and Judicial Conference. The Supreme Court approved the amendments and transmitted them to Congress in May 1993 after extensive scrutiny and debate by the bench, bar, and public in accordance with the Rules Enabling Act process.

The amended rule has produced a marked decline in Rule 11 satellite litigation without any noticeable increase in frivolous filings. In June 1995, the Federal Judicial Center conducted a survey of 1,130 lawyers and 148 judges on the effects of the 1993 amendments. The Center found general satisfaction with the amended rule, and that a majority of the responding judges and lawyers did not favor a return to mandatory sanctions when the rule is violated.

In 2005, the Federal Judicial Center surveyed federal trial judges to get a clearer picture of how the revised Rule 11 was operating. A copy of the study is enclosed. The study showed that judges on the front lines—those who must contend with frivolous litigation and apply Rule 11—strongly believe that the current rule works well. The study's findings include the following highlights:

More than 80 percent of the 278 district judges surveyed indicated that "Rule 11 is needed and it is just right as it now stands";

87 percent prefer the existing Rule 11 to the 1983 version or the version proposed by legislation (e.g., H.R. 4571 (the Lawsuit Abuse Reduction Act of 2004) or H.R. 420 (the Lawsuit Abuse Reduction Act of 2005));

85 percent strongly or moderately support Rule 11's safe harbor provisions;

91 percent oppose the proposed requirement that sanctions be imposed for every Rule 11 violation;

84 percent disagree with the proposition that an award of attorney fees should be mandatory for every Rule 11 violation;

85 percent believe that the amount of groundless civil litigation has not grown since the promulgation of the 1993 rule (for judges commissioned before 1992) or since their first year as a federal district judge (for judges commissioned after January 1, 1992); and

72 percent believe that addressing sanctions for discovery abuse in Rules 26(g) and 37 is better than in Rule 11.

The findings of the Federal Judicial Center underscore the judiciary's united opposition to legislation amending Rule 11. Lawyers share this view. The American Bar Association has opposed H.R. 758. Indeed, of the 200 lawyers, litigants, judges, and academics who participated in the 2010 conference at Duke University Law School convened by the Advisory Committee to search for ways to address the problems of costs and delay in civil litigation, nobody proposed a return to the 1983 version of Rule 11.

Thank you for considering the views of the Standing Committee and Advisory Committee. We look forward to continuing to work with you to ensure that our civil justice system fulfills its vital role. If you or your staff have any questions, please contact Rebecca Womeldorf, Secretary to the Standing Committee.

Sincerely,

JEFFREY S. SUTTON,
*United States Circuit
Judge Sixth Circuit,
Chair, Committee on
Rules of Practice
and Procedure.*

DAVID G. CAMPBELL,
*United States District
Judge District of Ar-
izona, Chair, Advi-
sory Committee on
Civil Rules.*

Ms. JACKSON LEE. Mr. Chair, I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. SMITH of Texas. Mr. Chairman, I oppose this amendment which would strike the provision for penalties for frivolous lawsuits and, thus, defeat the purpose of the bill.

Today, there is no guarantee that a victim of a frivolous lawsuit will be

compensated, even when a court finds that the lawsuit is frivolous. This legislation gives the victims of frivolous lawsuits the ability to receive compensation from those who abuse the legal system. The underlying bill enables innocent Americans to protect themselves and their families from absolutely absurd lawsuits, which can cost them their reputations and their livelihoods.

Mr. Chair, I urge my colleagues to oppose this amendment, and I reserve the balance of my time.

Ms. JACKSON LEE. Mr. Chairman, reading again from the Judicial Conference letter, it says: The facts do not support any assumption that mandatory sanctions under H.R. 720—that is what the bill is about—deter frivolous filings. All it does, after a decade of experience, is that it demonstrates that it failed to provide meaningful relief from the litigation behavior it was supposed to address.

What it will do is it will punish the small business. By eliminating the mandatory fee-shifting provision, the 1993 rule discouraged satellite litigation. Reinstating this mandatory fee-shifting rule, as H.R. 720 does, will again have a chilling effect.

The Jackson Lee amendment would give the courts discretion to protect against the mom-and-pop business from having to pay because they mistakenly thought big bank XYZ did them in, and it really was a mistake on their part.

Sanctions are more often imposed against plaintiffs than defendants, more often imposed against plaintiffs in certain kind of cases, primarily civil rights and certain kinds of discrimination cases.

The *Brown v. Board of Education of Topeka* might have been perceived to be outrageous—how dare you try to strike down the separate but equal—and yet it has had an amazing impact and a case of moment in history.

Or the *Loving v. Virginia*, when two individuals who loved each other still were kept out of Virginia because they were of different races, it was absurd to file that lawsuit at that time. Yet, if they had not, or if these kinds of penalties were in place, they might be suffering mandatory sanctions and kept out of the courthouse.

A leading study on this issue showed that, although civil rights cases make up 11.4 percent, 22.7 percent of the cases in which sanctions have been imposed are civil rights cases.

Mr. Chair, I ask my colleagues to support the Jackson Lee amendment. In order to foster justice, support the Jackson Lee amendment, which restores to the courts judicial discretion on penalties and sanctions, if you will, and listen to the Judicial Conference: this is a curse worse than the problem.

Mr. Chair, I urge support of the Jackson Lee amendment, and I yield back the balance of my time.

Mr. SMITH of Texas. Mr. Chairman, let me just summarize this bill in one sentence, and that is that no reputable attorney is going to have any concerns with this legislation.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Ms. JACKSON LEE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. JACKSON LEE. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. CONYERS

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part A of House Report 115-29.

Mr. CONYERS. Mr. Chairman, I ask that my amendment be brought forward at this time.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add, at the end of the bill, the following:

SEC. 3. PROTECTING ACTIONS PERTAINING TO CONSTITUTIONAL CLAIMS OR CIVIL RIGHTS.

Nothing in this Act, or the amendments made by this Act, shall be construed to apply to actions alleging any violation of a right protected by the Constitution or any civil right protected by law.

The Acting CHAIR. Pursuant to House Resolution 180, the gentleman from Michigan (Mr. CONYERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. CONYERS. Mr. Chairman, I am very concerned that H.R. 720 may have a serious, deleterious impact on the ability of individuals to protect their civil and constitutional rights in Federal court. This is a point that has been emphasized on this side ever since we have started examining, more carefully, H.R. 720. Accordingly, my amendment would simply exempt these types of cases from the bill.

Based on a decade of experience with the 1983 version of the Federal Rules of Civil Procedure, we know that the civil rights cases were, in fact, disproportionately impacted because they often raised novel arguments.

For example, a 1991 Federal Judicial Center study found that the incidence of rule 11 motions was “higher in civil rights cases than in some other types of cases.” Another study shows that, while civil rights cases comprised only 11 percent of the Federal cases filed, more than 22 percent of the cases in which sanctions had been imposed were, in fact, civil rights cases.

The bill contains a rule of construction intended to clarify that “it not be construed to bar the assertion of new claims or defenses or remedies, including those arising under civil rights laws or the Constitution.”

The inclusion of this language is an acknowledgment of the disproportionate impact that the 1983 rule had on civil rights cases, and we should applaud—and I am sure we do—its intent.

Nevertheless, I fear this rule of construction, by itself, will not prevent defendants from using rule 11 as a weapon to dissuade civil rights plaintiffs from pursuing their claims.

□ 1015

My amendment makes an explicit exception for civil rights and constitutional actions. As a result, litigants will be clearly aware of its existence and will not be able to force opposing parties into satellite litigation when the case is brought under a civil rights law.

This amendment is necessary to avoid even the possibility of a chilling effect that the revisions made by the bill to rule 11 could have on those advocating for civil rights and constitutional law protections. As the late Robert Carter, a former United States judge for the Southern District of New York, who earlier in his career represented one of the plaintiffs in the *Brown v. Board of Education* case, said of the 1983 version of rule 11:

“I have no doubt that the Supreme Court’s opportunity to pronounce separate schools inherently unequal in *Brown v. Board of Education* would have been delayed for a decade had my colleagues and I been required, upon pain of potential sanctions, to plead our legal theory explicitly from the start.”

For that reason alone, I urge the adoption of this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. SMITH of Texas. Mr. Chairman, let me say, first of all, that the ranking member of the Judiciary Committee, the gentleman from Michigan (Mr. CONYERS), has been a champion of civil rights all of his life. I recognize and respect that.

For that reason, I would like to try to reassure him that the base bill already says, as I mentioned in my opening statement:

“Nothing in this Act or an amendment made by this Act shall be construed to bar or impede the assertion or development of new claims, defenses, or remedies under Federal, State, or local laws, including civil rights laws, or under the Constitution of the United States.”

This provision clearly preserves the right to assert claims under the civil rights laws or the Constitution. I don't know how this language could be more clear.

This amendment would allow frivolous claims to be brought under civil rights laws without any of the penalties required in the base bill. If this amendment were adopted, the bill would invite the filing of frivolous civil rights claims without any penalty whatsoever.

I urge my colleagues to oppose this amendment, which regrettably would expose innocent Americans to abusive and frivolous lawsuits.

Mr. Chairman, I reserve the balance of my time.

Mr. CONYERS. Mr. Chairman, I yield the balance of my time to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Chairman, I support Representative CONYERS' amendment.

I include in the RECORD in support of our amendment a Judicial Conference letter dated April 13, 2015, and letters from a number of organizations, including the Alliance for Justice and the American Association for Justice.

I also include in the RECORD a letter from the American Bar Association, who begins their message:

"On behalf of the American Bar Association, ABA, and its over 400,000 members, I am writing to urge you to vote against H.R. 720, the Lawsuit Abuse Reduction Act . . . which is scheduled for a floor vote this week."

Re Groups Strongly Oppose Attacks on Civil Justice.

Hon. BOB GOODLATTE,
Chairman, Committee on the Judiciary, House of Representatives, Washington, DC.

Hon. JOHN CONYERS, Jr.,
Ranking Member, Committee on the Judiciary, House of Representatives, Washington, DC.

DEAR CHAIRMAN GOODLATTE AND RANKING MEMBER CONYERS: On February 2, the House Committee on the Judiciary is scheduled to mark up several bills that collectively would make it more difficult for Americans to enforce their legal rights, and would place unreasonable burdens on the federal judiciary and federal enforcement officials. The undersigned organizations strongly oppose these bills as harmful and unnecessary.

H.R. 720: THE LAWSUIT ABUSE REDUCTION ACT
(LARA)

LARA would make major, substantive changes to Rule 11 of the Federal Rules of Civil Procedure, bypassing both the Judicial Conference of the United States and the U.S. Supreme Court in the process. Rule 11 provides judges with authority to sanction attorneys for filing frivolous claims and defenses. It provides judges with discretion to decide, on a case-by-case basis, if sanctions are appropriate. LARA would remove this judicial discretion, mandating sanctions. LARA would reinstate a rule put into effect in 1983 that was so unworkable it was rescinded in 1993 after many problems and nearly universal criticism. Among those problems were: the rule had a chilling effect on the filing of meritorious civil rights, employment, environmental, and consumer

cases; the rule was overused in civil rights cases as sanctions were sought and imposed against civil rights plaintiffs more than against any other litigants in civil court; and the rule burdened the already strained federal court system with satellite litigation over compliance with the rule. These burdens adversely affected cases of all types, including business-to-business civil litigation. Congress should be looking for ways to decrease, not increase, wasteful burdens on the courts, and should avoid rules changes that have a discriminatory impact on civil rights, employment, environmental, and consumer cases.

H.R. 725: THE INNOCENT PARTY PROTECTION ACT

This bill would upend long established law in the area of federal court jurisdiction, specifically addressing the supposed overuse of "fraudulent joinder" to defeat complete diversity jurisdiction in a case. It was previously known as the "Fraudulent Joinder Prevention Act." However, this bill is not about fraud. It is a corporate forum-shopping bill that would allow corporations to move cases properly brought in state courts into federal courts. Corporate defendants support this bill because they prefer to litigate in federal court, which usually results in less diverse jurors, more expensive proceedings, longer wait times for trials, and stricter limits on discovery. For plaintiffs, who are supposed to be able to choose their forums, this legislation would result in additional time, expense, and inconvenience for the plaintiff and witnesses. Moreover, there is no evidence that federal courts are not already properly handling allegations of so-called "fraudulent joinder" after removal under current laws. The bill would result in needless micromanagement of federal courts and a waste of judicial resources. While it purports to fix a non-existent problem, it creates problems itself.

H.R. 732: STOP SETTLEMENT SLUSH FUNDS ACT

Under existing laws, settlement terms that result from federal enforcement actions can sometimes include payments to third parties to advance programs that assist with recovery, benefits, and relief for communities harmed by lawbreakers, to the extent such payments further the objectives of the enforcement action. This bill would cut off any payments to third parties other than individualized restitution and other forms of direct payment for "actual harm." That restriction would handcuff federal enforcement officials by limiting their ability to negotiate appropriate relief for real harms caused to the public by illegal conduct that is the subject of federal enforcement actions. This bill would be a gift to lawbreakers at the expense of families and communities suffering from injuries that cannot be addressed by direct restitution.

We urge you to oppose each of these bills. For more information, please contact Joanne Doroshow at the Center for Justice & Democracy or Susan Harley at Public Citizen's Congress Watch.

Very sincerely,

Alliance for Justice, American Association for Justice, Americans for Financial Reform, Asbestos Disease Awareness Organization, Brazilian Worker Center, California Kids IAQ, Center for Biological Diversity, Center for Justice & Democracy, Center for Science in the Public Interest, Coal River Mountain Watch, Comité Civico, Committee to Support the Antitrust Laws, Consumer Action, Consumer Federation of America, Consumers for Auto Reliability and Safety.

Daily Kos, DMV EJ Coalition Earthjustice, East Yard Communities for Environmental

Justice, Environmental Working Group, Farmworker Association of Florida, Homeowners Against Deficient Dwellings, IDARE LLC, Impact Fund, Louisiana Bucket Brigade, M&M Occupational Health and Safety Services, Martinez Environmental Group, National Association of Consumer Advocates, National Center for Law and Economic Justice, National Consumer Law Center (on behalf of its low income clients).

National Consumers League, National Employment Lawyers Association, Natural Resources Defense Council, New Haven Legal Assistance Association, Ohio Citizen Action, Ohio Valley Environmental Coalition, Oregon Environmental Council, Progressive Congress Action Fund, Protect All Children's Environment, Public Citizen, Public Justice Center, Public Law Center, RootsAction.org, Southern Appalachia Mountain Stewards, Texas Watch, The Workers' Rights Center, U.S. PIRG, Western New Council on Occupational Safety and Health, WiscOSH, Inc., Workplace Fairness, Worksafe.

AMERICAN BAR ASSOCIATION,

Washington, DC, March 7, 2017.

ABA URGES YOU TO OPPOSE PASSAGE OF H.R. 720, THE LAWSUIT ABUSE REDUCTION ACT

DEAR REPRESENTATIVE: On behalf of the American Bar Association (ABA) and its over 400,000 members, I am writing to urge you to vote against H.R. 720, the Lawsuit Abuse Reduction Act of 2015, which is scheduled for a floor vote this week.

Even though this legislation may seem straightforward and appealing on initial review, a thorough examination of the concerns the bill is designed to address provides compelling evidence that, rather than reducing frivolous lawsuits, H.R. 720 will encourage civil litigation abuse and increase court costs and delays.

H.R. 720 seeks to amend Rule 11 of the Federal Rules of Civil Procedure by rolling back critical improvements made to the Rule in 1993. The legislation would reinstate a mandatory sanction provision that was adopted in 1983 and eliminated a decade later after experience revealed its unintended, adverse consequences. It also would eliminate the "safe harbor" provision, added in 1993, which has helped reduce frivolous lawsuits by allowing parties to withdraw claims within 21 days after a motion for sanctions is served.

The ABA urges you to oppose enactment of H.R. 720 for three main reasons. First, the legislation was drafted in an empirical and historical vacuum without the input of the judicial branch. Second, there is no demonstrated evidence that the existing Rule 11 is inadequate and needs to be amended. And third, by ignoring the lessons learned from ten years of experience under the 1983 mandatory version of Rule 11, Congress incurs the substantial risk that the proposed changes will harm litigants by encouraging additional litigation and increasing court costs and delays.

I. AMENDMENTS TO THE FEDERAL RULES SHOULD BE VETTED THROUGH THE RULES ENABLING ACT PROCESS

The Rules Enabling Act was established by Congress to assure that amendment of the Federal Rules occurs only after a comprehensive and balanced review of the problem and proposed solution is undertaken by the Judicial Conference of the United States, the policy-making arm of the federal judiciary, in consultation with lawyers, scholars, individuals, and organizations devoted to improving the administration of justice. Prior to submission to Congress, a proposed

amendment undergoes extensive review and public comment, a process that often takes over two years and offers Members assurance the proposed amendment is necessary and wise.

In stark contrast, H.R. 720 proposes to amend the Federal Rules over the objections of the Judicial Conference and despite compelling evidence that it will adversely affect the administration of justice.

II. THERE IS NO EMPIRICAL EVIDENCE THAT RULE 11 IS INADEQUATE AND NEEDS TO BE AMENDED

Proponents state that the legislation is needed to stem the growth in frivolous lawsuits that, according to the written statement of the National Federation of Independent Business, has “created a legal climate that hinders economic growth and hurts job creation.”

There simply is no proof that problems created by frivolous lawsuits have increased since 1993 or that the current Rule 11 is ineffective in deterring frivolous filings. In fact, it is more likely that problems have abated since 1993 because Rule 11’s safe harbors provision provides an incentive to withdraw frivolous filings at the outset of litigation. In addition, according to Professor Danielle Kie Hart and other researchers, after the current version of Rule 11 went into effect, there was an increased incidence of sanctions being imposed under other sanction rules and laws, including 28 U.S.C. §1927, as well as pursuant to the court’s inherent power. Judges have numerous tools at their disposal to impose sanctions and prevent frivolous lawsuits from going forward.

III. THERE IS SUBSTANTIAL RISK THAT H.R. 758 WOULD IMPEDE THE ADMINISTRATION OF JUSTICE BY ENCOURAGING ADDITIONAL LITIGATION AND INCREASING COURT COSTS AND DELAYS

Most importantly, there is no evidence that the proposed changes to Rule 11 would deter the filing of non-meritorious lawsuits. In fact, as stated earlier, past experience strongly suggests that the proposed changes would encourage new litigation over sanction motions, thereby increasing, not reducing, court costs and delays. This is a costly and completely avoidable outcome.

IV. CONCLUSION

The 1983 version of Rule 11 was ill-conceived and created significant unintended adverse consequences that harmed litigants and impeded the administration of justice. We urge you to avoid making the same mistake and to oppose passage of H.R. 720.

If you have any questions concerning the ABA’s position on this bill, please feel free to contact me or Denise Cardman, Deputy Director of the Governmental Affairs Office.

Sincerely,

THOMAS M. SUSMAN.

Mr. CONYERS. Mr. Chairman, I yield back the balance of my time.

Mr. SMITH of Texas. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. CONYERS).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. CONYERS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Michigan will be postponed.

AMENDMENT NO. 4 OFFERED BY MR. JEFFRIES

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in part A of House Report 115-29.

Mr. JEFFRIES. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add, at the end of the bill, the following:

SEC. 3. PROTECTING ACTIONS PERTAINING TO WHISTLEBLOWERS.

Nothing in this Act, or the amendments made by this Act, shall be construed to apply to actions brought by an individual, or individuals, under Federal whistleblower laws, Federal anti-retaliation laws, or any Federal laws which protect reporting government misconduct or malfeasance.

The Acting CHAIR. Pursuant to House Resolution 180, the gentleman from New York (Mr. JEFFRIES) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. JEFFRIES. Mr. Chairman, I thank my distinguished colleagues in government and the lead Democrat on the House Judiciary Committee for their continued leadership.

My amendment would amend from the underlying bill all actions where whistleblowers allege misconduct or malfeasance in connection with the Federal Government. A whistleblower is defined as one who reveals wrongdoing within an organization in the hope of stopping it.

Our country has long recognized the importance of affording legal protections to whistleblowers. Under the protection and umbrella of these laws, whistleblowers have helped expose corruption, government waste, fraud, unconstitutional practices, and abuses of the public trust. They have risked, in many cases, their livelihoods to do what is right for this country and defend our democracy.

It should not be our objective to create barriers that will stop people in good faith from coming forward by subjecting them or their representatives to mandatory sanctions, but that is exactly what this bill is designed to do.

This amendment will ensure that whistleblowers are still protected under current law when they bring an action through our judicial system. The need for this amendment is clear now more than ever.

Donald Trump and his team appear, at times, to be paranoid about the information that comes out of 1600 Pennsylvania Avenue. If the 45th President of the United States chooses to run the White House and the government in the same way that he ran many of his businesses, their fear may be well-founded. He does not have a great track record.

Donald Trump has been sued by the Department of Justice for violating Federal antidiscrimination laws, refus-

ing to rent apartments to people based on their race. I note that that lawsuit in the early 1970s was brought by the Nixon Justice Department.

He was forced to shut down Trump University, an apparent scam that he used to rip off students, swindling them out of tens of thousands of dollars. And he has repeatedly failed to pay his workers and contractors for their services—hardworking Americans.

He created a fake charity, the Trump Foundation, which apparently has been used to pay for a portrait of himself and pay off fines and bills. He has declared bankruptcy four times in his career after losing billions of dollars.

Now, as President, this is the first time that Donald Trump has had to act in the best interest of someone other than himself or his family.

His Cabinet, however, consists of the superwealthy, many of whom are unfamiliar with the programs that their departments oversee and who are inexperienced in handling billions and billions of taxpayer dollars. Many others seem more concerned about helping out interests that are corporate in nature, not the people’s interests.

In the words of the legendary Supreme Court Justice Louis Brandeis:

“Sunlight is the best of disinfectants, electric light the most efficient policeman.”

Putting whistleblower protections at risk puts our democracy at risk, and for that reason, I urge adoption of this amendment.

Mr. Chairman, I reserve the balance of my time.

The Acting CHAIR. Members are reminded to refrain from engaging in personalities toward the President.

Mr. SMITH of Texas. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. SMITH of Texas. Mr. Chairman, I appreciate the Chair pointing out that it is improper to impugn the integrity or damage the reputation of the President of the United States or others. I thank the Chair for pointing that out.

Mr. Chairman, the Lawsuit Abuse Reduction Act makes three important changes to rule 11 to limit lawsuit abuse by imposing sanctions for bringing frivolous lawsuits. These changes apply to all cases brought in Federal district courts.

However, this amendment would change that. If this amendment is adopted, the changes to rule 11 made by LARA would not apply to lawsuits brought in relation to whistleblower claims. There is no reason to make this or other exceptions.

The changes made by the Lawsuit Abuse Reduction Act should apply uniformly throughout the Federal courts. Because this amendment excludes certain cases from the bill’s coverage and

thereby allows frivolous lawsuits to be filed without any of the penalties required by the bill, I oppose the amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. JEFFRIES. Mr. Chairman, I would add that, in a democracy, the ability to use the Article III Federal court system is incredibly important as it relates to the chance for individual citizens who recognize that wrongdoing is taking place to do something about it and save taxpayers from the waste, fraud, and abuse that so many in this Chamber appear to often be concerned about.

Mr. Chairman, I yield back the balance of my time.

Mr. SMITH of Texas. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, proponents of this amendment want to allow lawsuits with no basis in law or fact to proceed without penalty if the lawsuit relates to whistleblowers. Think about that. The proponents of this amendment support lawsuits that apparently have no basis in law or fact, and they want those frivolous lawsuits to proceed without penalty.

Let me remind Members what the base bill—which is just one page long—actually does. It makes it mandatory for the victims of frivolous lawsuits filed in Federal court to be compensated for the harm done to them by the filers of frivolous lawsuits. The bill doesn't change the existing standards for determining what is or is not a frivolous lawsuit. So under the bill, mandatory sanctions would only be awarded to victims of frivolous lawsuits when those lawsuits, as determined by the judge, have no basis in law or fact, including cases related to whistleblowers that have no basis in law or fact.

This amendment would allow legally frivolous whistleblower cases to go without penalty and leave their victims uncompensated, so I urge all of my colleagues to oppose it.

Once again, I don't know how any reputable attorney would have any concerns with this legislation.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. JEFFRIES).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. JEFFRIES. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York will be postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will

now resume on those amendments printed in part A of House Report 115–29 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. SOTO of Florida.

Amendment No. 2 by Ms. JACKSON LEE of Texas.

Amendment No. 3 by Mr. CONYERS of Michigan.

Amendment No. 4 by Mr. JEFFRIES of New York.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 OFFERED BY MR. SOTO

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. SOTO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 181, noes 225, not voting 23, as follows:

[Roll No. 153]

AYES—181

Adams	Deutch	Lawson (FL)
Aguilar	Dingell	Lee
Barragán	Doggett	Levin
Bass	Doyle, Michael	Lewis (GA)
Beatty	F.	Lieu, Ted
Bera	Ellison	Lipinski
Beyer	Engel	Loebuck
Bishop (GA)	Eshoo	Lofgren
Blumenauer	Españat	Lowenthal
Blunt Rochester	Esty	Lowe
Bonamici	Evans	Lujan Grisham,
Brady (PA)	Foster	M.
Brown (MD)	Frankel (FL)	Luján, Ben Ray
Brownley (CA)	Fudge	Maloney,
Bustos	Gabbard	Carolyn B.
Butterfield	Gallago	Maloney, Sean
Capuano	Garamendi	Matsui
Carbajal	Gonzalez (TX)	McCollum
Cárdenas	Gottheimer	McEachin
Carson (IN)	Green, Al	McGovern
Cartwright	Green, Gene	McNerney
Castor (FL)	Grijalva	Meeks
Castro (TX)	Gutiérrez	Meng
Chu, Judy	Hanabusa	Moulton
Cicilline	Hastings	Murphy (FL)
Clark (MA)	Heck	Nadler
Clarke (NY)	Higgins (NY)	Napolitano
Clay	Himes	Neal
Cleaver	Hoyer	Nolan
Clyburn	Huffman	Norcross
Cohen	Jackson Lee	O'Rourke
Connolly	Jayapal	Pallone
Conyers	Jeffries	Panetta
Cooper	Johnson (GA)	Pascarell
Correa	Johnson, E. B.	Payne
Courtney	Kaptur	Pelosi
Crist	Keating	Perlmutter
Crowley	Kelly (IL)	Peters
Cuellar	Kennedy	Peterson
Cummings	Khanna	Pingree
Curbelo (FL)	Kihuen	Pocan
Davis, Danny	Kildee	Polis
DeFazio	Kilmer	Price (NC)
DeGette	Kind	Quigley
Delaney	Krishnamoorthi	Raskin
DeLauro	Larsen (WA)	Rice (NY)
DelBene	Larson (CT)	Ros-Lehtinen
Demings	Lawrence	Rosen

Roybal-Allard
Ruiz
Ruppersberger
Russell
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano

Sewell (AL)
Shea-Porter
Sherman
Sires
Slaughter
Smith (WA)
Soto
Speier
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tonko

Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Wasserman
Schultz
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—225

Abraham	Graves (GA)	Palmer
Aderholt	Graves (LA)	Paulsen
Allen	Graves (MO)	Pearce
Amash	Griffith	Perry
Amodei	Grothman	Pittenger
Arrington	Guthrie	Poe (TX)
Babin	Harper	Poliquin
Bacon	Harris	Posey
Barr	Hartzler	Ratcliffe
Barton	Hensarling	Reed
Bergman	Herrera Beutler	Reichert
Biggs	Hice, Jody B.	Renacci
Bilirakis	Higgins (LA)	Rice (SC)
Bishop (MI)	Hill	Roby
Black	Holding	Roe (TN)
Blackburn	Hollingsworth	Rogers (AL)
Blum	Hudson	Rogers (KY)
Bost	Huizenga	Rohrabacher
Brady (TX)	Hultgren	Rokita
Brat	Hunter	Rooney, Francis
Bridenstine	Hurd	Rooney, Thomas
Brooks (AL)	Issa	J.
Brooks (IN)	Jenkins (KS)	Roskam
Buchanan	Jenkins (WV)	Ross
Bucshon	Johnson (LA)	Rothfus
Budd	Johnson (OH)	Rouzer
Burgess	Johnson, Sam	Royce (CA)
Byrne	Jordan	Rutherford
Calvert	Joyce (OH)	Sanford
Carter (TX)	Katko	Scalise
Chabot	Kelly (MS)	Schweikert
Chaffetz	Kelly (PA)	Scott, Austin
Cheney	King (IA)	Sensenbrenner
Coffman	King (NY)	Sessions
Cole	Kinzing	Shimkus
Collins (GA)	Knight	Shuster
Collins (NY)	Kustoff (TN)	Simpson
Comer	Labrador	Smith (MO)
Conaway	LaHood	Smith (NE)
Cook	LaMalfa	Smith (NJ)
Costa	Lamborn	Smith (TX)
Costello (PA)	Lance	Smucker
Cramer	Latta	Stefanik
Crawford	Lewis (MN)	Stewart
Culberson	LoBiondo	Stivers
Davidson	Long	Taylor
Davis, Rodney	Loudermilk	Tenney
Denham	Love	Thompson (PA)
Dent	Lucas	Thornberry
DeSantis	Luetkemeyer	Tiberi
DesJarlais	MacArthur	Tipton
Diaz-Balart	Marchant	Trott
Donovan	Marino	Turner
Duncan (SC)	Marshall	Upton
Duncan (TN)	Massie	Valadao
Dunn	Mast	Wagner
Emmer	McCarthy	Walberg
Farenthold	McCaul	Walden
Faso	McClintock	Walker
Ferguson	McHenry	Walorski
Fitzpatrick	McKinley	Walters, Mimi
Fleischmann	McMorris	Weber (TX)
Flores	Rodgers	Webster (FL)
Fortenberry	McSally	Wenstrup
Fox	Meadows	Westerman
Franks (AZ)	Meehan	Williams
Frelinghuysen	Messer	Wilson (SC)
Gaetz	Mitchell	Wittman
Gallagher	Moolenaar	Womack
Garrett	Mooney (WV)	Woodall
Gibbs	Mullin	Yoder
Gohmert	Murphy (PA)	Yoho
Goodlatte	Newhouse	Young (AK)
Gosar	Noem	Young (IA)
Gowdy	Nunes	Zeldin
Granger	Olson	

NOT VOTING—23

Banks (IN)	Davis (CA)	O'Halleran
Barletta	DeSaulnier	Palazzo
Bishop (UT)	Duffy	Richmond
Boyle, Brendan	Jones	Rush
F.	Kuster (NH)	Sinema
Buck	Langevin	Titus
Carter (GA)	Lynch	Walz
Comstock	Moore	Waters, Maxine

□ 1049

MESSER, BOST, LUETKEMEYER, BUDD, and BISHOP of Michigan changed their vote from "aye" to "no."

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. LANGEVIN. Mr. Chair, on rollcall No. 153, I was unavoidably detained. Had I been present, I would have voted "Aye."

Stated against:

Mrs. COMSTOCK. Mr. Chair, I was unavoidably detained. Had I been present, I would have voted "Nay" on rollcall No. 153.

Mr. CARTER of Georgia. Mr. Chair, I was unavoidably detained. Had I been present, I would have voted "Nay" on rollcall No. 153.

AMENDMENT NO. 2 OFFERED BY MS. JACKSON LEE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 185, noes 225, not voting 19, as follows:

[Roll No. 154]

AYES—185

Adams	Connolly	Frankel (FL)
Aguilar	Conyers	Fudge
Barragán	Cooper	Gabbard
Bass	Correa	Galleo
Beatty	Courtney	Garamendi
Bera	Crist	Gonzalez (TX)
Beyer	Crowley	Gottheimer
Bishop (GA)	Cuellar	Green, Al
Blumenauer	Cummings	Green, Gene
Blunt Rochester	Curbelo (FL)	Griffith
Bonamici	Davis, Danny	Grijalva
Brady (PA)	DeFazio	Gutiérrez
Brown (MD)	DeGette	Hanabusa
Brownley (CA)	Delaney	Hastings
Bustos	DeLauro	Heck
Butterfield	DelBene	Higgins (NY)
Capuano	Demings	Himes
Carbajal	DeSaulnier	Hoyer
Cárdenas	Deutch	Huffman
Carson (IN)	Dingell	Jackson Lee
Cartwright	Doggett	Jayapal
Castor (FL)	Doyle, Michael	Jeffries
Chu, Judy	F.	Johnson (GA)
Cicilline	Ellison	Johnson, E. B.
Clark (MA)	Engel	Kaptur
Clarke (NY)	Eshoo	Keating
Clay	Españillat	Kelly (IL)
Cleaver	Esty	Kennedy
Clyburn	Evans	Khanna
Cohen	Foster	Kihuen

Kildee	Murphy (FL)	Schrader
Kilmer	Nadler	Scott (VA)
Kind	Napolitano	Scott, David
Krishnamoorthi	Neal	Serrano
Langevin	Nolan	Sewell (AL)
Larsen (WA)	Norcross	Shea-Porter
Larson (CT)	O'Halleran	Sherman
Lawrence	O'Rourke	Sires
Lawson (FL)	Pallone	Slaughter
Lee	Panetta	Smith (WA)
Levin	Pascarella	Soto
Lewis (GA)	Payne	Speier
Lieu, Ted	Pelosi	Suozzi
Lipinski	Perlmutter	Swalwell (CA)
Loeb	Peters	Takano
Loftgren	Peterson	Thompson (CA)
Lowenthal	Pingree	Thompson (MS)
Lowey	Pocan	Tonko
Lujan Grisham, M.	Polis	Torres
Lujan, Ben Ray	Price (NC)	Tsongas
Lynch	Quigley	Vargas
Maloney,	Raskin	Veasey
Carolyn B.	Rice (NY)	Vela
Maloney, Sean	Ros-Lehtinen	Velázquez
Matsui	Rosen	Visclosky
McCollum	Ruiz	Walz
McEachin	Ruppersberger	Wasserman
McGovern	Russell	Schultz
McNerney	Sánchez	Waters, Maxine
Meeks	Sarbanes	Watson Coleman
Meng	Schakowsky	Welch
Moulton	Schiff	Wilson (FL)
	Schneider	Yarmuth

NOES—225

Abraham	Farenthold	LoBiondo
Aderholt	Ferguson	Long
Allen	Fitzpatrick	Loudermilk
Amodei	Fleischmann	Love
Arrington	Flores	Lucas
Babin	Fortenberry	Luetkemeyer
Bacon	Fox	MacArthur
Banks (IN)	Franks (AZ)	Marchant
Barr	Frelinghuysen	Marino
Barton	Gallagher	Marshall
Bergman	Garrett	Massie
Biggs	Gibbs	Mast
Bilirakis	Gohmert	McCarthy
Bishop (MI)	Goodlatte	McCaul
Bishop (UT)	Gosar	McHenry
Black	Gowdy	McKinley
Blackburn	Granger	McMorris
Blum	Graves (GA)	Rodgers
Bost	Graves (LA)	McSally
Brady (TX)	Graves (MO)	Meadows
Brat	Grothman	Meehan
Bridenstine	Guthrie	Messer
Brooks (AL)	Harper	Mitchell
Brooks (IN)	Harris	Moolenaar
Buchanan	Hartzler	Mooney (WV)
Bucshon	Hensarling	Mullin
Budd	Herrera Beutler	Murphy (PA)
Burgess	Hice, Jody B.	Newhouse
Byrne	Higgins (LA)	Noem
Calvert	Hill	Nunes
Carter (GA)	Holding	Olson
Carter (TX)	Hollingsworth	Palazzo
Chabot	Hudson	Palmer
Chaffetz	Huizenga	Paulsen
Cheney	Hultgren	Pearce
Coffman	Hunter	Perry
Cole	Hurd	Pittenger
Collins (GA)	Issa	Poe (TX)
Collins (NY)	Jenkins (KS)	Poliquin
Comer	Jenkins (WV)	Posey
Comstock	Johnson (LA)	Ratcliffe
Conaway	Johnson (OH)	Reed
Cook	Johnson, Sam	Reichert
Costa	Jordan	Renacci
Costello (PA)	Joyce (OH)	Rice (SC)
Cramer	Katko	Roby
Crawford	Kelly (MS)	Roe (TN)
Culberson	Kelly (PA)	Rogers (AL)
Davidson	King (IA)	Rogers (KY)
Davis, Rodney	King (NY)	Rohrabacher
Denham	Kinzinger	Rokita
Dent	Knight	Rooney, Francis
DeSantis	Kustoff (TN)	Rooney, Thomas
DesJarlais	Labrador	J.
Diaz-Balart	LaHood	Roskam
Donovan	LaMalfa	Ross
Duffy	Lamborn	Rothfus
Duncan (TN)	Lance	Rouzer
Dunn	Latta	Royce (CA)
Emmer	Lewis (MN)	Rutherford

Sanford	Stivers	Walters, Mimi
Scalise	Taylor	Weber (TX)
Schweikert	Tenney	Webster (FL)
Scott, Austin	Thompson (PA)	Wenstrup
Sensenbrenner	Thornberry	Westerman
Sessions	Tiberi	Williams
Shimkus	Tipton	Wilson (SC)
Shuster	Trott	Wittman
Simpson	Turner	Womack
Smith (MO)	Upton	Woodall
Smith (NE)	Valadao	Yoder
Smith (NJ)	Wagner	Yoho
Smith (TX)	Walberg	Young (AK)
Smucker	Walden	Young (IA)
Stefanik	Walker	Zeldin
Stewart	Walorski	

NOT VOTING—19

Amash	Duncan (SC)	Richmond
Barletta	Faso	Roybal-Allard
Boyle, Brendan	Gaetz	Rush
F.	Jones	Ryan (OH)
Buck	Kuster (NH)	Sinema
Castro (TX)	McClintock	Titus
Davis (CA)	Moore	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1053

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Ms. ROYBAL-ALLARD. Mr. Chair, I was unavoidably detained. Had I been present, I would have voted "yea" on rollcall No. 154.

Stated against:

Mr. AMASH. Mr. Chair, had I been present, I would have voted "nay" on rollcall No. 154.

AMENDMENT NO. 3 OFFERED BY MR. CONYERS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Michigan (Mr. CONYERS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 190, noes 227, not voting 12, as follows:

[Roll No. 155]

AYES—190

Adams	Cartwright	Curbelo (FL)
Aguilar	Castor (FL)	Davis, Danny
Barragán	Chu, Judy	DeFazio
Bass	Cicilline	DeGette
Beatty	Clark (MA)	Delaney
Bera	Clarke (NY)	DeLauro
Beyer	Clay	DelBene
Bishop (GA)	Cleaver	Demings
Blumenauer	Clyburn	DeSaulnier
Blunt Rochester	Cohen	Deutch
Bonamici	Connolly	Dingell
Brady (PA)	Conyers	Doggett
Brown (MD)	Cooper	Doyle, Michael
Brownley (CA)	Correa	F.
Bustos	Costa	Ellison
Butterfield	Courtney	Engel
Capuano	Crist	Eshoo
Carbajal	Crowley	Españillat
Cárdenas	Cuellar	Esty
Carson (IN)	Cummings	Evans

Fitzpatrick	Lipinski	Rosen	Mitchell	Rooney, Francis	Thornberry	Doyle, Michael	Lee	Raskin
Foster	Loeb sack	Roybal-Allard	Moolenaar	Rooney, Thomas	Tiberi	F.	Levin	Rice (NY)
Frankel (FL)	Lofgren	Ruiz	Mooney (WV)	J.	Tipton	Ellison	Lewis (GA)	Ros-Lehtinen
Fudge	Lowenthal	Ruppersberger	Mullin	Roskam	Trott	Engel	Lieu, Ted	Rosen
Gabbard	Lowe y	Russell	Murphy (PA)	Ross	Turner	Eshoo	Lipinski	Roybal-Allard
Gallego	Lujan Grisham,	Ryan (OH)	Newhouse	Rothfus	Upton	Espallat	LoBiondo	Ruiz
Garamendi	M.	Sánchez	Noem	Rouzer	Valadao	Esty	Loeb sack	Ruppersberger
Gonzalez (TX)	Luján, Ben Ray	Sarbanes	Nunes	Royce (CA)	Wagner	Evans	Lofgren	Ryan (OH)
Gottheimer	Lynch	Schakowsky	Olson	Rutherford	Walberg	Fitzpatrick	Lowenthal	Sánchez
Green, Al	Maloney,	Schiff	Palazzo	Sanford	Walden	Foster	Lowe y	Sarbanes
Green, Gene	Carolyn B.	Schneider	Palmer	Scalise	Walker	Frankel (FL)	Lujan Grisham,	Schakowsky
Griffith	Maloney, Sean	Schrader	Paulsen	Schweikert	Walorski	Fudge	M.	Schiff
Grijalva	Matsui	Scott (VA)	Pearce	Scott, Austin	Walters, Mimi	Gabbard	Luján, Ben Ray	Schneider
Gutiérrez	McCollum	Serrano	Perry	Sensenbrenner	Weber (TX)	Gallego	Lynch	Schrader
Hanabusa	McEachin	Scott, David	Pittenger	Sessions	Webster (FL)	Garamendi	Maloney,	Scott (VA)
Hastings	McGovern	Serrano	Poe (TX)	Shimkus	Wenstrup	Gonzalez (TX)	Carolyn B.	Scott, David
Heck	McNerney	Sewell (AL)	Poliquin	Shuster	Westerman	Gottheimer	Maloney, Sean	Serrano
Higgins (NY)	Meeks	Shea-Porter	Posey	Simpson	Williams	Green, Al	Matsui	Sewell (AL)
Himes	Meng	Sherman	Ratcliffe	Smith (MO)	Wilson (SC)	Green, Gene	McCollum	Shea-Porter
Hoyer	Moore	Sires	Reed	Smith (NE)	Wittman	Grijalva	McEachin	Sherman
Huffman	Moulton	Slaughter	Reichert	Smith (NJ)	Womack	Gutiérrez	McGovern	Sires
Jackson Lee	Murphy (FL)	Smith (WA)	Renacci	Smith (TX)	Woodall	Hanabusa	McNerney	Slaughter
Jayapal	Nadler	Soto	Rice (SC)	Smucker	Yoder	Hastings	Meeks	Smith (WA)
Jeffries	Napolitano	Speier	Roby	Stefanik	Yoho	Heck	Meng	Soto
Johnson (GA)	Neal	Suo zzi	Roe (TN)	Stewart	Young (AK)	Higgins (NY)	Moore	Speier
Johnson, E. B.	Nolan	Swa lwell (CA)	Rogers (AL)	Stivers	Young (IA)	Himes	Moulton	Suo zzi
Kaptur	Norcross	Takano	Rogers (KY)	Taylor	Zeldin	Hoyer	Murphy (FL)	Takano
Keating	O'Halleran	Thompson (CA)	Rohrabacher	Tenney		Huffman	Nadler	Thompson (CA)
Kelly (IL)	O'Rourke	Thompson (MS)	Rokita	Thompson (PA)		Jackson Lee	Napolitano	Thompson (MS)
Kennedy	Pallone	Tonko				Jayapal	Neal	Tonko
Khanna	Panetta	Torres				Jeffries	Nolan	Torres
Kihuen	Pascrell	Tsongas	Barletta	Johnson (OH)	Rush	Johnson, E. B.	Norcross	Tsongas
Kildee	Payne	Vargas	Boyle, Brendan	Jones	Sinema	Kaptur	O'Halleran	Vargas
Kilmer	Pelosi	Veasey	F.	Kuster (NH)	Titus	Keating	O'Rourke	Veasey
Kind	Perlmutter	Vela	Castro (TX)	McClintock		Kelly (IL)	Pallone	Vela
Krishnamoorthi	Peters	Velázquez	Davis (CA)	Richmond		Kennedy	Panetta	Velázquez
Langevin	Peterson	Visclosky				Khanna	Pascrell	Visclosky
Larsen (WA)	Pingree	Walz				Kihuen	Payne	Walz
Larson (CT)	Pocan	Wasserman				Kilmer	Pelosi	Wasserman
Lawrence	Polis	Schultz				Kind	Perlmutter	Schultz
Lawson (FL)	Price (NC)	Waters, Maxine				Krishnamoorthi	Peters	Waters, Maxine
Lee	Quigley	Watson Coleman				Langevin	Peterson	Watson Coleman
Levin	Raskin	Welch				Larsen (WA)	Pingree	Welch
Lewis (GA)	Rice (NY)	Wilson (FL)				Larson (CT)	Polis	Wilson (FL)
Lieu, Ted	Ros-Lehtinen	Yarmuth				Lawrence	Price (NC)	Yarmuth
						Lawson (FL)	Quigley	

NOES—227

Abraham	Culberson	Huizenga
Aderholt	Davidson	Hultgren
Allen	Davis, Rodney	Hunter
Amash	Denham	Hurd
Amodei	Dent	Issa
Arrington	DeSantis	Jenkins (KS)
Babin	DesJarlais	Jenkins (WV)
Bacon	Diaz-Balart	Johnson (LA)
Banks (IN)	Donovan	Johnson, Sam
Barr	Duffy	Jordan
Barton	Duncan (SC)	Joyce (OH)
Bergman	Duncan (TN)	Katko
Biggs	Dunn	Kelly (MS)
Bilirakis	Emmer	Kelly (PA)
Bishop (MI)	Farenthold	King (IA)
Bishop (UT)	Faso	King (NY)
Black	Ferguson	Kinzing er
Blackburn	Fleischmann	Knight
Blum	Flores	Kustoff (TN)
Bost	Fortenberry	Labrador
Brady (TX)	Foxx	LaHood
Brat	Franks (AZ)	LaMalfa
Bridenstine	Frelinghuysen	Lamborn
Brooks (AL)	Gaetz	Lance
Brooks (IN)	Gallagher	Latta
Buchanan	Garrett	Lewis (MN)
Buck	Gibbs	LoBiondo
Bucshon	Gohmert	Long
Budd	Goodlatte	Loudermilk
Burgess	Gosar	Love
Byrne	Gowdy	Lucas
Calvert	Granger	Luetkemeyer
Carter (GA)	Graves (GA)	MacArthur
Carter (TX)	Graves (LA)	Marchant
Chabot	Graves (MO)	Marino
Chaffetz	Grothman	Marshall
Cheney	Guthrie	Massie
Coffman	Harper	Mast
Cole	Harris	McCarthy
Collins (GA)	Hartzler	McCaul
Collins (NY)	Hensarling	McHenry
Comer	Herrera Beutler	McKinley
Comstock	Hice, Jody B.	McMorris
Conaway	Higgins (LA)	Rodgers
Cook	Hill	McSally
Costello (PA)	Holding	Meadows
Cramer	Hollingsworth	Meehan
Crawford	Hudson	Messer

NOT VOTING—12

Barletta Johnson (OH) Rush
Boyle, Brendan Jones Sinema
F. Kuster (NH) Titus
Castro (TX) McClintock
Davis (CA) Richmond

AMENDMENT BY THE ACTING CHAIR
The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1058

So the amendment was rejected.
The result of the vote was announced
as above recorded.

AMENDMENT NO. 4 OFFERED BY MR. JEFFRIES
The Acting CHAIR. The unfinished
business is the demand for a recorded
vote on the amendment offered by the
gentleman from New York (Mr.
JEFFRIES) on which further proceedings
were postponed and on which the noes
prevailed by voice vote.
The Clerk will redesignate the
amendment.
The Clerk redesignated the amend-
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
has been demanded.
A recorded vote was ordered.
The Acting CHAIR. This will be a 2-
minute vote.
The vote was taken by electronic de-
vice, and there were—ayes 189, noes 229,
not voting 11, as follows:

[Roll No. 156]

AYES—189

Adams	Cárdenas	Courtney
Aguilar	Carson (IN)	Crist
Barragán	Cartwright	Crowley
Bass	Castor (FL)	Cuellar
Beatty	Castro (TX)	Cummings
Bera	Chu, Judy	Curbelo (FL)
Beyer	Cicilline	Davis, Danny
Bishop (GA)	Clark (MA)	DeFazio
Blumenauer	Clarke (NY)	DeGette
Blunt Rochester	Clay	Delaney
Bonamici	Cleaver	DeLauro
Brady (PA)	Clyburn	DelBene
Brown (MD)	Cohen	Demings
Brownley (CA)	Connolly	DeSaulnier
Bustos	Conyers	Deutch
Butterfield	Cooper	Dingell
Capuano	Correa	Doggett
Carbajal	Costa	

NOES—229

Abraham	Cramer	Higgins (LA)
Aderholt	Crawford	Hill
Allen	Culberson	Holding
Amash	Davidson	Hollingsworth
Amodei	Davis, Rodney	Hudson
Arrington	Denham	Huizenga
Babin	Dent	Hultgren
Bacon	DeSantis	Hunter
Banks (IN)	DesJarlais	Hurd
Barr	Diaz-Balart	Issa
Barton	Donovan	Jenkins (KS)
Bergman	Duffy	Jenkins (WV)
Biggs	Duncan (SC)	Johnson (LA)
Bilirakis	Duncan (TN)	Johnson (OH)
Bishop (MI)	Dunn	Johnson, Sam
Bishop (UT)	Emmer	Jordan
Black	Farenthold	Joyce (OH)
Blackburn	Faso	Katko
Blum	Ferguson	Kelly (MS)
Bost	Fleischmann	Kelly (PA)
Brady (TX)	Flores	King (IA)
Brat	Fortenberry	King (NY)
Bridenstine	Foxx	Kinzing er
Brooks (AL)	Franks (AZ)	Knight
Brooks (IN)	Frelinghuysen	Kustoff (TN)
Buchanan	Gaetz	Labrador
Buck	Gallagher	LaHood
Bucshon	Garrett	LaMalfa
Budd	Gibbs	Lamborn
Burgess	Gohmert	Lance
Byrne	Goodlatte	Latta
Calvert	Gosar	Lewis (MN)
Carter (GA)	Gowdy	Long
Carter (TX)	Granger	Loudermilk
Chabot	Graves (GA)	Love
Chaffetz	Graves (LA)	Lucas
Cheney	Graves (MO)	Luetkemeyer
Coffman	Griffith	MacArthur
Cole	Grothman	Marchant
Collins (GA)	Guthrie	Marino
Collins (NY)	Harper	Marshall
Comer	Harris	Massie
Comstock	Hartzler	Mast
Conaway	Hensarling	McCarthy
Cook	Herrera Beutler	McCaul
Costello (PA)	Hice, Jody B.	McClintock

McHenry	Roby	Stewart
McKinley	Roe (TN)	Stivers
McMorris	Rogers (AL)	Taylor
Rodgers	Rogers (KY)	Tenney
McSally	Rohrabacher	Thompson (PA)
Meadows	Rokita	Thornberry
Meehan	Rooney, Francis	Tiberi
Messer	Rooney, Thomas	Tipton
Mitchell	J.	Trott
Moolenaar	Roskam	Turner
Mooney (WV)	Ross	Upton
Mullin	Rothfus	Valadao
Murphy (PA)	Rouzer	Wagner
Newhouse	Royce (CA)	Walberg
Noem	Russell	Walden
Nunes	Rutherford	Walker
Olson	Sanford	Walorski
Palazzo	Scalise	Walters, Mimi
Palmer	Schweikert	Weber (TX)
Paulsen	Scott, Austin	Webster (FL)
Pearce	Sensenbrenner	Wenstrup
Perry	Sessions	Westerman
Pittenger	Shimkus	Williams
Poe (TX)	Shuster	Wilson (SC)
Poliquin	Simpson	Wittman
Posey	Smith (MO)	Womack
Ratcliffe	Smith (NE)	Woodall
Reed	Smith (NJ)	Yoder
Reichert	Smith (TX)	Young (AK)
Renacci	Smucker	Young (IA)
Rice (SC)	Stefanik	Zeldin

NOT VOTING—11

Barletta	Johnson (GA)	Rush
Boyle, Brendan	Jones	Sinema
F.	Kuster (NH)	Titus
Davis (CA)	Richmond	Yoho

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1102

Mr. DOGGETT changed his vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. YOHIO. Mr. Chair, I was unavoidably detained. Had I been present, I would have voted "Nay" on rollcall No. 156.

The Acting CHAIR. There being no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WOMACK) having assumed the chair, Mr. HULTGREN, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 720) to amend Rule 11 of the Federal Rules of Civil Procedure to improve attorney accountability, and for other purposes, and, pursuant to House Resolution 180, he reported the bill back to the House.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Ms. LOFGREN. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentlewoman opposed to the bill?

Ms. LOFGREN. I am opposed in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Ms. LOFGREN moves to recommit the bill H.R. 720 to the Committee on the Judiciary with instructions to report the same back to the House forthwith with the following amendment:

Add, at the end of the bill, the following:

SEC. 3. PROTECTING AMERICANS FROM FOREIGN GOVERNMENT INTERFERENCE.

Nothing in this Act or the amendments made by this Act may be construed to apply to a civil action that implicates the foreign emoluments clause of the United States Constitution.

The SPEAKER pro tempore. The gentlewoman from California is recognized for 5 minutes.

Ms. LOFGREN. Mr. Speaker, this is the final amendment to the bill, which will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage, as amended.

As has been amply discussed, the mandatory sanctions and fees in this bill would have a chilling effect on cutting-edge litigation. One type of cutting-edge litigation to suffer would be citizen lawsuits seeking enforcement of the foreign Emoluments Clause. The amendment proposed in this motion would exempt civil actions that implicate foreign emoluments.

Article I, section 9, clause 8 of the Constitution says: "No person holding any office of profit or trust . . . shall, without the consent of the Congress, accept of any present, emolument, office, or title, of any kind whatever, from any king, prince, or foreign state."

Why did the Founding Fathers write this? Concern that foreign governments might try to control America. They wanted to make sure that nothing—no gifts, no payments, no advantages of any kind—could be received by officers of the United States, including the President, unless Congress approved it. They wanted to make sure that loyalty was completely to America, not divided by obligations to foreign powers. So receipt of emoluments is a serious breach of the requirements of the Constitution unless Congress approves the payment.

Congress has not voted to approve payments by foreign governments to our President. Some Americans are considering legal action to protect America from a Presidential violation of the Emoluments Clause.

President Trump took the symbolic step of resigning from his businesses, but he still gets the income. Letting his family run his businesses doesn't solve the emoluments violations.

Here are some of the potential problems:

In February, China gave provisional approval for 31 new trademarks for The Trump Organization, which have been sought for a decade, to no avail, until

he won the election. This is a benefit the Chinese Government gave to the President's business.

At Trump Tower in New York, the Industrial and Commercial Bank of China's large tenant, the United Arab Emirates, leases space, and the Saudi mission to the U.N. makes payments. Money from these foreign countries goes to the President.

The President is part owner of a New York building carrying a \$950 million loan, partially held by the Bank of China. He literally owes the government of China.

The Embassy of Kuwait held its 600-guest National Day celebration at Trump Hotel in Washington, D.C., last month, proceeds to Trump.

The President has deals in Turkey. When he announced the Muslim ban, Turkey's President called for President Trump's name to be removed from Trump Towers Istanbul. His company is currently involved in major licensing deals for that property.

Shortly after the election, the President met with former U.K. Independent Party leader Nigel Farage, to get help to get the view from his golf resorts in Scotland resolved. Both golf resorts he owns there are promoted by Scotland's official tourism agency.

Foreign government-owned broadcasts in several countries air the President's television program "The Apprentice," resulting in royalties and other payments from these governments.

There may be many more business violations to the Emoluments Clause that are unknown due to the President's refusal to disclose his tax returns.

Congress could move to approve these questionable payments and benefits under Article 1, section 9 to solve the constitutional violation, although, in my view, that would not resolve concerns about divided loyalties.

But Congress has done nothing—neither enforce the clause nor authorize the payments. That is why patriotic citizens are returning to the third branch of government to defend the Constitution and the country.

America has never faced this situation before, and any litigation will, of course, be breaking new ground and, therefore, be more susceptible to the mandatory rule 11 fees required by the bill.

Citizens who seek a President free from foreign influence by bringing actions in court should not be penalized with the mandatory fees required by this bill.

Mr. Speaker, I encourage my colleagues to vote for this motion to recommit, and I yield back the balance of my time.

Mr. GOODLATTE. Mr. Speaker, I rise in opposition to the motion.

The SPEAKER pro tempore. The gentleman from Virginia is recognized for 5 minutes.

Mr. GOODLATTE. Mr. Speaker, I will be brief.

Proponents of the motion to recommit want to allow lawsuits with no basis in law or fact to proceed without penalty in the area covered by their motion. Let that sink in for a moment—and just a brief moment.

The proponents of the motion to recommit support certain lawsuits that apparently have no basis in law or fact. Otherwise, they have no relevance to this bill. If they are relevant motions, they won't have to worry about it. They want those frivolous lawsuits to proceed without penalty.

Every time a judge decides a company made a defective product that ended up hurting people, damages are awarded. When a lawyer makes up a lawsuit that has no basis in law or fact, that lawsuit is a defective product. The victims harmed by that defective product should be compensated just like everyone else.

Oppose this motion to recommit, pass the base bill, and let's show America where we stand on frivolous lawsuits and on the compensation rightfully owed to the victims of frivolous lawsuits.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Ms. LOFGREN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 186, noes 232, not voting 11, as follows:

[Roll No. 157]

AYES—186

Adams	Castro (FL)	DeFazio
Aguilar	Castro (TX)	DeGette
Barragán	Chu, Judy	Delaney
Bass	Cicilline	DeLauro
Beatty	Clark (MA)	DelBene
Bera	Clarke (NY)	Demings
Beyer	Clay	DeSaulnier
Bishop (GA)	Cleaver	Deutch
Blumenauer	Clyburn	Dingell
Blunt Rochester	Cohen	Doggett
Bonamici	Connolly	Doyle, Michael
Brady (PA)	Conyers	F.
Brown (MD)	Cooper	Ellison
Brownley (CA)	Correa	Engel
Bustos	Costa	Eshoo
Butterfield	Courtney	Espallat
Capuano	Crist	Esty
Carbajal	Crowley	Evans
Cardenas	Cuellar	Foster
Carson (IN)	Cummings	Frankel (FL)
Cartwright	Davis, Danny	Fudge

Gabbard	Lowenthal	Ruiz
Gallego	Lowey	Ruppersberger
Garamendi	Lujan Grisham,	Ryan (OH)
Gonzalez (TX)	M.	Sánchez
Gottheimer	Luján, Ben Ray	Sarbanes
Green, Al	Lynch	Schakowsky
Green, Gene	Maloney,	Schiff
Grijalva	Carolyn B.	Schneider
Gutiérrez	Maloney, Sean	Schrader
Hanabusa	Matsui	Scott (VA)
Hastings	McCollum	Scott, David
Heck	McEachin	Serrano
Higgins (NY)	McGovern	Sewell (AL)
Himes	McNerney	Shea-Porter
Hoyer	Meeks	Sherman
Huffman	Meng	Sires
Jackson Lee	Moore	Slaughter
Jayapal	Moulton	Smith (WA)
Jeffries	Murphy (FL)	Soto
Johnson (GA)	Nadler	Speier
Johnson, E. B.	Napolitano	Suozi
Kaptur	Neal	Swalwell (CA)
Keating	Nolan	Takano
Kelly (IL)	Norcross	Thompson (CA)
Kennedy	O'Halleran	Thompson (MS)
Khanna	O'Rourke	Tonko
Kihuen	Pallone	Torres
Kildee	Panetta	Tsongas
Kilmer	Pascrell	Vargas
Kind	Payne	Veasey
Krishnamoorthi	Pelosi	Perlmutter
Langevin	Perlmutter	Peters
Larsen (WA)	Petersen	Pingree
Larson (CT)	Pocan	Polis
Lawrence	Price (NC)	Quigley
Lawson (FL)	Raskin	Rice (NY)
Lee	Rosen	Roybal-Allard
Levin	Roybal-Allard	
Lewis (GA)		
Lieu, Ted		
Lipinski		
Loeb sack		
Lofgren		

NOES—232

Abraham	Davis, Rodney	Hunter
Aderholt	Denham	Hurd
Allen	Dent	Issa
Amash	DeSantis	Jenkins (KS)
Amodei	DesJarlais	Jenkins (WV)
Arrington	Diaz-Balart	Johnson (LA)
Babin	Donovan	Johnson (OH)
Bacon	Duffy	Johnson, Sam
Banks (IN)	Duncan (SC)	Jordan
Barr	Duncan (TN)	Joyce (OH)
Barton	Dunn	Katko
Bergman	Emmer	Kelly (MS)
Biggs	Farenthold	Kelly (PA)
Bilirakis	Faso	King (IA)
Bishop (MI)	Ferguson	King (NY)
Bishop (UT)	Fitzpatrick	Kinzing
Black	Fleischmann	Knight
Blackburn	Flores	Kustoff (TN)
Blum	Fortenberry	Labrador
Bost	Fox	LaHood
Brat	Franks (AZ)	LaMalfa
Bridenstine	Frelinghuysen	Lamborn
Brooks (AL)	Gaetz	Lance
Brooks (IN)	Gallagher	Latta
Buchanan	Garrett	Lewis (MN)
Buck	Gibbs	LoBiondo
Bucshon	Gohmert	Long
Budd	Goodlatte	Loudermilk
Burgess	Gosar	Love
Byrne	Gowdy	Lucas
Calvert	Granger	Luetkemeyer
Carter (GA)	Graves (GA)	MacArthur
Carter (TX)	Graves (LA)	Marchant
Chabot	Graves (MO)	Marino
Chaffetz	Griffith	Marshall
Cheney	Grothman	Massie
Coffman	Guthrie	Mast
Cole	Harper	McCarthy
Collins (GA)	Harris	McCaul
Collins (NY)	Hartzler	McClintock
Comer	Hensarling	McHenry
Comstock	Herrera Beutler	McKinley
Conaway	Hice, Jody B.	McMorris
Cook	Higgins (LA)	Rodgers
Costello (PA)	Hill	McSally
Cramer	Holding	Meadows
Crawford	Hollingsworth	Meehan
Culberson	Hudson	Messer
Curbelo (FL)	Huizenga	Mitchell
Davidson	Hultgren	Moolenaar

Mooney (WV)	Rooney, Thomas	Tenney
Mullin	J.	Thompson (PA)
Murphy (PA)	Ros-Lehtinen	Thornberry
Newhouse	Roskam	Tiberi
Noem	Ross	Tipton
Nunes	Rothfus	Trott
Olson	Rouzer	Turner
Palazzo	Royce (CA)	Upton
Palmer	Russell	Valadao
Paulsen	Rutherford	Wagner
Pearce	Sanford	Walberg
Perry	Scalise	Walker
Pittenger	Schweikert	Walorski
Poe (TX)	Scott, Austin	Walters, Mimi
Poliquin	Sensenbrenner	Weber (TX)
Posey	Sessions	Webster (FL)
Ratcliffe	Shimkus	Wenstrup
Reed	Shuster	Westerman
Reichert	Simpson	Williams
Renacci	Smith (MO)	Wilson (SC)
Rice (SC)	Smith (NE)	Wittman
Roby	Smith (NJ)	Womack
Roe (TN)	Smith (TX)	Woodall
Rogers (AL)	Smucker	Yoder
Rogers (KY)	Stefanik	Yoho
Rohrabacher	Stewart	Young (AK)
Rokita	Stivers	Young (IA)
Rooney, Francis	Taylor	Zeldin

NOT VOTING—11

Barletta	Davis (CA)	Rush
Boyle, Brendan	Jones	Sinema
F.	Kuster (NH)	Titus
Brady (TX)	Richmond	Walden

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1118

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. BRADY of Texas. Mr. Speaker, on rollcall No. 157, I was unavoidably detained to cast my vote in time. Had I been present, I would have voted "No."

PERSONAL EXPLANATION

Ms. KUSTER of New Hampshire. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "Yea" on rollcall No. 153, "Yea" on rollcall No. 154, "Yea" on rollcall No. 155, "Yea" on rollcall No. 156, and "Yea" on rollcall No. 157.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. CONYERS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 230, noes 188, not voting 11, as follows:

[Roll No. 158]

AYES—230

Abraham	Bergman	Brooks (AL)
Aderholt	Biggs	Brooks (IN)
Allen	Bilirakis	Buchanan
Amash	Bishop (MI)	Buck
Amodei	Bishop (UT)	Bucshon
Arrington	Budd	Budd
Babin	Blackburn	Burgess
Bacon	Blum	Byrne
Banks (IN)	Bost	Calvert
Barr	Brat	Carter (GA)
Barton	Bridenstine	Carter (TX)

Chabot
Chaffetz
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Cuellar
Culberson
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxo
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren

Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCauley
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Poliquin
Posey
Ratcliffe
Reed

NOES—188

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)

Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Courtney
Crist
Crowley
Cummings
Curbelo (FL)
Davis, Danny
DeFazio
DeGette
DeLaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett

Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
Langevin
Larsen (WA)
Larson (CT)
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebach
Lofgren
Lowenthal
Lowe
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean

Barletta
Boyle, Brendan F.
Brady (TX)

Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascarella
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Poe (TX)
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Russell
Ryan (OH)
Sánchez

NOT VOTING—11

Davis (CA)
Jones
Lawrence
Richmond

□ 1129

Ms. ROSEN changed her vote from “aye” to “no.”

Mr. MARCHANT changed his vote from “no” to “aye.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. BRADY of Texas. Mr. Speaker, on rollcall No. 158, I was unavoidably detained to cast my vote in time. Had I been present, I would have voted “Yes.”

PERSONAL EXPLANATION

Ms. KUSTER of New Hampshire. Mr. Speaker, on Friday, March 10, 2017, I missed the following rollcall votes to H.R. 720: number 153 the Soto Amendment, number 154 the Jackson-Lee amendment, number 155 the Conyers amendment, number 156 the Jeffries amendment, number 157 on the Democratic motion to recommit and number 158 on final passage. Had I voted, I would have voted “Aye” on rollcall vote 153, “Aye” on rollcall vote 154, “Aye” on rollcall vote 155, “Aye” on rollcall vote 156, “Aye” on rollcall vote 157 the Democratic motion to recommit, and “Nay” on rollcall vote 158 on final passage of H.R. 720.

LEGISLATIVE PROGRAM

(Mr. HOYER asked and was given permission to address the House for 1 minute.)

Mr. HOYER. Mr. Speaker, I yield to the gentleman from California (Mr. MCCARTHY), my friend, for the purpose

of inquiring of the majority leader the schedule for the week to come.

Mr. MCCARTHY. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, on Monday, no votes are expected in the House. On Tuesday, the House will meet at noon for morning hour and 2 p.m. for legislative business. Votes will be postponed until 6:30. On Wednesday and Thursday, the House will meet at 10 a.m. for morning hour and noon for legislative business. On Friday, the House will meet at 9 a.m. for legislative business. Last votes of the week are expected no later than 3 p.m.

Mr. Speaker, the House will consider a number of suspensions next week, a complete list of which will be announced by close of business today.

In addition, the House will consider several important bills from the Veterans' Affairs Committee.

First, H.R. 1181, the Veterans Second Amendment Protection Act, sponsored by Chairman PHIL ROE, which ensures that the Second Amendment rights of VA beneficiaries are not restricted without due process.

Next, H.R. 1259, the VA Accountability First Act, also sponsored by Chairman ROE, which grants the VA Secretary increased discretion to remove or suspend VA employees due to poor performance.

Finally, H.R. 1367, sponsored by Representative BRAD WENSTRUP, which enhances the VA's ability to recruit and retain highly qualified employees.

The failures of the VA are well-documented and completely unacceptable. These bills are a step in the right direction towards creating greater accountability at the VA, and keeping our promise to Americans' veterans who have sacrificed so much for us.

Mr. HOYER. Mr. Speaker, I thank the gentleman for that information.

I would now like to ask him, we passed the DOD Appropriations bill and sent that to the Senate. We have already done the MILCON bill. And I am wondering—there are ten remaining bills—whether the majority leader could give me some idea, in light of the fact that the CR, which once it goes to April 28, we will either have to do those bills individually or in some sort of an omnibus, whether the gentleman has any idea how soon we might be considering the balance of the year's appropriation to September 30?

Mr. Speaker, I yield to my friend.

Mr. MCCARTHY. Mr. Speaker, I thank the gentleman for yielding.

I am pleased that we were able to pass the FY17 Defense Appropriations bill on a bipartisan basis this week. It is my hope that we can continue to pass the appropriation bills on a bipartisan basis as well.

As for future legislation, I would refer my friend to the Appropriations Committee, and, as always, I will keep Members posted of any scheduling updates.

Mr. HOYER. Mr. Speaker, I thank the gentleman for that insightful comment.

Let me say this, Mr. Leader, if, as we did in the Defense Appropriations bill, if we follow the template where we will reach bipartisan agreement on those bills in committee without any poison pills language in them—which you did on the appropriation bill, and, as you saw, we appreciated that, and we were overwhelmingly supportive of that effort—I would hope that, Mr. Leader, you would urge—and I think, very frankly, I am a big fan of Mr. FRELINGHUYSEN, who is the chairman of the committee. I think he is a Member that I have worked well with over the years, and I think he is somebody who is going to do the committee proud as its chairman—but I am hopeful that we can do, as we did with the appropriation bill for the Defense Department, a similar procedure. So I think that the majority leader will be pleased with our support if, in fact, that can happen.

Mr. Speaker, I yield to my friend.

Mr. MCCARTHY. Mr. Speaker, I thank the gentleman for yielding.

I have great trust in Chairman FRELINGHUYSEN. I think you will continue to see that behavior.

Mr. HOYER. Mr. Speaker, on a less happy collegial note, it comes as no surprise to the majority leader at the height of our displeasure and disappointment as it relates to what is going on, back to the consideration of the reconciliation process for the repeal or modification of the Affordable Care Act with the American Health Care Act. The bill was posted this Monday, this past Monday night, it was marked up on Wednesday, there were no hearings, there were no opportunities for witnesses to come forward. And as the gentleman knows, he is absolutely correct, I like these quotes, but I like these quotes because they point out theoretically what I would have great agreement with in terms of process.

Particularly, I call your attention to a quote of Speaker PAUL RYAN: “Congress is moving fast to rush through a healthcare overhaul that lacks a key ingredient: the full participation of you, the American people.”

That quote was July 19, 2009. That quote was referring to the process involved in the adoption of the Affordable Care Act.

As the gentleman knows, the Affordable Care Act had 79 hearings. As the gentleman knows, there were 181 witnesses who testified about the Affordable Care Act. As the gentleman knows, that process took approximately 1½ years, 8 months of which was waiting to see whether Senator GRASSLEY would participate in a bipartisan way in forging healthcare reform in this country.

The gentleman is well aware, not only have we had literally hundreds of

thousands of people around the country come to townhall meetings, many that his Members have held, and express their deep concern about the loss of healthcare security if the Affordable Care Act is repealed. So there is no doubt that the American public—I am not saying it is 100 percent—but a large number of the American public are very concerned.

The gentleman further knows, I am sure, because I am sure he has seen the letters, the American Medical Association, the American Hospital Association, the American Nurses Association, even the Consumers Union, and hundreds of other groups representing providers, patients, even insurance companies, have expressed deep, deep concern about the adverse consequences of the passage of the American Health Care Act that was marked up in the dead of night. We were criticized. The gentleman apparently doesn't agree with that. But the facts are the facts. They are not alternative facts.

You started marking them up on Wednesday morning, there was some delay during the day, as you know, because we were very concerned about how fast you were moving that. Less than 48 hours after it was introduced, it was marked up. No hearings, no witnesses, no ability to read the bill.

As a matter of fact, shockingly, Mr. BRADY voted against an amendment which said: Read the bill. Now, what was shocking about that is that was Mr. BRADY's amendment that he offered back in 2010. He voted against the amendment that said: Read the bill. I don't think anybody really had much opportunity to read the bill before it was marked up.

GREG WALDEN, who is chairman of the Energy and Commerce Committee, said also, in July of 2009:

On a bill of this significance, you would think that we would at least allow people to come in who are affected by the extraordinary changes in this bill and have a chance to let us know how it affects them.

That was GREG WALDEN, now the chairman of the Energy and Commerce Committee, July 9, 2009. He is now in charge of that committee. Not a single witness testified on the bill that was marked up in his committee. And it was marked up through the dead of the night, if we want to parse our words, because it started in the morning of Wednesday. But it didn't end until the morning, 26 hours later, on Thursday. Which meant that Mr. WALDEN kept his members in their seats marking up a bill, except when they were voting coming over here, for 26 hours straight on one of the most consequential bills this House will consider and that the Senate will consider, affecting, as I said, millions and millions and millions of people.

Now, I understand the Budget Committee is scheduled to mark that bill up on Wednesday, just a week later.

Again, I don't know whether there are going to be hearings and if those hearings will be open to the witnesses that should be called to testify on a bill of such impact.

Let me do one additional quote, because the chairman of the Ways and Means Committee had an interesting quote as well. He said: “The Democratic Congress and White House simply aren't listening. Democrats are ramming it through over the public's objections.”

That was on March 17, 2010, some year after the bill had been introduced. Thousands of meetings had been held by Republicans and Democrats around the country on the bill. And, as I said, 79 hearings and 181 witnesses later. That is what Chairman BRADY said.

And, of course, Chairman BRADY, in less than 48 hours, had a markup. Now, he did not have quite as long a markup. It ended at 4:30 a.m. Thursday morning. So that was the dead of night. Or, if you want to parse words, perhaps, the dead of the early morning. But, nevertheless, most of my public wasn't up watching. I presume even at 4:30, which would have been 1:30 for your public, they weren't up watching.

So this was done out of the sight of the public and is inconsistent, I suggest to my friend, Mr. Speaker, the majority leader, inconsistent with the pledge of transparency, openness, and those three quotes that I just read you that said the American people should have the opportunity to express their opinion on legislation generally, but certainly on legislation of this consequence.

Mr. Speaker, I yield to my friend.

Mr. MCCARTHY. Mr. Speaker, I thank the gentleman for yielding.

I always look forward to these discussions. I know they are about the schedule, but I always look forward to what quotes you are going to bring up next.

Let me see if I can answer all of those questions that you raised.

First, my friend did inform me, last week and again today, that the Democrats have held 79 hearings over 2 years on ObamaCare. Well, we have spent the last 6 years.

I promised you that I would see how many hearings we had. When I went back and checked, the Republicans have held 113 hearings on the ways to repeal and replace ObamaCare. We had expert witnesses on both sides of the aisle on everything from the individual mandate and Medicaid sustainability, to the medical device tax, and ObamaCare's failing co-ops.

We have been committed to repealing and replacing this law for years, and I am sure you will find a lot of quotes from almost everybody on this side of the aisle saying that same thing. We have done the work, we have listened to the American people, and we believe now it is time to act.

You did bring up about the committees. You brought up about reading the bill. So what we put forth is we put a website together for the patient-centered healthcare bill, and it is available online at readthebill.gop. Now, this is only 123 pages. That is a difference from your bill of 2,700 pages for ObamaCare.

Now, we remember what the Democrats said when they were passing ObamaCare, that you had to pass the bill to see what is in it. So I went back and checked how many people were unable to visit the website. We had over 350,000 visitors visit our website in just 36 hours, and 100,000 downloaded the legislative text.

□ 1145

Now, when you talk about dead of night, I was on this floor, you were on this floor, and I know people on both sides of the aisle have used it before, but the dilatory activity on the other side of the aisle to slow this process down put us into nighttime.

And then let's think about how this process went. It was an open process. Why did it go so long? We debated hours of Democrats' amendments because we weren't going to shut it down. We never called the question. We kept going as long as people wanted to go. And we spent hours on one amendment that just wanted to change it to a hashtag of a different name. That was a Democratic amendment to somehow change the bill. We didn't stop with that. We let everybody talk, and we let everybody have their voice because we believe in regular order.

Yes, we spent 27 hours on it because we were not going to deny anybody the ability to talk or offer their amendment. And that is exactly what we did, and that is what the American people expect to have happen.

So, 113 hearings, I congratulate you on your 79; 123 pages compared to 2,700. I believe this is a great first step in three phases. For too long this health care of ObamaCare has failed.

In that 2,700 pages they created 23 cops and provided more than \$2 billion. In this short amount of time, 18 of them have collapsed. They had the quote that, if you like your health care, you could keep it, but millions of Americans found out that wasn't true. They said your premiums would go down. Millions of Americans have found out that is not true either.

Now, across this country, one-third of the entire country only has one provider. And the very sad part of this, just within the last month, Humana announced that they are going to pull out. That is leaving 16 counties, and I see my good friends from Tennessee, with no provider at all.

We can do so much better. That is why we spent the years; we spent the hearings; we have had the witnesses.

And I know it is your right to come and ask to adjourn so somehow we

couldn't get to the bill, it is your right to continue to ask to adjourn so Members can't offer their amendments, but you know what? If we had to spend through the dead of night and stay up so we made sure, even if it is on the other side of the aisle, a Democrat could offer an amendment, just a hashtag to change the name, that is your right, and we would spend the time and do it. And we spent hours at it.

If you ask me, personally, I didn't think that amendment changed anybody's health care in America. But you have a right to do it, and we made sure we kept that right, and we had regular order.

I thank the gentleman for his quotes.

Mr. HOYER. I thank the gentleman for his comments.

Mr. Speaker, we have had, literally, tens of thousands of hearings that have dealt with almost every issue that this House considers. I suppose I should take from the majority leader's discussion that, if we have had those hearings in previous Congresses, in the last Congress, the Congress before that, the Congress before that, and we have a substantial number of new Members in this House, and we have millions and millions of voters who are counting on this, we will just simply tell them: Read the transcript of 2002 or of 2009 or of 2013. That is not regular order, Mr. Speaker.

Regular order is you introduce a bill. It is referred to a committee, which in turn refers it to a subcommittee, and, even if it keeps it in the bosom of the full committee, it has a hearing. It posts the bill. It tells citizens throughout this country: If you have an interest, come in and tell us what your interest is, what your perspective is, what you think the ramifications of this bill are. The subcommittee marks it up, if it was referred to a subcommittee, then the full committee marks it up, and then it is referred to the floor. That is regular order, Mr. Speaker.

To rationalize a procedure which has a bill introduced Monday night and is subjected to 26 hours, straight, of markup on the following Wednesday, less than 48 hours later, no matter how you dress it up, that is not, Mr. Speaker, regular order.

What it is is trying to jam through a bill before the American public has an opportunity to tell us what they think about the bill. What it is is jamming through a bill and not allowing the providers, the doctors, the patients, the insurance companies, all of the stakeholders, to have an opportunity to read that bill introduced about 72 hours ago now—a little more than that, maybe close to 96.

That, Mr. Speaker, is not regular order. And I will tell my friend for whom I have a great deal of respect, I think he puts the best face on it, but

nobody believed the Republicans had a bill, Mr. Speaker, until Monday night. Well, actually, I believed they had a bill at the last colloquy, and I looked for it all over this Capitol. I couldn't find it. It wasn't posted. The ranking member on the committee didn't have it. No committee Democrat had the bill. They couldn't read it.

So to pretend, Mr. Speaker, that hearings on some other bill at some other time in some other Congress suffices for regular order is something, Mr. Speaker, I cannot agree with. And if the situations were reversed, as I have experienced over the last 36 years, that side of the aisle would have torn this place apart. Why do I think that? Because I have seen it.

Yes, we had some delaying, four motions to adjourn, so that we had some time to figure out what this bill was about and some time to hear from the American people. It certainly wasn't enough time. We are going to be hearing more from the American people, I think, Mr. Speaker.

I appreciate the gentleman trying to say that, well, we only had 48 hours. Sometimes, Mr. Speaker, we do that in a hurry. And the reason is because we are about to go on a break. We are about to go on an August break or a recess or something of that nature. That is not the case. These committees didn't have to meet through the night. They could have met Thursday. They could have met today. They could meet next week. But this bill is being rushed through too fast with too much adverse consequence to the American people.

I would hope the majority leader would slow this bill down. I hope the Rules Committee has full hearings on this bill and that it does not have just attenuated hearings with few witnesses, because there are a lot of people who want to tell us, their Representatives, what their view is of this bill.

I know the Speaker has said there are going to be three phases to this bill, and the majority leader said so as well, and there will be additional legislation. I hope, Mr. Speaker, that my friend, the majority leader, will urge the committees not to consider additional legislation either in the middle of the night or with no notice and no opportunity for witnesses and no hearings.

Previous hearings will not suffice, Mr. Speaker. Other Congresses had hearings. This Congress has a responsibility to hear from the American people. That is what Speaker RYAN said; that is what Mr. BRADY said; that is what Mr. WALDEN said. They said it at a time when they were in the minority, but it ought to apply when they are in the majority. And if we are in the majority, it ought to apply to us as well. I hope that happens, Mr. Speaker, for the country's sake, for our people's sake.

I will yield to the majority leader, Mr. Speaker, if he would like to speak.

Mr. MCCARTHY. I thank the gentleman for yielding, and I appreciate the gentleman's comments.

Mr. Speaker, I do want to remind people, when you use reconciliation, what is the process? Well, the process states you have the authorizing committee post and they mark up. We did that. Budget Committee marks up. They will do that next week. Rules Committee will meet, then it comes to the House floor.

I will never apologize for having 113 hearings on repealing and replacing ObamaCare. I will never apologize for having all the witnesses in.

And I love that you bring a lot of quotes of people inside that are elected, but I will be very frank. The quotes I love and the quotes I care most about are the ones that come from my constituents.

For some reason, this idea that this is a complex issue but you had hearings before so you are going to forget all about those hearings, why do we have committees? Why do you keep Members on your own side of the aisle on the same committees? To build expertise, to solve big problems. So, no, they don't forget what they learned in those hearings.

But let me read you quotes from a few constituents.

"Dear KEVIN, thank you for your diligence in these disruptive political times. I have several concerns.

"ObamaCare blew us out of the water. I retired early as an RN due to health problems, so I have to pay for my entire health insurance. I am not complaining about that, but I am tired of having premiums go through the roof. I lost my doctor and my plan.

"In 2017 there were few options without a \$5,000 deductible. If I have to pay that much first, then why pay for insurance? Our income is not huge. We cannot afford this."

Or from another constituent: "Dear KEVIN, I just wanted to convey that I strongly feel legislative action is needed to fix the ACA.

"My family deductible has increased over \$3,000 a year—it used to be \$1,000 8 years ago—and I practically only have health insurance in case a catastrophic accident were to occur.

"Also, my sister-in-law can no longer work more than 29 hours a week since her employer does not want to have to provide insurance. That is ridiculous."

Or: "Dear KEVIN, I just got my 2017 health insurance renewal notice, \$650 per month, up 20 percent. I am 60 years old, have worked and saved all my life, so I don't qualify for subsidies. I can't go without insurance, but I can't pay for it either. Something needs to be done. I am so upset that I am crying right now."

But my friend, Mr. Speaker, on the other side of the aisle says to wait to help these people. Forget about the 113 hearings, even though it is more than

the 70-some that ObamaCare had, or 123 pages is too much instead of 2,700.

I will never apologize for having the wisdom to listen and, now, the courage to lead. But I will promise you this, Mr. Speaker, and my friend on the other side of the aisle: I have never come to this floor to offer to adjourn just to disrupt the process.

And, yes, I had Members on our side of the aisle that would get frustrated that Democrats would offer an amendment that just dealt with a hashtag. No, let's let them have their say. If they feel that is important for American health care, to put a hashtag name change, then let's spend hours on it. Because we believe in the process, we will defend your right to have that process even though it will not help one constituent of mine or yours.

But you want to spend your time doing that? We will do that. And we did do that. That is why we worked through the night. But we will not give up on the American people. That is why we are doing what we are doing, and I thank the gentleman for yielding.

Mr. HOYER. Mr. Speaker, I appreciate the remarks of the majority leader. I presume that he has heard from—I don't have the quotes in front of me, but maybe I will bring them next week—the thousands of people who have said their lives have been saved by the Affordable Care Act; the thousands of parents with a child with a preexisting condition that, if the Republicans had succeeded in their 65 votes to repeal it, would not have been protected; the millions of seniors who are paying less for their prescription drugs because of the Affordable Care Act.

□ 1200

I could read all those letters.

Why do I read the letters of Mr. WALDEN, Mr. BRADY, and Speaker RYAN?

Because they are in charge.

All our constituents, on either side, had no opportunity to testify on this bill. But Speaker RYAN, Mr. WALDEN, and Mr. BRADY could have given them that opportunity, and they chose not to. They rationalize it apparently because, well, we had hearings in the past.

Does this bill have the subject matter of the ACA?

It does. But this bill was offered just some, as I said, 90-or-so hours ago. And the leader says: Well, that is okay. It is based on all those hearings we had.

The fact is this bill has not been brought forward for the last 7 years while there was a repeal for ACA.

Why?

We all know why. Mr. Speaker, it is because the majority could not come to an agreement, and they are not in agreement now. Perhaps, if this bill stands out there a little bit, it is so flawed they won't be able to get the votes on their side of the floor.

I was here—I don't think the majority leader was here—when we adopted the part D prescription drug program. It was called up by the majority, the Republican Party at the evening hour; and we voted from 3 a.m. until 6 a.m. And when I say we voted, that vote was kept open for 3 hours while they opportuned their Members: You have got to vote for this. President Bush wants it. You have got to vote for this.

We voted against it. But the vote was held open 3 hours, I tell my friend. That was not regular order.

Now, our side has held a vote open from time to time—never for 3 hours, but from time to time. That is why it is being rushed. It is not because they had a lot of hearings before, not because witnesses had testified they didn't like the Affordable Care Act. We understand that.

The issue is not whether people like or dislike the Affordable Care Act. It is how are we going to provide what the President has promised: access for everybody to health care at a lower cost and a better price.

I told the majority leader last week—and I repeat my comments, Mr. Speaker, to the majority leader this week—if they bring such a bill to the floor, I will support it. This bill does not do that.

So what President Trump promised during the election and what he promised from that podium just a few days ago is not what this bill represents. It is not what they promised to the American people.

What I asked the majority leader was—they are apparently going to have some additional bills—whether or not they will be also rushed through without hearings on the premise that there were hearings in the past.

I repeat that there are a lot of new Members in this body that didn't have the opportunity to have those hearings and weren't in this body. I don't know how many there are because I don't know how many Congresses we are talking about if we adopted this bill 7 years ago and then there were hearings subsequent.

So I don't know where we are going, Mr. Speaker, but I think the American people expect an opportunity to be heard. Yes, I may quote some next week.

The people who were elected by the American people to do their job have the power to open up the doors and open up the windows and pull back the curtains so that the American people could come in and testify. There were all those witnesses who testified in the last Congress and the Congress before that, but I am talking about the people who testified during a Congress in which we considered the bill. We haven't had an open rule this year, Mr. Speaker. We have had structured rules. We have had no open rule.

So in terms of the majority leader telling me, Mr. Speaker, that we want

everybody to have their opportunity, and he caricatures one amendment that was—I think I would agree with him—more to show that not a single Republican would vote. And Mr. BRADY, as I pointed out, didn't vote for his own amendment that he offered when the Affordable Care Act was marked up to say read the bill.

Time was not given to read the bill.

Mr. Speaker, I understand we are not going to come to any conclusion today; but I am hopeful that the process that was perpetrated on not only the minority but also the majority this week will not be repeated, and that the representations that have been made by the Speaker, by the young guns, and by so many others would be a process that is, in fact, open, thoughtful, and democratic.

Mr. Speaker, I yield back the balance of my time.

ADJOURNMENT FROM FRIDAY,
MARCH 10, 2017, TO TUESDAY,
MARCH 14, 2017

Mr. MCCARTHY. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet on Tuesday, March 14, 2017, when it shall convene at noon for morning-hour debate and 2 p.m. for legislative business.

The SPEAKER pro tempore (Mr. BERGMAN). Is there objection to the request of the gentleman from California?

There was no objection.

SNAP INTEGRITY

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise to continue the discussion on the Agriculture Committee's findings from hearings conducted to ensure that SNAP—or the Supplemental Nutrition Assistance Program—is meeting the needs of those it is intended to serve. After individual resources, family support, and community programs, SNAP is critical to supporting nutritional needs.

The program integrity within SNAP is critical for both the functioning and the long-term sustainability of the program. Jessica Shahin of the USDA Food and Nutrition Service emphasized in testimony:

“As vital as the program is to so many, and as well as it operates, we can all agree that it can do even better. And it is up to all of us—the Federal Government, the States, and the local providers—to work together to improve it by holding ourselves accountable. FNS is committed to continually improving the integrity of SNAP.”

Mr. Speaker, opportunities for SNAP program integrity improvements in-

cludes defining clear program goals and metrics that generate program improvement and reduce SNAP fraud rates through innovative State and Federal strategies and technologies.

UNIVERSAL COVERAGE NOT UNIVERSAL CHAOS

(Mr. LARSEN of Washington asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LARSEN of Washington. Mr. Speaker, I rise today in strong opposition to the American Health Care Act.

Over the past several weeks, I have held six townhalls where I have discussed health care with more than 800 of my constituents. Thousands more have called or contacted my office.

Erica, from my hometown of Arlington, told me that, thanks to the Affordable Care Act, her family can now keep their house and pay their mortgage.

Nancy from Bellingham told me she works with families who rely on Medicaid to avoid bankruptcy due to extra medical costs that come with caring for babies with disabilities.

So many Washingtonians support the Affordable Care Act and benefit from it. And of my constituents who oppose the Affordable Care Act, none of them have asked me to support legislation that would cover fewer people. None of my constituents have asked Congress to make poor people pay more for insurance. And not one of my constituents have asked Congress to give the rich a massive tax break, but that is what the American Health Care Act will do.

This bill, Mr. Speaker, will hurt people—women, seniors, individuals with disabilities, and middle class families. It will result in universal chaos, not universal coverage.

I strongly urge my colleagues to oppose this measure.

AN EXERCISE IN SMOKE AND MIRRORS

(Mr. LAWSON of Florida asked and was given permission to address the House for 1 minute.)

Mr. LAWSON of Florida. Mr. Speaker, the Republican plan to repeal and replace the Affordable Care Act is an exercise in smoke and mirrors.

This proposal would give tax breaks to the wealthiest Americans while burdening the hardworking families with higher healthcare costs. The Republican plan also allows soaring new healthcare costs for our seniors and shortens the life of the Medicare trust fund, endangering seniors and disabled Americans who depend on Medicaid coverage. This is completely unacceptable to Floridians.

We need to hear from the Congressional Budget Office about what this

bill would really mean in numbers. The American people deserve to understand what the Republicans are trying to do with their health care.

I will continue to fight to ensure that Floridians with preexisting conditions don't have to worry about losing their healthcare coverage, and that young adults can stay on their parents' insurance until they reach age 26, and that we are going to do all we can to make health care affordable and accessible for all Americans and not just for a select few.

WORST OF TIMES

(Mr. COHEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COHEN. Mr. Speaker, when President Trump was campaigning, he said that these were the worst of times for African Americans, conveniently or ignorantly forgetting slavery and Jim Crow. He said it couldn't get any worse.

Well, it is getting worse with a Justice Department that has already retreated on voting rights and that has empowered private prisons to take advantage of people which are disparately proportionate to African Americans for prison incarceration; a HUD department where the Secretary has said slavery was akin to immigration and where \$6 billion is to be cut from the budget; an education department that doesn't believe in public education that has given African Americans a chance for the American Dream; and a healthcare bill that takes away health care from the poorest and makes it to where many will not have health care, and Medicaid will be decimated and possibility eliminated.

These are the worst of times and President Trump, Mr. Speaker, is showing African Americans things can get worse. They are getting worse, and they are on a daily basis.

MORE HEALTH OPTIONS FOR FAMILIES

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, we see more and more that ObamaCare or the Affordable Care Act is, indeed, unsustainable.

Today I rise, once again, to share another story or two about some of the highlights that some of my constituents are feeling back at home.

Last night, I hosted a telephone townhall to have an opportunity to hear from people in my district, once again, about some of the unsustainable, horrible stories that they have to tell about the experiences they have had with the ACA: sky-high

premiums; poor access to health care; options that are less and less, especially in rural California and rural America; deductibles that have risen so high that insurance isn't really affordable for them to use at all.

Recently a physician within my district contacted my office and said that, after more than 30 years of a successful practice with happy clients, he is no longer able to provide the type of care his patients need due to the overburdensome paperwork requirements. This is providing less choices for people, especially the middle-income families that have to choose between the things they want to save for for their future and for their dreams and now happen to have much higher premiums, less choices, and a deductible that makes their insurance almost useless to them.

The American Health Care Act will give back more options for families and other Americans that desperately need this help and to meet all the goals that we are setting out to do.

MEND THE LAW, NOT END THE LAW

(Ms. ROSEN asked and was given permission to address the House for 1 minute.)

Ms. ROSEN. Mr. Speaker, I rise today to voice my opposition to the repeal and replacement of the Affordable Care Act.

I will be the first to admit that ObamaCare has its flaws, but we should mend the law, not end the law. Because of the ACA, we have seen the uninsured rate in Nevada and in my district reduced by half.

The GOP replacement would not only drop 15 million Americans from their insurance and raise healthcare costs on hardworking Nevada families, but it would end funding for Planned Parenthood, taking away affordable healthcare services that so many women in my district rely on.

Recently I received a letter from a constituent whose family has a history of breast cancer. She is so concerned that she and her daughter will stop receiving the regular cancer screenings that they need to survive.

Mr. Speaker, it is unconscionable for us to vote on a bill that would create a life-or-death situation for millions of Americans across the country.

□ 1215

MEDICAID EXPANSION

(Mr. KIHUEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KIHUEN. Mr. Speaker, I have a new name for the process Republicans are using to destroy the Affordable Care Act. Instead of repeal and replace,

how about we name it “we cut and gut”? Cut taxes for millionaires and billionaires, and gut coverage for hard-working Americans.

The bill would also undermine the Medicaid expansion in the Affordable Care Act. In Nevada, our own Governor Brian Sandoval, a Republican, made the decision to work with Democrats and expand the Medicaid program. Because we expanded Medicaid, 320,000 Nevadans now have health coverage, and Nevada's uninsured rate has dropped from 23 percent to 12 percent, one of the largest declines in the entire country.

So, Mr. Speaker, I would ask my Republican colleagues: Do you really want to turn your backs on hard-working families just to give billionaires a tax cut that they don't need or deserve?

Mr. Speaker, the silence is deafening.

THERE ARE RADICAL ISLAMISTS WHO WANT TO DESTROY OUR WAY OF LIFE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes as the designee of the majority leader.

Mr. GOHMERT. Mr. Speaker, it is the end of another week in session.

Mr. Speaker, I want to revisit an important issue. It seems that what some of us were trying to point out for 8 years under the Obama administration fell on deaf ears, that there really are radical Islamists who want to destroy our way of life in the United States, who look at us as infidels, and not just Christians, Jews, secularists, and others, but even Muslims who do not adapt and accept the radical Islamic ways.

That works to the advantage of some because we have seen for 8 years CAIR, Muslim Brotherhood-affiliated groups, groups that were listed as co-conspirators in the Holy Land Foundation trial back in 2008, where the named defendants were convicted of many counts, and they were supporting terrorism. They have ties all over the United States and they have ties to people who constantly had access to President Obama's White House, the State Department, and so many other areas.

We saw time and time again the Obama administration looking the other way as serious matters arose involving radical Islamists, both in the United States and abroad. The Obama administration's approach was: If we can just teach these racist, bigoted, Americans to love all Islamists. Because they wouldn't point out that some are radicals, as my Muslim friends don't hesitate to point out.

But this administration didn't want to point out that there are radical Islamists, that they are part of Islam, that many of them are experts in

Islam, like Baghdadi, who heads up the Islamic State. He has a Ph.D. in Islamic studies, so it is kind of difficult to say that he has nothing to do with Islam when that is the basis for everything he said and did.

If one goes and looks at the pleading that the judge declassified from 2008 of testimony given by Khalid Sheikh Mohammed in a court at Guantanamo Bay, he makes very clear that he is not insane, that he is very lucid. He files a very impressive document explaining himself.

For everything that he said, for example, about the need to kill Christians and Jews, he had a direct quote, not from the Koran. Like where often Members of Congress, if you bring something up on the floor about Islam or the Koran, then it is amazing. It hasn't happened in a while, but Members who bring something like that up, they frequently find themselves being presented a Koran. Somebody drops off a Koran.

But, as an expert in the field pointed out to me when I showed him the Koran that was dropped off at my House, he says, that is a Koran, it is not a Holy Koran; because what they have done is they have taken what they call the Holy Koran and they have eliminated the verses that support terrorism and the killing of Jews and Christians. So if you read from cover to cover this Koran, you don't see any of the verses that the most radical Islamists rely on for their killing, their beheading, their betraying, their lies. And it is okay, they believe, to lie if it ends up supporting the cause of their radical beliefs about Islam.

One of the reasons that I contend with so many others here that Egypt ought to be one of our dearest friends is because they have an elected president. Yes, he was a former general, like Eisenhower, like George Washington, like Andrew Jackson, like so many who had been generals before they became President. They understand warfare.

But the radical Islamists in the United States, so many of them, Muslim Brotherhood-related groups, they pointed out time and again: Look, we know we are going to have to get to violence at some point. But for now, we are making so much progress in taking over the United States without using violence that right now violence distracts from what we are trying to do.

Some of us continue to point out that what the Obama administration constantly used as their fight against, not radical Islam—they couldn't say that like President Trump does—but they would say against violent extremism: We have got to spend millions and millions, and hundreds of millions of dollars fighting violent extremism.

They believed what the often Muslim Brotherhood-affiliated individuals would say: Yes, if we spend that money

teaching people to love and accept Islam, then the problem goes away and there is no more violence.

Which is, in and of itself, a complete lie.

So the Obama administration has been spending money on things. I am told by someone who was looking at the ways that the Obama administration spent hard-earned taxpayer dollars paid to the government, and then the Obama administration would turn around and spend it. I am told by someone in Homeland Security—I haven't seen it—but they even had a project spending taxpayer dollars to fight radical Islam by teaching schoolchildren pro-Islamic songs to sing. It is one of the reasons I am so glad we have had a change of President.

I know that there are so many people across the aisle, not necessarily people here in this body, but across the country, who keep saying: Oh, there is so much prejudice against Muslims, and that is the whole problem. If we can eliminate the prejudice against Islam, against Muslims, there will be no more violence.

There are those that are in this body here who have gone so far to show how open-minded they are and how much they embrace the ideals of Islam, and are in no way bigoted, that they have exposed this body to criminals, to hacking; and who knows just how far the security breaches go.

Mr. Speaker, we brought this up, but it is important to take note that this body—there were no Republicans that hired them, but Imran Awan seemed to be the ring leader, Abid Awan, Jamal Awan, Hina Alvi, Natalia Sova, each making \$160,000-plus from the House of Representatives. The Awan brothers are of Pakistani descent. I am told the leader is now back in Pakistan while they are being investigated, but their immigration status appears unclear right now. They had been hired as IT specialists, computer specialists, to help some of my Democratic friends with their computer systems. And as suspicious activity continued to mount over the last 12 years, it was dismissed.

And I am reading from an article that Luke Rosiak, March 8, from *The Daily Caller* wrote.

□ 1230

I'm reading from an article that Luke Rosiak, March 8, of the *Daily Caller* wrote:

It was dismissed because these five individuals were being unfairly picked on because they are Muslim.

Well, some of us don't care what their religious beliefs are unless their religious beliefs happen to cause them to believe that our Constitution needed to be eliminated and replaced by nothing but sharia law, and our elected leaders needed to be replaced by what they believe is a holy appointment of a caliph or an imam.

This article from March 8 says that congressional staffers suspected of improperly accessing sensitive data allegedly controlled their stepmother with violent threats in a plan to use her to access assets stored in the Middle East in their father's name.

So just when we thought this whole matter could not get any more bizarre, these five, according to one of their employers here in this House, he says—and I have no reason to doubt him—that they are Muslim. But I know my friends. They don't want to ever be perceived as being bigoted because they are not. But they have gone so far overboard in trying to show how open-minded they are, they have exposed this body to security breaches that are really unbelievable.

I understand from my friend, DEVIN NUNES, that these individuals were not, best they can tell, ever given access to the classified material in the separate classified system that the intel community has.

Talking about running the Democratic House Members' computer networks, this article says: "Days before U.S. Capitol Police told House Members three Pakistani brothers who ran their computer networks may have stolen congressional data, their stepmother called Fairfax County, Virginia, police to say the Democratic staffers were keeping her from her husband's deathbed."

A relative described her situation as being kept in captivity by the brothers for months while they schemed to take their father's life insurance.

The brothers, as IT professionals—computer experts—for Congress, could read House Members' emails and also had full access to their calendars: who they were meeting with and where they were meeting.

Anyway, the article says they "allegedly used wiretapping devices on their own stepmother and threatened to abduct loved ones in Pakistan if she didn't give them access to money stowed away in that country."

"On February 2, House officials banned Imran, Abid, and Jamal Awan from the House of Representatives network as part of a Capitol Police criminal investigation into House computer security."

But longtime employers, including—and it has been in the news—our friend, Congresswoman DEBBIE WASSERMAN SCHULTZ, and others are named have stood by these suspected criminals. But they did say they had access to their data.

They say we have "seen no evidence that they were doing anything that was nefarious" like steal or hack, and were being unfairly picked on for being Muslim.

"But a Fairfax police report obtained by *The Daily Caller News Foundation* Investigative Group says that separately from that investigation, on

Thursday, on January 5 at 2 p.m., 'Samani Galani called police after her stepchildren were denying her access to her husband of 8 years, Muhammad Shah, who is currently hospitalized,' and police responded to the Springfield home she shared with him.

"I made contact with her stepson, Abid, who responded to location and was obviously upset with the situation. He stated he has full power of attorney over his father and produced an unsigned, undated document as proof," officers wrote."

Then the officer said: "He refused to disclose his father's location."

So he didn't even have a signed power of attorney yet continued to assert—and, again, this is someone who is given access to the privileged computer material of people here on Capitol Hill. I am told by other IT professionals that do work here that, if you know what you are doing and you have access to even one Congress Member's computer, which means their calendar, their emails, and notes taken and stored on the computer about meetings, then it is very easy—you are good—to access virtually anybody else's information here in Congress.

I was told some time back by one of my friends in Intelligence that at one time there was concern about positions I had taken like in support of Egypt against the Muslim Brotherhood and that there were those who were monitoring people that came to my office. I was told that they know everybody that walks into your office.

So when you see these kinds of reports, Mr. Speaker, it is a little disconcerting. It is disconcerting that people are not more concerned here in this body about the potential for the kind of breach that is being stated here.

Anyway the article goes on: "The father died days later, with his children denying him a final moment with his loved one, and the body was taken to Pakistan, where there were significant assets in their father's name. Galani was shocked to learn that his death certificate—that of her husband—"listed him as divorced, according to a relative of Galani's. The relative spoke only on condition of anonymity."

"They kept their stepmother in sort of illegal captivity from October 16, 2016, to February 2," the relative said, telling her they were in charge of her life and said she was not allowed to speak to anyone. The fact that she did not speak English made it easy for them to take advantage of her.

"As Shah laid hospitalized, 'they would not let the father communicate with the wife, they would say he'd be meeting her when they said so.'"

"The brothers bugged her house with hidden listening devices and told her 'her movements were under constant surveillance and conversations within the house and over the telephone were

being listened to. They would repeat what she had told people to prove that they were really listening.'

"This happened in the United States of America, can you believe it?' the relative asked.

"Galani obtained a secret cellphone and stood in the yard to communicate with relatives, who encouraged her to call the police. . . .

"After she did, Abid 'threatened her very severely, made her fearful, they told her they are going to abduct or kidnap her family back in Pakistan, and she had to apologize.'"

Imran is the individual who had done computer work here for so many of our Democratic friends here in the House.

"Imran then tried 'to manipulate her. She said to him, 'if you say you are my son, then why are you keeping my phone conversations listened to?' So he said he would remove the devices. He came into the house and she saw him remove a couple,' including under the kitchen counter.'"

So it is interesting. We have these guys who Members of Congress said: They don't need a background check. We can trust them. We are open-minded. They are Muslims, but we are not prejudiced. We don't even require a background check because we know we can trust them.

Mr. Speaker, we don't know what they did here in the House, but in their stepmother's house they planted listening devices. Apparently, they knew where to get them, and they knew how to use them in the home. It still leads one to wonder: What all did they do during the 12 years they were working on computer systems here on Capitol Hill?

Still, we know the allegations have been talked about at length in the media about the hacking of the Democratic National Committee, but I keep asking: Are these the guys that set up the Democratic National Committee's computers, guys that are good at planting listening devices and who are good at setting up cameras to monitor movement and what is going on? Did these guys help the Democratic National Committee set up their system without any background checks? Are these the guys that made it so vulnerable to being hacked by Russians or most anyone else who cared to try?

"Galani learned from a life insurance executive that 'a few days before the father's death, the beneficiary was changed and Abid became the beneficiary,' the relative said. On top of that, the Springfield house where she lived would go to Abid.

"Galani fled from the brothers and has filed a second police complaint with Fairfax County over insurance fraud and other abuses.

"Abid did not return a request for comment from" the Daily Caller.

It also pointed out that, after Mr. Shah passed away, these people that

were doing computer work for Members of Congress without background checks came into her house. She said that whatever documents were there they stole, along with a couple of laptops that were their father's property, and they left for Pakistan.

Now, I heard somebody that should have known that the ringleader here that headed up the computer company that serviced so many of the—well, this article talks about a handful of Democrats, but I have been hearing that at one time, over the years, over the last 12 years, they may have serviced as many as 80 different Democratic Members of Congress' computers.

But the relatives are coming forward now, according to the article, because Members of Congress have attempted to downplay the brothers' potential crimes and have limited the investigation to just the Capitol Police, who lack the ability to investigate cyber breaches and international crimes, and despite naming the brothers as suspects, have not even arrested them. This is, apparently, a Muslim woman who says that she is fighting to protect the country—talking about the United States—these are very bad people.

This kind of reminds one of the father who came forward to point out that his son had become radicalized and was a terrorist threat because, under the Obama administration, they purged the training documents so FBI agents, State Department officials, and intelligence officials would not know what to look for to spot radical Islamists.

We know most Muslims are not terrorists. They are not radicalized. Most are loving people and want to live in peace. That includes friends of mine who have lived all their lives in Afghanistan and were glad to fight against the Taliban in Afghanistan because they didn't want radical Islam. They are Muslim. They didn't want radical Islamists running the country.

□ 1245

Radical Islamists hate moderate Muslims as much as they do Christians and Jews.

So, this lady says she is trying to protect our country because Members are not realizing how exposed Congress has been. As she says—she is the stepmother: These are very bad people.

Politico reported that Imran and his wife, Hina Alvi, are personal friends with the former DNC chair, Ms. WASSERMAN SCHULTZ, when she was subject to an email hack that was blamed on the Russians.

This article is dated March 8. Apparently, Imran still hasn't been fired, even though he was banned from the House network, but that has been circumvented by having him serving as an adviser.

Well, Imran began working for her in 2005, the article says, and soon after,

his two brothers and two of their wives all appeared on the congressional payroll, collecting more than \$4 million. That is over this period of time, of course.

The brothers had numerous additional sources of income, all of which seemed to disappear. While they were supposedly working for the House, the brothers were running a car dealership full time that didn't pay its vendors. After one Rao Abbas threatened to sue them, he began receiving a paycheck from another Democratic member of the House of Representatives, also from Florida.

While they were working for House Members—and it should be pointed out, not any Republican Members—they were working for House Members, including members of the Homeland Security and Foreign Affairs Committees—the dealership took and never repaid a \$100,000 loan from Dr. Ali Al-Attar, who is a fugitive from U.S. authorities and is linked to Hezbollah.

This is perfectly consistent with what was going on for 8 years under President Obama. You had Imam Majid, who had been president of an organization that was listed as a coconspirator.

So, whatever happened to all of those coconspirators named by the U.S. Department of Justice?

Well, I understood from a former member of DOJ under the Bush administration that they took this first case, and if they were successful in getting convictions, then they would turn around and go after the other coconspirators.

But the interesting thing that happened immediately after that conviction in late 2008, we had a new President, and Eric Holder became Attorney General. Eric Holder had no interest in prosecuting the named coconspirators of those convicted of supporting terrorism.

So, we spent 8 years with the Obama administration listening to people who identified not just being part of, but leading coconspirator groups and supporting terrorism.

Of course, he was an American citizen by birth. His parents were both from Yemen. They came here on visas. He was born. They went back and trained him to hate America, as I first pointed out, had been occurring 7 years ago, after a friend in an international setting advised me that this person knew of radical Islamic leaders who sent their wives to the United States to have babies so they can bring them back, teach them to hate America, and they would be American citizens. They could come in and out at will.

I know CNN refused to do a proper investigation. They like name calling better than doing proper investigations.

Our Nation is threatened by people that hate us. Different countries had

what many referred to as birth right travel programs.

China was bragging that they had the best birth right travel programs. You pay money to this travel group, they would get you a visa to come to the United States. Of course, you would want to come during the third trimester of pregnancy so you can have a child in the United States.

Then, some of them would advise: We will even help you make sure your child has an American passport before he or she leaves the U.S. so that your child can never be denied entrance, whether it is for college, for work, for whatever, they can come in and out as they pleased.

That is how a man named Anwar al-Awlaki, an American citizen, helped the Clinton administration, helped the Bush administration.

I had someone who was working at one time for the administration advise me that the Obama administration was really upset because they thought Anwar al-Awlaki was helping them as kind of a double or maybe triple agent. When they found out that he was not actually helping the United States, he was still helping radicalize individuals, was behind some of the radicalization of people that went on to kill Americans in the United States.

With all of those ties, in fact, there are photographs of him leading right here in this building in which I stand, Mr. Speaker, Friday prayers with Muslim staffers here on Capitol Hill; leading those prayers.

President Obama thinks that with all his ties to people in his administration, to people on Capitol Hill, this guy, an American citizen, free to come in and go as he wishes, was so dangerous, we could not possibly allow him to come back and have a trial where he could testify about all his connections to people in the Obama administration, or Bush or Clinton administration. This guy is so dangerous, we better blow him up in Yemen; silence him forever. We don't want to give this guy a trial. Silence him forever—the first American citizen to be ordered killed by a President without a trial, with a drone strike. That was Anwar Al-Awlaki. There are so many others.

A Muslim brother, the former President of Egypt who was ordered removed by the largest gathering of peaceable demonstrators in the history of the world, these were incredible Egyptian people—Muslims, Christians, Jews, secularists—all joined together to demand the removal of this corrupt, evil Morsi.

Even though we did have Senator McCAIN fly over there and demand the Egyptians release this Muslim brother and put him back in charge, he was on his way to becoming what Chavez was to Venezuela, he was about to be to Egypt.

So it wasn't just Democrats that were fooled. But thank God—I do

thank God—that the Egyptian people would not have it. Morsi claimed to have had 13 million or so votes, but the Egyptians tell me, when I have been over there visiting with friends, that they knew there was a lot of fraud and that he probably did not get elected with a majority of the votes. But the Muslim Brotherhood made clear to his opponents and those who wanted him removed: If you try to remove Morsi, we will burn this country down.

When Morsi was removed, the Muslim Brotherhood tried to do that. They burned many churches—dozens of them—attacked synagogues, and then they tried to blame this on the army and others in Egypt, but it was very clear it was the Muslim Brotherhood carrying out their threat that, if you remove the Muslim brother leader Morsi from Presidency before he took all control, all while he was taking his commands from an imam, a religious, holy, radicalized Islam. I am told they had him on video taking orders from such an imam.

Well, he didn't get back into power, and they recognized the Muslim Brotherhood as a terrorist group.

My friend, TED CRUZ, has filed a bill with many cosponsors, as I understand, and we filed one here in the House, to recognize the Muslim Brotherhood as the terrorist organization that it is.

I know that replacing ObamaCare as a system for taking care of people's health is a priority for so many of us, but we have got to multitask and not lose sight of the fact that we are still under the threat of radical Islam. They still want to kill us. They still want to eliminate our way of life here in the United States.

So, while we are, hopefully, about to create a better healthcare system in the United States, we have got to make sure the United States is protected. And for those who are so open-minded that they want to make sure that no Muslim ever suspects them of being prejudiced, they would allow people to get into our computer system constantly, without a background check, we are being put at risk.

We were put at risk when the Obama administration listened to CAIR, the Council on American-Islamic Relations, the group you hear from immediately after there is a terrorist attack, basically challenging people: How dare you say this was a Muslim. Well, it was a radical Islamic. Oh, so you are an Islamophobe.

I kept hearing from people inside homeland security that we were spending more time and effort training our officers to spot Islamophobes than we were training them to understand radical Islam. But that is exactly why Tsarnaev was never stopped, was never picked up and prevented from killing and maiming people in Boston.

The FBI agents, doing the best that they could, being deprived of Kim Jen-

sen's 700-plus pages of radical Islam that the Obama administration did not want FBI trainees to see and to know.

They finally brought it back toward the end, but most FBI trainees never got any training on what radical Islam looks like. They never knew what questions to ask. They never knew what questions to ask at a mosque. And yes, if somebody is suspected of being a radical Islamist, you should go to the mosque and talk to their friends, find out how they were acting, find out what their new religious practices were. There are people that understood and have studied radical Islam. They knew. Kim Jensen knew.

□ 1300

So I am very hopeful that people like Kim Jensen will be given free rein to once again fully train our Justice Department officials, people like Phil Haney. I am hopeful and prayerful that Phil, after he had so much information that was deleted under Secretary Napolitano establishing ties to terrorism—they wanted them deleted because many of them had ties with the White House and it would make the White House look bad.

But when Secretary Napolitano talked about, Yeah, we get pinged and then we connect the dots, well, she oversaw the elimination of dots, she oversaw the elimination of the ability to ping, as she said, and she exposed our country to dangers that were completely unnecessary if proper training had been given to our people in the Justice Department, in our Homeland Security Department, in our intelligence agencies and groups.

It really is clear from what has been going on. I have only been here under two Presidents—President George W. Bush, President Obama—and now the third, President Trump. But under the first two administrations that I served with, we were told repeatedly that use of the section 215 program or the 702 program that allows wiretapping of foreign agents, we were assured that if an American citizen were picked up, nobody knows the name, it is immediately masked, the conversation is minimized, so you don't have access to that.

We were told a lot of things that turned out to be lies. And it does appear that Snowden was guilty of treason from what we have seen. He should be tried and, if convicted, punished severely. But I sure learned a lot from what got released. I learned that we were lied to during the Obama years about what was or wasn't being done in surveilling American citizens, and at least the last part of the Bush administration. It could be the Presidents didn't know. But somebody knew. If we do not, in this body, give President Trump the ability to do what he became famous for—and that is say "You're fired"—then this country is

not going to get back on a sound basis. There will continue to be people who will monitor others illegally, improperly, unconstitutionally, and use that information to get rid of leaders who don't play ball with them. That is dangerous.

We hear of foreign intelligence people who are corrupt spy on their own people, and they are impressed with what was going on under the Obama administration and feel like that was a dream come true for anyone in intelligence, to be able to monitor the people of a country, like has been going on. I mean, it has got to be cleaned up or we lose our freedoms. Once you have the ability to reach in to people's private lives, that completely—you don't even have to have a case. You can destroy their lives.

A good example was Senator Ted Stevens of Alaska. Somebody should have gone to prison for what happened to that man. As a former prosecutor, judge, and chief justice—I prosecuted people as a prosecutor, I sentenced people who were convicted when I was a judge, I ruled on convictions when I was a Chief Justice—I had to make sure due process was followed and the people got a fair trial, evidence was not obtained illegally. But in Ted Stevens' case, I know when I read that he had had this addition—I can't remember now; I am going strictly off recollection, but like 700,000 or so improvements to his home, and I thought, oh, come on, you have got to know, Senator, you can't have that kind of improvement free to your home. You can't do that.

But they came in with search warrants, took all of his documentation. They got all of his bank records, they got all of his computers, his flash drives, anything that had memory on it. They took all of his documentation. The man could not defend himself. He had, as it turns out, proof that he overpaid, maybe by half a million dollars, and that the prosecutor had material—a note, as I recall—from the contractor saying something like: Look, you are overpaying me.

Senator Stevens said: Yeah, I have got to overpay you because they will look closely at everything I do. I guess I am overpaying you, but I want the addition, and I have got to do this so I never get in trouble. Don't even cause the least suspicion. I have got to overpay you, so just take the overpayment.

He didn't have those documents, and he was not allowed to testify about documents that were not producible. He couldn't produce them because the prosecutors or the FBI, somebody kept those and refused to turn them over, which is a violation of the law, and it is a crime to unfairly prosecute somebody when you know they have evidence to prove they are innocent.

You don't even give it back to him so he can use it and show the truth?

Thank God there was a whistleblower who finally exposed—if I recall correctly, I believe it was an FBI agent. The judge hit the roof, of course. Any judge. I would have. You deceived us? You caused this prosecution, had the trial right before the election so he would lose? You changed the election?

You talk about the Russians, for heaven's sake. That was an intentional invasion, and it wasn't by Russians. It was by Americans. They ran that Republican Senator out of his office, basically destroyed his life. If he had been in the Senate, he wouldn't have been in that airplane when it went down.

But that is what a corrupt government can do. They can come after anybody. We have got to clean out the Federal Government of people who have become dizzy with their power. I always thought it interesting, one of the most powerful dictators in history responsible for killing, starving millions of people, Stalin, one of his quotes was: With power, dizziness.

We have got a lot of dizzy people working in the Federal Government. Thank God that there are not more of those than there are people who love America, who really do keep their oath to the Constitution. But it has become very dangerous, and we have got to get to the bottom of this.

I have had people say: Louie, aren't you worried? I mean, you are talking about people who can destroy a Senator, can destroy all kinds of people. Aren't you worried they will come after you, try to destroy you the same way?

I am more concerned about my country. We have got to salvage this country's freedoms from the brink that it came to under the Obama administration.

Then we have a report, March 6, Paul Bedard, Washington Examiner: 300 Refugees Probed As Terrorists.

"In a bid to bolster President Trump's new executive order suspending travelers from six nations into the U.S., federal law enforcement officials revealed that they are investigating 300 refugees for terrorist ties.

"While U.S. officials would not provide details on the FBI investigations, they did say that they are refugees 'who either infiltrated with hostile intent or radicalized' since coming into the United States."

So these investigations are ongoing. I heard yet again this week a number of times, some of my friends across the aisle would say: Look, these refugees are not a problem. They are vetted for 2 years. We don't have to worry about them.

Yes, we do. We have already seen people who came in as refugees, people who were granted asylum. A couple of them, I believe it was Tennessee or Kentucky where they got asylum. They had not bothered to check or notice that their fingerprints were on IEDs that were set up to kill Americans.

So this 2-year vetting, oh, no, no, it is a long, tedious process to make sure they are okay. Well, I found out this week from an official with Homeland Security who said he wanted to know just how thorough the 2-year investigation and vetting was by the U.N. because he knew Homeland Security didn't do 2 years of vetting on these refugees. And, of course, the judges—who don't know "sic 'em" from "come here"—out in the 9th Circuit think they have the right under the Constitution to be dictators, and for them, without proper knowledge of what is and isn't a threat to this country, to just dismiss orders that the President had the authority to make and just say, oh, they are unconstitutional, even though from their own statements they proved their own ignorance.

So we have got refugees coming in. Thank God somebody at the Homeland Security Department wanted to get to the bottom of exactly what occurs during the 2 years that the United Nations refugee program does in vetting people. So he went straight to the person in charge of the refugee program at that time. He said: I would like to get a description of the processes of vetting that refugees go through from these countries they allege they are coming from. What all does the U.N. do to vet these refugees?

And the answer came back: Well, actually, we don't do any vetting of the refugees. It is a long 2-year process most of the time, as we are trying to convince countries to take these people. We are not spending any of that time looking into their background. The 2 years is what it usually takes to get a country to accept them, figure out where they are going to go. No, somebody else must do that. We don't worry about that. We are just trying to find a place for them.

Mr. Speaker, the next time you hear somebody say, Oh, no, this is a very thorough 2-year process of vetting these refugees of making sure they are not a threat, then I hope it will come to your mind that a representative of the U.N. talking to one of our top Homeland Security people—and I am not going to give his name, but he was told: We don't do any vetting. We are just trying to find a place to put them. When we find somebody who will take them, we feel like we have done a great thing.

Well, maybe, if they are not terrorists.

□ 1315

But we have seen the data that indicates that for the amount of money it costs to bring a refugee from the Middle East to the United States and take care of them for a year, what happens to the money actually spent, you could take care of 12 refugees if they were kept in the area and provided a safe area. That is what the Obama administration should have done. Instead of

drawing red lines that it couldn't find after it drew them, the Obama administration should have said: We are going to participate in creating a safe area, provide flyover and provide people there. We are going to provide a safe area for refugees to come to until the war is over and people can return to their homes.

Rather than create a system that will allow our enemies, the Islamic State and others, to do as they promised us they have been doing and will continue to do, and that is putting their terrorists in amongst the refugees, instead of doing that, putting our country at risk, let's let them stay near to their home, provide them safety, help provide them with what they need. Because when the greatest country, strongest country, most charitable country in the history of the world becomes so self-righteous that they feel like they don't need to do vetting, when they become so taken with appearing to be open-minded that they don't even protect themselves by doing what used to be called due diligence and checking on people to make sure they are not a threat to others around them, instead of doing that, we show irresponsibility when it comes to protecting America as when you are at risk of losing the country.

But Americans, by a huge majority of electors, electoral college, elected President Trump. They wanted a change. When you look at a map that shows all of the counties that voted for President Trump and those that voted for Hillary Clinton, you see that our friends across the aisle, part of a party that has really become a fringe party, has the fringes of the country. But the massive interior—most, except for some big cities here and there—is people that want to preserve and protect the most blessed place to raise a family that there has ever been.

I am sure Solomon's Israel was apparently an amazing place, but the people didn't have our freedoms. But we are in danger of losing them when we become so cocky that we think we don't have to check on people to make sure they are not a threat. That actually is a form of bias. They are so afraid that people might say that you are closed-minded that they don't even do a background check, but they would for someone who is not Muslim, then that is a form of bias.

We have got to use commonsense, we have got to protect America, or we will be cursed when we are gone and our children see what we have done.

Mr. Speaker, I yield back the balance of my time.

APPOINTMENT OF MEMBERS TO THE UNITED STATES HOLOCAUST MEMORIAL COUNCIL

The SPEAKER pro tempore. The Chair announces the Speaker's ap-

pointment, pursuant to 36 U.S.C. 2302, and the order of the House of January 3, 2017, of the following Members on the part of the House to the United States Holocaust Memorial Council:

Mr. DEUTCH, Florida
Mr. SCHNEIDER, Illinois

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. JONES (at the request of Mr. MCCARTHY) for today on account of personal reasons.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 20 minutes p.m.), under its previous order, the House adjourned until Tuesday, March 14, 2017, at noon for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

763. A letter from the Acting Secretary, Army, Department of Defense, transmitting a letter indicating that one active Army military musical unit accepted services valued at \$9,160, pursuant to 10 U.S.C. 974(d)(3); Public Law 110-181, Sec. 590(a)(1) (as amended by Public Law 113-66, Sec. 351); (127 Stat. 742); to the Committee on Armed Services.

764. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final NUREG — Operator Licensing Examination Standards for Power Reactors (NUREG-1021, Rev. 11) received March 6, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

765. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to significant malicious cyber-enabled activities that was declared in Executive Order 13694 of April 1, 2015, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec. 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

766. A letter from the Secretary, Department of the Treasury, transmitting a semi-annual report detailing telecommunications-related payments made to Cuba pursuant to Department of the Treasury licenses during the period from July 1 through December 31, 2016, pursuant to 22 U.S.C. 6004(e)(6); Public Law 102-484, Sec. 1705(e)(6) (as amended by Public Law 104-114, Sec. 102(g)); (110 Stat. 794); to the Committee on Foreign Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ROE of Tennessee: Committee on Veterans' Affairs. H.R. 1181. A bill to amend title 38, United States Code, to clarify the conditions under which certain persons may be treated as adjudicated mentally incompetent for certain purposes (Rept. 115-33). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROE of Tennessee: Committee on Veterans' Affairs. H.R. 1259. A bill to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes (Rept. 115-34 Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROE of Tennessee: Committee on Veterans' Affairs. H.R. 1367. A bill to improve the authority of the Secretary of Veterans Affairs to hire and retain physicians and other employees of the Department of Veterans Affairs, and for other purposes (Rept. 115-35 Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on Oversight and Government Reform discharged from further consideration. H.R. 1259 referred to the Committee of the Whole House on the state of the Union.

Pursuant to clause 2 of rule XIII, the Committee on Oversight and Government Reform discharged from further consideration. H.R. 1367 referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. LAMALFA:

H.R. 1491. A bill to reaffirm the action of the Secretary of the Interior to take land into trust for the benefit of the Santa Ynez Band of Chumash Mission Indians, and for other purposes; to the Committee on Natural Resources.

By Mr. SESSIONS:

H.R. 1492. A bill to amend the Controlled Substances Act to direct the Attorney General to register practitioners to transport controlled substances to States in which the practitioner is not registered under the Act for the purpose of administering the substances (under applicable State law) at locations other than principal places of business or professional practice; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DENHAM:

H.R. 1493. A bill to amend the Americans with Disabilities Act of 1990 to impose notice and a compliance opportunity to be provided before commencement of a private civil action; to the Committee on the Judiciary.

By Mr. SMITH of Texas (for himself, Mr. DEUTCH, Mr. CHABOT, Mr. GAETZ, Mr. FRANKS of Arizona, Mr. MARINO, Mr. RASKIN, Mr. JEFFRIES, Mr. FARENTHOLD, Mr. TED LIEU of California, Mr. NADLER, Mr. COHEN, and Mr. SWALWELL of California):

H.R. 1494. A bill to revise section 48 of title 18, United States Code, and for other purposes; to the Committee on the Judiciary.

By Mrs. LOVE (for herself, Mr. DEUTCH, Mr. HILL, Mr. CURBELO of Florida, Mr. PEARCE, Mr. CHAFFETZ, Mr. YODER, Mr. BISHOP of Georgia, Mr. RYAN of Ohio, Mr. ROUZER, Mr. GARAMENDI, Ms. SHEA-PORTER, Mr. KING of New York, and Mr. ZELDIN):

H.R. 1495. A bill to amend title 38, United States Code, to adjust the effective date of certain reductions and discontinuances of dependency and indemnity compensation under the laws administered by the Secretary of Veterans Affairs; to the Committee on Veterans' Affairs.

By Ms. BASS (for herself, Ms. ROYBAL-ALLARD, Ms. LEE, Ms. PLASKETT, Mrs. NAPOLITANO, Mr. CONYERS, Mr. COHEN, Ms. WILSON of Florida, Ms. MOORE, Mr. EVANS, Mr. SWALWELL of California, Mr. NADLER, Mr. COSTA, Ms. BROWNLEY of California, Mr. TAKANO, and Mrs. DINGELL):

H.R. 1496. A bill to designate the facility of the United States Postal Service located at 4040 West Washington Boulevard in Los Angeles, California, as the "Marvin Gaye Post Office"; to the Committee on Oversight and Government Reform.

By Ms. CLARKE of New York (for herself, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Ms. MCCOLLUM, Mr. HASTINGS, Mr. MCGOVERN, Mr. VEASEY, Ms. LEE, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. BASS, Mr. RICHMOND, Mr. CARSON of Indiana, Ms. JACKSON LEE, Mrs. WATSON COLEMAN, Mr. EVANS, Mr. AL GREEN of Texas, Mr. MEEKS, Ms. VELÁZQUEZ, Mr. SOTO, and Ms. KELLY of Illinois):

H.R. 1497. A bill to require all deportation officers of U.S. Immigrations and Customs Enforcement to wear body cameras when engaged in field operations and removal proceedings, and for other purposes; to the Committee on the Judiciary.

By Mr. CONYERS (for himself, Ms. BASS, Mrs. BEATTY, Mr. BEYER, Mr. BISHOP of Georgia, Mr. BLUMENAUER, Mr. CARSON of Indiana, Mr. CARTWRIGHT, Ms. CASTOR of Florida, Mr. CICILLINE, Ms. CLARK of Massachusetts, Mr. COHEN, Mrs. WATSON COLEMAN, Mr. CUMMINGS, Mr. DANNY K. DAVIS of Illinois, Ms. DEGETTE, Ms. DELAURO, Mr. DEUTCH, Mrs. DINGELL, Mr. EVANS, Mr. AL GREEN of Texas, Mr. GRIJALVA, Mr. HASTINGS, Ms. JACKSON LEE, Ms. JAYAPAL, Mr. JEFFRIES, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Ms. KELLY of Illinois, Mr. KENNEDY, Mr. KILMER, Mrs. LAWRENCE, Ms. LEE, Mr. LEWIS of Georgia, Mr. MCGOVERN, Mr. MEEKS, Ms. MOORE, Mr. NADLER, Mrs. NAPOLITANO, Mr. NORTON, Mr. PAYNE, Mr. PETERS, Mr. RASKIN, Mr. RICHMOND, Mr. RUSH, Mr. SARBANES, Mr. SCOTT of Virginia, Mr. SERRANO, Ms. SEWELL of Alabama, Ms. SLAUGHTER, Mr. SMITH of Washington, Mr. SWALWELL of California, Mr. THOMPSON of Mississippi, Mr. VEASEY, Ms. WILSON of Florida, Ms. VELÁZQUEZ, Ms. MAXINE WATERS of California, and Ms. CLARKE of New York):

H.R. 1498. A bill to eliminate racial profiling by law enforcement, and for other purposes; to the Committee on the Judiciary.

By Mr. COURTNEY (for himself and Mr. WOODALL):

H.R. 1499. A bill to provide penalties for countries that systematically and unreasonably refuse or delay repatriation of certain nationals, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CROWLEY (for himself, Mr. THOMAS J. ROONEY of Florida, Mr. SMITH of New Jersey, Mr. KING of New York, Mr. ENGEL, Mr. NEAL, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. BRENDAN F. BOYLE of Pennsylvania, Miss RICE of New York, and Mr. MCGOVERN):

H.R. 1500. A bill to redesignate the small triangular property located in Washington, DC, and designated by the National Park Service as reservation 302 as "Robert Emmet Park"; and for other purposes; to the Committee on Natural Resources.

By Mr. RODNEY DAVIS of Illinois (for himself, Ms. ESTY, Mr. PALAZZO, and Mr. PANETTA):

H.R. 1501. A bill to amend title 49, United States Code, with respect to apportionments to small transit intensive cities, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. KING of Iowa (for himself and Mr. GOHMERT):

H.R. 1502. A bill to terminate the EB-5 program; to the Committee on the Judiciary.

By Ms. LOFGREN (for herself, Ms. ADAMS, Mr. AGUILAR, Ms. BARRAGÁN, Ms. BASS, Mrs. BEATTY, Mr. BERA, Mr. BEYER, Mr. BISHOP of Georgia, Mr. BLUMENAUER, Ms. BLUNT ROCH-ESTER, Ms. BONAMICI, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. BRADY of Pennsylvania, Mr. BROWN of Maryland, Ms. BROWNLEY of California, Mrs. BUSTOS, Mr. BUTTERFIELD, Mr. CAPUANO, Mr. CARBAJAL, Mr. CÁRDENAS, Mr. CARSON of Indiana, Mr. CARTWRIGHT, Ms. CASTOR of Florida, Mr. CASTRO of Texas, Mr. CICILLINE, Ms. JUDY CHU of California, Ms. CLARK of Massachusetts, Ms. CLARKE of New York, Mr. CLAY, Mr. CLEAVER, Mr. CLYBURN, Mr. COHEN, Mr. CONNOLLY, Mr. CONYERS, Mr. COOPER, Mr. CORREA, Mr. COURTNEY, Mr. CRIST, Mr. CROWLEY, Mr. CUELLAR, Mr. CUMMINGS, Mr. DANNY K. DAVIS of Illinois, Mrs. DAVIS of California, Mr. DEFAZIO, Ms. DEGETTE, Mr. DELANEY, Ms. DELAURO, Ms. DELBENE, Mrs. DEMINGS, Mr. DESAULNIER, Mr. DEUTCH, Mrs. DINGELL, Mr. DOGGETT, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. ELLISON, Mr. ENGEL, Ms. ESHOO, Mr. ESPAILLAT, Ms. ESTY, Mr. EVANS, Mr. FOSTER, Ms. FRANKEL of Florida, Ms. FUDGE, Ms. GABBARD, Mr. GALLEGOS, Mr. AL GREEN of Texas, Mr. GONZALEZ of Texas, Mr. GRIJALVA, Mr. GUTIÉRREZ, Ms. HANABUSA, Mr. HASTINGS, Mr. HECK, Mr. HIGGINS of New York, Mr. HIMES, Mr. HOYER, Mr. HUFFMAN, Ms. JACKSON LEE, Ms. JAYAPAL, Mr. JEFFRIES, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Ms. KAPTUR, Mr. KEATING, Ms. KELLY of Illinois, Mr. KENNEDY, Mr. KHANNA, Mr. KIHUEN, Mr. KILDEE, Mr. KILMER, Mr. KIND, Mr. KRISHNAMOORTHY, Ms. KUSTER of New Hampshire, Mr. LAN-GEVIN, Mr. LARSEN of Washington,

Mr. LARSON of Connecticut, Mrs. LAWRENCE, Mr. LAWSON of Florida, Ms. LEE, Mr. LEVIN, Mr. LEWIS of Georgia, Mr. TED LIEU of California, Mr. LOWENTHAL, Mrs. LOWEY, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. LYNCH, Mrs. CAROLYN B. MALONEY of New York, Ms. MATSUI, Ms. MCCOLLUM, Mr. MCEACHIN, Mr. MCGOVERN, Mr. MCNERNEY, Mr. MEEKS, Ms. MOORE, Mr. MOULTON, Mrs. MURPHY of Florida, Mr. NADLER, Mrs. NAPOLITANO, Mr. NOLAN, Mr. NORCROSS, Ms. NORTON, Mr. O'ROURKE, Mr. PANETTA, Mr. PAL-LONE, Mr. PASCRELL, Mr. PAYNE, Mr. PERLMUTTER, Ms. PINGREE, Ms. PLASKETT, Mr. POCAN, Mr. PRICE of North Carolina, Mr. QUIGLEY, Mr. RASKIN, Mr. RICHMOND, Miss RICE of New York, Ms. ROYBAL-ALLARD, Mr. RUIZ, Mr. RUPPERSBERGER, Mr. RYAN of Ohio, Mr. SABLAN, Ms. SÁNCHEZ, Mr. SARBANES, Ms. SCHAKOWSKY, Mr. SCHRADER, Mr. SCHIFF, Mr. SCHNEIDER, Mr. SCOTT of Virginia, Mr. SERRANO, Ms. SHEA-PORTER, Mr. SHERMAN, Ms. SLAUGHTER, Mr. SIRE, Mr. SMITH of Washington, Mr. SOTO, Ms. SPIER, Mr. SWALWELL of California, Mr. TAKANO, Mr. THOMPSON of Mississippi, Mr. THOMPSON of California, Ms. TITUS, Mr. TONKO, Mrs. TORRES, Ms. TSONGAS, Mr. VARGAS, Mr. VEASEY, Mr. VELA, Ms. VELÁZQUEZ, Mr. VISCLOSKEY, Ms. WASSERMAN SCHULTZ, Mrs. WATSON COLEMAN, Mr. WELCH, Ms. WILSON of Florida, and Mr. YARMUTH):

H.R. 1503. A bill to provide that the Executive Order entitled "Protecting the Nation from Foreign Terrorist Entry into the United States" (March 6, 2017), shall have no force or effect, to prohibit the use of Federal funds to enforce the Executive Order, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Foreign Affairs, Homeland Security, and Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SEAN PATRICK MALONEY of New York (for himself and Mr. ENGEL):

H.R. 1504. A bill to amend the Act popularly known as the Rivers and Harbors Appropriation Act of 1915 to prohibit the establishment of certain anchorage grounds within five miles of a nuclear power plant, a location on the national register of historic places, a superfund site, or critical habitat of an endangered species, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. O'ROURKE (for himself and Mr. ABRAHAM):

H.R. 1505. A bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to increase the maximum market pay of physicians and dentists in the Veterans Health Administration who work in health professional shortage areas, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. O'ROURKE (for himself, Mr. BOST, Ms. JUDY CHU of California, and Ms. KUSTER of New Hampshire):

H.R. 1506. A bill to amend title 38, United States Code, to increase the maximum amount of education debt reduction available for health care professionals employed by the Veterans Health Administration, and

for other purposes; to the Committee on Veterans' Affairs.

By Mr. O'ROURKE (for himself, Ms. BROWNLEY of California, Mr. GENE GREEN of Texas, Ms. KUSTER of New Hampshire, Mr. RICE of South Carolina, Ms. SINEMA, Ms. TITUS, Mr. WALZ, Mr. RUIZ, Mrs. WALORSKI, Mr. SWALWELL of California, and Mr. YOHO):

H.R. 1507. A bill to direct the Secretary of Veterans Affairs to conduct annual surveys of veterans on experiences obtaining hospital care and medical services from medical facilities of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. O'ROURKE (for himself, Mr. CONYERS, Ms. KUSTER of New Hampshire, Ms. STEFANIK, Ms. TITUS, and Mr. YOUNG of Alaska):

H.R. 1508. A bill to amend title 38, United States Code, to improve the recruitment of physicians in the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. O'ROURKE (for himself, Mr. JONES, and Mr. KNIGHT):

H.R. 1509. A bill to direct the Secretary of Defense and the Secretary of Veterans Affairs to post at certain locations the average national wait times for veterans to receive an appointment for health care at medical facilities of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROUZER (for himself and Mr. CHAFFETZ):

H.R. 1510. A bill to provide for the elimination of the Department of Education, and for other purposes; to the Committee on Education and the Workforce.

By Mr. CHAFFETZ (for himself, Mr. BISHOP of Utah, Mr. STEWART, and Mrs. LOVE):

H.J. Res. 87. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Environmental Protection Agency relating to "Approval, Disapproval and Promulgation of Air Quality Implementation Plans; Partial Approval and Partial Disapproval of Air Quality Implementation Plans and Federal Implementation Plan; Utah; Revisions to Regional Haze State Implementation Plan; Federal Implementation Plan for Regional Haze"; to the Committee on Energy and Commerce.

By Mr. MCGOVERN (for himself, Mr. LYNCH, Mr. COHEN, Mr. LANGEVIN, Mr. WELCH, Mr. KEATING, Mr. DEFazio, Mr. TAKANO, Ms. PINGREE, Mr. CAPUANO, Mr. COOPER, Mr. GRIJALVA, and Mr. LOEBSACK):

H.J. Res. 88. A joint resolution proposing an amendment to the Constitution of the United States to clarify the authority of Congress and the States to regulate corporations, limited liability companies or other corporate entities established by the laws of any State, the United States, or any foreign state; to the Committee on the Judiciary.

By Mr. GARAMENDI (for himself, Mr. MEEHAN, Ms. JUDY CHU of California, and Mr. VALADAO):

H. Res. 189. A resolution recognizing the historic, cultural, and religious significance of the festival of Vaisakhi, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. BRAT:

H. Res. 190. A resolution recognizing the 50th anniversary of Lake of the Woods Association of Orange County, Virginia; to the Committee on Oversight and Government Reform.

By Mr. ESPAILLAT (for himself, Mr. TED LIEU of California, and Mr. LEWIS of Georgia):

H. Res. 191. A resolution opposing fake news and alternative facts; to the Committee on the Judiciary.

By Ms. JAYAPAL (for herself, Mr. CROWLEY, Ms. BARRAGAN, Mr. BERA, Mr. BEYER, Ms. BLUNT ROCHESTER, Ms. BONAMICI, Ms. BROWNLEY of California, Mr. CARBAJAL, Mr. CARSON of Indiana, Ms. JUDY CHU of California, Mr. CICILLINE, Ms. CLARKE of New York, Mr. COHEN, Mr. CONYERS, Mr. COSTA, Ms. DEGETTE, Ms. DELAULO, Ms. DELBENE, Mr. DOGGETT, Mr. ELLISON, Mr. EVANS, Mr. FOSTER, Mr. GARAMENDI, Mr. GUTIERREZ, Ms. HANABUSA, Mr. HECK, Mr. JEFFRIES, Mr. JOHNSON of Georgia, Ms. KAPTUR, Mr. KEATING, Ms. KELLY of Illinois, Mr. KHANNA, Mr. KIHUEN, Mr. KILMER, Ms. KUSTER of New Hampshire, Mr. LARSEN of Washington, Mrs. LAWRENCE, Ms. LEE, Mr. LEWIS of Georgia, Mr. TED LIEU of California, Ms. MCCOLLUM, Ms. MENG, Ms. MOORE, Mrs. NAPOLITANO, Ms. NOR-TON, Ms. PINGREE, Mr. POCAN, Mr. POLIS, Mr. QUIGLEY, Mr. RASKIN, Mr. RUSH, Ms. SCHAKOWSKY, Mr. DAVID SCOTT of Georgia, Mr. SCOTT of Virginia, Mr. SERRANO, Ms. SHEA-PORTER, Ms. SLAUGHTER, Mr. SMITH of Washington, Mr. SOTO, Ms. SPEIER, Mr. SWALWELL of California, Mr. TAKANO, Mr. TONKO, Ms. VELÁZQUEZ, and Mr. YARMUTH):

H. Res. 192. A resolution expressing the deepest sympathy and condolences to the family of Srinivas Kuchibhotla, as well as to Alok Madasani, Ian Grillot, and all victims of hate crime throughout the United States, and calling on the Department of Justice and the President to take appropriate actions; to the Committee on the Judiciary.

By Mr. KRISHNAMOORTHY (for himself, Mr. EVANS, Mr. RASKIN, Mrs. TORRES, Mr. LANGEVIN, Mr. ESPAILLAT, Mr. CICILLINE, Mr. COHEN, Mr. PAYNE, Mr. LIPINSKI, Mr. BRADY of Pennsylvania, Mr. KILDEE, Mr. PERLMUTTER, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. ELLISON, Mr. SUOZZI, Mr. CLAY, Mr. MEEKS, Mr. SOTO, Mr. DOGGETT, Mr. YARMUTH, Ms. SÁNCHEZ, and Mr. KHANNA):

H. Res. 193. A resolution protecting health coverage for all Americans; to the Committee on Energy and Commerce.

By Mr. LATTA:

H. Res. 194. A resolution expressing the sense of the House of Representatives that any comprehensive plan to reform our national energy policy must promote American energy security and develop the abundant resources of the United States; to the Committee on Energy and Commerce, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. LAMALFA:

H.R. 1491.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution provides Congress with the authority to regulate commerce with Indians in the United States.

By Mr. SESSIONS:

H.R. 1492.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3:

To regulate Commerce with foreign Nations, and among the several states, and with the Indian Tribes

By Mr. DENHAM:

H.R. 1493.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution: The Congress shall have the power to . . . make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

By Mr. SMITH of Texas:

H.R. 1494.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3, known as the Commerce Clause, provides Congress with the authority regulate interstate and foreign commerce.

By Mrs. LOVE:

H.R. 1495.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 of the United States Constitution

By Ms. BASS:

H.R. 1496.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 7 provides Congress with the power to establish post offices and post roads

By Ms. CLARKE of New York:

H.R. 1497.

Congress has the power to enact this legislation pursuant to the following:

the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. CONYERS:

H.R. 1498.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to Section 5 of the Fourteenth Amendment to the United States Constitution, Congress shall have the power to enact appropriate laws protecting the civil rights of all Americans.

By Mr. COURTNEY:

H.R. 1499.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. CROWLEY:

H.R. 1500.

Congress has the power to enact this legislation pursuant to the following:

Article I Section VIII

By Mr. RODNEY DAVIS of Illinois:

H.R. 1501.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress as stated in Article I, Section 8, Clause 7 of the United States Constitution.

By Mr. KING of Iowa:

H.R. 1502.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 Clause 4

By Ms. LOFGREN:

H.R. 1503.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 4 provides Congress with the power to establish a "uniform rule of Naturalization."

AND

Article I, Section 8, clause 1 provides Congress with the power to "lay and collect Taxes, Duties, Imposts and Excises" in order to "provide for the . . . general Welfare of the United States."

By Mr. SEAN PATRICK MALONEY of New York:

H.R. 1504.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. O'ROURKE:

H.R. 1505.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18:

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. O'ROURKE:

H.R. 1506.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18:

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. O'ROURKE:

H.R. 1507.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18:

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. O'ROURKE:

H.R. 1508.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18:

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. O'ROURKE:

H.R. 1509.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18:

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. ROUZER:

H.R. 1510.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the United States Constitution states that "The Congress shall have Power To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department of Officer thereof."

By Mr. CHAFFETZ:

H.J. Res. 87.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 1 and Article I, Section 8, clause 18

By Mr. MCGOVERN:

H.J. Res. 88.

Congress has the power to enact this legislation pursuant to the following:

Article V of the Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 60: Mr. ROSS.

H.R. 66: Mr. AGUILAR.

H.R. 76: Mr. BRAT.

H.R. 246: Mr. GOTTHEIMER, Mr. FITZPATRICK, and Mr. FERGUSON.

H.R. 265: Mr. HUDSON.

H.R. 299: Mrs. RADEWAGEN, Mrs. WATSON COLEMAN, Mr. COOK, Mr. JOHNSON of Georgia, and Mr. LYNCH.

H.R. 371: Mr. BERA.

H.R. 372: Mr. TIPTON.

H.R. 392: Mr. FRANKS of Arizona and Ms. BONAMICI.

H.R. 394: Mr. ROUZER.

H.R. 400: Mr. LAHOOD.

H.R. 442: Mr. LEWIS of Minnesota.

H.R. 448: Ms. LOFGREN and Mr. DELANEY.

H.R. 462: Mr. FRANCIS ROONEY of Florida and Mr. EMMER.

H.R. 476: Mr. COLE and Mrs. MURPHY of Florida.

H.R. 478: Mr. WEBER of Texas, Mr. COOK, Mr. ROHRBACHER, and Mr. DUNCAN of South Carolina.

H.R. 479: Mr. WEBER of Texas and Mr. YOHO.

H.R. 544: Mr. YOUNG of Iowa.

H.R. 553: Mr. GOODLATTE and Mr. AUSTIN SCOTT of Georgia.

H.R. 564: Mr. ROKITA.

H.R. 598: Mr. ELLISON.

H.R. 631: Mr. FERGUSON, Mr. KUSTOFF of Tennessee, Mr. GRAVES of Georgia, Mr. BOST, Mr. THOMPSON of Pennsylvania, Mrs. COMSTOCK, Mr. BACON, Mr. BARR, Mr. THOMAS J. ROONEY of Florida, Mr. ROKITA, Mr. KING of New York, Mr. MESSER, Mr. FRELINGHUYSEN, Mr. AUSTIN SCOTT of Georgia, and Mr. KING of Iowa.

H.R. 664: Mr. MEEHAN.

H.R. 676: Ms. BASS.

H.R. 721: Mr. STEWART.

H.R. 785: Mrs. COMSTOCK.

H.R. 789: Mr. FRANCIS ROONEY of Florida.

H.R. 800: Ms. MCCOLLUM.

H.R. 804: Mrs. BUSTOS, Mr. MEEKS, Ms. PLASKETT, Ms. BLUNT ROCHESTER, and Mr. YARMUTH.

H.R. 816: Mrs. MURPHY of Florida and Mr. CURBELO of Florida.

H.R. 820: Mr. KEATING, Mr. VISCLOSKEY, Mr. LAHOOD, Mr. TAKANO, Mr. SCHIFF, Mr. BLUM, and Mr. MARINO.

H.R. 821: Mr. GARAMENDI.

H.R. 831: Mr. LAHOOD.

H.R. 846: Ms. PINGREE.

H.R. 848: Mr. LUCAS, Mr. FASO, Mr. LABRADOR, and Mr. MITCHELL.

H.R. 849: Ms. SINEMA.

H.R. 871: Mr. HOLLINGSWORTH.

H.R. 910: Mr. GOTTHEIMER and Mr. SHERMAN.

H.R. 911: Ms. LOFGREN, Mrs. LAWRENCE, Mr. MOULTON, Mr. BERGMAN, Mr. SIRES, Ms. SHEA-PORTER, Mr. CORREA, and Ms. ROSEN.

H.R. 919: Mr. LOEBACK and Mrs. MURPHY of Florida.

H.R. 930: Mr. O'HALLERAN, Mr. SWALWELL of California, Mrs. COMSTOCK, Mr. KILMER, Mrs. WALORSKI, Mr. KENNEDY, Mr. NUNES, Ms. HERRERA BEUTLER, Mr. SCOTT of Virginia, Mr. MOULTON, Ms. CLARK of Massachusetts, Mr. POCAN, Mr. LOEBACK, Mr. COOPER, Mr. KELLY of Pennsylvania, Mr. PRICE of North Carolina, Mr. CARSON of Indiana, Ms. JACKSON LEE, Mr. DUNCAN of Tennessee, Mr. HENSARLING, Mr. SESSIONS, Mr. CICILLINE, Ms. MOORE, Mr. DELANEY, Mr. YODER, Mr. DEUTCH, Mr. ENGEL, Mr. SEAN PATRICK MALONEY of New York, Ms. FRANKEL of Florida, Mr. GRIFFITH, Mr. RYAN of Ohio, Mr. DAVID SCOTT of Georgia, Mr. LEWIS of Georgia, Mr. GOHMERT, and Mr. TURNER.

H.R. 931: Mr. STEWART and Mr. HOYER.

H.R. 939: Mrs. LAWRENCE.

H.R. 968: Ms. SCHAKOWSKY.

H.R. 997: Mr. STEWART and Mr. GIBBS.

H.R. 1002: Mrs. LAWRENCE and Mr. TROTT.

H.R. 1005: Mr. KENNEDY.

H.R. 1026: Mr. HUIZENGA.

H.R. 1038: Mr. BRENDAN F. BOYLE of Pennsylvania.

H.R. 1076: Mr. ELLISON.

H.R. 1101: Mr. GROTHMAN, Mrs. RADEWAGEN, Mr. SMITH of Missouri, Mr. BYRNE, Mr. MESSER, Mr. DUNCAN of South Carolina, and Mr. HULTGREN.

H.R. 1134: Mr. LOWENTHAL, Mr. CARBAJAL, and Mr. DESAULNIER.

H.R. 1148: Mr. DAVID SCOTT of Georgia, Mr. NUNES, and Mr. SCHWEIKERT.

H.R. 1153: Ms. MCCOLLUM.

H.R. 1163: Mr. RASKIN.

H.R. 1164: Mr. MOONEY of West Virginia and Ms. ROS-LEHTINEN.

H.R. 1169: Mr. TIPTON.

H.R. 1173: Mr. ELLISON, Mr. JONES, Mr. SOTO, Mr. LOWENTHAL, Ms. MCCOLLUM, and Mr. RYAN of Ohio.

H.R. 1179: Mr. MCCLINTOCK, Mr. MARCHANT, Mr. VALADAO, Mr. PEARCE, Mr. YOUNG of Alaska, Mr. WEBER of Texas, Mr. PITTINGER, Mr. WESTERMAN, Mr. WILLIAMS, Mr. CALVERT, Mrs. BLACKBURN, Mr. BRIDENSTINE, Mr. ROSS, Mr. FLORES, Mr. SMITH of Missouri, Mr. JONES, Mr. MCKINLEY, Mr. COLE, Mr. MEADOWS, Mr. KELLY of Mississippi, Mr. PALAZZO, and Mr. ADERHOLT.

H.R. 1203: Mr. RUSSELL.

H.R. 1243: Mr. KENNEDY, Ms. TITUS, Ms. ROYBAL-ALLARD, Mr. KEATING, Mr. GALLEGU, and Mr. MICHAEL F. DOYLE of Pennsylvania.

H.R. 1244: Mr. POE of Texas.

H.R. 1259: Mr. TIPTON and Mr. SAM JOHNSON of Texas.

H.R. 1273: Mr. SMITH of Missouri.

H.R. 1274: Mr. GOODLATTE.

H.R. 1281: Mr. FASO.

H.R. 1295: Ms. MCCOLLUM.

H.R. 1307: Mr. PERLMUTTER.

H.R. 1314: Mr. SANFORD and Mr. BYRNE.

H.R. 1315: Mr. ROSS and Mr. BYRNE.

H.R. 1326: Mr. ELLISON.
 H.R. 1343: Mr. TROTT and Mr. GOTTHEIMER.
 H.R. 1366: Mr. SHERMAN and Mr. GRIJALVA.
 H.R. 1380: Mr. KELLY of Mississippi.
 H.R. 1384: Mr. MOULTON, Mr. JONES, Ms. SINEMA, and Mr. ELLISON.
 H.R. 1393: Mr. FRELINGHUYSEN.
 H.R. 1399: Mr. PEARCE.
 H.R. 1406: Mr. BLUMENAUER and Mr. MACARTHUR.
 H.R. 1448: Mr. HUFFMAN.
 H.R. 1454: Mr. WESTERMAN, Mr. BABIN, Mr. FARENTHOLD, Mr. PEARCE, Mr. DUNCAN of South Carolina, Mr. GROTHMAN, Mr. ABRAHAM, Mr. MCCLINTOCK, Mr. HIGGINS of Louisiana, Mr. VALADAO, Mr. JODY B. HICE of Georgia, Mr. SCHRADER, Mr. JONES, Ms. PINGREE, Mr. AMODEI, Mr. NOLAN, Mr. COOK, and Mr. SIMPSON.
 H.R. 1468: Mr. KINZINGER.
 H.R. 1473: Ms. JAYAPAL, Ms. SCHAKOWSKY, Mr. NOLAN, and Mr. GRIJALVA.
 H.J. Res. 31: Ms. JAYAPAL.

H.J. Res. 48: Ms. ADAMS.
 H.J. Res. 51: Ms. SINEMA.
 H.J. Res. 59: Mr. BOST.
 H. Con. Res. 10: Mr. STIVERS.
 H. Con. Res. 15: Mr. SERRANO and Mr. ELLISON.
 H. Con. Res. 20: Mr. DONOVAN and Mr. MCGOVERN.
 H. Res. 28: Mr. VARGAS, Mr. GUTIÉRREZ, and Ms. ROYBAL-ALLARD.
 H. Res. 30: Mr. HIMES, Mr. KILMER, Mr. MCEACHIN, Mr. MACARTHUR, and Ms. TENNEY.
 H. Res. 78: Mr. RUPPERSBERGER.
 H. Res. 92: Mr. TURNER, Mr. GROTHMAN, and Mr. BISHOP of Georgia.
 H. Res. 135: Mr. SENSENBRENNER and Mrs. HARTZLER.
 H. Res. 136: Mr. PERLMUTTER.
 H. Res. 162: Mr. HIGGINS of New York and Mr. BOST.
 H. Res. 172: Mr. KEATING, Mr. SIRES, Mr. MCGOVERN, and Mr. ESPALLAT.
 H. Res. 178: Mr. BISHOP of Georgia and Mr. CARSON of Indiana.

H. Res. 183: Mr. RASKIN.
 H. Res. 186: Ms. DELAURO, Ms. CLARK of Massachusetts, Mr. POCAN, Mr. PALLONE, Mr. LEWIS of Georgia, Mr. VARGAS, Mr. GARAMENDI, Mr. WELCH, Mrs. WATSON COLEMAN, Mr. GUTIÉRREZ, Ms. SPEIER, Mr. LARSON of Connecticut, Mr. KIND, Mr. NADLER, Mr. CUMMINGS, Mr. COHEN, Mr. HIGGINS of New York, Mr. CAPUANO, and Mr. PERLMUTTER.

PETITIONS, ETC.

Under clause 3 of rule XII,

21. The SPEAKER presented a petition of the Botetourt County, VA, Board of Supervisors, relative to a resolution urging Congress to enact legislation in 2017 that will enable state and local governments to collect Internet sales taxes; which was referred to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

A CELEBRATION OF THE LIFE OF
THE HONORABLE ROBERT
HENRY MICHEL, EIGHTEENTH
DISTRICT OF ILLINOIS (1957-1995)
MINORITY LEADER OF THE
UNITED STATES HOUSE OF REP-
RESENTATIVES (1981-1995)

HON. PAUL D. RYAN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, March 10, 2017

Mr. RYAN of Wisconsin. Mr. Speaker, the Honorable Robert H. Michel, former Minority Leader of the House of Representatives, died on February 17, 2017. On that day, I issued the following statement:

"On November 29, 1994, an extraordinary thing happened on the House floor. Outgoing House Speaker Tom Foley, a Democrat from the Pacific Northwest, asked outgoing Minority Leader Bob Michel, a Republican from central Illinois, to take the gavel and preside over the House. More than a symbolic gesture, it was a fitting sendoff for a happy warrior revered for his decency and commitment to what's right.

"A half-century earlier, as a combat infantryman, Bob Michel was in the Battle of the Bulge. He was at Normandy too. For his service in World War II, he received two Bronze Stars and the Purple Heart.

"I did not have the privilege to serve with Leader Michel. But I do have the honor of working every day in the office in the Capitol that bears his name. What a name and legacy it is. What a life well-lived by this great and gracious man. Today the members of the House—past and present—mourn with the family and friends of our former colleague and leader."

The House took several steps to honor Mr. Michel. The flags of the U.S. Capitol were lowered to halfstaff in honor of his passing. A book of condolences was made available for the remembrances of friends and colleagues. On February 27, 2017, the House adopted House Resolution 151, honoring the life of former Minority Leader of the House of Representatives, Robert Henry "Bob" Michel. A memorial service was held in Statuary Hall in the U.S. Capitol on March 9, 2017. The following is a transcript of those proceedings:

MARCH 9, 2017

PRELUDE—(United States Army Brass Quintet)

PRESENTATION OF THE COLORS—
(United States Armed Forces Color Guard)
NATIONAL ANTHEM—(United States Army Chorus)

(The Reverend Patrick J. Conroy, S.J., chaplain of the United States House of Representatives)

Reverend Conroy: God of Heaven and Earth, the work of Your hands is made known in Your bountiful creation and in the lives of those who faithfully live in Your grace.

Today we especially remember the life and work of Bob Michel, son of the very proud city of Peoria.

As the long-time minority leader, he was a modest man whose impact on the public weal beyond his district far exceeded any projection of ego strength. A man of an age past, he was a better practitioner of governance than politics. It was this characteristic of his that ushered through a Democratic House much of President Ronald Reagan's agenda, evidence of an extraordinary ability to legislate within our constitutional structures.

Be present with us this day, O God, as we mark his life and remember his legacy. Bless this gathering and comfort us as we comfort one another in remembering a great American and a genuinely good man.

Amen.

(The Honorable Paul D. Ryan, Speaker of the United States House of Representatives)
Speaker Ryan: Good afternoon, and welcome to the United States Capitol.

Today, we celebrate the life of the Honorable Robert H. Michel, the distinguished leader from the State of Illinois. On the day of his passing, it was my sad duty as Speaker to order the flags flown over the Capitol to be flown at halfstaff.

At this moment, I would like to ask the Capitol Police to present one of those flags from that day to the Michel family, if you will, please.

(Presentation made.)

Speaker Ryan: Bob Michel was a man of very simple rituals. He pressed his own shirts. He whistled while he worked—no, he really, actually did whistle while he worked. He had time for everyone. That is a skill I am really learning to appreciate, and that is difficult to develop in this job.

Actually, I would say this is the kind of inclusive program that the leader would enjoy: three Republicans, two Democrats, and Ray LaHood.

(Applause.)

Speaker Ryan: That is right. Because this is a celebration of a great life, this being a House event, we are going to hear some really great stories. I want to start the bidding with two.

One comes from Karen Haas, Karen, whom we all know very, very well right here in the House because she is the Clerk of the House. But Karen came to us as a long-time Bob Michel aide. Karen tells this story of a time she briefed the leader on a tax provision that Bill Archer was going on about. She went into all the great details. The reason she did that was so that they wouldn't have to go over the whole thing all over again with Bill Archer on the floor.

So they get to the floor, and sure enough, Bill Archer comes up on the floor, comes up, starts going into the tax policy. The leader sits down, and he says: "Walk me through it from beginning to end. Tell me all about it." Karen starts fidgeting in her chair. He just taps her lightly, and the leader basically is saying to her, without saying a word: "This is the job. A leader takes a moment; a leader listens."

My predecessor, John Boehner, he tells a story of his very, very early days when he

was a freshman Member. You ever hear of the Gang of Seven? Right. John Boehner was a part of the Gang of Seven. They were about to drop something really big on the House Bank. That's what made the Gang of Seven famous.

So John Boehner, he is a freshman, goes to the leader and gives him a heads-up about what they are right about to do on the House Bank, and he is thinking: "He is going to cut my legs off. This guy is never going to speak to me ever again."

The leader just nods and he says: "Well, you do what you have to do. As leader, I will do what I have to do." That was it—no breaking of arms, no retribution, just that.

You know, years later, when I was a rabble-rouser causing John Boehner very similar problems, he showed the same decency to me. Now I know whom I have to thank.

Bob Michel loved this place. Many of us got to know him after. We didn't serve together, but we all got to know him so well after that service. He loved this place. He loved this institution. But he really loved his people. He did not just shape events; he shaped people's lives, how they lived, and how they treated others. That's what makes a giant a giant. It is the values that they instill in us, those moments that make you say: "Wow, I will never forget this."

Bob Michel had a lot of those kinds of moments in his good and long life. You wouldn't know it, given how humble and how genial he was. But today, I hope that he will permit us to speak out of order so that we can give this great patriot, this man of the House, the due he so richly deserves.

Thank you very much for being here today. (Applause.)

(The Honorable Dick Durbin, United States Senator from Illinois)

Mr. Durbin: If Bob Michel were here looking out at this crowd, we might have heard some of his favorite profanities: Ye gads. Doggone. By gosh, by Jiminy! Son of a buck! He would say: "Just look who's here: my friends, my family, Republicans, Democrats, diehard Cub fans—and the rest of the world."

We have beautiful baseball weather outside, a U.S. Army band and chorus inside, and we meet in the right room. If you can't be on the floor of the House, this is a great room to honor Bob Michel. Imagine how many times he walked across this room back and forth to his office, to his beloved floor of the House of Representatives.

But best of all, we meet with the uncommonly decent spirit of Bob Michel among us again. The only thing Bob loved better than the people's House, as he called it, was his family.

To Bob and Corinne's children—Scott, Robin, Bruce, Laurie—grandchildren, and great-grandchildren, we hope in this time of loss, as you look around here at the support and friendship, that you can replace that loss with happy memories of a great fellow, one loved by all.

Bob's devotion to public service began when he was 19 years old. He was an Army private, off to fight with courage in some of the most important battles in human history. It continued after he left Congress, with his extraordinary efforts to increase America's investments in medical research.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

But he left his greatest mark in public service right here in this building. In his nearly 50 years in the House of Representatives, he said that the times he was proudest of were the Ronald Reagan years, starting in 1981, his first year as a minority leader, when he was able to create coalitions to help big parts of President Reagan's agenda pass.

I was elected 2 years later, in a tumultuous election in 1982. Bob, of course, was the Republican leader at that time, and we had adjoining congressional districts. Now, a lesser man and a different leader might have written me off as just another freshman Democrat; but Bob Michel treated me as a colleague and as a friend, and I never forgot it.

I used to love the stories. We would meet just around the corner there once every month with an Illinois delegation for lunch. It was such a treat to hear the great stories from our delegation in those days, but especially the stories between Bob Michel and Dan Rostenkowski.

Are there two more different politicians alive in the State of Illinois than Bob Michel of Peoria and Dan Rostenkowski of the bare-knuckle wards of the city of Chicago? You would think it was just going to be a knock-down-drag-out every time they got in the same room, and you couldn't be further from the truth.

They became such close friends that—listen to this—they would actually get in a station wagon after the adjournment of the House and take turns driving back to Illinois. One would drive, the other would sleep on a mattress in the back of the station wagon. That was their regular return home and back and forth. They were that close.

Over the years, Corinne and LaVerne Rostenkowski and Bob and Dan were the closest of friends. I never shared a station wagon trip with Bob—thank goodness neither of us had to do that—but what we did share was a commitment to our state and a reverence for the House of Representatives and this great Nation.

We were both children of immigrants, and like many first-generation Americans, we shared an awe for this great Nation. That was the foundation of a friendship for the 12 years that we served together in the House of Representatives and all the years since.

The last time I saw Bob, I was telling the family, was at a Cubs-Nats game over at the stadium. And he was having the time of his life, as usual.

Bob Michel taught us the importance of listening and respecting other persons and the other person's views, even if you didn't agree with them. He never mistook politics for warfare because he had seen real war, like Bob Dole.

It is an honor that you are with us today, Senator Dole. Thank you for being here. (Applause.)

Mr. Durbin: John Warner, thank you for being here, too.

And men like Danny Inouye, so many of the Greatest Generation. There was a quiet, battle-tested bravery about them.

He showed us that consensus is not weakness, and principled, intelligent compromise is not capitulation. It is how a democracy works. He once said, and I quote: "Raising the level of your voice doesn't raise the level of discussion. . . . Peaks of uncommon progress can be reached by paths of common courtesy." One look at his historic legislative achievements and you know that that is true.

Bob Michel often said that the real heroes of World War II never came home. At the risk of correcting my old friend, I have to

say this: Some of those heroes did come home. It was our honor to know and work with one of the finest.

In his great, beloved hometown of Peoria, one of the tributes after his passing read: "They certainly don't make 'em like Bob Michel anymore."

And I might add: We are all the lesser for it.

Thank you.

(Applause.)

(The Honorable Nancy Pelosi, Democratic Leader of the United States House of Representatives)

Minority Leader Pelosi: Good afternoon, everyone. Senator Dole, Senator Warner, thank you for honoring us with your presence.

Many honors are afforded members of Congress, but to be asked to speak at a memorial service for Leader Michel is an honor indeed. It is an honor to be here with speaker Ryan and senator Durbin, Vice President Cheney, Secretary Baker, Secretary LaHood, Secretary Jack Lew, Billy Pitts. I will talk about the two of them later.

Today we remember a beloved former colleague who embodied the highest ideals of our democracy: Leader Robert Henry Michel. In this hallowed Hall, gathered beneath the great statue of Clio, the muse of history, Clio and her clock remind us that our time is short and history is watching. She reminds us that we are part of history, that our words and our actions will face the judgment of history, that we are part of the long and honorable heritage of our democracy.

This distinguished gathering is a tribute to Leader Michel's leadership, service, and civility, embodying everything we hope our heritage would be.

Bob Michel was a patriot, a proud immigrant's son, a soldier, and a great American statesman—a patriot indeed.

In World War II, Bob served with heroism and honor, which earned him the first congressional Distinguished Service Award.

In the Congress, Leader Michel fought for the people of Peoria and his beloved Illinois. He brought the values of the heartland to Washington. And he personified the highest ideals of our Nation.

His valor and leadership were recognized with the Presidential Medal of Freedom, with the high honor of France's Knights of the Legion of Honor. We all benefited from his wisdom, his dignity, and his integrity.

Bob once said: "Understanding the other person's viewpoint is the beginning of political wisdom. It doesn't mean we will always agree. But it does mean that when we disagree, it's a disagreement based on fact."

What great guidance.

Leader Michel reminded all of us that we have a role to play in strengthening our democracy. Let us carry forward Bob's courage, his conviction, and his civility.

With his characteristic civility and grace, Bob Michel held the respect of colleagues on both sides of the aisle. I am sure that Steny Hoyer will attest that Democrats in the House who served with him and since then all respected and loved Bob Michel.

His relationship with Speaker O'Neill was legendary. Tip O'Neill served as Speaker, and he took the leader's office and yielded the speaker's office to Bob Michel. That office is now named for Bob Michel. And it brings a joy to all of us that it is, and it brings luster to that office that it bears his name.

They were really close friends, and they traveled a bit. And I am just telling you this one story about Jack Lew, who worked with Tip O'Neill, and Billy Pitts, who worked

with Bob Michel. One time they were on a trip visiting Gorbachev in Russia, the Soviet Union at the time. And they were so close and interacted in such a nonpartisan, bipartisan way that, when Tip O'Neill's spokesperson was not available to lead the press event that they would both speak at, Billy Pitts stepped in for the Democrats.

Okay, Billy? Billy and Jack, please stand up, because they are probably the two closest people to Tip and Bob Michel.

(Applause.)

Minority Leader Pelosi: It wasn't that long ago when we all gathered in Statuary Hall for the service for Speaker Tom Foley. All of us remember the beautiful, beautiful presentation that Bob Michel made about Tom Foley and about bipartisanship and working together and respecting each other's views. In fact, Bob Michel was one of the last people that Tom Foley saw before he left us. So, whatever the politics were, the personal respect always prevailed.

Leader Michel, may I say again, had a role to play in strengthening our democracy, but he also understood that we were engaged in a political disagreement from time to time. Leader Michel and Democrats might disagree on policy proposals, but we always agreed, because he led us that way, on the importance of public service. He believed in the truth and compromise and working out differences to meet the needs of the American people.

It was a joy to behold Leader Michel's devotion to his late wife, Corinne, and love for their children, grandchildren, and great-grandchildren. I hope the grandchildren and the great-grandchildren who are here understand how much their grandfather is revered—is revered—and for a long time to come. Of all of his achievements as Republican leader of the House, Bob Michel was most proud of being a husband, father, and grandfather.

So, for many of us, it was such an honor to serve with him, to be his colleague in the Congress. It was a privilege to serve with him. It was an honor to call him colleague and a joy to call him friend. Many of us, maybe, presuming, but he made us feel that we were all his friends.

To Scott, Bruce, Laurie, and Robin, thank you for sharing your father with all of us over the years. May it be a source of comfort to you, to your whole family, the people of Illinois, and the people of America who loved him that so many join all of you in celebrating the life of this extraordinary American, mourn your loss, and are praying for your family at this sad time. Thank you again for sharing this great, patriotic American statesman, a person who taught us all so much about civility and about our country—a great patriot.

Thank you.

MUSICAL SELECTION—"Mansions of the Lord" performed by the United States Army chorus)

(The Honorable Dick Cheney, 46th vice President of the United States)

Vice President Cheney: Good afternoon. This is a sad occasion, obviously, for all of us, but it is also an opportunity to give thanks for the fact that we were able to share time with Bob. He was a major, major influence in my life.

When I arrived here after the 1978 election, Bob took me under his wing, taught me a lot about what he knew about the House. He did his darndest, with some success: got me elected to the leadership in my first term, made me a member of the Intelligence Committee—his committee assignments were

very important—and eventually put me in charge of the Iran-Contra investigation. And I loved every one of those. I was never quite certain it was going to come out the way Bob thought it was going to come out, but his role as my mentor I will never forget.

My highest aspiration was to follow in Bob's footsteps and hopefully some day become the Speaker. Speaker Ryan and I have often reminisced over the fact that my desire was to become Speaker of the House and his was to become the Vice President. It didn't work out quite the way we planned.

But Bob was one of the finest men I have ever known. There cannot be many others who spent so much time here yet were held in such thoroughly high regard by everyone, from beginning to end. Our leader was never known to make a disagreement personal or let opposition give way to hostility, to show the signs of injured vanity. And forget holding a grudge; Bob wouldn't know how to acquire a grudge in the first place. He was a straight-up guy through and through, as authentic and devoid of pretense as any man could be.

Like his counterpart, Senator Dole, Bob was a man of his generation who knew far bigger tests than a tough vote or a heated floor debate. I guess when you have landed at Normandy, led a platoon in combat, been wounded by machine gun fire in the Battle of the Bulge, you gain a perspective that doesn't come any other way. You know what a real fight looks like, what a real loss feels like, and the dramas and reversals of politics are all a little bit more manageable.

When we are young and we first start reading about politics, we picture a certain kind of individual to serve in Congress. Maybe, in time, reality teaches us a little differently. In this case, the man and the ideal were awfully close.

The gentleman from Illinois commanded respect well beyond anything required by title. He was a man of courage, rectitude, and personal kindness, a friend we looked up to and were lucky to have in our lives. We honor Bob for all that he gave to America, and we are grateful for all that he meant to us.

(Applause.)

(The Honorable Jim Baker, 61st United States Secretary of State)

Secretary Baker: Of course it is traditional to refer to Members of Congress as "The Honorable." In Bob Michel's case it was particularly appropriate when people called him The Honorable Bob Michel because it was a simple fact. He was a most honorable man.

The words "duty," "honor," and "country" were not catchphrases for Bob Michel; they described a prescription for almost everything he did. He was a masterful legislator, of course, and a leader of his party in the House who had enough accomplishments to fill the rotunda of this building where he worked for so very long.

But more importantly, he remained a generous and decent man whose ego was as humble as his Midwestern roots. After all, as Senator Durbin has said, how can you not like someone who cusses like a choir boy? While the Halls of Congress echoed with supercharged expletives deleted, Bob would simply smile and say, "geez," or maybe if he was really steamed, "dagnabbit."

A conciliatory influence who knew how to work with Democrats, Bob was also tough and strong-willed, and he knew how to swing votes. Without his skill, we could never have helped President Reagan achieve his 1986 income tax reform, the only time our tax system has been completely overhauled success-

fully. With a deadline approaching, we gathered in our leader's office and began working the phones to seek support from wary Members. It took a lot of calls and it took a lot of horse trading—Bill Pitts remembers all that—but we got it done. It was classic Michel: fair, but very strong.

Rather than rely on bellicosity—a trait that, sadly, I am afraid to say is in vogue today—Bob's actions always spoke a lot louder than his words. In what now seems to be a long lost approach to governance, Bob preferred to reach across the aisle than battle across the aisle. He could, and he did, disagree agreeably.

So I can just imagine the scene when Bob arrived at the pearly gates not very long ago. He is greeted by St. Peter, who smiles, spreads his arms wide, and tells him: "It's good to see you up here, Bob, but dagnabbit, you really are missed back down there."

Thank you.

(Applause.)

(The Honorable Ray LaHood, 16th United States Secretary of Transportation)

Mr. LaHood: Thank you all for being here. We knew that this would be a standing-room-only crowd. And I can't pass up the opportunity to recognize the Chief Justice of the Supreme Court, John Roberts. When I called the Chief Justice and invited him, I told him what an honor it would be for the family.

When Bob left Congress, he went to work at Hogan Hartson, which is now Hogan Lovells, and he met one of the top partners there, John Roberts, and they became good friends. So, Mr. Chief Justice, I know it is an honor for the family to have you here, and I know Bob would be so humbled to have your presence here. So thank you for coming.

(Applause.)

Mr. LaHood: Bob Michel's life reflects the perfect definition of what Tom Brokaw called the Greatest Generation. Bob was raised by two loving parents with his two sisters in Peoria, Illinois. He learned his strong Midwestern values of faith in good, hard work and play by the rules in Peoria. He and Corinne raised an all-American family, obviously.

Bob served his country for 50 years: as a decorated war hero in World War II, as an American hero to his constituents from the 18th Congressional District, and as a teacher for those of us who had the greatest privilege of working for him. I consider myself, as well as many other people sprinkled throughout this wonderful Statuary Hall, a graduate of the Robert H. Michel School of Applied Political Arts and Sciences.

And if I could, just for a moment, ask all of you that were touched by having the privilege of serving as a Bob Michel staffer to stand up, just to say thank you to all of you for what you did for our leader. Please stand, all of you that were a part of it.

(Applause.)

Mr. LaHood: When you worked for Bob Michel, you were a part of his family. He cared as much about you as a staffer as he did any one of his children or grandchildren. Bob's classrooms were his office, the floor of the House, its committee rooms, and the farms and towns of the 18th District. Everywhere he went he taught his staff by his example what it means to be a great public servant.

President John Adams once said the Constitution is the project of good heads, prompted by good hearts. Bob taught us that both a good head and a good heart are necessary in order to be a good Congressman, but also to be a good staffer.

Bob taught us by example that the 18th Congressional District should offer a forum for reasoned debate among constituents equal in dignity. Bob taught us to respect every person, no matter their opinion or political persuasion. I heard him say on more than one occasion: "You learn much more from listening."

Bob worked every day, either in Washington or in the district, for the people, not to engage in ideological melodramas or political vendettas, and he expected and demanded all of his staff to do the same.

Bob knew warfare firsthand—not war in a Steven Spielberg movie or war fought on the pages of a book, but real war. I guess that is the reason that he never used macho phrases like "warfare" and "take no prisoners" when discussing politics with his staff. To Bob, the harsh personal rhetoric of ideological warfare had no place in his office, no place in the House, and no place in American politics. He knew that the rhetoric we use often shapes the political actions we take.

I never saw Bob get angry or use a swear word—lots of deviations of swear words, but never a swear word. Whenever there is a debate on the House floor or in the 18th District conducted by men and women with good heads and good hearts, treating each other with mutual respect, Bob Michel's long, rich history of respect for others and uncommon decency to all will endure. He was a great Congressman, a great leader, and a great teacher.

Three final thoughts:

Many of you that knew Bob knew that he was the best gardener in the world. If you drive by his townhouse on A street today, what you will see are barrels in front of his house with tulips coming up, planted by him—the best tulips, the best flower beds. And he taught all of us about flowers and how to plant them and when to plant them, when to pull the tulip bulbs up. He was a great gardener. We learned a lot from him. He spent more time in his garden than on any piece of legislation that he ever wrote.

Bob Michel loved Bradley University. We had a wonderful memorial service at Bradley a week ago to honor Bob. On that university, there are a couple of buildings that are named in his honor. That is where he met the love of his life, Corinne, and that is where he really developed his love for music. Bob was an extraordinary singer. He loved to sing. I traveled with him all over the district on many occasions, and he was either whistling or singing. And he loved singing. He would have loved what you all presented today; and thank you for doing that, and thank you for being here.

(Applause.)

Mr. LaHood: And finally, Bob Michel the Cub fan. Many of us in this room received Christmas cards from Bob year in and year out, great family pictures going way, way back to 1956 and 1957, when he was first elected. The best Christmas card picture was this year, which is on the back cover of the program. Bob stayed up until 2 o'clock in the morning when the Chicago Cubs won the World Series. And I called him the next day and I said: "Did you watch the game?" He said: "I stayed up until 2 o'clock." And he wasn't feeling that well.

There is nobody that was a more long-suffering Cub fan than Bob Michel—nobody. And he loved it when the Cubs won the World Series, and he never dreamed that he would live long enough for that to happen. So we are grateful to the Ricketts family and all of the people that put together that great organization that helped a great Cub fan watch them win the World Series.

I am going to finish with a quote from the Journal Star. We were told we were only going to get 300 words, but when I saw the Speaker go over and all these other speakers, I figured I am going to, too. I want to read from an editorial tribute that was in the Peoria Journal Star. And it's a quote from Bob Michel was "always proud to say he was from Peoria."

This is a quote from me when I was asked about this, and the reporter asked me if Bob was going to be buried in Peoria. I recall my asking him: "Bob, do you want to be buried at Arlington Cemetery?" which, by all rights, he would be able to do. And he said: "No." He said: "Everett Dirksen was a big man." And Everett Dirksen was Bob Michel's mentor. He was the Congressman before Bob was elected, and he was the Senator while Bob was serving. And he said: "If Everett Dirksen was not too big to be buried in Peoria, then I'm not too big to be buried in Peoria."

And the final quote in this editorial is from Bob. And it begins: "You never know for sure how you are going to be perceived in history. But you want to be a credit to your kids and to the people that are closest around you, that they will maybe take a leaf from your book if it's desirable, and will fill the shoes that get emptied when you pass on."

So, lastly, we remember a Bob Michel who did that, who made Congress better by being here, and who brought honor to his hometown of Peoria.

Let me introduce, finally, Scott Michel. When the Michel family gave me the privilege of helping them organize the memorial service in Peoria and here, all of us, except for Scott, thought that a family member should say something. We persuaded Scott to be the spokesman for the family. You all know Bob loved every one of his children and his grandchildren. So Scott really stepped up and decided that he would be the one to represent the family. So please welcome Scott Michel.

(Applause.)

(Mr. Scott Michel, son of the Honorable Robert H. Michel)

Mr. Michel: Thank you, Ray.

First, let me thank all of you, on behalf of the entire Michel family, for joining us here this afternoon to celebrate the life of my dad, Bob Michel.

Since his passing last month in Arlington, Virginia, I have read glowing tributes, news articles, and obituaries capturing the highlights of his illustrious career and extolling the virtues of his character. What I want to tell you today is that the qualities that propelled him to such lofty heights were made a part of him by his father and mother, Charles and Anna Michel, back in Peoria, Illinois. His parents instilled in him values and character that developed, matured, and later were passed on to his sons and daughter, just as his parents had done for him.

As I got older and had a son of my own, I looked back and tried to replicate what I saw and learned when I was growing up. What did I see and learn? First, I saw a larger than life figure with a booming voice, a vivid presence, and the bearing of a leader. He was in charge. And even though his work in Washington meant we saw him only twice a month on weekends, he called us almost every day to check on our academic progress, our athletic pursuits, our musical instrument accomplishments, and our chores around the house. We all saw that he was in our midst even while being away, and we saw his involvement, commitment, and influence, which was constant and reassuring.

Second, when he was at home, we saw up close what he was made of, and that made a lasting impression on all of us. Learning his life lessons was simple: just watch and listen. His lessons weren't taught so much by conversation as by simple observation. We could see how he interacted with my mother: how he treated her, how he respected her, how they spoke with each other. It was with love, sensitivity, and without harsh or bitter words. We could see how he treated each of us, too. He was fair, evenhanded, strict when needed, held us accountable for our actions, and expected no less than our best at whatever we were doing, whatever tasks we were given, or whatever our school studies demanded. All of this reinforced his desire for us to be responsible.

He also showed us how to be humble by practicing humility. Bragging was called out. So was self-centeredness and arrogance. He showed us that working hard and doing a good job was its own reward. He showed us how to be honest by demanding the truth from us and expecting no less when dealing with others. He showed us how to be generous and compassionate by his countless efforts to help assist, console, and empathize with those less fortunate or those who had fallen on difficult times. And he showed us how to respect others by treating them the way he would want to be treated. That sounds like the Golden Rule.

As I look back at the values and character that witnessed growing up with my father—his humility, his honesty, his work ethic, his generosity, his respect for others, and his abiding faith in God and our country—I feel so fortunate and blessed to have had him as my father. He loved us and his family in every way and with all his heart. He was a one-of-a-kind role model.

While his accomplishments in public life make us all so very proud, it is his values and character that he instilled in each of us that means the most to us. That will be his lasting legacy.

Godspeed, Dad. I love you. I miss you. I know you are in God's hands now.

Before we close, I would like to ask that you all join the U.S. Army chorus in singing "God Bless America," which was one of my dad's favorite songs, especially when he could lead the singing, as he did on numerous occasions.

MUSICAL SELECTION—"God Bless America," performed by the United States Army Chorus)

Reverend Conroy: Dear Lord, as we close our time together, send Your spirit of peace and consolation upon us who mourn the loss of the Honorable, former minority leader of the House, Bob Michel.

He was a glowing example, an icon of what it means to be a man for others. His decades of service to his home State of Illinois and to our great Nation will be long appreciated by those whose lives are forever blessed by his life's work and dedication.

His belief in the durability and transcendence of Congress as an institution, the first branch of government, is a challenge in this day of severe partisan divide and a persistent and seeming inability to consider compromise in order to reach consensus. May some from both sides of the aisle be inspired to emulate such a great statesman.

May Your angels, O God, come to greet our beloved Bob Michel, and may those who mourn him here be consoled with the knowledge that, for those whom love You, everything is turned to good.

Amen.

POSTLUDE—(United States Army Brass Quintet)

HONORING JOE MCEARCHERN FOR HIS CAREER IN PUBLIC SERVICE

HON. BRADLEY BYRNE

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 10, 2017

Mr. BYRNE. Mr. Speaker, I rise today to honor Joe Deal McEarchern, Jr. for his over forty years of service as Chief Clerk of the Mobile County Probate Court.

Born in 1949, Joe has been a lifelong resident of Mobile County, Alabama. After Joe's father passed away when he was young, he worked in various shoe stores in the Mobile area to help finance his college education. He attended public schools in Prichard, Alabama and graduated from C.F. Vigor High School in 1968. During his time at Vigor, Joe was President of the National Honor Society, sports editor for the yearbook, and named "Student of the Year" by the Civitan Club.

Joe went on to attend the University of South Alabama, where he graduated in 1972 with a bachelor's degree in political science. While in college, he married Wendy Stinson, who also graduated from South.

In July of 1972, Joe was hired by Mobile County Judge of Probate John L. Moore to serve as chief clerk of the Recording Division. He later served as administrative assistant of the Court before being appointed chief clerk of the Court in March 1981. He has served in that position ever since under Judges John L. Moore III, Lionel W. Noonan, and Don Davis.

Early in his career, Joe oversaw and implemented changes to the Probate Court's precomputerized indexing system for judicial and land records. His work focused on making these systems more efficient and easier to use. As technology advanced, Joe oversaw and implemented changes to the Court's operations to utilize computer technology in all aspects of the Court's operations, including the recording of documents, word processing, websites, judicial case management, and accounting.

Joe is currently the dean of the chief clerks of probate courts in the State of Alabama. He is a founding member and past president of the Alabama Probate Court Chief Clerks Association. He served as a member of the Alabama Law Institute's Probate Code Revision Committee and assisted the Alabama Law Institute on numerous projects involving Alabama probate courts, probate law, and probate procedure. He has been asked to speak and present on these topics countless times throughout his career.

When he was not working, Joe has pursued a number of hobbies including photography, astronomy, birding, ham radio, and flying. He is also a long time member of the First Baptist Church of Mobile.

Joe has always been a good friend of the lawyers in our community, including a friend of mine. So, on behalf of Alabama's First Congressional District, I want to wish Joe and Wendy all the best upon his retirement. His dedicated service to Mobile County has not and will not go unnoticed.

IN RECOGNITION OF ORELAND BOY
SCOUT TROOP 1**HON. PATRICK MEEHAN**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 10, 2017

Mr. MEEHAN. Mr. Speaker, I rise today to honor Oreland Boy Scout Troop 1 of Montgomery County, Pennsylvania as it celebrates its 100th Anniversary. The Boy Scouts of America chartered the troop in 1917, and its members have been active and dedicated contributors to their communities in the century since. Today, Troop 1 hosts scouts from Oreland, Flourtown, Erdenheim, Fort Washington, Maple Glen and other neighboring communities.

The Boy Scouts are one of the largest youth development organizations in the country, and I am pleased to have so many active troops in Pennsylvania's 7th District. Oreland Boy Scout Troop 1 is one such troop, among the oldest in Pennsylvania, and it has trained so many of our area's youth to be young men of character, service, and commitment to community and country.

Mr. Speaker, Oreland Boy Scout Troop 1 performs an invaluable service to the scouts involved and the communities it serves. I thank the Troop's scouts and leaders over the last century for their service and leadership.

HAPPY 100TH BIRTHDAY TO LTC
JAMES MEGELLAS, U.S. ARMY
(RET.)**HON. KENNY MARCHANT**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, March 10, 2017

Mr. MARCHANT. Mr. Speaker, I rise today with the great honor and privilege of recognizing a true American Hero, Lieutenant Colonel (LTC) James Megellas of Colleyville, Texas, in celebration of his 100th birthday.

Lieutenant Colonel James Megellas received his military commission on May 28th, 1942 as he walked the stage at his graduation from Ripon College in Ripon, Wisconsin. Simultaneously receiving his diploma and military orders, James became a newly commissioned officer in the United States Army. Since receiving his commission on that fateful day, LTC Megellas' incredible courage and selfless dedication to his country enabled him to become the most decorated officer in the history of the 82nd Airborne Division. His exemplary service to our nation and outstanding bravery during the Second World War helped to liberate a continent and defend the freedom of millions of civilians in the European Theater.

LTC Megellas reported for duty at Fort Knox, Kentucky on June 8, 1942 and began preparing to enter the war. Soon thereafter, he was selected to become a paratrooper within the 82nd Airborne Division where he served for the duration of the war on the front lines of the European Theater. His experiences during the war brought him to Anzio, Italy where he fought in the Battle of Anzio; The Netherlands for Operation Market Garden and the

Battle of Nijmegen where he crossed the Waal River; and in Belgium where he fought in the Battle of the Bulge.

For his service during Operation Market Garden, LTC Megellas was the first American awarded the Military Order of Wilhelm, the oldest and highest honor awarded by the Kingdom of the Netherlands. Furthermore, LTC Megellas was awarded the Belgium Fouragere, by the Kingdom of Belgium for his bravery in defense of the Kingdom.

In addition to his foreign honors, LTC Megellas has received over 25 awards for service and valor while serving in the U.S. Army. These honors include: the Distinguished Service Cross, two Silver Stars, two Bronze Stars, two Purple Hearts, the Presidential Unit Citation with Oak Leaf Cluster, and six Campaign Stars, Combat Infantryman Badge, and Master Parachutist Badge to name but a few of his awards.

Selfless action in the face of unspeakable atrocity is one of the defining characteristics of the Greatest Generation. LTC Megellas and his outstanding service stands as a shining example of how truly great this generation is. This example has set a high bar for which we as patriots and defenders of freedom should strive to achieve.

After leaving active duty in 1946, LTC Megellas continued to serve in the U.S. Army Reserves for an additional 16 years where he reached the rank of Lieutenant Colonel. Following his retirement from the Army Reserves, in November 1961, LTC Megellas was appointed by President John F. Kennedy to serve as Mission Director within the U.S. Agency for International Development (USAID) where he served in Yemen, Panama, Columbia, and Vietnam.

LTC Megellas remains active in supporting veterans and service members across the globe. He regularly travels to speak with veterans, historians, and school children to share his experiences and to remind us all of the tremendous accomplishments of the Greatest Generation.

Mr. Speaker, it is my great honor to stand before you today to wish this living legend a very happy birthday. I ask my distinguished colleagues to join me in wishing Lieutenant Colonel James Megellas a happy 100th birthday.

IN CELEBRATION OF MRS. EMMA
BROWN'S 100TH BIRTHDAY**HON. SANFORD D. BISHOP, JR.**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 10, 2017

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to extend my sincerest congratulations and Happy Birthday wishes to Mrs. Emma Brown, who is celebrating her 100th birthday on Sunday, March 12, 2017. On this day, the Greater Beallwood Baptist Church in Columbus, Georgia will honor and celebrate Mrs. Brown during the Sunday Worship Experience.

In 1917, the United States entered World War I, women did not yet have the right to vote, and segregation was rampant in the South. This is the year Mrs. Emma Brown was

born. Indeed, Mrs. Brown has seen much in her lifetime and through it all, she has relied on her faith in the Lord.

Mrs. Brown and her family have been longtime fixtures at Greater Beallwood Baptist Church. Mrs. Brown's mother, Lillie McGruder Morris, was very active within the church as a deaconess and choir member. Her engagement laid the foundation for the family's commitment to the church.

After Mrs. Brown accepted Jesus Christ as her Lord and Savior in 1942, she immediately became a servant of the church. She served as an usher for more than 50 years. She held the title of Church Mother for several years. In 2004, she was commended for her decades of service with a meritorious award from the Georgia Missionary Convention. She also received an achievement award from the Mount Calvary Women's Mission Christian Education Auxiliary in recognition of her lifetime commitment to modeling Christian values.

In 1947, Mrs. Brown and her late husband Sgt. Lonnie Brown purchased their East Wynnton home in Columbus, where she still resides. For many years, Mrs. Brown worked at Saint Francis Hospital and as a private duty nurse. In her retirement, she has enjoyed participating in the Victory Play Girls Bowling League.

In addition to serving her church, Mrs. Brown felt a great sense of duty to be involved in her local community. She worked diligently to protect, educate, and encourage the youth of Columbus, Georgia and organizations such as Carver Heights Against Drugs (CHAD) have honored Mrs. Brown for her years of devotion to this work.

George Washington Carver once said, "How far you go in life depends on your being tender with the young, compassionate with the aged, sympathetic with the striving and tolerant of the weak and strong because someday in your life you will have been all of these." Mrs. Brown has advanced far in life because she never forgot these lessons and always kept God first.

Mr. Speaker, I ask my colleagues to join me in honoring an outstanding citizen and woman of faith, Mrs. Emma Brown, as she, her family, and the congregation of Greater Beallwood Baptist Church celebrate her 100th birthday.

HONORING MARJORIE J.
MCCONNELL**HON. LOIS FRANKEL**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 10, 2017

Ms. FRANKEL of Florida. Mr. Speaker, I rise today to celebrate Marjorie J. McConnell of Boca Raton, Florida who turns 100 years old today.

Marjorie J. McConnell was born just outside of St. Louis, Missouri on March 10, 1917 to Ethel Franklin and Benjamin Hughes Johnson. She was interested in art from an early age, and she obtained degrees in Art and Art Education at Washington University in St. Louis and later at Columbia Teacher's College in New York.

She dedicated herself to her students for over three decades in her career as an art

teacher, which took her to Ossining, New York and Plainfield, New Jersey. Together with her husband, the late Robert K. McConnell, Jr., she raised a son and continued her creative pursuits through weaving, ceramics, and painting. Her work received recognition at art shows from New Jersey to Ohio. Marjorie has always been a staunch supporter of environmental initiatives and progressive causes and continues to create art in Boca Raton, Florida, where she resides today.

PERSONAL EXPLANATION

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 10, 2017

Ms. MATSUI. Mr. Speaker, I was not present during evening votes on March 9, 2017. Had I been present, I would have voted YES on roll call votes 140, 141, 142, 143, 144, 145, 146, 147, 149, 150, and 151. I would have voted NO on roll call vote numbers 148 and 152.

HONORING THE LIFE AND SERVICE OF DEPUTY CURTIS ALLEN BARTLETT

HON. H. MORGAN GRIFFITH

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 10, 2017

Mr. GRIFFITH. Mr. Speaker, I submit these remarks in honor of the life and service of Carroll County Sheriff's Deputy Curtis Allen Bartlett, 32, who passed away while on duty in a tragic crash on March 9, 2017.

Deputy Bartlett was a graduate of Galax High School. From 2004 to 2007, he dutifully served as an infantry soldier with the U.S. Army. Deputy Bartlett spent time working in the private security field and graduated from the New River Criminal Justice Training Academy in 2013.

He joined the Carroll County Sheriff's Office in June of 2013 and since that time Deputy Bartlett was dedicated to serving the people of Carroll County. The Sheriff's Office will remember Deputy Bartlett for his commitment to public safety and said that his loss is being felt by everyone within his family at the Carroll County Sheriff's Office.

An accomplished public servant, Deputy Bartlett earned instructor certifications through the Federal Law Enforcement Training Centers (FLETC) for firearms, Taser, and fitness training. Furthermore, he was certified through the U.S. Department of Defense as a K9 handler.

Deputy Bartlett also achieved an FAA Airman Certification as a successful pilot from the Federal Aviation Administration. He will be remembered for his dedication to health and fitness, as well as motivating others and promoting a healthy lifestyle as a CrossFit Level 1 Trainer.

I ask that you, and my fellow Members of Congress, join me in keeping his family and loved ones in your thoughts and prayers, in-

cluding his parents, Sam and Linda Bartlett of Galax, and four siblings.

Deputy Bartlett dedicated himself to protecting the people of Southwest Virginia and I am honored to pay tribute to this great man.

PERSONAL EXPLANATION

HON. DONALD M. PAYNE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, March 10, 2017

Mr. PAYNE. Mr. Speaker, on March 8, 2017, I inadvertently recorded a vote of YEA on H.R. 1301, making appropriations for the Department of Defense for the fiscal year ending September 30, 2017, and for other purposes (Roll Call 139). I oppose H.R. 1301, and my vote should be recorded as NAY.

HONORING THE CAREER OF MASTER POLICE OFFICER EDWARD B. ASHWORTH

HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 10, 2017

Mr. HUDSON. Mr. Speaker, I rise today to honor Master Police Officer Edward B. Ashworth for his 28 years of dedicated service to our community.

Growing up in Kannapolis, North Carolina, Officer Ashworth has always had a profound sense of duty to his community and fellow man. In 1989, he began his career of public service as a Patrol Officer for the Kannapolis Police Department. Twenty years later, he was transferred to the newly restructured Traffic Unit where he continued his service for the rest of his career.

Throughout his career, Officer Ashworth has exhibited a deep dedication to this community and we are fortunate to have had him as a leader for all these years. His accomplishments during his time on the force include being named the St. John's Grange Number 729 Officer of the Year in 2013 and the Rowan Optimist Officer of the Year in 2014. Furthermore, he has earned several certifications as an instructor and holds an Advanced Law Enforcement certificate from the N.C. Criminal Justice Education and Training Standards Commission.

Officer Ashworth has also remained an active member of the community outside of his career by volunteering his time to give back to others. A member of the Piedmont Baptist Church, Officer Ashworth dedicates his time to helping the less fortunate through their missions program. He is a man of principled values and strong faith who continues to embody the true meaning of public service. It is my hope that Officer Ashworth will enjoy his retirement and remain a role model for all of those he has helped over the years.

Mr. Speaker, please join me today in honoring the career of Master Police Officer Edward B. Ashworth for his service to our community and wishing him well as he begins the next chapter of his life in retirement.

IN RECOGNITION OF KAY H. HIND

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 10, 2017

Mr. BISHOP of Georgia. Mr. Speaker, it is my honor and pleasure to extend my personal congratulations and best wishes to an exceptional community leader and outstanding citizen, Ms. Kay H. Hind, on the occasion of her retirement from the SOWEGA Council on Aging in Albany, Georgia on Friday, March 31, 2017.

Kay Hind was born in Albany, Georgia. She attended Georgia Southwestern College (now University) in Americus, Georgia before transferring to the University of Georgia, where she earned a bachelor's degree in Home Economics in 1951. She then worked as a Home Economist Extension Agent in Crawford County and Lee County, Georgia.

Since 1967, Ms. Hind has served as Executive Director of the SOWEGA Council on Aging, leading the organization for 49 of the 50 years it has been in operation. It was established to promote the well-being and independence of older and disabled people in the Southwest Georgia area. The Council started out with an \$8,000 budget, one employee, and one volunteer. Under Ms. Hind's leadership, the agency has been designated as an Area Agency on Aging by the state and expanded into a \$6 million operation with more than 20 programs. It serves more than 25,000 seniors per year and offers information and resources to 67,000 seniors living in fourteen counties in Southwest Georgia.

In 2014, the SOWEGA Council on Aging opened a new Senior Center and Agency Office in Albany, fulfilling Ms. Hind's longtime vision. Prior to the construction of the building, the agency operated out of five old buildings spread out across town. This 45,000 square foot state-of-the-art facility allowed the agency to streamline operations, increase visibility in the community, and serve more seniors with new programs, including educational programs, computer classes, arts and craft courses, exercise programs, a fitness center, and more. In recognition of Ms. Hind's work and advocacy for seniors in the community, the Kay H. Hind Senior Life Enrichment Center was named after her, further cementing her great legacy.

Ms. Hind is a familiar face around Albany, where she is an active member of the community. She has served in leadership roles for many professional and civic organizations, including the Southeastern Association of Area Agencies on Aging; National Association of Area Agencies on Aging; Southern Gerontological Society; and the Albany Hospice Board, among others. She is also a member of First United Methodist Church and Kiwanis Club, to name a few. She has been appointed as delegate to the White House Council on Aging several times and was honored by Georgia First Lady Sandra Deal with the Servant's Heart Award, which recognizes individuals dedicated to helping others. Ms. Hind has received numerous other awards and accolades for her work.

Dr. Benjamin E. Mays often said: "You make your living by what you get; you make

your life by what you give." Not only has Ms. Hind established a legacy in fighting to improve the quality of life for seniors, but she has also done a tremendous job of giving back to the great city of Albany, and I am very grateful for her tireless advocacy to make the community stronger. A woman of great integrity, her efforts, her dedication, and her expertise in her field are unparalleled, but her heart for helping others, especially seniors, one of the most vulnerable populations, is what has made her life's work truly special.

On a personal note, I have been blessed to know Kay Hind for many years and I can say without reservation that she is one of the most passionate and warmhearted individuals with whom I have had the pleasure of working. Although we will miss her leadership with the SOWEGA Council on Aging, we are consoled knowing that this will only free up more time for her to continue to be involved in the community and enjoy some well-deserved relaxation.

Mr. Speaker, I ask my colleagues to join me in extending our sincerest appreciation and best wishes to Kay Hind upon the occasion of her retirement from an outstanding career spanning nearly five decades with the SOWEGA Council on Aging.

**SOUTH CAROLINA WASHINGTON
SEMESTER PROGRAM CELEBRATES 25 YEARS**

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 10, 2017

Mr. CLYBURN. Mr. Speaker, I rise as dean of the South Carolina congressional delegation to recognize and honor the South Carolina Washington Semester Program for 25 years of offering outstanding young people from South Carolina colleges and universities the opportunity to come to Washington, D.C. to learn and serve. Each office in the delegation has benefitted from involvement with these students, who work for us in internships during the business day and earn college credits at night. The program was founded to ensure that South Carolina congressional offices had access to talented South Carolina students. These students have proven to be some of the brightest and most engaged to ever serve in our offices over the past quarter century.

The students are chosen competitively from statewide interviews and come to Washington for the academic semester. They work full time, five days a week, in placements consistent with their academic and career interests. While administered by the South Carolina Honors College, this is truly a statewide program and is larger than a single school. Over the years, high achieving students from The Citadel, South Carolina State University, University of South Carolina Lancaster, College of Charleston, University of South Carolina Aiken, Clemson University, Lander University, Winthrop University, Coastal Carolina University, Wofford College, Francis Marion University, Charleston Southern University, Claflin University, University of South Carolina Upstate, and University of South Carolina Co-

lumbia have participated. Over 25 years, more than 500 students have participated in the program.

In addition to each office in the delegation, Senators LINDSEY GRAHAM and TIM SCOTT and my colleagues MARK SANFORD, JOE WILSON, JEFF DUNCAN, TREY GOWDY, and TOM RICE, over its 25 years the program has been utilized by our predecessors as well. South Carolina Washington Semester Program students have also served Strom Thurmond, Fritz Hollings, Jim DeMint, Arthur Ravenel, Henry Brown, Floyd Spence, Butler Derrick, Gresham Barrett, Liz Patterson, Bob Inglis, John Spratt, Robin Tallon, and Mick Mulvaney.

South Carolina Washington Semester Program students have also served in over 88 governmental, non-profit, and private sector agencies such as the White House, CNN, C-SPAN, United States Supreme Court, Departments of Justice, Commerce, Homeland Security, Education, State, Health and Human Services, U.S. Trade Representative, various House and Senate Committees, and many others.

I salute the students, schools, professors, placement offices and others who have contributed to 25 years of making this the best semester of students' undergraduate careers. I thank and commend each of the participating universities, and I look forward to the program's continued success in the future.

**HONORING NATIONAL FOOTBALL
LEAGUE GREAT JASON PAUL
TAYLOR**

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 10, 2017

Mr. HASTINGS. Mr. Speaker, I rise today to honor Mr. Jason Paul Taylor, a former Defensive End and Linebacker in the National Football League (NFL). Mr. Taylor played 15 years in the NFL, most of it with the mighty Miami Dolphins. He owns NFL records for fumble recoveries returned for touchdowns, interceptions returned for touchdowns by a defensive lineman and defensive touchdowns scored, and tied for the record in fumble recoveries.

Mr. Taylor was a four-year letterman and three-year starter for the Akron Zips of the University of Akron before being drafted in the third round in the 1997 NFL Draft by Miami. A six-time Pro Bowl selection and four time first or second team All-Pro, he was named the NFL Defensive Player of the Year in 2006. Generous in all ways, he started the Jason Taylor Foundation in 2004, dedicated to children in South Florida resulting in his receiving the Walter Payton Man of the Year Award in 2007, the only league honor that recognizes those achievements made on and off the field. He was elected to the Pro Football Hall of Fame in 2017, one of only four Dolphins players to be elected in their first year of eligibility. Following his retirement from the NFL at the end of the 2011 season, Mr. Taylor joined the ESPN television network as an analyst. He is also a board member of the NFL Players Association.

At Akron, Jason Taylor was a two-time first-team All-Mid-American Conference selection

as a junior and senior, as well as an All-American pick as a junior. In 1996, he earned National Defensive Player of the Week honors for his performance against Virginia Tech, when he posted 12 tackles, two sacks, two fumble recoveries, three stops for loss and tackled a punt returner in the end zone for a safety. Taylor also started for the Akron Zips men's basketball team. In 2004, he became the third person ever inducted into Akron's Ring of Honor.

Mr. Speaker, not content to rest on his laurels, Jason's recent appearance at the YMCA of South Palm Beach County's Inspiration Breakfast generated \$40,000 for the financial assistance program that lets families in need use YMCA programs. Mr. Speaker, Mr. Jason Taylor is a fine athlete and great humanitarian. I want to thank him for all that he is doing for our South Florida community. I am so truly pleased to honor him today.

**IN RECOGNITION OF THE 130TH AN-
NIVERSARY OF SECOND BAPTIST
CHURCH**

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, March 10, 2017

Mr. PALLONE. Mr. Speaker, I rise today to recognize the 130th Anniversary of Second Baptist Church in Long Branch, New Jersey. Its members will celebrate this milestone during Sunday service on March 12, 2017 and it is my honor to join them in marking this significant occasion.

Since its humble beginnings at the home of Ephraim Bell in 1887, Second Baptist Church has grown structurally and in membership, while continuing to provide outstanding spiritual guidance to the community. The construction of the church building where the church still stands today began in 1904, under the leadership of Rev. Asbury Smallwood. To accommodate the growing congregation over the years, an educational wing was constructed in the late 1970s and a second Sunday service was added in 2000.

Throughout its 130 year history, Second Baptist Church has also expanded its vision and service to the community. In addition to serving the spiritual needs of its members, Second Baptist Church is also home to the Portuguese congregation led by Rev. Aloisio Campos, Jr. The church has also served as a Monmouth County Head Start facility as well as a New Hope tutoring program location.

Its current pastor, Rev. Aaron N. Gibson, Sr., serves as the 13th pastor of the church and has dedicated over 20 years of service to the congregation. Under his leadership, the church has seen significant growth and remains a mainstay of the community.

Mr. Speaker, please join me in congratulating Second Baptist Church on its 130th Anniversary. Its service to the community is truly deserving of this body's recognition.

INTRODUCTION OF END RACIAL
PROFILING ACT OF 2017

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, March 10, 2017

Mr. CONYERS. Mr. Speaker, I am pleased to introduce the End Racial Profiling Act of 2017, along with additional cosponsors. This legislation represents a comprehensive federal commitment to healing the rift caused by racial, ethnic and religious profiling and restoring public confidence in the criminal justice system at-large. This legislation is designed to enforce the constitutional right to equal protection of the laws by changing the policies and procedures underlying the practice of discriminatory profiling.

Recent events in the wake of President Trump's Executive Orders on Immigration demonstrate that racial, ethnic and religious profiling remain dangerous and divisive issues in our communities. Airport detentions of Muslims and immigration raids targeted at the Latino community strike at the very foundation of our democracy. Though people across our nation are protesting in response to these actions, there is no substitute for comprehensive federal anti-profiling legislation.

This legislation can be traced back to the data collection efforts of the late 1990's that were designed to determine whether racial profiling was a fact versus an urban legend. Based upon the work around that legislation, by September 11, 2001, there was significant empirical evidence and wide agreement among Americans, including President Bush and Attorney General Ashcroft, that racial

profiling was a tragic fact of life in the minority community and that the Federal government should take action to end the practice. Moreover, many in the law enforcement community have acknowledged that singling out people for heightened scrutiny based on their race, ethnicity, religion, or national origin had eroded the trust in law enforcement necessary to appropriately serve and protect our communities.

Despite the fact that the majority of law enforcement officers perform their duties professionally and without bias, and we value their service highly, the specter of discriminatory profiling has contaminated the relationship between the police and minority communities to such a degree that Federal action is justified to begin addressing the issue.

The End Racial Profiling Act is designed to eliminate the well documented problem of racial, ethnic, religious, gender, sexual orientation, gender identity and national origin profiling. First, the bill provides a prohibition on racial profiling, enforceable by declaratory or injunctive relief. Second, the bill mandates that training on racial profiling issues as part of Federal law enforcement training, the collection of data on all routine or spontaneous investigatory activities that is to be submitted through a standardized form to the Department of Justice. Third, the Justice Department is authorized to provide grants for the development and implementation of best policing practices, such as early warning systems, technology integration, and other management protocols that discourage profiling. Finally, the Attorney General is required to provide periodic reports to assess the nature of any ongoing discriminatory profiling practices.

In recent years the deaths of Walter L. Scott, arising from a traffic stop, Michael

Brown, Eric Garner, and Antonio Zambrano-Montes, all at the hands of police officers, have highlighted the link between the issues of race and reasonable suspicion of criminal conduct. These individuals were denied the basic respect and equal treatment that is the right of every American. Ultimately, these men are tragic examples of the risk of being victimized by a perception of criminality simply because of their race, ethnicity, religion or national origin. These dangerous misperceptions of criminality helped to cultivate an environment in which the United States government considers discriminatory and unconstitutional executive orders a reasonable use of executive power.

Decades ago, the passage of sweeping civil rights legislation made clear that race, religion and ethnicity should not affect the treatment of individual Americans under the law. The practice of using race or other characteristics as a proxy for criminality in law enforcement undermines the progress we have made toward achieving equality under the law. Please join me in supporting this legislation.

PERSONAL EXPLANATION

HON. CARLOS CURBELO

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 10, 2017

Mr. CURBELO of Florida. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted YEA on Roll Call No. 140.

HOUSE OF REPRESENTATIVES—Monday, March 13, 2017

The House met at noon and was called to order by the Speaker pro tempore (Ms. CHENEY).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
March 13, 2017.

I hereby appoint the Honorable LIZ CHENEY to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

COMMUNICATION FROM THE SERGEANT AT ARMS OF THE HOUSE

The SPEAKER pro tempore laid before the House a communication from the Sergeant at Arms of the House of Representatives:

OFFICE OF THE SERGEANT AT ARMS,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 13, 2017.

Hon. PAUL D. RYAN,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: As you are aware, the time previously appointed for the next meeting of the House is 12:00 Noon on March 14, 2017, for morning hour. This is to notify you, pursuant to clause 12(c) of rule I, of an imminent impairment of the place of reconvening at that time. The impairment is due to severe weather.

Sincerely,

PAUL D. IRVING,
Sergeant at Arms.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Under clause 12(c) of rule I, the Speaker established this time for reconvening and notified Members accordingly.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Gracious and merciful God, we give You thanks for giving us another day.

In this Chamber, where the people's House gathers, we pause to offer You gratitude for the gift of this good land on which we live, and for this great Nation which You have inspired in developing over so many years. Continue to inspire the American people, that through the difficulties of these days we might keep liberty and justice alive in our Nation, and in the world.

On this day the House anticipates weather which is already affecting mil-

lions of Americans. Grant that the severity of this late winter storm wane. But for those affected, may the assistance of first responders and more fortunate neighbors ease the passage through this weather, prove that the fiber of our national community is strong and reliable.

May all that is done this day be for Your greater honor and glory.
Amen.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(c) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 12 o'clock and 2 minutes p.m.), the House stood in recess.

□ 1525

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. COLLINS of Georgia) at 3 o'clock and 25 minutes p.m.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

HOOR OF MEETING ON TODAY

The SPEAKER pro tempore. Without objection, when the House adjourns today, it shall adjourn to meet at 4:30 p.m. today.

There was no objection.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 13, 2017.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on March 13, 2017, at 10:18 a.m.:

Appointments:
Western Hemisphere Drug Policy Commission.

Dwight D. Eisenhower Memorial Commission.

United States Senate Caucus on International Narcotics Control.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 14, 2017.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on March 14, 2017, at 11:00 a.m.:

Appointments:
President's Export Council.
Board of Trustees of the John F. Kennedy Center for the Performing Arts.

Congressional-Executive Commission on the People's Republic of China.

Commission on Security and Cooperation in Europe (Helsinki) during the One Hundred Fifteenth Congress.

United States Holocaust Memorial Council.

National Council on the Arts.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 15, 2017.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on March 15, 2017, at 8:54 a.m.:

That the Senate agreed to without amendment H.J. Res. 42.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

APPOINTMENT OF MEMBERS AS CONGRESSIONAL ADVISERS ON TRADE POLICY AND NEGOTIATIONS

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to section 161(a) of the Trade Act of 1974 (19 U.S.C. 2211), and the order of the House of January 3, 2017, of the following Members on the part of the House as Congressional Advisers on Trade Policy and Negotiations:

Mr. NEAL, Massachusetts

Mr. PASCRELL, New Jersey

ADJOURNMENT

The SPEAKER pro tempore. Without objection, the House stands adjourned until 4:30 p.m. today.

There was no objection.

Thereupon (at 3 o'clock and 27 minutes p.m.), under its previous order, the House adjourned until today, Wednesday, March 15, 2017, at 4:30 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

[Submitted March 13, 2017]

767. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission's interim final rule — Exemptions for Security-Based Swaps [Release Nos.: 33-10305; 34-80023; 39-2515; File No.: S7-26-11] (RIN: 3235-AL17) received March 10, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

768. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval and Promulgation of Implementation Plans; California; California Mobile Source Regulations [EPA-R09-OAR-2017-0043; FRL-9959-00-Region 9] received March 10, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

769. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; District of Columbia; Update to Materials Incorporated by Reference [DC104-2052; FRL-9955-98-Region 3] received March 10, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

770. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval and Designa-

tion of Areas; KY; Redesignation of the Campbell County, 2010 1-Hour SO₂ Non-attainment Area to Attainment [EPA-R04-OAR-2016-0361; FRL-9959-10-Region 4] received March 10, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

771. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Enforcement Discretion for Tornado-Generated Missile Protection Non-Compliance [Enforcement Guidance Memorandum 15-002, Revision 1] received March 9, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

772. A letter from the Acting Assistant Secretary for Legislative Affairs, Bureau of Legislative Affairs, Department of State, transmitting the Department's determination, pursuant to Sec. 490(b)(1)(A) of the Foreign Assistance Act of 1961, as amended, regarding compliance with the goals established by the 1988 United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances; to the Committee on Foreign Affairs.

773. A letter from the Executive Secretary, Federal Financial Institutions Examination Council, transmitting the Council's interim final rule — Description of Office, Procedures, and Public Information [Docket No.: FFIEC-2016-0004] received March 10, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

774. A letter from the General Counsel, Federal Housing Finance Agency, transmitting the Agency's interim final regulation — Freedom of Information Act Implementation (RIN: 2590-AA86) received March 10, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

775. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2016 Accountability Measure-Based Closures for Commercial and Recreational Species in the U.S. Caribbean Off Puerto Rico [Docket No.: 100120037-1626-02 and 101217620-1788-03] (RIN: 0648-XE491) received March 8, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

776. A letter from the Deputy Assistant Administrator For Regulatory Programs, NMFS, Office for International Affairs and Seafood Inspection, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Trade Monitoring Procedures for Fishery Products; International Trade in Seafood; Permit Requirements for Importers and Exporters [Docket No.: 090223227-6560-03] (RIN: 0648-AX63) received March 8, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[March 15 (legislative day of March 13), 2017]

Mr. GOODLATTE: Committee on the Judiciary. H.R. 372. A bill to restore the applica-

tion of the Federal antitrust laws to the business of health insurance to protect competition and consumers; with an amendment (Rept. 115-36). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

[Submitted March 13, 2017]

By Mr. STIVERS (for himself and Mr. LOEBSACK):

H.R. 1511. A bill to amend the McKinney-Vento Homeless Assistance Act to meet the needs of homeless children, youth, and families, and honor the assessments and priorities of local communities; to the Committee on Financial Services, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MARCHANT (for himself, Mr. DOGGETT, Mr. SMITH of Missouri, and Mr. BLUMENAUER):

H.R. 1512. A bill to amend title II of the Social Security Act to provide for the reissuance of Social Security account numbers to young children in cases where confidentiality has been compromised; to the Committee on Ways and Means.

By Mr. SAM JOHNSON of Texas (for himself, Mr. LARSON of Connecticut, and Mr. RENACCI):

H.R. 1513. A bill to restrict the inclusion of social security account numbers on documents sent by mail by the Social Security Administration, and for other purposes; to the Committee on Ways and Means.

By Ms. BORDALLO:

H.R. 1514. A bill to provide reforms through the Organic Act of Guam; to the Committee on Natural Resources.

By Mrs. DAVIS of California (for herself, Mr. MEEHAN, Mr. POCAN, Mr. LOWENTHAL, Mr. ZELDIN, Mr. NORCROSS, Ms. NORTON, Ms. SPEIER, Mr. HIGGINS of New York, Mr. GRIJALVA, Mr. DELANEY, Ms. MENG, Mr. QUIGLEY, Ms. BROWNLEY of California, Mr. SWALWELL of California, Mr. DONOVAN, and Mr. TED LIEU of California):

H.R. 1515. A bill to amend title 28, United States Code, to prohibit the exclusion of individuals from service on a Federal jury on account of sexual orientation or gender identity; to the Committee on the Judiciary.

By Ms. DELAURO (for herself, Mr. KENNEDY, Ms. ESTY, Mr. MOULTON, Ms. ESHOO, Ms. SANCHEZ, Ms. LOFGREN, Mr. SWALWELL of California, Mr. DELANEY, Mr. COURTNEY, Ms. JUDY CHU of California, Mr. TAKANO, Mrs. NAPOLITANO, Ms. WILSON of Florida, Mr. QUIGLEY, Mr. MEEKS, Mr. LYNCH, Ms. VELAZQUEZ, Mr. CLEAVER, Mr. BLUMENAUER, Mr. COHEN, Ms. WASSERMAN SCHULTZ, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. SEAN PATRICK MALONEY of New York, Mr. KILMER, Ms. BONAMICI, Ms. TITUS, Ms. KAPTUR, Mr. JEFFRIES, Mr. PERLMUTTER, Ms. SCHAKOWSKY, Ms. GABBARD, Ms. SEWELL of Alabama, Mr. BERA, Mr. CICILLINE, Ms. PINGREE, Mr. BEN RAY LUJAN of New Mexico, Mr. AL GREEN of Texas, Mr. CARSON of Indiana, Mr. WALZ, Mrs.

DAVIS of California, Ms. BROWNLEY of California, Mr. NADLER, Mr. GUTIERREZ, Mr. GRIJALVA, Ms. CLARK of Massachusetts, Mr. LEVIN, Ms. MOORE, Mr. LARSEN of Washington, Mr. SCHIFF, Mr. GARAMENDI, Ms. MATSUI, Ms. CLARKE of New York, Mr. LANGEVIN, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. LARSON of Connecticut, Ms. FRANKEL of Florida, Ms. SLAUGHTER, Mr. CÁRDENAS, Mrs. CAROLYN B. MALONEY of New York, Ms. SPEIER, Ms. ROYBAL-ALLARD, Ms. TSONGAS, Mr. POCAN, Mr. SCOTT of Virginia, Mr. AGUILAR, Mr. TONKO, Ms. NORTON, Ms. DELBENE, Miss RICE of New York, Mrs. DINGELL, Mr. ELLISON, Ms. MCCOLLUM, Mr. BEYER, Mr. RYAN of Ohio, Mrs. WATSON COLEMAN, Mr. VEASEY, Mr. KILDEE, Ms. KELLY of Illinois, Ms. MENG, Ms. JACKSON LEE, Mr. BRADY of Pennsylvania, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. PASCRELL, Ms. PELOSI, Mr. CUMMINGS, Mr. POLIS, Mr. MCNERNEY, Mr. SMITH of Washington, Mr. NOLAN, Mr. ENGEL, Mr. FOSTER, Mr. THOMPSON of California, Mrs. BUSTOS, Mr. LOWENTHAL, Mr. PETERS, Mr. EVANS, Ms. LEE, Mr. KIHUEN, Mr. PRICE of North Carolina, Mr. HASTINGS, Mr. DEUTCH, Mr. RUIZ, Ms. FUDGE, Mr. DESAULNIER, Mr. LEWIS of Georgia, Mr. HIGGINS of New York, and Ms. SHEA-PORTER):

H.R. 1516. A bill to allow Americans to earn paid sick time so that they can address their own health needs and the health needs of their families; to the Committee on Education and the Workforce, and in addition to the Committees on House Administration, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DEUTCH (for himself and Mr. CONYERS):

H.R. 1517. A bill to require the Governor of a State to submit to the Attorney General an annual report on the number of individuals who represented themselves in court in criminal matters or juvenile delinquency matters, and for other purposes; to the Committee on the Judiciary.

By Mr. KILMER (for himself and Mr. HECK):

H.R. 1518. A bill to establish the Maritime Washington National Heritage Area in the State of Washington, and for other purposes; to the Committee on Natural Resources.

By Mr. KIND (for himself and Mr. MEEHAN):

H.R. 1519. A bill to provide for the publication by the Secretary of Health and Human Services of physical activity recommendations for Americans; to the Committee on Energy and Commerce.

By Mr. KIND:

H.R. 1520. A bill to amend the Immigration and Nationality Act to provide for the admission of certain sons and daughters of citizens of the United States, which citizens served on active duty in the Armed Forces of the United States abroad, and for other purposes; to the Committee on the Judiciary.

By Mr. MEEKS:

H.R. 1521. A bill to amend the Fair Debt Collection Practices Act to extend the provisions of that Act to cover a debt collector who is collecting debt owed to a State or local government, to index award amounts under such Act for inflation, to provide for

civil injunctive relief for violations of such Act, and for other purposes; to the Committee on Financial Services.

By Mr. MEEKS:

H.R. 1522. A bill to amend the Equal Credit Opportunity Act and the Fair Housing Act to amend the statute of limitations for civil liability, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. NORTON:

H.R. 1523. A bill to assign the responsibility for conducting prosecutions for violations of the laws of the District of Columbia to the head of a local prosecutor's office designated under local law of the District of Columbia; to the Committee on Oversight and Government Reform.

By Mr. PALLONE (for himself, Mr. BLUMENAUER, and Mr. PASCRELL):

H.R. 1524. A bill to amend the Internal Revenue Code of 1986 to extend the financing of the Superfund; to the Committee on Ways and Means.

By Mr. SMITH of Missouri (for himself, Mr. MCKINLEY, Mr. BRAT, Mr. MULLIN, Mr. LUETKEMEYER, and Mr. BOST):

H.R. 1525. A bill to prohibit Federal officials and employees from entering into settlements that provide for payment of attorney's fees by the Federal Government in certain environmental law cases; to the Committee on the Judiciary, and in addition to the Committees on Transportation and Infrastructure, Natural Resources, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WELCH:

H.R. 1526. A bill to amend the FAA Modernization and Reform Act of 2012 to provide guidance and limitations regarding the integration of unmanned aircraft systems into United States airspace, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. STEFANK (for herself, Mr. FASO, Mr. KATKO, Ms. ROS-LEHTINEN, Mr. CURBELO of Florida, Mr. MAST, Mr. COSTELLO of Pennsylvania, Mr. MEEHAN, Mr. FITZPATRICK, Mr. LOBONDO, Mr. SANFORD, Mr. REICHERT, Mrs. COMSTOCK, Mr. REED, Mr. BACON, Mrs. LOVE, and Mr. AMODEI):

H. Res. 195. A resolution expressing the commitment of the House of Representatives to conservative environmental stewardship; to the Committee on Energy and Commerce.

By Mr. FOSTER (for himself, Mr. POCAN, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. MEEKS, Mr. TONKO, Ms. GABBARD, Mr. MOULTON, Mr. STEWART, Ms. KAPTUR, Mr. MCNERNEY, Mr. QUIGLEY, Ms. DELBENE, Ms. CLARKE of New York, Ms. LEE, Mr. DESAULNIER, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. JACKSON LEE, and Mrs. TORRES):

H. Res. 196. A resolution expressing support for designation of March 14, 2017, as "National Pi Day"; to the Committee on Science, Space, and Technology.

By Mr. KILDEE (for himself, Mr. BISHOP of Michigan, Mrs. DINGELL, Mr. JOYCE of Ohio, Ms. KAPTUR, Ms. SLAUGHTER, Mr. POCAN, Mr. TROTT, Mrs. WALORSKI, Mr. GUTIERREZ, Mr. LEVIN, Mr. MITCHELL, Mr. HIGGINS of New York, Ms. SCHAKOWSKY, Mr. MOOLENAAR, and Mr. CONYERS):

H. Res. 197. A resolution expressing the sense of the House of Representatives that the President and the Secretary of State should ensure that the Canadian Government does not permanently store nuclear waste in the Great Lakes Basin; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

[Submitted March 13, 2017]

Mr. GUTIÉRREZ introduced A bill (H.R. 1527) for the relief of Simeon Simeonov, Stela Simeonova, Stoyan Simeonov, and Vania Simeonova; which was referred to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

[Submitted March 13, 2017]

By Mr. STIVERS:

H.R. 1511.
Congress has the power to enact this legislation pursuant to the following:

Article 1, section 8, clause 1 (relating to the general welfare of the United States) and clause 3 (relating to the power to regulate interstate commerce).

By Mr. MARCHANT:

H.R. 1512.
Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 1, related to providing for the general welfare.

AND:

Enacted under the authority provided in Article I, Section 8, related to Congress' ability to "(carry) into execution the foregoing powers."

By Mr. SAM JOHNSON of Texas:

H.R. 1513.
Congress has the power to enact this legislation pursuant to the following:

Clause 1 of section 8 of article I of the Constitution to "provide for the common defense and general welfare of the United States."

By Ms. BORDALLO:

H.R. 1514.
Congress has the power to enact this legislation pursuant to the following:

Article IV Section 3

By Mrs. DAVIS of California:

H.R. 1515.
Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8 of the United States Constitution.

By Ms. DeLAURO:

H.R. 1516.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. DEUTCH:

H.R. 1517.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the U.S. Constitution and Clause 18 of Section 8 of Article I of the U.S. Constitution.

By Mr. KILMER:

H.R. 1518.

Congress has the power to enact this legislation pursuant to the following:

Article 1, section 8, clauses 1 and 18, and Article IV, section 3, clause 2 of the U.S. Constitution.

By Mr. KIND:

H.R. 1519.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8: to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. KIND:

H.R. 1520.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8, Clause 4.

By Mr. MEEKS:

H.R. 1521.

Congress has the power to enact this legislation pursuant to the following:

Necessary and proper Clause (Article 1, Section 8, Clause 18)

By Mr. MEEKS:

H.R. 1522.

Congress has the power to enact this legislation pursuant to the following:

Necessary and proper Clause (Article 1, Section 8, Clause 18)

By Ms. NORTON:

H.R. 1523.

Congress has the power to enact this legislation pursuant to the following:

clause 17 of section 8 of article I of the Constitution.

By Mr. PALLONE:

H.R. 1524.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

By Mr. SMITH of Missouri:

H.R. 1525.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. WELCH:

H.R. 1526.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18: The Congress shall have Power To . . . make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof

By Mr. GUTIÉRREZ

H.R. 1527.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4 and Amendment I, Clause 3 of the Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

[Submitted March 13, 2017]

H.R. 25: Mr. GARRETT.

H.R. 36: Mr. LIPINSKI and Mr. BIGGS.

H.R. 37: Mr. LIPINSKI.

H.R. 82: Mr. BANKS of Indiana.

H.R. 84: Mr. MEADOWS and Mr. GOSAR.

H.R. 99: Mr. CAPUANO.

H.R. 147: Mr. LIPINSKI.

H.R. 196: Mr. YOUNG of Alaska.

H.R. 250: Mr. YOUNG of Alaska.

H.R. 305: Ms. NORTON, Mr. CLAY, Mr. HIMES,

Ms. KELLY of Illinois, Mr. COOPER, Mrs.

CAROLYN B. MALONEY of New York, Mr. CON-

NOLLY, Mr. LYNCH, Mrs. LAWRENCE, Mrs.

DEMINGS, and Mr. CARTWRIGHT.

H.R. 333: Mr. COHEN, Mr. TURNER, Mr.

COURTNEY, Ms. LOFGREN, and Mr. RUIZ.

H.R. 367: Mr. MCHENRY.

H.R. 370: Mr. FARENTHOLD.

H.R. 463: Mr. QUIGLEY.

H.R. 478: Mr. ZELDIN.

H.R. 479: Mr. COOK.

H.R. 489: Ms. ESHOO.

H.R. 496: Mr. DONOVAN and Mrs. CAROLYN

B. MALONEY of New York.

H.R. 530: Mr. POCAN.

H.R. 547: Mr. THOMPSON of California.

H.R. 548: Mr. SANFORD.

H.R. 564: Mr. TIPTON, Mr. LEWIS of Min-

nesota, Mr. SHUSTER, Mr. ROTHFUS, and Mr.

SCHWEIKERT.

H.R. 632: Ms. LEE and Mr. GARAMENDI.

H.R. 674: Mr. YOHO.

H.R. 695: Mr. KILDEE and Mr. FRANKS of Ar-

izona

H.R. 721: Mr. WALBERG, Mr. LARSON of Con-

necticut, and Mrs. McMORRIS RODGERS.

H.R. 750: Mr. NUNES.

H.R. 754: Mr. FRANKS of Arizona.

H.R. 756: Mr. THOMPSON of Pennsylvania

and Mr. RYAN of Ohio.

H.R. 757: Mr. VELA and Miss RICE of New

York.

H.R. 771: Mr. JEFFRIES.

H.R. 772: Mr. SHUSTER, Mr. LUETKEMEYER,

Mr. GIBBS, and Mr. KING of Iowa.

H.R. 778: Mr. THOMAS J. ROONEY of Florida

and Mr. SENSENBRENNER.

H.R. 804: Mr. LAWSON of Florida.

H.R. 831: Mr. HULTGREN.

H.R. 837: Ms. SPEIER and Ms. JACKSON LEE.

H.R. 849: Mr. MAST, Mr. ROYCE of Cali-

ifornia, Mr. BERA, Mr. ROUZER, and Mrs. COM-

STOCK.

H.R. 856: Mr. POCAN.

H.R. 870: Mr. MAST.

H.R. 873: Mr. HENSARLING, Mr. HECK, Mr.

JONES, and Mr. RYAN of Ohio.

H.R. 878: Mr. CORREA.

H.R. 970: Ms. EDDIE BERNICE JOHNSON of

Texas and Ms. FUDGE.

H.R. 981: Ms. MCCOLLUM.

H.R. 997: Mr. KELLY of Mississippi, Mr.

MEADOWS, and Mr. LUETKEMEYER.

H.R. 1001: Mr. SIREs and Mr. RASKIN.

H.R. 1002: Mr. MARSHALL.

H.R. 1017: Mr. FRELINGHUYSEN, Mr. SMITH

of New Jersey, and Mr. DEFazio.

H.R. 1047: Mr. POE of Texas.

H.R. 1090: Ms. BLUNT ROCHESTER and Mrs.

WALORSKI.

H.R. 1094: Mr. HUFFMAN.

H.R. 1112: Mr. GOTTHEIMER.

H.R. 1131: Mr. JONES.

H.R. 1133: Mr. RASKIN, Mr. MAST, Ms. SHEA-

PORTER, Mr. WILSON of South Carolina, Mrs.

BLACKBURN, Mrs. COMSTOCK, and Mr. HARRIS.

H.R. 1136: Mr. FLEISCHMANN, Mr. MURPHY of

Pennsylvania, Mr. BISHOP of Michigan, and

Mr. GUTHRIE.

H.R. 1141: Ms. TITUS, Mr. TED LIEU of Cali-

ifornia, Mr. MCGOVERN, Mr. NADLER, Ms.

CLARK of Massachusetts, Ms. PINGREE, Mr. CÁRDENAS, Mr. CARTWRIGHT, Ms. TSONGAS, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. LANGEVIN, Mr. ELLISON, Ms. LEE, Mr. SCHIFF, Mr. LYNCH, Mr. CUMMINGS, Mr. CICILLINE, and Ms. NORTON.

H.R. 1148: Ms. LOFGREN and Mr. COFFMAN.

H.R. 1149: Mr. GRAVES of Missouri and Mr.

HENSARLING.

H.R. 1155: Mr. COOPER and Mr. COHEN.

H.R. 1187: Mr. POCAN.

H.R. 1206: Mr. PITTENGER, Mr. JONES, Mrs.

COMSTOCK, Mr. LAMALFA, and Mr. AUSTIN

SCOTT of Georgia.

H.R. 1216: Mr. COFFMAN.

H.R. 1241: Ms. DELBENE and Mr. RASKIN.

H.R. 1257: Mr. SHERMAN.

H.R. 1267: Mr. DEFazio.

H.R. 1302: Ms. SINEMA.

H.R. 1304: Mr. SESSIONS.

H.R. 1318: Mr. CICILLINE, Mr. COOPER, Mr.

RYAN of Ohio, Mr. RUSH, and Mr. MARSHALL.

H.R. 1322: Mr. KILMER.

H.R. 1375: Mr. MCGOVERN.

H.R. 1380: Mr. BLUMENAUER.

H.R. 1393: Mr. HENSARLING, Mr. ISSA, and

Mr. SMITH of Texas.

H.R. 1405: Mr. GONZALEZ of Texas, Ms. ROY-

BAL-ALLARD, Mr. MOULTON, and Ms. MOORE.

H.R. 1409: Mr. DESJARLAIS, Ms. SPEIER, and

Mr. GRIJALVA.

H.R. 1413: Mr. SMITH of Washington.

H.R. 1438: Mr. DESAULNIER, Ms. MOORE, Mr.

CUMMINGS, and Ms. WASSERMAN SCHULTZ.

H.R. 1454: Mr. GARRETT.

H.R. 1458: Mr. MCGOVERN and Mr. PERL-

MUTTER.

H.R. 1465: Mr. MCCAUL.

H.R. 1469: Mr. CHABOT, Mr. SANFORD, and

Mr. YOHO.

H.R. 1472: Mr. POCAN.

H.R. 1496: Mr. RUSH.

H.J. Res. 6: Mr. BRAT and Mr. PITTENGER.

H.J. Res. 50: Mr. FRANCIS ROONEY of Flor-

ida.

H.J. Res. 51: Mr. JENKINS of West Virginia.

H.J. Res. 59: Mr. DAVIDSON.

H.J. Res. 85: Mr. TAYLOR and Mr. BACON.

H. Res. 135: Mr. ROUZER.

H. Res. 162: Ms. MCCOLLUM.

H. Res. 176: Mr. COSTELLO of Pennsylvania

and Mr. RYAN of Ohio.

H. Res. 184: Mr. CONYERS, Mrs. WATSON

COLEMAN, Ms. CLARK of Massachusetts, Mrs.

NAPOLITANO, Mr. BUTTERFIELD, Mr. EVANS,

Mr. GUTIÉRREZ, Mrs. LAWRENCE, Mr. HAS-

TINGS, Mr. VARGAS, Ms. LEE, Mr. JOHNSON of

Georgia, Mr. GARAMENDI, Ms. MCCOLLUM, Mr.

POCAN, Mr. HUFFMAN, Ms. SHEA-PORTER, Ms.

SCHAKOWSKY, Mr. LARSEN of Washington,

Mrs. TORRES, Mr. ENGEL, Ms. BARRAGÁN, Mr.

PRICE of North Carolina, Mr. ELLISON, Ms.

SLAUGHTER, Ms. KAPTUR, Ms. JUDY CHU of

California, Mr. COHEN, Ms. VELÁZQUEZ, Mr.

CICILLINE, Mr. SIREs, Mr. KILMER, Ms.

DELBENE, Mr. BLUMENAUER, Mr. DELANEY,

Mr. BRENDAN F. BOYLE of Pennsylvania, Mr.

MCGOVERN, Mr. RUSH, Mr. SCOTT of Virginia,

Mr. CLAY, Mr. DAVID SCOTT of Georgia, Ms.

BLUNT ROCHESTER, Mr. AGUILAR, Mr. WELCH,

Mr. BRADY of Pennsylvania, Mr. LEWIS of

Georgia, Ms. ROYBAL-ALLARD, Mr. POLIS, Mr.

RASKIN, Mr. PALLONE, Ms. JACKSON LEE, and

Mr. CÁRDENAS.

H. Res. 187: Mr. HIGGINS of New York.

H. Res. 188: Mr. CHABOT, Ms. ROS-LEHTINEN,

Mr. TIPTON, Mr. GROTHMAN, Mr. GARAMENDI,

and Mr. MCGOVERN.

SENATE—Monday, March 13, 2017

The Senate met at 2 p.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Father in Heaven, Holy is Your Name. You brought light from darkness and order from chaos. You can bring order to our Nation and world. Use our lawmakers to fulfill Your purposes. May they become Your merciful hands to reduce the pain and discord in our world.

Lord, use their daily experiences of joy and sorrow, pleasure and pain, victory and defeat for Your glory. Protect them with Your shield of love as You fill their hearts with Your peace. May they not let evil talk pass their lips but strive to speak the truth in love. Infuse them with the spirit of kindness, compassion, and forgiveness.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. KENNEDY). The majority leader is recognized.

REPEALING AND REPLACING OBAMACARE AND THE NOMINATION OF SEEMA VERMA

Mr. MCCONNELL. Mr. President, last year, Bill Clinton called ObamaCare “the craziest thing in the world.” Over the weekend, former Obama Health and Human Services Secretary Kathleen Sebelius said President Clinton had a point.

Of course, ObamaCare is crazy. Premiums are spiking across the country by 25 percent nationwide and as much as 47 percent in Kentucky for individuals. Choices have fallen from coast to coast, with about one-third of the counties nationwide and nearly half in Kentucky having only a single insurer to choose from on the exchanges, and healthcare markets are teetering closer to the edge of collapse. The ObamaCare status quo is simply not an option.

We have an obligation to the American people to repeal and replace ObamaCare. We have a three-pronged process to get there. The first is the legislation. House committees are currently considering the specialized piece of legislation that allows us to repeal ObamaCare and implement some, but not all, of the important replacement reforms we want to make.

Another is an additional replacement reform that goes even further in making healthcare more affordable and accessible. The remaining prong is Executive action. There is much the administration can do to help bring calm out of chaos from Obama’s broken promises. Health and Human Services Secretary Tom Price has already taken steps to do just that, and the nominee before us, Seema Verma, who has been nominated to head the Centers for Medicare and Medicaid Services, can take important steps as well.

Ms. Verma is extremely qualified, with a health policy background and a record of success. She is committed to protecting Medicare and modernizing Medicaid so the programs deliver the best results for those who need it. She also understands the challenges that ObamaCare has created for families.

Remember, ObamaCare raided funds from Medicare. Remember, ObamaCare dramatically enlarged Medicaid beyond its core focus without improving health outcomes in States like mine. Now is the time for creative thinking to increase access and to lower costs. Now is the time for a CMS Administrator with the right experience as we repeal and replace ObamaCare. I know this nominee will strengthen the vital programs she has been tasked to lead because she has a history of doing just that. I look forward to confirming Ms. Verma later today so that she can get to work immediately developing solutions to the crisis of ObamaCare.

NOMINATION OF NEIL GORSUCH

Mr. MCCONNELL. Mr. President, the endorsements for Supreme Court nominee Judge Neil Gorsuch keep rolling in from across the political spectrum. As I noted last Thursday, more than 150 former Columbia University classmates joined that extensive list recently. Those classmates represented a variety of backgrounds, home States, faiths, and political views. But they all agreed on one thing—that Judge Gorsuch is extremely well-qualified to be our next Supreme Court Justice.

On Thursday, I also noted that we could expect more supporters with sterling reviews of the judge in the

near future. Sure enough, that very evening the American Bar Association awarded Judge Gorsuch the highest possible rating: unanimously “well qualified,” meaning no one on the reviewing panel found him other than “well qualified”—unanimously “well qualified.”

The Democratic leader and the former Democratic chairman of the Judiciary Committee have called the ABA “the gold standard by which judicial candidates are judged.” So on the gold standard, Neil Gorsuch got a unanimous “well qualified.” There is no higher score. And today, it is a group that believes Judge Gorsuch is “well qualified” to be a Supreme Court Justice based on his integrity, professional competence, and judicial temperament. That is high acclaim from an organization that our colleagues on the left have long considered, as I said, the gold standard. It is the type of acclaim we keep hearing from Democrats and Republicans in the legal community.

Judge Gorsuch has an impressive resume and impressive credentials to match. He graduated Phi Beta Kappa from Columbia in just 3 years and got his law degree from Harvard, and he is an Oxford scholar to boot. The Senate confirmed him to his current position on the circuit court without a single vote in opposition. He is the right jurist for the job.

As we move forward with his nomination later this month, we should give him the fair consideration, debate, and up-or-down vote that he deserves, just like we did with the four Supreme Court nominees of Presidents Clinton and Obama after they were first elected.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate recess subject to the call of the Chair.

There being no objection, the Senate, at 2:09 p.m., recessed subject to the call of the Chair and reassembled at 2:24 p.m. when called to order by the Presiding Officer (Mr. KENNEDY).

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

WISHING THE STENOGRAPHER A SPEEDY RECOVERY

Mr. SCHUMER. Mr. President, let me thank the attending physician for quickly coming to the aid of one of our stenographers. They all do an amazing job. They are the unsung heroes, and we wish the stenographer a speedy recovery.

TRUMPCARE

Mr. SCHUMER. Mr. President, as the House continues to rush through its plan to repeal and replace the Affordable Care Act, I just want to point out once again how different this bill is from what the President has promised. For a while now, I have spoken about how the President talks like a populist and promises one thing but governs from the hard right, delivering something entirely different.

President Trump talked tough on Wall Street but appointed Wall Street insiders to his administration and started to try to roll back Wall Street reform. He said he would stick up for working people, but just about an hour after his inaugural address where he said that, one of his first actions as President made it harder for average families to afford a mortgage.

The President plans to repeal and replace the Affordable Care Act, and that is the most recent and most glaring example of this trend where the President speaks one way and does another. There is a stunning gap between how the President talks about healthcare and what his bill TrumpCare would do. The bold promises of better care for everyone at lower costs come from an alternative reality to his legislation, which studies show will cover fewer people at higher costs—higher costs, less care.

Like much of his administration thus far, TrumpCare is another game of say one thing, do another: Say you will protect the working people of America and then go forward in ways that hurt them and hurt them severely.

Let me offer a few examples about TrumpCare and how the words the President has stated are so different from the reality. During the campaign, the President said he was not going to cut Medicaid “like every other Republican.” He tweeted that he was “the first and only potential GOP candidate to state there will be no cuts to Social Security, Medicare and Medicaid.” These are President Trump’s own tweets.

He said on his tweet that he will be the first and only potential GOP candidate to state there will be no cuts to

Social Security, Medicare, and Medicaid; however, directly contrary to the President’s promise during the campaign, TrumpCare takes an ax to Medicaid, which covers 68 million Americans. Instead of having the Federal Government match a percentage of each State’s Medicaid costs, which can rise and fall according to how much the State actually needs, TrumpCare would give States only a fixed amount of money per enrollee each year. If costs are higher than expected, TrumpCare wouldn’t cover the gap. According to the Center on Budget and Policy Priorities, this change would amount to a \$370 billion cut to Medicaid over 10 years. The President said he was the first and only GOP candidate to promise not to cut Medicaid. His bill cuts it by nearly \$400 billion.

Nearly two-thirds of Americans in nursing homes rely on Medicaid. This cut goes right after seniors and could make it more difficult if you are a 45- or 50-year-old with a parent in a nursing home. You would be faced with a horrible choice: Take your parent out of the home and not give them the care they need or shell out huge amounts—thousands and thousands of dollars out of your own pocket, which you may not have. So much for the President not cutting Medicaid; it is a broken promise to so many poor people, elderly people in nursing homes, and their children.

The President also said we are going to have a much better healthcare plan for much less money, but studies have shown that if you are in the middle class, TrumpCare will cost you about \$1,500 more a year. If you are an older American between 55 and 64, your costs would increase by over \$5,000 a year. The 55- to 64-year-olds may be the most vulnerable. Their healthcare costs tend to be higher than others, and their costs would go up by \$5,000 a year. That is another promise by President Trump broken when it comes to TrumpCare.

The President also said: “We are going to have insurance for everybody.” Those are his words, not mine. “We are going to have insurance for everybody.” Some estimates of TrumpCare suggest that it will kick roughly 15 million Americans off the insurance rolls. The CBO will likely have a more definitive estimate this evening, putting an exclamation point on what we already know: TrumpCare will cost millions of Americans their health insurance—another promise by Donald Trump broken.

The President spoke repeatedly on the campaign trail about expanding treatment for Americans suffering from opioid addiction, but TrumpCare would end the Affordable Care Act’s requirement that addictive services and mental health treatment be covered under Medicaid in the 31 States that chose to expand Medicaid. The President promised more help for those suf-

fering from opioid addiction. The President’s action in TrumpCare cuts it.

Even on drug prices, the President says one thing and does another. Just a few weeks ago, he stood in the well of the House of Representatives and said: “We should work to bring down the artificial high price of drugs and bring them down immediately.” So you would think TrumpCare would have something that does that. Unfortunately, it does not. TrumpCare does absolutely nothing to address the high cost of drugs. In fact, drug prices might start going up faster.

TrumpCare eliminates a current requirement that insurers actually give patients the value of the health insurance they are paying for. This is a blank check to insurers to cover less and charge more out-of-pocket for a whole host of services. Most experts agree that insurers could charge much more for prescription drugs or even ration care. So that is another Trump promise broken. He was going to work on getting costs lowered immediately, but not in his bill he introduced a few weeks later. It might, indeed, raise prices for the cost of drugs for average Americans.

In a broader sense, TrumpCare violates what this President promised to working Americans. He promised to be a champion for working Americans. He promised to be their voice. That is how he presented himself in his inaugural address. But TrumpCare would hurt working Americans the most, making them pay more for less care.

It seems the only people who really benefit, the only group who benefits financially—if you are in the top 0.1 percent of earners, TrumpCare gives you a nearly \$200,000 tax break, on average. This is the group who benefits. They may not be the only group, but they are the group who benefits the most, far and away. If you are in the middle class, if you are struggling to make it into the working class, if you are older or from a rural area, your costs are going to go up by thousands of dollars a year. So many of these people voted for Trump for President, but the only people who get that huge tax break of an average of \$200,000 a year are the top 0.1 percent. In a very real sense, Donald Trump is giving a huge tax break to the wealthy and then making working Americans, average Americans, pay for it. To some, it might seem that the whole purpose of TrumpCare is to give that huge tax break to the wealthy.

In his inaugural address, President Trump spoke of an America where for far too long a small group has reaped the rewards of government, while the people have borne the cost. TrumpCare seems designed to fulfill that vision, not alter it. It makes it even easier on that small group, shifting even more costs onto the people.

So the first few months of the Trump administration have been broken promise after broken promise to working families. Trump's words: We are going to help working America, middle-class America. Trump's action: Take the burden off the shoulders of the top 1 percent and put them on the shoulders of all other Americans.

TrumpCare might constitute the greatest broken promise of them all. That is why I expect our Republican leadership in the House is rushing this bill through the Chamber. They don't want the American people to see it and learn what is in it. I don't think they want their own Members to have much time to consider it. That is why it was released on a Monday and a vote in committee was scheduled just a few days later. Already the bill has gone through one committee markup in the House without a score from CBO.

After years of criticizing Democrats for rushing through healthcare, after chanting "read the bill" over and over again, Republicans are trying to pass their healthcare plan in 2 months, when Democrats took almost a full year to debate and pass the Affordable Care Act.

Even Republican Senators like my friend from Arkansas, Mr. COTTON, are telling their colleagues in the House to pause and start over. The Republicans in the House ought to listen because this mess of a bill will badly hurt millions of Americans. Even though we disagree on the substance, I would echo my friend from Arkansas, Senator COTTON, in saying to House Republicans: Stop and think about this. You can drop "repeal" and come talk to us Democrats about reasonable fixes to the Affordable Care Act instead of blindly moving forward with this sham of a bill. That would be a much better way for your party and for our country.

BUDGET RIDER

Mr. SCHUMER. Mr. President, one final point on another matter. Today, the Democratic leadership of the Senate sent a letter to Leader McConnell and Chairman COCHRAN. We, of course, laid out our concerns about the budget and reiterated the guiding rules that helped us pass a budget for the first time in a while last year. We believe that we should stick to the spending levels that were agreed to in December, that we should maintain a parity between defense and nondefense, and that there should be no poison pill riders.

It is rumored that one of those poison pill riders might be a supplemental added to the CR that would call for paying for President Trump's wall. That will not stand.

The President wants a wall but has not answered so many questions about it. What about eminent domain and the procedures to acquire land from private landowners? What is the design of the

wall? Where is it going to be located? How is it going to be paid for, and how much will it cost? Don't you think we ought to give the President some time to have Mexico pay for the wall? That is what he said throughout his campaign, that Mexico will pay for it.

That is why both Democratic and Republican Members of Congress who represent the border States object to this wall. It will be inappropriate, in our judgment, to insist on the inclusion of such funding in a must-pass appropriations bill that is needed for the Republican majority in the control of Congress to avert a government shutdown. It is truly a poison pill. We would urge our colleagues not to allow the President to include this in a must-pass bill that avoids a shutdown of the government.

I yield the floor.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Seema Verma, of Indiana, to be Administrator of the Centers for Medicare and Medicaid Services.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I rise today to speak in favor of the nomination of Seema Verma to serve as the Administrator of the Centers for Medicare and Medicaid Services.

I think we can all agree that this is a critical time for healthcare in America. Health costs continue to rise, and patients face growing uncertainty over coverage. At the same time, the health of too many Americans continues to decline, healthcare costs continue to grow, and millions of new baby boomers are becoming eligible for Medicare each and every year.

I might add, you heard the minority leader talk today as if Democrats have had nothing to do with all of this mess. Much to the contrary. Congress and our new President face intense pressure to address these challenges, and the stakes are very high. I am confident that Ms. Verma is up for that chal-

lenge. She has over two decades of experience working with State healthcare and industry leaders to reform and improve services for the most vulnerable members of our community. Ms. Verma's experience as an entrepreneur and industry leader allowed her to work extensively on a wide variety of policy and strategic projects involving Medicaid, insurance, and public health in conjunction with the Indiana Governor's office, State Medicaid agencies, State health departments, State departments of insurance, the Federal Government, and private companies and foundations. She has had a tremendous amount of experience in those areas, and I have every confidence that she will be a great leader. There are few professionals in the country who have her level of close relationships with State leaders that will be critical as Congress and the administration work to repeal and replace the Affordable Care Act—the so-called Affordable Care Act; it is anything but affordable.

Medicaid represents an enormous burden on State budgets, and we now have an unprecedented opportunity to reform a Federal entitlement program long in need of structural changes. Ms. Verma is the ideal candidate to oversee the reform of the Medicaid Program and take steps administratively to give States the flexibility they have been clamoring for.

In Indiana, Ms. Verma worked with Governors Daniels and Pence to design a Medicaid expansion program that extended health coverage to nearly 400,000 low-income working Americans. She did so in a way that empowered people to take greater responsibility for their own health by providing incentives to use healthcare resources efficiently. The program ensured that many people got health care coverage for the first time. Now this innovative program has become a national model for other States.

Ms. Verma's experience will be invaluable as we work together to improve healthcare across the country and bring down the costs thereof. In addition to her work in Indiana, Ms. Verma has developed several other Medicaid reform programs, including 1,115 Medicaid waivers for Iowa, Ohio, and Kentucky. Her firm helped design Tennessee's coverage expansion proposal and also provided technical assistance to Michigan when the State implemented its Medicaid waiver. She also helped guide the transition of Iowa's Medicaid Program to a managed care program and supported strategy efforts for Maine's Medicaid plan.

Having dealt with CMS in her capacity as a consultant working on these myriad projects, she knows firsthand what is needed to make the programs work effectively. Her job as CMS Administrator will not be easy, and that is a heck of an understatement.

CMS is the world's largest health insurer. It has a budget of over \$1 trillion

and processes over 1.2 billion claims a year for services provided to some of our Nation's most vulnerable citizens receiving Medicare and Medicaid. As such, this is a critical agency, and we need a qualified, dedicated leader at the helm. She is certainly that.

In addition to ensuring that Medicare and Medicaid work effectively, Ms. Verma will also be charged with helping to ensure the longevity and solvency of the Medicare trust fund, which is projected to go bankrupt in the year 2028. Maintaining the solvency of the Medicare Program while continuing to provide care for an ever-increasing beneficiary base is going to require creative solutions, skillful administration, and a lot of knowledge and experience.

All told, between now and 2030, 76 million baby boomers will become eligible for Medicare. Even factoring in deaths over that period, the program will grow from approximately 47 million beneficiaries today to roughly 80 million beneficiaries in 2030. This will also create challenges that will require steady leadership and, at times, decisive action.

I believe Ms. Verma is especially qualified to lead CMS and modernize its programs to increase its effectiveness of healthcare delivery. She brings the experience and, importantly, bipartisan solutions that can and should unite people across the political spectrum in addressing some of the greatest challenges in our healthcare system.

Ms. Verma has a keen understanding of patients' needs. She certainly has the expertise to create a healthcare law that this country needs and improve the lives of the 100 million Americans covered by Medicare and Medicaid.

At a time when the healthcare challenges we face are very real and extremely complex, our Nation needs leaders, like Ms. Verma, who have demonstrated their ability to deliver results.

I know that many people have different ideas about the best direction for the Medicare and Medicaid Programs and how we should meet the complex challenges facing CMS. While we can disagree on policy, we should all agree that the agency needs smart, experienced leadership at its helm.

That being the case, I urge all of my colleagues to join me in supporting Ms. Verma's nomination to this important position. I personally am very grateful that she is willing to dive into this very difficult process and these problems right in the middle of politics being played and that she is willing to do the job America needs at this particular time, especially for those who need healthcare.

With that, Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

WIRETAPPING ALLEGATION

Mr. LEAHY. Mr. President, there are a couple of issues that I will speak on, but I was asked earlier this morning about what President Trump has tweeted, basically charging former President Obama with having spied on him in a way that would be plainly illegal. Of course, President Obama's advisers have denied any such thing happened. If it did happen, of course, it would be a grave constitutional issue, and if such a thing did happen, it would be criminal conduct. Now, many people are saying: Well, is it true or not? Was Mr. Trump telling the truth in the tweet or not? There is a very simple response on this. There is one person who knows whether it is true or not, and he has been totally silent on this.

They asked Attorney General Sessions. Attorney General Sessions made it very clear in his confirmation hearing—well, he said a number of things in his confirmation hearing, but one was, of course, that he would be independent. President Trump has leveled very serious charges against former President Obama. I happen to feel the charges are false, but let's have a definitive voice. The Attorney General should have the courage and independence to simply say whether Mr. Trump is telling the truth or not. It is a very simple matter. I would hope that the press and everybody else would keep asking because eventually somebody has to answer that question, and the Attorney General can.

NOMINATION OF DAVID FRIEDMAN

Mr. President, the Senate will soon consider the nomination of David Friedman to be U.S. Ambassador to Israel. Unlike several of President Trump's other nominees, we know a great deal about Mr. Friedman's views on the challenges he would confront if he were confirmed. Unfortunately, this is because he has made a career of disparaging and inflammatory statements about U.S. policy in the Middle East, about former U.S. officials, about the Palestinians, even about American Jews who have views that differ from his own.

We have all had the opportunity to read articles Mr. Friedman has written. We have heard the outrageous, unfounded verbal attacks he has launched against those who disagree with him. He has written falsely that President Obama and Secretary Kerry engaged in "blatant anti-Semitism," that the liberal American Jews are "far worse than kapos," and that they "suffer a cognitive disconnect in identifying good and evil," that the State Department has a "hundred-year history of

anti-Semitism," because diplomats appointed by both Republican Presidents and Democratic Presidents have not always seen eye-to-eye on every issue with Israel's leaders. He has said that Israel's policy of "criticizing disloyal Arab citizens while simultaneously bestowing upon them the benefits of citizenship simply isn't working."

Well, those comments alone should disqualify him for this sensitive position, and it is no surprise that tens of thousands of Americans have signed petitions circulated by pro-Israel groups opposing his nomination.

Mr. Friedman has also raised millions of dollars for Israeli settlers, and he has bragged about the effort to remove the two-state solution from the Republican Party's platform, even though Democratic and Republican Presidents have supported it. Regarding the two-state solution, he wrote: "It is more of an illusion that serves the worst intentions of both the United States and the Palestinian Arabs," in one of the many articles he has written for a rightwing Israeli media outlet. That unequivocal renunciation of longstanding U.S. policy should also by itself disqualify him from the job of Ambassador to Israel.

These statements and actions not only indicate his rejection of decades of Republican and Democratic policy. They are the words of someone who makes a mockery of the term "diplomat" and who has demonstrated no ability to be objective and constructive on sensitive issues of immense importance to U.S. security.

Our diplomats are supposed to be representing the American people and the policies of the United States first and foremost. They are not sent to a foreign country to represent the government or people of that country in a manner that is inconsistent with U.S. policies and U.S. interests. They are there to represent us.

Mr. Friedman is certainly entitled to his own views as a private citizen, even if they are offensive and counter to U.S. interests and values. But can anyone honestly say that this nominee is qualified or suited to represent the American people in Israel?

Five former U.S. Ambassadors to Israel who served under Republican and Democratic Presidents—from Ronald Reagan to Barack Obama—are among the thousands of Americans who say that the answer to that question is no.

We are being asked to reconcile Mr. Friedman's record, his personal views, and his deep ties to extreme factions in Israel with his responsibility to objectively advance and defend U.S. interests. Unless one believes, as he has repeatedly made clear he does, that the interests of the United States are always identical to Israel's, there is no way Mr. Friedman should be confirmed.

For as long as I have been in the Senate—and I note that is longer than anybody who is serving here now—I cannot recall a time when we were not at a critical point in our relations with Israel, not because of doubts about the enduring value of the relationship but as a reflection of the importance of the deep partnership between our governments and our people—a deep partnership that we have all supported and that Republican and Democratic Presidents have supported. Most importantly, it is a result of our conviction that security, stability, and prosperity in Israel and the wider region are important to our own national security.

That is why President Obama signed a memorandum of understanding with Israel that included the single largest pledge of U.S. military aid to any country—to any country anywhere in the world, ever—and why both Democratic and Republican administrations have put so much effort into pursuing peace between Israelis and Palestinians.

An alliance as longstanding as ours with Israel, which has far-reaching consequences for the entire Middle East and beyond, requires effective daily management by an experienced diplomat who has not only knowledge of the region but the necessary temperament and appreciation of our country's short- and long-term interests.

I was here when President Sadat and Prime Minister Begin negotiated what was a very difficult peace agreement between the two of them, with both of them putting the interests of the region first. That agreement has lasted. I also remember when Prime Minister Rabin and King Hussein of Jordan—who had fought against each other—personally negotiated a peace agreement, and the United States strongly supported that. In fact, I was privileged to be there when they signed the agreement at Aqaba, as I was present when Prime Minister Begin and President Sadat signed their agreement.

I do not see how anyone could conclude that Mr. Friedman possesses the requisite temperament, nor am I convinced that he appreciates the critical distinction between the interests of our country, the United States, and the parochial interests of an extreme constituency in Israel who he has fiercely advocated for over the course of his long career.

Indeed, it is telling that the spokesman for Beit El, the Israeli settlement that Mr. Friedman has supported financially for years, said its inhabitants would regard him as their representative in the United States. These are Israelis. Their representative in the United States is the Israeli Ambassador. It is not the role of a U.S. Ambassador to represent another country, but that is how Mr. Friedman is perceived in Israel because that is the way he has behaved.

Every U.S. President has understood the importance and the heightened sen-

sitivity of this post, and they chose their nominees accordingly—both Republican and Democratic Presidents—until now. That is why every previous nominee to be Ambassador to Israel has been confirmed by a voice vote or by unanimous consent, while Mr. Friedman was voted out by a narrow 12 to 9—largely party line vote—in the Foreign Relations Committee.

Mr. Friedman's confirmation hearing provided him the opportunity to assuage concerns about his divisiveness, including the many disparaging remarks he has made and his close identification with and support for the Israeli settler movement.

During the hearing he renounced his undiplomatic language, suggesting it was delivered in the heat of the election cycle and in his capacity as a private citizen. In fact, he recanted so much of what he had said—which far predates the election cycle—that Foreign Relations Committee Chairman CORKER asked why he was willing to disavow so much of his past record in order to earn the committee's support.

In response, Mr. Friedman described the role of the U.S. Ambassador to Israel as “the fulfillment of a life's dream, of a life's work, of a life of study of the people, the culture, the politics of Israeli society.”

I would say two things about that. One, I recall a nominee for another position who, when asked questions about extreme positions he had taken for years, started disavowing them all, and I finally asked him: Are you having a confirmation conversion? That nominee—the nominee of a Republican President—when he came before the Senate, was defeated because of Republican votes, as well as Democratic votes.

I always worry about a confirmation conversion. When a nominee rejects years and years of deeply held beliefs during those 2 or 3 days of the confirmation hearing, I wonder how long it will last.

There is an important distinction between knowing and respecting a country's history and people and believing that one's own personal ambition and that country's interests are inextricably linked. Mr. Friedman's remarkable confirmation conversion falls far short of convincing evidence that changing his title to “Ambassador” will cause him to divorce his life's work and objectively serve the national interests of the United States.

If Mr. Friedman is confirmed, he should immediately untangle his business and personal interests in Israel and commit to being the representative of all Americans—conservative and liberal Jews, conservative and liberal non-Jews—and being a genuine partner in efforts to promote security and stability for Israelis and Palestinians alike, not just because it is in their interests, but because it is in the interest of the United States.

We all want what is best for the American people. We also share a desire to find a viable solution to the Israeli-Palestinian conflict that protects the rights and security of both peoples. Neither goal can be achieved by pursuing policies that further inflame tensions in the region and erode the role of the United States as an honest broker for peace. There are a large number of qualified Americans from both parties who could capably support that role. Mr. Friedman is not among them.

NOMINATION OF NEIL GORSUCH

Mr. President, on another matter, this week is Sunshine Week. It is a time when we rededicate ourselves to transparency in government. It is important to all of us. We celebrate one of our Nation's most defining characteristics: that a government of, for, and by the people does not operate in secret. Our democracy depends on an informed public, and it is critical that public officials be truthful with the American people; yet we are not even 2 months into this Presidency, and it is clear that the administration is not meeting that standard.

The Attorney General has yet to come forward and tell us whether the President was telling the truth when he accused President Obama of breaking the law and spying on him, and the President's nominees have shown a real and stunning indifference to the truth. His nominees to lead the Treasury Department, the EPA, HHS, and the Justice Department have all misled Congress while testifying under oath.

I am disturbed that Senate Republicans continue to look the other way. At some point, they must put country over party. But as these new officials take control of their agencies, I remind them that our laws demand an open and transparent government. Last year, Congress took a strong step to reaffirm our commitment to an open government. We passed the FOIA Improvement Act, which is a bipartisan bill. I coauthored it with the deputy Republican leader, Senator CORNYN of Texas. It was the most significant reform to the Freedom of Information Act in over 50 years. It codified the “presumption of openness.” It put the force of law behind the notion that sunshine, not secrecy, is the default setting of our government. Given what we have seen thus far from this administration's nominees, transparency, accountability, and open government are more important than ever.

I hope next week, when the President's Supreme Court nominee will appear before the Senate Judiciary Committee, he provides transparent, truthful answers to Senators' questions.

I will insist on real answers from Judge Neil Gorsuch because there are real concerns about his record and his judicial philosophy. Judge Gorsuch went to some of the world's best universities—Columbia, Harvard, Oxford—

so it is not surprising that he knows how to make a good impression, but that cannot be the standard for a Supreme Court nominee. The U.S. Senate cannot simply rubberstamp a nominee because he went to the right schools and looks good on TV.

Neil Gorsuch has been a judge for over 10 years, and it is clear from his writings on and off the bench that he has a well-developed judicial philosophy. He appears to strongly identify as an originalist, in the mold of Justice Scalia or Justice Thomas. It has been more than 25 years since an originalist was nominated to the Supreme Court, so I expect that Senators will want to understand how Judge Gorsuch would apply his philosophy to the cases that would come before him, if he is confirmed to the Supreme Court. Would he rule in the same way as originalists like Justice Scalia, Justice Thomas, and Judge Bork, who have been deeply hostile to the individual rights and liberties protected by our Constitution? I want to hear directly from him on this important question.

It is one thing for legal academics to debate their preferred theories, including originalism. But the Supreme Court is not a debating society that deals in abstractions—its decisions affect every one of us. Our Federal courts are where Americans go to have their rights vindicated, whether against big corporations or the government itself. Our Federal courts do not exist so that judges have a place to propound their particular philosophies.

I want to make sure that Judge Gorsuch understands that distinction, and I want to understand just how his philosophy would have been applied to important cases. For example, how would someone with his philosophy have ruled in cases upholding fundamental rights, such as Miranda rights, a woman's right to make her own medical decisions, and marriage equality?

We also cannot ignore the fact that Judge Gorsuch was nominated by President Trump only after being vetted by extreme interest groups who did all of that in secret. They are certainly not transparent. It is alarming and unprecedented for a President to outsource the nomination process in this way. The President's top adviser then assured attendees at a conservative conference that they knew Judge Gorsuch has "the vision of Donald Trump." That is the same Donald Trump, of course, who called the media the "enemy of the American people." The President could not be more wrong.

As we note during Sunshine Week, our Constitution provides for the freedom of the press because a democracy cannot survive without it. Citing James Madison, the Supreme Court in *New York Times v. Sullivan* described the "public discussion of the stewardship of public officials" as "a funda-

mental principle of the American form of government."

It was Supreme Court Justice Louis Brandeis, a staunch believer in open government, who famously said that sunlight is the best disinfectant. It is often the press that shines the sunlight in dark corners where we need it most. It serves as a critical check on our government. It shines a light on corruption, exploitation, and excess. My parents owned a weekly newspaper before they started their printing business. I was brought up to believe in the importance of the First Amendment. I question whether a Justice with "the vision of Donald Trump" would uphold the freedom of the press.

Sunshine Week's emphasis on transparency will not be just this week; it should continue into the hearings next week. The Supreme Court has been the least transparent part of our government, and these hearings will be one of the only opportunities for the American people to get a glimpse into the institution that protects their most essential rights. There are real questions about the kind of Justice Neil Gorsuch would be. He needs to answer them openly and honestly, not with the kinds of dodges and misrepresentations we have heard from other Trump nominees.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

REPUBLICAN HEALTHCARE BILL

Mr. DURBIN. Mr. President, last Friday, I went to Rockford, IL, and had a roundtable discussion about healthcare. There is a lot of debate about healthcare in the Congress and certainly in Washington. What I have tried to do is to take this issue home and ask the people who actually are responsible for providing healthcare, and the people I represent, what they think about the new Republican alternative to the Affordable Care Act. What I found is that with virtually no exceptions, they are all gravely concerned that the changes that are going to be made to the healthcare system in America, which represents a dramatic portion of our economy, could have a very negative impact on the real lives of people across my State and across the Nation.

Hospital administrators were there to talk about this issue. Swedish Covenant is one of the hospitals well known and respected in the area; OSF as well, and the administrators of both of these hospitals talked about the negative impacts of cutting back Medicaid coverage.

What the Republicans are suggesting in their proposal is that the expansion of Medicaid to provide health insurance for low-income Americans would continue until 2020 and then be cut off, and, they would argue, we will make it more cost efficient. We will let the Governors come up with alternatives. Well, the Governors aren't very happy with this because they know the cost of healthcare continues to go up and they are fearful that when you try to put this all together, the net result is fewer people covered by Medicaid.

Over 600,000 people, because of ObamaCare—the Affordable Care Act—in Illinois now have health insurance. Who are they? Well, I met Ray Romanowski. Ray, a big Polish American fellow from Chicago, is a musician, and he has made most of his income during his life doing work as a musician. Ray Romanowski, in his 60s today, has never had health insurance until now. Because of the Affordable Care Act, he qualifies for Medicaid, and because he has Medicaid—he patted his wallet and said: I finally have that card in my wallet where I can walk into a hospital or a clinic and get good treatment.

It is the first time in his life, and he is in his sixties.

Judy is a friend of mine in Southern Illinois, and she works at local motels there—in hospitality—at places where they serve breakfast to you. She gets up early in the morning. She is a hard-working lady. It is the kind of job she has had her entire life, and she never, ever had health insurance—not once. She worked 20, 30, 40 hours a week, sometimes two different jobs, but never with health insurance. Now she has it because of the Affordable Care Act, and thank goodness she does because she has been diagnosed with diabetes and she needs that kind of care.

So what happened before, when people like Ray and Judy got sick? Before the Affordable Care Act, they would show up in the hospital, go to the emergency room, and they would get treatment, but they wouldn't be able to pay for it. What happens to those expenses at hospitals, under the old way of doing things? They are passed along. The rest of us pay. Anyone who has health insurance and goes in for treatment, part of it is going to be what your treatment is or for your family; the other part is to make up the difference for charity care, uncompensated care.

Now the Republicans believe they have a new idea: Let's restrict access to Medicaid. Let's restrict the health insurance that is available to people like Ray and Judy. Well, they are still going to get sick, and they are still going to come to the hospital, and their costs are going to be passed along to others.

The Speaker of the House, PAUL RYAN, a neighbor from the State of

Wisconsin, said that it is all about competition and choice. Well, when it came to competition and choice, Ray and Judy didn't have a chance. They just didn't make enough money. But they did get coverage under the Affordable Care Act, and they stand to see that coverage endangered, if not lost, under this new approach.

We also had representatives of the nursing association in Illinois. These are women and men who are the most respected medical providers. Just take a look and ask whether people have higher respect for doctors or whom-ever; it is always the nurses, No. 1, because the nurses are the ones who are there day in and day out, hour after hour, in the hospital rooms with the people we love who desperately need medical care. The nurses are opposed to this Republican replacement plan as well.

The doctors—the American Medical Association and the Illinois State Medical Society—are also opposed to it because they looked at the Republican competition and choice alternative and said that at the end of the day, fewer people will have health insurance and the costs will go up dramatically for some. We had a representative of the American Association of Retired Persons there, and they are especially opposed to it. Why? We had a provision in the Affordable Care Act which said that the disparity in premiums can never be more than 3 to 1. Well, the Republicans decided as part of their replacement to make that 5 to 1. Who is going to pay five times instead of three times the base premium? Seniors, those over the age of 55. The Republicans built this into their proposal, and AARP has come out against it.

The second thing to go is—the Affordable Care Act has really brought some savings to healthcare; we wish there were more. But that savings in healthcare is translated into 10 more years of solvency for Medicare. Medicare is a lifeline for 40 million or 50 million Americans. So we gave it 10 more years of solvency with the changes in the Affordable Care Act. Now we are waiting for a score from the Congressional Budget Office, but the early indications are we are going to lose 4 years of solvency in Medicare because the Republicans want to bring in “competition and choice.” It turns out that phrase is not going to be good for the future of Medicare—one of the other reasons the American Association of Retired Persons opposes the Republican proposal to replace the Affordable Care Act.

This bill will be scored this week by the Congressional Budget Office. It was interesting to watch the Sunday shows and watch the procession of Republicans calling themselves fiscal conservatives who came in and discounted any conclusions from the Congressional Budget Office. Interesting.

When we wrote the Affordable Care Act, we waited sometimes for weeks for the Congressional Budget Office to give us a score: Is this bill going to add to the deficit or reduce the deficit? We had to wait to find out. Is this bill going to cover more people with health insurance or not? We had to wait to find out. But the Republicans went ahead with their proposal without a Congressional Budget Office score, and what they have done over the weekend is downplay the credibility of an office which Democrats and Republicans have relied on for decades. It shows that they are very concerned. I think they know what they are going to find. They are afraid it is going to add to the deficit and it is going to dramatically reduce health insurance for Americans.

There are some who estimate that 10 million to 15 million Americans could lose their health insurance. That is half of all of those in the past 6 years who have gained health insurance. It would also increase out-of-pocket healthcare costs for the average person—the Republican plan would—by \$1,500 a year, seniors paying approximately \$5,000 more a year because of that 5-to-1 premium change that I mentioned earlier. It would basically end Medicaid as we know it.

The Governors are telling us that this is a bad idea because it would shift the cost onto the families and to the Governors to find ways to save money.

It would shorten the solvency of the Medicare trust fund by 4 years.

It would allow insurers to once again charge older people significantly more than younger people for health insurance.

And—Republicans added a little grace note there—they defund Planned Parenthood and cut 12 percent of the funding for the Centers for Disease Control and Prevention.

Here is something my colleagues may not know. Because of family planning efforts in America, in the last 30 years, we are now at the lowest point in teenage pregnancies and the lowest point in unplanned pregnancies. So information and education are paying off to reduce unwanted pregnancies, unplanned pregnancies, and, I might add, the likelihood of abortions. So now, as the Republicans say we are going to defund Planned Parenthood for hundreds of thousands of women, that means stopping their access to the healthcare they trust across America. So in the name of choice, the Republican plan reduces choices for women when it comes to healthcare by defunding Planned Parenthood.

To top it off, the bill cuts taxes for the very wealthy. Those making over \$1 million a year in income get a \$50,000 tax cut because of the Republican proposal for this new health insurance approach. If you happen to be in the wealthiest 0.1 percent of Americans, the average tax cut is nearly \$200,000. They just can't help themselves.

We put together a revenue source so that we could dramatically expand health insurance coverage in this Nation. We now have the lowest percentage of uninsured Americans in our history, and the Republicans—because they are opposed to it—have said: We are going to cut the taxes that help people pay for their health insurance, and we are going to reduce the options that are available to them. So for Americans, it means less coverage, higher costs.

We will see when it goes to the House of Representatives on the floor. The most conservative Republicans don't like it; certainly the Democrats don't like it. The question is whether Speaker PAUL RYAN has enough votes. It has united America. The Republican approach has united America, in opposition. I don't know of a major health-providing group that supports it—not one; not doctors, not hospitals, not clinics, not AARP. Patients' groups all say the same thing about TrumpCare.

The American Medical Association said:

We cannot support the [bill] as drafted because of the expected decline in health insurance coverage and the potential harm it would cause to vulnerable patient populations.

The American Medical Association goes on to say:

We are concerned with the proposed rollback of the Medicaid expansion. . . . Medicaid expansion has proven highly successful in providing coverage for lower income individuals.

The AMA cannot support provisions that repeal the Prevention and Public Health Trust Fund . . . and we cannot support provisions that prevent Americans from choosing to receive care from physicians and qualified providers . . . [including] those associated with Planned Parenthood affiliates.

The American Medical Association is saying to the Republicans that they reject their proposal for healthcare and is warning them not to cut off funding for Planned Parenthood.

What does the American Hospital Association say?

We cannot support the [bill]—

the Republican bill—

in its current form.

In addition to the lack of a CBO score, we have some additional policy concerns with the proposal.

For example, it appears that the effort to restructure the Medicaid program will have the effect of making significant reductions in a program that provides services to our most vulnerable populations.

That is from the American Hospital Association. They estimate that in our State of Illinois, we could lose up to 90,000 jobs by repealing the Affordable Care Act without a suitable substitute—90,000 jobs in my State. President Trump made a lot of news when he went to visit one of the manufacturing companies after he was first sworn in and saved a couple hundred jobs. Well, I am glad he saved those

jobs. I hope he saves a lot more. But if he is going to eliminate 90,000 jobs in my State—people who work at hospitals, some of the best-paying jobs in downstate communities—for goodness sake, that isn't hiring American. It isn't really focusing on creating jobs in this country. It is just the opposite.

Here is what the American Nurses Association says about the Republican bill:

[The bill] threatens health care affordability, access, and delivery for individuals across the nation. . . . [T]he bill changes Medicaid to a per capita cap funding model, eliminates the Prevention . . . Fund, restricts millions of women from access to critical health services, repeals income based subsidies that millions of people rely on. These changes in no way will improve care for the American people.

What about the U.S. Conference of Mayors? Here is what they said:

States will be forced to end coverage and eliminate health care for low-income seniors, people with disabilities, children, and working families.

The GOP plan is bad for cities, bad for people who live in cities and bad for people who provide healthcare in cities.

It is interesting. We had a representative at a Rockford meeting of the disabled community. They are scared to death of this Republican alternative because these folks many times are in serious need of very expensive healthcare. If they are pushed off into these so-called money-saving insurance plans that really are empty inside and don't provide coverage, it could be devastating to these families. They have been through it over and over.

The American Association of Retired Persons said:

This Republican bill would weaken Medicare's fiscal sustainability, dramatically increase health care costs for Americans aged 50-64 and put at risk the health care of millions of children and adults with disabilities, and poor seniors who depend on the Medicaid program for long-term services and supports.

It could hasten the insolvency of Medicare by up to 4 years and diminish Medicare's ability to pay for services in the future.

I remember when Candidate Donald Trump was telling us he would do nothing to hurt Medicare. Now the first major piece of legislation that comes up threatens the solvency of Medicare.

Here is what the National Committee to Preserve Social Security and Medicare said:

[We] oppose the . . . bill to repeal the Affordable Care Act because it would weaken Medicare's solvency . . . threaten access to Medicaid long-term care benefits, and require "near seniors" to pay more for less health care coverage. The . . . bill puts seniors and people with disabilities at significant risk of ending up uninsured or losing access to needed care.

In my own State, the Illinois Health and Hospital Association says:

[This organization] has serious concerns with the direction of the [bill]. It would cut coverage for hundreds of thousands of Illinoisans and impose a cap on . . . federal Medicaid funding—our state is unable to ab-

sorb funding cuts without impacting healthcare for all patients.

I was surprised last week when the Republican Governor of Illinois, Bruce Rauner, said of the Republican plan: "My first blush read is Illinois won't do very well under the changes that they're recommending."

He is very careful not to say things about Federal legislation. This he understands: Cutting back on Medicaid is going to impose a new debt on our State and reduce coverage for hundreds of thousands of people in our State.

So we said to the Republicans: You want to repeal the Affordable Care Act; you have been dead set on doing this for 6 years. Please come up with an alternative that at least expands the coverage of health insurance and makes it more affordable. They tried, and they failed. But now they are going to push it through as a matter of showing political purity. They don't care that there is not a single group of medical providers in this country who support their plan. They obviously don't care that the American Association of Retired Persons believes this is not good for seniors across the board.

I heard the Director of OMB say: Oh, that group—they are going to end up opposing this and then they are going to ask people to donate. Well, it is true that they live on donations. But they are taking a bold position in saying that the Republican approach is going to hurt seniors across America. Talk to the disability community, and you will hear exactly the same thing. Talk to the advocates for children.

I am really looking for the first group to stand up and say that this new Republican approach is good for this country or good for people when it comes to the cost or availability of health insurance, and I haven't found it yet. I don't know what they are waiting on, but they can't produce it.

What we are looking for is just the opposite. If you will take repeal of the Affordable Care Act off the table, I will pull up a chair. It is not perfect, it can be improved, and I am ready to sit down and do it on a bipartisan basis. But it is "our way or the highway" when it comes to the Republican majority on this bill. I hope we can do better. I think the American people expect us to do better.

At the end of the day, they want a better healthcare system, not one that is worse—not one that supposedly gives them "competition and choice," yet they have less coverage in their insurance policies and end up paying more for it.

CALLING FOR AN INDEPENDENT, BIPARTISAN COMMISSION

Mr. President, I have been coming to the floor recently to discuss the Russian involvement in our last Presidential election. Remember that 2 months ago, some 14 different intelligence agencies all came to the same

conclusion—that Vladimir Putin and the Russians were trying to impact the outcome of the Presidential election.

The intelligence reports, which were unclassified and available to the public, said expressly that the Russian intent was to defeat Hillary Clinton and to elect Donald Trump. I quickly add, this was not a report from the Democratic National Committee; it was a report from our intelligence agencies. They went through all the efforts taken by the Republicans when they were hacking into computers and releasing information during the course of the campaign.

I think this is serious business. It is the first time I know of that a foreign power has tried to influence the outcome of an American Presidential election. People in Eastern Europe and people in many parts of this world are used to the Russians getting involved in their campaigns, trying to run their favorite candidates and elect them. We shouldn't have to put up with that in the United States of America, so many of us have called for a real investigation of what the Russians were up to.

I think we ought to have a bipartisan commission—an independent, transparent commission to look into the involvement of the Russians; otherwise, we are sitting ducks for them to try it again 2 years from now, in the next election. We know—and this is public information—there were at least 1,000 people sitting at computers in Moscow, trying to hack into America to try to find enough information that they could release to influence the outcome of the election. They are not going to quit. They are going to continue to do this. The question is, What will we do about it?

We have already seen the National Security Advisor to the President, General Flynn, resign when he misled the American people and Vice President PENCE about conversations he had with the Russians. Just 2 weeks ago, we saw that the Attorney General of the United States, Jeff Sessions, recused himself from investigations involving Russia in the campaign because of conversations he had had, which he didn't disclose before the Senate Judiciary Committee.

Almost every week there are more disturbing revelations emerging—not by any honest or open disclosure, mind you, but about the curious alliance among President Trump and the inner circle and Vladimir Putin, if there were one. Key figures, such as the National Security Advisor I mentioned and the current Attorney General, were caught not disclosing communications with the Russians. Allied intelligence reportedly confirms that members of the Trump campaign had repeated communications with those thought to be in Russian intelligence. Close Trump associate Roger Stone appeared to have advance knowledge of when Russian-

hacked information of Hillary Clinton was going to be released by WikiLeaks, something he presumably could have known only if he was at least discussing it with the Russian hackers.

All the while, the administration has been saying nothing about Putin's actions, about this attack on the United States, or about Russia's ongoing cyber and military aggression in Europe. In fact, instead of addressing and responding to this Russian attack head-on, the President has incredibly been parroting Russian strategic interests instead.

Let me repeat that from my largely silent Republican colleagues—and there have been a few exceptions, but most of them will not come to the floor to even discuss this matter. The American President, the same party of Ronald Reagan, has failed to acknowledge this major attack on our Nation and has refused to take action in response. How is this possible? Why is the majority party so silent in the face of these major national security issues?

There is a simple way to resolve these questions:

First, President Trump should do what every Presidential candidate has done in modern history and disclose his tax returns. Why won't he do that? What is in there that is so worrisome to him that he has defied all requests from media and from others across this Nation for him to do exactly what every other Presidential candidate has done?

The President should also be totally cooperative with any investigation about campaign contacts, including by his former campaign manager Paul Manafort; Michael Flynn, his former National Security Advisor; and his former foreign policy adviser, Carter Page. How do we explain repeated reports of these contacts between that campaign and Russian intelligence?

The administration also needs to answer questions about Roger Stone's comments that suggest he had knowledge of WikiLeaks having and using, in strategically timed releases around periods when the campaign was struggling, the information that had been hacked by the Russians.

Tell us why the administration has criticized hundreds by Twitter when there is any perceived slight—from entire States to Major League Baseball to United Steelworkers—but not the Communist KGB agent who conducted an attack on our Nation and democracy.

We need to know why they not only repeatedly denied intelligence information about Russian attacks but, in fact, in July of last year encouraged Russia to hack into their opponent's campaign.

All of these things are being watched closely by nations around the world. Several weeks ago, I went over to Poland, Lithuania, and Ukraine. One of the Polish leaders said to me: We're watching. If you don't take the Russian

invasion of your Presidential election seriously, how will you take the Russian invasion of our country seriously? It is a legitimate question because the Russians are up to a strategy that we have seen over and over again. This time, the Americans were the victims.

We need full cooperation by the White House. We need an independent commission. I have suggested we pick people who are beyond reproach, people we can trust. I mentioned General Colin Powell, a man who served our country so honorably in the military, then served in the Republican White House, and then served as a Republican Secretary of State. I would accept Colin Powell as the head of a commission to get to the bottom of this because it is a national security issue, which he has undoubtedly had some background in dealing with in years gone by.

There are many good people to turn to, but until we get the straight answers, we can expect the Russians to continue to try to find ways to invade our political process.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. ROBERTS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. ERNST). Without objection, it is so ordered.

KANSAS WILDFIRES

Mr. ROBERTS. Madam President, I rise today to speak about the historical and unprecedented wildfires that burned through southwest Kansas last week. We had fires in 21 of our Kansas counties, roughly one-fifth of our State. High winds and dry conditions caused fires of the highest classification that blazed across central and western Kansas some 30 to 40 feet high, burning more than 700,000 acres of land, making this the largest wildfire in our State's history. The Kansas Division of Emergency Management has said it could take weeks to determine the full extent of devastation from the fires. Clark County, KS, officials—that is the county that was the hardest hit—estimate a devastating loss of anywhere from 3,000 to 9,000 head of cattle. That is just in one county. As I indicated, Clark County was the hardest hit by the windblown fires, with over 85 percent of the land in the county consumed by these prairie fires. This is hundreds of thousands of acres in one county and over 700,000 in regard to our State.

On Friday, I drove south from Dodge City, KS, through range and ranchland I didn't even recognize. What used to be gently rolling prairie, dotted with herds of cattle and crisscrossed by fencing, is now reduced to blackened

dust. Friends of mine lost their ranch when a 40-foot wall of fire roared out of the valley over the bluff and burned out their operation. We have unimaginable damage to land and property, but also heart-wrenching scenes of cattle and wildlife burned, wounded, and wandering.

Many Kansans lost everything. According to Sheriff John Ketron of Clark County, 31 houses and over 440,000 acres were burned there. We have longtime friends there, John and Carol Swayze. We have known them for years. John said with tears in his eyes: "Pat, it took me 43 years to build up this operation, and it took about an hour to take it all down." Riding with Sheriff Ketron, we were assessing the town of Ashland, where a volunteer firefighting force managed to save the town when it became surrounded in flames. Some volunteers were fighting fires elsewhere in the area and learned their own homes had been engulfed and lost.

I met with brave people in the towns of Englewood and Ashland, KS, in the heart of Clark County, who had just come through frightening experiences fighting the unpredictable and unstoppable fires. Some were out driving cattle away from the fires and had become separated from loved ones. When the flames turned, they were left to pray for their safety.

Kylene Scott, with the High Plains Journal, calls it "the worst day of her life." She wrote a courageous and honest account of the day. I will read her words now:

I think I had them going the right way, then the wind switched. Now I just don't know. When I heard the crack in my husband's voice yesterday afternoon, I knew it was bad. He is normally the calm, cool, collected one.

A family friend alerted him to the fire in Clark County very near the Scott farm after we'd returned home from burying my Dad yesterday.

Coming back from a funeral.

When they said the closest neighbor was being evacuated he went as quickly as he could fearing for the cattle herd he'd worked the last five years to build following the death of his own Dad. I stayed behind with the boys at our house 40 miles away.

When the wind switched at my house from south/southwest to the north, I began to worry even more and called him. At this point he was waiting out the fire and smoke in the wheat field, helplessly watching the house and barn burn. I wanted to be at the farm so bad, but there wasn't much that could be done. When he made it home unscathed I was pretty happy, but sad at the same time. Knowing there was nothing we could do to fix what it took for Mother Nature mere minutes to destroy.

Fifty-two cows are on the farm, with about half or $\frac{3}{4}$ of them with young calves. Most are accounted for. All the grass is gone, as is the hay stockpile. He went and hauled water to the cows this morning and some are scorched and others have udders with burns. One cow was bawling for her missing calf. "Those poor mommas," was my text reply to him this morning.

I made my way early this afternoon to see the farm or what's left of it with my own

eyes. As bad as I wanted to be down there, a piece of me dreaded the drive. The closer I got to the farm, the worse it got. Blowing dirt, darkening skies because of the dust and awful winds. I pulled in the drive, like I had done a hundred times in the nearly 20 years I have been part of the family, and I had to stop my vehicle. The tears came and the heartbreak overwhelmed me.

I thought of the old white farm house with the wonderful front porch, where my husband spent a large majority of his childhood in and around. My fondest memory is when we'd stop and see my husband's Grandma Pauline. She'd always have something sweet to eat and a cold drink at the kitchen table. The home had been around for 100 years and still had a large portion of the family momentos in it. It was reduced to ashes and rubble. All that's standing is the chimney.

I couldn't see the barn around the trees, but I again had to stop and sit when I pulled around the corner. The barn. The old barn with its red siding. I remember when my father-in-law had it painted and how proud he was because it looked so good. I remember when he laid the brick in front of the tack room and built a new door for it. My boys explored every inch of it when we worked calves last fall. You could "almost" hear the horses munching in the stalls decades ago when you stood in the center alley. Now it's just a charred pile of tin.

I realize the house and barn are just buildings. Things can be replaced. But dang, it's so hard to see it all reduced to ashes and rubble. To see part of the Scott family history, more than a hundred years, just be gone. Just like that. It's hard.

We've had incredible friends and family offering help, hay and feed, and it's heartwarming to know how much people care. Like I heard an Ashland, Kansas resident on the news this morning being interviewed, it's just what southwest Kansas people do. Help and survive.

Here is a picture that was taken on Kylene and Spencer Scott's wedding day in 2009 up here. It is a beautiful sight. Off in the distance is the Clark County Lake. It is rolling hills, cattle country, cattle, and grass. Looking at this picture now, it is not hard to wonder how this land will come back to provide for so many, as it has for generations of Kansas farm and ranch families whose sweat and blood have produced for Kansas, our Nation, and, yes, the world, as well.

There is the other picture. They got married here. It was the happiest day of their life. They saw this, and that became just about the worst day of their life. And yet, having seen this devastation firsthand, I don't wonder about Kansas and our ability to rebuild. It is in our State motto: *Ad astra per aspera*—to the stars through difficulties.

In one of the emergency management centers I met Joyce Edinger. When I asked her what I could do to help, she just said: "The Lord will provide." She had lost virtually everything. I think that pretty well sums it up. The faith of Kansans gives us courage to rebuild—the courage to come through fire. Ashland banker Kendall Kay emotionally said:

Senator, we are going to need help. We really don't want it, but we are going to need it.

I am so proud of the people of my State who have come in with that help before they were even asked. I had been in contact with all of our producer groups in Kansas—the Kansas Livestock Association, the Kansas Farm Bureau—who along with our State agencies had been leading the voluntary relief effort. I commend them for their efforts in collecting hay for cattle, as well as monetary donations, coming in from all parts of the United States, and volunteer coordination for repairs to property and fencing.

With Congressman ROGER MARSHALL of the First Congressional District, and my colleague here and friend in the Senate, JERRY MORAN, we have been in touch with the Department of Agriculture with regard to assistance that should be available to farmers and ranchers in counties that have suffered losses.

Here is what we are trying to fix. This fellow is walking across here to that bluff that overlooks that valley that Spencer and Kylene looked over, and this fellow here is Chad Tenpenny, my top guy in Kansas. That is me with my hands in my pockets. It is pretty rough to see ground like this that was grass and to look at the utter devastation. Folks, when that wind blows and when that dust starts up again, we could be in for even more trouble. So cleanup is under way, but we are trying to get help to cut through the redtape and get a disaster declaration.

I talked to the Governor this afternoon. Primarily, it is the Emergency Conservation Program, the Livestock Indemnity Program, and Environmental Quality Incentives Program, or EQIP, that are the key programs. It won't make people whole by any means, but it will give them hope. So cleanup is under way.

Kansas is a bootstrap State. It is not just about building new fencing. We have families who have lost the farmhouse and all the equipment they need to rebuild. Many livestock producers have had the gruesome task of euthanizing cattle that have been badly burned. We have to remove the carcasses. We have to find land for the survivors to graze. And we have a lot of uncertainty. How long will it take for the grasses to come back? When can we get rain to avoid a dust bowl? It is really too soon to tell. But we have been through disasters before. Almost 1 year ago, we had the Anderson Creek fire, and we have come through tornadoes and ice storms. Recovery from disasters of this magnitude, however, requires us to cut through the redtape. It requires getting the right information to producers so they know how to apply for aid and then to expedite it. Yes, it requires us to look at our programs to see where we can improve them.

Now, this fire has not received much attention in the national media. You

see, we are a flyover State. All we do is produce food and fiber for Kansas and our Nation and for a troubled and hungry world. But I do want to commend members of the press in Kansas, especially photographer Bo Rader of the Wichita Eagle, who took this photo of my State Director Chad Tenpenny and me walking through rangeland outside of Ashland.

The Wichita Eagle has gone out of their way to show the world what this fire looks like to real people. The Hutchinson News, the High Plains Journal, and the Dodge City Daily Globe have all told and are telling this story. The same is true for the TV and the radio crews who have helped get the news of town evacuations safety notices to our people. This is what they do.

Rest assured that, as chairman of the Senate Agriculture Committee, I am committed to the Kansans I serve. They know me. I know them.

I know that Clark County and the other 20 counties will come back. We will ensure they get the help they need. *Ad astra per aspera*—to the stars through difficulty. It is not just a motto; it is who we are.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CORNYN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMERICAN HEALTH CARE ACT

Mr. CORNYN. Madam President, last week our colleagues in the House of Representatives introduced the American Health Care Act—legislation that will deliver on a promise we made to repeal ObamaCare and to replace it with healthcare options that won't force people to buy an insurance product just because the government tells them to do so or penalize them if they don't but will replace it with one that actually fits the needs of their families at a price they can afford.

It is no secret that ObamaCare was oversold back in 2010 when the President said: If you like your policy, you can keep your policy. If you like your doctor, you can keep your doctor. And by the way, an average family of four, he said, would save \$2,500. That has not proven to be true.

ObamaCare, to boot, has wreaked havoc on our economy and on American families just trying to stay healthy. In my State of Texas, it has led to fewer healthcare options, skyrocketing premiums, and deductibles so high that insurance plans are rendered almost useless. By one estimate, about one-third of Texas counties have only one insurance option, and that is the case throughout the Nation. Nearly

one-third of all counties in the country have only one insurance company offering plans on their States' exchanges.

The truth is, ObamaCare has never added up to better coverage at a more affordable price; it has never delivered more options—just the opposite; and it never kept its promises when it was being sold to the American people.

Now is the time for us to do right by the American people by delivering more access to quality healthcare at a price Americans can afford.

The American Health Care Act doesn't just tinker around the edges of ObamaCare; it is a complete do-over.

This bill, for example, repeals ObamaCare's individual mandate, the requirement that you buy government-approved insurance, and if you don't, we are going to fine you. That is repealed.

It repeals the employer mandate. I still remember being in Tyler, TX, and talking to a gentleman who owned a restaurant and who said he had to lay off some of his full-time staff, putting them on part time, just to avoid the penalties that go along with the employer mandate. And by the way, he introduced me to the single mom who now, instead of working one full-time job, had to work two part-time jobs just to keep food on the table for her family.

This bill also repeals the medical device tax. This was an incredible tax on medical innovation which wasn't on income but literally on gross receipts, forcing jobs to move from the United States to places like Costa Rica and Central America.

This bill repeals ObamaCare's Medicare payroll tax increase, the net investment tax increase, the ObamaCare tax on prescription drugs, and the ObamaCare health insurance tax.

This is the full repeal of ObamaCare that we have been promising for years now.

I want to point out that this bill also provides unprecedented entitlement reform. Some of the main cost drivers for the Federal Government are not the 30 percent of Federal funds that we appropriate each year that are largely divided between defense and nondefense spending. Entitlements are driven by the fact that they are not capped or pegged to an inflation rate for Medicare, Social Security, and Medicaid.

This legislation actually begins to put Medicaid—the healthcare plan for the most vulnerable in our country—on a reasonable path to sustainment. This bill also makes sure that the States that share in the cost of Medicaid can manage their own State budgets in a much more responsible way.

This bill is the first real Medicaid reform since the program was created which, perhaps most importantly, gives more authority, more flexibility to the States to manage the dollars they spend, to manage not only the dollars

they come up with through their own tax rolls but the Federal portion as well. And as I said, it puts the Medicaid Program on a path toward fiscal responsibility.

I believe this legislation is critically important across the country and for my State of Texas, too. In Texas, every other year, when the legislature meets and tries to determine how to allocate its budget, they work very hard to try to make sure that Medicaid isn't the single largest expenditure in the State budget. Right now, about a third of that total budget is spent on Medicaid alone, and the Federal Government essentially ties the hands of the State in terms of managing the healthcare delivery system to help those most vulnerable low-income folks in our State.

With this legislation, not only do States like Texas have the ability to manage the expenditure of the money to focus on chronic diseases—people who are using our healthcare system a lot because of the nature of the illnesses they have—but also to help encourage medical homes so that people have ways of managing their healthcare to stay healthy longer and to reduce healthcare expenditures.

This legislation will help Texas and the rest of the country have a way to rein in spending while serving those who need Medicaid the most. You will hear some of our friends across the aisle saying that this is about kicking people off of Medicaid. Well, that is not true. For those people currently on Medicaid, Medicaid expenditures will not change at all as long as they remain on the rolls. That includes those who live in States that expanded the Medicaid coverage from 100 percent of Federal poverty to 138 percent. Those people will stay on Medicaid as long as they are eligible. Under this new legislation, Medicaid is put on a sound fiscal footing so the program is still around for our children and grandchildren.

Another important feature of the American Health Care Act is that it establishes a patient and State stability fund to equip Texas and other States to meet the specific healthcare needs of their patients, particularly those, as I have said, with low incomes and those suffering from chronic illnesses.

It will provide more money to community health centers that do a lot of heavy lifting to make sure that families are healthy and that people get access to the treatment they need regardless of whether they actually have health insurance. In Texas, we have hundreds of community health centers serving more than 1 million Texans each year. Under the American Health Care Act, they will be able to do their job more effectively and keep more Texans healthy.

Responsible entitlement reform is something we should be all about. It serves the American people not just for

tomorrow but for decades down the road. Most importantly, I believe what this legislation does is it finally delivers on the promise we made back during the debate over the Affordable Care Act.

Now that the Affordable Care Act has proven itself to be unsustainable and does not deliver on the basic promises, the fundamental promises upon which it was sold to the American people, I believe it is important that we keep our promise to repeal it and replace it with more choices of affordable healthcare at a price people can afford. It is the conservative answer to healthcare that will empower individuals, provide more options and competition, and responsibly help those who need care have more access to it.

Madam President, I yield the floor.

Mr. LEAHY. Madam President, as the Senate continues to consider nominees to lead Federal agencies, I am concerned that once again there is a nominee before us with a stunning lack of expertise to run an agency that affects so many American lives. Seema Verma is another such nominee.

The Administrator of the Centers for Medicare and Medicaid Services, CMS, has an incredible responsibility to ensure some of America's most important programs run smoothly. For decades, Medicare and Medicaid have offered coverage to some of our Nation's most vulnerable populations. Medicare and Medicaid currently cover more than 100 million Americans—nearly one in three patients. The Administrator is responsible for overseeing more than \$1 trillion in annual spending and a staff of about 4,000 people. This is a position of vital importance where a new Administrator should hit the ground running, instead of learning on the fly.

And learning on the fly is what she will have to do, as evidenced by her testimony before the Finance Committee. When asked to name a specific program she would commit to improving as Administrator, she could not identify even one. She also demonstrated a lack of commitment to protect healthcare for women, saying that coverage for prenatal and maternity care should be optional and paid for separately. Does Ms. Verma really want to return us to a time when women are discriminated against in healthcare solely because of their gender? It appears so. When asked about provider payment systems, she stumbled to answer, showing little knowledge about a system that directly impacts millions of providers across the Nation. Furthermore, the only fact she could name about Medicare Part D, a benefit that supports more than 40 million seniors, was about an online plan finder tool.

Supporters of her nomination point to her involvement and design of Indiana's Medicaid program as her qualification to run CMS. Directed by then-

Governor Mike Pence, Indiana's plan requires even the poorest patients to pay a monthly fee in order to access health insurance. The plan also restricts those who miss a payment to be locked out of care for 6 months. Instead of working to find ways to help Indianans gain insurance coverage, she contributed to a system that bars access to vulnerable patients. Conversely, Vermont also has a Medicaid waiver that, combined with Vermont's All Payer Waiver, has a goal of insuring all Vermonters. Vermont's is the standard that we should all be trying to meet. I am not confident that Ms. Verma is up to the task.

What is more concerning is how Ms. Verma fits into a world where Republicans are engaged in an effort to not only rip apart the Affordable Care Act, but also to end the Medicaid Program as we know it. The current proposals before the House of Representatives would cut hundreds of billions of dollars from Medicaid, leaving States in the lurch and causing millions to go uninsured or to have substandard care. As Republicans continue these efforts, it will be critical for the Administrator of CMS to understand and care about the impacts of such efforts on the millions of Americans who rely on these health protections day to day.

Confirming someone with such a lack of experience to run a trillion-dollar agency would be unfair to the American people. And as a core player in the effort to unravel the Affordable Care Act, she demonstrates values that are counter to the very agency which has been supported and improved by key provisions in the law. I do not believe Seema Verma is qualified or fit to serve as the Administrator of CMS, and I encourage all Members to join me in opposing her nomination.

Mr. VAN HOLLEN. Madam President, the Centers for Medicare and Medicaid Services, or CMS, is a major part of the Department of Health and Human Services. A third of the Nation—more than 100 million Americans—get access to quality healthcare through CMS's programs—Medicare, Medicaid, the Children's Health Insurance Program, and the Affordable Care Act Marketplace. CMS also includes the Center for Medicare and Medicare Innovation and several other activities to improve access and affordability in our Nation's health system for all Americans—regardless of income, gender, or health status.

President Trump, Secretary Price, and congressional Republicans seek to drastically restructure our Nation's healthcare, threatening to leave millions without coverage. In the face of that threat, we need a CMS Administrator who knows how to lead CMS and is willing to do whatever she can to protect Americans' healthcare. After hearing from several organizations that deal directly with CMS and famil-

iarizing myself with President Trump's nominee, I cannot support the nomination of Seema Verma for this important role.

Ms. Verma does not have the experience or appropriate knowledge needed to head this vital agency. Her limited scope of experience with just Medicaid, lack of familiarity with Medicare, and willingness to restructure CMS's rules that protect millions are cause for deep concern.

If confirmed, Ms. Verma would manage 85 percent of the HHS's \$1 trillion budget, which in turn is more than a quarter of the Federal Government's, and Ms. Verma would oversee 4,000 employees. Running CMS requires significant experience with healthcare and is best done by a person who has held significant positions in private industry and government.

But nothing in Ms. Verma's career shows her to have the skills to operate a budget or team of this magnitude. She has never managed a large organization and has little experience with Medicare. Ms. Verma has operated a small, 10-person company, SVC, Inc., and consulted on various State Medicaid programs. Her experience is inadequate for the important role for which President Trump nominated her.

The next CMS Administrator will have an important voice forming healthcare policy. HHS Secretary Price has been on the forefront of efforts to slash Medicaid and turn Medicare into a voucher program. President Trump, Secretary Price, and congressional Republicans have made it a priority to repeal the Affordable Care Act. We need a CMS Administrator who will provide a reality check in the face of these reckless proposals. We need a CMS Administrator who will work to uphold President Trump's promise that "there will be no cuts to Social Security, Medicare, and Medicaid."

Ms. Verma, however, could not make that commitment during her Senate Finance Committee confirmation hearing. To the contrary, during her hearing, Ms. Verma expressed openness to block-granting Medicaid or instilling per-capita caps—putting the coverage of nearly 70 million vulnerable Americans at stake. These policies would end the Federal guarantee of matching funds to States and would dramatically cut Federal funding to States. Analyzing a 2012 congressional Republican block grant proposal, the nonpartisan Congressional Budget Office found that, for States to manage their Medicaid programs at reduced funding levels, they would have to limit Medicaid eligibility, reduce benefits, cut payment rates, or increase out-of-pocket costs for beneficiaries. These proposals would result in the denial of healthcare and long-term care to millions of vulnerable Americans.

We need a leader at CMS who will defend the historic gains of the Afford-

able Care Act. The Affordable Care Act set standards for consumer protection and significantly expanded coverage. Repeal could cause 22 million Americans—and 400,000 Marylanders—to lose quality, affordable health coverage. Repeal would imperil new access to life saving substance-use-disorder and mental health treatment. Repeal would endanger coverage for children who now have access to comprehensive health services. Repeal could significantly raise premiums and erode consumer protections for Americans who have coverage outside of the Marketplace.

Under the Affordable Care Act, insurance plans must provide maternity care as an essential health benefit. But during her nomination hearing, Mrs. Verma said that, while some women want maternity coverage, "some women might not choose that," signaling her view that the law should not require insurance companies to provide this critical coverage. This is unacceptable. Ms. Verma's position would put the health of mothers and families at risk and drive up costs for plans that did provide the coverage. We will not turn back the clock to when maternity coverage was optional. We need an Administrator who will stand with mothers and families on this issue.

Because of Ms. Verma's lack of adequate healthcare experience and her willingness to consider rash policies that are far out of the mainstream, I do not believe that she is equipped to appropriately advise the President and Secretary on these policies that affect millions of Americans. I will not support her nomination to head CMS.

The PRESIDING OFFICER. The Senator from Arkansas.

TRIBUNE TO DR. JIM ROLLINS

Mr. BOOZMAN. Madam President, I rise today to honor Dr. Jim Rollins, an Arkansan who has dedicated his life to public education. Dr. Rollins is the superintendent of the Springdale, AR, public schools, where he has served since 1980.

Dr. Rollins started his career in the classroom as a science teacher in North Little Rock. Since that time, he has consistently sought to provide students with a quality education. The work he has done leading Springdale's public schools speaks for itself.

Dr. Rollins' motto when it comes to education is "Teach them all." This worthy goal has been especially important in Springdale, where enrollment has grown from 5,000 students when Dr. Rollins arrived in 1980 to nearly 23,000 students today. Many of these students are part of immigrant families where English is not their first language. More than 55 percent of the district's students are not proficient in English, and around 75 percent qualify for free and reduced lunches. As you might imagine, this has presented unique challenges to educators in Springdale.

In order to meet these challenges and ensure that the school system is doing

everything it can to provide these students with a great education, Dr. Rollins has introduced innovative programs that cater to immigrant families, including the unique Marshallese population in Springdale.

As superintendent, Dr. Rollins has fostered an atmosphere where families feel welcome and understood so that parents, students, teachers, and administrators are working together to create a supportive environment that leads to growth in the classroom. In the spirit of engaging the entire family in the education of every child, Dr. Rollins has helped lead an effort in Springdale's schools to promote English as a second language instruction for students and parents.

This year, Dr. Rollins is once again being recognized for his outstanding efforts in the achievements Springdale public schools have enjoyed under his leadership. Dr. Rollins is being recognized as one of Education Week's 2017 Leaders to Learn From, which highlights forward-thinking district leaders who are working to enact and inspire change in our Nation's public schools. Dr. Rollins is certainly very deserving of this honor. You only need to look at the work he has done over several decades to understand that he has dedicated his professional life to improving public education outcomes for every child in the Springdale education district. The teachers and parents in his district have also had wonderful things to say about Dr. Rollins and his leadership in their community. I am so pleased that his trailblazing work in Springdale public schools is being noticed by national education organizations.

Dr. Rollins has made Arkansas very proud, and we are so grateful for his leadership and commitment to educating children no matter where they come from or their station in life. I am honored to know Dr. Rollins, appreciate his friendship, and look forward to his continued stewardship of the public school system in Springdale and the positive influence he has on education throughout Arkansas.

Congratulations, Dr. Rollins, on a job well done.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. WYDEN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WYDEN. Madam President, the hard numbers are now in on TrumpCare, and there is no sugarcoating them for the American people, as 24 million Americans get kicked off their insurance plans, as \$880 billion is slashed from Medicaid in the first decade, and as a payday worth hundreds of

billions of dollars goes out to the wealthiest and the special interests. That is what is going to be dropped on Ms. Verma's plate if she is confirmed and if the bill passes. It is her nomination that is up for debate right now, and we should make no mistake that she is going to be in charge of the specifics.

If TrumpCare passes, under section 132, the new Administrator would be able to give States a green light to push sick patients into high-risk pools when the historical record shows that these high-risk pools are a failure when it comes to offering good coverage that is affordable.

The new Administrator would be in charge of section 134 and could decide exactly how skimpy TrumpCare plans would be and how many more Americans would be forced to pay out-of-pocket for the care they need.

The new Administrator would handle section 135, which paves the way for health insurers to make coverage more expensive for those who are approaching retirement age. That is just the start.

The fact is that TrumpCare is about enormous tax breaks for the fortunate few, financed by raiding Medicare, gutting Medicaid, and hurting older people and the sick and those who are of modest income. Ms. Verma would have the job of implementing all of this at the Centers for Medicare and Medicaid Services.

My view is that the Senate cannot debate this nomination without debating the matter of the TrumpCare program itself because it will be a very huge part of the job. Today, I am going to walk through some of the specifics with regard to TrumpCare, beginning with the scheme that I call "Robin Hood in reverse."

If you look at the funds, it is clear that this is an eye-popping transfer of wealth away from older people, from women and kids—from the most vulnerable—directly into the wallets of the fortunate few. No part of the TrumpCare bill shows this more clearly than the fact that it steals from the Medicare trust fund to pay for a tax cut that goes only to the most fortunate—only to those who make a quarter million dollars or more per year.

Everybody in America who brings home a paycheck has a little bit taken out each and every time for Medicare. It is right there on the pay stub. It is automatic. Under TrumpCare, the only people who are going to see a Medicare tax cut are the people who need it the least. I want to repeat that. Everybody in America, when one gets a paycheck, sees a Medicare tax, and everybody pays it, and we understand why it is so important. There are going to be 10,000 people turning 65 every day for years and years to come. The only people who are going to get that Medicare tax cut are the people who need it the

least, and that tax cut that is going to go to the fortunate few will take 3 years off of the life of the Medicare Program, depleting the program in 2025 instead of in 2028.

That particular cut breaks a clear Trump promise not to harm Medicare. All through the campaign, then-Candidate Trump was very, very firm in his saying that he would do no harm to Medicare.

He said:

You can't get rid of Medicare. Medicare's a program that works . . . I'm going to fix it and make it better, but I'm not going to cut it.

The promise not to cut Medicare lasted about 6½ weeks into the Trump administration before it was broken. The bottom line is that TrumpCare raids Medicare. It raids Medicare and causes harm to Medicare in violation of an explicit Trump promise during the campaign, and it brings Medicare 3 years closer to a crisis to pay for a tax cut for the wealthiest in America.

So you have this enormous, eye-popping transfer of wealth from working people, seniors, and people of modest means to the most fortunate. Yet, somehow, people have the chutzpah to say it is a healthcare bill? I do not think so. It is a huge, huge tax windfall for the fortunate.

There is also the tax break on investment income. Once again, this is a break that is going to only go to the most fortunate among us, and, with the investment tax break, the overwhelming majority of the benefit—nearly two-thirds of it—will go to the top one-tenth of one percent of earners in America. That looks like an awful lot of money that is going to be going to the fortunate few, but we are not even done there.

On top of all of this, there is yet another juicy tax—this time for health insurance executives' salaries. It is another juicy tax cut for executives who are making over \$500,000 per year.

It is not just Medicare that is getting raided under this proposal. Some of those who are hit the hardest by TrumpCare are those who are approaching retirement age. If you are an older American and are of modest income—55 or 60—and you have to get insurance in the private market, TrumpCare is going to cause your prices to go through the stratosphere. In parts of my home State, especially in rural areas, a 60-year-old who brings home \$30,000 a year could see his insurance costs go up by \$8,000 or more.

Much of this is due to what we call an age tax. It is a key part of TrumpCare. It is another key part of what Ms. Verma will be in charge of implementing. The bill would give health insurance companies the green light to charge older people five times as much as they charge younger people. If you are a person of modest means, are a few years away from

qualifying for Medicare, and your insurance premiums jump by \$8,000, that means you are just out of luck. You are going to be locked out of the system. You are, basically, going to have to hope that you just do not get sick before you are eligible for Medicare.

Those tax credits that you hear so much about from TrumpCare advocates are not going to be of much consolation to you. That is because TrumpCare puts a hard cap on your tax credit as an older person—just \$4,000—and the odds are good that it would not come close to covering the expense of a decent insurance plan.

Now, I am going to turn to Medicaid because TrumpCare does not just make little changes around the margins. It does not strengthen or preserve this program that covers 74 million Americans. TrumpCare hits Medicaid like a wrecking ball, and it has particular implications for seniors. I am going to walk through those.

The Medicaid nursing home benefit is very much at risk now because of the TrumpCare cuts as it relates to Medicaid. Medicaid picks up the bill for two out of three nursing home patients. These are the people who have worked a lifetime, raised kids, put them through school, and scrimped and saved all they could. These are the people who, in Kansas and in Oregon and across the country, never went on the special vacation, who never bought a boat. All they did was to try to scrimp and save and educate their kids. The fact is that growing old in America is pricey, and after a few years of balancing the rent bill against the food bill and the food bill against the medical costs, what happens is that a lot of seniors just exhaust their savings.

When I was director of the Oregon Gray Panthers, what I saw in my State—and it is duplicated everywhere—was older people walking every single week on an economic tightrope. They were balancing the food bills against the medical bills and the medical bills against the rent bills, and they just couldn't keep up. They burn through all of their funds and they burn through their modest savings, so when it is time to pay for nursing home care, they have to turn to Medicaid.

Today in America, the Medicaid nursing home benefit is a guarantee that those vulnerable older people—the people who are walking on that economic tightrope—are going to be taken care of. TrumpCare breaks the Medicaid nursing home guarantee, and it goes even further than that. A lot of States—mine is one—worked hard to give more care choices to seniors as well as those with disabilities. Maybe instead of living in a nursing home or an institution, they would rather be in the community. Maybe they would rather live at home where they are most comfortable. TrumpCare could

mean that those home- and community-based choices could disappear as well.

So what we are talking about is that with these cuts in Medicaid, at a time when, in Kansas and in Oregon and across the country—what we have tried to build for older people is a continuum of services. There would be help at home. There would be help in terms of long-term care facilities. There would be a wide array of choices. And because of Medicaid, there was enough money to fund these choices, to fund this continuum of care for vulnerable older people. Now, as a result of the Medicaid cutbacks, my concern is that there is not going to be enough money for any of these choices—not going to be enough money for the nursing home benefit, not going to be enough money for home- and community-based services. Suffice it to say that my own home State has indicated to me that they are very concerned about the cutback in home- and community-based services.

Nobody wants to see older people get nickled and dimed for the basics in home care they rely on and good nursing home benefits. Yet, when it comes to Medicaid, TrumpCare would effectively end the program as it exists today, shredding the healthcare safety net for older people and millions of others in our country.

It puts an expiration date on the Medicaid coverage that millions of Americans got through the Affordable Care Act. For many, it was the first time they had health insurance. It brought an end to an era where those individuals could turn only to emergency rooms for care. And now TrumpCare is going to cap the Medicaid budget and just squeeze it and squeeze it and squeeze it some more until vulnerable people will not be able to get care.

The program is particularly important for seniors and the disabled, and I want to make sure that people understand what it means for children as well, for those in the dawn of life as well as those in the twilight of life.

Medicaid pays for half of all births, and kids make up half of Medicaid's enrollees. It is important to remember that in many cases, these are kids who already have the odds stacked against them. They are from low-income families. They are foster kids. They are kids with disabilities. We know they are already facing an uphill climb. Medicaid, though, has been there now with the Affordable Care Act to make sure they could see family practitioners and even pediatric specialists. That was just unheard of for these youngsters before the Affordable Care Act. And when a kid needs emergency care, Medicaid is what makes it affordable. TrumpCare puts that in danger.

I have talked about what it means for older people and what it means for

the disabled and what it means for kids, and I am just going to keep on going because now that we have the hard numbers in—the hard numbers have arrived here in real time from the budget office that is charged with giving us this analysis—it is important to talk about what it means, because budgets are not just facts and figures and cold sheets of paper; they are about people's hopes and aspirations. And the hopes and aspirations that I have had since those days when I was director of the Oregon Gray Panthers were to make sure that people had affordable, quality, decent healthcare choices because in America, if you don't have your health, you really are missing much of what makes life so special in our country.

The bill also takes an enormous toll in other areas, and I want to mention next opioid abuse. By slashing Medicaid, TrumpCare is going to make America's epidemic of prescription drug abuse-related deaths even worse.

The papers this morning had accounts about how families were losing most of their children to opioid addiction—most of their children lost to opioid addiction—on the front pages of the papers. Medicaid is a key source of coverage for mental health and substance abuse disorder treatment, particularly after the Affordable Care Act, but this bill takes away the coverage for millions who need it.

Republican State lawmakers, to their credit, have spoken out about this issue. Frankly, it just ought to be a head-scratcher for anybody who remembers the last Presidential race when, in the primary race, a parade of candidates rolled through State after State that had been hit hard by the opioid crisis, and all of those candidates were trying to outpromise the one who had spoken previously in terms of how they would help solve the opioid crisis. Then-Candidate Trump was one of the most outspoken on saying that he would fix the opioid crisis. He said he was the guy who could end the scourge of drug addiction and get Americans the help they need. Instead, what we have is TrumpCare, which makes the opioid crisis worse, and there is no getting around it.

TrumpCare puts States in the unimaginable position of having to decide whose Medicaid to slash. Are they going to tell seniors that the nursing home benefit is no longer a guarantee and they are going to have to get in a long waiting line for an opportunity to get a place in the local nursing home? Should they tell pregnant women that births are no longer covered? What about telling mothers and fathers that their kids are cut off and they will have to hope for the best or make their way back to the emergency room?

I also want to touch on a final point that really deserves some discussion and hasn't gotten much, and the finance staff has been looking at it; that

is, how TrumpCare really creates a disincentive to work, because I think TrumpCare and Ms. Verma's role implementing it are going to have a substantial effect on American workers and entrepreneurs.

It is my view that TrumpCare creates a substantial, significant disincentive to work. Today, if you are on Medicaid, you are able to pick up a few extra hours at work or go out and accept a higher paying job without the fear that you will lose access to care. That is because under the Affordable Care Act, low-income Americans get the most help when it comes to paying insurance premiums. A lot of persons can get health insurance for less than \$100 a month.

Let's compare that with the TrumpCare approach. Under the TrumpCare plan, those who are walking an economic tightrope, bringing home barely more than the minimum wage, don't get the most help. They don't get the most help, and they could see their insurance costs go up by thousands and thousands of dollars each year, which would effectively mean they would be locked out of the healthcare system. So for millions of persons, staying on Medicaid would suddenly look a lot more attractive. Making a little more money and losing your Medicaid coverage could mean losing your access to high-quality healthcare altogether. So my view is nobody has been able to counter this. TrumpCare, in effect, would keep Americans trapped in poverty.

Entrepreneurs and Americans who want to go back to school to pursue a degree would face the same dilemma. Somebody who wants to quit their job and pursue their dream of starting their own business ought to be able to do it without a fear that they won't be able to any longer afford healthcare. The same goes for those who want to go back to school full time to pursue a degree or certification. TrumpCare makes insurance unaffordable for those persons.

TrumpCare is going to be the big issue on Ms. Verma's plate if she is confirmed this afternoon in the Senate to administer this office. We all understand that this bill has been taking a pounding from all sides. Moderate Republicans and those who consider themselves conservative Republicans are against it. Governors from both parties are against it. Democrats are united. The AARP, the American Hospital Association, the American Medical Association, and the American Nurses Association have all come out against the bill—not any surprise to me. I don't think these groups think that healthcare and healthcare legislation is primarily about ladling out big tax breaks for the fortunate few, but that is what this so-called healthcare bill does. And it is financed by raiding Medicare, by gutting Medicaid, and by

hurting older and sicker and lower income Americans.

There has been a lot of happy talk about why we ought to support this bill, but what I have tried to do this afternoon is lay out the broken promises. This weekend, for example, the new Secretary of Health and Human Services said: "I firmly believe that nobody will be worse off financially in the process that we're going through, understanding that they'll have choices, that they can select the kind of coverage they want for themselves and for their family." That statement from the Secretary of Health and Human Services is disconnected from the facts. The simple math shows that TrumpCare forces millions of people—particularly older people and less affluent people—to pay thousands of dollars more for their health insurance.

The OMB Director, Mick Mulvaney, was pressed on why TrumpCare breaks the President's promise of "insurance for everybody." His response was that TrumpCare is about access, and the bill "helps people get healthcare instead of just coverage." But we all understand that access doesn't mean a lot if people can't afford to get coverage. That is the future that TrumpCare is going to bring for millions of Americans.

I asked Ms. Verma the most basic questions during her confirmation hearing so we could get even a little bit of an insight into how she would approach these issues. I asked for one example—these are not "gotcha" questions; these are the questions you ask if you want to know about running a program involving \$1 trillion. I asked Ms. Verma for one example of what to do to bring down the cost of prescription medicine. I gave her three or four to choose from. I particularly would like to see more transparency by lifting this cloud of darkness surrounding how medicines are priced. She didn't have any answers to any of these questions.

So here is where this nomination stands. Ms. Verma gave the Finance Committee and the public virtually nothing to go by in terms of how she would approach this job, but the fact is that, if confirmed, she would be one of the top officials to implement TrumpCare—a bill that raids Medicare, slashes Medicaid, and kicks millions of Americans off their health plan to pay for a tax cut for the wealthy.

I am unable to support this nomination, and I urge my colleagues to oppose it.

Mr. President, over the past decade, the Trump administration's nominee to be CMS Administrator, Seema Verma, has demonstrated a conflicting pattern of working directly for the State of Indiana on its health programs while also contracting with a handful of companies that provided hundreds of millions of dollars in services and products to the very same programs she was helping the state manage.

Those companies are Hewlett Packard, Health Management Associates, Milliman, Inc., Maximus, and Roche Diagnostics. All were vendors to the State's Healthy Indiana Program agencies, while Ms. Verma helped design and direct that Program—first for Governor Daniels and then for Governor Pence. As she describes her role on her company's website, "Ms. Verma is the architect the Healthy Indiana Plan (HIP), the Nation's first consumer directed Medicaid program under Governor Mitch Daniels of Indiana and Governor Pence's HIP 2.0 waiver proposal. Ms. Verma has supported Indiana through development of the historic program since its inception in 2007, from development of the enabling legislation, negotiating the financing plan with the state's hospital association, developing the federal waiver, supporting federal negotiations and leading the implementation of the program, including the operational design."

Ms. Verma collected more than \$6 million from Indiana taxpayers while overseeing the State's Medicaid reform and ACA implementation. At the same time, while under contract with the State as a consultant, Ms. Verma also collected more than \$1.6 million from Milliman Actuaries, more than \$1 million from Hewlett Packard, \$300,000 from Health Management Associates, and tens of thousands of dollars from Roche Diagnostics and Maximus. All while these companies held important contracts with the State.

In addition to being on "both sides of the table," in at least two cases involving her contracts with Hewlett Packard and Health Management Associates—her duties for the State of Indiana overlapped directly with the tasks those firms were also billing the state to complete.

While there are questions about Ms. Verma's work for the several companies above, I want to focus for the moment on what I believe to be the clearest conflict: her work on behalf of Hewlett Packard.

Hewlett Packard Conflicts. In 2014, the Indianapolis Star newspaper reported:

"Verma's work has included the design of the Healthy Indiana Plan, a consumer-driven insurance program for low-income Hoosiers now being touted nationally as an alternative to Obamacare. In all, Verma and her small consulting firm, SVC Inc., have received more than \$3.5 million in state contracts. At the same time, Verma has worked for one of the state's largest Medicaid vendors—a division of Silicon Valley tech giant Hewlett-Packard. That company agreed to pay Verma more than \$1 million and has landed more than \$500 million in state contracts during her tenure as Indiana's go-to health-care consultant."

While this in and of itself is deeply concerning, Indiana state contract records show that Ms. Verma was instrumental in helping the state determine this contract was even necessary in the first place.

Let me say that again: Ms. Verma, in her role of advising Indiana, helped the state determine there was a need for the services of a vendor like Hewlett Packard. She then joined the company on a bid to provide those services, received a contract, and was ultimately paid more than \$1 million. Hewlett Packard bought the company that originally contracted with the state, Electronic Data Systems in 2008. That company, in a January 2008 press release characterized the Indiana contract in this way:

“The EDS solution will provide Indiana with enhanced transparency as it implements Gov. Mitch Daniels’ package of Medicaid reforms such as the Healthy Indiana Plan . . . ‘At the conclusion of the procurement process, it was evident that EDS was able to bring great value and experience to the taxpayers of Indiana,’ said Mitch Roob, Family and Social Services Administration Secretary. ‘The technology and insight that EDS has to offer will be a tremendous asset as we continue to make great strides in new, innovative programs, such as the Healthy Indiana Plan.’”

Ms. Verma helped Indiana outline Medicaid reform policy goals as State contractor before joining a vendor in its bid to fulfill those duties—and then remained a paid participant on both sides. Furthermore, it appears that Ms. Verma was billing Hewlett Packard and Indiana, in some cases, for the same work she was already performing under her own contracts with the State. In written responses for the record to the Finance Committee, Ms. Verma provided a 2013 presentation from Hewlett Packard and herself to Indiana health program executives.

The presentation identified several functions that Ms. Verma would provide to the State through the Hewlett Packard contract. Many of those duties are exceptionally similar to duties the State had already contracted with her directly to provide in 2012 and 2013.

For example, that 2013 presentation outlined specific duties HP was paying her to perform that included: monitoring the Federal regulatory environment, providing Medicaid policy expertise, and supporting Indiana’s State Plan Amendment waivers and process. These were things Verma was already under contract to provide the state directly.

On February 21, 2012, Verma’s firm was contracted by the State to review Federal regulations that would impact Indiana’s Healthy Indiana Plan.

On May 13, 2013, she was contracted to provide the State with advice on the impact of new ACA regulations related to Medicaid.

To me, that sounds a lot like monitoring the federal regulatory environment in the HP presentation.

Under the February 21, 2012 contract, Verma’s firm was contracted by the State to provide general policy expertise to the Healthy Indiana Program—also known as Indiana’s Medicaid program.

To me, that sounds a lot like providing Medicaid policy expertise in the HP presentation.

Under this same February 21, 2012 contract, Verma’s firm was contracted by the State to develop State Plan Amendments and waivers—these are the agreement between the State and Federal Governments that ensures the State adheres to Federal rules for Medicaid and CHIP.

To me, that sounds a lot like supporting Indiana’s State Plan Amendment waivers and process in the HP presentation.

Ms. Verma has not addressed how being paid twice for what appears to be largely similar work was ethical. She has, however, consistently denied that any conflicts of interest existed while she worked both sides of these deals in Indiana. During her confirmation hearing before the Senate Finance Committee on February 16, 2017, Ms. Verma claimed she had her staff recused themselves when potential conflicts arose:

“When there was the potential or when we were working on programs, we would recuse ourselves. So we were never in a position where we were negotiating on behalf of HP or any other contractor with the state that we had a relationship with.”

That all sounds well and good but that claim has been disputed by the former head of Indiana’s Family and Social Services Agency. As first reported in 2014 by the Indianapolis Star,

“Verma’s arrangement with HP also came as a surprise to former FSSA Secretary Debra Minott, who said she learned about it sometime in 2013. ‘We had delayed paying an HP invoice because of an issue we were trying to resolve, and HP sent Seema to our CFO to resolve the issue on their behalf,’ Minott said. ‘I was troubled because I thought Seema was our consultant.’”

Ms. Minott made this allegation again just last month in a February 14, 2017 story by the Associated Press about Ms. Verma’s conflicts,

“There was at least one instance where Verma crossed the line in Indiana when she was dispatched by HP to help smooth over a billing dispute, said Minott. ‘It was never clear to me until that moment that she, in essence, was representing both the agency and one of our very key contractors,’ said Minott, who was removed as head of the agency by Pence over her disagreements with Verma. ‘It was just shocking to me that she could play both sides.’”

Additionally, in response to questions for the record that I submitted to Ms. Verma, she said that her firm worked directly with HP for the state, and that representatives from SVC participated in meetings between the state and HP,

“SVC worked with the State of Indiana and its vendors, including HP, to design systems for implementation of the Healthy Indiana Plan. We helped vendors translate the policy and waiver language into system operations. We did not oversee HP or any other vendor in this regard, and did not negotiate or participate in change orders or contract

amendments. To the best of my recollection, State officials participated in all meetings with HP regarding the Healthy Indiana Plan work at which SVC representatives were also present.”

That sounds to me like Ms. Verma and her team were in meetings with both HP and the State discussing issues where her duties clearly overlapped and when she was being paid by both parties. In fact it sounds like the only safeguard in place was that State officials sat in on these meetings between her firm and HP.

Finally, with regard to her claim that she always recused herself, I specifically asked her to provide for the record any documentation that she had of the process for determining when she needed to recuse herself and documentation of the recusals actually taking place. She replied that there were none.

Consequently, it’s hard to believe Ms. Verma was truly able to avoid very real conflicts of interest while she and/or her firm were guiding HP’s work on behalf of the State and sitting in on meetings with both the state and HP while being paid by both.

In the case of Health Management Associates, Verma also had contracts with the state that covered the exact same work HMA was separately being paid by Indiana to fulfill and while she was also being paid by HMA. For example, in 2007, the State awarded Verma’s firm a non-competitive contract to develop the Request for Proposal for a company to implement the Governor’s Healthy Indiana Program. On the same day, Indiana gave HMA its own non-competitive contract to develop the very same proposal. This occurred while HMA was also paying Verma’s firm on a separate but related contract. Again, as in the case of HP, she was helping the State manage key programs while being paid by contractors performing work for those programs. In this case, what she was doing for the State was essentially the same thing that the contractor was being paid to do—develop a Request for Proposal to implement the Healthy Indiana Plan.

Ms. Verma claims there was no conflict because she did not directly oversee these two contractors—HP and HMA—in her role with State. She also points to the fact that in 2012 she received an opinion from the Indiana Ethics Commission that stated her work for HP was not in violation of state conflict of interest laws because she was a consultant, not a State employee.

I do not believe that her work for the State and her work for these contractors was a true arms-length relationship. As the Associated Press recently highlighted, Ms. Verma maintained an office in the State government center and that the AP characterized her work as “usually reserved for state administrators.” The existence of this

opinion, in my view, does not absolve Ms. Verma from what look to be very clear and obvious conflicts of interest.

I am not alone in this opinion, as President George W. Bush's ethics lawyer Richard Painter—hardly a liberal partisan—said Ms. Verma's consulting arrangement in Indiana, “clearly should not happen and is definitely improper.” Ms. Verma helped the State decide it needed a vendor like HP, and then went to work for HP on the resulting contract. She was also under contract with yet a third company—Health Management Associates—which was being paid to develop the Request for Proposal for the same contract. That certainly seems like a conflict of interest to me.

When I asked her in writing whether she had obtained similar ethics opinions with regard to her work for any of the other state contractors who had hired her—Milliman, Roche Diagnostics, Maximus, or Health Management Associates, she said she hadn't.

All of these companies continue to do business with the State of Indiana and with other State and Federal health programs that will be under Ms. Verma's purview at CMS. Maximus, for example, is the largest provider of enrollment services for these programs in the U.S.

Just because Indiana chose to play fast and loose with conflicts of interest doesn't mean that these practices were right.

I have no confidence that Ms. Verma will take her responsibilities to avoid such conflicts at CMS any more seriously than she did in Indiana.

Mr. President, I ask unanimous consent to have the following documents printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[from INDYSTAR, Nov. 29, 2016]

SEEMA VERMA, POWERFUL STATE HEALTH-CARE CONSULTANT, SERVES TWO BOSSES

(By Tony Cook)

President-elect Donald Trump has tapped Seema Verma, a consultant who helped craft the state's Healthy Indiana Plan, to serve as head of the Centers for Medicare and Medicaid Services. Verma worked closely to shape the health care policy of both former Gov. Mitch Daniels and Gov. Mike Pence.

The health policy consulting company she heads, SVC Inc., also has provided its services to Iowa, Ohio, Kentucky, Tennessee and Michigan. A 2016 recipient of the Sagamore of the Wabash award, Verma also served as vice president of planning for the Health and Hospital Corporation of Marion County. She also holds a master's of public health from Johns Hopkins University.

Meet the architect of Gov. Mike Pence's signature health-care plan, Seema Verma.

For more than a decade, the little-known private consultant has quietly shaped much of Indiana's public health-care policy. The state has paid her millions of dollars for her work—amid a potential conflict of interest that ethics experts say should concern taxpayers.

Largely invisible to the public, Verma's work has included the design of the Healthy Indiana Plan, a consumer-driven insurance program for low-income Hoosiers now being touted nationally as an alternative to Obamacare. In all, Verma and her small consulting firm, SVC Inc., have received more than \$3.5 million in state contracts.

At the same time, Verma has worked for one of the state's largest Medicaid vendors—a division of Silicon Valley tech giant Hewlett-Packard. That company agreed to pay Verma more than \$1 million and has landed more than \$500 million in state contracts during her tenure as Indiana's go-to health-care consultant, according to documents obtained by The Indianapolis Star.

Verma's dual roles raise an important question: Who is she working for when she advises the state on how to spend billions of dollars in Medicaid funds—Hoosier taxpayers or one of the state's largest contractors?

In a written statement, Verma said unequivocally that she played no role in HP's contracts with the state. “SVC has disclosed to both HP and the state the relationship with the other to be transparent,” Verma said. “If any issue between HP and the state presented a conflict between the two, I recused myself from the process.”

But the recently ousted head of the state agency administering Verma's contract told The Star that Verma once attempted to negotiate with state officials on behalf of Hewlett-Packard, while also being paid by the state.

HP said it can find no one in its company with any recollection of such a meeting. Verma declined to answer further questions about her work with the state or HP.

Verma's dual roles have surprised some leading Republican lawmakers and expose one of many loopholes in Indiana's government ethics laws.

Ethics experts consulted by The Star called the arrangement a conflict of interest that potentially puts Indiana taxpayers at risk. If Verma were working for the federal government, they point out, she would have to show how the government was protected, or step aside.

“If I were a taxpayer in Indiana, I would be concerned about whether the advice the government was receiving from her was tainted by her own financial interest and the financial interest of her other clients,” said Kathleen Clark, a professor at Washington University School of Law in St. Louis who specializes in government ethics.

But in Indiana, government consultants aren't required to disclose such potential conflicts, even when they have offices in state government, as Verma does.

So the nature of Verma's work—and the extent to which it benefited HP—remains unclear.

HP referred any other questions on the matter to the state. Verma's spokesman, Lou Gerig, noted in a statement that “all contracts between the state and SVC Inc., or between the state and SVC Inc. as a subcontractor, have been reviewed and approved in accordance with all requirements of state law.”

Pence's office issued a written statement in response to The Star's questions.

“Seema has played a valuable role in the state's health-care policy since the O'Bannon administration, and we appreciate her advice and counsel, especially on the continuation of the Healthy Indiana Plan and HIP 2.0,” said Christy Denault, a spokeswoman for Pence.

State officials didn't directly address questions about Verma's work for HP. But James

Gavin, spokesman for the Indiana Family and Social Services Administration, said the state does take steps to prevent conflicts in the bidding process.

He said the state's procurement guidelines “clearly require that all decision-making authority lie with state employees and agency executives. These guidelines are designed to eliminate conflicts of interest.”

POWERFUL CONTRACTOR

Verma enjoys a tremendous amount of sway for a private contractor. She has her own office at the state government center. Earlier this year, Pence turned to her to broker a deal with the state's hospital industry to help finance his plan to expand the Healthy Indiana Plan. And when Verma and one of Pence's Cabinet members—Family and Social Services Administration Secretary Debra Minott—butted heads over how soon to roll out the program, it was Minott who lost her job.

Verma's influence reaches back at least a decade and across the administrations of four governors, two from each party. During his first term, Gov. Mitch Daniels tapped Verma to help create a new health-care plan to address the state's uninsured population. Her solution: the Healthy Indiana Plan, a new low-income health insurance program that features high deductibles and requires participants to contribute a portion of their income to a health savings account.

“This structure melds two themes of American society that typically collide in our health-care system, rugged individualism and the Judeo-Christian ethic,” Verma wrote in a 2008 Health Affairs blog article co-authored with former FSSA Secretary Mitch Roob. “HIP combines these diametrically opposed themes by promoting personal responsibility while providing subsidized health protection to those who can least afford it.”

The plan won the support of both Republicans and Democrats in the Indiana legislature and was implemented in January 2008. Today, 52,000 Hoosiers are enrolled in the program.

Now, Pence wants to expand the plan to an additional 350,000 low-income Hoosiers through what he's calling HIP 2.0. And like Daniels, he turned to Verma for help in developing the plan and negotiating a financing agreement with the state's hospital industry. If approved by the federal government, billions of new Medicaid funds would flow to the state.

And because HIP 2.0 would generate significantly more claims, some of that money would likely go to Hewlett-Packard, Verma's other client.

The extent to which Verma's advice has benefited HP is difficult to determine, given that none of the parties involved will talk much about the subject. Further obscuring the issue: Several of her most recent contracts weren't publicly available on the state's online transparency portal until The Star began making inquiries. Denault said that was because “some of them were mistakenly coded as not for publication.” The contracts have since been added to the online list.

What they show is that her duties involve crafting requirements for contractors, negotiating with contractors and supervising vendors. Her company's website also says she provided “requirements for the state's three technology vendors to support HIP.” That would include Hewlett-Packard. One contract gives her the authority to “initiate and/or track” a contract or contract amendments with the state's fiscal intermediary,

which is HP. Another puts her in charge of technical changes to the state's medical management information system, which is operated by HP.

Those responsibilities put Verma in the position of making decisions about a state contractor that is also paying her hundreds of thousands of dollars. HP's claims management and information system contracts show it has agreed since 2007 to pay Verma's company \$1.2 million as a subcontractor for "health consulting services."

During that time, HP received more than \$500 million in state contracts, including millions of dollars in contract changes to accommodate the Healthy Indiana Plan that Verma helped create and other new programs.

"Certainly on the face of it, there is the appearance of a conflict," said Trevor Brown, an expert on government purchasing and director of Ohio State University's John Glenn School of Public Affairs.

If Verma was a federal contractor, her dual roles "would certainly raise tremendous concern for regulators and purchasing officials," he said. "This is exactly the kind of thing that would land an agency in a hearing before a legislative oversight committee."

Lawmakers in Indiana, however, were unaware of Verma's work for HP.

"I was only aware she was working for the state," said Sen. Patricia Miller, R-Indianapolis, chairwoman of the Senate Health Committee.

"There certainly appears to be the potential for conflict, and appearances matter," said Ed Clere, R-New Albany, chairman of the House Health Committee.

Verma's arrangement with HP also came as a surprise to former FSSA Secretary Debra Minott, who said she learned about it sometime in 2013.

"We had delayed paying an HP invoice because of an issue we were trying to resolve, and HP sent Seema to our CFO to resolve the issue on their behalf," Minott said. "I was troubled because I thought Seema was our consultant."

HP spokesman Bill Ritz said the company "checked with a number of its employees and can find no one with any recollection of such a meeting."

Gerig, Verma's spokesman, said Verma's work for HP was a matter of public record because she is listed as a subcontractor in HP's contracts with the state.

A LACK OF RULES

Ethics experts say that kind of scenario would be unlikely at the federal level, where government purchasing officers are required to identify and avoid "organizational conflicts of interest," which occur when a person is unable or potentially unable to render impartial assistance or advice to the government because of other business relationships.

Many states, including Maryland, Virginia, Minnesota and Illinois, have adopted similar rules at the state level, according to Dan Forman, a Washington, D.C.-based government procurement attorney. Other states, such as Tennessee and Washington, have implemented rules at the agency level. Still others, such as California and Maine, have introduced rules via standard state contract provisions.

But in Indiana, that's not the case.

Minott said when she brought her concerns to FSSA's ethics officer, she was told Indiana's ethics rules didn't apply to conflicts of interests among state contractors.

The lack of any such rule is just the latest in a litany of loopholes that good government advocates say Indiana needs to address.

In recent months, The Star has reported on several high-profile cases—including those of state Rep. Eric Turner, former highway official Troy Woodruff and former state schools chief Tony Bennett—where ethics officials criticized the behavior of public officials but took little or no action due to exemptions in state ethics rules.

The issues raised in Verma's case are not unique to Indiana, said Brown, the Ohio State professor. State governments across the country are increasingly grappling with potential conflicts of interest as more private contractors perform what has traditionally been government work.

"Historically, the practice was these decisions would be made by the leadership of the agency, and in many states they are," he said. "But Indiana is not alone in having to rely on advice and services of a private actor to perform what is at the boundary of, if not a clear instance of, a government function."

State reliance on private contractors is especially common in the health-care arena, where rapid changes in federal health-care law have put a premium on speed. And indeed, several executive summaries of Verma's contracts emphasize the need to quickly utilize her services amid the threat of losing federal grant money.

"Over the short run, it sounds like you're going to get speed," Brown said. "And you may get some cost savings over the short run."

But in the long run, states can become dependent on private contractors, who can then jack up their prices.

"They essentially become a monopoly, and there's a risk that they can raise costs over time," he said. Verma's arrangement with the state demonstrates how difficult it can be to control such costs.

An amendment to her contract in January added \$300,000 without increasing her workload or extending the term of the contract. The reason listed: "to cover claims." State officials declined to elaborate.

The hourly rates listed in her contracts also have increased over time, from \$110 in 2007 to \$135-\$165 this year.

Lawmakers expressed surprise when told by The Star that the state paid Verma's company \$1.15 million in the past year alone.

"I had no idea her firm received that much money. I think it would come as a surprise to most legislators," Clere said. "I think there's a larger issue of transparency and accountability as the state increasingly relies on contractors, including consultants. I'm all for harnessing the power of the private sector, and the key word is 'harness,' which suggests the state is in control. The question here is, 'Whose hands are on the reins?'"

[From the Associated Press, Feb. 15, 2017]

PICK FOR MEDICARE POST FACES QUESTIONS ON INDIANA CONTRACTS

(By Brian Slodysko and Carla K. Johnson)

INDIANAPOLIS.—President Donald Trump's pick to oversee Medicare and Medicaid advised Vice President Mike Pence on health care issues while he was Indiana's governor, a post she maintained amid a web of business arrangements—including one that ethics experts say conflicted with her public duties.

A review by The Associated Press found Seema Verma and her small Indianapolis-based firm made millions through consulting agreements with at least nine states while also working under contract for Hewlett Packard. The company holds a financial stake in the health care policies Verma's consulting work helped shape in Indiana and elsewhere.

Her firm, SVC Inc., collected more than \$6.6 million in consulting fees from the state of Indiana since 2011, records show. At the same time, records indicate she also received more than \$1 million through a contract with Hewlett, the nation's largest operator of state Medicaid claims processing systems.

Last year, her firm collected an additional \$316,000 for work done for the state of Kentucky as a subcontractor for HP Enterprises, according to documents obtained by AP through public records requests.

In financial disclosures posted this week, Verma reported she has an agreement to sell SVC Inc. to Health Management Associates of Lansing, Michigan, within 90 days of her confirmation.

In a statement, a spokesman for Verma said there was no conflict of interest and added that she has the support of former officials who served with her under Pence.

Her firm was "completely transparent in regards to its relationship with HP and that there was never a conflict of interest," spokesman Marcus Barlow said in a statement.

A spokesman for Pence did not respond to a request for comment.

Verma faces a Senate Finance Committee hearing on Thursday. Democrats in Washington are aware of many of her consulting arrangements, and have broader concerns about her philosophy about government entitlement programs, lack of background in Medicare and inexperience leading a large organization.

As a trusted adviser to Pence, she had an office in the state government center and took on duties usually reserved for state administrators. Verma was also widely respected for her grasp on policy and designed a federal Medicaid waiver that allowed Pence to undertake his own conservative expansion of the program while still accepting money made available through the Affordable Care Act.

Verma did not specifically address how she would handle decisions related to HP in a letter to the Department of Health and Human Services that was released this week. The letter outlined her plan for managing potential conflicts of interest should she be confirmed by the Senate to lead the Centers for Medicare & Medicaid Services. Her relationship with HP was first reported by the Indianapolis Star in 2014.

Legal and ethics experts contacted by AP say Verma's work for Hewlett, and offshoot HP Enterprises, raised questions about where her loyalties lay—to the company, or to state taxpayers.

Richard Painter, former President George W. Bush's chief ethics lawyer, called Verma's arrangement a "conflict of interest" that "clearly should not happen and is definitely improper."

Such arrangements are typically prohibited for rank-and-file state employees under Indiana's ethics rules and laws, but they're murkier when it comes to consulting work. Contractors have often replaced state employees in a GOP bid to drive down the number of public employees, distinctions between the two can be hard to discern.

"She was cloaked with so much responsibility and so much authority, people thought she was a state employee," said Debra Minot, a former head of Indiana's Family and Social Services Agency under Pence who worked with Verma.

Indiana University law professor David Orentlicher compared Verma's dual employment to an attorney who represents both the plaintiff and the defense in a lawsuit. It's

also similar to federal contract negotiator with a side job for a company they regularly negotiate with, he said.

"If you have one person on both sides of the negotiating, they can't negotiate hard for both sides," said Orentlicher, a former Indiana Democratic state lawmaker.

There was at least one instance where Verma crossed the line in Indiana when she was dispatched by HP to help smooth over a billing dispute, said Minot.

"It was never clear to me until that moment that she, in essence, was representing both the agency and one of our very key contractors," said Minot, who was removed as head of the agency by Pence over her disagreements with Verma. "It was just shocking to me that she could play both sides."

State contracts show Verma's duties to Indiana and Hewlett have overlapped at times. One agreement she held with the state's social services agency required her to "provide technical assistance" to state contractors, as well as the governor's office. Another duty was "contract development and negotiation" with vendors, which included HP and HP Enterprises.

Verma reported her salary with SVC is \$480,000 and her business income from the company as nearly \$2.2 million.

[From Electronic Data Systems Corporation, Jan. 7, 2008]

**INDIANA AWARDS EDS NEW \$209 MILLION
MEDICAID CONTRACT
AGREEMENT EXTENDS 16-YEAR RELATIONSHIP
WITH HOOSIER STATE**

INDIANAPOLIS.—EDS, Indiana's Medicaid partner since 1991, has been awarded a \$209.9 million, six-and-a-half-year contract to upgrade and continue to maintain the state's Medicaid Management Information System.

The new contract will leverage EDS' leading-edge interchange Health System, which serves as an industry model and is in operation or being implemented in more than a dozen states, including Kansas, Oklahoma, Pennsylvania and Kentucky. Among the upgrades are a Web-based tool that will enable health care providers to electronically enroll in the Medicaid program as well as a number of internal processes.

EDS will continue as fiscal agent to the state and its 27,000 health care providers, who care for more than 800,000 recipients and comprise the nation's 17th-largest Medicaid program.

The agreement includes a seven-month phase to design, develop, test and implement the additional features followed by a six-year management term.

The contract, which was signed in late December, extends a 16-year relationship between EDS and Indiana.

The EDS solution will provide Indiana with enhanced transparency as it implements Gov. Mitch Daniels package of Medicaid reforms such as the Healthy Indiana Plan, which provides health coverage to previously uninsured Indiana residents, and the movement of aged, blind and disabled residents to a care management model. It also will continue claims processing coverage for other Indiana health programs.

"At the conclusion of the procurement process, it was evident that EDS was able to bring great value and experience to the taxpayers of Indiana," said Mitch Roob, Family and Social Services Administration Secretary. "The technology and insight that EDS has to offer will be a tremendous asset as we continue to make great strides in new, innovative programs, such as the Healthy Indiana Plan."

"As Indiana's technology partner for more than a decade and a half, EDS understands the Healthy Indiana Plan and the state's goal to cover its uninsured residents," said Sean Kenny, vice president, EDS Global Health Care. "Our continued relationship will provide stability not only for the current Medicaid program, but also for future reforms."

"Long relationships are reflections of earned trust and understanding of cultures and goals," said Barbara Anderson, vice president, EDS U.S. Government Health Care. "Over the years, Indiana and EDS together have delivered program efficiencies to enable reforms and help push forward vital, new programs to improve health outcomes for Hoosiers."

EDS is the nation's largest provider of Medicaid and Medicare process management services, administering more than \$100 billion in benefits a year. EDS processes about 1 billion Medicaid claims annually, more than any other company, and provides fiscal agent services/Medicaid information technology support for 21 states. Through its global healthcare services and solutions, EDS touches more than 200 million patient lives each day.

ABOUT EDS

EDS (NYSE: EDS) is a leading global technology services company delivering business solutions to its clients. EDS founded the information technology outsourcing industry 45 years ago. Today, EDS delivers a broad portfolio of information technology and business process outsourcing services to clients in the manufacturing, financial services, healthcare, communications, energy, transportation, and consumer and retail industries and to governments around the world. Learn more at eds.com.

The statements in this news release that are not historical statements, including statements regarding the amount of new contract values, are forward-looking statements within the meaning of the federal securities laws. These statements are subject to numerous risks and uncertainties, many of which are beyond EDS' control, which could cause actual results to differ materially from such statements. For information concerning these risks and uncertainties, see EDS' most recent Form 10-R. EDS disclaims any intention or obligation to update or revise any forward-looking statements, whether as a result of new information, future events or otherwise.

[From Hewlett-Packard Development
Company, Nov. 21, 2013]
FSSA EXECUTIVE TOUR
(By John Wanchick)

PRESENTERS

John Wanchick, Account Executive; Scott Mack, HPES Regional Manager, State Health and Human Services; Jason Schenk, HPES Sales; Heather Lee, Claims Director; Doug Weinberg, CFO and Third Party Liability Director; Sandra Lowe, Provider and Member Services Director; Rebecca Siewert, Managed Care Director; Beth Steele, Long Term Care Director; Lisa Pierce, Audit and Compliance Director; Maureen Hoffmeyer, Publications Director; Patrick Hogan, System Director; Darren Overfelt, ITO Director; Bev Goodgame, PMO and Business Analysis Director; Julie Sloma, DDI Project Manager; Pat Steele, Operations Manager; Seema Verma, Executive Healthcare Policy Consultant.

INDIANA CORE MMIS HP-SVC PARTNERSHIP

Provides innovative services to support Medicaid Policy; External Scan; Monitoring

federal regulatory environment, Financial, demographic, utilization, public health data, Best practices; Support Goal & Objective Setting Process; Develop and Maintain Program Policy; State Plan Maintenance; Support with State plan and waivers.

MARCH 30, 2012.

Ethics Opinion

DEAR MS. VERMA: Thank you for contacting our office. I understand you are requesting ethics advice to determine whether a conflict of interest would arise under the Indiana Code of Ethics set forth in 41 I.A.C. 1-5 ("Code of Ethics") if SVC, Inc. d/b/a Seema Verma Consulting ("SVC") entered into a consulting agreement with Hewlett-Packard Company ("HP") to assist HP on a contract HP has and/or would have with the Indiana Family and Social Services Administration ("FSSA"). In your inquiry, you explain that SVC is an Indiana Corporation that provides a range of consulting services on health policy, including policy and legislative analysis, grant and proposal development, project and grants management, managing community and stakeholder relationships, survey and evaluation design and data analysis. You further explain that SVC is currently a contractor to the State of Indiana ("State"), specifically FSSA. Pursuant to this contractual relationship, I understand that SVC provides overall management, project leadership and support for the Indiana State-Operated Health Insurance Exchange Level One Grant Activities. You also state that SVC has been a long-standing contractor to HP and its predecessors-in-interest, Electronic Data Systems Corporation and EDS Information Services L.L.C. You indicate that SVC and HP have entered into discussions about a new contractual arrangement between the parties. Generally, the draft proposal you've submitted along with your request for an informal advisory opinion indicates that SVC would assist HP in their efforts relating to work on State's Medicaid Management Information System (MMIS).

The threshold question in this case is whether the Code of Ethics applies to SVC. The Code of Ethics applies to a current or former state officer, employee, and special state appointee and a person who has a business relationship with an agency. SVC is neither a state officer nor a special state appointee. The term "employee" is defined in I.C. 4-2-6-1(a)(8) to include an individual who contracts with an agency for personal services. In this case, the contract between SVC and FSSA appears to be a personal services contract. However, SVC is not an individual, it is a corporation. Because SVC is not an individual, SVC would not be considered to be an "employee" as the term is defined.

It would appear that SVC would be a "person who has a business relationship with an agency." Specifically, the term "person" is defined to include a corporation. I.C. 4-2-6-1(a)(12). SVC is a corporation. Furthermore, a business relationship includes the dealings of a person with an agency seeking, obtaining, establishing, maintaining, or implementing a pecuniary interest in a contract with an agency. I.C. 4-2-6-1(a)(5)(A)(i). SVC has a contract with FSSA, a state agency. Accordingly, the Code of Ethics would apply to SVC as it applies to a "person who has a business relationship with an agency."

While the Code of Ethics contains fifteen rules, including two that specifically address conflicts of interest, the only rule in the Code of Ethics that applies to a person who has a business relationship with an agency is

the Donor Restrictions rule set forth in 42 IAC 1-5-2. The Donor Restrictions rule prohibits a person who has a business relationship with an employee's agency from providing any gifts, favors, services, entertainment, food, drink, travel expenses or registration fees to the employee if the employee would not be permitted to accept the item under 42 IAC 1-5-1, the Gifts rule.

As a person who has business relationship with an agency, SVC is not subject to the conflict of interest rules set forth in the Code of Ethics. Accordingly, a conflict of interest under the Code of Ethics would not arise for SVC if it entered into a consulting agreement with Hewlett-Packard Company ("HP") to assist HP on a contract HP has and/or would have with FSSA.

Thank you again for contacting our office. I hope this information is helpful. Please note that this response does not constitute an official advisory opinion. Only the State Ethics Commission may issue an official advisory opinion. This informal advisory opinion allows us to give you quick, written advice. The Commission will consider that an employee or former employee acted in good faith if it is determined that the individual committed a violation after receiving advice and the alleged violation was directly related to the advice rendered. Also, remember that the advice given is based on the facts as I understand them. If this e-mail misstates facts in a material way, or omits important information, please bring those inaccuracies to my attention.

Sincerely,

CYNDI CARRASCO,
*Executive Director, Indiana State
Ethics Commission.*

Mr. WYDEN. Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. MORAN). Under the previous order, the question is, Will the Senate advise and consent to the Verma nomination?

Mr. WYDEN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: The Senator from Georgia (Mr. ISAKSON).

Mr. DURBIN. I announce that the Senator from Michigan (Mr. PETERS) is necessarily absent.

The PRESIDING OFFICER (Mr. LANKFORD). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 55, nays 43, as follows:

[Rollcall Vote No. 86 Ex.]

YEAS—55

Alexander	Cruz	Hoeven
Barrasso	Daines	Inhofe
Blunt	Donnelly	Johnson
Boozman	Enzi	Kennedy
Burr	Ernst	King
Capito	Fischer	Lankford
Cassidy	Flake	Lee
Cochran	Gardner	Manchin
Collins	Graham	McCain
Corker	Grassley	McConnell
Cornyn	Hatch	Moran
Cotton	Heitkamp	Murkowski
Crapo	Heller	Paul

Perdue
Portman
Risch
Roberts
Rounds
Rubio

Sasse
Scott
Shelby
Strange
Sullivan
Thune

Tillis
Toomey
Wicker
Young

Lamar Alexander, Bill Cassidy, John Barrasso, Dan Sullivan, Tim Scott, James Lankford, Tom Cotton, Mike Rounds, James M. Inhofe, Chuck Grassley, Roy Blunt, Richard Burr.

NAYS—43

Baldwin
Bennet
Blumenthal
Booker
Brown
Cantwell
Cardin
Carper
Casey
Coons
Cortez Masto
Duckworth
Durbin
Feinstein
Franken

Gillibrand
Harris
Hassan
Heinrich
Hirono
Kaine
Klobuchar
Leahy
Markey
McCaskill
Menendez
Merkley
Murphy
Murray
Nelson

Reed
Sanders
Schatz
Schumer
Shaheen
Stabenow
Tester
Udall
Van Hollen
Warner
Warren
Whitehouse
Wyden

NOT VOTING—2

Isakson

Peters

The nomination was confirmed.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Mr. President, I move to reconsider the vote, and I move to table the motion to reconsider.

The PRESIDING OFFICER. The question is on agreeing to the motion to table.

The motion was agreed to.

LEGISLATIVE SESSION

Mr. MCCONNELL. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I move that the Senate proceed to executive session to consider Calendar No. 23, Daniel Coats to be Director of National Intelligence.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Daniel Coats, of Indiana, to be Director of National Intelligence.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Daniel Coats, of Indiana, to be Director of National Intelligence.

Mitch McConnell, Michael B. Enzi, David Perdue, Bob Corker, John Hoeven,

LEGISLATIVE SESSION

Mr. MCCONNELL. Mr. President, I move to proceed to legislative session. The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I move that the Senate proceed to executive session to consider Calendar No. 19, Herbert R. McMaster, Jr., to be Lieutenant General.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Lt. Gen. Herbert R. McMaster, Jr., to be Lieutenant General in the United States Army while assigned to a position of importance and responsibility under title 10, U.S.C., section 601.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Lt. Gen. Herbert R. McMaster, Jr., to be Lieutenant General.

John McCain, Roger F. Wicker, John Hoeven, David Perdue, Pat Roberts, Mike Crapo, Ben Sasse, Tom Cotton, Mike Rounds, Mitch McConnell, Thom Tillis, James Lankford, Richard Burr, Marco Rubio, Jerry Moran, Richard C. Shelby, James E. Risch.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the mandatory quorum calls be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. MCCONNELL. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

DISAPPROVING A RULE SUBMITTED BY THE DEPARTMENT OF LABOR

Mr. MCCONNELL. Mr. President, I move to proceed to H.J. Res. 42.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A joint resolution (H.J. Res. 42) disapproving the rule submitted by the Department of Labor relating to drug testing of unemployment compensation applicants.

MORNING BUSINESS

REMEMBERING MILTON METZ

Mr. McCONNELL. Mr. President, today I wish to pay tribute to a legend in broadcasting. For decades, radio listeners in Kentucky and across the eastern United States tuned in to hear Milton Metz. El Metzo, as he was affectionately known, passed away in January of this year at the age of 95.

Known for his show, "Metz Here," Milton provided fair and well-informed news for thousands of listeners. In his time at WHAS radio in Louisville, KY, Milton almost became part of listeners' families. During his years on the air, he covered a wide variety of topics and helped his listeners sort out the issues of the day.

Like so many other Kentuckians, I grew up tuning into Milton's shows. When I first ran for Jefferson County judge/executive, I appeared on his show. We talked about the issues in my campaign, and although he asked tough questions, he was always fair. Milton welcomed differing opinions and treated his guests and callers with civility. He became a staple of political campaigns, and I appeared on his show multiple times in my campaigns for the U.S. Senate.

Milton represented a different age of diplomatic and gracious programming that listeners of all opinions and interests listened to and trusted. He also made a name for himself covering the Kentucky Derby. Frequently appearing in "Millionaires Row," Milton interviewed celebrities and guests who came to Louisville for the "Fastest Two Minutes in Sports." In 1989, he was inducted into the Kentucky Journalism Hall of Fame, an honor he surely deserved.

I ask my colleagues to join me in recognizing the life and career of Milton Metz, a true radio pioneer. He earned great acclaim in Kentucky and across the Nation, and his legacy will not soon be forgotten.

The Courier-Journal published an article on Milton Metz's career. I ask unanimous consent that a copy of the article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Courier-Journal, Jan. 12, 2017]
LOCAL RADIO LEGEND MILTON METZ DEAD AT 95

(By Andrew Wolfson)

Milton Metz, a pioneer in broadcasting in Louisville and the longtime host of the talk show "Metz Here" on WHAS Radio, died Thursday, according to former colleagues Wayne Perkey and Terry Meiners.

He was 95 and died at Magnolia Springs, a senior living facility, Perkey said.

"El Metzo," as he was affectionately known, began at the station in 1946. "Metz Here" debuted July 30, 1959, with the title "Juniper 5-2385," after its phone number, and ended on June 10, 1993.

"Every time Milton Metz clicked on the mic, people across middle America were guaranteed wit, wisdom, and balance," Meiners said.

"On or off the air, Milton was first and foremost a gentleman, bringing grace and intellect into a sometimes inelegant media landscape," Meiners said. "Rest easy, brother. You blazed a beautiful trail and we shall follow."

Perkey said Metz was a role model and father figure for a younger generation of broadcasters that included Meiners, Perkey and Jack Fox.

"He was not afraid to ask difficult questions, but he tried to be fair," Perkey said. "He had a great wit and he showed it. I loved him because he was Milton."

Bob Johnson, a retired political reporter on WHAS Radio and TV, said that unlike contemporary talk radio, his show never featured "talking heads shouting at each other."

"He had a sweet, gentle nature and his graciousness carried over into his work on the air," said Johnson, later a Courier-Journal reporter. "I was very fond of him."

Perry Metz said his father enjoyed "a good joke, a long conversation and listening to different points of view."

"If civility is old-fashioned, you could say he was old-fashioned," said the younger Metz, who followed in his father's footsteps and now runs public radio and TV stations at Indiana University in Bloomington.

Metz could be serious on the air but at a roast held when he retired he recalled how a publicity agent had called plugging his client's appearance.

"She's written 'Why Diets Don't Work,'" the agent said. "But if that doesn't appeal to you, we could talk about her new book, 'The One-Hour Orgasm.'"

He also carefully guarded his age.

In an interview with Courier-Journal columnist Torn Dorsey in 1993, he would only say, "Let's just say I'm older than Diane Sawyer and younger than Mike Wallace." Wallace was 75 at the time.

Sportscasting legend Cawood Ledford, who spent 22 years at WHAS with Metz, once recalled that when Metz started his program back in the 1950s the dial was full of talk shows.

Ledford joked that he would like to say that Metz's popularity drove the other shows off the air, but the truth was that Metz simply outlived them all.

He was born in Cleveland to a Russian-born father and English-born mother and started his radio career in the 1930s in Cleveland after graduating from Ohio State University.

After serving in the army in World War II, he joined the staff at WHAS radio in 1946. The same year, Milton began recording Talking Books at American Printing House for the Blind.

"Metz Here" became the longest-running show in Louisville and one of the longest-

running in the country. On WHAS-TV, he co-hosted and co-produced "Omelet," a talk and interview program for nine years and was the Channel 11 weatherman for 19 years.

He also interviewed countless celebrities on the first Saturday in May during WHAS-TV's traditional marathon pre-race show before the Kentucky Derby, where he was a fixture on "Millionaire's Row."

Metz was inducted into the Kentucky Journalism Hall of Fame in 1989.

Joe Elliott, who took over Metz' time slot after he Metz retired, said that Metz was a legend, not only in Kentucky but to listeners through the Midwest and up and down the East Coast, who caught his show on WHAS's 50,000-watt clear channel transmitter.

"What I loved about Milton was that he was a master at everything he did," Elliott said.

Elliott and Perkey said Metz would record shows in the afternoon on WHAS-FM, then a classical station, then do a daily business report on WHAS-AM, then the weather for TV, then his talk show, then the 11 p.m. news on television.

"He did everything and anything he needed to do," said Elliott.

Perry Metz said his father was pained by the coarseness of contemporary talk radio.

"Anyone who listened to 'Metz Here' knew it was a show based on listeners, not him," Perry Metz said. "You could listen to him for years and not know his views."

"People would call him from across the country and across the political spectrum because they knew they could speak their piece and he wouldn't try to show them up or embarrass them."

REMEMBERING A. DUANE SCHWARTZ

Mr. McCONNELL. Mr. President, today I wish to honor the life of a devoted public servant, A. Duane Schwartz, who passed away earlier this year.

Duane was widely admired for his strong fidelity to the law and his dedication to justice. For 20 years, he served the Western District of Kentucky as the head of the criminal division of the U.S. attorney's office and, during that time, successfully prosecuted the Imperial Wizard of the Ku Klux Klan in Louisville. He also helped end what was then the largest methamphetamine lab in the Midwest. Duane fought for justice and left his community better than he found it.

He also worked to keep government accountable to the people. As a leader in Operation Boprot, Duane led the undercover investigation against and eventual conviction of many State legislators for taking bribes.

Duane earned the praise of multiple U.S. attorneys under whom he worked and was awarded the Justice Department's Special Achiever Award by Attorney General Janet Reno in 1999.

I was proud to know Duane as a classmate in law school. Even back then, he was known for his integrity, commitment, and warmth. I would like to extend my deepest condolences to his wife, Ann, and I would ask all of my colleagues here to join me in honoring this distinguished servant of the law.

The Courier-Journal published an article on Duane's career. I ask unanimous consent that a copy of the article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Courier-Journal, Jan 11, 2017]

VETERAN PROSECUTOR A. DUANE SCHWARTZ
DIES

(By Andrew Wolfson)

A. Duane Schwartz, who supervised the prosecution of public corruption probe Operation Boptrout as the longtime head of the criminal division of the U.S. Attorney's office in Louisville, died Saturday at his home. He was 74.

Schwartz was diagnosed seven years ago with Alzheimer's disease, according to his daughter, Jennifer Scutchfield, an attorney and city council member in Lexington.

During two separate tenures in the office, Schwartz successfully prosecuted the Imperial Wizard of the Ku Klux Klan in Louisville as well as defendants responsible for the then-largest methamphetamine lab in the Midwest, according to a citation from the Justice Department.

He led the prosecution of Boptrout, the undercover investigation that resulted in conviction of more than a dozen state legislators from 1992 to 1995 for taking bribes and other inducements.

More recently, in 1999, he tried and convicted Brennan Callan for partially sinking the Belle of Louisville, winning a 30-month sentence and an order for \$987,000 in restitution.

Former U.S. Attorney Joe Whittle in an interview Wednesday called Schwartz "an all-American guy" and one of the best prosecutors he ever worked with.

"I valued his counsel on whether to prosecute or not," Whittle said. "He was a moral man."

John Kuhn, the current U.S. attorney, said in a statement that Schwartz was "universally recognized as an outstanding prosecutor, a sage leader, and a warm, faithful, loving friend. Duane elevated the quality of our work and strengthened our commitment to justice."

Schwartz ran track and played basketball, baseball and football at Atherton High School, and despite a car accident that he later said ruined his knees, he was recruited by several universities before deciding on the University of Kentucky, where his father wanted him to go so he could see him play.

But coach Blanton Collier left after Schwartz's freshman year and his successor, Charlie Bradshaw, "turned football into a nightmare," Schwartz said years later when he was honored by Atherton. His experience is cited in author Shannon Ragland's "The Thin Thirty: The Untold Story of Brutality, Scandal and Redemption Schwartz's for Charlie Bradshaw's 1962 Kentucky Football Team." Schwartz switched to baseball, won a scholarship and lettered in the sport for three years.

After graduating from UK's law school in 1967, he returned to Louisville, where he was general counsel for Tube Turns, served from 1971 as a prosecutor in the U.S. attorney's office, and then left to work for 10 years as regional counsel for the U.S. Postal Service. He returned to the U.S. attorney's office where he was chief of the criminal section for 20 years until his retirement in 2004.

He was honored by Attorney General Janet Reno for superior service in 1999 and also won the Justice Department's special achievement award.

REMEMBERING DR. DAVID STEVENS

Mr. MCCONNELL. Mr. President, today I wish to pay tribute to Dr. David Stevens, a tireless advocate for public health in Kentucky who passed away at the age of 87. He dedicated his life to serving others, and he leaves behind a legacy of vision and leadership.

For 16 years, David served in the Lexington-Fayette Urban County Government. As a councilmember, he was a leading voice and advocate to make his community a healthier place to live.

Before his service in local government, David was an orthopedic surgeon. His career included two decades as the chief of staff of Shriner's Hospital for Children, an international nonprofit that provides healthcare to children, regardless of a family's ability to pay.

In 1968, he helped found the Central Kentucky Blood Center to help hospitals across Kentucky have reliable access to blood from donors. The center has grown over the years, and it has become a local partner in healthcare across the Commonwealth.

David served on numerous other boards and commissions, all of which support the health, culture, and prosperity of the region. He also passed his expertise on to the next generation by mentoring in medicine, public service, and philanthropy.

In addition to his professional accomplishments, David was known as a well-rounded gentleman with a dry wit. At the age of 83, he hiked a 60-mile journey through Philmont Scout Reservation in New Mexico with his son and 15-year-old grandson.

The University of Kentucky honored him with the Honorary Alumnus Award, and DePauw University awarded him the Old Gold Goblet for professional achievement and service.

I am proud to say that I knew David. Over the years, I developed a deep respect for his work on behalf of his community. A man who dedicated his time, skill, and passion to those around him, I know that countless Kentuckians will remember his good works. I know that I will.

I would like to extend my deepest condolences to his son, Dr. Scott Stevens, and all of David's family and friends. As one of the countless individuals impacted by David's life, I can say with great certainty that he will be deeply missed.

REMEMBERING CHARLES ANTHONY "C.A." WILLIAMS

Mr. MCCONNELL. Mr. President, today I wish to honor the life of Charles Anthony "C.A." Williams, of London, KY, who passed away after a long career of public service and great creativity.

During a lifetime of achievement, C.A. had many professions. He served

his community as a Laurel County clerk and his Nation in the U.S. Army. He traveled the country driving a semi-truck, and he shared his deep faith as a gospel music singer and songwriter.

In each of these endeavors, C.A. showed his passion, his skill, and his love. Through his music and his wit, C.A. fulfilled his greatest desire in life. Mr. Kip Jervis, one of C.A.'s nephews, remembered that his uncle "had a made-up mind of where he was headed, and he made it his mission to take everyone he could with him." This drive led C.A. to share his story and his faith.

His passion continued throughout his battle with brain cancer. After a 1989 diagnosis, C.A. faced every day with optimism, knowing that "he was a winner either way." After a long fight, C.A. recovered from cancer and continued to write music.

Reverend Gene Greene, the pastor of Carmichael Pentecostal Church in East Bernstadt, remembered C.A.'s immense talent. During his long drives in his semi-truck, C.A. would write gospel songs, a practice that became his greatest joy. He released some of these songs in an album called "Magnificent Jesus." For a man of so many talents, this album was one of C.A.'s proudest accomplishments.

C.A. left behind three loving children, Brittany, Brooklyn, and Israel, and his sister, Connie. I know that the memories of C.A.'s love for them will help ease their pain. Elaine and I send our deepest condolences to the entire Williams family, and I know that C.A. will be remembered fondly by everyone he inspired with his faith, his dedication, and his music. He was a good man, and I am proud to say he was my friend.

RECOGNIZING YOUNG VERMONTERS FOR THEIR COMMITMENT TO REFUGEES

Mr. LEAHY. Mr. President, Vermont is known far and wide as a tourist destination for all seasons. From our celebrated ski slopes to our stunning and world-renowned fall foliage, Vermont draws travelers from near and far, from nearby States and from Canada, our neighbor to the north. What many don't realize is that Vermont has also become home to refugees and asylum seekers from Iraq, Syria, Bosnia, Sudan, and elsewhere. These men, women and children enrich our communities and inspire us all.

One Vermont community, Rutland, last year announced that it would welcome refugees fleeing the catastrophic civil war in Syria. The town was preparing to welcome 100 refugees. Nine arrived. When President Trump issued his appalling and disastrous executive order banning admission to refugees from Syria and six other nations, the remaining 91 individuals were prevented from coming to Vermont.

I have heard from hundreds of Vermonters outraged by President Trump's Executive actions to close our borders to those seeking refuge. Also deeply concerning is the President's clear intent on targeting Muslim refugees. The freedom of religion, enshrined in the First Amendment of our Constitution and defended through the ages by generations of Americans, should not be squandered to promote an unfounded fear.

The voices raised in opposition to these executive orders cross the spectrum. I want to include in the RECORD some of those voices: students at Rutland High School, some of whom have formed the New Neighbors Club, to help welcome refugee students who will attend Rutland City Public Schools.

Emma writes: "I am a 9th grader from Rutland High School. We should continue to support immigration in Vermont and the United States. These people deserve a good life and don't deserve what they have to go through."

Carolyn writes: "I'm from Rutland, Vermont, and I believe that refugee resettlement is an important issue. We have the opportunity to make a change in these people's lives and make new relationships and bonds in our lives. They need a support system so why can't that be us?"

Lea writes: "This immigration ban is a big problem to me. I don't like that our country is stopping people from coming to our country. I know many people are afraid of what could happen to us. But we are all human and they are humans looking for safety."

Lily writes, "Everyone deserves the same amount of respect and understanding that we afford to anyone. The refugees obviously need our help and we are completely capable of building a community that is ready and willing to accept the refugees."

Jessica writes: "I can understand these fears, but they also clearly come from an inhumane and misinformed point of view. Without immigration in the past, no one would be here, and it is simply un-American to deny freedom from persecution to refugees and other immigrants."

Emma writes: "With all of the recent stigma regarding the Refugee Resettlement Plan, Rutland's program has recently gone static. At Rutland High School, we have a club that helps raise money and eventually welcome the refugees. Please make all the movement possible to make these people feel welcome in our state. We don't want to be stuck on the wrong side of history."

Victoria writes: "I feel that it is incredibly important for us to help refugees who are in desperate need of a second chance at life. As a global superpower of a country, it seems absurd to me that we are accepting so few refugees to our communities, as we could be helping with the global refugee crisis a whole lot more by actually trying to mitigate it."

Ian writes: "The refugees should come to Rutland because we are devoted to helping integrate them into our community. Several of the students here are devoting every Friday to getting together and coming up with great ideas on how we can incorporate them."

Kjersti writes: "As a citizen in the United States, I believe the diversity is what makes this country beautiful, and the fact that someone is exempt from the freedom and is turned away because of their diversity is not what this country stands for."

Noah writes: "I believe we should let people immigrate to Vermont because the people in these countries are living in terrible living conditions. Everyone in this world is equal so there's no reason not to let them in. They just want a chance at a safe life."

Ashleah writes: "We should continue to support immigration for the Syrian refugees into our community. This is such a great opportunity for Rutland to experience more diversity and more culture. Our small city would benefit greatly from allowing refugees to come and live with us."

Kelsey writes: "People who are safe and living comfortably should do their best to help those that need it. I feel by turning them away and denying them help we are being inhuman and cruel."

Caitlin writes: "I believe immigration should be accepted in all areas of this country. I strongly support the idea of people wanting to make a better life for themselves. I choose to take a stand against anti-immigration for I believe it is essential to make America better."

Greta writes: "These Syrians are people who have gone through atrocities and deserve our help. They will also promote understanding and diversity in our community amidst this political climate of fear mongering. Welcoming Syrian refugees will only be beneficial for Rutland and United States, and is upholding the value of America and human rights."

And Elizabeth writes: "I am disappointed with how our current administration is portraying our nation to the rest of the world. I think the people of the United States are stronger, more loving, and kinder people than what is being shown, and I think we need to take individual action in order to show this."

The voices of these young Vermonters are emblematic of what I hear from Vermonters across our State. We all want to keep our country safe; of that, there is no question. But President Trump's travel ban ignores the clear fact that refugees are the most stringently vetted travelers to the United States. His Executive order provokes and plays on fear. It does not make us safer.

Benjamin Franklin once famously said, "Those who give up essential lib-

erty, to purchase a little temporary safety, deserve neither liberty nor safety." I hope all Senators will listen to the words of these young Vermonters. President Trump's Executive order does little to enhance our security, but does great damage to the freedoms that are the cornerstone of our good and great Nation.

ARMS SALES NOTIFICATION

Mr. CORKER. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD-423.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEFENSE SECURITY
COOPERATION AGENCY,
Arlington, VA.

Hon. BOB CORKER,
Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 16-81, concerning the Department of the Army's proposed Letter(s) of Offer and Acceptance to Singapore for defense articles and services estimated to cost \$66 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

J.W. RIXEY,
Vice Admiral, USN, Director.

Enclosures.

TRANSMITTAL NO. 16-81

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Singapore.

(ii) Total Estimated Value:

Major Defense Equipment * \$42 million.

Other \$24 million.

Total \$66 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE):

Two thousand (2,000) XM395 Accelerated Precision Mortar Initiative (APMI) rounds.

Non-MDE includes: U.S. Government and contractor services, mortar tube compatibility testing and/or modification, and other associated support equipment and services.

(iv) Military Department: Army (VGG).

(v) Prior Related Cases, if any: None.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Annex Attached.

(viii) Date Report Delivered to Congress: March 13, 2017.

*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Government of Singapore—XM395 Accelerated Precision Mortar Initiative (APMI) Rounds

The Government of Singapore has requested a possible sale of two thousand (2,000) XM395 Accelerated Precision Mortar Initiative (APMI) rounds; U.S. Government and contractor services; and other associated support equipment and services. The total estimated cost is \$66 million.

This proposed sale will contribute to the foreign policy and national security of the United States by helping to improve the security of a friendly country which has been, and continues to be an important partner and force for political stability and economic progress in the Asia Pacific region.

The Government of Singapore intends to use these defense articles and services to modernize its armed forces to meet current and future threats, to strengthen its homeland defense, and to provide greater security for its economic infrastructure. The Government of Singapore will have no difficulty absorbing XM395 APMI mortar rounds into its armed forces.

The proposed sale of this equipment and support does not alter the basic military balance in the region.

The prime contractor will be Orbital ATK. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will require U.S. Government personnel or U.S. contractor representatives to travel to Singapore for a period of one (1) week for equipment fielding and acceptance testing by the Quality Assurance Team.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 16-81

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) Sensitivity of Technology:

1. The XM395 Accelerated Precision Mortar Initiative (APMI) is a Global Positioning System (GPS), Precise Positioning Service (PPS) guided 120mm high explosive mortar cartridge capable of enemy defeat with low collateral damage. It utilizes a Precision Light-Weight Universal Mortar Setting System (PLUMSS) that contains an Improved Platform Integration kit (iPIK) to load GPS coordinates, mission trajectory and fuze mode data into the mortar round. The GPS PPS crypto key is loaded into the iPIK by system key loader PYQ-10. Both the XM395 and the iPIK contain a Selective Availability Anti-Spoofing Module (SAASM). The XM395 has 90% commonality with the Army's M1156 Precision Guided Kit. The overall system classification is SECRET.

2. XM395 utilizes the Army's M782 Multi-Option for Artillery (MOFA) Proximity Height of Burst (HOB) Technology. The HOB sensor is comprised of components with technologies deemed as state of the art, requiring specialized production skills. The sensitive/critical technology is primarily in the design, development, production and manufac-

turing of the components (integrated circuits and assembly), and the integration methodology required to integrate those components onto an assembly to process embedded data (the software—algorithm—working parameters). The overall system classification is SECRET.

3. Disclosure of this technology could result in an adversary developing countermeasures, thus lessening the effect of the projectile. Disclosure of test data, countermeasures, vulnerability/susceptibility analyses, and threat definition could allow reverse engineering and use by an adversary for possible use against U.S. and Coalition forces. Compromise could jeopardize the U.S. inventory through jammer development by adversaries. The risk of compromise has been assessed as moderate. Risk is reduced for fuze/munitions if adequately controlled and protected in storage and on the battlefield. Risk is mitigated by the prevention of disclosure of sensitive classified information (the know-how, software, and associated documentation).

4. A determination has been made that the recipient country can provide the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

5. All defense articles and services listed in this transmittal have been authorized for release and export to Singapore.

AGRICULTURE INDUSTRY MERGERS

Mr. GRASSLEY. Mr. President, I ask unanimous consent to be printed in the RECORD the concerns of the Summit Agricultural Group regarding three mergers in the agriculture industry. Specifically, this group is concerned with the mergers between Bayer AG and Monsanto, DuPont and Dow Chemical, and China National Chemical Corporation—ChemChina—and Syngenta AG. The paper states that “the mergers of these international agrochemical and seed giants will significantly reduce competition and innovation in the agricultural sector, and will cause irreparable harm to the American farmer via increased input costs.”

As my colleagues are aware, I have long been concerned about concentration and competition in the agriculture sector. Increased concentration in the industry could significantly reduce choice and raise the price of chemicals and seed for farmers, which ultimately can affect choice and costs for consumers. Moreover, further consolidation could diminish crucial research and development initiatives which drive innovation and technological advances for the agricultural sector. I have also raised concerns about the competitive advantages that are likely to result from the ChemChina-Syngenta transaction.

I have written several letters to both the Justice Department and the Federal Trade Commission expressing my concerns and asking that they carefully review these mergers and collabo-

rate, as appropriate, on their analysis of the impact on the agricultural industry. These regulators need to take a hard look at both the efficiencies and the benefits that the merging companies believe will result from these transactions, as well as the concerns raised by independent and small players in the market, farmers, and consumers.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

EXECUTIVE SUMMARY: AGRICULTURE MERGERS

Background: Bayer AG and Monsanto, DuPont and Dow Chemical, and China National Chemical Corporation (ChemChina) and Syngenta AG have all announced their intentions to merge. The mergers of these international agrochemical and seed giants will significantly reduce competition and innovation in the agricultural sector, and will cause irreparable harm to the American farmer via increased input costs.

Market Structure: Many view market share in terms of retail sales; however, the underlying structure should be examined to determine competitive dynamics. Almost all commercial seed sold for planting a crop is composed of germplasm “genetics” and transgenic traits, which are genes inserted to alter the seed, for example Monsanto's Roundup® gene made plants tolerant to Roundup® herbicide. When an independent seed company, say Becks Hybrids, wants to sell seed they need to acquire a license to both the germplasm and transgenic trait, and pay the licensor both germplasm and trait fees on each bag of seed they sell. Without access to high yielding and performing germplasm, the addition of the transgenic traits is almost irrelevant. Plainly stated: If you have a gene that makes a horse that runs faster, but no horses, it's a problem.

Competitive Issues: Given this, concentration of germplasm into few companies would give them the ability to bundle their germplasm, transgenic traits, and chemicals together, creating significant pricing power. Further, because germplasm is the building block of the seed it would significantly reduce incentives for independent innovation—if a new trait is discovered, what options would a third party have to combine with competitive germplasm and get to market? Lastly, independent seed companies would be irreparably harmed given the need to acquire germplasm from potentially two companies that control 90% + of all genetics in the market.

Practical Historical Examples: When the Roundup® chemical came off-patent, Monsanto was able to increase the Roundup Ready® seed trait licensing fee by multiples to offset the revenue decline. More recently, when Monsanto's Roundup Ready® seed trait was about to come off-patent they gave it to the market. However, other germplasm breeding companies had already committed breeding programs to the new patented Roundup Ready 2 Yield® technology. Given the 5-6 years required to breed a new trait into germplasm, when farmers had the ability to buy the now generic Roundup Ready® trait, there was and is no competitive germplasm to put it in. Plainly put, more consolidation will only serve to increase the prevalence of anti-competitive actions caused by consolidated ownership of germplasm, transgenic traits, and chemicals.

DETAILED DISCUSSION: AGRICULTURE MERGERS

Background: Bayer AG and Monsanto, DuPont and Dow Chemical, and China National

Chemical Corporation (ChemChina) and Syngenta AG have all announced their intentions to merge in 2017. The mergers of these international agrochemical and seed giants will significantly reduce competition and innovation in the agricultural sector, and will do irreparable harm to the American farmer.

Market Share Dominance: Corn is the single most important grain crop in the U.S., grown on 94 million acres with a finished crop worth \$50 billion. The U.S. grows 40% of the world's corn supply, exported 13% of the crop in 2016, and corn is an important component of the positive U.S. trade balance of \$35 billion stemming from agriculture. As the graph at right shows, if these mergers are allowed to proceed, two companies: Dow-DuPont and Bayer-Monsanto would effectively control the U.S. corn market at the most basic level—the germplasm. Breeding with germplasm for higher yields and agronomic performance is still the number one factor for success on the farm.

While industry data shows Monsanto has 36% of the seed corn market, it uses a licensing model whereby the independent seed companies (the other 17% in the table below) effectively distribute Monsanto hybrid seed corn and traits through their own brands, paying Monsanto two different royalties: one for germplasm (genetics) and one for the transgenic traits. Further, Monsanto licenses out different, and many would argue inferior, germplasm to the independent seed companies than the germplasm it uses in its own brands. The smaller independent seed companies receive inferior germplasm to the larger independent seed companies, and may pay a higher royalty per unit to do so. DuPont primarily sells its hybrid seed corn through its own sales channels.

Soybeans are the most important oilseed crop in the U.S., planted on 84 million acres, and representing a finished crop of \$35 billion at the farm level in 2016. As with corn, Monsanto uses a licensing model to distribute soybean genetics and traits through independent companies. Monsanto has 90% market share in soybean transgenic traits through their own brands, independent licensees, and through licensing to DuPont and Syngenta.

Syngenta and DuPont have paid-up licenses for the Monsanto soybean transgenic traits, which means the Syngenta and DuPont germplasm and breeding programs are all on the Monsanto transgenic trait platform. With the paid-up license to the Monsanto soybean transgenic traits, Syngenta and DuPont have a margin opportunity on the transgenic trait royalty to take market share from the independent seed companies.

To illustrate the power of the germplasm performance, Monsanto agreed to give its first-generation transgenic trait Roundup Ready® to the market, as it was coming off patent. The problem is the other companies with germplasm breeding programs had already committed their breeding efforts to the new patented Roundup Ready 2 Yield® technology. Since it takes 5-6 years to breed a new trait into high performing germplasm, by the time farmers had the ability to buy the now generic Roundup Ready® transgenic trait, there was and is no competitive germplasm available to put it in.

Barriers to Entry: Given the costs and timelines for the development of transgenic traits and plant breeding, new competition and innovation will be limited. Transgenic traits have to be integrated into the germplasm without impacting the crop in other negative ways. As noted in corn, the germplasm is controlled primarily by two

companies: Bayer-Monsanto and DuPont-Dow, with ChemChina-Syngenta having a small share. In soybeans, Bayer-Monsanto would control over 90% of the soybean transgenic traits that are contained in the Monsanto, DuPont, and Syngenta soybean germplasm.

As agriculture is a global market, new transgenic traits have to be approved in all export countries in order for a U.S. farmer to be comfortable knowing there will be a market for his crop. The current international transgenic regulatory approval process can take over 8 years and can cost in excess of \$150 million per trait. This international regulatory burden means that only the largest companies have the means and capabilities to get a new transgenic trait approved for use by U.S. farmers. This limits the ability for any company with new transgenic traits ever getting them to the market. Aside from the enormous expense, the control of the high performing germplasm and required transgenic trait platforms, almost certainly eliminates the entry of new innovation and trait technologies by any company other than those contemplating the mergers. In the past ten years China has used its regulatory approval process as a trade tool, which makes the acquisition of Syngenta by ChemChina (a state-owned enterprise) even that much more unsettling.

Ability to Bundle: Aside from fertilizer, a farmer has to buy seeds (inclusive of transgenic traits), seed treatments, and crop protection chemicals (herbicides, fungicides, and insecticides) each year. Given the vertical integration and dominant market position of these companies, major bundling opportunities exist. These companies will have the opportunity to require farmers to buy seed, seed treatments, and crop protection chemicals even though superior chemistry or generic alternatives may exist. Often these bundles of seeds, traits, seed treatments, and crop protection chemicals are part of the patent protection these companies have in place, or in connection with sales promotions and programs. It is impossible for an independent seed company to compete with this type of vertical bundling opportunities. Monsanto has already been accused of bundling its Roundup® herbicide with the access to its seed and traits, even though a generic version of glyphosate herbicide is readily available to farmers at a fraction of the price.

International Implications: As the graph on the right indicates, these companies have significant market share in crop protection chemicals on a global basis. The same holds true for their seeds and transgenic traits in the countries which have approved their cultivation including Argentina, Brazil, and Canada. The impacts on the farmers in these countries will no doubt be the same as in the U.S.

Near-Term and Long-Term Negative Impact: If these mergers are allowed to proceed there will be negative impacts throughout agribusiness. Research for new transgenic traits and other biotech innovations will be stifled as the ability to take such traits to the market in competitive genetics will be controlled by two companies. The ability to stack any new traits and/or technology will be controlled by the patent protections the merging companies hold on their germplasm and related trait technologies.

In the near-term, the existing independent seed companies who rely on licensing from Monsanto for their corn and soybean germplasm and traits to be sold in their brands will be squeezed given that the new

merged companies will need to increase market share and profits for their shareholders to justify the mergers. Independent seed companies cannot compete with the bundling opportunities and margins that the merged companies will enjoy with their combined product offerings.

In the longer term, the American farmer will lose as the remaining oligopoly uses their market power, bundling of products, and limited competition to increase the costs for every acre planted. This in turn will increase the costs for consumers in all markets touched by production agriculture.

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

ENROLLED JOINT RESOLUTIONS SIGNED

Under the authority of the order of the Senate of January 3, 2017, the Secretary of the Senate, on March 10, 2017, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker had signed the following enrolled joint resolutions:

H.J. Res. 37. Joint resolution disapproving the rule submitted by the Department of Defense, the General Services Administration, and the National Aeronautics and Space Administration relating to the Federal Acquisition Regulation.

H.J. Res. 44. Joint resolution disapproving the rule submitted by the Department of the Interior relating to Bureau of Land Management regulations that establish the procedures used to prepare, revise, or amend land use plans pursuant to the Federal Land Policy and Management Act of 1976.

H.J. Res. 57. Joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Education relating to accountability and State plans under the Elementary and Secondary Education Act of 1965.

H.J. Res. 58. Joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Education relating to teacher preparation issues.

Under the authority of the order of the Senate of January 3, 2017, the enrolled joint resolutions were signed on March 13, 2017, during the adjournment of the Senate, by the President pro tempore (Mr. HATCH).

MESSAGE FROM THE HOUSE

At 2:03 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 720. An act to amend Rule 11 of the Federal Rules of Civil Procedure to improve attorney accountability, and for other purposes.

H.R. 725. An act to amend title 28, United States Code, to prevent fraudulent joinder.

H.R. 985. An act to amend the procedures used in Federal court class actions and multidistrict litigation proceedings to assure fairer, more efficient outcomes for claimants and defendants, and for other purposes.

The message also announced that pursuant to section 2 of the Migratory

Bird Conservation Act (16 U.S.C. 715a), and the order of the House of January 3, 2017, the Speaker appoints the following Member of the House of Representatives to the Migratory Bird Conservation Commission: Mr. Thompson of California.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 720. An act to amend Rule 11 of the Federal Rules of Civil Procedure to improve attorney accountability, and for other purposes; to the Committee on the Judiciary.

H.R. 725. An act to amend title 28, United States Code, to prevent fraudulent joinder; to the Committee on the Judiciary.

H.R. 985. An act to amend the procedures used in Federal court class actions and multidistrict litigation proceedings to assure fairer, more efficient outcomes for claimants and defendants, and for other purposes; to the Committee on the Judiciary.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-996. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Streptomycin; Pesticide Tolerances for Emergency Exemptions" (FRL No. 9957-65) received in the Office of the President of the Senate on March 8, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-997. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Oxytetracycline; Pesticide Tolerances for Emergency Exemptions" (FRL No. 9959-19) received in the Office of the President of the Senate on March 8, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-998. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Flupyradifurone; Pesticide Tolerances for Emergency Exemptions" (FRL No. 9958-75) received in the Office of the President of the Senate on March 8, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-999. A communication from the General Counsel of the Federal Housing Finance Agency, transmitting, pursuant to law, the report of a rule entitled "Freedom of Information Act Implementation" (RIN2590-AA86) received in the Office of the President of the Senate on March 9, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-1000. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Energy Conservation Program: Energy Conservation Standards for Commercial Preinse Spray Valves" (RIN1904-AD31) received in the Office of the President of Senate on March 7, 2017; to the

Committee on Energy and Natural Resources.

EC-1001. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval of California Air Plan Revisions, Yolo-Solano Air Quality Management District" (FRL No. 9958-43-Region 9) received in the Office of the President of the Senate on March 8, 2017; to the Committee on Environment and Public Works.

EC-1002. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval of California Air Plan; Owens Valley Serious Area Plan for the 1987 24-Hour PM10 Standard" (FRL No. 9958-80-Region 9) received in the Office of the President of the Senate on March 8, 2017; to the Committee on Environment and Public Works.

EC-1003. A communication from the Director of Congressional Affairs, Office of New Reactors, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Enforcement Guidance Memorandum 15-002, Revision 1: Enforcement Discretion for Tornado-Generated Missile Protection Non-Compliance" (EGM 15-002) received in the Office of the President of the Senate on March 8, 2017; to the Committee on Environment and Public Works.

EC-1004. A communication from the Board Members, Railroad Retirement Board, transmitting, pursuant to law, an annual report relative to the Board's compliance with the Government in the Sunshine Act during calendar year 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-1005. A communication from the Chairman, National Endowment for the Humanities, transmitting, pursuant to law, the Endowment's Performance and Accountability Report for fiscal year 2016 and the Uniform Resource Locator (URL) for the report; to the Committee on Homeland Security and Governmental Affairs.

EC-1006. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" (RIN2120-AA64) (Docket No. FAA-2016-6670) received in the Office of the President of the Senate on March 7, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1007. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation; Sturgeon Bay, Sturgeon Bay, WI" ((RIN1625-AA09) (Docket No. USCG-2017-0050)) received in the Office of the President of the Senate on March 8, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1008. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation; Black Warrior River; Tuscaloosa, AL" ((RIN1625-AA08) (Docket No. USCG-2017-0032)) received in the Office of the President of the Senate on March 8, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1009. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Spe-

cial Local Regulation; Black Warrior River; Tuscaloosa, AL" ((RIN1625-AA08) (Docket No. USCG-2017-0034)) received in the Office of the President of the Senate on March 8, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1010. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Operational Equipment Test; Bellingham Bay; Bellingham, WA" ((RIN1625-AA00) (Docket No. USCG-2016-0084)) received in the Office of the President of the Senate on March 8, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1011. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Loop Parkway Bridge—Long Creek, Hempstead, NY" ((RIN1625-AA00) (Docket No. USCG-2017-0019)) received in the Office of the President of the Senate on March 8, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1012. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Columbia River, Sand Island, WA" ((RIN1625-AA00) (Docket No. USCG-2017-0118)) received in the Office of the President of the Senate on March 8, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1013. A communication from the Deputy Chief, Enforcement Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 1.80(b) of the Commission's Rules: Adjustment of Civil Monetary Penalties to Reflect Inflation" (DA 16-1453) received in the Office of the President of the Senate on March 6, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1014. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), FM Table of Allotments, FM Broadcast Stations (Red Lake, Minnesota)" ((MB Docket No. 05-142) (DA 16-371)) received in the Office of the President of the Senate on March 7, 2017; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CRAPO, from the Committee on Banking, Housing, and Urban Affairs, with amendments:

S. 327. A bill to direct the Securities and Exchange Commission to provide a safe harbor related to certain investment fund research reports, and for other purposes.

By Mr. CRAPO, from the Committee on Banking, Housing, and Urban Affairs, without amendment:

S. 444. A bill to amend the Investment Company Act of 1940 to expand the investor limitation for qualifying venture capital funds under an exemption from the definition of an investment company.

S. 462. A bill to require the Securities and Exchange Commission to refund or credit certain excess payments made to the Commission.

By Mr. CRAPO, from the Committee on Banking, Housing, and Urban Affairs, with amendments:

S. 484. A bill to amend the Investment Company Act of 1940 to terminate an exemption for companies located in Puerto Rico, the Virgin Islands, and any other possession of the United States.

By Mr. CRAPO, from the Committee on Banking, Housing, and Urban Affairs, without amendment:

S. 488. A bill to increase the threshold for disclosures required by the Securities and Exchange Commission relating to compensatory benefit plans, and for other purposes.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. UDALL (for himself, Mr. TESTER, and Ms. CANTWELL):

S. 607. A bill to establish a business incubators program within the Department of the Interior to promote economic development in Indian reservation communities; to the Committee on Indian Affairs.

By Mrs. FEINSTEIN (for herself, Mr. SCHUMER, Mr. DURBIN, Ms. KLOBUCHAR, Ms. CORTEZ MASTO, Mr. BOOKER, Mr. LEAHY, Mrs. SHAHEEN, Mr. COONS, Mr. BLUMENTHAL, Ms. HIRONO, Mr. MARKEY, Ms. BALDWIN, Ms. WARREN, Mr. CARPER, Mr. SANDERS, Mr. BENNET, Mrs. MURRAY, Mr. UDALL, Mr. KAINE, Mr. FRANKEN, Mr. SCHATZ, Mr. REED, Mrs. GILLIBRAND, Mr. MERKLEY, Ms. HASSAN, Mr. MURPHY, Mr. MENENDEZ, Mr. KING, Mr. WYDEN, Mr. CASEY, Mr. HEINRICH, Mr. CARDIN, Mr. VAN HOLLEN, Ms. DUCKWORTH, Mr. BROWN, Ms. STABENOW, and Ms. HARRIS):

S. 608. A bill to nullify the effect of the March 6, 2017, Executive order that temporarily restricts most nationals from six countries from entering the United States; to the Committee on the Judiciary.

By Mr. MORAN (for himself, Mr. BLUMENTHAL, Mr. GRASSLEY, Ms. MURKOWSKI, Mr. WHITEHOUSE, Ms. BALDWIN, Mr. BROWN, Mr. TESTER, and Mr. KING):

S. 609. A bill to amend the Department of Veterans Affairs Health Care Programs Enhancement Act of 2001 and title 38, United States Code, to require the provision of chiropractic care and services to veterans at all Department of Veterans Affairs medical centers and to expand access to such care and services, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. REED (for himself and Mr. GRASSLEY):

S. 610. A bill to promote transparency by permitting the Public Company Accounting Oversight Board to allow its disciplinary proceedings to be open to the public, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. FEINSTEIN (for herself and Mr. PORTMAN):

S. 611. A bill to amend the McKinney-Vento Homeless Assistance Act to meet the needs of homeless children, youth, and families, and honor the assessments and priorities of local communities; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. FLAKE (for himself and Mr. MCCAIN):

S. 612. A bill to provide for the unencumbering of title to non-Federal land owned by the city of Tucson, Arizona, for purposes of economic development by conveyance of the Federal reversionary interest to the City; to the Committee on Energy and Natural Resources.

By Mr. FLAKE:

S. 613. A bill to amend the Public Utility Regulatory Policies Act of 1978 to provide for the consideration by State regulatory authorities and nonregulated electric utilities of whether subsidies should be provided for the deployment, construction, maintenance, or operation of a customer-side technology; to the Committee on Energy and Natural Resources.

By Mr. FLAKE (for himself and Mr. MCCAIN):

S. 614. A bill to require the Secretary of the Interior to establish a pilot program for commercial recreation concessions on certain land managed by the Bureau of Land Management; to the Committee on Energy and Natural Resources.

By Mr. BENNET (for himself and Mr. RUBIO):

S. 615. A bill to establish an alternative, outcomes-based process for authorizing innovative, high-quality higher education providers to participate in programs under title IV of the Higher Education Act of 1965; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LEE (for himself and Mr. HATCH):

S.J. Res. 38. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Environmental Protection Agency relating to "Approval, Disapproval and Promulgation of Air Quality Implementation Plans; Partial Approval and Partial Disapproval of Air Quality Implementation Plans and Federal Implementation Plan; Utah; Revisions to Regional Haze State Implementation Plan; Federal Implementation Plan for Regional Haze"; to the Committee on Environment and Public Works.

ADDITIONAL COSPONSORS

S. 34

At the request of Mr. JOHNSON, the names of the Senator from Kentucky (Mr. PAUL), the Senator from Wyoming (Mr. ENZI), and the Senator from Florida (Mr. RUBIO) were added as cosponsors of S. 34, a bill to amend chapter 8 of title 5, United States Code, to provide for the en bloc consideration in resolutions of disapproval for "midnight rules", and for other purposes.

S. 108

At the request of Mr. HATCH, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 108, a bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on medical devices.

S. 109

At the request of Mr. GRASSLEY, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 109, a bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare program of pharmacist services.

S. 155

At the request of Mr. RUBIO, the name of the Senator from Texas (Mr.

CORNBYN) was added as a cosponsor of S. 155, a bill to amend the National Labor Relations Act to permit employers to pay higher wages to their employees.

S. 170

At the request of Mr. RUBIO, the names of the Senator from New York (Mr. SCHUMER) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 170, a bill to provide for nonpreemption of measures by State and local governments to divest from entities that engage in commerce-related or investment-related boycott, divestment, or sanctions activities targeting Israel, and for other purposes.

S. 198

At the request of Mr. RUBIO, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 198, a bill to require continued and enhanced annual reporting to Congress in the Annual Report on International Religious Freedom on anti-Semitic incidents in Europe, the safety and security of European Jewish communities, and the efforts of the United States to partner with European governments, the European Union, and civil society groups, to combat anti-Semitism, and for other purposes.

S. 200

At the request of Mr. MARKEY, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 200, a bill to prohibit the conduct of a first-use nuclear strike absent a declaration of war by Congress.

S. 229

At the request of Mr. HEINRICH, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 229, a bill to provide for the confidentiality of information submitted in requests for the Deferred Action for Childhood Arrivals Program, and for other purposes.

S. 236

At the request of Mr. WYDEN, the names of the Senator from Washington (Mrs. MURRAY) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of S. 236, a bill to amend the Internal Revenue Code of 1986 to reform taxation of alcoholic beverages.

S. 242

At the request of Mr. CASSIDY, the name of the Senator from Louisiana (Mr. KENNEDY) was added as a cosponsor of S. 242, a bill to amend title 38, United States Code, to permit veterans to grant access to their records in the databases of the Veterans Benefits Administration to certain designated congressional employees, and for other purposes.

S. 276

At the request of Mr. FLAKE, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 276, a bill to amend title 28, United States Code, to divide the ninth judicial circuit of the United States into 2 circuits, and for other purposes.

S. 339

At the request of Mr. NELSON, the name of the Senator from Alabama (Mr. STRANGE) was added as a cosponsor of S. 339, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation, and for other purposes.

S. 366

At the request of Mr. ROUNDS, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 366, a bill to require the Federal financial institutions regulatory agencies to take risk profiles and business models of institutions into account when taking regulatory actions, and for other purposes.

S. 372

At the request of Mr. PORTMAN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 372, a bill to amend the Tariff Act of 1930 to ensure that merchandise arriving through the mail shall be subject to review by U.S. Customs and Border Protection and to require the provision of advance electronic information on shipments of mail to U.S. Customs and Border Protection and for other purposes.

S. 382

At the request of Mr. MENENDEZ, the names of the Senator from Maine (Ms. COLLINS) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of S. 382, a bill to require the Secretary of Health and Human Services to develop a voluntary registry to collect data on cancer incidence among firefighters.

S. 387

At the request of Mr. PERDUE, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 387, a bill to amend the Consumer Financial Protection Act of 2010 to subject the Bureau of Consumer Financial Protection to the regular appropriations process, and for other purposes.

S. 445

At the request of Ms. COLLINS, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 445, a bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 459

At the request of Mr. RUBIO, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S. 459, a bill to designate the area between the intersections of Wisconsin Avenue, Northwest and Davis Street, Northwest and Wisconsin Avenue, Northwest and Edmunds Street, Northwest in Washington, District of Columbia, as "Boris Nemtsov Plaza", and for other purposes.

S. 479

At the request of Mr. BROWN, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 479, a bill to amend title XVIII of the Social Security Act to waive coinsurance under Medicare for colorectal cancer screening tests, regardless of whether therapeutic intervention is required during the screening.

S. 484

At the request of Mr. MENENDEZ, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 484, a bill to amend the Investment Company Act of 1940 to terminate an exemption for companies located in Puerto Rico, the Virgin Islands, and any other possession of the United States.

S. 493

At the request of Mr. RUBIO, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 493, a bill to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes.

S. 512

At the request of Mr. BARRASSO, the name of the Senator from Arizona (Mr. FLAKE) was added as a cosponsor of S. 512, a bill to modernize the regulation of nuclear energy.

S. 528

At the request of Mr. TESTER, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 528, a bill to amend the Family and Medical Leave Act of 1993 to provide leave because of the death of a son or daughter.

S. 548

At the request of Ms. CANTWELL, the names of the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Ohio (Mr. PORTMAN) were added as cosponsors of S. 548, a bill to amend the Internal Revenue Code of 1986 to reform the low-income housing credit, and for other purposes.

S. 563

At the request of Mr. HELLER, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 563, a bill to amend the Flood Disaster Protection Act of 1973 to require that certain buildings and personal property be covered by flood insurance, and for other purposes.

S. 568

At the request of Mr. BROWN, the names of the Senator from Rhode Island (Mr. REED), the Senator from Massachusetts (Mr. MARKEY), and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of S. 568, a bill to amend title XVIII of the Social Security Act to count a period of receipt of outpatient observation services in a hospital toward satisfying the 3-day inpatient hospital requirement

for coverage of skilled nursing facility services under Medicare.

S. 574

At the request of Mr. MARKEY, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 574, a bill to restrict the use of funds for the long-range standoff weapon until the Secretary of Defense completes a Nuclear Posture Review that includes an assessment of the capabilities and effects of the use of the long-range standoff weapon, and for other purposes.

S.J. RES. 27

At the request of Mr. CASSIDY, the names of the Senator from Wyoming (Mr. ENZI) and the Senator from Kansas (Mr. MORAN) were added as cosponsors of S.J. Res. 27, a joint resolution disapproving the rule submitted by the Department of Labor relating to "Clarification of Employer's Continuing Obligation to Make and Maintain an Accurate Record of Each Recordable Injury and Illness".

S.J. RES. 34

At the request of Mr. FLAKE, the name of the Senator from Kentucky (Mr. MCCONNELL) was added as a cosponsor of S.J. Res. 34, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Federal Communications Commission relating to "Protecting the Privacy of Customers of Broadband and Other Telecommunications Services".

S. CON. RES. 6

At the request of Mr. BARRASSO, the names of the Senator from Maine (Ms. COLLINS) and the Senator from Montana (Mr. DAINES) were added as cosponsors of S. Con. Res. 6, a concurrent resolution supporting the Local Radio Freedom Act.

S. CON. RES. 7

At the request of Mr. ROBERTS, the names of the Senator from North Dakota (Ms. HEITKAMP) and the Senator from Missouri (Mr. BLUNT) were added as cosponsors of S. Con. Res. 7, a concurrent resolution expressing the sense of Congress that tax-exempt fraternal benefit societies have historically provided and continue to provide critical benefits to the people and communities of the United States.

S. RES. 76

At the request of Mr. CASEY, the names of the Senator from California (Mrs. FEINSTEIN) and the Senator from West Virginia (Mr. MANCHIN) were added as cosponsors of S. Res. 76, a resolution expressing support for the designation of March 21, 2017, as "National Rosie the Riveter Day".

S. RES. 81

At the request of Mr. MANCHIN, the names of the Senator from Wyoming (Mr. ENZI), the Senator from Colorado (Mr. GARDNER), and the Senator from Michigan (Ms. STABENOW) were added

as cosponsors of S. Res. 81, a resolution recognizing the 196th anniversary of the independence of Greece and celebrating democracy in Greece and the United States.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REED (for himself and Mr. GRASSLEY):

S. 610. A bill to promote transparency by permitting the Public Company Accounting Oversight Board to allow its disciplinary proceedings to be open to the public, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. REED. Mr. President, I am reintroducing the PCAOB Enforcement Transparency Act along with Senator Grassley. This bill permits the Public Company Accounting Oversight Board, PCAOB, to make public the disciplinary proceedings it has brought against auditors and audit firms earlier in the process.

Over 10 years ago, our markets were victimized by a series of massive financial reporting frauds, including those involving Enron and WorldCom. In response to this crisis, the Senate Committee on Banking, Housing, and Urban Affairs conducted multiple hearings, which produced consensus on a number of underlying causes, including weak corporate governance, a lack of accountability, and inadequate oversight of accountants charged with auditing public companies' financial statements.

In order to address the gaps and structural weaknesses revealed by the investigation and hearings, the Senate passed the Sarbanes-Oxley Act of 2002 in a 99-to-0 vote. Among its many provisions, this law called for the creation of a strong, independent board, the PCAOB, responsible for overseeing auditors of public companies in order to protect investors who rely on independent audit reports on the financial statements of public companies.

To conduct its duties, the PCAOB, under the oversight of the U.S. Securities and Exchange Commission, SEC, oversees more than 1,500 registered accounting firms, as well as the audit partners and staff who contribute to a firm's work on each audit. The board's ability to initiate proceedings to determine whether there have been violations of its auditing standards or rules of professional practice is an important component of its oversight.

However, unlike other oversight bodies, such as the SEC, the U.S. Department of Labor, the Federal Deposit Insurance Corporation, the U.S. Commodity Futures Trading Commission, the Financial Industry Regulatory Authority, and others, the Board's disciplinary proceedings are not allowed to be public without consent from the parties involved. Of course, parties sub-

ject to disciplinary proceedings have no incentive to consent to publicizing their alleged wrongdoing and thus these proceedings typically remain cloaked behind a veil of secrecy. In addition, the board's decisions in disciplinary proceedings are not allowed to be publicized until after the complete exhaustion of an appeals process, which can often take several years.

These PCAOB disciplinary proceedings create a lack of transparency that invites abuse and undermines the congressional intent behind the PCAOB, which was to shine a bright light on auditing firms and practices, and to bolster the accountability of auditors of public companies to the investing public.

Over the years, some bad actors have taken advantage of this loophole to shield themselves from public scrutiny and accountability. PCAOB Chairman James Doty has repeatedly stated in testimony provided to both the Senate and House of Representatives over the years that the secrecy of the proceedings "has a variety of unfortunate consequences" and that such secrecy is harmful to investors, the auditing profession, and the public at large.

For example, an accounting firm that was subject to a disciplinary proceeding continued to issue no fewer than 29 additional audit reports on public companies without any of those companies knowing about its PCAOB disciplinary proceedings. Disturbingly, investors and the public company clients of that audit firm were deprived of relevant information about the proceedings against the firm and the substance of any violations.

In addition to the reasons I have already provided, there are other reasons why the board's enforcement proceedings should be open and transparent.

First, the incentive to litigate cases in order to continue to shield conduct from public scrutiny as long as possible frustrates the process and requires the expenditure of needless resources by both litigants and the PCAOB.

Second, agencies such as the SEC have found open and transparent disciplinary proceedings to be valuable because they inform peer audit firms of the type of activity that may give rise to enforcement action by the regulator. In effect, transparent proceedings can serve as a deterrent to misconduct because of a perceived increase in the likelihood of "getting caught." Accordingly, the audit industry as a whole would also benefit from timely, public, and nonsecret enforcement proceedings.

Our bill will make hearings by the PCAOB, and all related notices, orders, and motions, transparent and available to the public unless otherwise ordered by the Board. This would more closely align the PCAOB's procedures with those of the SEC for analogous matters.

Increasing transparency and accountability of audit firms subject to PCAOB disciplinary proceedings is a critical component of bolstering and maintaining investor confidence in our financial markets, while better protecting companies from problematic auditors. I hope our colleagues will join Senator Grassley and me in supporting this legislation to enhance transparency in the PCAOB's enforcement process.

By Mrs. FEINSTEIN (for herself and Mr. PORTMAN):

S. 611. A bill to amend the McKinney-Vento Homeless Assistance Act to meet the needs of homeless children, youth, and families, and honor the assessments and priorities of local communities; to the Committee on Banking, Housing, and Urban Affairs.

Mrs. FEINSTEIN. Mr. President, I rise today to introduce bipartisan legislation with my colleague Senator Portman that would align HUD homeless assistance with existing Federal children and youth programs and provide flexibility to local communities to use available resources to meet the needs that they identify.

According to the U.S. Department of Education, approximately 1.2 million children were homeless during the 2014 to 2015 school year; this is a 34-percent increase from the 939,903 homeless students in the 2009 to 2010 school year.

In California, over 229,000 children experienced homelessness in 2015, nearly four times the 65,000 homeless children in the State in 2003.

Unfortunately, the numbers reported by the HUD Point-in-Time count fail to reflect these increasing numbers.

According to the national 2015 HUD Point-in-Time count, there were only 206,286 people counted as homeless in households that included children, a fraction of the true number.

This is important because only those children counted by HUD are eligible for vital homeless assistance programs and included in local planning efforts. The rest of these children and families are simply out of luck.

The Homeless Children and Youth Act of 2017 would allow HUD homeless assistance programs to serve extremely vulnerable children and families, specifically those staying in motels or in doubled-up situations because they have nowhere else to go.

These families are especially susceptible to abuse and trafficking because they are often not served by a case manager and thus remain hidden from potential social service providers.

As a result of the current narrow HUD definition, communities that receive Federal funding through the competitive application process are unable to prioritize or direct resources to help these children and families.

This bill would provide communities with the flexibility to use Federal funds to meet local priorities. The bill

requires the Secretary to assess the extent to which Continuums of Care use separate, specific, age-appropriate criteria for determining the safety and needs of children and unaccompanied youth and divert people to safe, stable, age-appropriate accommodations.

And I would note that the bill does not impose any new mandates on service providers.

Finally, this legislation improves data collection transparency by requiring HUD to report the point in time PIT count and the Annual Homeless Assessment Report, AHAR to include data on all categories of homelessness.

Mr. President, I am pleased that Senator Rob Portman has joined me as an original cosponsor on this bill. Homelessness continues to plague our Nation. If we fail to address the needs of these children and families today, they will remain stuck in a cycle of poverty and chronic homelessness.

It is our moral obligation to ensure that we do not erect more barriers for these children and families to access services when they are experiencing extreme hardship. I believe this bill is a commonsense solution that will ensure that homeless families and children can receive the help they need.

By Mr. LEE (for himself and Mr. HATCH):

S.J. Res. 38. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Environmental Protection Agency relating to "Approval, Disapproval and Promulgation of Air Quality Implementation Plans; Partial Approval and Partial Disapproval of Air Quality Implementation Plans and Federal Implementation Plan; Utah; Revisions to Regional Haze State Implementation Plan; Federal Implementation Plan for Regional Haze"; to the Committee on Environment and Public Works.

APPOINTMENTS

The PRESIDING OFFICER. The Chair announces, on behalf of the Democratic leader, pursuant to Public Law 105-83, the reappointment of the following individual to serve as a member of the National Council on the Arts: the Honorable TAMMY BALDWIN of Wisconsin.

The Chair, on behalf of the President pro tempore, pursuant to Public Law 96-388, as amended by Public Law 97-84, and Public Law 106-292, reappoints the following Senators to the United States Holocaust Memorial Council: the Honorable BERNARD SANDERS of Vermont and the Honorable AL FRANKEN of Minnesota.

The Chair, pursuant to Executive order 12131, as amended and extended, appoints the following Senators to the President's Export Council: the Honorable AMY KLOBUCHAR of Minnesota and

the Honorable KIRSTEN E. GILLIBRAND of New York.

The Chair, on behalf of the President of the Senate, pursuant to Public Law 85-874, as amended, reappoints the following Senator to the Board of Trustees of the John F. Kennedy Center for the Performing Arts: the Honorable MARK WARNER of Virginia.

The Chair, on behalf of the Vice President, pursuant to Public Law 94-304, as amended by Public Law 99-7, appoints the following Senators as members of the Commission on Security and Cooperation in Europe (Helsinki) during the 115th Congress: the Honorable BENJAMIN L. CARDIN of Maryland, the Honorable SHELDON WHITEHOUSE of Rhode Island, the Honorable TOM UDALL of New Mexico, and the Honorable JEANNE SHAHEEN of New Hampshire.

The Chair, on behalf of the President of the Senate, pursuant to Public Law 106-286, appoints the following Members to serve on the Congressional-Executive Commission on the People's Republic of China: the Honorable DIANNE FEINSTEIN of California, the Honorable JEFF MERKLEY of Oregon, and the Honorable GARY C. PETERS of Michigan.

ORDERS FOR TUESDAY, MARCH 14, 2017

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 2 p.m., Tuesday, March 14; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; finally, that following leader remarks, the Senate resume consideration of H.J. Res. 42.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

DISAPPROVING A RULE SUBMITTED BY THE DEPARTMENT OF LABOR—Continued

ORDER FOR ADJOURNMENT

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senator CRUZ.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Texas.

Mr. CRUZ. Mr. President, I rise today to commend the Senate for taking up legislation that I have introduced, along with my colleague in the House, Chairman KEVIN BRADY, to reverse yet another instance of Executive overreach by the Obama administration.

H.J. Res. 42 passed the House 236 to 189, with support on both sides of the

aisle, including nearly unanimous Republican support, and I urge my colleagues in this Chamber to swiftly approve this legislation and to send it to the President's desk for his signature.

In the bipartisan Middle Class Tax Relief and Job Creation Act of 2012, Congress permitted but did not require States to assess State unemployment compensation or insurance program applicants for drug usage under two circumstances: workers who had been discharged from their last job because of unlawful drug use and workers looking for jobs in occupations where applicants and employees are subject to drug testing.

The unemployment insurance program is designed to facilitate swift reemployment by requiring applicants to be able to work and actively seek employment in order to be eligible. The 2012 job creation act noted that if a worker lost a job due to drug usage, that worker would have established him- or herself as not being fully able or available to work.

Further, under appropriate State-level programs, States could choose to restrict benefits for individuals who fail drug tests as well as to design programs to help them overcome their drug use and become work-ready. A number of States have responded to this opportunity. We are not helping anyone by leaving them in the position where they are dependent on and addicted to drugs.

In Texas, for example, the Texas Legislature passed senate bill 21, which not only sought to secure the quality of job applicants, but it also provided help to those who needed it but would not have sought out that help otherwise themselves.

The wording of the 2012 job creation act clearly shows that Congress specifically intended to provide States the ability to determine how to best implement these programs for their citizens. However, the Obama Department of Labor substantially narrowed the law to circumstances where testing is legally required, not merely allowed. Such an arbitrarily narrow definition undermines the ability of States to conduct drug testing in their programs, as permitted by Congress. This regulation is overly prescriptive. It removes State discretion regarding implementation, and it ignores years of congressional concern on both sides of the aisle.

I thank Chairman BRADY for taking the lead in the House on dealing with this overreach and for his leadership on H.J. Res. 42 to repeal this regulation.

This joint resolution has broad support, including from President Trump, Texas's Governor Abbott, Mississippi's Governor Bryant, Utah's Governor Herbert, and Wisconsin's Governor Walker. All are united in restoring the flexibility of the States to deal with the problem of drug use and drug addiction

and to tailor their unemployment programs to meeting that problem.

This is yet another step in overturning the Obama administration's Executive overreach that has done so much damage. I encourage my colleagues on both sides of the aisle to support this measure and to return discretion to the States and to the people.

I yield the floor.

ADJOURNMENT UNTIL 2 P.M.
TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 2 p.m. tomorrow.

Thereupon, the Senate, at 6:16 p.m., adjourned until Tuesday, March 14, 2017, at 2 p.m.

CONFIRMATION

Executive nomination confirmed by the Senate March 13, 2017:

DEPARTMENT OF HEALTH AND HUMAN SERVICES

SEEMA VERMA, OF INDIANA, TO BE ADMINISTRATOR OF THE CENTERS FOR MEDICARE AND MEDICAID SERVICES.

EXTENSIONS OF REMARKS

IN TRIBUTE TO JOHN
BARTKOWSKI

HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, March 13, 2017

Ms. MOORE. Mr. Speaker, I rise today to recognize John Bartkowski who is retiring from the Sixteenth Street Community Health Centers on March 31, 2017. He retires as CEO and President at the organization after serving for nearly 30 years.

Mr. Bartkowski has spent much of his career at the Sixteenth Street Community Health Centers making an extraordinary impact on the lives of the people they serve through both innovation and growth. When John started at Sixteenth Street they had one storefront location and now have 5 sites. Over the decades he has led the organization as a tireless advocate and provider of quality care for community health concerns to make a real difference in the lives of the people they serve. 84 percent of the individuals they serve are Hispanic/Latino, 19 percent are uninsured and 65 percent are at 100 percent of the Federal Poverty Level or under. There is a huge need for quality bilingual services and Sixteenth Street Community Health Centers has met that need on all levels.

While at the helm of Sixteenth Street Community Health Centers some of John's most notable achievements in addition to expansion include: the creation of an Environmental Health Department to address lead poisoning and asthma issues, formation of HIV/AIDS outreach which was later expanded to a Department, addition of Behavioral Health Services, Accreditation by the Joint Commission and initiation of the Annual Celebrity Roast to raise funds for the clinic. While he could have been satisfied with maintaining a focus solely on the clinic, John Bartkowski sought to better the entire community. He applied for funding and worked with partners to improve blighted areas like the Menomonee Valley and brought bike trails and new businesses to the area. John truly believes in the concept that a society becomes more vibrant and productive when it is inclusive and he has walked that talk.

I am grateful to have had the opportunity to know and work with John Bartkowski for many years on a myriad of health issues. I join with friends and colleagues to congratulate him as he transitions into a different phase of his life.

Mr. Speaker, I am proud to honor John Bartkowski. The citizens of the Fourth Congressional District and the State of Wisconsin are privileged to have someone of his ability and dedicated service working on their behalf for so many years. I thank him for all that he has done and I am indeed honored for these reasons to pay tribute to John Bartkowski.

PERSONAL EXPLANATION

HON. GREG WALDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, March 13, 2017

Mr. WALDEN. Mr. Speaker, on Friday, March 10, 2016, I was unable to be present and missed the recorded votes on roll call no. 157 and 158 regarding H.R. 720, the Lawsuit Abuse Reduction Act. Had I been present, I would have voted NAY on Roll Call No. 157, and YEA on Roll Call No. 158.

ECONOMIC GROWTH IN JACKSON
COUNTY, GA

HON. DOUG COLLINS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 13, 2017

Mr. COLLINS of Georgia. Mr. Speaker, I rise today to recognize the economic growth that Jackson County has experienced over the past year. The investment of new companies in the Ninth District of Georgia has brought hundreds of new jobs to our community, and it is my hope that this growth will continue for years to come.

For many years, companies have made their home alongside Interstate 85 in the middle of Jackson County. The continued growth of e-commerce, in addition to the demand for expedited shipping by customers, has made it necessary for companies such as Amazon, Williams-Sonoma, and Whole Foods to acquire regional distribution centers. We are eager to welcome these companies, as well as many others, to northeast Georgia.

In addition to the settlement of new companies in Jackson County, there have been multiple expansions that have been announced by already existing businesses and health centers. The continued growth of these companies shows that they have found a community in the Ninth District that is conducive to their businesses' future.

The number of companies that have decided to absorb industrial space in our district represents another notable step towards increased economic strength for our community. However, Jackson County is continuing to invest not only in the economic sector, but in the future of young men and women by creating a college and career academy. In fall of 2017, the county will submit a proposal for this academy, which has the potential to attract new industries to northeast Georgia, as well as to educate the young men and women of our community. Mr. Speaker, I applaud this holistic approach to community growth on the part of Jackson County.

HONORING THE 45TH ANNIVERSARY OF THE CAMILLUS ERIE
CANAL PARK

HON. JOHN KATKO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 13, 2017

Mr. KATKO. Mr. Speaker, I rise today in honor of the 45th anniversary of the Camillus Erie Canal Park in my hometown of Camillus, New York.

Established in 1972, the Camillus Erie Canal Park is part of the Erie Canalway National Heritage Corridor in Upstate New York. It is maintained and operated by an entirely volunteer group dedicated to preserving and restoring the historic Erie Canal in the Town of Camillus.

The Camillus Erie Canal Park offers Central New Yorkers, tourists, and students from across New York State over 10 miles of historic walkways, boat rides along the Erie Canal, and museums showcasing the history of the canal.

Critical to the preservation of this historic site, members of the Camillus Erie Canal Society and many hardworking volunteers in our community worked to restore the 1842 Nine Mile Creek Aqueduct at the Camillus Erie Canal Park. This is the only restored navigable aqueduct in New York State and is listed on the National Registry of Historic Sites.

The Erie Canal stretches from Albany to Buffalo and has played a pivotal role in the socioeconomic development of New York State and our country. This corridor, which is celebrating its 200th anniversary this year, was recently designated a National Historical Landmark.

I am proud to recognize the 45th anniversary of the Camillus Erie Canal Park, as well as the Camillus Erie Canal Society for the incredible work they do to preserve the cultural heritage of the Erie Canal in Central New York.

INTRODUCTION OF THE DISTRICT
OF COLUMBIA LOCAL PROSECUTOR
ESTABLISHMENT ACT
OF 2017

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 13, 2017

Ms. NORTON. Mr. Speaker, today I introduce the District of Columbia Local Prosecutor Establishment Act of 2017, to give District of Columbia residents another element of the self-government enjoyed by all other American citizens, including those in the U.S. territories. The bill would establish a local prosecutor's office designated under local law to prosecute

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

all local crimes in the District. Under federal law, the U.S. Attorney's Office for the District of Columbia, a federal entity, is responsible for prosecuting most local crimes committed by adults here, which is the greater part of its caseload, in addition to prosecuting federal crimes. This bill is special because it effectuates a 2002 advisory referendum, approved by 82 percent of D.C. voters, to create a local prosecutor's office.

There is no law enforcement issue of greater importance to D.C. residents on which they have less say than the prosecution of local crimes here. A U.S. Attorney has no business prosecuting the local crimes of a jurisdiction, an anachronism that is out of place in any, American self-governing jurisdiction. In fact, the territories of the United States, Puerto Rico, Guam, the U.S. Virgin Islands, American Samoa, and the Northern Mariana Islands, all have local prosecutors to prosecute local crimes. The absence of a local D.C. prosecutor is one more anachronism from the pre-home rule days when D.C. had no local government. The goal of this bill is to give the District the same jurisdiction over the criminal justice matters that state, local, and territorial jurisdictions justifiably regard as mandatory.

Amending federal law to create a local prosecutor would be an important step toward our goal of achieving true self-government. I urge my colleagues to support this important measure.

PERSONAL EXPLANATION

HON. SUSAN A. DAVIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 13, 2017

Mrs. DAVIS of California. Mr. Speaker, I missed votes because I was asked to give a eulogy for a leading Councilwoman and State Senator, who had been a dear friend and mentor. It was a significant tribute and event in my district and for my constituents. Had I been present, I would have voted NAY on Roll Call No. 138, NAY on Roll Call No. 139, YEA on Roll Call No. 140, YEA on Roll Call No. 141, YEA on Roll Call No. 142, YEA on Roll Call No. 143, YEA on Roll Call No. 144, YEA on Roll Call No. 145, YEA on Roll Call No. 146, YEA on Roll Call No. 147, NAY on Roll Call No. 148, YEA on Roll Call No. 149, YEA on Roll Call No. 150, YEA on Roll Call No. 151, NAY on Roll Call No. 152, YEA on Roll Call No. 153, YEA on Roll Call No. 154, YEA on Roll Call No. 155, YEA on Roll Call No. 156, YEA on Roll Call No. 157, and NAY on Roll Call No. 158.

PERSONAL EXPLANATION

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 13, 2017

Mr. BARLETTA. Mr. Speaker, on Thursday, March 9, and Friday, March 10, I was unable to be present for recorded votes.

On March 9, had I been present, I would have voted the following on amendments to

H.R. 985, the Fairness in Class Action Litigation and Furthering Asbestos Claim Transparency Act of 2017: No on roll call no. 140, the Deutch Amendment, No on roll call no. 141, the Deutch Amendment, No on roll call no. 142, Soto amendment, No on roll call no. 143, the Johnson Amendment, No on roll call no. 144, the Conyers amendment, No on roll call no. 145, the Jackson Lee Amendment, No on roll call no. 146, the Espallat Amendment, and No on roll call no. 147, the Democratic Motion to Recommit. I would have voted Yes on roll call no. 148, final passage of H.R. 985, the Fairness in Class Action Litigation Act. I would have voted the following on amendments to H.R. 725, the Innocent Party Protection Act: No on roll call no. 149, the Soto Amendment, No on roll call no. 150, the Cartwright Amendment, No on roll call no. 151, the Democratic Motion to Recommit. I would have voted Yes on roll call no. 152, final passage of H.R. 725, the Innocent Party Protection Act.

On March 10, had I been present, I would have voted the following on amendments to H.R. 720, the Lawsuit Abuse Reduction Act: No on roll call no. 153, the Soto Amendment, No on roll call no. 154, the Jackson Lee amendment, No on roll call no. 155, the Conyers Amendment, No on roll call no. 156, the Jeffries Amendment, and No on roll call no. 157, the Democratic Motion to Recommit. I would have voted Yes on roll call no. 158, final passage of H.R. 720, the Lawsuit Abuse Reduction Act.

IN MEMORY OF SAM HOUSTON, IV

HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 13, 2017

Mr. BRADY of Texas. Mr. Speaker, a loving husband, father, and grandfather, Sam Houston, IV was a blessing to Texas, not just because of who his great-grandfather was, but because of his passion for Texas history.

Born on September 25, 1931, in Claremore, Oklahoma to Sam Houston, III and Ruth Helen Nilson, Sam Houston, IV was the great grandson of General Sam Houston. He was one of Texas' founding fathers whose statue stands in the National Statuary Hall in the U.S. Capitol, and whose bust is displayed in the historic Ways and Means Conference Room in the Capitol as well. Sam Houston, IV shared his ties to Texas history with all who would listen. A frequent speaker at annual San Jacinto Day celebrations, Sam brought history to life.

He enjoyed sharing his love of Texas history and his special connection to the founding of the Texas Republic with children, school groups, civic and other organizations. His great-grandfather, who once said about Texas that "no country upon the globe can compare with it in natural advantages," would have been proud of his great grandson.

A salesman with U.S. Steel for many years, Sam attended Schreiner Military Academy and Allen Academy in Texas. He also attended St. Michael's College in New Mexico before earning his BA in history at the University of Houston.

Always a patriot, Sam served in the U.S. Army during the Korean War and led an infan-

try platoon. After active service, he served an additional 16 years in the Army Reserves, retiring with the rank of Lieutenant Colonel.

He was appointed to the Bi-centennial Commission of the U.S. Constitution and served on the Sesquicentennial Commission of the Republic of Texas celebration. He served as President General of the Sons of the Republic of Texas and was Knight Commander of the Knights of San Jacinto. He is one of nine men in the over one-hundred year history of the Sons of the Republic of Texas to have been awarded the Lifetime Achievement Award.

He was commissioned as Commanding General of The Texas Army on April 20, 2010 by Governor Perry. On February 23, 2011, he was awarded the George Washington Award by the Paul Carrington Chapter of the Sons of the American Revolution, Houston, Texas.

Sam would carry his weighty name with pride as he spoke to tens of thousands of schoolchildren about Texas history. He also appeared in the EMMY Award winning documentary, Sam Houston: American Statesman, Soldier, and Pioneer, that will live on for generations to come.

For the past several decades, he called the Houston area his home. Sam and his wife, Virginia Rose, were blessed with three children, Vicky, Steven, and Kevin, three grandchildren, Sherry, Bridgett and Scott, and seven great-grandchildren, Jessica, Chelsea, Patrick, Mackenzie, Nicole, Sophia and Dylan. Sam is also survived by his brother, Temple.

On March 10, 2017, Sam passed away at the age of 85 and will be sorely missed.

INTRODUCTION OF THE ORGANIC ACT OF GUAM REFORM ACT OF 2017

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Monday, March 13, 2017

Ms. BORDALLO. Mr. Speaker, today I am introducing legislation to amend the Organic Act of Guam to prohibit salary changes for the Governor of Guam, the Lieutenant Governor of Guam, and Senators of the Guam Legislature until after a general election of the Legislature has passed. During last year's election, the people of Guam made clear that they disapproved of salary changes made in previous years for the Governor, Lieutenant Governor, and members of our Legislature, and my bill would ensure that any changes to the salaries of our local elected officials are appropriately deliberated and considered consistent with how Congress handles these matters.

The Organic Act of Guam establishes the framework of the Government of Guam but it is silent on provisions regarding changes in salary for the Governor, Lieutenant Governor, or members of the local Guam Legislature. Changes can be made and implemented at anytime simply by changing local law, and this has caused division in our community. Over the past several years, local policymakers and the people of Guam have debated pay increases that were proposed and instituted shortly after the 2014 general election. While I believe that these issues are up to local policymakers, and ultimately the people of Guam

to decide, the Organic Act should provide safeguards regarding salaries for these elected officials that will prevent divisiveness in our community. The bill that I am introducing today would prevent the Governor, Lieutenant Governor, and Senators from increasing their salaries until after an intervening election of the Legislature has occurred. This is similar to the 27th Amendment to the Constitution that prohibits Members of Congress from increasing their pay until after an intervening election, and it is consistent with a request made by the Guam Legislature for me to introduce an amendment to the Organic Act for this purpose.

This bill is a step towards improving accountability for elected officials in Guam and is consistent with public opinion in Guam and the views expressed by the Guam Legislature. I encourage its adoption and urge my colleague to pass this legislation.

IN RECOGNITION OF CHRIS STEWART WINNING HIS THIRD CONSECUTIVE SCHOOL GEOGRAPHIC BEE

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 13, 2017

Mrs. COMSTOCK. Mr. Speaker, I rise to congratulate the Langley School's very own, Chris Stewart, on winning the school-wide National Geographic Bee for the third consecutive year and for advancing to the statewide competition. Chris, an eighth grader attending the Langley School in McLean, advanced to the school-wide Bee sponsored by the National Geographic Society after scoring the highest in a preliminary qualifying test earlier this year. His impressive achievement is not only a testament to his hard work and dedication, but also the exemplary teachers and faculty at the Langley School who helped cultivate Chris's intellectual intrigue.

At the beginning of every school year, the National Geographic Bee begins at the local level, then advances to the state and eventually national levels through a series of oral and written geography exams with questions ranging from the locations of mountain ranges and rivers to the names of cities and countries. Chris not only displayed his impressive knowledge of world geography, but also showed great confidence and poise, as he and his peers competed on stage in front of the entire school. As Langley School's winner, Chris will move on to compete at the state level, with a chance to eventually compete for a college scholarship at the national competition in May.

Mr. Speaker, I ask that my colleagues join me in congratulating Chris Stewart for winning the Langley School's Geographic Bee for the third consecutive year. This achievement shows his dedication to his education and studies, and he is fully deserving of this recognition. It is a privilege to represent him, and I wish him all the best in his future endeavors.

HONORING PASTOR GILLETTE O. JAMES

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 13, 2017

Ms. LEE. Mr. Speaker, I rise today to honor a great religious, spiritual, and civic leader, Pastor Gillette James, of Beth Eden Baptist Church as he retires after more than 46 years of faithful service to his community.

Pastor James graduated from the University of San Francisco with Master of Divinity and Doctor of Ministry degrees, and completed additional studies at Oxford University in England.

Pastor James joined the Beth Eden community in 1970 as an Assistant Pastor. Then only a year later, he accepted the call to lead the congregation of Beth Eden Baptist Church after the retirement of Pastor A.C. Dones. Under his strong leadership, the church built fifty-four units of senior housing and purchased other rental housing units for the community. Beth Eden also built a new sanctuary and administrative wing, and hired an architect for a new Family Life Center that is under development, vastly increasing the resources offered to the community of West Oakland.

Pastor James is truly an inspiration to other aspiring clergy, helping forty two other members complete coursework at accredited seminaries during his tenure, and twelve of those received advanced degrees. His leadership has been invaluable to those who have worked under his guidance to achieve their dreams of becoming ministers themselves.

Pastor James has also been a strong advocate for the role of women in church leadership positions. At one point, he was ousted from the California State Baptist Convention for his strong stance for women's involvement in the ministry. He has since been restored in the Convention, and they heeded his direction to keep churches that fully recognize women clergy. Pastor James' commitment to the rights of women in leadership positions has never wavered, and I am sure owes much to the example of his wonderful wife, the late Dr. Rosa James.

Additionally, Pastor James has emphasized education as a key area of importance in his service to Beth Eden's community. Beth Eden's Scholarship Committee awards scholarships to high school graduates and college students to ensure that the youth of Oakland remain engaged and committed to their education.

On behalf of California's 13th Congressional District, I take great pride in joining the Beth Eden community to salute the extraordinary Gillette O. James as he retires as Pastor of Beth Eden Baptist Church, and wish him many years of joyful retirement.

RECOGNIZING JOHN NARIGI

HON. JIMMY PANETTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 13, 2017

Mr. PANETTA. Mr. Speaker, I rise today to congratulate John V. Narigi for being named

the 2016 Citizen of the Year by the Monterey Peninsula Chamber of Commerce and to recognize Mr. Narigi's leadership in our community on the Central Coast.

Mr. Narigi is a native of Gig Harbor, Washington and graduated from Gonzaga University. In 1993, Mr. Narigi made a permanent move from Washington to the Monterey Peninsula. Since his move, Mr. Narigi has played an important role in leading the Monterey Plaza Hotel & Spa's executive team. Among his many other accomplishments, Mr. Narigi has served as President and remained an active board member for the Monterey County Hospitality Association and has served on the Monterey Commercial Property Owners Association, the Cannery Row Business Association, the Monterey Bay Issues and Candidates Political Action Committee, and the Coalition of Peninsula Businesses.

He has proven himself to be a natural leader by transforming and raising the profile of local organizations that have improved the lives of residents and visitors alike. Mr. Narigi has dedicated his life's work to improving non-profits, local small businesses, Monterey County leadership boards, and youth sports.

Mr. Narigi served as the Chairman of the Board for Rancho Cielo, a community organization dedicated to helping underserved youth in Monterey County become self-sufficient through vocational training and education. His commitment to the work done at Rancho Cielo is a testament to how much he cares about his community and making sure that our young people have opportunities to succeed.

As someone who has dedicated a lifetime to public service, it is my honor to recognize Mr. Narigi's tireless involvement on the Central Coast. Mr. Narigi's commitment to improving the well-being of our community is an inspiration to us all.

HONORING FRANK SCHUCHAT

HON. JARED POLIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 13, 2017

Mr. POLIS. Mr. Speaker, today I rise to pay tribute to a departed Colorado expert in and asset to wise trade relations.

Frank Schuchat ("Shook-It") sat on the U.S. Commerce Department's Rocky Mountain District Export Council. He provided myself and other members, of the Congress news and local perspective on trade policy. His perspective will be missed.

A graduate in history at the University of Colorado and with a law degree from Georgetown, Frank was counsel in the U.S. International Trade Commission and a clerk on the DC Court of Appeals. After that he honed his legal craft in firms both in Washington and Denver. This is where he learned that words matter in trade relations.

An eager globe trotter, Frank developed respect and admiration for citizens abroad. He was a kind and friendly traveler, a global mensch.

With that attitude, in 1997 he was named as honorary counsel to Belgium. Through that position he facilitated a greater understanding of

trans-Atlantic partnerships and, most importantly, crafted beer. He did his best to enlighten beer brewers and consumers.

But Frank was at his personal best as a successful stand-up comic. Fluent in Dutch, he could deliver political satire in two languages. He knew that words matter here too.

Even in his memorial he shows his true colors, asking that donations be sent to the Southern Poverty Law Center.

In short, Frank Schuchat displayed deep intellect, a conscience for others.

IN HONOR OF ELLEN GRUNEWALD

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 13, 2017

Mrs. COMSTOCK. Mr. Speaker, I rise to recognize my constituent, Ellen Grunewald, who will be departing from her role in Loudoun County after nearly thirty years of dedicated service to our community and to congratulate her on receiving a Resolution of Appreciation from the County Administrator, Tim Hemstreet. As the Director of Family Services, Ms. Grunewald oversaw a plethora of the county's programs, and her work ethic and exemplary demeanor will certainly be missed.

Ms. Grunewald began her career of service to Loudoun County as an Assistant Director of Social Services in 1989. Throughout the course of her entire career with the county office, she watched Loudoun County flourish and transform into one of the most affluent and prosperous counties in America. She held a variety of positions and had many responsibilities, including serving as the Coordinator of the Young Parents Network and as a Supervisor of the Emergency and Supportive Services Unit. Her ability to wear many hats and serve in various capacities positioned her well to eventually become the Director of Family Services in 2010.

As the Director of Family Services, Ms. Grunewald oversaw programs that provided assistance with food, housing, finance, and other needs to those living in poverty. This type of casework can be difficult and often very disheartening, but over the past 6 years she kept a strong, positive attitude and was able to help hundreds of families in Loudoun County. She also started new initiatives, such as the Family Engagement Process, in which she was able to help divert 62 children from placement in foster care. Ms. Grunewald went above and beyond in her role, and she will certainly be missed.

On behalf of the entire Tenth District, I thank Ms. Grunewald for her dedicated career of service to Loudoun County. Mr. Speaker, I ask my colleagues to join me in recognizing a truly commendable public servant. I wish her and her family all of the best in their future endeavors.

HONORING GLEN O. KLIPPENSTEIN

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, March 13, 2017

Mr. GRAVES of Missouri. Mr. Speaker, it is with great pleasure that I pause to honor a constituent of Missouri's 6th Congressional District and someone I am especially proud to call my friend, Glen O. Klippenstein, upon being honored with the Jay B. Dillingham Award for Agricultural Leadership and Excellence by the Agribusiness Council of Kansas City.

Glen was born in Canada and grew up working on the family cattle operation. His family emigrated to Pennsylvania when he was 11, and it was there that he would attend Penn State University and turn down a job running former President Dwight D. Eisenhower's farm outside Gettysburg.

He and a friend would later move to Missouri and establish GlenKirk Farms. GlenKirk became one of the premier cattle operations in the nation, selling over 7,000 bulls and 7,500 females across all 50 states and internationally in 22 countries and earning a place in the Hereford Heritage Hall of Fame. Glen would later serve in the Missouri state legislature in both the Senate and the House of Representatives. Glen is a tireless worker who is dedicated to aiding the agricultural community, serving as the two-term chairman of the National Beef Promotion and Research Board; as chairman of the American Polled Hereford Association; as director of the National Cattleman's Association; as member and vice chairman of the Federal Agricultural Mortgage Corporation Board; and as the CEO of the American Chianina Association.

Mr. Speaker, I could list many more organizations that Glen has guided and worked with over his very distinguished lifetime. However, I ask that you join me, Glen's wife Linda, their children Brian, Brett, Noel, and Ivan, their grandchildren and the agricultural community in congratulating Glen O. Klippenstein on this accomplishment and wishing him God's blessings in the years to come.

HONORING THE LIFE AND LEGACY
OF MR. DRAGO CVITANOVICH

HON. CEDRIC L. RICHMOND

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 13, 2017

Mr. RICHMOND. Mr. Speaker, I rise today to honor the life and legacy of Mr. Drago Cvitanovich, co-founder of Drago's Seafood Restaurant, who passed away on February 4, 2017 at the age of 94.

Mr. Cvitanovich was born in 1922 in Yugoslavia, now Croatia, and fled the communist rule of his homeland after World War II. He fled to Germany and worked as a civilian employee of the United States Army. Later, Mr. Cvitanovich moved to Canada and worked for a lumber company. In the spring of 1958, he took a trip to New Orleans to visit family and experience his first Mardi Gras. It was there

that he met Ms. Klara Buconic, a fellow Croatian, who was also visiting her family. Three weeks later, they were married in Buras, Louisiana.

The first Drago's restaurant in New Orleans was in Lakeview, but it was not named for Mr. Cvitanovich. It was owned by his sister, Gloria, who named it after her husband, Drago Batinich. Mr. Cvitanovich would work for nine years at his sister's restaurant and two years with Acme Oyster House in the French Quarter. In 1969, Drago and Klara Cvitanovich opened their restaurant in Metairie's Fat City neighborhood. Since that time, Drago's Seafood Restaurant has grown to three locations and more than 450 employees.

Mr. Cvitanovich cultivated relationships with hundreds of other Yugoslav immigrants who had settled in south Louisiana and made their living in the fishing, shrimping and oyster industry. Mr. Cvitanovich's restaurant became popular for the quality of its seafood.

In 1995, Mr. Cvitanovich served as the king of Metairie's Argus parade on Mardi Gras. In 2013, Drago and Klara Cvitanovich were inducted into the Louisiana Restaurant Association Hall of Fame. In 2014, Drago and Klara Cvitanovich received the Ella Brennan Lifetime Achievement Award from the New Orleans Wine and Food Experience. The Louisiana Hospitality Foundation also created an award honoring his legacy, the Drago Cvitanovich Award for Outstanding Philanthropy by an Entrepreneur.

Mr. Cvitanovich's wife preceded him in death. His survivors include his two sons Tommy and Dr. Gerry Cvitanovich and eight grandchildren.

Mr. Speaker, I celebrate the life and legacy of Mr. Drago Cvitanovich, a beloved husband, father, and grandfather.

2017 SANTA CLARA UNIVERSITY
SCHOOL OF LAW CELEBRATION
OF ACHIEVEMENT, MARCH 25,
2017

HON. ZOE LOFGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 13, 2017

Ms. LOFGREN. Mr. Speaker, today I rise to honor my friend, Don Polden, who has received Santa Clara University School of Law's 2017 Edwin J. Owens Award.

In his nearly forty years in legal education, Don has trained a generation of young lawyers in the classroom and as Dean of the University of Memphis Law School and later as Dean at Santa Clara University School of Law.

At Santa Clara, Don developed curriculum for leadership education and fostered the growth of clinical programs. He secured the gift to launch the Katherine & George Alexander Community Law Center, which offers free legal services for consumer, labor, and immigration issues. During his tenure, Santa Clara Law became nationally recognized for its Intellectual Property law curriculum.

Don's twenty years as law school Dean ended in 2013, but he continues his work on leadership education at the Center for Creative Leadership.

Returning to the classroom has offered Don the opportunity to explore his areas of expertise, antitrust and federal and state labor law. He continues to serve in the American Law Institute's College of Labor and Employment Lawyers in addition to serving as chair of the Advisory Board of the Institute of Sports Law and Ethics. Don has written extensively on the topic of labor law, from authoring a law school textbook to providing commentary in the *Huffington Post* about how the emerging sharing economy tests conventional labor classifications.

Not your ordinary legal educator, Don can also be described as a legal thespian for his role in the 1997 film *Legal Commentator*.

Please join me in recognizing Don for his decades of service to his students and for receiving the 2017 Edwin J. Owens Award.

IN RECOGNITION OF TOM
ALEXANDER

HON. BARBARA COMSTOCK
OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 13, 2017

Mrs. COMSTOCK. Mr. Speaker, I rise to acknowledge my friend and colleague Tom Alexander for his nearly 40 years of dedicated service to our country and the constituents of Virginia's 10th Congressional District. After decades of exemplary service, Tom has decided to enter into a well-deserved retirement.

Fresh out of college, Tom had a desire to serve the United States and enlisted in the Marine Corps. Following his honorable discharge in 1979, Tom worked on President Reagan's White House staff where he received a White House Service Commendation from President Reagan on January 25, 1984. After leaving the White House, Tom graduated from the University of Missouri-Kansas City School of Law and became an Assistant City Attorney for Kansas City, Missouri in 1987. In 1992, Tom decided to return to the federal government and began down a path which led him from the Department of Labor, to the Legislative and Executive Branches of government, and even served in the U.S. Embassies in Ukraine and Malawi.

In 2014, Tom joined the office of my predecessor and mentor, Congressman Frank Wolf. His outstanding work made it clear that he would be an excellent member of my staff, and I am grateful that he agreed to join my office. His work with my constituents, particularly on immigration issues, has helped countless residents in Virginia's 10th Congressional District. I regularly hear from constituents about the lengths to which Tom went to help them and solve their problems, whatever they may be. Tom is someone who keeps a smile on his face throughout the day and inspires us all with his constant positive attitude. Virginia's 10th District has benefited greatly from Tom's tireless work ethic, something that I hear often as I travel throughout our communities and meet with constituents.

While I am sad to see Tom go, I am grateful for his service to our country and proud to call him a friend.

Mr. Speaker, I would ask that my colleagues rise and join me in thanking Tom Alexander

for his service. I wish him, his wife Patricia, and his children Shane, Aidan, and Shannon all the happiness in the world, and the best of luck in the years to come.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, March 14, 2017 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MARCH 15

10 a.m.

Committee on Banking, Housing, and Urban Affairs

To hold hearings to examine assessing U.S. sanctions on Russia, focusing on the next steps.

SD-538

Committee on Commerce, Science, and Transportation

To hold hearings to examine unmanned aircraft systems, focusing on innovation, integration, successes, and challenges.

SD-106

Committee on Environment and Public Works

To hold hearings to examine innovative solutions to control invasive species and promote wildlife conservation.

SD-406

Committee on Homeland Security and Governmental Affairs

Business meeting to consider S. 34, to amend chapter 8 of title 5, United States Code, to provide for the en bloc consideration in resolutions of disapproval for "midnight rules", S. 21, to amend chapter 8 of title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law, S. 317, to provide taxpayers with an annual report disclosing the cost and performance of Government programs and areas of duplication among them, S. 500, to amend the Homeland Security Act of 2002 to make the Assistant Secretary of Homeland Security for Health Affairs responsible for coordinating the efforts of the Department of Homeland Security related to food, agriculture, and veterinary defense against terrorism, S. 218, to re-

strict the inclusion of social security account numbers on documents sent by mail by the Federal Government, S. 188, to prohibit the use of Federal funds for the costs of painting portraits of officers and employees of the Federal Government, H.R. 274, to provide for reimbursement for the use of modern travel services by Federal employees traveling on official Government business, H.R. 366, to amend the Homeland Security Act of 2002 to direct the Under Secretary for Management of the Department of Homeland Security to make certain improvements in managing the Department's vehicle fleet, an original bill entitled, "Dr. Chris Kirkpatrick Whistleblower Protection Act", an original bill entitled, "Office of Special Counsel Reauthorization Act", an original bill entitled, "Follow the Rules Act", an original bill entitled, "Regulatory Accountability Act", and the nomination of Elaine C. Duke, of Virginia, to be Deputy Secretary of Homeland Security.

SD-342

Committee on the Judiciary

To hold hearings to examine visas, focusing on investigating K-1 fiancé fraud.

SD-226

10:30 a.m.

Committee on Appropriations

Subcommittee on Department of Defense

To hold closed hearings to examine a ballistic missile defense program update.

SVC-217

Committee on Appropriations

Subcommittee on Departments of Labor, Health and Human Services, and Education, and Related Agencies

To hold hearings to examine STEM education, focusing on preparing students for the careers of today and the future.

SD-138

11 a.m.

Committee on Foreign Relations

To hold hearings to examine six years of war in Syria, focusing on the human toll.

SD-419

1:30 p.m.

Select Committee on Intelligence

To receive a closed briefing on certain intelligence matters.

SH-219

2:30 p.m.

Committee on the Judiciary

Subcommittee on Crime and Terrorism

To hold hearings to examine the Modus Operandi and toolbox of Russia and other autocracies for undermining democracies throughout the world.

SD-226

Committee on Veterans' Affairs

To hold hearings to examine GAO's high risk list and the Veterans Health Administration.

SR-418

3:30 p.m.

Committee on Armed Services

Subcommittee on Airland

To hold hearings to examine all arms warfare in the 21st century.

SR-232A

MARCH 20

11 a.m.

Committee on the Judiciary

To hold hearings to examine the nomination of Neil M. Gorsuch, of Colorado, to be an Associate Justice of the Supreme Court of the United States.

SH-216

MARCH 21

10 a.m.

Committee on Health, Education, Labor,
and Pensions

To hold hearings to examine FDA user
fee agreements, focusing on improving
medical product innovation for pa-
tients.

SD-430

10 a.m.

Committee on Veterans' Affairs

To hold a joint hearing with the House
Committee on Veterans' Affairs to ex-
amine the legislative presentation of
multiple veterans service organiza-
tions.

SD-G50

POSTPONEMENTS

MARCH 15

2:30 p.m.

Special Committee on Aging

To hold hearings to examine raising
grandchildren in the opioid crisis and
beyond.

SD-562

MARCH 22

9 a.m.

Committee on Health, Education, Labor,
and Pensions

To hold hearings to examine the nomina-
tion of R. Alexander Acosta, of Florida,
to be Secretary of Labor.

SD-430

MARCH 29

3 p.m.

Committee on Small Business and Entre-
preneurship

To hold hearings to examine how small
businesses confront and shape regula-
tions.

SR-428A

SENATE—Tuesday, March 14, 2017

The Senate met at 2 p.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The PRESIDENT pro tempore. Today's opening prayer will be offered by Dr. Andrew Chaney, senior pastor at First and Calvary Presbyterian Church from Springfield, MO.

The guest Chaplain offered the following prayer:

Let us pray.

Almighty God, bless these Senators You have chosen to preserve the heritage of America. Bless their families to provide homes of loving support and civility so our Senators will govern with hearts filled with compassion and service to others. We pray for strength of character in our Senate. Fortify weak places that might give way to moral compromise. We pray for faithfulness. If they become discouraged, may their first instinct be to seek Your light shining in the darkness. We pray for spiritual empowerment. If they feel overwhelmed, lead them to green pastures. If they feel irritated by noise and busyness, lead them beside the still waters. When they feel exhausted, restore their souls. We pray for strength and leadership. Give them courage to be humble, to forgive, to stand up for what is right. Give them the courage to confront injustice. Give them the courage to stand for American ideals, the courage to resist temptation, and the courage to trust in You with their heart, mind, and soul.

We pray this in the power of Your Holy Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. HOEVEN). The majority leader is recognized.

CONGRESSIONAL REVIEW ACT RESOLUTION

Mr. MCCONNELL. Mr. President, already this Senate has passed seven resolutions to undo harmful regulations that hold our country back. Using the tools provided under the Congressional

Review Act, we have taken action to stop Obama-era rules that have threatened jobs, our economy, and even the success of our students.

Today, we will have another opportunity to block a regulation, one that undermines congressional intent and States' rights. The proposal now before us would end the Obama administration's unemployment drug testing rule and return power to the States so that they can best address this issue at the local level. Congress granted the Labor Department authority to design a rule regarding States' ability to drug-test citizens applying for unemployment insurance; however, as we saw all too often, the Obama administration went beyond its legal authority in creating a regulation that severely limits the role of State and local governments. That is why we heard from several Governors, including those from Mississippi, Wisconsin, Utah, and Texas, who called for Congress to overturn this regulation. As they said in a recent letter, the Department of Labor should go back to the drawing board and put forth "a new rule that allows increased flexibility for States to implement unemployment insurance drug testing that best fits the needs of each state." With a new, smarter rule, these Governors believe their States will be better able to implement drug testing for those seeking unemployment insurance and help individuals suffering from substance abuse to access necessary care and treatment so that they may reenter the workforce as healthy and productive members of our society.

I thank Senator CRUZ for his leadership in sponsoring the Senate companion to the bill we will vote on today, as well as Senator CORNYN and Senator HATCH, the Finance Committee chairman, for working to advance this resolution. We should pass it now so that we can restore the power back to the States where it belongs.

REPEALING AND REPLACING OBAMACARE

Mr. MCCONNELL. Mr. President, now on another matter, in election after election, the American people have made their voices clear: They want an end to ObamaCare. In my home State of Kentucky, ObamaCare premiums are up by as much as 47 percent, and almost half of the counties only have one option for an insurer on the exchange. The pain individuals and families are feeling across the country is palpable. They have watched their bills skyrocket and their options disappear. ObamaCare has made a mess all across our country.

Again and again, Kentuckians have called for relief from this partisan law. Republicans have heard their call, and we have adopted a three-pronged approach to stabilize the healthcare market and help it grow into the future.

The first prong is the legislation currently being considered by committees over in the House. Yesterday, the Congressional Budget Office underlined some important things we have been saying about the House bill. It will ultimately drive down premiums by 10 percent, in their estimation. It will provide further relief to the middle class by cutting taxes—a tax cut of \$883 billion. It will also reduce the deficit by \$337 billion, according to CBO.

That is only considering one part of our three-pronged approach. It does not take into account the other actions Congress, the Governors, or the executive branch can take to further provide relief, lower costs, and improve access. Obviously that means the CBO's statistics, on average, are premature and may not represent the final number of Americans covered under the plan.

Last night, we confirmed Seema Verma to head the Centers for Medicare and Medicaid Services, known as CMS. In that role, Administrator Verma has very broad authority to regulate how ObamaCare interacts with the Medicaid Program.

ObamaCare spent years raiding Medicare funds and putting Medicaid on an unsustainable path. Now she has the ability to work with States on much needed reforms.

The Secretary of Health and Human Services, Dr. Tom Price, just met with Senate Republicans to discuss what he is doing to lessen the burdens of ObamaCare on the American people.

ObamaCare gave significant regulatory flexibility to the Health and Human Services Secretary, as well as the CMS Administrator. Secretary Price and Administrator Verma now have the ability to make serious policy shifts to benefit the American people.

With the three-pronged strategy, we can begin to put the troubles of ObamaCare behind us. We can work together to make the health care marketplace more accessible and affordable.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

DISAPPROVING A RULE SUBMITTED BY THE DEPARTMENT OF LABOR

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.J. Res. 42, which the clerk will report.

The senior assistant legislative clerk read as follows:

A joint resolution (H.J. Res. 42) disapproving the rule submitted by the Department of Labor relating to drug testing of unemployment compensation applicants.

Mr. MCCONNELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRUMP CARE

Mr. DURBIN. Mr. President, last week congressional Republicans finally unveiled their proposal to replace the Affordable Care Act. The Affordable Care Act is a law passed by Congress a little over 6 years ago with the express goal of expanding the number of Americans with the protection of health insurance. It has been successful. We have the lowest percentage of uninsured Americans in history. What it means is that through offering Medicaid to those in low-income categories, offering help to pay premiums for those in middle-income categories, and offering choices in the insurance exchange, we have really changed health insurance in America in 6 years.

Now Americans realize that when they take a look at their actual health insurance policy, it is worth something. It may be hard to remember—but we should—that only 6 years ago, if you happened to have a child with a preexisting condition and you were not lucky enough to have your insurance through your employer and you went out on the open market, you were in for a rough ride. Many health insurance companies would not insure a family with a child who had a history of diabetes or surviving cancer. We changed that. We said that no health insurance company in America can discriminate against a person or family because of a preexisting medical condition. Is there one of us who lives in a family which doesn't have a relative, a close relative, with a preexisting condition? That was an important reform that was part of the Affordable Care Act, ObamaCare.

We also came to realize they were selling health insurance to people with some fine print that made a difference—lifetime limits on coverage. Well, I have \$1 million coverage. That sounds great, until the next diagnosis or the next accident. Now, \$1 million doesn't seem like such a large amount

of money, and God forbid you end up with a chronic illness.

One of my constituents came by to visit me 2 weeks ago. She was a guest of one of the Members of Congress during the President's speech to the joint session. She was diagnosed a few years ago with an unusual disease, one that is life-threatening at any given moment. She told me that in the past 3 years, she has spent more than \$700,000 on medication—\$700,000—and that will be a burden she faces for the rest of her life.

If her health insurance had a limit on how much it paid, there would reach a point where she couldn't buy the medicine she needs to save her life. We did away with that, and we said: You can't discriminate against people by putting these limits. We also said: When it comes to charging premiums, you can't discriminate against a person applying for health insurance solely because they happen to be a woman.

There has been a lot of controversy over that in the House in their debate over the last week or so, but what we said basically is that when it comes to insurance risk, put everyone in together, make this a bigger pool of people seeking health insurance so insurance can be profitable and affordable at the same time.

We also said: When it comes to the premiums charged on health insurance—and I call attention to all of us over the age of 50—we said you cannot discriminate in premiums you charge in health insurance. There can't be a disparity of more than 3 to 1 for the most expensive health insurance policy to the least expensive. We also said, in addition to that, if you have a child, son or daughter, graduating college and looking for a job but has no healthcare benefits, keep them on your family plan until they reach the age of 26. I have been through that. Most families have.

I had a recent college graduate, no longer with student health insurance, and I said: Jennifer, do you have health insurance?

Dad, I feel just great.

No father wants to hear that answer. So we changed the law.

When it came to Medicare, under the Affordable Care Act, we said: We are going to eliminate the gap in coverage for prescription drugs for seniors. They used to call it the doughnut hole. It made no sense. It was something only Congress could dream up. We closed it and said: We are going to give seamless coverage to Medicare prescription drugs. That was part of the Affordable Care Act.

We put in incentives for people providing medical care to find ways to give us good quality care and reduce the cost. What was the net result? The slowest growth in hospitalization premiums for employer-based healthcare that we have seen in modern times.

When they put this new model for healthcare against the Medicare Program—that is a program for seniors and disabled—guess what. It bought 10 years of solvency for Medicare. That meant a program that is critically important for 60 million Americans had 10 more years of solvency.

Did this program have problems? Of course it did. When you take on the healthcare system of America, you are not going to get it completely right the first time. I believed—and many others did—that as important and valuable as that vote was, we had to be prepared to return to this program to make sure we addressed problems as they would arise.

For example, there is nothing in the Affordable Care Act of substance when it comes to controlling the price of pharmaceuticals—prescription drugs.

Well, I can tell you what has happened. Blue Cross Blue Shield in Chicago came to see me, and the CEO said: Blue Cross Blue Shield is now paying more for prescription drugs than we are paying for inpatient hospital care. The cost of drugs has gone through the roof. The net result of that, of course, is the cost of healthcare goes up too. The Affordable Care Act should have addressed that but did not.

We also had to find a way to make sure there was health insurance available all around the United States. Some companies jumped in; some jumped out. Many of us believe we should have a single-payer plan available in every part of America so you could choose for your family a Medicare-type plan if you wish. Otherwise, you would go to a private health insurance company, if you wish. It is your choice.

The Republicans opposed the Affordable Care Act. In the House, they voted against it 57, 58 times—I lose count. Then came the day when they had the majority in the Senate, in the House, and in the White House—the answer to their prayers. Now, once and for all, they can get rid of the Affordable Care Act. They have the votes, but then there was a problem.

People across America started asking: If you repeal it, what will happen next? Will I still be able to get health insurance? Will I be protected if I have a preexisting condition? Will there be limits on what the policy covers?

Well, they hadn't quite thought that far ahead to look for the substitute, to look for the replacement. So they went to work in a matter of 5 or 6 weeks and created what is now being considered by the House of Representatives—the Republican replacement plan.

The Congressional Budget Office is a nonpartisan office that takes a look at our bills and legislation and puts a score on them. How much is it going to cost? What is it going to do?

We waited for Congressional Budget Office scores over and over again when

we wrote the Affordable Care Act. They would come in and say: Nope, you have to go back to the drawing board. You have to change this and change that.

Well, just this week, they came out with the score on the Republican replacement plan, the one to replace the Affordable Care Act. They took a look at it, and here is what they told us.

To start off with, the Republican replacement plan throws people off health insurance coverage. How many? Remember when President Trump said the GOP healthcare bill would have “insurance for everybody”? Under TrumpCare, the new Republican plan, TrumpCare, 14 million people would lose their health coverage next year. By 2026, 24 million people will have lost their healthcare coverage.

Is this what we were looking for in the replacement plan for the Affordable Care Act, to say to 24 million Americans, you will no longer have health insurance coverage? Think about the outcome of that. Think about someone with a chronically ill child or someone who faces a chronic illness themselves with no health insurance.

Think about a working person who has no health insurance where they work. At least they had coverage through Medicaid and perhaps through the insurance exchange with a subsidy. Now they are losing it.

Think about those same people without health insurance. They will still get sick and will still go to the hospital but will be unable to pay. Incidentally, their bills they can't pay, we pay. Those bills are passed on to everyone else.

So the first plank of the Republican TrumpCare, according to the Congressional Budget Office, is to eliminate health insurance for 24 million Americans. In addition, the Republican TrumpCare plan significantly raises premium costs on seniors.

According to the official Congressional Budget Office estimate, the bill will “substantially raise premiums for older people.” How does that happen? Well, in addition to cutting back on the financial assistance for seniors to buy health insurance, TrumpCare would allow insurance companies to charge older people significantly more than the Affordable Care Act. Remember the limit, the 3-to-1 limit on premiums that we built into the Affordable Care Act? TrumpCare says: No, make that 5 to 1. So it means, if you are over the age of 50, buying health insurance, your premiums can go up dramatically, according to the Congressional Budget Office.

There is another thing too. As we take more and more people off of health insurance coverage, it really, in a way, dampens the incentive for affordable healthcare so the costs are not contained as they are today, and the solvency of Medicare—which we said

was 10 years more, remember that—they reduce it by 4 years.

What the Republican TrumpCare plan has done is it threatens the solvency of Medicare. Is that what we were looking for on the repeal of the Affordable Care Act? I don't think so.

TrumpCare also raises costs for lower and middle-income families. By repealing the cost-sharing subsidies and lowering the bar on health plans, the Congressional Budget Office says that lower and middle-class families shopping in the individual market should expect to see—and I quote from the report—“substantially increasing out-of-pocket costs.”

The bill also defunds Planned Parenthood, which was to be expected. We expected it in many bills. According to the Congressional Budget Office, defunding of Planned Parenthood would “affect services that help women avert pregnancies . . . most likely residing in areas without other health care clinics or medical practitioners who serve low-income populations.” The Congressional Budget Office projects that 15 percent of those people—again, these are lower income women in medically underserved areas of America—would lose access to care.

Also, TrumpCare, at the same time it does this—eliminates health insurance for 24 million, raises the premium costs, and defunds Planned Parenthood. For good measure, TrumpCare also provides tax cuts to the wealthiest people in America. Is that what we were looking for? Was that part of the bargain? Those making over \$1 million a year in income will get a \$50,000 tax cut from the TrumpCare bill. The wealthiest one-tenth of 1 percent get a tax cut of nearly \$200,000.

Finally, while cutting taxes for the very rich, TrumpCare also slashes \$880 billion in Medicaid spending over the next 10 years. Medicaid is a vital healthcare program. Most people think about Medicaid—oh, that is health insurance for the poor. It is. But who are the poor? Overwhelmingly in numbers, they are children and their moms who are in low-income groups. That is the biggest number, but the biggest expense for Medicaid isn't kids and their moms. It is grandma and grandpa. It is our families and parents who are in an assisted care home who have Social Security, Medicare, and Medicaid to get by.

These cuts by the Republicans and TrumpCare to Medicaid will be felt by families across the board. In addition, it means that those who represent States like mine and the Presiding Officer's, with rural populations that have small hospitals that depend on patients paying something when they come through the door—many of them are paying through Medicaid, and if Medicaid is reduced, the payments to the hospitals are reduced.

That is why the Illinois Hospital Association warns us against TrumpCare.

The Illinois Hospital Association says it will threaten the hospitals of my State. They will not be receiving the Medicaid reimbursement. They believe that up to 90,000 jobs at these hospitals will be lost in Illinois. I will tell you, as a downstater, those are some of the best paying jobs in the community. Many of my small towns trying to keep businesses or attract businesses brag up their hospital, as they should, and now TrumpCare threatens the future of these hospitals.

Medicaid is a vital healthcare program for 65 million Americans—seniors, persons with disabilities, children, and low-income families nationwide, 3 million of them in my State. TrumpCare would devastate the program. By 2026, according to the Congressional Budget Office, 14 million fewer people would have Medicaid.

The Affordable Care Act took a lot of good steps toward improving healthcare for seniors. Before the Affordable Care Act, the number of uninsured adults ages 50 to 64 rose substantially—growing from 3.7 million in 2000 to 8.9 million in 2010. Insurance companies were rejecting more than one in five applications from individuals between the ages of 50 and 64.

Thanks to the Affordable Care Act, the rate of uninsured adults ages 50 to 64 dropped 47.4 percent, from 11.6 percent to 6.1 percent. The largest reduction in the uninsured rate occurred in the States that chose to expand Medicaid.

The Affordable Care Act also prohibited insurers from denying coverage, as I said earlier, to people with pre-existing conditions. It limited how much insurers can charge older enrollees, closed the doughnut hole, and made important preventive services available for free, such as colonoscopies and annual checkups.

Let's look at what the TrumpCare program—the Republican program—does to seniors. It allows insurers to charge older people significantly more than younger people, it reduces tax credits to seniors who pay their premiums, and it would devastate the Medicaid Program, which helps to pay for two out of every three seniors in nursing home care.

There is another thing I want to make a note of. Many years ago in the Senate, back at that corner desk, sat a Senator from Minnesota named Paul Wellstone, a Democrat. Over here on the aisle sat Pete Domenici of New Mexico, a Republican. For years they argued that we should include in every health insurance plan in America coverage for mental health, and the insurance companies fought them. Because many mental health conditions are chronic and long-term and may, in some cases, be expensive, they didn't want them. But Wellstone and Domenici had family members who struggled with mental illness, and they said we

need to include this in every health insurance plan. Thank goodness they finally prevailed. Every health insurance plan in this country has to treat physical health issues and mental health issues the same, thanks to Wellstone and thanks to Domenici.

In addition they added something that many of us overlooked: It said mental health and substance abuse treatment. What does that mean? It means that if some member of your family is addicted, your health insurance plan can help pay for the help they need to get rid of their addiction. For a lot of people it was the only place for them to turn, and it worked, and thank goodness it did, because we are at that moment in American history where because of opioids, heroin, and fentanyl, we have dramatic increases in addiction.

Now what is going to happen under the TrumpCare approach when it comes to mental illness and substance abuse treatment? Are we going to require—mandate—every health insurance plan to include mental health treatment as well as substance abuse? Over and over we hear from our Republican friends: We want competition. We want choice. We want to eliminate mandates.

They can take that approach, but we are going to lose coverage for 24 million Americans. If they take that approach, we are going to be offering health insurance plans that aren't there when families need them.

We had a roundtable discussion in Rockford, IL, last Friday. When I go to these communities, I bring in people who are administrators of the hospitals, the doctors, the nurses, the clinics, the substance abuse treatment centers. To a person, they oppose TrumpCare. Every single one of them said that it is the wrong thing to do at this moment in time. It will leave people more vulnerable. It will leave families with health insurance that is worthless when they need it. Those are the bad old days we finally escaped 6 years ago, and now Republicans want us to return to this competition-choice access to healthcare. I have access to a Rolls Royce dealership, too, but I am not going to be buying a Rolls Royce because I can't afford it. If you give a person access to health insurance that they can't afford, you are not giving them anything.

What we tried to do with the Affordable Care Act is to make sure we gave people not only access but protection with health insurance. From the beginning, the Republicans have said: Let's repeal the Affordable Care Act. Now they have found that replacing it is a lot harder than they ever expected.

I said from the beginning, as well, if the Republicans are willing to take repeal off the table, I am going to pull up a chair. If they want a bipartisan approach, an honest approach to making

the Affordable Care Act better, let's sit down and talk. Sign me up. If the goal is to give more people good health insurance that they can afford to protect their families, if the goal is to find ways to give us better healthcare, quality results at a lower cost, I want to be a part of that conversation. But if the goal is to deny health insurance coverage to 24 million Americans, count me out. That to me is a step backward in time.

What comes next? If the Republicans do this to the Affordable Care Act, what is next—Medicare? Well, we happen to know the Secretary of Health and Human Services believes in privatizing Medicare. I don't. I think that is a step in the wrong direction, and it will reduce the protection of Medicare. But if they will do this to the Affordable Care Act, then can Medicare or Social Security be far behind?

It is important that we maintain our values when it comes to critical programs that America and its families count on.

I hope the House of Representatives defeats TrumpCare, puts it out of its misery, and then invites all of us to come together on a bipartisan basis to talk about what we really need for healthcare in this country.

I find it incredible that there is no major medical group in America today that supports TrumpCare—none, not one. All we have is some conservative think tanks that believe this is a wonderful model. But the people on the ground—the administrators in the hospitals, the doctors, the clinicians, the nurses, the people in the healthcare clinics—all tell us TrumpCare is a disaster. It is a step in the wrong direction. It is going to decrease coverage and increase costs. That is not something that America needs for its future.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. PORTMAN). Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, I ask unanimous consent to enter into a colloquy with the junior Senator from Utah and the junior Senator from Nebraska.

The PRESIDING OFFICER. Without objection, it is so ordered.

SEPARATION OF POWERS

Mr. GRASSLEY. Mr. President, I have come to the floor several times over the past 8 years to discuss the constitutional principle of separation of powers between the legislative, executive, and the judicial branches. Presi-

dent Obama promised that he would act independently of Congress where he had to; his quote: "Where they won't act, I will." I have come to the floor to discuss the many examples of Executive overreach that we have witnessed, from unilateral pursuit of climate change regulations to unconstitutional recess appointments.

As I have said before, the structure of our Constitution is a critical safeguard of our liberty. As Justice Scalia famously said:

Every banana republic in the world has a bill of rights. Every President for life has a bill of rights. The real key to the distinctiveness of America is the structure of our government.

Now, I have served in the Senate for 36 years, so I have a deep appreciation of the different roles of the coordinate branches and for the fact that the people govern themselves through their elected representatives, and my accountability to them is the defining characteristic of my role as one of their representatives in the U.S. Senate.

That is not true of judges in our Federal system who are not elected, and it is certainly not true of the executive agencies that administer the laws we write here in the Congress.

Judge Gorsuch is the President's nominee to serve as the next Justice of the Supreme Court. It seems to me that he really understands the important differences in these roles. Reflecting on the legacy of Justice Scalia, he remarked that "the great project of Justice Scalia's career was to remind us of the differences between judges and legislators."

So I am now going to turn to Senator LEE. I would like to have him discuss a question I put before him: How do you understand Judge Gorsuch to view differences between judges, legislators, and the executive under our Constitution?

Mr. LEE. I thank Senator GRASSLEY. The Senator's question really cuts to the heart of the issue. It cuts to the heart of the very reasons why we have an independent judiciary and exactly why it is that our system of government that operates under the U.S. Constitution depends so critically on individuals just like Judge Gorsuch. It depends on people like Judge Gorsuch sitting on the Federal bench.

There are, I believe, two fundamental differences between the judiciary on the one hand and the two political branches on the other hand; that is, the two branches in which people serve after being elected to office, meaning the legislative branch where we work, and the executive branch headed by the President.

First, the legislative and executive powers sweep far more broadly than does the judicial power. Article I enumerates a list of lawmaking powers that are granted to Congress, and article II vests executive power in the

President. By comparison, the judiciary's power is far more circumscribed. It is far more limited.

The judiciary has the power to decide only a limited and defined set of disputes—those that qualify as cases and controversies under article III of the Constitution. To be clear, in the context of deciding a particular case, the judiciary has the power to invalidate an act put in place by the elected branches of government—the power to say what the law is, as Chief Justice John Marshall explained it in the landmark case *Marbury v. Madison*.

But that power is limited. It is limited, among other things, by article III of the Constitution and by jurisdictional requirements like standing and mootness and ripeness as explained in greater detail by Supreme Court precedent.

The judiciary's authority to say what the law is points to the second major difference between the courts on the one hand and the political branches on the other. While the function of the judiciary is an exercise in reasoned judgment, the functions of the executive and legislative branches are exercises of power.

There are many ways in which the Constitution and the political theory underlying it limit the exercise of that power. The Constitution protects minority rights, and it conditions the exercise of legislative or executive power on winning elections, and that, in turn, means winning the trust of the American people—of the voters throughout the country.

These twin ideas—the consent of the governed and the protection of minority rights within an essentially majority-rule system—are pillars of our constitutional order. But make no mistake, coercion underlies the laws that we make in this body and their enforcement by the executive branch.

By contrast, the judicial function is ultimately an exercise in reasoned judgment. As Alexander Hamilton explained in *Federalist* 78: “neither Force nor Will, but merely judgment” are exercised by the judiciary. This is the essential difference between the judiciary and the other branches: The judiciary exercises judgment while all the rest of us exercise will.

The Framers, of course, understood this well. And as Hamilton continued in his explanation of *Federalist* 78:

Courts must declare the sense of the law, and if they should be disposed to exercise Will instead of Judgment, the consequence would equally be the substitution of their pleasure to that of the legislative body. The observation, if it proves anything, would prove that there ought to be no judges distinct from that body.

Put another way, a judge who chooses to exercise will instead of judgment is no longer acting as a judge. That person is instead functioning essentially as a superlegislator.

It should be clear to all fair-minded people that Judge Gorsuch is some-

one—and has established himself as someone—who understands these distinctive features of the Federal judiciary. When you read his opinions, you see that his only agenda is to understand the governing law and then to apply that law to the set of facts in the case before him.

As we will see next week during his confirmation hearings, his opinions carefully analyze the statutes and applicable precedents to determine the outcome of each and every case. In some cases, that means Judge Gorsuch reaches results that Senator Gorsuch or President Gorsuch or King Gorsuch probably wouldn't choose, were he deciding cases in any of those capacities. But Judge Gorsuch understands, of course, that he is a judge and not a king and not a President, not a Senator, not a Congressman, and he understands that this means his only job is to adjudicate cases based on the law according to the facts before him. As he said the night he was nominated: “A judge who likes every outcome he reaches is very likely a bad judge—stretching for results he prefers rather than those the law demands.”

When you examine his record, you see that one of the defining characteristics of Judge Gorsuch is his independence—his judicial independence. That is distinctively the hallmark of a good judge. You see that he decides cases based on the law, not based on the parties before him and not based on his own political or ideological preferences.

In the coming weeks, some of our colleagues may try to argue that Judge Gorsuch hasn't done enough to prove his independence since being nominated to the Supreme Court. If this criticism is raised against him, it will be a weak one. It will be one that doesn't apply here. The fact is that Judge Gorsuch has spent his entire career as a judge, and as a lawyer before that, proving his independence.

To his would-be critics, I would say, read and analyze his opinions. They speak for him. They speak for themselves. They speak for the rule of law. Study his approach to judging. Listen to what he says about judicial independence and, just as importantly, look at his actions. His actions prove his independence.

I have done these things. I have examined Judge Gorsuch's record. And on that basis, I am confident that he will not hesitate to apply the law appropriately in every case. There is absolutely no reason—no reason that I can find anywhere in his record—to prove otherwise.

I think I have only scratched the surface here today. I look forward to hearing Judge Gorsuch's testimony before the Judiciary Committee next week.

Mr. GRASSLEY. Mr. President, I thank the Senator for his very thoughtful explanation. I know both as

a Senator and as a lawyer, he takes the study of constitutional law very seriously. His point of view ought to be seen as an authority on the separation of powers, particularly. I think the way Senator LEE sees Judge Gorsuch is similar to how I do, but he knows the law a lot better than I.

It is clear that the questions about separation of power can arise in very complex and legally technical cases in the courts. But I think the principle is also a fundamental one. Judge Gorsuch has made this point himself, and I would like to quote a little of what he has said.

Recent Supreme Court cases “permit executive bureaucracies to swallow huge amounts of core judicial and legislative power and concentrate federal power in a way that seems more than a little difficult to square with the Constitution of the framers' design.”

To quote again, on the role of the prosecutor and the role of Congress, he said: “If the separation of powers means anything, it must mean that the prosecutor isn't allowed to define the crimes that he gets to enforce.”

So I want to ask my other colleague here for this colloquy, the Senator from Nebraska, a question that I am sure he can answer and has thought about a lot. These are not just legal technicalities that we are talking about, but the very fabric of our Constitution. I hope the Senator would agree.

Mr. SASSE. I thank Chairman GRASSLEY for that question and the invitation to join him in the colloquy. As two of the only non-attorneys on the Judiciary Committee, it is important that we, on behalf of the majority of Americans, who are non-lawyers, do reclaim the separation of powers as a basic American inheritance. So I thank the Senator for the chance to discuss it here today.

Starting the morning after President Trump's victory last November, there has actually been something of a renaissance of separation of powers talk among many folks around this body, and that is a good thing. After 8 years of legislative atrophy, many on the other side of the aisle are now remembering the old “Schoolhouse Rock” distinction among the three separate and coequal branches, and this is good news for Americans' civic health.

If Democrats are serious—frankly, if all of us are serious, for we in this body have taken an oath not to a political party but to a constitutional structure of limits where power is intentionally separated and divided because our forefathers and foremothers were skeptical of the consolidation of power—if we take this seriously and we would like to reclaim some of the Congress's responsibility and ability and authority to check and balance the other two branches, the debate around Judge Gorsuch's nomination and the hearings

we will have beginning in the chairman's committee next month are a great place to start. So I wish to offer a little bit of what I think is an important historical backdrop for this debate.

Any discussion of the separation of powers must be rooted in a solid understanding of what we mean and what the Founders meant by the phrase "the consent of the governed." Historically speaking, this is still a bold idea which must be constantly defined, reclaimed, renewed, and passed on to the next generation, for over the course of human history, we can put every form of government into one of two categories: You are ruled either by people you didn't choose or by people you did choose.

One of these groups has taken many forms through the centuries—Kings, elites, political parties, and technocrats. Indeed, most governments throughout human history fit this mold, where the people were ruled by a form of government that they had no say in and that they didn't choose. But there is another group, and these are people who rule themselves through the leaders they have chosen and continually get to choose. When the leaders fail to serve the will of the people, those leaders can be removed. This describes our form of government and its historical anomaly. We should recognize that, and our kids should understand what a special blessing it is to live under this form of government.

The point is elegantly simple: Either people are ruled, or the people are ultimately and fundamentally the rulers. Why does this matter? This isn't a question to take flippantly but, rather, each generation of Americans should reexamine and reclaim and reteach it. So why is it so important that "the people" are actually the rulers in their government? It comes down to a profound truth about human dignity. Human beings cannot thrive when they are stripped of basic liberties. Human flourishing requires the freedom to make basic choices about how you will live your life in community: Who are your friends? Whom will you marry? Where will you work? What do you believe? Whom do you worship? How do you worship? These are the things the Founders meant when they said that we are all born with the right to life, to liberty, and to the pursuit of happiness.

Notice that the Founders were not referring to life, liberty, and the pursuit of happiness as a bunch of vague platitudes or as aspirational pleasantries for a bumper sticker; they were talking about rights. These are not given to us by any other man or woman. They are rights we have from God via nature, and so they can't be taken away from us by some other mere man or woman.

Here is what is great about this idea: We are all born equals in the eyes of

God and history, and we have certain rights. As a group of equals, it requires people to get permission to serve for a time—for a limited time—as our rulers. This equality is what the Founders called the self-evident truth—something so obvious that it didn't need to be proven; a truth so true that denying it would be denying something essential and true about human nature itself. Once we understand this, our expectations of our government begin to change. We expect responsiveness and transparency. We expect equality before the law.

Government's primary purpose is not to solve every human problem, like a King or some all-powerful technocrat; rather, the government's job is to provide a framework for ordered liberty so that we can live our lives in our communities, in our families, in our businesses, and in our places of worship. Government's job is to secure the rights of a free and sovereign people.

But what does this have to do with Judge Gorsuch? What does this have to do with the confirmation hearing for the Supreme Court next week? What does this have to do with separation of powers?

As Americans, we secure our rights by separating the functions of government into what our Founders called the three different departments: There is a Congress to write the laws, and this is article I of the Constitution; there is a President—or Presiding Officer, as he was first called—to execute the laws; and there is a court to decide the controversies under the law. This system of checks and balances keeps too much power from falling into any one set of hands, and it keeps the American people in charge.

We sometimes talk euphemistically about judicial activism, and that is a big problem, but we don't attack it enough. A judge who takes it as his or her job to do anything other than settle cases is not just being an activist, they are becoming an untouchable, unfireable ruler. They are becoming a lawmaker who is not accountable to the people because our judges have lifetime tenure. A judge who uses his or her position to write the law fundamentally undermines the foundation of government, which is that the will of the people should rule.

That is why I am so strongly supporting Judge Neil Gorsuch to be the next Justice on the U.S. Supreme Court. He fully understands the place in the government and his place in the government as a servant of the people, not as some unchosen ruler with lifetime tenure.

When you listen to Judge Gorsuch, when you read his speeches, when you read his opinions, it is clear that he is not interested in making laws. He knows that is not his calling. He is interested in interpreting law. He is interested in upholding and defending the

Constitution. He is not interested, when he has his robe on, in specific policy outcomes; he is interested in justice. He is not interested in the laws that he as a private citizen might want; he is focused on the laws that are actually written in the books. He is a judge's judge, and that is exactly what the Constitution calls for.

In closing, I wish to read three quotes from Judge Gorsuch into the RECORD to demonstrate how he conceives of his job. Again, this is Judge Gorsuch paying tribute to Justice Scalia:

Tonight I want to . . . suggest that perhaps the great project of Justice Scalia's career was to remind us of the differences between judges and legislators. To remind us that legislators may appeal to their own moral convictions and to claims about social utility to reshape the law as they think it should be in the future. But that judges should do none of these things in a democratic society. That judges should strive (if humanly and so imperfectly) to apply the law as it is, focusing backward, not forward, and looking to the text, structure, and history to decide what a reasonable reader at the time of the events in question would have understood the law to be—not to decide cases based on [a judge's] own moral convictions or the policy consequences they believe might serve society best.

Again, he is saying a judge is not a superlegislator. If a judge wants to be a legislator, that is a completely fine thing to do. Take off your robe, resign your position, and run for office so the people can decide whether to hire you or fire you. But a judge who has lifetime tenure doesn't get to make their policy preferences the will of the people somehow.

The second quote:

When the political branches disagree with a judicial interpretation of existing law, the Constitution prescribes the appropriate remedial process. It's called legislation. Admittedly, the legislative process can be an arduous one. But that's no bug in the constitutional design: It is the very point of the design.

Third and finally:

To the founders, the legislative and judicial powers were distinct by nature and their separation was among the most important liberty-protecting devices of the constitutional design, an independent right of the people essential to the preservation of all other rights later enumerated in the Constitution and its amendments.

If my colleagues in this body are serious, if the hundred of us are serious, if we want to defend our role as legislators, if we are serious about doing our job as lawmakers, if we are concerned about overreaching Executives, if we are concerned about the lack of accountability in the administrative bureaucracies of the government, if we honestly want to make Congress great again, we should start by confirming Judge Neil Gorsuch.

Mr. GRASSLEY. Mr. President, I thank the Senator for his very thoughtful explanation. Senator SASSE and Senator LEE have laid out very

clearly the Constitution's separation of powers, the proper role for judges, the proper role for Members of Congress, and when one can't interfere with the other. I think the Senator has laid out very clearly, and I agree, that Judge Gorsuch fits in very well with what judges are supposed to do, what the Supreme Court is supposed to do—obviously not legislate. Members of the judiciary have a lifetime appointment. They can't be voted out of office. That is why, when people don't like what the Congress does, every 2 or 6 years as far as the House and the Senate are concerned, they get a chance to express that opposition and send somebody else to do the job, and they can't do that with whoever is on the Supreme Court.

I thank my colleagues for participating with me in this conversation we have had about the separation of powers and about their thoughts on Judge Gorsuch on the issue of judges judging and not legislating. His record demonstrates a firm grasp on the separation of powers that animates our Constitution. He is an independent judge who properly understands the judicial role. At a time when we hear renewed calls for an independent judiciary, I don't think we could have a better nominee to fit the bill.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

TRUMP CARE

Mr. VAN HOLLEN. Mr. President, I rise today to talk about the so-called healthcare bill coming out of the House of Representatives which has been supported by the President.

We just yesterday got the report from the Congressional Budget Office which analyzes this legislation and its impact on Americans. What we find in great detail and with great clarity is that this TrumpCare legislation is a huge tax windfall to the wealthiest Americans at the expense of affordable healthcare for tens of millions of our fellow citizens. It is time the Senate begin to pay attention to what is happening in this legislation.

Someone might look at this and now call it not "TrumpCare" but "Trump doesn't care" because what we find out is that in the very first year, in 2018, 14 million Americans will lose their health coverage—14 million in the very first year this is implemented. Those are moms, dads, kids, people of all ages—our fellow Americans. Just 2 years after that, beginning in 2020, we are going to see 21 million of our fellow citizens lose their access to health coverage. Let me be clear. When we say they lose their access to affordable care, we are talking about compared to what they have right now under the Affordable Care Act, under ObamaCare. So in the year 2020, 21 million Americans who have access to affordable care through the Affordable Care Act are going to lose it, and within 10 years,

that will rise to 24 million of our fellow citizens.

Not only are those millions of Americans going to lose their health care in the early years of this new plan, people are going to see their premiums spike in the individual market. We have heard understandable complaints about the increase in premiums in the Affordable Care Act exchanges. There are commonsense things we can do to fix it. Many of us have put forward proposals to do that, but this will actually dramatically spike up to 20 percent premiums in those markets in the early years. Who gets especially hard hit? Well, older Americans. Americans between 47 years old and 64 years old, before they are old enough to receive Medicare but when they are old enough to be potentially experiencing many healthcare issues.

In fact, if you look at the Congressional Budget Office report, and I know people sometimes gloss over the fine print, but table 4 indicates that if you are a 64-year-old with an income of \$26,000 a year, your premium is going to increase from \$1,700 a year to a whopping \$14,600 per year. That is in the Congressional Budget Office report, but you know what, AARP, they believe it. They are on full alert, letting Americans throughout the country know how damaging this will be to older Americans who will, all of a sudden, see their premiums, their copays, and their deductibles going through the roof. It is going to become absolutely unaffordable for those older Americans to get health insurance.

On top of that, despite what we all know is an opioid crisis in the country, an epidemic of substance abuse and addiction, despite that, this TrumpCare bill actually eliminates the Medicaid funding specifically to deal with opioid addiction. I know many members of the Senate and the House have been going back home, going to all parts of their States, urban areas, suburban and rural areas, to talk about the scourge of opioid addiction, and many have been talking about the fact that the Senate was able to work to increase funding to address those addiction issues, but this House bill, this TrumpCare bill, actually eliminates the Medicaid Program for opioid abuse and addiction.

The list of horrors goes on and on. They claim you are going to be able to get coverage—no problem if you have preexisting conditions or whatever. The reality is, let's say you have a job, let's say you lose your job, let's say you lose your income because you lost your job, you only have 63 days to turn around and get insurance, which may not be affordable. If you are not able to find your insurance, an affordable insurance plan in those 63 days, when you finally do, they are going to charge you a 30-percent penalty. So you lost your job. You have no income so you can't

afford insurance. Yet, when you are finally in a position to do it, they are going to charge you a penalty of 30 percent.

The more you dig into this TrumpCare legislation, the more things like that you find out. It is really important that the American people know what is in it as we debate this important issue.

Women's health. The TrumpCare bill directly goes after women's access to affordable healthcare, including their defunding of Planned Parenthood. I think all of us know that in many parts of our country, Planned Parenthood clinics are the only viable source of healthcare for women who are looking for cancer screening, breast cancer screening, cervical cancer screening, and other preventive healthcare measures.

As we read this report from the Congressional Budget Office that just came out yesterday, we are getting a better idea of why the House of Representatives was so eager to rush this through the committees—rushed it through the Ways and Means Committee, rushed it through the Energy and Commerce Committee in the House—because apparently it is a lot easier to vote for a piece of legislation when you don't know the consequences. Apparently it is easier to say yes to this bill when you don't know that it will deny healthcare coverage to 24 million Americans, spike premiums over the next couple of years, eliminate other important coverages for our fellow Americans, but people don't have that excuse anymore.

They tried to rush it through. They got it through those two committees. Willful ignorance allowed them to have those votes and it passed those committees, but now we have, from the Congressional Budget Office, a comprehensive and thorough analysis of the impact on our fellow Americans. It hurts. It hurts a lot. Now, I recall, and I think the American public recalls, that during the campaign on "60 Minutes," Candidate Trump said:

I'm going to take care of everybody. I don't care if it costs me votes or not. Everybody is going to be taken care of much better than they are taken care of now.

Well, you tell that to the 14 million Americans who are going to lose their health insurance in 2018. You tell that to the 64-year-old who would be paying \$14,000 in premiums a year, up from \$1,700 under the Affordable Care Act. You tell that to people who are suffering from opioid abuse in all parts of our country when the Medicaid Program no longer has to provide coverage for substance abuse.

That is not taking care of "everybody." That is leaving tens of millions of Americans behind. That was during the campaign. Here is what we heard from President Trump in January, this year. He is going to provide "insurance

for everybody.” That is just not so, unless what you are saying is we are going to offer you a totally unaffordable insurance plan.

By the way, if you happen to have enough money, you can pay for it. It is kind of like saying to somebody: You know what, that Rolls Royce or that Lamborghini, that is available for purchase, but most of us just don’t have the money to afford that kind of purchase. In that theoretical sense, you may argue that health insurance is available, but the Congressional Budget Office did not look at theories. They looked at facts. They looked at the impact on real Americans and concluded that 14 million would lose their access in 2018, rising to 24 million over the next decade.

Despite the fact that on March 9 President Trump tweeted that “it will end in a beautiful picture,” that is not a beautiful picture for tens of millions of Americans who will be left behind by this series of broken promises, broken promises and betrayal from President Trump. As he campaigned around the country, he promised coverage for everybody, affordable coverage. We would all love it.

Now we have the hard facts. So it was quite a spectacle to see the Secretary of the Department of Health and Human Services, Tom Price, trying to run away from the facts in the Congressional Budget Office report. He got up and said, you know, he does not really believe the Congressional Budget Office report.

Well, the reality is that Tom Price, when he was Congressman Price, when he was the chairman on the House Budget Committee, along with Senator ENZI, helped pick the current Director of the Congressional Budget Office, Keith Hall. I know that because I was the senior Democrat on the House Budget Committee. I was part of the interview process. You know, they let us come along, but the reality is, at the end of the day, he was picked by Secretary Tom Price.

Here is what Tom Price said about the Director of the Congressional Budget Office. He said:

Keith Hall—

That is the Director—

will bring an impressive level of economic expertise and experience to the Congressional Budget Office. Throughout his career, he has served in both the public and private sector under Presidents of both parties and in roles that make him well suited to lead the Congressional Budget Office.

He goes on to praise the Director of the Congressional Budget Office. I know the Presiding Officer and our colleagues have experience understanding how important it is to have a non-partisan referee in the Congressional Budget Office. Otherwise, it is anything goes. Senators get to make up their own facts. I know we have a White House and a President that has

invented the term “alternative facts” and “alternative reality” and “alternative universe,” but here in the Congress, we have prided ourselves in knowing there is some referee on the field when it comes to the Congressional Budget Office. We don’t agree with every single conclusion they have, but we don’t work to discredit them. It really is a discredit to the Secretary of HHS that having praised and picked the current Director of CBO, he would now attack that institution simply because he does not like the results of their analysis.

I would not like the results either because they show how devastating TrumpCare is for the American people. It shows what a total betrayal of the President’s promises TrumpCare is to the American people. It is not just the Congressional Budget Office analysis that has reached that conclusion. He is going to also go after AARP because they are on full alert, and they are calling all their members to say this is a really bad bill for tens of millions of Americans, especially older Americans, people in the range of 47 years old to 64 years old, before they get on Medicare.

The American Hospital Association and hospitals in all parts of our country, and especially rural hospitals, areas Candidate Trump campaigned heavily in, are letting their members know the devastating consequences of this TrumpCare bill. The American Medical Association, the people who are providing health care to our fellow citizens, they are letting people know how damaging this will be.

So we have a wide array of Americans who are in the position, and it is their job to provide health care to the American public, who say: Whoa, this is harmful to your health. This is a danger to the healthcare of the American people. It is not simply the numbers, it is also the people and faces behind those numbers.

From Maryland, I got a note from Jenny from Salisbury. That is in Eastern Maryland. That is a rural part of our State. She said:

I have a rare progressive lung disease. With good care I may live 30 more years. Without it, I may live 5 or 10, sick and disabled. I remember high-risk pools and preexisting conditions exclusions. I need the ACA. I may die without it and I am afraid for my life.

Here is Gail from Annapolis:

I’m very concerned with the repeal of the Affordable Care Act. It helps the disability community. Our adult daughter who has a severe cognitive disability will be relying on Medicaid for health services after my husband retires this summer at age 70 with a second-time recurrence of lymphoma. I don’t know what you can do, but this is a concern as aging parents find their special-needs adult child may not have coverage as she loses her family’s ability to support her healthcare.

The letters go on and on from all parts of Maryland and all parts of the country. What adds insult to injury is

that all these Americans are going to be harmed, the 24 million who will lose their healthcare coverage, those who will experience spikes in their premiums and copays, the older Americans—47 to 64—who are going to see gigantic increases in their costs so they are not going to be able to afford healthcare anymore, those in rural areas and urban areas in all parts of our country who are suffering from opioid abuse but Medicaid is no longer going to cover it. All of that harm is being done to tens of millions of our fellow citizens in order to give this huge tax break to the wealthiest Americans and special interests, including insurance companies and the pharmaceutical industry.

The Congressional Budget Office report is pretty clear—\$590 billion in tax cuts. Do you know what the top one-tenth of 1 percent income earners will get in terms of tax cuts? An average tax cut of \$200,000. Millionaires will get an average tax cut of \$50,000. There is even a provision in here that says to insurance companies: We are going to subsidize the bonuses you pay to CEOs. You are now going to be able to deduct the multimillion-dollar bonuses you pay to your CEOs. We are going to do that so that fewer people can have health coverage.

We get rid of the fee on insurance companies that helps to provide access to millions of Americans.

It is simply grotesque that we see this legislation getting as far as it has. We know why they tried to move it so quickly without a Congressional Budget Office report—because this report is devastating. It should be the final nail in the coffin of TrumpCare, and we should all, frankly, be a little embarrassed by a proposal that provides \$590 billion in tax cuts to the wealthiest Americans and some of the most powerful special interests at the expense of healthcare for so many of our fellow citizens.

We have to say no to this plan. We have to say no to TrumpCare. And let’s get about doing our business. There are some issues we can deal with, with the Affordable Care Act, but you don’t destroy it while giving these tax breaks to the wealthiest Americans in order to do our job.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, before the distinguished Senator from Maryland leaves the floor, I want to thank him for his powerful advocacy on behalf of his citizens. And I would only say “amen” as he was speaking because there is so much at stake for the moms and dads and kids and grandpas and grandmas in Michigan and Maryland. And that is why we are on the floor speaking out so strongly and fighting so hard to defeat a very bad proposal.

Let me start by indicating that what is being debated right now in the

House, the TrumpCare proposal, is not what President Trump promised. It is just not what he promised. He said it would be great. He said that people would get as good healthcare or better healthcare and that it would cost less. We know that is simply not true.

According to a FOX News report on the increase of people who would no longer have healthcare, be able to get medical care, be able to go to a doctor under the new TrumpCare plan, 14 million people would lose their healthcare, be unable to take their children to a doctor, just in the next year, by next year. People will have to go to the emergency room rather than a family doctor. Rather than being able to take care of a cold or something minor for their children, chances are that it would become something very serious before they would be able to be in a position to take them to a doctor or, more likely, an emergency room.

We know that in the next 10 years, we are talking about 24 million Americans—moms, dads, grandpas, grandmas, kids who would no longer be able to see a doctor and no longer have health insurance.

TrumpCare would also cost 7 million people who have an employer right now who is providing them health insurance so that they can get to the doctor and care for their family—7 million people would lose the insurance they have through their employer right now. That is not making things better. There would be 7 million people in that situation.

This is really a triple-whammy for middle-class families across our country and certainly for people in Michigan. There would be higher costs, less coverage, and more taxes.

I believe we need to join with AARP and our doctors, hospitals, nurses, people who treat cancer, Alzheimer's, breast cancer, juvenile diabetes, and all of the other people who care for and advocate on behalf of loved ones or themselves, people who need to be able to see a doctor and get healthcare coverage. We need to say no to the TrumpCare plan that is being proposed in the House.

One thing that is really outrageous in this proposal is a senior tax that allows insurance companies to hike up rates on older Americans. It is right in the budget report. This is in the budget report we have now received. They are saying that in 2026—in 10 years—a single woman or man 64 years of age making \$26,500 a year who currently pays \$1,700 for their health insurance would suddenly get a bill for \$14,600. So under this plan, that 64-year-old is going to go from \$1,700 out-of-pocket to see a doctor to get their treatments, to be able to get the care they need, to \$14,600. If you compare that to somebody who is 64 and makes \$3.7 million a year, the good news for them is that they are going to get a \$200,000 tax cut. Unbelievable. Unbelievable.

Most people in Michigan work hard every single day, get up and go to work, maybe take a shower after work, maybe take a shower before work, but most of the people I represent don't make \$200,000 a year. Yet we are talking about a \$200,000 tax cut for multimillionaires, which is in this proposal.

That is why the AARP, a nonpartisan organization representing millions of people across the country, is actively working to defeat this.

We also know that this creates what I call a voucher under Medicaid, meaning that instead of paying for whatever nursing home care is needed—if your mom or dad has Alzheimer's, Parkinson's disease, or they are simply in a nursing home for a variety of reasons, right now they get whatever care they need. There is not a cap on the amount of care. There is not a limit on the amount of care. Under this proposal, there would be X amount of dollars put aside for your mom or dad or grandpa or grandma, and if the care they needed because of their Alzheimer's disease was more than that, you would pay for it or your elderly parent in some way would have to figure out how to pay for it. This is outrageous.

Medicaid for families and for seniors in nursing homes has been a critical part of making sure people can get the medical care they need. I, frankly, celebrate today the fact that under the Medicaid expansion, under the Affordable Care Act, 97 percent of the children in Michigan can see a doctor. Imagine that. Ninety-seven percent of the children, almost all of our children, can go to a family doctor. Their moms and dads know that they are going to be able to take them to the doctor when they get sick. I don't want to roll that back, but that is what the TrumpCare proposal does.

We also know—because this was reported on FOX News as well—that the new plan would add a 15- to 20-percent premium increase for individuals starting next year—a 15- to 20-percent premium increase for individuals starting next year at the same time as big tax cuts for multimillionaires.

I have to say, as somebody who worked very, very hard on the women's healthcare provisions and authored the maternity care provisions, I find it outrageous that the TrumpCare proposal would mean that maternity care is not covered as part of basic healthcare for women.

Prior to the Affordable Care Act being passed, only 12 percent of the plans in Michigan—12 plans out of 100—offered maternity care. If you tried to buy maternity care as part of the basic coverage, you would have to get a rider. You would have to pay more.

Let's say maybe you gambled. Well, you weren't planning on getting pregnant and you weren't sure what was going to happen, so you didn't pay extra. Then you get pregnant. Guess

what. You had a preexisting condition, and you couldn't get insurance. We don't want to go back to the time where being a woman was, in fact, a preexisting condition. And speaking of preexisting conditions, this plan puts them back in the hands of the insurance companies and creates penalties for people.

The truth is, under the Affordable Care Act, we made sure that when you purchase insurance, it is a real plan. It is not a junk plan. You can't get dropped when you get sick. If you have a preexisting condition, they can't block you. If you are a woman, you don't have to pay more. If you have a mental illness rather than a physical illness, you don't have to pay more. If you need cancer treatments, the insurance company can't tell your doctor how many treatments you are going to get or how much they will pay for your treatments. Everybody has benefited from that. Everybody who has insurance in this country has benefited from that.

One of the most important provisions relates to preexisting conditions, and that, in fact, is not continued, as it should be for American families.

Finally, let me just say that while we are talking about people paying more, getting less coverage, middle-class families paying more in taxes, guess what. Wealthy people do not. So if you are a multimillionaire, you are going to get big tax cuts in this provision, and the middle-class family, the working family, is going to pay for it. They are going to pay for it in higher premiums. They are going to pay for it in less healthcare for their family. That is absolutely unacceptable.

In addition to that, there is a tax break for insurance company CEOs so that they can, in fact, get a raise up to \$1 million. So in this proposal, very wealthy people—insurance and drug companies' CEOs—are taken care of. Vast amounts of money are put back in their pockets, while money is taken out of yours. Absolutely unacceptable.

That is why we, as Democrats, are fighting so hard to make sure this does not happen, is not passed, and that, in fact, we will work together to strengthen our healthcare system.

We know there are areas where premiums are too high, copays are too high, and we need to work together on a bipartisan basis to fix that. But unraveling our entire system, ripping it apart, creating chaos, more cost, less ability to go to the doctor, and less medical care for people is absolutely unacceptable.

The bottom line is that TrumpCare means more money out of your pocket and less healthcare for you and your family. That is just wrong in the greatest country in the world.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

TRUMPCARE

Mr. SCHUMER. Mr. President, I want to first thank my colleague from Michigan for her outstanding presentation. It was succinct. It was on point. It showed all the problems with TrumpCare. I hope we will see a lot more not only of her speaking about this—and I know we will—but those great charts she put together.

I, too, rise this afternoon again on the Republican plan to repeal and replace the Affordable Care Act. There has been some confusion about what to call it. Speaker RYAN, one of the principal authors of the bill, doesn't want it called RyanCare. President Trump doesn't want it called TrumpCare. President Trump slapped his name on buildings, ties, steaks, hotels, and golf clubs, but not on a bill that he says he supports. If it is so good, why doesn't any Republican want to put their name on it? I think the reason is because every single day, as we learn more and more about the bill, more and more Americans are turning against it. Doctors don't like it. Patients don't like it. Hospitals don't like it. Women don't like it. Millennials don't like it. Seniors don't like it. More and more Republicans don't like it. And Democrats are totally united against it.

So I just want to ask one question. TrumpCare has been public for 1 week now. Is there any group left in the country who actually likes it? I am not sure there is. So Republicans have resorted to their usual talking points.

They like to talk about access to healthcare. That is what Dr. Price said over and over again. He didn't talk about people getting healthcare, just having access to healthcare.

They say they want universal access to healthcare. Well, every American has universal access to a Lamborghini. You can walk into the Lamborghini showroom and say: I would like to purchase one. The proprietor says: Well, that will be a couple hundred thousand dollars. And you can't buy it. Access is not enough. Access is not enough.

Every single American would like a huge mansion worth \$10 million. They have access. They can go to a real estate agent and say: Show me a list of \$10 million mansions in my community. That is access, but they can't afford it. We know when Dr. Price and others talk about access, they are trying to actually verbally trick the American people because people can't afford this healthcare. They will not have the healthcare, but they can inquire about it. That is all access is.

Americans are smarter than that. They know having good health insurance is what leads to affordable healthcare. Access to care will not make us well and will not save our lives if we can't afford it.

So what is the real effect of this TrumpCare bill? Last night the Congressional Budget Office made clear

that 24 million fewer Americans will have health insurance if TrumpCare becomes the law of the land. It is one of the biggest broken promises that this President has made, and he has broken a lot of them. In an interview with the Washington Post, here's what the President said: "We're going to have insurance for everybody." President Trump: "We're going to have insurance for everybody" that is "much less expensive and better."

Well, the CBO report confirms that TrumpCare does not even remotely come close to that pledge. The President was off by only 24 million Americans. That is more than the population of my entire State.

Seniors will also get crushed with higher premiums. Americans of all ages will have to pay more out-of-pocket costs with deductibles and copays. Let me give you one example from the CBO report. A 64-year-old American not eligible for Medicare who makes maybe \$26,500 a year would have to pay a premium of \$14,600. That is more than half of that senior's entire income. How is that even possible? If there were ever a war on seniors, this bill, TrumpCare, is it.

The CBO report also showed that TrumpCare spends more on tax breaks for the very wealthy and for insurance companies than it does on tax credits to help middle-class Americans afford health insurance. In the final tally, TrumpCare would erase more than \$1 trillion from programs that help poor and middle-class families in order to fund an almost \$900 billion tax break aimed largely at the wealthy and corporations. That would constitute one of the greatest transfers of wealth from the middle class and the poor to the very rich in the last few decades. As my friend Leader PELOSI said this morning: It is reverse Robin Hood, taking from the poor and giving it to the rich. I would say that this bill, TrumpCare, is reverse Robin Hood on steroids.

Rather than going back to the drawing board to solve these problems, what are our Republican friends doing? Attacking CBO, the messenger. There is just one problem: This messenger they are attacking is their own messenger. Who appointed Dr. Hall as the head of CBO? Who was the person most responsible? None other than Secretary Price, now the head of HHS, handpicked him.

Dr. Hall has great conservative Republican credentials. Not only was he picked by Dr. Tom Price, but he worked at the Mercatus Center, which we all know is funded in good part by the Koch brothers. He is a man chosen by one of the most conservative Republicans in the House, who is now HHS Secretary. He taught at an institute funded by the Koch brothers, the leading funders of the hard right, and they are attacking him. They don't like his honest answers.

Republicans are attacking the referee because they are losing the game, plain and simple. Everyone from second grade on was taught by their parents not to attack the referee because it is unsportsmanlike. In this case it is a lot worse. It has life and death consequences, unlike a softball game for a second grader.

If we look at the CBO's score, it is hard to call this a healthcare bill. A healthcare bill actually intends to provide insurance to more Americans; this bill results in 24 million fewer Americans with health insurance. A healthcare bill would help people afford health insurance; this bill would likely increase costs on middle-class and working families while making it cheaper for the top 1 percent and much cheaper for the top 0.1 percent. They get the biggest benefit. They get a huge tax break. A healthcare bill would seek to protect older and sicker Americans who need health insurance the most; this bill jacks up the price on older Americans the most. A healthcare bill would make it easier for Americans to shop for health insurance, but the CBO says that under this bill, plans would be harder to compare, "making shopping for a plan on the basis of price more difficult." That is their quote.

By no measure can we call TrumpCare an actual healthcare bill. The only thing this bill makes healthier is bank accounts for the wealthiest Americans. People who make above \$250,000 would get an average tax break of \$200,000. People who make \$1 million would get an average tax break of \$57,000. That is what this bill is all about.

Our Republican friends have cut taxes on the rich. That is what their tax reform bill will be about. That is what this is all about. At a time when Donald Trump was campaigning to help the middle class, the working people, he gets into office, and boom: The first big, big, big proposal reduces taxes on the wealthiest people. This is not going to play well in Peoria, Brooklyn, or Charlotte.

We Democrats are going to stand strong, stay united, and fight tooth and nail against TrumpCare until our Republican friends drop their repeal efforts for good.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. TILLIS). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SCHATZ. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHATZ. Mr. President, what should we call it? What do we call this new bill the Republicans are rushing through to take away healthcare from

millions of Americans? Is it TrumpCare? Is it RyanCare?

It is important to remember that both PAUL RYAN and President Trump are branding experts. The President put his name on a line of steaks. He put his name on a magazine, on hotels. Then, here is the Speaker of the House, who has worked pretty hard to be thought of, at least in this town, as a policy wonk and serious thinker, who has branded everything he has worked on from the Ryan budget to "A Better Way." Yet neither leader of the Republican Party wants to own this thing. That is because TrumpCare is one of the worst pieces of legislation I have ever seen.

The process has been a total mess, and this is despite the fact that the Republicans had 7 years to work on a plan. At first, they were thinking about doing this without getting a score from the Congressional Budget Office, the CBO. Then they realized that even their own Members—even their loyal soldiers—did not want to vote on something without knowing how much it would cost or how many people would lose healthcare.

Now they are saying the score either does not matter or it is wrong except for the areas in which they like the score. They spent the last 48 hours trashing the CBO, when there is plenty of evidence that for the last 8 years, they referred to the CBO as an expert source when it fit their needs.

Look, the legislative process requires hearings, expert testimony, and that is not a mere formality. That is how you get a decent product. For all of the complaints about the way the ACA was passed, they did have hearings; they had discussions. It took over a year. President Obama, himself, even went to the Republican retreat and personally engaged in policy.

Moving this fast without having hearings is the kind of thing you do when naming a post office or doing some other noncontroversial measure, or it is the kind of thing you do for something that you don't want people to look at very closely because, with every moment that passes, this coalition frays, if it ever existed in the first place.

Now you have criticism from literally the left, right, and center. That is, in part, because no one saw this coming. No one expected a bill that would look like this because during the campaign this administration promised not to cut Medicaid. It promised that everyone—every single American—would have health insurance, but here we are. If TrumpCare becomes law, 14 million people will lose their healthcare next year. Let me repeat that. In just 1 year, 14 million Americans will no longer have the health insurance they were promised.

I want to talk about what that means, what will it mean if people no longer have healthcare.

This week, the Washington Post featured the stories of people in a single county whose lives have changed for the better because of Medicaid. In McDowell County, WV, Medicaid has helped thousands of people get access to physical therapy and immunizations. It has allowed them to see counselors for mental health problems and opioid addiction. It has helped them to afford the medication they need instead of relying on free samples from clinics.

These services do not just benefit the individuals, they benefit the whole community by making sure people are healthy enough so they can work and contribute to the economy. They allow us to save money by focusing on prevention instead of treatment. This is what is at stake. These are the services that will go away because TrumpCare is going to cut Medicaid by \$880 billion.

Here is another thing. TrumpCare is also going to impose an age tax that will allow insurance companies to charge older people more money for health insurance—a lot more. I want to be clear. We are not just talking about senior citizens here, we are talking about people who are pre-Medicare; in other words, anyone under the age of 65 but not exactly young. For example, a 64-year-old will be charged up to five times the amount a 21-year-old will be charged. Starting at age 25, the older you get, the more money you will get charged. That is why AARP has come out against this bill, because every year you get older they will charge you more. This is an age tax. This is a penalty for getting older.

There is an important point to be made about process, and that is this: This is actually not a healthcare bill. That is not a political statement. That is not a rhetorical flourish. Here is what is going on. If this were a healthcare bill, it would be new legislation. In order to pass legislation, under the rules of the U.S. Senate, which were agreed upon by both parties over many years, you need 60 votes. The reason we are working this through reconciliation is, they have nowhere near 60 votes.

So what can you do within the reconciliation process? They are basically stuck with dealing with taxes and subsidies because they only require 51 votes. That is all they can do. This is a tax vehicle.

Then, the question becomes, Who is getting money, and who is getting charged more money? On that count, this tax bill is one of the biggest wealth transfers in American history. It is a transfer from working-class Americans to rich Americans. That is what this bill does. It takes money from the people who need help the most and gives it to the very wealthy.

Here we are in 2017, just a few months out from an election in which income inequality was one of the driving issues

on both sides of the aisle. What the Republicans in the House seem to take from that experience is that their mandate is to go in and reduce taxes for insurance executives who make more than \$500,000 a year and for the investor class in order to cut Medicaid by \$880 billion. It is like they were asleep all of last year or maybe they were never very serious about income inequality. We do not need another election to know this is not what the American people expect from the Congress. They expect bipartisan compromise. They expect results that will make their healthcare better.

My own view is, we can work together on healthcare, but it requires three things: first, good faith; second, bipartisanship; third, legislative hearings. Frankly, we have seen none of these things because the process has been a mess. We need to have a conversation in the light of day and let the American people weigh in. What is the rush?

There is no doubt there is plenty of room for improvement in the existing healthcare law, but TrumpCare makes it much worse. It will cause chaos in the American economy and in 24 million Americans' lives. That is a threat to the progress we have made over the last 7 years. It is a threat to one-sixth of the American economy. Most of all, it is a threat to at least 24 million Americans who stand to lose their healthcare.

These threats are the reasons the Senate needs to come together and say: Slow down. Let's work together. Let's work on forming a bipartisan foundation. Let's have hearings. Most importantly, let's not impose this catastrophe in a hurry on the American people.

I yield the floor.

Mr. DURBIN. Mr. President, I come to the floor today to talk about another rule the Republicans want to overturn instead of working with Democrats to create jobs. This rule outlines when State unemployment agencies can drug test applicants for unemployment benefits.

Today there are roughly 7.6 million Americans who are unemployed, and over 2 million of these unemployed Americans are collecting unemployment insurance. About 150,000 of these people live in Illinois.

Unemployment insurance benefits provide a lifeline to many workers and families who are struggling to make ends meet. If this resolution passes, my Republican colleagues will succeed in preventing hard-working Americans from receiving these benefits, and they will succeed in making it more difficult for unemployed Americans to find work.

This past August, the Department of Labor finalized a rule that explains when State unemployment agencies

can subject unemployment benefit applicants to a drug test. The rule clarifies which occupations regularly conduct drug testing, as established by the Department of Labor, to help State programs that conduct drug testing.

This rule makes sure States have the guidance they need to implement drug testing requirements in a fair and legal manner, but if this partisan CRA is signed into law, it will undo a bipartisan compromise that was created to ensure equitable access to unemployment benefits.

Unemployed Americans have paid into the unemployment insurance program, and they are entitled to receive that insurance when they lose their job to circumstances beyond their control. By supporting blanket drug testing of unemployment insurance applicants, my Republican colleagues are targeting hard-working Americans who in many cases have fallen on hard times.

And let me be clear, this will make it more difficult for them to receive the benefits they have earned.

Millions of Americans around the country voted for leaders who would fight for the working class. Repealing this rule will be another broken promise to those families.

Drug testing is also expensive. In 2011, the Texas Legislative Budget Board estimated it would cost Texas \$30 million over the course of just 1 year if they moved forward with a universal drug-testing policy for unemployment benefits.

When States have conducted drug testing of applicants for other government programs, like the Temporary Assistance for Needy Families program, very few claimants have tested positive for drug use.

My Republican colleagues say that this resolution will help save taxpayer money, but overturning the Department of Labor's rule will lead to millions of wasted taxpayer dollars on drug tests that come back negative.

This resolution isn't about saving money. It is about paving the way for lawmakers who want to drug test every American who has to file for unemployment insurance; yet these same lawmakers aren't calling for drug testing Americans that claim other Federal benefits, like tax credits or deductions on their tax returns.

I urge my colleagues on the other side of the aisle to remember: the Department of Labor's drug-testing rule is about real people who depend on unemployment insurance to live in America.

They need these benefits to put food on the table, to make a rent or mortgage payment, or to pay for gas to allow them to continue their job search.

When people become unemployed, it is often a result of company downsizing or outsourcing American jobs, not drug use. We should not and cannot unfairly

stigmatize these workers and make it even more difficult for them to get back on their feet after becoming unemployed by undoing this regulation.

I urge my colleagues to join me in voting against this resolution.

Mr. VAN HOLLEN. Mr. President, I rise in opposition to H.J. Res. 42 today, a bill in search of a problem. Back in 2012, Congress passed legislation to extend temporary unemployment insurance as our country worked to recover from the recession. That legislation included a bipartisan compromise that allowed States to drug test people applying for unemployment compensation if they were fired from their previous job for drug use or they were pursuing employment in a field that regularly required drug testing for safety reasons. The Department of Labor was charged with determining those occupations.

This guidance is critical because courts have twice ruled against States who implemented blanket testing for TANF benefits. Without probably cause, they ruled that such testing violated constitutional rights. By overriding the Department of Labor's rule, States are left in confusion.

My colleagues on the other side of the aisle might argue that the authority to drug test is important to help save money in the program. There is no clear evidence that this is the case. There is also no convincing evidence of rampant drug use among beneficiaries. States have engaged in drug testing for TANF recipients with remarkably few results. In Oklahoma in 2015, nearly 90 percent of those required to take a drug test had a negative result for drug use. In fiscal year 2014, Utah's drug testing returned just 18 positive results. As of 2016, only 0.1 percent of all applicants for Tennessee's cash assistance program tested positive.

We all acknowledge an opioid crisis in our communities. Instead of using resources to help people access treatment programs, we are debating creating costly drug testing programs that have failed to produce significant results in States where they have been tried. Over in the House, they are considering TrumpCare, which would erode drug treatment coverage. We should be working to address this tragedy, not spending time on wasteful and damaging measures like these. I urge a "no" vote.

Mr. SCHATZ. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BOOZMAN). Without objection, it is so ordered.

Mr. CORNYN. Mr. President, I ask unanimous consent that the time until

5:45 p.m. today, including quorum calls, be equally divided in the usual form, with 15 minutes of the Democratic time being reserved for the use of Senator WYDEN or his designee; further, that at 5:45 p.m., the remaining time on H.J. Res. 42 be considered expired, the resolution be read a third time, and the Senate vote on the resolution with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF ROBERT LIGHTHIZER

Mr. CORNYN. Mr. President, today the Senate Finance Committee has considered the nomination of Mr. Robert Lighthizer to be the country's next Trade Representative. This position serves as a vital role in our country's economic policy by negotiating trade agreements on behalf of the American people and making sure they are enforced according to their terms.

President Trump has made clear that his administration will be devoted to getting the very best trade deals possible for the American people. For Texas, my State—the Nation's top exporting State—trade is incredibly important. Many of our jobs and industries rely on trade agreements, like NAFTA, so that our goods and services can find new markets and more customers. As a matter of fact, 5 million American jobs depend on binational trade with Mexico alone, which gives us a sense of how important trade is to our economy at large.

I am happy to support Mr. Lighthizer for this important post. He has served in the Senate as a staffer on the Senate Finance Committee for the former chairman of the Finance Committee, Senator Bob Dole, and as the Deputy U.S. Trade Representative during the Reagan administration as well. In his nearly three decades in the private sector, Mr. Lighthizer has represented a number of U.S. commercial interests through trade enforcement cases, while also focusing on opening up foreign markets to American ranchers, farmers, and small businesses. I look forward to working with him to improve existing trade deals and to cut better ones for the benefit of the American people.

AMERICAN HEALTH CARE ACT

Mr. President, last week the House of Representatives unveiled a plan to repeal and replace ObamaCare with one that provides more options for the American people at a price they can afford. This was in direct response to what has been an ObamaCare disaster—one that led to skyrocketing healthcare costs, insurers leaving markets left and right, and a big government solution to a complicated problem that fails to actually deliver on its promises.

We have all heard it a hundred times if we have heard it once. President Obama said: If you like your policy, you can keep it; if you like your doctor, you can keep your doctor; and a

family of four would see a decrease in their premium costs by \$2,500. Obviously, that did not prove to be the case.

There is really no denying that ObamaCare isn't working, and the status quo is unacceptable. Under ObamaCare, tens of millions are uninsured—almost 30 million people now in America, which, to me, is one of the most supreme ironies of ObamaCare. It was sold to us on the premise that everyone would have insurance. Yet 30 million people are uninsured, and 20 million of those 30 million are either people who have paid a penalty because they haven't bought the government-approved healthcare and thus are not complying with the individual mandate or they are people who claimed a hardship exemption, saying they simply can't afford to buy the policy that the government mandates they purchase, so the government has supplied them an exemption. So 30 million are uninsured under ObamaCare, and 20 million of those 30 million have either paid the penalty or have been otherwise excused from complying with the mandate.

We know that under ObamaCare, tens of millions are uninsured, premiums have skyrocketed, and mandates have crushed job creators.

I remember several conversations with employers—restaurant owners and one gentleman in an architectural firm—saying: When does the employer mandate kick in? In other words, when do you get penalized for not complying with the ObamaCare requirements?

He said: I am going to hire fewer people because I don't want to come within the ambit of that employer mandate.

Then I remember one restaurant in East Texas where a single mom basically was laid off of her full-time job and forced to work two part-time jobs to make up for that lost pay because her employer couldn't comply with the employer mandate under ObamaCare, so what he decided to do was lay off his full-time workers and hire people on a part-time basis. ObamaCare is riddled with stories like that, which demonstrate its flaws.

Consider that a 24-year-old individual in Texas could spend up to 30 percent of their gross income just paying for their healthcare premiums and their out-of-pocket costs—hardly affordable healthcare. We really should have called it the un-Affordable Care Act. We have begun the first step to repeal and replace it.

Yesterday, the Congressional Budget Office offered us a glimpse into the impact the legislation would have. But I hasten to add that this is just the first step out of multiple steps, and there is additional work to be done, first of all, by the Secretary of Health and Human Services, who has enormous discretion in terms of how to administer healthcare policy at the national level

and the authority to delegate a lot of that responsibility, along with the money that goes with it, back to the States where it historically has been done, to offer people lower cost health insurance that suits their needs—not a government mandate—and offers them more choices.

There is a number of additional things in the Congressional Budget Office report yesterday which are important to consider.

First, the CBO estimates the American Health Care Act would lower premiums by 10 percent over time. We know ObamaCare raised premiums for many families across the country; they skyrocketed to an unaffordable level. So this is a start in the right direction, but I hasten again to add that it is just a start.

The Congressional Budget Office also confirmed that the American Health Care Act is a fiscally conservative bill that puts forward responsible solutions to our Nation's healthcare woes. CBO estimates that we could reduce the Federal deficit by \$337 billion by passing the American Health Care Act.

It also reforms Medicaid. Many of our most vulnerable population get their healthcare through Medicaid. This bill provides a way of sending that money and authority back to the States and lets them manage the growth of the Medicaid Program according to a Consumer Price Index. So people who are on Medicaid now, including those in the expansion States, can stay on Medicaid, but ultimately the responsibility is going to be sent back to the States, along with the money to pay for it, and grow—not to cut it, but to grow—according to a Consumer Price Index, which makes sense. That change alone saves taxpayers another \$880 billion—\$880 billion. This is the most significant entitlement reform in certainly a generation.

The bill repeals ObamaCare's job-killing taxes like the individual employer mandate and the medical device tax, which has moved jobs offshore to places like Costa Rica because of its impact on innovation. We also repeal the payroll tax, the tax on investments, and the tax on prescription drugs. The fact is, middle-income Americans and our job creators will find massive tax relief as a result of this legislation—to the tune of more than \$800 billion.

Put simply, the American Health Care Act dismantles, repeals, and stops ObamaCare in its tracks.

I should point out that the CBO doesn't take into account other steps Congress and the administration will take in order to make our Nation's healthcare system a vibrant marketplace where more options and better quality healthcare exist.

I might say that a lot of the news yesterday on the CBO report had to do with the reduction in the number of

people who would actually buy health insurance under this new legislation, but the reason for the change is in large part, as the Congressional Budget Office said, that when you don't punish people through a penalty for not buying government-approved health insurance, as ObamaCare did, people may well decide in their own economic self-interest not to purchase that government policy, particularly when their choices are so limited.

I believe this is a first step in unraveling this convoluted puzzle called ObamaCare and getting our Nation's healthcare back on track. The American people have demanded better than ObamaCare. Families are forced to pay for insurance they can't afford that provides subpar care, and they are tired of being forced to pay a penalty because they don't want to opt into a government program that fails to deliver on its most basic promises.

Let me just say this in closing: I know some of our friends across the aisle have a dim view of this proposal. They say the CBO score demonstrates that not enough people will be covered by this alternative to ObamaCare. But my question to them is, What are you going to do about the current meltdown in ObamaCare that is forcing people into insurance they don't want and denying them any real choice, where the premiums are skyrocketing, and where the deductibles are so high you are effectively denied the benefit of any health insurance coverage? What are they going to do about that? I would simply say that if they don't like the alternative we have offered, I invite them to join us in trying to solve this problem.

One of the lessons of ObamaCare is that partisan healthcare legislation isn't very durable and doesn't survive. I hope at some point the fever will break, and Democrats and Republicans alike will find a way to work in the best interests of our constituents, the people we serve—the American people.

We can't afford another one-size-fits-all approach to healthcare. The American Health Care Act will provide the first important steps of relief from this unworkable, unsustainable system that was created based on false promises made to the American people. At the end of the day, our goal is to deliver more access, more options, and better quality care for families across the country. I look forward to getting it done soon.

In the House, the Budget Committee will take up the healthcare bill, which passed the Ways and Means Committee and the Energy and Commerce Committee, and then it will move to the floor of the House where I presume it will be open to some amendments. Then it will come to the Senate where, under the Senate rules, it will also be open to amendments.

If people have a better idea, I hope they will join us in trying to come up

with the very best solutions possible. But to simply hang back and sort of enjoy the difficulty of trying to reform this broken ObamaCare system for partisan reasons, to me, seems to be beneath the dignity of what we are sent here to do by our constituents.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, before I get into my "Time to Wake Up" speech, let me say I appreciate the concern of the Senator from Texas that the Affordable Care Act leaves too many Americans uninsured. I am not sure the solution to that problem is to throw another 24 million people off of their insurance. I appreciate his concern that premiums for many are too high. I am not sure the solution is to dramatically increase premiums on the elderly. I appreciate his concern that Medicaid can be managed by the States—and I think I used his words correctly—along with the money to pay for it. But when the bill has \$800 billion in Medicaid savings but will not cure or prevent a single illness, you are not reducing those \$800 billion in savings; you are just moving it to the States. You are just putting that burden on the States. Ask Arizona how that worked when they tried to do Medicaid as they dealt with the mortgage meltdown.

The American people do perhaps demand better than ObamaCare, but the solution to offer them something that is far, far worse does not seem very sensible. I believe we are willing to work together. Indeed, in the HELP Committee our chairman has already said that as soon as we start talking about repair, we can get to work. But the notion that there is an invitation out to us to work in a bipartisan fashion when the majority party is jamming this bill through without negotiation, using reconciliation as an extraordinary process to try to put it through under arcane budget rules that were never designed for this—that is not exactly much of a signal. So as soon as we get to regular order and 60 votes, I think we will be able to actually work and serve our constituents very well.

CLIMATE CHANGE

Mr. President, I am here today for my 160th "Time to Wake Up" speech, this one focused on the security consequences of our failure to deal with carbon emissions and climate change.

My remarks at the Munich Security Conference this year pointed out that climate change presents several orders of security risk to society. The first order of security risk is just physical damage, damage that science and our senses are already perceiving and measuring in our atmosphere, our oceans, and our environment.

This security risk, risks to the Earth's present national state, will

hurt farming communities, coastal communities, fishing communities, and of course anyone vulnerable to wildfires, droughts, and extreme weather. Of course, the poorer you are in this world, the more vulnerable you are to this peril.

The second order of security risk from climate change is the consequences in human society from that physical, biological, and chemical damage in our environment. As farms and fisheries fail, people are impoverished and dislocated. Scarce resources lead to conflicts and confrontations. Storms and fires can make suffering acute, and people who are hungry or dislocated or torn from their roots can become desperate, radicalized, and violent. That is why the U.S. Department of Defense has for years called climate change a catalyst of conflict.

Drought in Syria, for instance, has been described as a root cause of the conflict there, a conflict that has killed more than 400,000 people, according to some estimates, and displaced more than 11 million. Researchers from NASA and the University of Arizona have determined that drought was very likely the worst in a millennium. Massive crop failures and livestock losses moved farmers into stressed cities, where popular protests met with brutal violence from the Assad regime and the tide of refugees from that chaos swamped Europe.

Nigeria, Sudan, and Central America are other areas where violence and flight are driven by scarce resources. So the second order of national security risk is the societal damage that cascades from the natural damage caused by climate change.

The third order of security risk is perhaps the most dangerous for our country; that is, reputational damage to the keystone institutions of our present world order: market capitalism and democratic government. People around the world who have been harmed by the first-order environmental effects of climate change, or people around the world who get swept up in the second-order societal effects of climate change will want answers, as will many who are witness to the global suffering and harm caused by climate change.

When that reckoning comes, as it will, the discredit to institutions like capitalism and democracy which failed to act, even when loudly and clearly warned, could be profound. This failure of action by these institutions is compounded by the moral failure. Fossil fuel companies are knowingly causing this harm. They are aggressively fighting solutions to this problem. Their weapons are as disreputable as their conduct: professionally administered misinformation—climate denial, after all, is the original fake news—and massive, massive floods of political money.

As a result, the Congress has shown itself utterly unable to resist the

threats and blandishments of this industry, despite the fact that we know very clearly of the industry's enormous conflict of interest. This all stands to be a lasting blot on both democracy and capitalism, a blot that will worsen as the consequences of our climate failure worsen. If you believe, as DANIEL WEBSTER did, in the power of America's example, that we are, indeed, a city on a hill, then you should worry about this terrible example of greed, ignorance, and corruption triumphant.

It is not like we have not been warned. The National Intelligence Council has estimated that worldwide demand for food, water, and energy will grow by approximately 35, 40, and 50 percent respectively in coming decades. This increased resource demand is on a collision course with those first-order harms—disrupting fisheries and agriculture around the globe.

The U.S. Institute for Peace has warned that "poor responses to climatic shifts create shortages of resources such as land and water. Shortages are followed by negative secondary impacts, such as more sickness, hunger and joblessness. Poor responses to these, in turn, open the door to conflict."

For those who discount this as a bunch of peaceniks' prattle, let me add that in 2013, our National Intelligence Council put climate change alongside events like nuclear war and a severe pandemic among the eight events with the greatest potential for global disruption—noting for climate change that "dramatic and unforeseen changes are occurring at a faster rate than expected." The Department of Defense 2014 Quadrennial Defense Review described climate change as a "global threat multiplier." That report warned that "the pressures caused by climate change will influence resource competition while placing additional burdens on economies, societies, and governance institutions around the world."

As head of U.S. Pacific Command, ADM Samuel Locklear warned in 2013 that climate change was the biggest long-term security threat in his area of operation, noting the need to organize the military for "when the effects of climate change start to impact these massive populations."

Again, I will quote him. "If it goes bad," he said, "you could have hundreds of thousands or millions of people displaced and then security will start to crumble pretty quickly."

Operation Free, a coalition of national security and veterans organizations, has continually pointed out the national security threat posed by climate change, as has the American Security Project, comprised of retired military flag officers. The Government Accountability Office, GAO, has warned that climate change is affecting defense infrastructure around the

world, from sea level rise at Naval Station Norfolk to heavy rain and flooding at Fort Irwin, CA, to thawing permafrost affecting Air Force radar installations in Alaska, to faraway effects, even at Diego Garcia in the Indian Ocean.

The Coast Guard, of course, must meet entirely new demands of the ice-cap's melt in the Arctic for transportation and shipping, for new fishing grounds, for resource exploration, and of course the possibility there of conflict. In 2005, when Defense Secretary Mattis led Marine Corps Combat Development Command, he called on Navy researchers to find ways to make the military more energy efficient, to "unleash"—to use his words—U.S. military forces from the "tether [of] fuel."

Ask Senator TAMMY DUCKWORTH about the casualties sustained among her comrades in arms defending fuel supply lines if you want to see a passionate conversation. The military funds research into alternative energy and studies how climate change affects military capability because in the real world, where real lives are at risk, they can't afford to believe the false facts peddled by the fossil fuel industry.

The people we entrust to keep us safe, who have to deal with real threats in the real world, recognize the danger climate change represents. The National Intelligence Council said in January that "issues like . . . climate change invoke high stakes and will require sustained collaboration." Instead of that, we get a Congress and an administration that has deliberately let the fossil fuel industry occupy and sabotage the orderly operation of the Government of the United States to deal with this problem.

So I am going to start to push back. When these tools of the fossil fuel industry, to whom we in the Senate gave advice and consent, go too egregiously about their dirty business of climate denial, expect that I may come to the floor and object to consent requests.

Last week, Administrator Pruitt said carbon dioxide does not cause climate change. That is nonsense. That is somewhere between ignorant and fraudulent. He gets that one lie for free but no more—not next time with the stakes this high. It can't be free to have these fossil fuel tools spouting their fossil fuel nonsense from Senate-confirmed positions of governmental authority. Starting now, it will not be. I yield the floor.

THE PRESIDING OFFICER (Mr. FLAKE). The Senator from Utah.

Mr. HATCH. Mr. President, later today, the Senate will vote on H.J. Res. 42, the resolution of disapproval under the Congressional Review Act relating to a Department of Labor regulation on the drug testing of unemployment insurance applicants. I rise to speak in support of that resolution and to urge my colleagues to vote in favor of its passage.

Let's put this resolution and the regulation it would repeal in proper context. In 2012, Congress passed and President Obama signed the Middle Class Tax Relief and Job Creation Act. Among many other things, that law included a number of carefully negotiated provisions relating to the unemployment insurance program, including a number of reforms to address program efficiency and integrity issues.

One of those provisions overturned a DOL ban on drug screening for UI applicants. Specifically, the law allowed States to test UI applicants who either lost their job due to drug use or were seeking employment in an occupation that generally required drug tests as a condition of employment.

It did not require States to begin drug testing; it only gave them that option. In addition, the law required DOL to issue regulations to define those occupations that regularly conduct drug tests. States would not be allowed to implement any drug testing policies pursuant to the law until the regulations were finalized. DOL issued its proposed regulation in 2014.

At that time, Members of Congress and stakeholders at the State level argued that the proposal fell far short of Congress's intent. The final rule was issued in August of last year, about 4½ years after the provision was signed into law. As before, the final regulation defined the relevant occupations so narrowly that it basically makes it impossible for States to implement any meaningful drug testing policy.

So here we are, debating a CRA resolution that would wipe this regulation off the books and give DOL an opportunity to put forward something new that better reflects Congress's intent.

Let's talk about why this drug testing provision is important. The UI Program requires beneficiaries to be able and available to work and be actively seeking work. This is a condition of eligibility for UI benefits. This is what it boils down to. If a worker loses his or her job due to drug use, he or she cannot affirmatively establish that they are fully able to work. Likewise, if an unemployed individual is unable to accept a new job because they cannot pass a required drug test, they are not available for work.

Congress intended to give States the power to withhold benefits in these cases because, by definition, individuals in these situations are not eligible for unemployment insurance benefits.

Keep in mind that, according to recent surveys, more than half of all U.S. employers require prospective employees to take a drug test. It isn't some fringe or mean-spirited notion that there is a connection between the use of illegal drugs and the ability to obtain and maintain employment.

Furthermore, 20 States already limit UI benefits for applicants who have refused to take or who fail a drug test re-

quired by an employer or who have previous employment issues relating to drugs. The next logical step really is to allow States to conduct the tests themselves in order to maintain program integrity and to improve the solvency of their UI trust funds. Once again, that was what Congress intended with the passage of the 2012 statute.

Unfortunately, the Obama administration took it upon themselves to undo congressional intent. We have heard from a number of Governors on this issue—including the Governor of Utah, who will support this CRA resolution—who want to see new and better regulations.

A number of organizations, including the National Association of State Workforce Agencies, have chimed in as well, expressing their strong support for State flexibility in governing their UI programs.

Ultimately, that is what this is about—State flexibility. Do we want States to have the freedom to run their own programs as they see fit, or do we believe that bureaucrats in Washington have all the answers?

It is probably pretty clear where I come down on this particular issue. The law we drafted and passed in 2012—the one that passed with bipartisan support—struck a careful balance on these issues. It was the right balance and the right approach. Hopefully, a majority of our colleagues will share that view and vote today to restore that balance.

Once again, I urge all Senators to vote in favor of H.J. Res. 42.

With that, I suggest the absence of a quorum.

THE PRESIDING OFFICER. Will the Senator withhold?

Mr. HATCH. I withhold that suggestion.

THE PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, the Senate has been digging into the legal quagmire of drug testing the unemployed. I would like to begin by saying that no matter where a Senator comes down on the issue of drug testing, my view is that this measure before us is simply bizarre.

If, like me, you believe that drug testing is ineffective and mean-spirited, you ought to oppose this measure because it simply vilifies unemployed workers who are actually less likely to use drugs than the general population.

For those Senators who support drug testing, this measure blows up what has been a bipartisan compromise and a Labor Department rule allowing select testing to go forward. The result of this measure passing would actually be to block testing from going forward.

The fact is that the courts have ruled that suspicionless drug testing violates the Fourth Amendment's protection against unreasonable searches and seizures. That is why there is now actually a rule that is narrow.

We have the courts expressing skepticism about this, and there is actually a rule that is narrow so that, in effect, States that are doing this drug testing have what amounts to guardrails to avoid running afoul of the Constitution. If you pass this measure, you will throw out the guardrails, opening up, in my view, the possibility of yet more litigation on Fourth Amendment grounds.

Now, as I touched on in my opening comments, there isn't evidence that unemployment insurance recipients use drugs any more frequently than the general population. In fact, studies actually indicate that they are less likely to use illegal drugs than the general population. So this idea that somehow there is a presumption of irresponsible conduct and guilt is just baseless.

To be eligible for unemployment insurance, workers have to have substantial recent work experience. They have to be unemployed through no fault of their own. Workers can only collect unemployment benefits if they are actively searching for work and available to work.

For States that have implemented drug testing policies, there is evidence that the costs dwarf the potential savings. The costs of operating drug testing programs are charged to State health and human services accounts, and I think we all understand that those have been squeezed mightily by the effort to treat opioid addiction. In my view, instead of wasting money by drug testing Americans who are looking for jobs, the States ought to be putting those very same dollars toward substance abuse treatment, given the fact that opioid addiction has hit our country like a wrecking ball.

Moreover, we have said that fighting opioid addiction ought to be a bipartisan cause. If Republicans wanted to do everything possible to fight addiction, they shouldn't be going forward with TrumpCare, a bill that would be a disastrous setback when it comes to fighting opioid addiction. The fact is that colleagues on the other side of the aisle here in the Senate—colleagues not from my side but colleagues from the other side—have expressed their concern about what TrumpCare means for the fight against opioid addiction.

The hard numbers are actually out now on TrumpCare, and they show that the majority is going into overdrive to pass a bill that strips millions of Americans of their access to treatment for substance abuse. Today Medicaid is strengthening our mental health network, expanding access to substance use disorder treatment, and is at the forefront of some promising new work to fight opioid addiction. So TrumpCare hits the cause of treating opioid addiction in a devastating way. It slashes the healthcare safety net, and, in my view, it would inflame the epidemic of drug abuse deaths across the country.

At the same time, there is this partisan effort to slash funding for addiction treatment. Republicans have dredged up an old head-scratcher of an argument that drug testing Americans and denying them earned benefits somehow just magically helps to overcome addiction. This is an important point.

Just like Social Security, unemployment insurance is an earned benefit. It is an earned benefit that ought to be there for workers who fall on hard times.

So what the majority is pushing for in this debate looks to me like light years away from what was discussed last year when there was discussion before the election about helping Americans in every part of the Nation who are struggling with opioid addiction.

You have to ask this question: What earned benefits are my colleagues on the other side of the aisle going to crusade against next? Is the drug testing crusade going to turn next to Social Security and Medicare recipients as an excuse to deny seniors benefits that they have earned—earned benefits that they worked hard for through a lifetime of work?

I am going to wrap up by way of saying that, if this measure passes, I think States are just going to be thrown into bedlam. The current law, based on a compromise—a bipartisan compromise reached in 2012—says States can drug test recipients of unemployed benefits in two cases: first, if the unemployment insurance recipient lost their job for drug-related reasons and, second, if the unemployment insurance recipient is applying for a type of occupation that requires drug testing, as defined by the rules of the Department of Labor.

Let's say, for example, that two unemployment benefits recipients are specifically applying for jobs as schoolbus drivers or air traffic controllers. The rule that is on the books now says that States can drug test those individuals because they are applying for work in occupations that require drug testing.

Now, as far as I can tell, my colleagues on the other side of the aisle want to eliminate the rule that defined those occupations. States would be blocked from performing any occupation-based drug testing for unemployment recipients, and the States would just be walking into a legal minefield if they wanted to go ahead with testing programs anyway.

Make no mistake about it. When this passes—if it does—drug testing policies go on hold until the Congress passes a new law, rather than our continuing a carefully put together bipartisan compromise of just a couple of years ago.

I have been trying to see this from my colleagues' perspective. I have listened to the arguments from the other side. I just find this a baffling, bizarre

kind of analysis. All this measure does is create a huge amount of new uncertainty. That doesn't strike me as a good way to reduce bureaucracy and make government more efficient.

If the majority decides to take another crack at this issue down the road, I can only guess at what kind of new ideas they might have that would, again, miss the point of making sure we had a narrow, defined, and bipartisan approach to deal with this issue.

My view is that this is an ill-conceived campaign against working people built on a completely false premise. The premise is that if you are looking for work, you are guilty of drug use until proven innocent. My view is that we ought to keep trying, as I have said, on major issues involving health and taxes and infrastructure and trade. When you are dealing with important questions, we should work to find the common ground. It is not about taking each other's bad ideas. It is about taking each other's good ideas.

My view is that what was done a few years ago was a good and narrowly tailored bipartisan idea. What the Senate may choose to do is basically to throw that in the trash can, create bedlam, and make it impossible for States to move because they are in a sort of legal limbo. I don't see how that meets the test of sound policy.

This measure before us today sets back the cause of strengthening the unemployment insurance system. It sets back the cause of advocating for Americans struggling with addiction. I urge my colleagues to vote against this measure when we vote here in a little bit.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. RUBIO). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. McCONNELL. Mr. President, I ask unanimous consent that, notwithstanding rule XXII, following leader remarks on Wednesday, March 15, the Senate proceed to executive session for the consideration of Executive Calendar No. 23, Daniel Coats to be Director of National Intelligence; that the time until 10 a.m. be equally divided in the usual form; and that at 10 a.m., the Senate vote on the motion to invoke cloture.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The joint resolution was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. The joint resolution having been read the third

time, the question is, Shall the joint resolution pass?

Mr. BURR. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: The Senator from Georgia (Mr. ISAKSON).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 51, nays 48, as follows:

[Rollcall Vote No. 87 Leg.]

YEAS—51

Alexander	Fischer	Paul
Barrasso	Flake	Perdue
Blunt	Gardner	Portman
Boozman	Graham	Risch
Burr	Grassley	Roberts
Capito	Hatch	Rounds
Cassidy	Heller	Rubio
Cochran	Hoeben	Sasse
Collins	Inhofe	Scott
Corker	Johnson	Shelby
Cornyn	Kennedy	Strange
Cotton	Lankford	Sullivan
Crapo	Lee	Thune
Cruz	McCain	Tillis
Daines	McConnell	Toomey
Enzi	Moran	Wicker
Ernst	Murkowski	Young

NAYS—48

Baldwin	Gillibrand	Murray
Bennet	Harris	Nelson
Blumenthal	Hassan	Peters
Booker	Heinrich	Reed
Brown	Heitkamp	Sanders
Cantwell	Hirono	Schatz
Cardin	Kaine	Schumer
Carper	King	Shaheen
Casey	Klobuchar	Stabenow
Coons	Leahy	Tester
Cortez Masto	Manchin	Udall
Donnelly	Markey	Van Hollen
Duckworth	McCaskill	Warner
Durbin	Menendez	Warren
Feinstein	Merkley	Whitehouse
Franken	Murphy	Wyden

NOT VOTING—1

Isakson

The joint resolution (H.J. Res. 42) was passed.

The PRESIDING OFFICER. The Senator from Texas.

MORNING BUSINESS

Mr. CRUZ. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Texas.

Mr. INHOFE. Mr. President, will the Senator yield for a unanimous consent request?

Mr. CRUZ. I am happy to yield to my friend from Oklahoma.

Mr. INHOFE. Mr. President, I ask unanimous consent that following the remarks of the Senator from Texas and the Senator from Florida, I be recognized for such time as I may consume.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Texas.

CONGRESSIONAL REVIEW ACT RESOLUTION

Mr. CRUZ. Mr. President, I rise to commend the Senate for passing S.J. Res. 23, the legislation I introduced that has now passed both Houses of Congress, which reins in yet another example of the Obama administration's Executive overreach, gives power and flexibility to the States, and enables States to deal with the problem of drug use—the epidemic of drug use—and to craft solutions that help people escape addiction and dependence on drugs.

This resolution was introduced in the House by Chairman KEVIN BRADY, a fellow Texan. It passed the House 236 to 189, with bipartisan support. With the Senate's passage of the resolution, we will now be sending it to President Trump for his signature.

This resolution restores congressional intent behind the bipartisan Middle Class Tax Relief and Job Creation Act of 2012. The job creation act of 2012 permitted, but did not require, States to assess State unemployment compensation or insurance program applicants for drug usage under two circumstances: where workers had been discharged from their last job because of unlawful drug use, or where workers were looking for jobs in occupations where applicants and employees are subject to drug testing.

The wording of the 2012 job creation act clearly demonstrated that Congress intended to provide States the ability to determine how to best implement these plans. A number of States, including my home State of Texas, did precisely that, establishing testing and programs to help people who had drug dependency and addiction escape from that addiction.

However, years after the law's passage, the Obama Department of Labor substantially narrowed the law beyond congressional intent to circumstances where testing is legally required, not where it is merely permitted. That narrow definition undermined congressional intent and it undermined the flexibility of the States. Now, together, we have reversed that interpretation.

I commend my colleagues, and I thank Chairman BRADY for his leadership in the House and introducing the resolution, and I commend all of us for restoring the authority of the States.

I yield the floor.

The PRESIDING OFFICER (Mr. ROUNDS). The Senator from Florida.

TRUMPCARE

Mr. NELSON. Mr. President, I want to talk about TrumpCare. In my State of Florida, there are nearly 2 million

people who are covered through the Affordable Care Act, through healthcare.gov. The State of Florida leads the way with the highest ACA marketplace enrollment numbers. In my State, there are another 9 million people who get their health coverage from their employers.

This group also benefits from the ACA's protections, like prohibitions against lifetime limits on insurance and discriminating against people with preexisting conditions. In our State, almost 8 million people have preexisting conditions, which includes something as common as asthma.

Before the ACA, people undergoing lifesaving cancer treatments were being told by their insurance companies they would no longer cover those treatments. Now, under the current law, the ACA, insurance companies can no longer discriminate against preexisting conditions, and your children are going to be able to stay on your family policy until they are age 26. By the way, that is another 4 million people in the United States. Four million young people up to age 26 now get health insurance who didn't get it before the ACA.

What has come out of the House of Representatives—what I will refer to as TrumpCare—called the American Health Care Act—has some very troubling provisions. The House plan would mean 14 million people would lose coverage next year. That number, according to the CBO, would rise to 24 million people who have healthcare coverage now and would lose it—24 million people.

TrumpCare would also mean an end to Medicaid as we know it because it comes in and caps Medicaid. It shifts the cost of Medicaid from the Federal Government to the State governments. If you happen to be a State that has not expanded Medicaid—as is allowed under the ACA, expanding it up to 138 percent of poverty—and if you are one of the 16 States, like my State, that hasn't expanded it, you are going to get a double whammy. You are going to have your Medicaid amount from the Federal Government, called the block grant, capped, and it is going to be capped at your level instead of the higher level because you hadn't expanded your Medicaid.

The TrumpCare out of the House of Representatives is going to get rid of the financial assistance that has helped so many get health coverage. The bottom line is—and this is what the CBO says—folks are going to pay more, and they are going to get less. They are going to get less coverage.

What else does TrumpCare do? In fact, it cuts the taxes for the wealthy, and it shifts the financial burden of healthcare more to the poor. It would allow insurance companies to charge seniors up to five times more than younger Americans. Now, the existing

law—the ACA—has age done in three groups. You can only charge an older person on their premiums, according to their age, three times more than you can charge a younger person. Under TrumpCare, out of the House of Representatives, they will be able to charge seniors five times more than young people in their health insurance premiums.

It would scrap Medicaid expansion and fundamentally change the Medicaid Program. According to CBO, the Republican House TrumpCare bill will cut Medicaid by \$880 billion over 10 years. They are saying it will reduce the deficit by some \$330 billion over 10 years. That is a good thing. But, oh, by the way, it cuts Medicaid by \$880 billion over 10 years. It is my understanding that as to the capping of Medicaid, you have to pay for it someplace. If the Federal Government is not paying for it, as it is under the ACA, it is going to shift the cost to the States, or else the State is not going to provide the Federal-State Medicaid. And what does that mean? That means poor people go without healthcare. I don't think we want to do that.

Obviously, the ACA isn't perfect. Instead of its being repealed, it ought to be fixed. But there doesn't seem to be an appetite over in the House of Representatives. They want to repeal it and create something new called TrumpCare, all of which I have just described.

The problem before was that poorer people could not afford health insurance, or they couldn't get it because of a preexisting condition. If you did have coverage and you got sick, your insurance company just could drop you. People who didn't have coverage were avoiding going to the doctor until their condition got so bad that, when they were in an emergency, they would end up at the most expensive place—emergency rooms—at the most expensive time. So they hadn't done the preventive care and, therefore, the emergency occurred.

The ACA isn't perfect, but it was needed to fix a system that was broken. We need to focus on fixing things that need to be fixed, while preserving so many of the parts that are working—that now 24 million people in this country get healthcare who otherwise will have it taken away from them. That is not right. That is not the right thing to do. We don't want to treat our fellow human beings that way.

To recapitulate, what does the House of Representatives' TrumpCare plan do?

It cuts Medicaid. It has higher costs and less coverage. It cuts taxes for the wealthy, and it increases costs to seniors.

I think we want to do exactly the opposite of what it does.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, let me add one additional thing to the statement that was made by the Senator from Florida; and that is, what does the House version do?

I would like to first of all make it very clear that what we are going to see and ultimately vote on is what the House has right now. They have a starting place. But it does some things that I think are significant. One, it repeals the mandate and the Obama taxes. It changes the regulations back to the State—where most individuals prefer they be in—from Washington. HSAs are part of this plan. Preexisting conditions are there. It converts Medicaid.

So I think we need to keep our powder dry. We need to look and see. I think most of the people in my State of Oklahoma consider ObamaCare to be a disaster, and it needs to be changed and it is going to be changed.

CLIMATE CHANGE

Mr. INHOFE. Mr. President, I think tomorrow President Trump is going—or at least is planning—to sign an Executive order rolling back the Obama Clean Power Plan. I will have a lot to say about that, but I think it is important at an appropriate time to discuss the history of this issue. It has been going on a long time.

At the start of the 114th Congress, the Senate voted 98 to 1 in support of the Inhofe-Whitehouse amendment, stating that climate change is real and not a hoax. That is something we can actually agree on; that climate has been changing since the beginning of time, and there is all the archeological evidence, there is the Scriptural evidence, the historic evidence. Climate has been changing and will continue to change.

The hoax is that some on the far left believe man controls changes in the climate. We have endured 8 years of an administration that buys into the alarmist mentality that the world is coming to an end, and it is due to man-made gases. That is what the hoax is. Even though individuals—occasionally you will find some scientists who agree with this, but they will say that there may be some contribution, but it is minimal. It is not even measurable.

The Obama administration has used climate change as justification for taking unauthorized actions, such as the so-called Clean Power Plan. Every administrative entity under Obama was forced to embrace his climate change agenda as a top priority and used it as a convenient sounding board.

We have seen agencies such as the Department of Defense divert resources away from their core responsibilities and instead spend them on finding ways to justify statements from the President that climate change is the greatest threat, a greater threat than terrorism.

So other agencies have spared no taxpayer expense in supporting the outcome-driven science in an attempt to bolster their claims. In fact, the Congressional Research Service has reported that the Obama administration spent \$120 billion on climate change issues. That is a total waste of money. I don't think anyone can tell me what that \$120 billion was spent for. It was not authorized, it was not appropriated, but it was spent.

This comes from the Congressional Research Service. So this is a total waste of money, money needed to defend America. Despite the administration's efforts, as research and data around climate change continue to improve, the results do not support their claims but instead call them into question. This is especially true for all of the "hottest month" or "hottest season" or "hottest year" in history. This is something that is often claimed by those who are reading the script and trying to make those claims.

So 2014 was previously the warmest year on record, until a reporter pressed NOAA and NASA on the claim and the agencies were forced to admit they were only 38 percent sure that claim was accurate. A December 2015 study from the American Geophysical Union concluded that after analyzing over 1,200 ground-based weather stations: "The warmest-ever claims by government scientists are inflated due to compromised U.S. temperature stations impacted by encroachment of artificial surfaces like concrete, asphalt, and heat sources like air conditioning exhaust."

Because of NOAA's methods, they failed to account for these factors. Additionally, surface thermometers continue to be at odds with satellite data, which shows essentially no warming for the past 18 years, continuing the hiatus the Economist magazine originally wrote about in 2013.

In fact, just a few weeks ago, a whistleblower alleged that a June 2015 NOAA report manipulated data in an attempt to discredit this 18-year pause. Now, the 18-year pause has been agreed to. People understand, this is what they call the hiatus. This is a time when temperature has not changed, but they have done this to influence the public debate surrounding the Clean Power Plan and the Paris climate conference. Conveniently, the computer with the data suffered a complete failure and none of the data was saved.

It is not just the inflated temperature claims that can be called into question. A growing body of scientific study suggests variations in solar radiation and natural climate variability have a leading role in climate change. That is a novel idea, that the Sun has something to do with warming. A number of the incident studies assessing the impact of clouds have even suggested that water vapor feedback is entirely canceled out by cloud processes,

as global data shows no increase in the number or the intensity of hurricanes, tornadoes, droughts or floods, in spite of what they say on the Senate floor.

Even the IPCC's 2013 report concluded that the current datasets indicate no significant observed trends in global tropical cyclone frequency over the past century. No robust trends in the annual numbers of tropical storms, hurricanes—major hurricane count—have been identified in the past 100 years in the North Atlantic Basin, but we still hear it over and over again.

When it comes to droughts, the IPCC report indicated that previous conclusions regarding global increase trends in drought since the 1970s were probably overstated.

The increasing observations from scientist Craig Idso suggests a much reduced and practically harmless climate response to the increased amount of atmospheric carbon dioxide. Further, there are benefits from the increase in carbon that have led to a greening of the planet and contributed to increased agricultural productivity. Now, this shows that the progression that has taken place—the green parts are the part where they have an increased amount of CO₂ activity.

The trend is in the annual gross productivity per decade by percentage. This is from 1982 to 2011. So you can see the great benefits. In fact, many people still remind us, over and over again, that CO₂ is actually a fertilizer. It helps things grow. But these points were kept out of the Obama administration's press releases, and the media has been more than willing to go along.

None of this is surprising. As I have given a lot of speeches on climate change, my message tends to be one that the alarmists on the far left do not want to hear and do not want to believe, but they have been proven wrong time and time again.

Despite millions of dollars of the Tom Steyers of the world, Americans do care about climate change, but it is not high on their list. Right now, which I will state in just a moment, some of the polling activity that has taken place has surprised a lot of people. This is Tom Steyer. We keep hearing about the Koch brothers and other people who are putting money in the campaign, but Tom Steyer is the one who has said—that was his statement—that prior to the 2014 races, he was going to put \$100 million in there to elect people to promote such things as Obama's plan.

The Environment and Public Works Committee last Congress—and this is when I chaired that committee—held 10 hearings assessing the President's climate agenda, where we heard from a diverse group of expert witnesses who testified to the enormous costs, especially for low-income minority communities, the economic consequences, the legal vulnerabilities, and the miniscule

environmental impacts. We had the president of the Black Chamber of Commerce, Harry Alford, come to a hearing. He was the one who talked about how disproportionate the harm is that is done to poor people. He talked about the Blacks and the Hispanics who are at risk. I will elaborate on that in just a moment.

Taking committee action is a further step that Democrats and Republicans in both Houses of Congress rejected Obama's and the radical left's key climate regulations. Then, in February of last year, the U.S. Supreme Court put a stay on the so-called Clean Power Plan because they too had significant legal questions surrounding the validity of this.

Well, needless to say, there is a well-documented, substantive rejection to Obama's climate actions across the institution designed to keep the executive branch in check.

I have not attended one of the United Nation's climate conferences since 2009, when I was kind of a one-man truth squad in Copenhagen. Let me mention what this is. The United Nations, they are the ones that started the whole thing in the very beginning in talking about global warming, talking about all the problems that were out there. We have a pretty documented case. In fact, there is a book that was written—I will not mention the name of the book—that comes to the conclusion that the United Nations was right in the middle of this whole discussion as far back as 1972. So what the United Nations does is every year they have a big party. This is the big party of the year. It is in December. They have had 21 in 21 consecutive years.

What they do is invite everybody to come in who says that we will voluntarily reduce targets for CO₂ emissions. Of course, most of them who come in are coming in to get some of the billions of dollars they say they are going to be distributing. This is really interesting because these parties—I can remember one time I was talking to someone I know from Benin in West Africa. In fact, the Chair knows this individual too. I saw him at one of these meetings. I said: Now, you don't go along with all of this.

He said: No, but this is the biggest party of the year.

So they have these every year. That is what I think is important for people to understand. Anyway, I hadn't gone to any of these since the big event in Copenhagen, but the message I carried to the international bureaucrats then is exactly what happened: Congress did not then and does not now support the radical climate change actions, and the U.S. role in any associated international agreement will be limited accordingly.

The outlook for environmental activists and climate change alarmists is grim. With the significant losses in the

White House, the Congress, the Supreme Court, and a persistently skeptical public, their political leverage and relevance has dwindled.

For the past 8 years, the Obama administration and the American economy have suffered under the effects of the climate agenda. That era is over, and President Trump is already delivering on his campaign promises.

Just a few weeks ago, I was at the White House when President Trump signed an Executive order instructing the EPA to roll back the waters of the United States rule. This is the rule that would have allowed the EPA to regulate waters in the United States. I think most people know this has always been regulated by the States, but the true liberals, they want to have regulation taking place not by the States but in Washington.

A guy named Tom Buchanan is the Oklahoma Farm Bureau chairman. He was talking about all the problems farmers have throughout America, farmers and ranchers. The biggest problem they have is overregulation by the EPA. Do you know what he singled out as being the most onerous of all of these regulations? It was the regulation on water. Of course, I was in there when the President did away with that particular rule.

As I previously mentioned, President Trump has also committed to rolling back the Clean Power Plan and its \$300 billion pricetag. This rule would lead to dramatic increases in energy prices and reduce the reliability of the grid. These two rules are examples of major expansions of Federal power and a departure from the core functions and responsibilities provided by Congress to the EPA.

The steps taken by the Trump administration will return the rules of those agencies to their statutory intent. We have seen great successes in our air and water quality based on the EPA operating within its statutory limits. I can remember the 1990 amendments to the Clean Air Act. Right now, our pollution has dramatically dropped down. This is at a time when vehicle miles have actually doubled. So we are doing some things that are successful, and I look forward to continuing that success.

That is the end of my prepared remarks. I want to visit just a little bit about what is going on and what we have been doing over the last quite a few years now. I think it is important. People ask me: What are the motives of those individuals who are promoting all of these regulations that are on greenhouse gases? There has to be a motive for that.

I suggest, and this will surprise a lot of people, you go back originally—and I can remember when Koyoto first came out. Koyoto was the first regulation—they tried to get all the countries to join in. In fact, that was at a

time when Clinton was President of the United States, and they were trying anxiously to get this thing—to join in the Koyoto treaty.

The ones who originally were involved in it—and I could go back to people who have forgotten about this. The former European Union Minister of the Environment, Margot Wallstrom, said: “Kyoto is about the economy, about leveling the playing field for big business worldwide.”

Then the French weighed in; that was President Jacques Chirac. He said during his speech at the Hague in November of 2000 that Kyoto represents “the first component of an authentic global governance.”

You know, it hadn’t really changed that much. Christiana Figueres was the one in charge of the Paris convention that took place where they were talking about the great successes they had there, and she said the real goal was “to change the economic development model”—in other words, redistribute wealth among the nations.

So let’s keep in mind that is what the original motivation was.

Then the United Nations weighed in. This goes all the way back to 1972. In 1972, the United Nations held a conference on human environment in Stockholm, Sweden. Fifteen years later, in 1987, the U.N. published the report “Sustainable development: Our Common Future.”

“Sustainable development” is a word that they changed—a phrase, because it is easier to sell to the public. That was 1987, and then you go forward to 1992 and the Earth Summit in Rio de Janeiro, Brazil. They announced their intention to pursue sustainable development through the Kyoto Protocol.

It is kind of interesting because Reuters wrote an article in 2012 that said:

The “sustainable” branding for this year’s summit, rather than climate, is by design, said Ambassador Andre Correa do Lago, who headed Brazil’s delegation to the U.N. climate talks in Durban and will be a chief negotiator for Brazil in Rio.

That is behind us now, but this is an article that came out in 2012.

Sustainable development is an easier sell globally than climate change, even though sustainable development is a way of tackling global warming and other environmental issues, he said.

He said the end goal is not about the environment but about the redistribution of wealth.

Again, if anyone doubts that he was accurate in that statement, the Secretary General of the United Nations at that time was Ban Ki-moon, and he proposed how the challenges must be addressed. In talking about what they were going to do at these annual meetings, he said:

More than \$2.1 trillion a year in wealth transfers from rich countries to poorer ones, in the name of fostering “green infrastructure,” “climate adaptation” and other “green economy” measures.

So there again, after all these years, it is still about the same thing.

Now we go into more science and the different weather events. I notice when people come to the floor and they talk about all the bad weather and the hurricanes and the tornadoes and the fires and that all that is as a result of these events, I would like to remind people that George Mason University reported that 63 percent of the weathercasters believe that any global warming that occurs is a result of natural variation and not human activities.

Here is another one too. The Democrats will like this because Dr. Martin Hertzberg was a lifelong liberal Democrat, a retired Navy meteorologist with a Ph.D. in physical chemistry. He also declared his dissent of warming fears in 2008. This is a quote from this guy. He said:

As a scientist and life-long liberal Democrat, I find the constant regurgitation of the anecdotal, fear mongering clap-trap about human-caused global warming to be a disservice to science.

The global warming alarmists don’t even bother with data! All they have are half-baked computer models that are totally out of touch with reality and have already been proven to be false.

That is coming from a very liberal Democrat.

So you start looking at some of the things they say are linked to CO₂. NOAA, the scientists, rejected the global warming link to tornado. NOAA said that no specific consensus or connection between global warming and tornadic activity exists.

According to NOAA, hurricanes have been in decline in the United States since the beginning of records in the 19th century. The worst decade for major . . . hurricanes was in the 1940s.

Journal of Geographical Research: Since 2006, global tropical cyclone energy has decreased dramatically to the lowest levels since the 1970s. Global frequency of tropical cyclones has reached a historic low.

On droughts, the same thing: Severe droughts in 1934 covered 80 percent of the country, while the one they talk about in 2011—it was just 25 percent.

On sea level, the Journal of Geographical Research: There is no statistically significant acceleration in sea level rise over the past 100 years.

Again, these are the people who know, and we are talking about in this case the Journal of Geographical Research.

So enough of that. That is something that is a fact in terms of the weather events.

The other thing I want to mention here, going back to my notes on Antarctica, this is kind of interesting because in September, according to NASA and the data on the National Snow and Ice Data Center website, Antarctic ice hit a new record high in recorded history as it has increased to more than 19.4 million square kilo-

meters. That was happening in terms of the data center information.

In January of 2010, Time magazine talked about the Himalayas melting. I remember people on the floor of this Senate standing up and talking about how the Himalayas are going to melt because of global warming. The article in Time magazine said: “Himalayan Melting: How a Climate Panel Got It Wrong.”

Glaciergate is a black eye for the IPCC and the climate science community as a whole.

Sometimes some humorous things do happen. They were trying to build their case back in 2013. This was a research expedition to gauge the effect of climate on the Antarctic. It began actually on December 24. There was a Russian ship carrying climate scientists, journalists, tourists, and crew members for the expedition until it became trapped in deep ice up to 10 feet thick. Now, here they were going up there to show that things were warming in Antarctica. The whole crowd was wanting this to happen. They got stuck in ice. Well, they were stuck there for 6 days. Then an Australia icebreaker was sent to rescue the ship, but efforts were suspended due to bad weather. On January 2, they were still there. A Chinese icebreaker sent out a helicopter and airlifted the 52 passengers from the Russian ship to safety on an Australian icebreaker. The Chinese vessel was also stuck in the ice, along with the Russian vessel. There were 22 Russian crewmembers onboard the Russian ship, and an unreported number of crewmembers remained on the Chinese ship. Finally, the U.S. Coast Guard came along, and they were able to get in there and pull them out. The ship was called Polar Star.

I remember when that happened because they were going there with the express purpose of explaining to the world the problems they have in the Antarctic.

OK. Let’s talk about bears. You don’t get people talking about this without dancing out the polar bears and talking about what is happening to polar bears.

It is kind of interesting because when we look at the bear populations, they say that in the Davis Strait, they have flourished despite the shrinking Arctic Sea ice since the 1970s. In fact, in 2007 they escalated up to 2,158 bears, and they only had 1,400 in 1993. Another way of looking at it is, when Al Gore was born, there were 5,000 polar bears. In 2005, that number grew to 22,000. Today, there are 30,000 polar bears. So don’t worry about the polar bears. If there is a serious problem there, it is because of overpopulation. But it looks so good. It is such good theater to dance out the polar bears and say the polar bears are all going to disappear.

When Climategate happened, I was convinced that this whole issue was over.

I can remember when we had Lisa Jackson before the committee that I chaired. This was actually in 2009. In 2009, we had sent over all of these people to tell the 192 people at the U.N. meeting in Copenhagen that the world was coming to an end, that they needed to all join in and sign an agreement on what they were going to do about CO₂. So the day before I left for Copenhagen, Lisa Jackson happened to be in our committee. On tape, with live TV, I asked the question—I said: Well, Madam Administrator, I am going to leave town. I have a feeling that when I leave town, you will have an endangerment finding. For you to get the authority to do something about global warming, you have to have an endangerment finding. An endangerment finding has to be based on science. What science are you going to use?

She said: Well, the IPCC.

That is the Intergovernmental Panel on Climate Change. That is the United Nations. They set it up for that purpose.

So as luck would have it, it happened in a matter of days after that, after she said everything is put on the science of the IPCC, the worst scandal—some people say the greatest scientific scandal in history—took place. It took place at the University of East Anglia Climate Research Unit located in the UK. It revealed the scientific fraud. They have tapes and emails of individuals who were saying: We are going to have to rig this in order to come up with some facts to show that there is warming taking place.

These were the scientists of the IPCC. It was such a scandal that one of the UN scientists resigned, and he said: The result is not scientific.

Here is a good one. Clive Cooke of the Financial Times said:

The closed-mindedness of these supposed men of science, their willingness to go to any lengths to defend a preconceived message, is surprising even to me. The stink of intellectual corruption is overpowering.

Then we had Christopher Booker of the UK Telegraph say: "This is the worst scientific scandal of our generation."

So I had thought that since everything was based on that particular science, that would do it in, but it didn't happen.

If you look at all the damage that has been done in the last 8 years by the concentration of all these issues, the defense is one that took the biggest hit. A lot of people don't really believe or don't understand or don't appreciate what has happened to the defense during the time Obama was President. In fact, we have been watching very carefully what our new President is going to do to try to undo the damage—what I call the disarming of America—the damage that was done to our military.

They will say: Well, wait a minute, the Obama budget for the military was

the same as the budget was before that, so it isn't any great reduction.

The difference is, they changed the function of the military. How many people are aware that despite all of the problems, they wasted money on the Green Fleet. Remember the Green Fleet? They were actually paying \$59 a gallon for biofuel to try to convince people that we could use the military to experiment for other more pleasing sources. Twelve million dollars for operation and maintenance to exercise painting ships, printing hats, and transforming fuel to show off the Green Fleet at the foreign military show, and \$3.7 billion in solar panels and wind power. Why should the military be paying that? We have a Department of Energy. As I read the function of Energy, that is what they are supposed to be doing.

Then we have Tom Steyer. The reason I bring this up is because we keep hearing about the Koch brothers. And yes, the Koch brothers are in production. Their job is to try to find energy to run this machine called America, and they have done a very good job of it. But they get criticized all the time. So I think it is important that people realize that there are a lot of liberal billionaires who have made pledges. In this case, this individual, Tom Steyer—I am sure he is a fine guy. He actually made a commitment of \$10 million personally to try to promote the message that Obama had. Here is something interesting that we just found out or I just discovered: Even though this man is trying to kill fossil fuels, he made his money in fossil fuels. Since 2003, Steyer's hedge fund, Farallon Capital Management, has played a pivotal role in financing the tremendous restructuring and growth in thermal coal production in Jakarta and Sydney. All of this took place under Mr. Steyer's tenure as founder and senior partner of Farallon. The coal mines that Mr. Steyer has funded through Farallon produce an amount of CO₂ each year that is equivalent to about 28 percent of the amount of CO₂ produced in the United States each year by burning coal for electricity generation. So it is worthwhile to note that he now is putting huge investments out to defeat the very people who were the source of his wealth.

The other question I get quite often is, Why aren't more people talking about this? I have made an accumulation of various threats. There are two groups of people out there. We have those who are for the whole program that President Obama had, and they are the ones who are questioning and talking about the various science, and then we have threats coming from people such as James Hansen, who said that these are "high crimes against humanity."

Robert Kennedy, Jr., said: "This is treason and we need to start treating [people] as traitors."

Barone: "The warmists have 'a desire to kill heretics'—Calls for capital punishment for 'global warming deniers.'"

So it is not fun, and there are a lot of threats out there. If they don't have logic on their side and don't have science on their side, then the threats are what people use.

We talked about cap-and-trade legislation. They tried for a long period of time to get legislation through, and when that didn't work, we might remember the first bills that were introduced were the McCain-Lieberman bills in 2003, 2005, and 2007. The first of those bills was a cap-and-trade bill that was defeated in this Chamber by 43 to 55. Two years later, they tried it again, and it was defeated by 38 to 60. Each year, the margin went up. President Obama came along and decided: Well, if we can't pass this stuff through legislation, let's do it by regulation. So we had cap-and-trade regulation.

I have already talked about going to Copenhagen after Obama, PELOSI, BARBARA BOXER, and John Kerry had gone there to a big United Nations party in 2009 and went with the idea of convincing everyone that we were going to pass legislation over here, and, of course, we didn't do it.

In 2010, Japan under no uncertain terms refused to extend the Kyoto Protocol. They dropped out when they said: If we don't have India and China, we are not going to be a part of it. Canada finally went through. Canada was one of the first countries to join in on the Kyoto Protocol, but they dropped out in 2011 and 2012.

That brings us to the Paris party that they had. They tried to make it look as if it was a success, when in fact it was a miserable, dismal failure. Our President said that we would reduce our CO₂ emissions by 27 percent by 2025. Obviously, we couldn't do it. We even had a committee hearing asking how were we going to do that? We had the EPA in, and they admitted that it couldn't be done.

Then they talked about the commitment that China made at the Paris conference. China has actually produced more—this diagram gives you an idea of where China is going. They are building a new coal-powered generation plant every 10 days, and they are not about to try to restrict their CO₂. They said: Ok, we will do it. Let us increase our CO₂ emissions until 2025, and then we will agree that we will do a waiver. That is the extent of the regulations that have not worked.

The polling and the truth are coming out. The polling is now different than it was at first. I can remember when global warming was one of the first—either in first place or second place in the polls as to the dangers that face America. Look at the polling today. The FOX News poll last week said that 97 percent of Americans don't care about global warming when they

stacked it up against terrorism, immigration, healthcare, and the economy.

The Washington Post-ABC News poll just found that fewer Americans think climate change is a serious problem.

On March 12, 2015, the Gallup poll said that climate change came in dead last of national problems of concern to Americans. Shortly after that, the Gallup poll did their annual environmental survey, and global warming came in dead last in terms of environmental issues—15th out of 15 concerns. So I am stating that the people of America have caught on. It is something that people are aware of now.

When we stop, look, and think about the cost of the Clean Power Plan, that is what this whole thing is about. I think that tomorrow the President is going to come up with a plan to do away with the Clean Power Plan. The compliance costs would be between \$29 and \$39 billion a year, up to \$292 billion over 12 years with double-digit electricity price increases in 40 States. It would be an absolute disaster, and it is not going to happen.

What is worse than that is not just the cost but how it is hitting the most vulnerable people. Harry Alford, who is the president of the National Black Chamber of Commerce, found that the proposed Clean Power Plan would increase Black poverty by 23 percent, Hispanic poverty by 26 percent, reduce Black jobs by 200,000 and Hispanic jobs by 300,000, with a cumulative job loss of 7 million for Blacks and nearly 12 million for Hispanics by the year 2035. I have to state also that the National Energy Assistance Directors' Association found that high energy costs force seniors to forgo meals, medical care, and prescriptions in order to comply.

I am very proud of the President. He is keeping his commitment. He is not going to allow our most vulnerable citizens to be taxed, and I thank him for his help.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. INHOFE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

VOTE EXPLANATION

Mr. PETERS. Mr. President, on roll-call vote No. 86, the confirmation of the nomination of Seema Verma to be Administrator of the Centers for Medicare and Medicaid Services, I was not recorded because I was absent due to a flight delay. Had I been present, I would have voted nay.

H.J. RES. 57

Mr. CARDIN. Mr. President, in December 2015, this body came together

to enact what then-President Obama called a Christmas miracle, the Every Student Succeeds Act, ESSA. This truly bipartisan, bicameral compromise reauthorized the Elementary and Secondary Education Act, ESEA, for the first time in more than 14 years on the compromise of local control for Federal safeguards. First enacted more than 50 years ago as a part of the civil rights era, the ESEA sought to ensure that all children, regardless of their ZIP Code, were able to obtain a high-quality education. The legislative process is about compromise, and I have concerns that last Thursday's vote to use the Congressional Review Act to repeal the Department of Education's ESSA regulations will roll back that compromise and leave our neediest students without the Federal safeguards they deserve.

Ensuring access to a high-quality education is one of the most important duties of Federal, State, and local governments. I supported ESSA, along with 84 other Members of this body, to move our State and local school systems away from a Federal, one-size-fits-all "adequate yearly progress" accountability system and allow States to design their own accountability systems to identify, monitor, and assist schools. Rather than rely on a collective set of test scores to measure student performance as under No Child Left Behind, ESSA allows States to design accountability systems that will take into consideration student growth over the course of a school year. States will be able to consider multiple measures of student learning, including access to academic resources, school climate, and safety, access to support personnel, and other measures which can allow for differentiations in student performance within a school or a local school district. All of this is being done while ensuring students are held to the high, yet achievable, standard of being college- and career-ready upon completion of high school. While State and local school systems have newfound flexibility under ESSA, they must adhere to a Federal civil rights safeguards meant to ensure children with disabilities, students of color, low-income students, and our English language learners are not forgotten.

Just as the Bush administration led Department of Education provided after the enactment of the No Child Left Behind Act in 2002, the Obama administration led Department of Education worked to enact regulations and provide States with guidance and technical assistance to properly implement ESSA. After work for nearly a year and feedback from more than 20,000 education stakeholders, the Department published its final accountability, State plans, and reporting regulations in November 2016. The regulations provided broad flexibility for State and local school systems to improve stu-

dent outcomes in their States and districts while ensuring all students receive an excellent and well-rounded education. The regulations provided certainty to States and local school systems and clarified how to comply with their statutory requirements.

The Congressional Review Act was the wrong instrument to modify the Department's accountability regulations. In 2006 and 2008, the Bush administration led Department of Education responded to concerns regarding the implementation of the No Child Left Behind Act by education stakeholders and updated the regulations and guidance necessary for State and local school systems to adhere to the law. Now that the Congressional Review Act has struck down the existing regulations, the Department is prohibited from issuing similar regulations or addressing future implementation concerns raised by those same stakeholders. Just as we have worked to move away from the one-size-fits-all Federal solutions under the No Child Left Behind Act, the Congressional Review Act wrongly utilizes a one-cleaver-eliminates-all approach. We could not pick and choose which parts of the regulations we would have wanted to keep, such as the regulation's additional year for States to implement their State-designed accountability systems before taking corrective action, all aspects of the regulation, and nearly a year's worth of the Department's work is eliminated. School systems will now have to rely on non-legally binding guidance from the Department on how to adhere to their statutory requirements.

In my home State, the Maryland State Department of Education has worked for more than a year to develop our State's education plan as required under ESSA. Our State superintendent of schools, Dr. Karen Salmon, has traversed the State, listening and engaging with Marylanders who seek to have a voice in their child's education. The purpose of ESSA was to ensure that we return the ability of our State and local school systems to provide for the education of our children in exchange for staying within certain Federal safeguards for our neediest students. This is what we are doing in Maryland. The concerns and feedback expressed by Marylanders will be incorporated into a revised State plan and submitted to the Department of Education later this year. All of this work to comply with the Department's draft and final ESSA regulations, all of the consultation with members of the local community, is now for naught now that the Senate agreed to the use of the CRA. Our State and States are left with uncertainty as to how to comply with their statutory Federal requirements. Our States are clamoring to move away from the uncertainty of the Department's No Child Left Behind waivers

from 2012 and have a clear understanding of how to comply with Federal law. The elimination of the Department's accountability regulations further delays the ability of State and local school systems to move away from No Child Left Behind policies.

Throughout Secretary DeVos's confirmation hearing, the Secretary repeatedly demonstrated a lack of depth in the longstanding debates surrounding the education community. I have concerns that Secretary DeVos, who did not understand the protections afforded to children with disabilities under the Individuals with Disabilities Education Act, IDEA, would be a forceful advocate to require States and local school systems to ensure that children with disabilities are counted and not forgotten. Given Secretary DeVos's expressed support for the privatization of our Nation's public schools and resistance to meaningful Federal oversight of nontraditional schools, I have concerns that any new regulations created by the Department could incentivize States and local school systems to promote the privatization of low-performing public schools or set different accountability standards between public schools and nontraditional schools. These concerns are not unfounded; Secretary DeVos has already informed States that the Department will be creating a new template for submitting State plans outside of what is required under the Department's existing accountability regulations. Our students need a Secretary of Education that will uphold Congress's ESSA compromise, local control for Federal safeguards.

The use of the CRA to repeal the Department's ESSA accountability regulations provides Secretary DeVos with the ability to significantly undermine the bipartisan nature of ESSA and Federal safeguards necessary to protect our students. I am disappointed a majority of my colleagues voted in favor of this shortsighted measure that fails to protect our children with disabilities, students of color, low-income students, and our English language learners.

ADDITIONAL STATEMENTS

TRIBUTE TO DEWEY AND VIRGINIA RIEHN

• Mr. BLUNT. Mr. President, today I wish to honor two individuals from Missouri that have selflessly dedicated their lives to the military and public service. Dewey and Virginia Riehn have both held significant leadership roles within the veterans' community, and their decision to turn over that role to the next generation will be felt by the numerous lives they have impacted.

Dewey Riehn is a retired chief warrant officer of the U.S. Army, origi-

nally from Jackson, MO. He married his beloved wife, Virginia, on August 24, 1958. Enlisting in the Marine Corps in 1956, Dewey transitioned to the Army, where he served as a counterintelligence agent, seeing multiple tours in Vietnam. He and Virginia were stationed overseas on multiple occasions. After retiring from the Army, he transitioned to the Missouri Department of Social Services, where he successfully completed a 24-year career as a child abuse investigator.

From the time Dewey retired from military service, he and Virginia have both been pinnacle figures within the Veterans of Foreign Wars, American Legion, and Vietnam Veterans of America. Dewey has testified on numerous occasions before the Missouri Legislature, ultimately helping legislators shape State and national policy.

Dewey was paramount in helping secure funding for the Veterans Commission's Capital Improvement Trust Fund through gaming entrance fees. In addition, he was instrumental in the establishment of veterans treatment courts throughout Missouri. His extreme proficiency and vast dedication to veterans' issues resulted in his selection as the national legislative chairman for the Veterans of Foreign Wars.

Mrs. Riehn has enjoyed a successful career as a nurse, while also maintaining strong roles within the veterans' community. She was previously the legislative chairman of VFW Post 280 Ladies Auxiliary. Dewey and Virginia have five children and currently live in Ashland, MO.

As Dewey and Virginia relinquish their roles from the Veterans of Foreign Wars, I would like to pause and reflect on their lifelong commitments of profound service. I extend my heartfelt thanks to him and his wife and wish them the very best as they transition to a new chapter after decades of service to veterans and public service.●

REMEMBERING PAUL IRON CLOUD

• Mr. ROUNDS. Mr. President, today I wish to recognize the achievements of Paul Iron Cloud of Pine Ridge, SD, who passed away on February 18, 2017, at the age of 76. Paul Iron Cloud was a tribal leader on the Pine Ridge Indian Reservation and tireless advocate for the indigenous peoples of South Dakota.

In the 1980s, Paul established himself as an unwavering advocate for the Oglala Sioux Tribe, where he rose to the position of chairman and eventually president. During his time in leadership, Paul was a champion for housing on the Pine Ridge Reservation, a fight that would define his career.

Over the course of his career, Paul served as executive director of the Oglala Sioux Housing Authority, as well as its successor, Oglala Sioux Housing. Nationally, he served on the National

American Indian Housing Council and was elected chairman of the United Nations American Housing Association Board. In 2015, Paul received the George Nelson Outstanding Lifetime Service Award for his tireless efforts to improve the living conditions of the people of Pine Ridge.

Thanks in large part to his unwavering commitment, Paul was able to make improvements to reservation housing programs. His fierce dedication to the people of Pine Ridge left a lasting impression upon his home, as well as the Native American community across the Nation. He will be forever remembered for his dedication to Native People both in South Dakota and across the United States.

With this, I welcome the opportunity to recognize and commemorate the life of this great public servant, Paul Iron Cloud.●

100TH ANNIVERSARY OF THE SOUTH DAKOTA FARM BUREAU

• Mr. ROUNDS. Mr. President, today I wish to recognize the 100th anniversary of the South Dakota Farm Bureau.

Established in 1917, the South Dakota Farm Bureau has worked tirelessly to promote, uphold, and improve agriculture across our State. What started as a small group of farmers and ranchers, joining together to protect their homes and livelihoods, has grown to represent more than 16,000 families in South Dakota today.

As advocates for rural America, their mission is to "make the business of farming more profitable, and the community a better place to live." They accomplish this by educating consumers, leading grassroots advocacy efforts, and providing youth programs to train the next generation of farmers and ranchers.

I congratulate the South Dakota Farm Bureau on 100 years of successfully supporting South Dakota farmers and ranchers, so they can continue to supply safe, high-quality food to consumers around the globe.●

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. GRASSLEY (for himself, Ms. STABENOW, and Mrs. ERNST):

S. 616. A bill to amend section 721 of the Defense Production Act of 1950 to include the Secretary of Agriculture and the Secretary of Health and Human Services as members of the Committee on Foreign Investment in the United States and to require the Committee to consider the security of the food and agriculture systems of the United States as a factor to be considered when determining to take action with respect to foreign investment, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MURPHY:

S. 617. A bill to amend the Wild and Scenic Rivers Act to designate certain segments of the Farmington River and Salmon Brook in the State of Connecticut as components of the National Wild and Scenic Rivers System, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. HATCH (for himself, Mr. LANKFORD, Mr. ROUNDS, Mr. DAINES, Mr. CRUZ, and Mr. CORNYN):

S. 618. A bill to amend chapter 44 of title 18, United States Code, to more comprehensively address the interstate transportation of firearms or ammunition; to the Committee on the Judiciary.

By Mr. TESTER (for himself and Mr. WICKER):

S. 619. A bill to amend the Public Health Service Act to provide for the participation of physical therapists in the National Health Service Corps Loan Repayment Program, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. FRANKEN (for himself and Ms. DUCKWORTH):

S. 620. A bill to amend the Workforce Innovation and Opportunity Act to support community college and industry partnerships, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. TESTER:

S. 621. A bill to establish an advisory committee to issue nonbinding governmentwide guidelines on making public information available on the Internet, to require publicly available Government information held by the executive branch to be made available on the Internet, to express the sense of Congress that publicly available information held by the legislative and judicial branches should be available on the Internet, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. FLAKE (for himself, Mr. RISCH, and Mr. PERDUE):

S. 622. A bill to preserve open competition and Federal Government neutrality towards the labor relations of Federal Government contractors on Federal and federally funded construction projects; to the Committee on Homeland Security and Governmental Affairs.

By Mr. RUBIO (for himself and Mr. DURBIN):

S. 623. A bill to enhance the transparency and accelerate the impact of assistance provided under the Foreign Assistance Act of 1961 to promote quality basic education in developing countries, to better enable such countries to achieve universal access to quality basic education and improved learning outcomes, to eliminate duplication and waste, and for other purposes; to the Committee on Foreign Relations.

By Ms. CANTWELL (for herself and Mrs. FISCHER):

S. 624. A bill to allow servicemembers to terminate their cable, satellite television, and Internet access service contracts while deployed; to the Committee on Veterans' Affairs.

By Mrs. SHAHEEN (for herself and Mr. YOUNG):

S. 625. A bill to preserve the integrity of American elections by providing the Attorney General with the investigative tools to identify and prosecute foreign agents who seek to circumvent Federal registration requirements and unlawfully influence the political process; to the Committee on Foreign Relations.

By Mr. PORTMAN (for himself, Mr. ENZI, Mr. HELLER, Mr. ISAKSON, Mr.

BARRASSO, Mr. HOEVEN, Ms. COLLINS, Mr. BLUNT, Mr. BOOZMAN, and Mr. COCHRAN):

S. 626. A bill to require Senate confirmation of the Inspector General of the Bureau of Consumer Financial Protection, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. CANTWELL:

S. 627. A bill to establish the Maritime Washington Heritage Area in the State of Washington, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. Kaine (for himself, Mr. PORTMAN, Ms. BALDWIN, and Mr. YOUNG):

S. 628. A bill to amend the Carl D. Perkins Career and Technical Education Act of 2006 to raise the quality of career and technical education programs and to allow local eligible recipients to use funding to establish high-quality career academies; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. FEINSTEIN (for herself and Ms. COLLINS):

S. 629. A bill to amend the Federal Food, Drugs, and Cosmetic Act to ensure the safety and effectiveness of medically important antimicrobials approved for use in the prevention, control, and treatment of animal diseases, in order to minimize the development of antibiotic-resistant bacteria; to the Committee on Health, Education, Labor, and Pensions.

ADDITIONAL COSPONSORS

S. 34

At the request of Mr. JOHNSON, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 34, a bill to amend chapter 8 of title 5, United States Code, to provide for the en bloc consideration in resolutions of disapproval for "midnight rules", and for other purposes.

S. 205

At the request of Mr. THUNE, the names of the Senator from Alabama (Mr. STRANGE) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of S. 205, a bill to amend the Internal Revenue Code of 1986 to repeal the estate and generation-skipping transfer taxes, and for other purposes.

S. 206

At the request of Mr. Kaine, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 206, a bill to amend the Higher Education Act of 1965 to allow the Secretary of Education to award job training Federal Pell Grants.

S. 253

At the request of Mr. CARDIN, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 253, a bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps.

S. 300

At the request of Mr. TESTER, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 300, a bill to amend the Internal Revenue

Code of 1986 to require that return information from tax-exempt organizations be made available in a searchable format and to provide the disclosure of the identity of contributors to certain tax-exempt organizations.

S. 324

At the request of Mr. HATCH, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 324, a bill to amend title 38, United States Code, to improve the provision of adult day health care services for veterans.

S. 393

At the request of Mr. SCOTT, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 393, a bill to amend the Internal Revenue Code of 1986 to allow employers a credit against income tax for employees who participate in qualified apprenticeship programs.

S. 422

At the request of Mrs. GILLIBRAND, the names of the Senator from Oregon (Mr. MERKLEY) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of S. 422, a bill to amend title 38, United States Code, to clarify presumptions relating to the exposure of certain veterans who served in the vicinity of the Republic of Vietnam, and for other purposes.

S. 428

At the request of Mr. GRASSLEY, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 428, a bill to amend titles XIX and XXI of the Social Security Act to authorize States to provide coordinated care to children with complex medical conditions through enhanced pediatric health homes, and for other purposes.

S. 438

At the request of Mr. BLUNT, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 438, a bill to encourage effective, voluntary investments to recruit, employ, and retain men and women who have served in the United States military with annual Federal awards to employers recognizing such efforts, and for other purposes.

S. 479

At the request of Mr. BROWN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 479, a bill to amend title XVIII of the Social Security Act to waive coinsurance under Medicare for colorectal cancer screening tests, regardless of whether therapeutic intervention is required during the screening.

S. 486

At the request of Mr. CASEY, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 486, a bill to amend title XVIII of the Social Security Act to provide for the non-application of Medicare competitive acquisition rates

to complex rehabilitative wheelchairs and accessories.

S. 517

At the request of Mr. DONNELLY, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 517, a bill to amend the Clean Air Act with respect to the ethanol waiver for Reid vapor pressure limitations under such Act.

S. 544

At the request of Mr. TESTER, the names of the Senator from Idaho (Mr. CRAPO), the Senator from Florida (Mr. NELSON) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of S. 544, a bill to amend the Veterans Access, Choice, and Accountability Act of 2014 to modify the termination date for the Veterans Choice Program, and for other purposes.

At the request of Mr. MCCAIN, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 544, *supra*.

S. 568

At the request of Mr. BROWN, the names of the Senator from Minnesota (Mr. FRANKEN), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Maryland (Mr. CARDIN) and the Senator from Connecticut (Mr. MURPHY) were added as cosponsors of S. 568, a bill to amend title XVIII of the Social Security Act to count a period of receipt of outpatient observation services in a hospital toward satisfying the 3-day inpatient hospital requirement for coverage of skilled nursing facility services under Medicare.

S.J. RES. 6

At the request of Mr. MENENDEZ, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S.J. Res. 6, a joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women.

S.J. RES. 28

At the request of Mr. INHOFE, the names of the Senator from Wyoming (Mr. ENZI) and the Senator from Missouri (Mr. BLUNT) were added as cosponsors of S.J. Res. 28, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Administrator of the Environmental Protection Agency relating to accidental release prevention requirements of risk management programs under the Clean Air Act.

S. CON. RES. 7

At the request of Mr. ROBERTS, the names of the Senator from South Dakota (Mr. THUNE) and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of S. Con. Res. 7, a concurrent resolution expressing the sense of Congress that tax-exempt fraternal benefit societies have historically provided and continue to provide critical benefits to the people and communities of the United States.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KAINE (for himself, Mr. PORTMAN, Ms. BALDWIN, and Mr. YOUNG):

S. 628. A bill to amend the Carl D. Perkins Career and Technical Education Act of 2006 to raise the quality of career and technical education programs and to allow local eligible recipients to use funding to establish high-quality career academies; to the Committee on Health, Education, Labor, and Pensions.

Mr. KAINE. Mr. President, the development of a skilled workforce is essential to maintaining a robust economy and driving forward innovation throughout society. Investments in education remain more important now than ever. Today the United States is 12th in the world in the percentage of 25- to 34-year-olds achieving post-high school degrees. We need to make changes that help keep students engaged in their futures while also ensuring our educational programs are adequately preparing students for the jobs of the 21st century. I firmly believe that a strong congressional commitment to strengthening career and technical education, CTE, throughout the country will help us achieve this goal.

Career and technical education programs provide students with a valuable educational experience that benefits them during high school and throughout their careers. Student participation in CTE programs is linked to greater levels of student engagement and higher graduation rates. The U.S. Department of Education announced that the average U.S. high school graduation rate is 83 percent, while the graduation rate for students in CTE concentrations is higher than 90 percent. Eighty-one percent of high school dropouts say real-world learning opportunities would have kept them in school. CTE programs prepare students for fulfilling careers in a number of high-growth, skill-intensive industries including information technology; science, technology, engineering and math; human services; transportation; and architecture and construction, among others. Through a combination of academic enrichment and job-specific training, CTE programs are developing postsecondary and workforce-ready graduates equipped to meet the needs of employers in current and emerging industries.

The Carl D. Perkins Career and Technical Education Act is a major source of Federal support for the development of career and technical skills among secondary and postsecondary students. Last reauthorized in 2006, the Carl D. Perkins Career and Technical Education Act needs to be modernized to meet the demands of the 21st-century workforce and ensure that students have access to the highest-quality CTE programs.

This is why I am pleased to introduce with my colleagues, Senator PORTMAN, Senator BALDWIN, and Senator YOUNG, the Educating Tomorrow's Workforce Act, which would amend the Carl D. Perkins Career and Technical Education Act to raise the quality of CTE programs. The bill allows States and localities to use Perkins grant funding to establish CTE-focused academies. The legislation defines what constitutes a rigorous CTE curriculum and requires Perkins grant recipients to incorporate key high-quality elements in their programs including credit-transfer opportunities; academic and technical skills assessments; training tools that align with today's industries; CTE-focused professional development for teachers, administrators, and counselors; and CTE curriculum alignment with local, regional, and State workforce demands. Additionally, the bill improves links between high school and postsecondary education to help ease attainment of an industry recognized credential, license, apprenticeship, or postsecondary certificate to obtain a job in a high-demand career field and promotes partnerships between local businesses and other community stakeholders to create pathways for students through work-based learning opportunities.

I am proud to introduce this commonsense, bipartisan legislation to raise quality and access to CTE programs so that students develop the skills they need to meet the needs of 21st-century employers.

AUTHORITY FOR COMMITTEES TO MEET

Mr. CORNYN. Mr. President, I have 6 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to Rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

ARMED SERVICES COMMITTEE

The Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, March 14, 2017, at 10 a.m.

BANKING, HOUSING, AND URBAN AFFAIRS COMMITTEE

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Tuesday, March 14, 2017, at 10 a.m., in order to conduct a hearing entitled "Reauthorization of the National Flood Insurance Program, Part I."

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Senate Committee on Energy and Natural Resources is authorized to meet during the session of the Senate in order to hold a hearing on Tuesday,

March 14, 2017, at 10 a.m. in room 366 of the Dirksen Senate Office Building.

FINANCE COMMITTEE

The Committee on Finance is authorized to meet during the session of the Senate on Tuesday, March 14, 2017, at 10 a.m., in 215 Dirksen Senate Office Building, to consider the nomination of Robert Lighthizer.

SELECT COMMITTEE ON INTELLIGENCE

The Senate Select Committee on Intelligence is authorized to meet during the session of the 115th Congress of the U.S. Senate on Tuesday, March 14, 2017 at 2:30 p.m., in room SH-219 of the Senate Hart Office Building to hold a CLOSED hearing.

SUBCOMMITTEE ON SURFACE TRANSPORTATION
AND MERCHANT MARINE INFRASTRUCTURE,
SAFETY, AND SECURITY

The Committee on Commerce, Science, and Transportation is author-

ized to hold a meeting during the session of the Senate on Tuesday, March 14, 2017, at 2:30 p.m., in room 253 of the Russell Senate Office Building.

The Committee will hold a Subcommittee Hearing on "Continuing to Improve Truck Safety on our Nation's Highways."

ORDERS FOR WEDNESDAY, MARCH
15, 2017

Mr. INHOFE. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Wednesday, March 15; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning busi-

ness be closed; finally, that following leader remarks, the Senate proceed to executive session as under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 9:30 A.M.
TOMORROW

Mr. INHOFE. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 7:10 p.m., adjourned until Wednesday, March 15, 2017, at 9:30 a.m.

SENATE—Wednesday, March 15, 2017

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Our Father in Heaven, clothed in dazzling splendor, we bow our hearts in Your presence. You are our helper, our defender, and our refuge. You are our hope for years to come.

Strengthen our Senators for today's challenges. Direct their thoughts, words, and actions, enabling them to follow Your leading. Use them to transform dark yesterdays into bright tomorrows. Lord, give them peace during turbulent moments and a faith that will not shrink under pressure. Make their words fountains of life. Help them to understand what really matters so that they may live pure and blameless lives that glorify You.

We pray in Your marvelous Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. PAUL). The majority leader is recognized.

NOMINATIONS

Mr. MCCONNELL. Mr. President, a few short months ago, our colleague Dan Coats retired from his post here in the Senate. At that time, I had a chance to reflect on our friend's impressive career, and I noted that we could expect him to rise to the occasion if called to serve his country once again. Well, that is exactly what Dan Coats is doing now. This time he will be taking on the role of Director of National Intelligence. It goes without saying that the President made an excellent choice in selecting Dan for this job.

Our former colleague from Indiana has served his Nation in the Army, in the House of Representatives, as the Ambassador to Germany, and, of course, he has also served his State here in the Senate where he was a lead-

er on issues regarding our national security and intelligence community. I look forward to the Senate confirming him today.

We are also working toward an opportunity to support another of the President's exceptional selections, LTG H.R. McMaster, his choice for National Security Advisor. The Chairman of the Armed Services Committee recently called him "an outstanding choice" and "a man of genuine intellect, character, and ability."

He will now be tasked with adapting his vast experience to the responsibility of coordinating our national security policy at a time when our Nation faces myriad threats and challenges. I know each of us appreciates the willingness of both former Senator Coats and General McMaster to take on these challenging positions and their continued efforts to keep our country safe.

Now onto another well-qualified nominee we will advance soon. Next week Judge Neil Gorsuch will come before the Senate Judiciary Committee for the hearing on his nomination to the Supreme Court. Senators from both sides of the aisle will have an opportunity to hear from him directly, ask questions, and listen to the testimony of others who are familiar with his professional background, abilities, and character.

I know we are all looking forward to his hearing and to learning even more about this exceptional nominee, but here is what we already know about Judge Gorsuch. The American Bar Association is an organization that the Democratic leader and former Democratic chairman of the Judiciary Committee have deemed the gold standard for evaluating judicial nominations. What have they done? They awarded him their highest rating: unanimously "well qualified."

Leading liberal lawyers like former President Obama's Acting Solicitor General, Neal Katyal, and former President Obama's legal mentor, Professor Laurence Tribe, sing his praises. Mr. Katyal says Judge Gorsuch is "an extraordinary judge and man" whose "years on the bench reveal a commitment to judicial independence." Professor Tribe says that Judge Gorsuch "is a brilliant, terrific guy who would do the Court's work with distinction."

To that list, you can now add former law partner and longtime Democrat, David Frederick, who is a board member of the liberal American Constitution Society. Other board members of the ACS include people like former Obama Solicitor General Donald

Verrilli, and left-leaning law professor Erwin Chemerinsky, among others.

The ACS is anything but a conservative group. Yet now, even one of its own board members has backed Judge Gorsuch's nomination. In an op-ed recently published by the Washington Post, Mr. Frederick called Judge Gorsuch "brilliant, diligent, open-minded and thoughtful." He went on to say:

Gorsuch's approach to resolving legal problems as a lawyer and judge embodies a reverence for our country's values and legal system. The facts developed in a case matter to him; the legal rules established by legislatures and through precedent deserve deep respect; and the importance of treating litigants, counsel and colleagues with civility is deeply ingrained in him.

Mr. Frederick, who practiced law with Judge Gorsuch, states:

Over the course of his career, [Neil Gorsuch] has represented both plaintiffs and defendants. He has defended large corporations, but also sued them. He has advocated for the Chamber of Commerce, but also filed (and prevailed with) class actions on behalf of consumers. We should applaud such independence of mind and spirit in Supreme Court nominees.

And Mr. Frederick observes:

As a judge on the U.S. Court of Appeals for the 10th Circuit, Gorsuch has not been the reflexive, hard-edged conservative as many depict him to be. He has ruled for plaintiffs and for defendants; for those accused of crimes as well as for law enforcement; for those who entered the country illegally; and for those harmed by environmental damage.

As this self-proclaimed "longtime supporter of Democratic candidates and progressive causes" points out, Judge Gorsuch will be the type of Justice each of us should want on the High Court. And though he knows he may not always agree with Neil Gorsuch's rulings as a jurist on the Supreme Court, Frederick says we need judges like Neil Gorsuch "who approach cases with fairness and intellectual rigor, and who care about precedent and the limits of their roles as judges."

The bottom line is this: "The Senate should confirm him because there is no principled reason to vote no." Let me repeat that. "The Senate should confirm [Gorsuch]," Frederick said, "because there is no principled reason to vote no." This is a board member of the left's flagship legal group in America, and on this point, he happens to be absolutely right.

So as colleagues on both sides will continue to find at next week's hearings, "there is [simply] no principled reason to vote no" when Judge Gorsuch's nomination comes before the full Senate.

REPUBLICAN HEALTHCARE BILL

Mr. MCCONNELL. Mr. President, one final matter: Last year, President Obama said his signature healthcare law had “real problems.” He recognized that there are “people who are hurt by premium increases or a lack of competition and choice.” President Clinton called it “the craziest thing in the world.” And the Democratic Governor of Minnesota said that “the Affordable Care Act was no longer affordable for increasing numbers of people.” So even Democrats recognize that the ObamaCare status quo is unacceptable.

Costs have continued to climb higher. Insurers have dropped out of the marketplace. ObamaCare is a disaster, and it is going to keep getting worse unless we act. My home State of Kentucky, like so many others across the country, just can’t take it anymore.

Republicans promised the American people relief from ObamaCare, and we are working hard to keep that promise. The legislation the House introduced to repeal and replace is already moving through the committee process.

Here are some things the Congressional Budget Office said about it: It will lower premiums by double digits. It will help stabilize the healthcare market. It will significantly reduce taxes on families and lower the deficit by hundreds of billions of dollars as well. These are the things we heard from CBO.

Instead of forcing Americans to buy something they may not want as ObamaCare does, it will actually give Americans the freedom to choose the type of coverage that is right for them. I appreciate the hard work the House is doing to advance this legislation. We look forward to receiving it here in the Senate. When we do, I expect to consider amendments as part of our robust debate.

But remember, this bill is only one part of a three-pronged strategy to help bring relief to the American people. The first prong is this bill, the second prong is executive action, and prong three is more legislation to reform the healthcare market and make it more competitive for consumers.

The one thing we shouldn’t do is nothing. ObamaCare is a failed law that is hurting the middle class. Maintaining the current ObamaCare status quo is really not a good option.

We are fulfilling our promise to the American people, and I urge all of our colleagues to join us.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

TRUMPCARE

Mr. SCHUMER. Mr. President, first, on the Republican healthcare bill, my

good friend the Republican leader says that there should be amendments on the floor. On such an important matter, it would be astounding if we didn’t have committee hearings and committee votes on such a bill. I know there is an attempt to rush it through, but if it is such a fine product, it ought to withstand the scrutiny of hearings and of markups in the various committees. To rush it through is an indication that the sponsors of the bill, the supporters of the bill, are not very proud of it, and that is a theme that has continued with the executive branch and the Speaker of the House.

As we know, CBO estimated that it would cause 24 million fewer Americans to have health insurance—I don’t hear the Republican leader mention that, of course—while raising premiums in the short term and jacking up the price of healthcare for older Americans.

We have heard from the other side of the aisle that access is what is important. No, it isn’t. Access doesn’t get you healthcare. I have access to walk into a Lamborghini dealer and look at a Lamborghini, but I can’t afford one. That is true of average Americans, and that is true of healthcare as well. Access doesn’t get you healthcare, and it is a far cry from what people need.

Because the bill helps so many fewer Americans, because the bill seems to be a tax break for the wealthy above all, it is having its trouble, and nobody seems to really want to embrace it. That is why Republicans on both ends of Pennsylvania Avenue don’t want their name near any end of the bill.

As I said yesterday, Speaker RYAN doesn’t want to call it RyanCare, even though he wrote the bill. President Trump doesn’t want to call it TrumpCare. If it is so good, why doesn’t any Republican want to put their name on it? It is Abbott and Costello: You put your name on it; no, you put your name on it. That is not an indication that people are proud of this legislation, and it is particularly ironic with President Trump. President Trump slaps his name on buildings, ties, steaks, hotels, and golf clubs, but not on a bill that he supports in his daily tweets. He has spent 30 years of his business career trying to put his name on nearly everything, but not this healthcare bill, even though he is inviting wary Republicans to the White House to try and sell them on it.

Today his Vice President is here on the Hill lobbying recalcitrant Republicans. He has dispatched HHS Secretary Price, the person he picked, to lobby for the bill. His own Press Secretary says the White House is in full sale mode. Make no mistake about it, this is the President’s bill, and he should be straight with the American people about it. We call it TrumpCare. That is what it is.

NOMINATION OF NEIL GORSUCH

Mr. SCHUMER. Mr. President, next week the Senate Judiciary Committee will begin its hearing on President Trump’s nominee to the Supreme Court, Judge Neil Gorsuch. As I have said before, we in the Senate have a special responsibility to judge whether this nominee, Judge Gorsuch, will tip the scales on the Court in favor of Big Business and powerful special interests over average Americans. The Court has steadily been moving in that direction under Justice Roberts.

My colleague SHELDON WHITEHOUSE and the ranking member of the Judiciary Committee, Senator FEINSTEIN, have documented in 5-to-4 cases that the Court, over the last decade, has almost always tilted in favor of the powerful and against those who are average Americans. In fact, the Court under Justice Roberts has been judged the most pro-corporate Court since World War II. So this country can ill afford another Justice who will side with the powerful.

Judge Gorsuch may act like a studied, neutral judge, but his record suggests he actually has a rightwing, pro-corporate, special interest agenda. In today’s New York Times, this morning we learned that Judge Gorsuch’s career has been nurtured by a far-right billionaire and corporate titan, Philip Anschutz, who has gone out of his way to fund hard-right judicial causes, including the Federalist Society and the Heritage Foundation. President Trump outsourced his choice of a Supreme Court nominee to these organizations, and they recommended Judge Gorsuch.

Neil Gorsuch represented Mr. Anschutz’s firm as a young lawyer. He has earned his favor and patronage ever since. It was Anschutz’s top lawyer, someone who represented Anschutz here on the Hill, who lobbied for Gorsuch to get the spot on the Federal appeals court. Judge Gorsuch has been partners in an LLC with two of Anschutz’s top advisers, building a vacation home together. Of course, there is no problem with that. Anyone can be partners. But it goes to show the long-standing intertwined ties between one of the leading advocates for a hard-right pro-corporate agenda, Mr. Anschutz, and Judge Gorsuch. The long history of ties between Judge Gorsuch and Mr. Anschutz suggests a judge whose fundamental economic and judicial philosophy is favorable to the wealthy and the powerful and the far right.

Judge Gorsuch may sometimes express sympathy for the less powerful verbally, but when it comes time to rule, when the chips are down, he has far too often sided with the powerful few over everyday Americans trying to get a fair shake. He has repeatedly sided with insurance companies that want to deny disability benefits to employees. In employment discrimination

cases, Bloomberg found he sided with employers 66 percent of the time. In one of the few cases where he sided with an employee, it was a Republican woman who alleged she was fired for being a conservative.

On money in politics, the scourge, the poison of our political system—undisclosed dark money—Judge Gorsuch seems to be in the same company as Justices Thomas and Scalia, willing to restrict the most commonsense contribution limits.

Judge Gorsuch's record demonstrates he prefers CEOs over citizens, executives over employees, corporations over consumers.

Later this morning, I will be meeting with people who have personally experienced the real-life implications of Judge Gorsuch's decisions: Alphonso Maddin from Michigan, a truckdriver who was fired because he left his vehicle when freezing; Patricia Caplinger from Missouri, who sued Medtronic after being injured by a medical device implanted in a non-FDA-approved manner; David Hwang and Katherine Hwang, whose late mother, Proffer Grace Hwang, sued Kansas State University after being fired following a 6-month leave for cancer and requesting to work at home because of a flu epidemic. Their stories illuminate the real-world effects of a judge who sides with Anschutz-like interests over everyday Americans like Mr. Maddin, Ms. Caplinger, and the Hwang family.

My colleague, my friend, the Republican leader, said there is no principled reason to be opposed to Judge Gorsuch. Yes, if your principles say the law should be used time and time again to support powerful corporate interests over average Americans, maybe there is no principled objection. But for most Americans, the overwhelming majority of whom want the Court to bring justice to the people who have less power—and the Court is their last resort—there are plenty of principled reasons to vote against Judge Gorsuch.

Because of starkly unequal concentrations of wealth and ever-increasing corporate power, aided and abetted by decisions like *Citizens United*, because they have skewed the playing field even more decisively to special interests and away from the individual citizen, we need a nominee who would reverse that trend, not exacerbate it.

Donald Trump campaigned on helping average people. His nominee sides with corporate interests against average people like Mr. Maddin, Ms. Caplinger, and the Hwang family over and over again. From all indications, Judge Gorsuch is not the kind of nominee who has sympathy and helps average Americans when it comes to judging and the law.

I yield the floor.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The legislative clerk read the nomination of Daniel Coats, of Indiana, to be Director of National Intelligence.

The PRESIDING OFFICER. Under the previous order, the time until 10 a.m. will be equally divided in the usual form.

The Senator from North Carolina.

Mr. BURR. Mr. President, I rise today to support Senator Dan Coats, our former colleague and a friend, as the President's nominee to be the next Director of National Intelligence. Dan Coats has been asked to lead our Nation's intelligence community of over 100,000 individuals during, I think, the most profound period of threats and change. Let me say to my colleagues, it is a job that Dan Coats is well prepared to do.

After graduating from Wheaton College, Dan served honorably in the U.S. Army before serving the State of Indiana as a House Member, as a Senator, and for not only Indiana but this country as Ambassador to Germany.

While in the Senate, Dan was engaged and was a valuable member of the Senate Intelligence Committee. He dedicated countless hours to understanding and overseeing the intelligence community—in essence, one of 15 people who certified for 85 others and for the American people that we do everything we can to keep America safe but we do it within the parameters of the rule of law. He is well versed in the operational capabilities and authorities. He understands the threat we are facing at home and abroad. He understands that we need to improve our ability to collect against our adversaries, and Dan will be a forceful advocate for intelligence collection but, again, never jeopardizing that line of what is legal and what is not.

Dan's legislative experience also translates to his understanding and his appreciation of the need for transparency with the appropriate oversight committees and, more importantly, with the Congress and the American people.

Dan's intellect, his judgment, his honorable service, and his commitment to the workforce make him a natural fit as Director of National Intelligence. I have absolute trust that he will lead the community with integrity, and he will ensure that the intelligence enterprise operates lawfully, ethically, and morally.

So today I rise in this austere body to urge my colleagues to support the President's nominee for Director of National Intelligence. We are now in March. We have gone from January until March with one of the most important posts of this administration unfilled. Congress must act quickly, and it is my hope that Members, before the end of this day, will make sure we have a Director of National Intelligence in place.

I urge my colleagues to support this nomination.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. COTTON). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Daniel Coats, of Indiana, to be Director of National Intelligence.

Mitch McConnell, Michael B. Enzi, David Perdue, Bob Corker, John Hoeven, Lamar Alexander, Bill Cassidy, John Barrasso, Dan Sullivan, Tim Scott, James Lankford, Tom Cotton, Mike Rounds, James M. Inhofe, Chuck Grassley, Roy Blunt, Richard Burr.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Daniel Coats, of Indiana, to be Director of National Intelligence, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Georgia (Mr. ISAKSON).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 88, nays 11, as follows:

[Rollcall Vote No. 88 Ex.]

YEAS—88

Alexander	Flake	Nelson
Barrasso	Franken	Perdue
Bennet	Gardner	Peters
Blumenthal	Graham	Portman
Blunt	Grassley	Reed
Boozman	Hassan	Risch
Brown	Hatch	Roberts
Burr	Heinrich	Rounds
Cantwell	Heitkamp	Rubio
Capito	Heller	Sasse
Cardin	Hirono	Schatz
Carper	Hoeven	Schumer
Casey	Inhofe	Scott
Cassidy	Johnson	Shaheen
Cochran	Kaine	Shelby
Collins	Kennedy	Stabenow
Coons	King	Strange
Corker	Klobuchar	Sullivan
Cornyn	Lankford	Tester
Cortez Masto	Leahy	Thune
Cotton	Lee	Tillis
Crapo	Manchin	Toomey
Cruz	McCain	Udall
Daines	McCaskill	Van Hollen
Donnelly	McConnell	Warner
Durbin	Menendez	Whitehouse
Enzi	Moran	Wicker
Ernst	Murkowski	Young
Feinstein	Murphy	
Fischer	Murray	

NAYS—11

Baldwin	Harris	Sanders
Booker	Markey	Warren
Duckworth	Merkley	Wyden
Gillibrand	Paul	

NOT VOTING—1

Isakson

The PRESIDING OFFICER. On this vote, the yeas are 88, the nays are 11.

The motion is agreed to.

The Senator from Virginia.

Mr. WARNER. Mr. President, first of all, I thank my friend the Senator from Texas for giving me the courtesy of letting me get in my comments about the nomination of former Senator Dan Coats to serve as the fifth Director of National Intelligence, a position recommended by the 9/11 Commission and established by the Intelligence Reform and Terrorism Prevention Act of 2004.

Dan Coats is a friend of mine and many in this body. He represented Indiana in both the U.S. House and for separate terms in the U.S. Senate. He was also U.S. Ambassador to Germany from 2001 to 2005. As mentioned, for 6 years I served with the nominee on the Senate Select Committee on Intelligence. I have always found Dan to be fair-minded and know him to be an advocate for strong oversight of the intelligence community. He believes in the need for intelligence that is timely, relevant, and free of political interference.

During my private meeting with him, as well as during his confirmation hearing, Senator Coats committed to find and follow the truth, regardless of where it leads, agreeing that his primary job will be “to speak truth to power,” to the President, to policy and military leaders, and to Members of Congress. I know these are traits he will continue to employ if confirmed as the next Director of National Intelligence.

During James Clapper’s most recent tenure as the DNI, in 6 years he put in

place some fundamental changes in how the Intelligence community operates. He reoriented the Office of the DNI to focus on intelligence integration with an emphasis on mission. He often was willing to roll up his sleeves and take on the hard challenges of trying to get the intel community to operate on the same IT backbone systems. If confirmed, I have encouraged Senator Coats to build upon former Director Clapper’s efforts, which are critical to ensuring that policymakers, warfighters, law enforcement, and national security officers receive intelligence products that are timely, relevant, and objective.

Of course, if confirmed, Director Coats will take on the job as the Nation’s chief intelligence officer, leading the intelligence community during a very difficult time because unfortunately this President, along with his closest advisers, has repeatedly and unfairly disparaged the professionalism and actions of the Nation’s intelligence professionals. These are men and women who maintain the highest standards of professionalism and integrity. They anonymously sacrifice for the country, often in the face of grave personal danger.

As DNI, Senator Coats is committed to defending the values and integrity of the men and women of the intelligence community, even when the White House may not like to hear it.

Another challenge Senator Coats will face on his first day on the job is to effectively support the Senate Intelligence Committee’s ongoing investigation into Russian interference in the 2016 Presidential election. Last week, I went to CIA headquarters in Langley, along with a number of other Members of the committee, to review the beginnings of the raw intelligence that led the community to conclude that Russia massively interfered in our last Presidential election. Both in public and in private, Senator Coats has promised he will support the committee’s investigation to the fullest. We will hold him to that commitment.

On this topic, I want to reiterate on the Senate floor what I have already said numerous times. This investigation is not about being a Democrat or Republican nor about relitigating the 2016 election. The investigation is about upholding the core values and sanctity of democracy that all Americans hold dear. It is also about holding Russia accountable for their improper interference in our elections and arming our allies—one of which has an election today—with information about the means employed by Russia in our elections so they can use that information to protect the integrity of their own electoral process.

We will work to ensure that this critical investigation is done right, done in a bipartisan manner, free of any political interference, and as the chairman

and I have both reiterated, that it follows the facts wherever they may lead.

I have every reason to believe Senator Coats will be forthcoming in supporting this investigation. If at any point it becomes clear to me that the Senate Intelligence Committee is unable to keep up these commitments, I am prepared to support another process.

Finally, let me acknowledge two other things.

During Senator Coats’ confirmation hearing, he was asked about his role on the National Security Council, including the Principals Committee. He assured us that he will be attending these meetings and participating in them despite the confusion created by an Executive order that appeared to disinvite the DNI from these meetings. If he is not included in these meetings, I will expect to know about it and the reason why.

Senator Coats has also committed to me personally and to the committee that he will not support the return of waterboarding and other so-called enhanced interrogation practices, nor will he support reestablishing secret detention sites into the activities of the intelligence community. He reassured the committee that he will follow the law as it now stands and that he will not advocate for changes to the law or recommend a reinterpretation of the law based on any personal beliefs. The law is clear: No interrogation techniques outside the Army Field Manual are allowed.

Finally, Senator Coats has also reassured me and all of the members of the committee that if confirmed, he will always present to the President, to his Cabinet advisers, and to those of us in Congress the unvarnished facts as represented by the best judgments of the intelligence community whether or not that analysis is in agreement with the views of the President, with ours in Congress, or with anyone else’s who might receive them.

For these reasons, I support the movement. I was glad to see 88 Members of this body support Dan’s movement forward. I believe he will be a great fifth Director of National Intelligence.

I thank my friend the Senator from Texas for giving me time.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, I thank my friend, the Senator from Virginia, who is the vice chair of the Senate Select Committee on Intelligence, for his remarks.

I, too, support the nomination of Dan Coats to serve as the next Director of National Intelligence and succeed James Clapper, who has been in the intelligence business for 50-plus years. He has big shoes to fill, but I have every confidence Dan Coats can do that.

One of the things I hope he looks at is that post-9/11, when the Office of the

Director of National Intelligence was created, we basically created another layer in the intelligence community. As the Presiding Officer and other Members know, the DNI—the Office of the Director of National Intelligence—has grown by leaps and bounds. I just hope he takes a good, hard look at the layers we have created, perhaps at the duplicative functions that do not necessarily make our intelligence any better but that do create more problems in managing what is a very important office to our national security and certainly to the intelligence community.

SUNSHINE WEEK

Mr. President, on another matter, in spite of the snow yesterday, I recognize the fact that this is Sunshine Week. Sunshine Week is a movement that was created to highlight the need for more transparent and open government. Justice Brandeis is also often quoted when one talks about transparency in government and its importance to a functioning democracy when he said that sunlight is the best disinfectant.

As a conservative, I would much rather have people change their behavior in their knowing that their actions are going to be public rather than to pass new laws and new regulations. To me, knowing that the public is going to be aware of what one is doing causes people, typically, to be on their best behavior. I think that is the reason I support Justice Brandeis' comment that sunlight is the best disinfectant. I believe that is true.

I have done my best to keep that sentiment in mind to create legislation that presses our democracy toward more openness in the Federal Government, not less. That is because I believe our country grows stronger when operating under the principle that an open government is the basic requirement for a healthy democracy. Of course, when voters know and understand what their government is doing, they are in the best position to change its direction if they disagree with it or to reaffirm that direction by casting their votes as informed members of the electorate.

Democracy can only work when the public knows what government is doing and can hold it accountable, so I am glad that at this time of year, we can look back at the successful efforts we have made to promote transparency while looking ahead to do more.

Last Congress, I introduced the Freedom of Information Act Improvement Act. It is a law that strengthens the existing Freedom of Information Act, which is the country's chief open government law, by requiring Federal agencies to operate under a presumption of openness when considering whether to release government information in their custody.

We passed it last summer, and President Obama signed it into law. This important new law accomplishes some

of the most sweeping and meaningful reforms in its history to the Freedom of Information Act, and it is already making a direct impact by helping the public access more information.

Because of the Freedom of Information Act Improvement Act, last October, the CIA released a portion of its official history of the Bay of Pigs invasion, which has been kept classified for decades. This is a critical part of our Nation's history that is worth knowing, and I believe it is no longer necessary to keep it under wraps in order to protect America's national security.

This serves as an example of what we are trying to accomplish with this law and others like it so as to build upon the idea the Founding Fathers recognized hundreds of years ago; that a truly democratic system depends on an informed citizenry to hold its leaders accountable. That is an idea everyone in this Chamber, on both sides of the aisle, can agree upon.

I am thankful to the senior Senator from Vermont, Mr. LEAHY, for working with me on the Freedom of Information Act Improvement Act and making it a priority. As a matter of fact, Senator LEAHY has been my partner on a number of our efforts in this important area over the years that we have both been in the Senate.

I also appreciate Chairman GRASSLEY's leadership, the chairman of the Senate Judiciary Committee, for stewarding this bill through the committee, and I appreciate Leader MCCONNELL for making sure this was a priority for this Chamber.

In looking ahead, I will continue working with Chairman GRASSLEY to make sure the Federal agencies are implementing this law in a timely manner, and I look forward to doing more to strengthen greater government transparency measures in the future.

NOMINATION OF NEIL GORSUCH

Finally, Mr. President, next week, the Judiciary Committee will take up the nomination of Neil Gorsuch for the U.S. Supreme Court so he may fill the seat that was vacated by the death of Justice Scalia. That process, of course, begins with hearings to consider his qualifications and his credentials, but heading into next week, we already know a lot about his record.

He has been praised by people across the political spectrum—from liberals to conservatives—as a highly qualified and exceptional judge with impeccable integrity. He served with great distinction on the Tenth Circuit Court of Appeals, based out of Denver, for the last 10 years, after having been confirmed by this Chamber unanimously. His hometown newspaper, the Denver Post, encouraged the President to nominate Judge Gorsuch before his nomination was even announced. This, of course, was the same newspaper that endorsed Hillary Clinton for President. Clearly, Judge Gorsuch has won the respect of

those across the political spectrum and on both sides of the aisle. Last week, the American Bar Association announced its unanimous decision to grant Judge Gorsuch the highest rating available; that of "well qualified" as a nominee to serve on the Supreme Court of the United States.

I should point out that both the minority leader and former chairman of the Judiciary Committee—the senior Senator from Vermont—have called the American Bar Association's rating system the "gold standard" when it comes to assessing the qualifications of judicial nominees.

Judge Gorsuch will also bring decades of experience on the bench, as I mentioned a moment ago. He has also served in private practice, as an attorney with the Justice Department, and, of course, as a Federal judge.

It is time to move forward with the President's nominee to fill the seat that was left open by the death of the late Justice Scalia, and I believe Judge Gorsuch is just the man to fill it. I look forward to hearing from him next week as we consider his nomination to this important position.

I express my gratitude to Chairman GRASSLEY and the ranking member, Senator FEINSTEIN, for their efforts thus far in putting these hearings together, and I look forward to working with the rest of my colleagues on the Judiciary Committee to consider the nomination of Judge Gorsuch, starting next Monday, March 20.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I know both sides are working on trying to get an arrangement for the vote.

Mr. President, I also want to tell my colleague from Texas that I listened very carefully to his remarks with respect to transparency in government. He has had a long interest in the Freedom of Information Act and the like. I noted that he made a comment about the Bay of Pigs, about which information is still classified, and I know something about this because my dad wrote a book about the subject. My hope is that my friend from Texas and his interest in transparency will also extend to some other areas.

As I indicated, I am very familiar with my colleague's record with respect to Freedom of Information Act issues, which really is impressive. I hope to get him involved in some other areas of transparency—perhaps in campaign finance reform and the issue I am going to be speaking about today, that of getting the American people the information—after 6 years of stonewalling—on how many lawful Americans are getting swept up in what will be Dan Coats' top priority, that of the reauthorization of the Foreign Intelligence Surveillance Act.

I want my colleague to know, in my being very much aware of his good

work on the Freedom of Information Act issues, that we are going to try and conscript them into some other transparency issues as well.

Mr. CORNYN. Mr. President, may I ask the Senator to yield to consider a couple of brief consent requests?

Mr. WYDEN. Mr. President, of course.

I will tell my colleague, as to what the majority and the minority have agreed to, as soon as those consent requests are ready, then we will take a time out from my remarks and make sure that matter is resolved.

As we wait for the matter Senator CORNYN has mentioned, I will begin the discussion of the nomination of Dan Coats to be the Director of National Intelligence.

I have known Senator Coats for many years. He has been the lead cosponsor of the bipartisan Federal income tax reform proposal, which has been a special priority of mine. I do not know of a single U.S. Senator who does not like Senator Coats. He is honest, a straight shooter, and gracious. My remarks are not about my personal affection for Senator Coats.

The reason I am voting against the nomination is due to the matter I just touched upon with the Senator from Texas, which is, for 6 years, it has been impossible to get the intelligence community to provide the Congress and the American people information that is absolutely critical to the debate on reauthorizing the Foreign Intelligence Surveillance Act. For 6 long years, Democrats and Republicans, both in this body and in the other body, have been trying to get this information.

So this morning, given the fact that this legislation would be the top priority of Senator Coats, as he said in the Intelligence Committee, I want the Senate and the country to understand why this issue is so important.

First, I am happy to yield to my friend from Texas.

The PRESIDING OFFICER. The Senator from Texas.

ORDER OF PROCEDURE

Mr. CORNYN. Mr. President, I thank my colleague for yielding for a brief UC request, as I think this would be in the best interests of the entire Senate.

I ask unanimous consent that notwithstanding rule XXII, the cloture motion on Executive Calendar No. 19, the McMaster nomination, be withdrawn; that the time until 1:45 p.m. be equally divided in the usual form on the Coats and McMaster nominations concurrently; and that at 1:45 p.m. the Senate vote on the Coats nomination, followed by a vote on the McMaster nomination; and that, if confirmed, the President be immediately notified of the Senate's actions, with no intervening action or debate. I further ask that 1 hour of minority debate time be reserved for Senator WYDEN.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. CORNYN. Mr. President, I also ask unanimous consent that following morning business on Tuesday, March 21, the Senate proceed to executive session for the en bloc consideration of the following nominations: Executive Calendar Nos. 21 and 22. I ask unanimous consent that the time until 12 noon be equally divided and that following the use or yielding back of time, the Senate vote on the nominations, en bloc, with no intervening action or debate; that, if confirmed, the motions to reconsider be considered made and laid upon the table, en bloc, and the President be immediately notified of the Senate's action; that no further motions be in order; and that any statements relating to the nominations be printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. CORNYN. Mr. President, I thank my friend and colleague for yielding for those unanimous consent requests.

Mr. WYDEN. I thank my colleague.

Now, as we consider the nomination of Senator Coats, and recognize that his top priority, by his admission, would be the reauthorization of the Foreign Intelligence Surveillance Act—particularly section 702—I want to begin this discussion by saying that it is because the intelligence community has stonewalled Democrats and Republicans in both this body and in the other body for 6 years on the information that we need to do good oversight that I have come to the floor to outline what I think the central issue is all about.

I am going to begin my remarks by way of saying that, at a time when Americans are demanding policies that give them more security and more liberty, increasingly, we are seeing policies come from both this body and the other body that provide less of both.

A good example would be weakening strong encryption. Weakening strong encryption is bad from a security standpoint, and it is bad from a liberty standpoint. When government creates policies that give the American people less of both—less security and less liberty—obviously, the American people are not going to react well.

My view is that when the government—particularly intelligence agencies—don't level with the American people about large-scale surveillance of law-abiding Americans, our people are justifiably angry. When the government tries to keep this information secret—as I have pointed out on this floor before—in America, the truth always comes out. Leveling with the American people is the only way for agencies to have the credibility and the legitimacy to effectively do their jobs. They have critically important jobs in keeping our people safe from threats.

Now, with respect to Senator Coats, at his confirmation hearing, since he

said the Foreign Intelligence Surveillance Act would be his top priority, I asked our former colleague how many Americans—innocent, law-abiding Americans—have actually been swept up in the surveillance program known as section 702 of the Foreign Intelligence Surveillance Act. Under section 702, the government conducts warrantless surveillance of foreigners who are reasonably believed to be overseas. It does this work by compelling telecommunications companies and internet service providers to provide the content, phone calls, and emails, and other individual communications.

Now, there are several different ways this happens, and I will get to that in the course of these remarks. What we are talking about—what I want people to understand—is that this goes to the content of communications. This is not about metadata collection. Congress, as the Senate knows, reformed that in the USA FREEDOM Act. This is surveillance without any warrants, and once the FISA Court signs off on the overall program, the details are up to the government.

Now, this was not always the case. For decades, individual warrants were required when the government needed the assistance of the country's telecommunications firms. Then the Bush administration created a secret, but legal, warrantless wiretapping program.

After the program was revealed, the government then went to the Foreign Intelligence Surveillance Act Court to get approval. But when the government ran into some trouble with the court, the Bush administration argued that the Congress should create the current program. It was first passed in 2007 under the name Protect America Act. That became the Foreign Intelligence Surveillance Act Amendments Act of 2008.

Now, fortunately, the Congress included a sunset provision, which is why it was up for reauthorization in 2012, and that is why it is up for reauthorization this year. This year it is Senator Coats' top priority, if confirmed. Whoever is the head of the intelligence community will be the point person for this legislation.

I want it understood that the reason that I am going through this background is that I believe the American people deserve a fully informed debate about the Foreign Intelligence Surveillance Act reauthorization. You cannot have that debate—you cannot ensure that the American people have security and liberty—unless you know the impact of section 702 of that bill on the constitutional rights of law-abiding Americans.

So for 6 years, in this body, Democrats and Republicans—and in the other body, Democrats and Republicans—have been asking the same question: How many law-abiding Americans are having their communications

swept up in all of this collection? Without even an estimate of this number, I don't think it is possible to judge what section 702 means for the core liberties of law-abiding Americans. Without this information, the Congress can't make an informed decision about whether to reauthorize section 702 or what kind of reforms might be necessary to ensure the protection of the individual liberties of innocent Americans.

At Senator Coats' nomination hearing before the Senate Intelligence Committee, I asked Senator Coats whether he would commit to providing Congress and the public with this information. I will say, because of my respect for Senator Coats and our long-time cooperation on issues like tax reform and a variety of others, I hoped that Senator Coats would be the one—after 6 years of struggling to get this information—to make a commitment to deliver it to the Senate Intelligence Committee before work on the reauthorization began. Instead, Senator Coats said: "I will do everything I can to work with Admiral Rogers at the NSA to get you that number."

If confirmed, I hope that happens. But after asking for the number of law-abiding Americans who get swept up in these searches for years, and getting stonewalled by the executive branch, hoping to get the information we need to do real oversight is just not good enough.

The problem—the lack of information on the impact of this law on the privacy of Americans—goes all the way back to the origins of the authority. In December of 2007, the Bush administration, in its statement of administration policy on the FISA Amendments Act, stated that it would likely be impossible to count the number of people located in the United States as communications were reviewed by the government. In April of 2011, our former colleague Senator Mark Udall and I then asked the Director of National Intelligence, James Clapper, for an estimate. In July of that year, the Director wrote back and said: "It is not reasonably possible to identify the number of people located in the United States whose communications may have been reviewed under the authority of the Foreign Intelligence Surveillance Act."

He suggested reviewing the classified number of disseminated intelligence reports containing a reference to a U.S. person, but that is very different than the number of Americans whose communications have been collected in the first place. And that is what this is all about: How many law-abiding Americans—innocent, law-abiding Americans—are getting swept up in these searches? It will be an increasingly important issue as the nature of telecommunications companies continues to change, because it is now a field that is globally interconnected. We

don't have telecommunications systems just stopping at national borders. So getting the number of Americans whose communications have been collected in the first place is the prerequisite to doing real oversight on this law and doing our job, at a time when it is being reauthorized and the American people want both security and liberty and understand that the two are not mutually exclusive.

So Director Clapper then suggested reviewing the classified number of targets that were later determined to be located in the United States. But the question has never been about the targets of 702, although the mistaken targeting of Americans and the people in our country is another serious question. The question that Democrats and Republicans have been asking is about how many Americans are being swept up by a program that, according to the law, is supposed to only target foreigners overseas.

So let me repeat that. That is what the law says. The Foreign Intelligence Surveillance Act says that the targets are supposed to be foreigners overseas, and Democrats and Republicans want to know how many law-abiding Americans, who might reside in Alaska or Oregon or anywhere else, are getting swept up in these searches.

(Mr. SULLIVAN assumed the Chair.)

So this bipartisan coalition has kept asking. In July of 2012, anticipating the first reauthorization of section 702 of the Foreign Intelligence Surveillance Act, I and 11 other Senators from both parties wrote to Director Clapper. This bipartisan group wrote:

We understand that it might not be possible for the intelligence community to calculate this number with precision, but it is difficult for us to accept the assertion that it is not possible to come up with even a rough estimate of this number. If generating a precise estimate would require an inordinate amount of labor, we would be willing to accept an imprecise one.

We asked about imprecise estimates, just a ballpark: How many law-abiding Americans are getting swept up in these searches that the law says are designed to target foreigners?

We asked about orders of magnitude: Is the number closer to a hundred or a hundred thousand or a hundred million?

We still got no answer, and section 702 was reauthorized without this necessary information. So last year, looking at the prospect of the law coming up, there was a renewed effort to find out how many law-abiding Americans are getting swept up in these searches of foreigners.

In April 2016, a bipartisan letter from members of the House Judiciary Committee asked the Director of National Intelligence for a public estimate of the number of communications or transactions involving U.S. persons collected under section 702 on an annual basis. This letter, coming from

the House—Democrats and Republicans—again asked for a rough estimate. This bipartisan group suggested working with Director Clapper to determine the methodology to get this estimate. In December, there were hints in the news media that something might be forthcoming. But now, here we are, with a new administration, considering the nomination of the next head of the intelligence community, who has said that reauthorizing section 702 is his top legislative priority, and there is no answer in sight to the question Democrats and Republicans have been asking for over 6 years: How many innocent, law-abiding Americans are getting swept up in these searches under a law that targets foreigners overseas?

Having described this history, I want to explain why this issue is so important, starting with the many ways in which innocent Americans can be swept up in section 702 surveillance.

The first are targeting mistakes in which, contrary to the law, the target turns out to be an American or someone in the United States. The full impact of these mistakes on law-abiding Americans is not readily apparent. The most recent public report on section 702 noted that there were compliance incidents involving surveillance of foreigners in the United States and surveillance of Americans. This is in violation of the law, and it happens.

The second way in which Americans can be swept up in section 702 collection is when they communicate with an overseas target. This is usually called incidental collection and is often mischaracterized. I have heard many times that the program is intended to find out when Americans are communicating with "bad guys"—and I want it understood, I am not interested in some kind of "bad guys caucus." I know of no Senator who is not interested in protecting our country from those kinds of threats. If a known terrorist overseas is communicating with someone in the United States, we ought to know about it. But section 702 is not just a counterterrorism program. The statute requires the collection be conducted "to acquire foreign intelligence information." As implemented, the standard for targeting individuals under the program is that the government has reason to believe those persons possess, are expected to receive, or are likely to communicate foreign intelligence information. Obviously, that is broad. It doesn't even require that a target be suspected of wrongdoing. So if someone tells you that your communications will be collected only if you are talking to al-Qaida or ISIS, that is just factually wrong.

It is also important to note that the government is prohibited from collecting communications only when the sender of an email and everyone receiving that email are in the United

States. So an American in the United States could send an email to another American in the United States, but if the email also goes to an overseas target, it is going to be collected.

That then brings us to the different kinds of collection under section 702 and how they affect the liberties of our people in different ways. In one form of collection known as PRISM, the government orders an internet service provider to provide the government with messages to and from a specific email address. Then there is something known as upstream collection, which is when the communications are collected off the telecommunications and internet backbones. In other words, phone calls and email messages are collected in transit. This kind of collection raises a number of other reasons to be concerned about how many law-abiding Americans are getting swept up. For one, it is through upstream collection that the government can collect emails that are neither to nor from a target. The email merely has to be about a target, meaning, for example, it includes a target's email address in the content. In other words, the government can collect emails to and from Americans, none of whom are of any interest to the government whatsoever, so long as the target's email address is in the content of the email. The law requires only that one of the parties to the communication, who, again, could be another American, is overseas, and even that requirement is harder for the government to meet in practice.

The implications here ought to be pretty obvious. You don't even have to be communicating with one of the government's targets to be swept up in Foreign Intelligence Surveillance Act collection. You don't even have to be communicating with a foreigner. You or somebody emailing you just needs to reference a target's email address.

I have now mentioned that this target is not necessarily a terrorist because the law allows for surveillance "to acquire foreign intelligence information." That has been interpreted to allow the targeting of individuals who the government has reason to believe possess, are expected to receive, or are likely to communicate foreign intelligence information. It is a broad standard, and the government could then collect the communications of all kinds of foreigners around the world. Think about how easy it would be for an American business leader to be in contact with the broad set of potential targets of this program. Consider how easy it would be for Americans, communicating with other Americans, to forward the emails of these people. All of this could be collected by the government.

The upstream collection also includes the collection of what are called multicomunications transactions. This is when the NSA collects an email

that is to, from, or about a target, but that email is embedded among multiple other communications that are not. These communications may have nothing to do with the target, but the government just kind of, sort of ends up with them—and some of them are sent and received entirely within the United States.

These are the ways in which law-abiding Americans—innocent, law-abiding Americans who have done absolutely nothing wrong, both overseas and in the United States—can have their communications collected under the Foreign Intelligence Surveillance Act. These are law-abiding Americans, innocent Americans, not necessarily suspected of anything, and it is their privacy and their constitutional rights that have caused Democrats and Republicans in this body and in the other body to seek the actual numbers of how many law-abiding Americans are getting swept up in these searches that are supposed to target foreigners overseas.

The reason this is important is that the program is getting bigger and bigger. The exact numbers are classified, but the government's public reporting confirms steady increases in collection. At some point, the size of the program and the extent to which Americans' communications are being collected raises obvious concerns about our Fourth Amendment. The question is not if the program raises constitutional concerns, but when. And that gets to the heart of what our bipartisan coalition has been concerned about: If it is not possible for the Senate to know as part of reauthorizing this law how many Americans are being swept up by this program, we cannot determine whether the government has crossed a constitutional line.

The Privacy and Civil Liberties Oversight Board, an agency the Congress has tasked to look at these issues, has raised the very same concerns I am outlining this morning. In the 2014 report by the Board—the nonpartisan organization tasked by the Congress—concluded that the lack of information about the collection of the communications of law-abiding Americans' communications under section 702 "hampers attempts to gauge whether the program appropriately balances national security interests with the privacy of U.S. persons."

They went on to say:

The program [is] close to the line of constitutional reasonableness. At the very least, too much expansion in the collection of U.S. persons' communications or the uses to which those communications are put may push the program over the line.

They recommended exactly what our bipartisan coalition has been calling for—that the government provide to the Congress and, to the extent consistent with national security, that the public and the Congress get data on the

collection of these communications of law-abiding Americans.

The most frequently heard argument against what our bipartisan group of House and Senate Members has been calling for is that, whatever number of communications are being collected on law-abiding Americans, it is minimized, which implies that information about Americans is hidden.

This is a particularly important issue. I have heard my colleagues on the other side say frequently: Well, if law-abiding Americans are having their communications swept up, we shouldn't get all concerned about that because this array of Americans' communications is being minimized. Somehow that means it is not getting out; it is being hidden. That is not necessarily what happens. To begin with, all that collection does not stay at the National Security Agency. All the emails collected through the PRISM component of section 702 go to several other agencies, including the CIA and the FBI. Then we have those three agencies, in particular, authorized to conduct searches through all the data for communications that are to, from, or about Americans: Look for an American's name, telephone number, email address, even a key word or phrase. They can do that without any warrant. There doesn't have to be even a suspicion—even a suspicion—that an American is engaged in any kind of wrongdoing. The FBI's authorities are even broader. The FBI can conduct searches for communications that are to, from, or about an American to seek evidence of a crime. Unlike the National Security Agency and the Central Intelligence Agency, the FBI doesn't even report how many searches for Americans it is conducting. Moreover, neither the FBI nor the CIA reports on the number of searches for Americans that it conducts using metadata collected under section 702.

The authority to conduct searches for Americans' communications in section 702 data is new. Before 2011, the FISA Court prohibited queries for U.S. persons. I am going to repeat that. Under the Bush administration and in the first 2 years of the Obama administration, it was not possible to conduct these backdoor, warrantless searches of law-abiding Americans. Then the Obama administration sought to change the rules and obtained authority to conduct them.

In April 2014, the Director of National Intelligence's response to questions from me and Senator Mark Udall publicly acknowledged these warrantless searches. By June the House voted overwhelmingly to prohibit them. That prohibition didn't become law, but I can tell you that it is sure going to be considered in the context of this reauthorization. The House voted overwhelmingly to prohibit these warrantless searches.

So the question really is this: What exactly is the privacy impact of these warrantless searches for Americans? In 2014, I managed to extract from the intelligence community some, but not all, necessary information about how many Americans had been subject of the searches. That was a step forward, but what the data doesn't tell us is who the subjects of these searches are. More to the point, it doesn't tell us how many Americans are potentially the subject of these searches. If the number is small, the potential for abuse, obviously, would be smaller. If the number is large, the potential for abuse is much greater. Without an understanding of the size of the pool from which the government can pull the communications of law-abiding Americans, there is just no way of knowing how easy it would be for the government to use this law as a means to read the emails of a political opponent, a business leader, a journalist, or an activist.

I now want to turn to the ultimate form of abuse, and that is something called reverse targeting. It is prohibited by law and defined as collection "if the purpose of the acquisition is to target a particular, known person reasonably believed to be in the United States." This prohibition also applies to U.S. persons. The question, though, is how this is defined and how the public can be assured it is not happening.

If you look at the language, you can see why there has been bipartisan concern. The collection is only prohibited if the purpose is to get the communications of Americans. The question obviously has risen: What if getting the Americans' communications is only one of the purposes of collecting on an overseas target? What is actually acceptable here?

This issue was concerning in 2008, when the Foreign Intelligence Surveillance Act Amendments Act passed with a prohibition on reverse targeting. But that was before the country knew about the collection of emails that are only about a foreign target and that could be to and from Americans. That was before the Obama administration sought and obtained authority to conduct warrantless searches for communications to, from, and about Americans out of section 702 PRISM collection.

That makes an important point to me. This bipartisan coalition—of which I have been a part—has fought back against executive branch overreach, whether it is a Democratic administration or a Republican administration. I cited the fact that President Obama brought back something with the great potential for abuse and that President Bush said he wanted no part of. As we look at these issues, it is important to understand exactly what the scope of the problem is. Each of the agencies authorized to conduct these

warrantless searches—the NSA, FBI, CIA—are also authorized to identify the overseas targets of section 702. The agencies that have developed an interest in Americans' communications, which are actually looking for these communications, are the same agencies that are in a position to encourage ongoing collection of those communications by targeting the overseas party.

I believe our bipartisan group believes that there is very substantial potential for abuse. Because of these decisions taking place in the executive branch without any judicial oversight, it is possible that no one would ever know.

To quote the Privacy and Civil Liberties Oversight Board: "Since the enactment of the FISA Amendments Act of 2008, the extent to which the government acquires the communications of U.S. persons under Section 702 has been one of the biggest open questions about the program, and a continuing source of public concern." The Board noted that the executive branch has responded with any number of excuses for why it couldn't provide the number of how many innocent law-abiding Americans get swept up in these searches. One excuse has been the size of the program. But as Members—Democrats and Republicans—have said repeatedly, an estimate, perhaps based on a sample, is sufficient. Nobody is dictating how this be done.

Another excuse has been that determining whether individuals whose communications have been collected are American would itself be invasive of privacy. Now this is something of a head-scratcher. I will just say that, as to the value of knowing how many law-abiding Americans get swept up in these searches, privacy advocates have stated that this far-fetched theory, this far-fetched excuse for not furnishing it, doesn't add up in terms of the benefit of finding how many Americans are swept up in these warrantless searches.

The government is genuinely concerned about the privacy implications of calculating the number. I and many of my colleagues, both Democrats and Republicans, have been willing—and we renewed this in the last few weeks—to have a discussion about the methodology under consideration.

In the months ahead, the Senate is going to be debating a number of issues relating to this topic, such as U.S. person searches, reverse targeting, and the collection of communications that are just about a target. The Senate is going to discuss how to strengthen oversight by the Foreign Intelligence Surveillance Court, the Congress, and the privacy board. The Director of National Intelligence will be right in the center of the debate.

There is more information that the American people need. There is more information that this body needs in

order to carry out its responsibility to do real oversight here. The center of these discussions about the reauthorization of the Foreign Intelligence Surveillance Act involves one question: How many innocent, law-abiding Americans have been swept up in this program that has been written and developed to target foreigners overseas? Congress's judgment about the impact of section 702 depends on getting this number. An assessment of the program's constitutionality rests on the understanding of the impact it has on Americans. A full grasp of the implications of the warrantless searches of Americans requires knowing how many Americans' communications are being searched through. Countless questions related to the reauthorization of the program all require that the public have this information.

I am just going to close by way of saying what those questions are because if you want to do real oversight over a critically important program, you have to have the information to respond to these questions. The questions are these: Should there be safeguards against reverse targeting? Should Congress legislate on "upstream" collections and the collection of communications about targets, which raises unique concerns about the collection of the communications of law-abiding Americans? Are the rules related to the dissemination, use, and retention of these communications adequate? Should there be limits on the use of these communications by the FBI for non-intelligence purposes?

Just think about that one for a minute. What does it mean to people in our part of the world where people feel that liberty and security are not mutually exclusive, but they are going to insist on both? What does it mean to them on the question of whether there ought to be limits on the use of this information by the FBI for non-intelligence purposes? That is exactly the kind of question that people are going to ask.

I am heading home today for town-hall meetings in rural areas, and those are exactly the kind of questions that Oregonians ask. People understand this is a dangerous time. That is not at issue.

I serve on the Intelligence Committee, along with Senator FEINSTEIN, and I have been one of the longer serving members. The fact that this is a dangerous world is not a debatable proposition. There are a lot of people out there who do not wish our country well. But what I say to Oregonians and what I will say again this weekend is this: Any politician who tells you that you have to give up your liberty to have security is not somebody who is working in your interest because smart policies give you both.

That is why I started talking about the benefits of strong encryption—

critically important for security. These questions are ones that I don't think are particularly partisan. That is why a big group of Democrats and Republicans here and in the other body have been seeking the information about how many law-abiding Americans get caught up in these efforts to target a foreigner overseas. We are now at a critical moment. A government surveillance program, with very obvious implications for privacy and constitutional rights, is up for reauthorization by the end of the year. While more information may be part of the answer, we have to have the best possible estimate to answer those questions that I just outlined.

The American people want Congress to get to the bottom of questions that go right to the heart of our having policies that promote both their security and their liberty. I think the public expects a full debate. You can't have a full and real debate over the Foreign Intelligence Surveillance Act unless you have some sense of how many law-abiding Americans are getting swept up in these searches of foreigners.

I believe the American people expect serious oversight over it. They want assurances that their representatives in Congress have a sense of what is actually being voted on. After years of secret surveillance programs being revealed only in the news media, I think the public has rightly insisted on more openness and more transparency.

So getting the information that I have described today, which will deal with Senator Coats' top priority of reauthorizing the Foreign Intelligence Surveillance Act, is a critical first step. Once the Senate knows the impact of this program on Americans, then you can have a full and real discussion—a real debate in Congress—with the public and with the Director of National Intelligence.

I took the view in the committee, despite very much liking Dan Coats and his being the bipartisan cosponsor of what is still the only Federal income tax reform proposal we have had in the Senate since the 1986 law was authored, I said that I cannot support any nominee to be the head of national intelligence if that nominee will not guarantee that before this reauthorization is brought before the Senate and brought before the Intelligence Committee, that we have the information needed to do our job, to do real oversight, to show the American people it is possible to come up with policies that promote security and liberty. For that reason, despite my friendship with Senator Coats, I cannot support the nomination.

I yield the floor.

Mr. VAN HOLLEN. Mr. President, never before has a sitting President so maligned our intelligence community. President Trump has repeatedly belit-

tled and ridiculed the work of intelligence officials, calling their assessments of Russia's hack into U.S. elections "fake news." Over Twitter, President Trump accused intelligence officers of executing a Nazi-like smear campaign against him. President Trump has sided with the likes of Julian Assange and Vladimir Putin over our own intelligence community.

More disturbingly, President Trump seems to hold shallow views on critical intelligence questions like torture. On the campaign trail, Mr. Trump constantly vowed to reinstate torture, asserting that only "stupid people" would think otherwise. In an interview with the New York Times, Mr. Trump admitted that he was "surprised" that Defense Secretary Mattis opposed torture, while adding that he would be "guided by" mass sentiments on torture. Mr. Trump's pronouncements on torture are dangerous, irresponsible, and rally our enemies.

Senator Dan Coats has an enormous challenge ahead of him. President Trump removed the Director of National Intelligence from the National Security Council, marginalizing the intelligence community's essential role in informing national security decisions. President Trump reportedly plans to hire a New York billionaire with close ties to Steve Bannon to conduct a review of the intelligence agencies, a core responsibility of the Director of National Intelligence, and Senator Coats' headline assessments of Russia may meet with skepticism in a White House that views Putin so favorably.

I am encouraged by Senator Coats' willingness to work with the Congress in a bipartisan manner, particularly on probes related to Russia's hack into our election. I expect Senator Coats to maintain his commitment to follow the law on enhanced interrogation techniques and not to seek to change them. For these reasons, I support his nomination to the Office of the Director of National Intelligence.

NOMINATION OF HERBERT MCMASTER

Mr. CARDIN. Mr. President, I have a tremendous amount of respect for Lieutenant General McMaster and a great deal of admiration for his willingness to answer the call of service for his Nation as National Security Advisor.

So I want to be clear that none of my comments are intended as a reflection on General McMaster himself.

But I am greatly concerned about the current state of the organization that General McMaster is being asked to run and that the way in which the President and his senior advisers appear to be running it is creating great risk for our Nation.

The President's first National Security Advisor, who lasted less than a month in office, had failed to register as a foreign agent, a job that he held

throughout the Presidential campaign and into the transition—so much for America first.

The initial Executive order structuring the National Security Council system for the new administration deliberately omitted the Chairman of the Joint Chiefs and the Director of National Intelligence from the Principals Committee—in other words, a National Security Council without the insight and guidance of our intelligence community or military.

Every administration can structure the White House as it sees fit, but national security without intelligence or military advice is, frankly, mind-boggling.

At the same time, the NSC was to include Steve Bannon, the President's political adviser. Although previous White Houses have had staff from outside the NSC sit in on NSC meetings on occasion and as appropriate, never before has an administration suggested that the NSC's work of safeguarding our Nation be subordinate to the political goals of safeguarding a President's political position and public opinion ratings.

Alongside the NSC, this White House has established a so-called Strategic Initiatives Group under Mr. Bannon, which is reportedly undertaking strategic reviews of U.S. policy on sensitive issues—including U.S.-Russia relations. Running a shadow NSC with crossing lines of jurisdiction and authority seems like a recipe for disaster.

So all of this has created an environment of dysfunction and an organization in severe distress. It is one thing to run a family real estate company this way, but this is our national security that is at stake.

If there is a crisis tonight—on the Korean Peninsula, with Russia, in the Middle East or Persian Gulf—it is far from clear that the NSC is in a position to provide our senior policymakers with the options they need and the decision-space necessary to safeguard America in a dangerous and unpredictable world.

I wish General McMaster all the best, but hope that he is approaching the challenges of his job with clear-eyed conviction.

Mr. VAN HOLLEN. Mr. President, in a few short months, President Trump has undermined U.S. credibility and our standing abroad. He has called for a nuclear arms race, asserted the United States should reinstate Iraq to take its oil, lavished praise on Vladimir Putin, and slandered stalwart allies like Australia and Germany. He has issued two Muslim bans—a move lauded by the Islamic State and condemned by top military, intelligence, and diplomatic officials of both parties.

President Trump has put our national security apparatus under enormous stress. He has appointed Steve Bannon, an extremist with the explicit

ambition to “destroy the state,” to the National Security Council—the highest body charged with protecting the state. He has failed to nominate officials for dozens of crucial national security positions, hobbling our ability to respond to a future national security crisis. He has repeatedly denigrated our intelligence agencies, rejecting findings that clearly demonstrated Russia’s role in his election. He has accused the FBI of breaking the law by wiretapping Trump Tower, a groundless claim for which he has offered no proof.

LTC H.R. McMaster is a respected military strategist with a reputation for an independent mind. He has demonstrated throughout his career that he is willing to challenge and criticize U.S. leadership, irrespective of party. He does not appear to be sympathetic to the view of President Trump or Steve Bannon that the United States is at war with the entire Muslim world. Instead, while commanding U.S. forces in Iraq, General McMaster told his soldiers: “Every time you treat an Iraqi disrespectfully, you are working for the enemy.”

I am concerned with General McMaster’s handling of sexual assault allegations against two of his cadets at West Point. McMaster’s reluctance to interfere with the training of these cadets, despite allegations of sexual assault, was in violation of Army policy. I am a strong supporter of efforts to reform the military’s handling of sexual assault, which is why I cosponsored legislation in the House to pass new legal protections for victims of assault in the military.

While I remain deeply concerned with the large number of military officials in senior positions in the Trump administration, I support General McMaster’s retaining his rank while he serves as National Security Advisor. I do so with the hope that General McMaster will remain faithful to his reputation for dissent, will challenge President Trump when he takes a dangerous approach to the world, will restore order to the National Security Council, and will steward a foreign policy that makes America safer.

Mr. WYDEN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. UDALL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FREEDOM OF THE PRESS

Mr. UDALL. Mr. President, this week is Sunshine Week, a week when we applaud open government and when we celebrate the institutions that hold government accountable. Throughout our Nation’s history, one of the most important has been the press, the free

press. Donald Trump, as candidate and President, has repeatedly attacked the press. He has called it the “enemy of the people,” he has labeled the national media outlets as “fake news,” and he has criticized respected reporters who have reported for years.

He has singled out mainstream newspapers like the New York Times, Politico, and the Los Angeles Times, and television outlets like ABC, NBC, CBS, CNN. That is how this President operates. He acts like a bully, and not just with the media. He attacks the courts when article III judges disagree with him, and when they find he is breaking the law. He attacks sitting judges for deciding against him, even those appointed by Republican Presidents.

Without basis, he attacks our intelligence agencies, and he even demeans career public servants who risk their lives to keep our Nation safe. The President’s goal is obvious, to undermine the institutions in our country who threaten him, who criticize him. Authoritarians have used this strategy for centuries and continue to do so today in countries where democracy is weak or nonexistent and where autocracy or kleptocracy is strong.

But this is the United States. We are an example to the world of democratic principles and action. The President’s repeated attacks on our democratic institutions need to stop and they need to stop now. A free and robust press is critical for democracy to work, period, end of story. Our Nation’s history of a free press dates back to our founding. Free press in the colonial United States developed in reaction to severe restrictions on free speech in England.

During the latter half of the 17th century, all books and articles were required to be licensed by the government to be published. Then, “seditious libel”—bringing “hatred or contempt” upon the Crown or the Parliament by written word—was a criminal offense. So to speak against the Crown was a criminal offense. Truth was not a defense.

No publication could criticize the Crown or the government, even if it was accurate. The first newspapers in the Colonies operated under licenses from the colonial Governor. But by 1721, James Franklin, Benjamin Franklin’s older brother, was publishing one of the first colonial independent newspapers, the New England Courant, in Boston.

Ben Franklin was his apprentice, typesetter, and sometimes contributed under pen names. Several years later, Ben Franklin began publishing his own independent newspaper, the Pennsylvania Gazette. His newspaper became the most popular in the Colonies and was published until 1800.

By 1735, the tenets of seditious libel were coming undone. John Peter Zenger, the publisher of the New York Weekly Journal, ran articles harshly

critical of the colonial government. Zenger was arrested and tried for libel. While he admitted he published the articles, his lawyer argued truth was a defense. The press, the lawyer argued, has “a liberty both of exposing and opposing tyrannical power by speaking and writing the truth.”

The judge, however, instructed the jury as to the law at the time, that Zenger must be found guilty if he published the articles, whether truthful or not, but after 10 minutes of deliberation, the jury acquitted Zenger. These were some of the beginnings of a free press in our Nation.

The first rights in the Bill of Rights are freedom of religion, the press, speech, petition, and assembly. The press, as an institution, is expressly protected by the Constitution. In 1789, the drafters of the Bill of Rights understood that a free press was essential to the growth and success of our new democracy. They understood that debate, disagreement, the free flow of ideas, make an informed public, that the press helps educate voters.

They understood all too well that government power needed to be checked and that the press holds the powerful in check by investigating and exposing arbitrary conduct, abuse, and corruption. A democracy cannot exist without a free press. It is as simple as that, but our President does not seem to understand this or he does not care. According to him, the press is “dishonest,” “not good people,” “sleazy,” and, “among the worst human beings.” Those are all quotes by our President.

Established press organizations are the “fake news,” and a few weeks ago he declared the press “an enemy of the people.” We have not heard attacks like this since Watergate, and even then, it wasn’t so much so fast. The President’s subordinates are now given license to accuse and to limit press access.

Chief Strategist Steve Bannon said the press should “keep its mouth shut and just listen for a while.” This quote from Mr. Bannon has extra significance today because he is no longer the head of a rightwing media company. In a controversial move, President Trump issued an Executive order to add him to the National Security Council’s Principal’s Committee.

Today, we are going to vote on the nomination of General McMaster to retain his three-star general status while serving as the head of the National Security Council. I do not believe a political extremist like Mr. Bannon should serve on the Council. At a minimum, General McMaster should direct Mr. Bannon to stop attacking the free press while serving on the Council.

Senior adviser Kellyanne Conway called for media organizations to fire reporters who criticized Candidate Trump. Press Secretary Shawn Spicer barred the New York Times and the

Los Angeles Times, BuzzFeed, and Politico from a press conference, and the Secretary of State will now travel without the press corps, disregarding a decades-old practice.

Now, don't get me wrong. The press does not always get it right. They make mistakes. News organizations have their biases. Mistakes should be corrected and bias should be tempered by using accepted journalistic methods and professional judgment and following journalism's ethics code.

Mistakes and the exercise of professional judgment are not the same thing as reporting "fake news." The President's Republican colleagues have been too silent in the face of attacks. Few in Congress have stood up against the President's hostility to the press. Government officials are afraid to disagree. Just last week, at a Senate Commerce Committee hearing, I asked the FCC Chair, Mr. Pai, a yes or no question, does he agree with the President that the press is the enemy of the people.

He did not engage. He would not answer. He let stand the President's remarks. The President's characterization of the press as the enemy is reminiscent of President Nixon, when Nixon said: "Never forget. The press is the enemy. The press is the enemy. The press is the enemy," as recorded on his secret tapes.

The press was Nixon's enemy because the press exposed his criminal conduct which led to his resignation. The press is Trump's enemy because the press exposes his and his associates' ties to Russia, the President's myriad Trump organization conflicts of interest, his constant barrage of misrepresentations of fact.

Nixon's Press Secretary called the Washington Post investigative reporting shoddy and shabby journalism. Like President Trump's accusation of fake news, that same Post reporting won the paper a Pulitzer Prize.

Watergate was a break-in of the Democratic National Committee during the Presidential campaign. Nixon ordered his Chief of Staff to have the CIA block the FBI's investigation into the source of the funding for the Watergate burglary. During this last Presidential election, we had a cyber break-in of the DNC. Even after 17 U.S. intelligence agencies concluded Russia hacked the DNC to sway the election, Candidate Trump refused to accept their analysis.

The President's Chief of Staff pressured the FBI to publicly deny that Trump associates had contact with the Russians, while his Chief Counsel reportedly breached the firewall seeking information from the FBI about an investigation into the President and his associates. Since the press began to look hard at the ties between President Trump and the Trump organization, his associates and Russia, the Presi-

dent has not let up on his criticism. Just last week, the President threatened by tweet as follows:

It is amazing how rude much of the media is to my very hard working representatives. Be nice, you will do much better!

The job of the press is not to be nice. It is to gather the facts and report them. Now that the President of the United States has called the reputable U.S. news organizations fake news, others are doing the same. Russia's Foreign Ministry spokesman recently accused a CNN reporter of spreading "fake news" because the reporter asked about accusations from U.S. officials that the Russian Ambassador is a spy.

This is a dangerous path. Putin has throttled an independent press in the Russian Federation, imposing restriction after restriction on the news media. Reporters have been harassed, threatened, and jailed. The numbers of truly independent media organizations in Russia have been reduced to a very few, and they have been replaced by state-owned, state-run news media, like RT, formerly known as Russia Today, a propaganda bullhorn for Putin, according to Secretary John Kerry.

The President admires Putin as a—and I will quote the President here—"strong leader." Putin has used his strength to silence an independent press. We do not want our press silenced.

Justice Brandeis, in a famous defense of free speech in a 1927 First Amendment case, said: "[T]hose who won our independence by revolution were not cowards. They did not fear political liberty."

Does President Trump fear political liberty?

The irony of the President's accusations of "fake news" is that he himself has spread misinformation and fanned the flames of internet-driven lies, from questioning President Obama's citizenship, to his frivolous claim that millions of people committed voter fraud and that he really won the popular vote—that is the President's claim, that he really won the popular vote—to President Trump's unsubstantiated accusation that President Obama wiretapped Trump Tower.

We have entered into an era in U.S. politics never seen before in my lifetime. We cannot allow this to be sanitized or explained away. The phrase "alternative facts" has become a national joke because it sounds like something from George Orwell's "1984."

It is not acceptable for a President to falsify, misrepresent, or flatout lie. The President's party in Congress should not allow this. They should not look the other way and continue to profess that the emperor's clothes are grand.

Reacting to Mr. Trump's attacks on the press, President George W. Bush responded:

I consider the media to be indispensable to democracy. We need an independent media to hold people accountable. Power can be very addictive and corrosive . . . and it's important for the media to hold to account people who abuse their power—whether it be here or elsewhere.

That was President George W. Bush's recent comment.

President Bush's prescription for democracy in 2017 is the same as the drafters of the First Amendment in 1789: A free and independent and robust media is essential to democracy, and any broad-based attack on the press is an attack directly on our democracy.

There is one thing President Trump must understand: The press won't go away. They won't stop reporting on the actions he takes and on the decisions he makes. He can spend the next 4 years attacking the press, but they will still be there—just as they were after Nixon resigned.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SULLIVAN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. ERNST). Without objection, it is so ordered.

TRIBUTE TO PASTOR EVELYN ERBELE

Mr. SULLIVAN. Madam President, every week for the past few months, I have been coming down to the Senate floor to recognize a special Alaskan, someone who makes my State—what we believe is the most beautiful and unique State in our country—a better place for all of us. I call this person our Alaskan of the Week.

Last week, I had the opportunity to recognize Glen Hanson, who volunteers his time by flying in what we refer to as the Iditarod Air Force—members of the Alaska volunteer community pilots who fly supplies in for the Last Great Race.

I know the pages are really interested in the Last Great Race. So, just as a quick update, we had a winner. It is still going on, but one musher, Mitch Seavey, crossed the finish line in Nome, AK, in record time. I congratulate Mitch and all of the members of the Iditarod Air Force who are still out there, flying, when it is 30, 40, below zero. It is a tough race, a real tough race. Iowans, I am sure, could do well in it but not a lot of other Americans.

Today, I want to take my colleagues and viewers to a very different place in Alaska—about 1,300 miles southeast of Nome, where all the Iditarod action is going on, really almost a world away—to a beautiful city called Ketchikan, AK.

Ketchikan is the first port city that people will visit when they take the Alaska Marine Highway's Inside Passage up to Alaska. It is a trip that I encourage everybody to take. It is beautiful. Flanked by the towering Tongass National Forest, it is a place full of life and spirit, mountains, forests, lots of rain, lots of salmon, and lots of jaw-dropping scenery.

Yet, like most places across our country, it has its challenges, and it has a challenge with homelessness, like many communities in America and Alaska. Luckily, for all of us, Ketchikan is also home to a very caring community that has set its sights on helping its fellow Alaskans. One of these people is Pastor Evelyn Erbele, our Alaskan of the Week, who has dedicated her life to helping others.

Evelyn is the copastor with her husband Terry of the First United Methodist Church of Ketchikan. There is a day shelter in the church's social hall, which provides a hot meal, shower, clean clothes, and a place for the community's homeless to go every day of the week.

Oftentimes when we think of homelessness, we think of people not having a place to sleep, but it is also important to remember that being homeless means having no place to go during the day. First City Homeless Services—Day Shelter gives people a place to go during the day. Pastor Evelyn oversees that day shelter. According to the manager of the shelter, Chris Alvarado, who himself has been homeless, she does so with commitment and with kindness and with compassion.

"She has a heart of gold and gives 100 percent," said one resident of Ketchikan about Evelyn.

Evelyn met her husband Terry in Seward, AK, where she was a nurse in 1976. From Seward, they set out on a journey to help people around the world—Nigeria, Lithuania, Russia.

In 2009, Evelyn—now with a Ph.D. in theology and ordained by the Methodist Church—went up the Alaskan Highway from Bellingham to Ketchikan with her husband. She didn't know when she accepted the job at the Methodist Church in Ketchikan as copastor that she would be overseeing the day shelter. At first, according to her, the work was a bit unsettling. "I never intentionally walked side by side with people who are homeless," she said. She continued: "Initially, I may have been biased. I was using the word 'them' when I would describe the people I was working with. One day, the Lord said to me, Evelyn, you are them. You are my child no less or no more than they are." She said that after hearing that voice, she realized she wasn't working with "them" anymore. "I was working with men and women who were in a place that I easily could have been."

In her years working to help the homeless in her community in Ketchi-

kan, she realized that not everybody who is homeless fits neatly into "one basket." There are lots of reasons for homelessness, she said, and the homeless may have many, many faces: men, women, children, families, the old, and the young.

As the Presiding Officer knows, homelessness is a big challenge across our Nation. On any given day, tens of thousands of Americans—hundreds of thousands—don't have a permanent place to call home. Of course, the best way to address this is to have a strong economy and job opportunities, and that is what we need to be focusing on here in the Senate. But we also need people like Pastor Evelyn not only in Alaska but across the country, who are tireless advocates for helping the homeless. I thank all of them. I especially thank her, and I thank her for being our Alaskan of the Week.

Madam President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SCHUMER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF HERBERT MCMASTER

Mr. SCHUMER. Madam President, since coming to office, the President's National Security Council has experienced more turmoil than any in history at this stage in a Presidency. The President's first National Security Advisor and head of the NSC, Michael Flynn, was fired after only a month in his position. The Council itself has been reshaped in ways that concern all of us. Permanent postings for the Chairman of the Joint Chiefs of Staff and the Director of the National Intelligence Agency have been removed and a permanent seat has been installed for White House Political Adviser Steve Bannon.

This organization is a disturbing and profound departure from past administrations. On the most sensitive matters of national security, the President should be relying on the informed counsel of members of the intelligence and military communities, not political advisers who made their careers running a White nationalist website.

The Chairman of the Joint Chiefs of Staff is the President's primary military adviser and, along with that of the Director of National Intelligence, is the only independent, apolitical voice on the NSC. President Trump's move to strip them of their seats is baffling and potentially endangers our national security. The President has installed in their stead one of the most strident, ideological voices in his orbit.

On the most sensitive issues of national security, we have to have fact-based decisions. The President has to

get the most dispassionate and accurate advice. With all due respect, that is not Mr. Bannon's forte. His installation on the principals list of the NSC moves it further away from what it needs to be and closer toward a shadow council of a dangerously ideological West Wing.

The bottom line is, this decision was poorly thought out and ill-conceived. It puts a filter on the information going to the President and will make us less safe. My concerns are shared by Members on both sides of the aisle. I know that from conversations I have had with some.

It has special relevance today because we are about to vote on reappointing H.R. McMaster to lieutenant general, who will be the next head of the NSC. General McMaster, by all accounts, will have a grounding presence in the national security apparatus of the White House. I have met him. I have a great deal of respect for both his integrity and his abilities, but I remain deeply concerned that General McMaster's judgment may not be followed and instead the fevered dreams of Mr. Bannon will influence the most sensitive national security discussions and decisions. It has been reported he doesn't want to see NATO exist or the European Union. Those are political decisions in a body charged with giving the President advice on security.

So this should concern all of us, especially Lieutenant General McMaster.

Madam President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. FLAKE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. STRANGE). Without objection, it is so ordered.

NOMINATION OF NEIL GORSUCH

Mr. FLAKE. Mr. President, as I did 2 weeks ago and will continue to do until he is confirmed, I rise to support the nomination of Neil Gorsuch to serve on the Supreme Court. Judge Gorsuch is an accomplished, mainstream jurist, and I look forward to helping to make sure that he receives an up-or-down vote on the Senate floor.

Next week, my colleagues and I on the Judiciary Committee will hold confirmation hearings on Judge Gorsuch. I look forward to hearing his testimony. I am confident that he will impress the country with his knowledge of and respect for the law, just as he has impressed me and my colleagues.

But before the hearings get under way, I thought I would use this opportunity today to highlight an additional aspect of his life and his jurisprudence that make him an ideal nominee to serve on the High Court. So far I have spoken on the floor about his fitness to

fill Justice Scalia's seat, as well as his defense of the separation of powers and his support for religious liberty. Today I would like to discuss a more personal aspect of Judge Gorsuch's background—the fact that he is a westerner. As an Arizonan, I cannot overstate how important it will be to have a fellow westerner serving on the Supreme Court.

Where you are from influences your understanding of cultural and regional sensitivities. When you look at the current makeup of the Supreme Court, there is an unmistakable lack of geographic diversity. Of the eight current Justices, five of them were born in New York or New Jersey, and that number was six before Judge Scalia's passing. Granted, Justice Kennedy is from Northern California, but to be frank, much of Northern California is about as culturally western as Justice Breyer's hometown of Boston.

The Supreme Court is in desperate need of a western perspective. Judge Gorsuch fits that bill. When I had the opportunity to meet Judge Gorsuch in my office last month, we discussed our respective western backgrounds. I talked to him about my days growing up on a cattle ranch in rural Arizona. He told me that his heart has always been in the American West. You can learn a lot about a person by how they spend their time with their friends and their family, and there is no mistaking this aspect with Judge Gorsuch. He is a westerner through and through.

He told me about his home outside of Boulder, where his daughters raise and show chickens and goats. I was pleased to learn that each year he takes his law clerks to the National Western Stock Show in Denver, one of the Nation's largest rodeos. By now, I think we have all seen the picture of him fly fishing with Judge Scalia. While all this demonstrates how much he has embraced the western lifestyle, what makes Judge Gorsuch a true westerner is more than just where he lives or where his personal interests are. Judge Gorsuch's western values are evident in his jurisprudence, which reflects a strong commitment to public service. Arizona has had its share of distinguished public servants. In fact, it was from this very desk that the late Barry Goldwater, one of Arizona's favorite sons, steered the public policy debate for years after he chose to leave a successful career in the private sector. Judge Gorsuch's career reflects the same ethos.

Early on, a young Neil Gorsuch rocketed to the top of the legal profession, becoming a partner in one of Washington's most elite law firms. But instead of enjoying the comforts of a lucrative private sector career, he left it all behind for a high-responsibility, low-profile job at the Department of Justice.

After his time at DOJ, Neil Gorsuch could have easily retired or returned to

a white-shoe legal practice. Instead, he returned to his home State of Colorado to serve as a judge on the U.S. Court of Appeals for the Tenth Circuit. Throughout his tenure on the Federal bench, Judge Gorsuch's western disposition has shone through in his jurisprudence.

I have already spoken of his skepticism toward the administrative state, with its executive bureaucracies, which, he cautions, "swallow huge amounts of core judicial and legislative power and concentrate Federal power in a way that seems more than a little difficult to square with the Constitution of the framers' design."

He shares a healthy skepticism over an overly intrusive and heavy-handed bureaucracy with millions of his Federal westerners. Judge Gorsuch recognizes how Federal regulations interfere with the ability of Western States to govern themselves, whether it is a former administration's Clean Power Plan, its ozone rules, or even management of the Mexican gray wolf.

In numerous opinions, Judge Gorsuch has given voice to many of the frustrations experienced by his western neighbors. From his criticism of an overly assertive DC court that often feels compelled to intervene from 2,000 miles away to his recognition of excessive litigation that arises from the complexities of split-estate property rights out West, he speaks our language.

These are perspectives any westerner is familiar with, but they may not be obvious to others, including folks from New York and New Jersey. If confirmed, Judge Gorsuch will already bring generational and religious diversity to the Court. Perhaps more than anything, it will be his western perspective that most enriches the debate in the years to come.

As I have said before, Judge Gorsuch deserves fair consideration by those who serve in this body, and he deserves an up-or-down vote on the Senate floor. He should be confirmed overwhelmingly, and I am confident that he will be.

Joining us on the floor today are several members of the Senate from Western States. I see that the Senator from Wyoming has joined us. I think he has some thoughts about Neil Gorsuch and his nomination to the Court.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, joining my colleague here on the floor, I agree with all of the comments the Senator from Arizona has made. They are interesting because as to the history of the State of the Senator from Arizona and his family history, Judge Gorsuch has a similar history, to the point that his great-grandfather built a hotel in Wyoming called the Wolf Hotel, in Saratoga, WY. I found a picture of that hotel from 1878, which was 12 years before Wyoming became a

State. I got that picture from the American history museum at the University of Wyoming and got a copy of the picture and gave it to Judge Gorsuch.

In front of the hotel in 1878, there was a stagecoach with six horses lined up ahead of it. The Wolf Hotel was a halfway stop on the stagecoach line between a couple of communities in Wyoming. They were about 40 miles apart. So that is the heritage from which Judge Gorsuch comes.

I think that western heritage is important. But I think that additionally important is what the Senator referred to—his judicial temperament, being such a mainstream member of the judiciary, and this general belief inherent within him that the role of a judge is to apply the law, not to legislate from the bench.

We have seen so much legislating from the bench. I think you just don't get that if you take somebody from the Rocky Mountain West who has this view of the Nation and an understanding of the rule of law and the Constitution.

So I think we are going to see that when the Senate Judiciary Committee begins its hearings next week on Judge Gorsuch's nomination to the Supreme Court. I visited with him, reviewed his writings, and then compared it to what I saw when I visited with Justice Scalia when he came to Wyoming. The Senator from Arizona mentioned the picture of the two working together, fishing together.

I just think he is the right person to continue that incredible legacy of Justice Scalia.

Mr. FLAKE. Will the Senator yield?

Mr. BARRASSO. Yes.

Mr. FLAKE. You point out the sensitivities that you have when you come from the West. A lot of it has to do with, if you are in a rural area in particular, you are—as my family grew up—working on the land. Much of that land is either owned by or controlled by the Federal Government, the State government, or Tribal governments in Arizona's case. In fact, 85 percent of the State of Arizona is publicly owned. So when you live in the West and you work the land on a ranch or farm, you are dealing specifically with Federal regulators and Federal property managers. I think those who were raised in the West and have lived here understand the impact of the Federal Government's decisions. The administrative state has an outsized impact on those who live in the West, and I think that is evident in the jurisprudence you see from Judge Gorsuch.

How much of Wyoming is publicly owned?

Mr. BARRASSO. Well, it is about 50-50. But when you talk about the heavy hand of a bureaucratic government and the impact on the lives of the people who live there, it is dramatic. It can be

very punishing, as we have seen over the last 8 years with regulations that have come out of agencies—sometimes, I believe, in defiance of the law, sometimes reversed by the Supreme Court.

That is why I think it is critical to have Neil Gorsuch on the Supreme Court, because he is someone who realizes that the Constitution is a legal document—not a living document, not built for flexibility, but really a rigid legal document. That is where I believe he stands. That is what his writings indicate. It is the sort of thing we have seen from him. I visited with him, and other Members have. These are the things we read about.

With regard to his writings over the years, this is a judge who has faithfully applied the law—applied the law, focusing on the Constitution. He has not been afraid to rule against the government or for unpopular parties when the law demands it because he is going to go right back to the law. I believe his opinions show great reverence for all of the Constitution—a key respect for the importance of the separation of powers.

I support his nomination completely. It is interesting, because when he was nominated for the position he currently holds, the Democratic Senator from Colorado—and I am expecting Senator CORY GARDNER to be here in a little bit to talk about the quote from Ken Salazar, the former Senator from Colorado, who talked about what a wonderful man Judge Gorsuch was and how he should be put onto that bench. He was unanimously confirmed here in the Senate.

I have full confidence in Judge Gorsuch as a son of the West, as the only Justice from the Rocky Mountain West who would be on the Court. Specifically, though, I would support him no matter where he was from because of his belief that it is the role of a judge and a justice to apply the law, not to legislate from the bench, which I think goes above and beyond where someone is from, what their background may be. But I will just tell you that his background, combined with his philosophy and mainstream approach to the law, is exactly what we need now in 2017 on the U.S. Supreme Court. I believe he deserves an up-or-down vote. I believe he will be confirmed as people get a chance to see him, get to know him better.

I see I am joined on the floor by another colleague, also from the Rocky Mountain West, the Senator from Montana. You have heard from Arizona, Wyoming, and now Montana. I would ask him about his thoughts about this nomination by President Trump of Neil Gorsuch to the Supreme Court.

The PRESIDING OFFICER. The Senator from Montana.

Mr. DAINES. Mr. President, I want to thank my esteemed colleague from Wyoming, Senator BARRASSO, for his comments. He shared many of the same views I have.

As I think about the job I do as a Senator—perhaps one of the most important jobs we have as Senators is approving a Supreme Court Justice. An Associate Justice of the Supreme Court can serve an average of 27 years. We think about Justice Scalia; he served 30 years. Neil Gorsuch is 49 years old. God willing, he probably will serve 30 years or more, perhaps. Think about that. My wife and I have four children. They are going through the college years and so forth. They are in their early and midtwenties. They will likely be grandparents when Judge Gorsuch wraps up his career on the Supreme Court, assuming he is approved. That is why a decision like this about whom to vote for, whom to stand behind, whom to stand with is so important. It is not just for today, it is for our children and our grandchildren.

The people want a Supreme Court Justice who does not legislate from the bench. The people want a Supreme Court Justice who upholds the rule of law and follows the Constitution. The people want a Supreme Court Justice with a record of constitutional jurisprudence and legal restraint to match what we saw from Justice Antonin Scalia. The people want a Supreme Court Justice with the academic credentials, who is well prepared to serve the American people on our highest Court, to wrestle with some of the most complicated issues that the High Court wrestles with.

When President Trump announced that he was appointing Judge Neil Gorsuch to the U.S. Supreme Court, the American people knew he was truly a supreme pick. He has a brilliant legal mind. He understands the role a judge plays in our judicial system—to interpret the law and not to legislate from the bench. In fact, on the night he was announced, when President Trump revealed his pick, I was at the White House, and I heard Judge Gorsuch say: “A judge who likes every outcome he reaches is very likely a bad judge, stretching for results he prefers rather than those the law demands.” That is the humility of a great judge.

Judge Gorsuch has impeccable legal qualifications that demonstrate he will be the type of Justice every American deserves to have on the highest Court. He graduated from Harvard Law School. He was a Harry Truman Scholar, graduated with honors in 1991. He earned his law degree and then attended Oxford University as a Marshall Scholar and received his doctorate degree in 2004 from Oxford.

As we say out West, and as a Montanan, I have to say I am thrilled to see somebody from Colorado be nominated for the Supreme Court. We say out West: Go get a good education and then get over it. And he brings that kind of humility to the bench. He understands that he is beneath the law, he is subject to the law. He is there to interpret the law, not to make the law.

He clerked for Justice Byron White. He clerked for Justice Kennedy of the Supreme Court of the United States. In fact, in 2006, Judge Gorsuch was nominated by then-President Bush to the Tenth Circuit in Denver, CO. He was confirmed without any opposition, including the support of 11 current Democratic Senators. In fact, some of those Democrats included Harvard Law classmate Barack Obama, Vice President Joe Biden, and the current minority leader, CHUCK SCHUMER. During his time as a judge on the Tenth Circuit, he has built a solid reputation as a respected jurist with a very distinguished record.

One thing about serving on the Tenth Circuit Court for 10 years: You can run, but you can't hide. He has left a track record. It is an impressive track record. It is a consistent record of defending the Constitution, including respecting the separation of powers and respecting federalism and the Bill of Rights to protect every American from government overreach and government abuse.

When I had the opportunity to sit down with Judge Gorsuch, it was back in early February. We spoke about the role of government and federalism. We spoke about the Second Amendment. We spoke about protecting life and upholding our civil liberties. We spoke about our shared western values, mine as a native Montanan, his as a native Coloradan, both of us westerners. I know he understands our way of life. He understands Montana values. In fact, his face lit up as we talked about the love of the outdoors and his passion for hiking and fishing.

As chairman of the Western Caucus, it is important to me to have someone who understands western values, someone who understands the impact the law and his decisions will have on the West.

As westerners, we fight to protect our Fourth Amendment rights. We champion federalism so that power not expressly given to the Federal Government in the Constitution is returned back to the States and to the people. We will tirelessly fight to protect the Second Amendment. These are western values.

By the way, the Second Amendment is not primarily about hunting. Our Founding Fathers were not thinking about deer hunting or elk hunting when they were discussing the Second Amendment. It was about liberty. It was about freedom. These are western values. Judge Gorsuch's background and record strongly suggest that he recognizes and adheres to these values. He will uphold the law. He will rightfully check the administration and Congress when their actions are not done under the law, like President Obama's EPA power plan or the WOTUS rule. These are actions that cripple western economies, and they are politically charged.

I would also like to mention that Senator CORY GARDNER of Colorado and I were just at the White House meeting, just an hour ago. We were at the White House meeting with over a dozen Tribes who represent hundreds of other Tribes. We were there to discuss our support for Neil Gorsuch to be a Supreme Court Justice. I can tell you, it was great to be there with one of my hometown Tribes from Montana, the CSKT. They have endorsed Neil Gorsuch. They understand that we need a mainstream, commonsense westerner on the Supreme Court.

By the way, when you look at Neil Gorsuch's record on Indian Country issues, as a member of the Tenth Circuit Court for 10 years, he has a track record of ruling on some very complicated issues that face Indian Country. He understands sovereignty. That is very important. That is why you are seeing Tribes endorsing Judge Gorsuch.

More importantly, the American people deserve nine members on the Supreme Court. Neil Gorsuch is the mainstream judge the American people want and deserve to fill out the Court.

I am looking forward to what will happen next week in those hearings. You are going to see a very, very bright, a very, very thoughtful, a very, very kind, and a very, very humble jurist who understands and upholds the rule of law. I am excited for our country that we have such a phenomenal nominee. I look forward to casting my vote to confirm him to the highest Court in our great country.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCAIN. Mr. President, what is the parliamentary situation right now?

The PRESIDING OFFICER. The Senate is considering the Coats nomination.

Mr. MCCAIN. Mr. President, I understand that we will be voting in about 10 minutes; is that correct?

The PRESIDING OFFICER. That is correct, sir.

Mr. MCCAIN. Mr. President, I have had the great honor and privilege of knowing the nominee to be our Director of National Intelligence for many years. In fact, I came to the House of Representatives in the election of 1984, and I had the honor of knowing Dan Coats beginning at that time.

As is well known, Dan Coats left the Senate and became our Ambassador to Germany, where he did an outstanding job. He came back to the U.S. Senate and served in this body with distinction and honor. Now he goes on to serve as the Director of National Intelligence.

I could argue that a dedicated, experienced, knowledgeable, and courageous Director of National Intelligence is now needed more than at any time that I can remember in the last many years.

With divisions within the intelligence community, there are challenges to the credibility of the intelligence community along the lines that I have never seen. There are questions about the activities of the intelligence community. For example, the President of the United States alleges that Trump Tower was "wiretapped," in his words, by the previous administration, and we see the former Director of National Intelligence both before the Congress and on national television stating that those allegations are not true.

There are probably more questions and more controversy surrounding our intelligence services than at any time since anyone can remember, since Watergate. So this is a perfect time, in my view, for Dan Coats to assume the highest responsibilities of our Director of National Intelligence. He has the respect and indeed affection of Members on both sides of the aisle because of his successful efforts at working in a bipartisan fashion. He served on the Intelligence Committee. He served on that committee in a very dedicated and knowledgeable fashion.

I hope my colleagues will unanimously vote in favor of our former colleague. Both sides of the aisle know him, and we know him well. I wish I had some of his qualities of congeniality and pleasantry. He has always been respectful of other views. Even in the fiercest debates that we might have, he has always been respectful of those who disagree. So he comes to the job with the much needed credibility that will make him immediately effective.

Let's be frank. The intelligence communities are probably under greater attack in a whole variety of ways, both on whether the American people trust them to do the job that they are doing or whether they have become a partisan organization. I think that with the respect and appreciation and affection that those of us who had the privilege of knowing him—on both sides of the aisle—and knowing what an honorable and decent person he is, he will not only serve as an effective Director of National Intelligence, but he will serve to restore credibility.

God knows we need credibility at this time, as we see the Russians trying to affect the outcome of our election, as we see today the Russians trying to affect the French election and possibly the German election, as we see unprecedented cyber attacks—more than at any time in the past. With the challenge of cyber alone, where our adversaries or our potential adversaries are equal to or even, in some cases, more capable of exercising their abilities and

capabilities in the cyber realm, then we are in a very difficult and challenging struggle.

That is why I think that many times in history, not only does the man make the job but the job makes the man. I am confident, in the case of Senator Dan Coats, that will be the case.

I thank the Democratic leader for allowing this vote to take place so Dan Coats can get to work immediately.

I urge my colleagues to offer their support with their vote for this nomination of a great and good and gentle man who has again volunteered to serve his Nation, for which all of us should be appreciative, and I am sure we are.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. BARRASSO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the Coats nomination?

Mr. BARRASSO. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Tennessee (Mr. CORKER), and the Senator from Georgia (Mr. ISAKSON).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "yea" and the Senator from Tennessee (Mr. CORKER) would have voted "yea."

The PRESIDING OFFICER (Mr. COTTON). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 85, nays 12, as follows:

[Rollcall Vote No. 89 Ex.]

YEAS—85

Barrasso	Crapo	Hirono
Bennet	Cruz	Hoey
Blumenthal	Daines	Inhofe
Blunt	Donnelly	Johnson
Boozman	Durbin	Kaine
Brown	Enzi	Kennedy
Burr	Ernst	King
Cantwell	Feinstein	Klobuchar
Capito	Fischer	Lankford
Cardin	Flake	Leahy
Carper	Franken	Lee
Casey	Gardner	Manchin
Cassidy	Graham	McCain
Cochran	Grassley	McCaskill
Collins	Hassan	McConnell
Coons	Hatch	Menendez
Cornyn	Heinrich	Moran
Cortez Masto	Heitkamp	Murkowski
Cotton	Heller	Murphy

Murray	Sasse	Thune
Nelson	Schatz	Tillis
Perdue	Schumer	Toomey
Peters	Scott	Van Hollen
Portman	Shaheen	Warner
Reed	Shelby	Whitehouse
Risch	Stabenow	Wicker
Roberts	Strange	Young
Rounds	Sullivan	
Rubio	Tester	

NAYS—12

Baldwin	Harris	Sanders
Booker	Markey	Udall
Duckworth	Merkley	Warren
Gillibrand	Paul	Wyden

NOT VOTING—3

Alexander	Corker	Isakson

The nomination was confirmed.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I move to reconsider the vote, and I move to table the motion to reconsider.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

Mr. MCCAIN. Mr. President, I ask unanimous consent to address the Senate for 1 minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF HERBERT MCMASTER

Mr. MCCAIN. Mr. President, I urge my colleagues to render an "aye" vote for the nomination of Herbert McMaster to remain in active duty at the three-star level. He is experienced. He is talented. He knows what it is like to be in combat with the enemy, and I believe he is badly needed in this important position.

I urge my colleagues to render an "aye" vote.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Lt. Gen. Herbert R. McMaster, Jr., to be Lieutenant General in the United States Army while assigned to a position of importance and responsibility under title 10, U.S.C., section 601.

The PRESIDING OFFICER. Under the previous order, the cloture motion is withdrawn.

The question is, Will the Senate advise and consent to the McMaster nomination?

Mr. TOOMEY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Wyoming (Mr. BARRASSO), the Senator from Tennessee (Mr. CORKER), and the Senator from Georgia (Mr. ISAKSON).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "yea," the Senator from Wyoming (Mr. BARRASSO) would have voted "yea," and the Senator from Tennessee (Mr. CORKER) would have voted "yea."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 86, nays 10, as follows:

[Rollcall Vote No. 90 Ex.]

YEAS—86

Baldwin	Flake	Paul
Bennet	Franken	Perdue
Blumenthal	Gardner	Peters
Blunt	Graham	Portman
Boozman	Grassley	Reed
Brown	Hassan	Risch
Burr	Hatch	Roberts
Cantwell	Heinrich	Rounds
Capito	Heitkamp	Rubio
Cardin	Heller	Sasse
Carper	Hoeven	Schatz
Casey	Inhofe	Scott
Cassidy	Johnson	Scott
Cochran	Kaine	Shelby
Collins	Kennedy	Shelby
Coons	King	Stabenow
Cornyn	Klobuchar	Strange
Cortez Masto	Lankford	Sullivan
Cotton	Leahy	Tester
Crapo	Lee	Thune
Cruz	Manchin	Tillis
Daines	McCain	Toomey
Donnelly	McConnell	Udall
Duckworth	Menendez	Van Hollen
Durbin	Moran	Warner
Enzi	Murkowski	Whitehouse
Ernst	Murphy	Wicker
Feinstein	Murray	Wyden
Fischer	Nelson	Young

NAYS—10

Booker	Markey	Schumer
Gillibrand	McCaskill	Warren
Harris	Merkley	
Hirono	Sanders	

NOT VOTING—4

Alexander	Corker
Barrasso	Isakson

The nomination was confirmed.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. GARDNER. Mr. President, I move to reconsider the vote, and I move to table the motion to reconsider.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, I voted to support Lieutenant General H.R. McMaster retaining the grade of lieutenant general while serving as the National Security Advisor to the President. To be clear, this vote was to permit Lieutenant General McMaster to remain in the grade of lieutenant general while serving in this position. It is not to confirm him as the National Security Advisor.

Lieutenant General McMaster was appointed by the President to a position that does not require Senate confirmation. Indeed, he is already serving as National Security Advisor. The only remaining question is whether he will serve in the military grade of lieutenant general on Active Duty.

The position of National Security Advisor is one of the most important in our government. Not only does it require someone capable of providing timely and thoughtful counsel on national security matters, it entails coordinating advice and action across multiple executive agencies with responsibilities in the national security arena. Further, it necessitates a large measure of independence and knowledge.

This is not the first time we have considered an Active-Duty military officer for this position. Lieutenant General McMaster would be the third such officer to so serve, following Admiral John Poindexter under President Reagan and General Colin Powell under President George Herbert Walker Bush.

Many of my colleagues are rightly concerned about this and question whether it would be more appropriate for him to retire and serve in a civilian capacity. While I strongly believe it would be better for Lieutenant General McMaster to retire and avoid all perceptions of politicizing the military, he believes that serving in uniform will help him remain apolitical in service to this Administration. He can expect Congress to hold him to his word that wearing the uniform in this position will serve to keep the military above the political fray.

Some Members have expressed concern about the proper functioning of our national security apparatus and clear chains of command with respect to military advice provided to the President under this arrangement. While Lieutenant General McMaster would be the National Security Advisor to the President, providing day-to-day advice and counsel on all national security matters, General Joseph Dunford, as the Chairman of the Joint Chiefs of Staff, would continue to be the "principal military advisor" to the President, while Secretary Mattis is the "principal assistant to the President in all matters related to the Department of Defense."

As Senator Sam Nunn described the issue with respect to the nomination of then-Lieutenant General Powell, in Senator Nunn's words, "A military officer who knows that his next promotion depends on the Secretary of Defense and the top generals and admirals in the Pentagon may simply not, over a period of time, be able to make completely objective decisions based on the fact that his promotion, his pay, and his future depend on one department, and that one department is an active player in the government."

This question centers on Lieutenant General McMaster's ability to retain the necessary measure of independence as he discharges his duties to the President. I ultimately believe, after careful consideration, that Lieutenant General McMaster will be able to balance these roles and provide advice and direction

designed to further the Nation's interests and not simply those of the Department of Defense or indeed, to advance his own ambitions.

It is also my hope that Lieutenant General McMaster will be a moderating influence on a White House that desperately needs talented, informed, and professional advisers. This Administration has proposed a reorganization of the National Security Council structure that excludes the Chairman of Joint Chiefs of Staff and the Director of National Intelligence from meetings unless specifically invited. Lieutenant General McMaster assured the Committee that General Dunford and the DNI will be invited to attend any meeting of the Principals Committee of the National Security Council, and I appreciated that assurance.

The Trump Administration reorganization also added the President's chief strategist, Steve Bannon, to the National Security Council. This politicization of the NSC is unsound, and I think without merit. The law creating the National Security Council is purposeful in trying to create a managerial and policy process that develops the best national security policy for our Nation. The idea that a partisan political operative like Mr. Bannon should serve on the National Security Council runs counter to longstanding practice, and must, in my view, be reversed.

It is my hope that Lieutenant General McMaster has the vast experience and knowledge and the requisite temperament and independence to provide the national security expertise that is sorely needed in the White House.

Moreover, Lieutenant General McMaster must have the support and the backing of the President so it is clear that he runs the National Security Council on the President's behalf. That support is not yet apparent. According to Politico just a few days ago, the President overruled Lieutenant General McMaster's advice and chose to listen to Mr. Bannon and the President's son-in-law, Mr. Kushner, in regard to the retention of a key intelligence analyst who had been brought in by Major General Flynn. This is a worrisome sign that Lieutenant General McMaster might have a title and responsibilities but not the authority he needs. I indeed hope he has that authority and exercises it wisely.

I would also like to note that there have been reports about decisions Lieutenant General McMaster made as Commanding General at Fort Benning in allowing lieutenants under his command to attend schools while being investigated for allegations of sexual misconduct. I want to assure my colleagues that the Committee held a closed and classified executive session with Lieutenant General McMaster present to answer all our questions. The Committee thoroughly considered

the facts and voted to confirm his third star by a strong bipartisan vote.

We are again taking a rather extraordinary step in voting on an Active-Duty military officer to serve as National Security Advisor for the first time in 25 years, but these are extraordinary times. Our Nation faces complex national security challenges, and 3 months into a new administration, we are on a second National Security Advisor already. We see a disorganized National Security Council and an enormous number of vacancies in the State and Defense Departments.

Lieutenant General McMaster has the opportunity to bring order to the chaos. Therefore, I believe the Senate should confirm his grade of Lieutenant General while he serves as National Security Advisor.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CARDIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRUMPCARE

Mr. CARDIN. Mr. President, I take this time to talk about the Republican American Health Care Act that was released, I guess, about a week or two ago, affectionately known as TrumpCare. I start by saying, what is this legislation trying to achieve? When I listen to the Republicans talk about why they have introduced this bill, what their concern is with the Affordable Care Act, they usually mention their No. 1 concern is to deal with the increased premium costs that Americans have had under the Affordable Care Act. They normally will point to the individual marketplace, where we have seen increases in premium costs as the market has adjusted to the ratings of those who entered the individual marketplace.

So it was very interesting, as I took a look at the Congressional Budget Office analysis of what the Republican TrumpCare bill would do. The Congressional Budget Office, let me remind my colleagues, is the objective scorekeeper. The leader of the Congressional Budget Office was appointed by the Republican leadership. It is the professional career people who make their best judgment of the impact of legislation that we are considering.

Remember, the Republicans have said their principal objective is to bring down the cost, particularly for those entering the individual marketplace, but according to the Congressional Budget Office, in 2018–19, the average rate in the individual marketplace will increase by 15 to 20 percent.

Let me say that again. The Congressional Budget Office tells us the premium increases under TrumpCare will increase for the individual 15 to 20 percent.

Now, that could be a lot higher. That is the average. So let me give you the number. If you happen to be 64 years of age, with an income of \$26,500, under the Affordable Care Act, you would pay \$1,700 in premiums. Under TrumpCare, you would pay \$14,600, or a 750-percent increase. That would equal to about 55 percent of your income in the health insurance premiums. Obviously, that is not affordable. A person of that age and income would have no ability to purchase insurance at an affordable rate under the American Health Care Act or TrumpCare.

Let me take a look at some other reasons why we may be looking at this repeal-and-replacement bill. I listened to the President. I listened to my colleagues, and they say, first, they want to make sure they do no harm, that everyone will be at least as well off as they are today, and that there would be more choice to the consumers in buying health insurance.

Once again, I point to the Congressional Budget Office, the objective scorekeepers. What would happen if TrumpCare were enacted? What would happen as far as individuals who currently have health insurance today? According to the Congressional Budget Office, next year, 2018, there would be 14 million less people insured than there are under the Affordable Care Act. If you project that out to 2026, they indicate there would be 24 million more people who would lose their insurance.

Let me quote from The Baltimore Sun in this morning's editorial, where they pointed out that number: Twenty-four million would equal all the residents of Utah, Mississippi, Arkansas, Nevada, Kansas, Nebraska, West Virginia, Idaho, Montana, North Dakota, South Dakota, Alaska, Wyoming combined would have no insurance coverage. That is what 24 million represent in America. Clearly, this bill is not carrying out the commitment to do no harm because 24 million more Americans will certainly be in worse shape.

Then I heard the President talk about the fact that he wants to do no harm to the Medicare Program or the Medicaid Program. I took a look again at what this bill does in regard to Medicare because the bill repeals the tax on high income; that is, there is currently in law a tax for unearned income above \$250,000, a tax that goes into the Medicare trust fund, Part A. The TrumpCare repeals that tax. Therefore, the Medicare trust fund doesn't get the income. That would reduce the solvency of the Medicare trust fund by 3 years, jeopardizing the Medicare system. Clearly, if this bill was aimed at not hurting Medicare, it hasn't achieved that purpose.

Let's talk a little about Medicaid. What does this bill do to Medicaid? According to the Congressional Budget Office, it shifts hundreds of billions of dollars from the Federal Government to our States. Our States clearly cannot handle that. I have heard from my Governor. I am sure my colleagues heard from our other Governors. There is no possibility that they could pick up that. The Medicaid Program will be in very serious jeopardy of being able to continue anything like it is today. For Maryland—the State I have the honor of representing—the passage of TrumpCare would jeopardize the over 289,000 Marylanders who have received insurance coverage as a result of Medicaid expansion under the Affordable Care Act. They very well would lose their coverage.

What does that mean? Well, they better stay well because they are not going to get preventive healthcare covered by insurance. They are less likely to get their preventive healthcare services and the screenings, and, yes, they will return once again to use the emergency room of hospitals as their last resort in order to get their family's healthcare needs met—the most expensive way to get healthcare in our Nation.

With the elimination of essential health benefits for Medicaid expansion enrollees, what does that mean? That means the Medicaid population—which in Maryland is hundreds of thousands of people—would lose their essential health benefits, which includes mental health and addiction services.

We are in the midst of an opioid drug addiction epidemic in America. I have traveled my entire State and have had roundtables with law enforcement and health officials, and they tell me about the growing number of addictions in their community. One of the things they need to do is to be able to get people care and treatment, and we are saying we are going to cut off treatment for millions of Americans. That is what TrumpCare would do, cutting off those benefits.

This bill would shift costs. What do I mean by that? Well, it adds costs to the healthcare system. If an individual stays healthy and uses our healthcare system the way they should, it is a lot less costly than entering our healthcare system in a more acute fashion or using our emergency rooms rather than using healthcare providers who are a lot less expensive and more efficient.

So we are going to add to the cost of our healthcare system because of inefficiencies. Many times that extra cost is not paid for by those who have no health insurance; the fact is, it becomes part of what we call uncompensated care. We had that before the Affordable Care Act. With the increase in uncompensated care, all of us who have insurance will pay more because we are

going to pay for the people who don't have health insurance, who use the healthcare system and don't pay for the healthcare system. That is a formula for extra costs for all of us.

This legislation would be an attack on women's healthcare. It would attack and eliminate not only the funding for Planned Parenthood, which is critically important in many parts of our country where they are the only healthcare provider for women's healthcare needs, but also eliminate essential health benefits for Medicaid expansion enrollees, which include maternal health. Those guarantees that exist today would no longer be there. With the pressure on the States, it is unlikely that they would be able to maintain the same degree of coverage for our women. Women are more likely to be vulnerable and on Medicaid.

It is an attack on our elderly. I have already talked about Medicare solvency, reducing Medicare solvency by 3 years, but there are more attacks than that. Over half—I think it is 60 to 65 percent of the cost of Medicaid goes to senior care, long-term care or to care for individuals with disabilities. Most families in America get their costs covered for long-term care through Medicaid. The States are not going to be able to maintain the same level of coverage with the loss of hundreds of billions of dollars of Federal funds. Our seniors and individuals with disabilities will be in jeopardy of losing a lot of their long-term care coverage.

The legislation, TrumpCare, increases the loss ratios for older people from 3 to 1 to 5 to 1. That increases the cost dramatically for older Americans. That is one of the reasons the AARP opposes the legislation. Let me quote them:

This bill would weaken Medicare's fiscal sustainability, dramatically increase healthcare costs for Americans age 50 to 64, and put at risk the healthcare of millions of children and adults with disabilities and poor seniors who depend on the Medicaid program for long-term care services and support and other benefits.

That is AARP. I already talked about the Congressional Budget Office being a neutral observer. The AARP, of course, is interested in what impact it has on our elderly population. They very clearly say that they are being put at risk.

Let me also talk about affordability. When you have a person who can no longer afford coverage—I already mentioned that person 64 years of age who would have to pay 55 percent of their income in order to get health coverage. That person can't afford coverage. Let's say that person is relatively healthy, so they go without insurance. Well, they need insurance. Maybe someone is young and decides not to get health coverage; they will get it when they need it. There is a 30-percent surtax if you don't keep insurance. That is going to keep people out

of the health insurance marketplace who desperately need healthcare.

Once again I am going to quote from the Sun paper. The Baltimore Sun really summed it up fairly well, particularly with their attack on the Congressional Budget Office. I think that is a very unfair attack. We all obviously take issue at times with the estimates of the Congressional Budget Office, but it is the objective scorekeeper. It has the most accurate assessments we get on legislation we consider here. That is why we created the Congressional Budget Office—to give us that advice.

The Sun paper, in their editorial this morning, said:

Small wonder that President Donald Trump and certain Republican leaders were busy bad-mouthing the CBO even before its report came out. The last thing they needed is the nonpartisan number crunchers to offer an informed view instead of the usual political caterwauling about the "failings" of the Affordable Care Act. And this is particularly rich: Republicans say the CBO blew ObamaCare estimates years ago when it was circumstances well beyond the CBO's control that caused analysts to incorrectly predict ObamaCare enrollment. Should analysts have expected the Supreme Court to deem the Medicaid expansion optional and GOP-controlled States to refuse to accept it? Were they mistaken to assume Congress could actually follow the law and fund programs to stabilize state insurance exchanges?

Might the CBO be off-target again? Absolutely. But it's at least as likely that the office is low-balling the most damaging effects of TrumpCare as it is potentially overstating the harm. The Congressional Budget Office is as close to an umpire as exists in Washington. It has certainly been a lot more on target than the Trump administration, which has consistently misled Americans on almost everything from the definition of "wiretapping" to the claims of "millions of illegal voters" casting ballots in the last election. Even those overstated ObamaCare enrollment estimates were closer to being on the nose than those produced by the CBO's fellow forecasters at the Centers for Medicare and Medicaid Services and RAND Corporation.

Once again, Mr. Trump and his minions have been caught making up facts. The President promised the ObamaCare replacement would provide insurance for everyone and it would be less expensive. Nobody can make that claim about TrumpCare. As the CBO points out, premiums will rise 15-20 percent overall for the first two years, and more for older Americans.

The American public expects us to work together to improve our healthcare system. Instead of repealing and replacing the Affordable Care Act with this legislation that will put us in much worse shape, we should be looking at how we can build on the progress we have made under the Affordable Care Act.

Yes, we can bring down costs. Let's bring down costs by taking on the cost of prescription drugs. We know that Americans overpay on prescription drugs. There is bipartisan support in the Senate to pass legislation using America's buying power to help our consumers pay less for prescription costs.

Yes, we should have more competition with insurance carriers. Why not have a public option and see how well the private companies can compete with a public option?

Yes, we can improve the way we deliver care and make it more cost-effective. We, in a bipartisan manner, went down that path in the last Congress under the Comprehensive Recovery and Addiction Act and the 21st Century Cures Act, where we looked at ways that we can collaborate on care for addiction services and mental health so people can get the care they need in the setting they need, whether it is an emergency room or a primary care physician's office.

We have made progress making our healthcare system more cost-effective and efficient. That is what we should be doing—building on the Affordable Care Act rather than taking away critically important benefits. The Republican plan moves us in the wrong direction, and it should be rejected.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. FLAKE). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCAIN. Mr. President, I ask unanimous consent that I be allowed to speak as in morning business for as long as I want.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Arizona is recognized.

MONTENEGRO'S ACCESSION INTO NATO

Mr. MCCAIN. Mr. President, I am pleased to be in the company of the distinguished Senator from Maryland, Mr. CARDIN, the ranking member on the Foreign Relations Committee and one who is most knowledgeable on issues of national security and foreign policy. I believe that Senator SHAHEEN from New Hampshire will be joining us.

This is an issue that I am sorry has to be brought up in this fashion. It concerns a little country that wants to be a part of the European Union, that wants to be a part of the values, customs, and ideals of the West and has been under significant pressure and even assault from Russia.

In fact, although it wasn't as recognized as it should have been at the time, Russia has sought to keep Montenegro from becoming a NATO member, launching an anti-NATO campaign that has been both brazen and unscrupulous. Russia has exerted outsized influence to stop Montenegro's membership, calling further NATO enlargement a "provocation." Russia went so

far as to plot a coup d'etat in which they planned to assassinate the Montenegrin Prime Minister and seize control of government buildings in the capital. I repeat: The Russians tried a coup in Montenegro. They wanted to kill the Prime Minister and overthrow the government in order to keep Montenegro from becoming a part of NATO.

If we send this clear message to Russia that it won't have veto power over NATO enlargement decisions—and, frankly, I am puzzled that there is any objection to this, considering the fact that Montenegro has spent the last 7 years preparing for NATO eligibility. This has strengthened the country's defense and intelligence forces and transformed the country into a strong Western ally.

It is a small country and a beautiful country, but it is an important Balkan nation. Its membership in NATO would improve the stability in the region, where, I know my colleagues would agree, there is great instability.

Stopping Montenegro's NATO candidacy would represent a significant shift in U.S. policy and signify an acquiescence to Moscow's growing influence in the Balkans, producing a ripple effect throughout the region that would have profound ramifications on our shared security interests.

The United States has benefited tremendously from peace and stability in Europe, and the foundation of that peace and stability is NATO. That is why we should stand with Montenegro or risk undermining our vision of a Europe that is whole, free, and at peace.

I see my two colleagues here, Senator CARDIN and Senator SHAHEEN. So I will conclude by saying this. This is a small country. This is a small country that has been the scene of conflict for centuries. This is a small country with a freely elected democratic government. This is a small country whose population wants to be part of NATO. They want to be part of the West. If we keep turning this down after 25 of the 28 governments in NATO have voted in favor of Montenegro's accession to NATO, my friends, we would be sending a terrible, terrible message.

So in a few minutes, I will ask unanimous consent for us, as the U.S. Senate, to move forward with treaty consent.

First, I would like to yield to my colleague from Maryland, Senator CARDIN.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, first let me thank Senator MCCAIN for his strong leadership on this issue and so many issues that deal with U.S. national security.

Montenegro is a small country, but the principle that no non-NATO country can veto accession into NATO is very much a major national security issue for the United States. Make no mistake about it. Russia is trying to

interfere with Montenegro's accession into NATO.

I am also pleased to hear from Senator SHAHEEN, who has been one of the great leaders in the Senate on our European transatlantic relations, and I know how strongly she feels.

I just want to underscore points that Senator MCCAIN made. I am the ranking Democrat on the Senate Foreign Relations Committee, and the Senate Foreign Relations Committee did approve unanimously by voice vote the accession of Montenegro into NATO. The Presiding Officer was part of that discussion, and I thank him for his help in moving this issue forward.

This is not a controversial issue among the Members of the Senate or the Congress. This is something that should have been done by now.

As Senator MCCAIN has pointed out, 25 of the 28 nations have already ratified Montenegro's accession into NATO. It requires all 28. Another two are working actively on confirmation, and the last is the United States. We should be first, not the last. We should get this done. It should have been done before now.

The point that Senator MCCAIN made I have to underscore because we know about Russia's engagement here in the United States in our election. Well, let me tell you something. As to what Montenegro experienced during their parliamentary elections, where Russia put money into that country and tried to do violence in order to prevent their Parliament from ratifying the accession into NATO, we have to stand up against that type of bullying by Russia, that interference by Russia.

As we are here today debating, Montenegro has been subject to a wave of anti-NATO and anti-Western propaganda emanating from Russia. There are also allegations that a recent coup planned had Russian ties.

Blocking Montenegro's ability to join NATO will have real implications for how NATO is perceived. Once again, Russia does not have a veto on our enlargement of NATO. It is in the United States' national security interests that we ratify Montenegro's accession into NATO as soon as possible. I hope we can do it yet today.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I am happy to join my colleagues, Senator MCCAIN and Senator CARDIN, in urging the Senate to approve Montenegro's accession into NATO. It is long overdue, as they have both said. This is something that has been approved by the Foreign Relations Committee not once but twice—last year in the last Congress and again in January of this year. We have heard expert testimony from a whole bipartisan group of diplomats, national security experts, and former administration officials, urging quick

action on Montenegro's accession. There is no reason for any further delay.

My colleagues here who have been such great leaders on the importance of responding to Russia's actions, of addressing their interference in our elections here in America, but also of addressing what they are doing in Europe, have said it very eloquently. We need to get this done; and 25 of the 28 member states have already ratified the protocol, according to their own procedures. The Senate must act.

One of the priorities of the NATO summit last year in Warsaw was bolstering NATO's resilience and its capacity to deter Russian aggression against NATO's eastern flank. At that summit, NATO invited Montenegro to become its 29th member.

As Senators MCCAIN and CARDIN have already said, Russia is opposed to Montenegro's accession into NATO. It has warned Montenegro of retaliation if it pursues NATO membership. Furthermore, we have seen what that retaliation looked like.

During Montenegro's general election last October, 20 people were arrested on suspicion of plotting, with support from Russia, to overthrow the government and assassinate the Prime Minister—all because he has supported NATO accession.

When we were in Munich for the security conference a couple of weeks ago, Senator MCCAIN and I and the congressional delegation that was there heard from Montenegrin Prime Minister Djukanovic, who talked about what he experienced from the Russians and about the Russian effort to overthrow his government, a duly elected democracy.

Just last month, their chief special prosecutor announced that his government had evidence that Russia's Federal Security Service was involved in a failed coup.

Mr. President, I have two news articles about this story that I ask unanimous consent be printed in the RECORD so that everybody understands that it is very clear what is going on.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From CNN, Feb. 21, 2017]

MONTENEGRO: RUSSIA INVOLVED IN ATTEMPTED COUP

(By Milena Veselinovic and Darran Simon)

Montenegro's chief special prosecutor has told a local TV station authorities believe Russian security services were involved in a plot to kill the country's then-prime minister and overthrow the government last October.

Milivoje Katnic said Montenegro officials have evidence that Russia's Federal Security Service was involved in the failed coup, according to his statements Sunday on Atlas TV. The allegation drew an immediate rebuke and denial from Russian officials.

Katnic said the plot was an attempt to stop Montenegro from joining the North At-

lantic Treaty Organization, or NATO. "Behind these events are nationalist structures from Russia, but we now know that certain Russian state authorities were involved also on a certain level," Katnic said.

Katnic said the alleged mastermind behind the failed coup was a man named Eduard Sismakov, who is a former deputy Russian military attaché in Poland. Sismakov was deported to Russia for espionage in 2014, according to the prosecutor.

According to Katnic, Sismakov is also known as Eduard Shirokov, and was issued a passport with the different name by Russian authorities.

"The passport was given to him by certain Russian state bodies under another name, and he is a member of the Russian military structures," Katnic said. "And his name is Eduard Sismakov, that is his personal identity and we will charge him under that personal identity."

Katnic added: "It is clear that the passport could not have been issued under another name as well as everything else—sending to Serbia, organizing everything—without the involvement of certain structures."

The Interpol Red Notice says Sismakov—listed under the name Eduard Shirokov—prepared acts against the constitutional order and security of Montenegro. The Interpol Red Notice is an international database of suspects that is shared with other law enforcement agencies. Sismakov's country of birth is listed as Russia.

Katnic said another alleged plotter is Vladimir Popov. Popov, who is of Russian origin, is also wanted by Interpol for the same acts, according to the Interpol Red Notice.

Katnic said another alleged plotter, Nemanja Ristic, was involved in the coup attempt, and Ristic has said he was connected to Russia's Federal Security Service. His task was to recruit a team to send to Montenegro to execute the coup, Katnic said. Ristic is wanted by Montenegro for attempted terrorism, according to Interpol's Red Notice.

The Kremlin's spokesman, Dmitry Peskov, on Monday dismissed Katnic's accusations.

"Day after day, we are faced with absurd accusations about Russia. Day after day we deny these accusations. We say absolutely that there cannot be talk about the official involvement of Moscow in the internal events in Montenegro. Russia does not get involved and will not get involved especially in such countries as Montenegro with which we have a very good relationship," Peskov said during a conference call with journalists.

Montenegro is in accession talks to join the alliance after NATO formally invited the southeastern European country in December 2015. The move spurred threats from Russian officials, who are at odds with NATO over a multitude of issues, including Turkey's downing of a Russian warplane in December 2015.

At the time, Russian President Vladimir Putin called the incident "an enemy act."

Becoming an official member of NATO would be significant for Montenegro because, under the alliance's charter, any attack on Montenegro would be seen as an attack on all NATO members.

The ratification process for Montenegro to join NATO is in its final stages, according to NATO.

[From the Guardian, Nov. 11, 2016]

SERBIA DEPORTS RUSSIANS SUSPECTED OF PLOTTING MONTENEGRO COUP

Serbia has deported a group of Russians suspected of involvement in a coup plot in

neighbouring Montenegro, the Guardian has learned, in the latest twist in a murky sequence of events that apparently threatened the lives of two European prime ministers.

The plotters were allegedly going to dress in police uniforms to storm the Montenegrin parliament in Podgorica, shoot the prime minister, Milo Djukanovic, and install a pro-Moscow party.

The Russian fingerprints on the October plot have heightened intrigue about Moscow's ambitions in a part of Europe hitherto thought to be gravitating towards the EU's orbit.

A group of 20 Serbians and Montenegrins, some of whom had fought with Moscow-backed separatists in eastern Ukraine, were arrested in Podgorica, the Montenegrin capital. In Serbia, meanwhile, several Russian nationals suspected of coordinating the plot were caught with €120,000 and special forces uniforms.

According to a Belgrade daily, the Russians also had encryption equipment and were able to keep track of Djukanovic's whereabouts.

Diplomatic sources told the Guardian the Belgrade government quietly deported the Russians after the intervention of the head of the Russian security council, Nikolai Patrushev, who flew to Belgrade on 26 October in an apparent effort to contain the scandal. The country's interior minister Nebojsa Stefanovic denied the government carried out any deportations connected to the plot.

A source close to the Belgrade government said Patrushev, a former FSB (federal security service) chief, apologised for what he characterised as a rogue operation that did not have the Kremlin's sanction. In Moscow, a Security Council official told Tass that Patrushev "didn't apologise to anyone, because there is nothing to apologise for".

The Serbian government was further rattled three days after Patrushev's visit when a cache of arms was found near the home of the prime minister, Aleksandar Vucic. The weapons were discovered at a junction where Vucic's car would normally slow down on his way to the house.

Stefanovic said there were "strong suspicions" that an organised crime gang had been hired to kill Vucic for €10m, but he would not specify who was behind the alleged plot, saying further investigation would show whether people "outside the region" were involved.

"You know the people who don't like a strong Vucic or a strong government of Serbia and who could contribute some money, €10m or so, to see this kind of thing done," Stefanovic told the Guardian.

"We know that the people who were potentially hired to do this kind of thing were from the region, but not from Serbia, and that there were crime groups that are operating in the region that were involved. But these were just the trigger persons," the minister added.

"We believe that criminal gangs are just being used to do the job, but the motives are not linked to the gangs. The assassination of the prime minister is not something that even they would do lightly, we believe they are being used."

Since the discovery of the weapons, Vucic has announced plans to shake up the intelligence service, saying the security situation was "even more serious than we expected."

"There will be changes in the secret service," he told the public broadcaster, RTS. "I believed in the skills of people who didn't show that they have these capacities, but I'll take responsibility for this."

It is unclear whether there is a connection between the alleged assassination plots against Vučić and Djukanović. But the intrigue of the past month comes against a backdrop of fierce east-west competition.

Djukanović has been instrumental in pulling his country to the verge of NATO membership—an accession protocol was signed in May—which has dashed Russian hopes of securing a naval foothold on the Adriatic. According to the Montenegrin press, Moscow lobbied hard in recent years for transit and maintenance facilities at the ports of Bar and Kotor.

The importance of such facilities was demonstrated late last month when a Russian carrier and its battle group was denied refueling in European ports along the way to support the Russian military effort in Syria.

In Serbia, Vučić has been seeking a delicate balance between NATO and Russia, and the country's armed forces have conducted military exercises with both, although far more frequently in recent years with NATO. Vučić has also refused to grant diplomatic status to Russian officials staffing a Serbian-Russian humanitarian center established in the city of Niš in 2012, infuriating Moscow.

Western officials suspect the center of being a Trojan horse, which could expanded as a hub for intelligence and paramilitary operations in the region. Diplomatic status, they point out, would have allowed equipment to be brought in without oversight by Serbian customs.

Some analysts have suggested the operation could have been mounted as a “semi-freelance” one, giving enough distance from Moscow to be plausibly deniable if was uncovered.

“Both sides have an interest in playing this as a freelance, vigilante-type thing, it allows them both to save face. Whether that's actually true is unclear. There's simply not enough evidence either to support or disprove it,” said Vladimir Frolov, a Moscow-based analyst.

“Judging from the amount of logistical and financial support they got, it looks likely they acted with at least a tacit understanding that this was sanctioned.”

A few days after the would-be coup, a former intelligence officer, Leonid Reshetnikov, who ran a hawkish research institute in Moscow, was relieved of his duties by Putin. The Russian Institute for Strategic Studies has a branch office in Belgrade, and Reshetnikov had given strong backing to the anti-Nato opposition party in Montenegro.

A regional analyst who did not want to be named said his understanding from intelligence sources was that the incidents in the Balkans were probably linked to Russian attempts to gain influence and leverage in the Balkans in the run-up to an anticipated Hillary Clinton US presidency, which was expected to take a harder line on Russian activity in the region.

In Moscow, the Russian foreign ministry took a dim view of this Guardian report on the Balkan events. Maria Zakharova, spokeswoman for the Russian foreign ministry wrote: “The publication in the Guardian with a link to ‘sources’ saying that Patrushev apologised for ‘Russian nationalists’ who had planned to kill the prime minister of Montenegro is a classic provocation aimed at spreading knowingly false information.”

Mrs. SHAHEEN. The best thing we can do in the United States in the Senate is to approve Montenegro's accession because that sends a very clear

message to Russia that we are not going to put up with that kind of interference.

What I don't understand is why anybody in this body wants to prevent us from approving this accession. Are they supporting Russia in their activities? Are they opposed to NATO? What is the deal here? They need to come forward and tell us what their objections are. Why aren't they letting this go through? Why are they willing to stand up for Russia and not for Montenegro and not for Europe and not for the United States?

Those are the questions that I have, and I want whoever objects to come to the floor and tell us why they are objecting, because Montenegro and our NATO partners deserve at least that much.

It is now time to stand up strong for Montenegro, for their right to self-determination, for their right to join NATO, for the West and for NATO. I hope that we are going to be able to get this through this afternoon.

I will defer to my colleague from Arizona to make the unanimous consent request.

Mr. MCCAIN. Mr. President, I want to thank the Senator from New Hampshire and the Senator from Maryland. This issue probably doesn't matter a lot to many of our voters. It probably is not something that is uppermost in their minds. But because of your hard work here in the Senate and your in-depth knowledge of the issues and challenges that face this country, in what is arguably the most uncertain and turbulent time in the last 70 years, you have taken the time and the effort to learn about this small country, this small beautiful country whose only wish, whose only desire is to be a part of our community of NATO so that they can come under the umbrella of protection and move forward with a thriving democracy in a very volatile part of Europe.

I want to especially thank Senator SHAHEEN and Senator CARDIN for their advocacy, affection, and appreciation of the citizens of the small country who are only seeking what we sometimes take so much for granted. So I especially want to thank them.

I also want to thank the chairman of the Foreign Relations Committee, Senator CORKER, who also was very involved in getting this through.

So, Mr. President, if there is objection—and I note that the Senator from Kentucky is on the floor, and I will say before I read this, if there is objection, you are achieving the objectives of Vladimir Putin. You are achieving the objectives of trying to dismember this small country that has already been the subject of an attempted coup.

I have no idea why anyone would object to this, except that I will say, if they object, they are now carrying out the desires and ambitions of Vladimir Putin, and I do not say that lightly.

UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR

So, Mr. President, I ask unanimous consent that at a time to be determined by the majority leader, in consultation with the Democratic leader, the Senate proceed to executive session to consider Calendar No. 1, Montenegro, Treaty Document No. 114-12; that the treaty be considered as having advanced through the various parliamentary stages up to and including the presentation of the resolution of ratification; that any committee declarations be agreed to as applicable; that there be no amendments in order to the treaty or the resolution of ratification; that there be 2 hours for debate, equally divided in the usual form; that upon the use or yielding back of time, the Senate proceed to vote on the resolution; that any statements be printed in the RECORD; that if the resolution of ratification is agreed to, the motion to reconsider be considered made and laid upon the table; that the President be immediately notified of the Senate's action; that if the resolution is not agreed to, the treaty be returned to the calendar, and that there be no motions or points of order in order other than a motion to reconsider; and the Senate then resume legislative session.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. PAUL. I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Arizona.

Mr. MCCAIN. Mr. President, I note the Senator from Kentucky is leaving the floor without justification or any rationale for the action he has just taken. It is really remarkable that a Senator is blocking a treaty that is supported by an overwhelming number—perhaps 98, at least, of his colleagues. To come to the floor and object and walk away—walk away—the only conclusion that can be drawn when he walks away is that he has no argument to be made. He has no justification for his objection to having a small nation that is under assault from the Russians be part of NATO.

So I repeat again: The Senator from Kentucky is now working for Vladimir Putin.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I just have to follow up on Senator MCCAIN's comments. How disappointing it is that we saw the Senator from Kentucky come to the floor to object to something that is clearly in the national security interests of this country—to support Montenegro's accession to NATO. It is in Europe's interest, in Montenegro's interest, and it is in America's interest.

I have to agree with Senator MCCAIN. He is working in support of Russia's interests in America or he is holding this

hostage for something that is totally unrelated to what we are doing with Montenegro's accession into NATO. In either case, it is totally inappropriate.

When are people in the Senate going to stop holding hostage things that are totally unrelated to the work on the floor of the Senate and start acting like adults and doing what we ought to be doing in this body? It is so hard to understand why somebody is here doing that, and, you know, I am disappointed that he is not willing to come to the floor and say why he is holding this up. If he has a good reason, he should be here talking about that reason, and let's see if we can find a compromise. But if he is not willing to come to the floor and talk about it, what does that mean? What does that mean for the future of this kind of treaty? And what is Montenegro's right to self-determination and our national security interests? It is just unfathomable.

So I am going—I think we should all keep coming to the floor on a regular basis, and I am hopeful that if we do that, we will eventually be able to find out what Senator PAUL's objection is and address that because we can't let this stay in limbo in perpetuity.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, I want to underscore one point here because people watching this may not understand the specific request that Senator MCCAIN made.

What Senator MCCAIN asked is that this resolution be brought to the floor of the U.S. Senate with debate and vote. Every Member can voice their views and then vote up or down. Senator MCCAIN is absolutely right: On a vote there are going to be 97, 98, maybe even more Senators voting in favor of this resolution. I hope it is 100 at the end of the day. But we have one Senator objecting to the consideration.

We have to have some democratic principles here. This is a national security issue. I think we should underscore the point of what Senator MCCAIN was requesting. He didn't ask unanimous consent that it be passed; it is unanimous consent that we have a chance to vote on it.

Each of us could have cast our vote and expressed our views. We are not denying any Senator the right to be heard on this issue or to cast their vote on this issue. It is disappointing that one Senator is holding this issue up, and it is affecting our national security.

I yield the floor.

Mr. MCCAIN. Mr. President, I thank my colleagues, and I know I speak for 90-some U.S. Senators with a message to the brave people of Montenegro who are upholding democracy, who have fought against a coup that would have overthrown their government, who cherish freedom, who cherish the alli-

ance that it has held so long for so many years.

We will not stop until we ratify your entrance into the North Atlantic Treaty Organization. I pledge to the people of Montenegro that Senator SHAHEEN, Senator CARDIN, and I, and many other Senators, will not stop until this resolution is passed and we can strengthen not only Montenegro the nation and NATO, but the region.

Mr. President, I yield the floor.

Mr. CARDIN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. HASSAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBSTANCE MISUSE CRISIS

Ms. HASSAN. Mr. President, I rise to deliver my first official speech on the Senate floor. I begin by saying how deeply grateful I am to the people of New Hampshire for the great trust they have bestowed upon me.

I come from a State that combines rugged individualism with a strong sense of community. It is what I often call our "all hands on deck" approach, where we come together, we pitch in, and we help our friends and neighbors when they need it.

Right now, we see this approach each and every day with those on the front lines of our State's devastating substance misuse crisis. Law enforcement officials, medical professionals, and citizens in every corner of our State work together to try to turn the tide of this deadly epidemic. The heroin, opioid, and fentanyl crisis is the most pressing public health and safety challenge facing New Hampshire. This epidemic takes a massive toll on our communities, our workforce, and our economy, and I know it is ravaging other States all across our Nation too.

This crisis does not discriminate. It affects people in every community and from all walks of life. In 2016 alone, roughly 500 people in New Hampshire lost their lives as a result of this epidemic, and the spread of synthetic drugs, like fentanyl, is increasing dramatically the number of lives lost and is killing people faster with smaller amounts of drugs. Last year, more than 70 percent of confirmed New Hampshire drug deaths involved fentanyl. Lives are at stake, so every Member of this body must come together and put partisan politics aside to get results for our people.

The people of my State have a long tradition of sharing their stories and making their priorities known to the elected officials who represent them, and everywhere I go, I hear stories

from those who have been affected by this crisis. I hear inspiring stories from those in recovery who are working to put their lives back together, and I hear tragic stories from siblings, parents, and friends who know the pain of having a loved one taken from them far too soon. All of these stories are critical in breaking down the stigma of addiction and pushing for solutions. Instead of simply writing in an obituary that a loved one died suddenly, more and more families, including the families of one of my son's high school classmates, are speaking out and telling the painful stories of addiction and loss.

Last year, at our annual Easter egg hunt that I hosted as Governor, I was approached by a woman on our statehouse lawn who was carrying a baby. After I took a picture and I admired the baby, she pulled me aside and said the little boy she was holding was not her son but her grandson and that his mother had died from an overdose 1 month earlier. She was there on the day before Easter, as we celebrated our spring ritual of renewal and hope, and shared that pain with me so we could move forward to help others in her situation.

Just this week, on Monday, I met with a man named Phil, from Laconia, who is now in recovery. Phil said that over a year and a half ago, he had lost his home and nearly everything because of his substance use disorder. Now, thanks, in part, to the fact that he was able to gain coverage through the Affordable Care Act's Medicaid expansion, Phil is substance-free. He has gone on to become a recovery coach, and he helped found a recovery center in Laconia, where he works to help others with the same challenges he had.

We can never thank those in recovery and the families who have lost loved ones enough for speaking out about this issue and for working tirelessly and courageously to try to prevent others from suffering as they have, but while thanking them is appropriate, it is not enough. The bravery of survivors and those in recovery needs to be marked by our constant vigilance and by urgent action.

I am grateful to the Senators who have been true leaders on this issue, especially my fellow Senator from New Hampshire, JEANNE SHAHEEN, who has fought tirelessly to secure funding to combat this crisis and help the people of our State. The passage of the Comprehensive Addiction and Recovery Act was an important step, as was the 21st Century Cures Act, which included some funding to fight the opioid epidemic. The Cures Act will not provide enough funding for our State, and I will continue fighting, alongside Senator SHAHEEN, to ensure that the Federal Government provides New Hampshire with the resources we need.

I am pleased there has been bipartisan support for combating this crisis in the Senate, but we must continue to work together at all levels of government and with those on the front lines to battle this crisis.

During my time as a member of the National Governors Association, I worked with my fellow Governors from both parties to push for steps, including passing emergency Federal funding to support States' efforts to combat this crisis, and at the State level in New Hampshire, we proved that we could come together to implement a comprehensive, "all hands on deck" strategy to support those on the front lines and help save lives.

During my time as Governor, we secured \$5 million in additional State funding for treatment, prevention, recovery, and housing programs. We worked together to provide law enforcement with additional resources through a program called Operation Granite Hammer. We expanded drug courts throughout New Hampshire, and we worked to crack down on fentanyl. In order to prevent the overprescribing of opioids, we took steps to improve provider training and update the rules for prescribers.

Critically, Republicans and Democrats put their differences aside and came together to pass and reauthorize the New Hampshire Health Protection Program, also known as Medicaid expansion. Passing and reauthorizing this program included healthy debate and, at times, heated argument. What matters is that after those debates, we were able to take this essential step forward to continue strengthening our families, our businesses, and our economy.

Medicaid expansion is providing quality, affordable health coverage to over 50,000 Granite Staters, including coverage for behavioral, health, and substance use disorder treatment. Thousands of people have received addiction treatment after gaining coverage through the Medicaid expansion program in New Hampshire. What is clear and what I hear from people in recovery centers all across my State is that lives are being changed and saved as a result of Medicaid expansion.

Take, for example, Ashley, of Dover, NH. I first met Ashley at the Farnum Center in Manchester, and I have been inspired by her story ever since. Ashley is living proof of the positive impact of Medicaid expansion.

Ashley had struggled for nearly a decade with heroin addiction, during which time she was arrested, her husband died from an overdose, and she lost the custody of her young child. Yet, as a result of her courage, perseverance, and the treatment she received for her substance use disorder under Medicaid expansion, Ashley's story is one of progress. She has been in recovery for over a year. She is em-

ployed, is working at Safe Harbor Recovery Center to help others who are struggling with addiction, and has moved to employer-sponsored insurance coverage.

It was an honor to have Ashley attend the President's joint address to Congress as my guest of honor, and I will continue to carry her story with me in these Chambers and beyond.

It is not just in New Hampshire. Republican Governors and some of my Republican colleagues in the Senate have made clear just how critical Medicaid expansion is to their States. As the Center on Budget and Policy Priorities has found, 2.8 million people with substance use disorders, including 220,000 with opioid disorders, have coverage under the Affordable Care Act. That is real and essential progress, but we know we have far more work to do. I am committed to working with Members of both parties in the Senate to continue building on these efforts.

What we cannot afford to do, however, is to allow a partisan agenda to pull us backward. I am extremely concerned about the effect that legislation introduced by House Republicans last week—also known as TrumpCare—would have on our efforts to combat substance misuse. Make no mistake, this legislation would end Medicaid expansion, which experts have said is the most important tool available to fight the substance misuse crisis. This plan also cuts and caps the traditional Medicaid Program, which means States will be forced to either raise taxes or cut eligibility and services.

As a former Governor, I know full well the impact the decisions in Washington can have on our communities. Repealing Medicaid expansion and capping traditional Medicaid would severely hurt the ability of those on the front lines to save lives and combat this deadly epidemic.

Substance use disorder treatment providers have been clear that if Medicaid expansion is repealed, they will have to significantly cut back on the help they can provide to those in need. To pull the rug out from millions of people across the country who are seeking a lifeline from the throes of addiction is unconscionable. We cannot let that happen.

In addition to making the substance misuse crisis worse, TrumpCare would affect countless others across New Hampshire and America, from individuals who buy their own insurance who would see their premiums skyrocket to older Americans who would now be forced to pay an age tax, to women and families who would be hurt by the provision that defunds Planned Parenthood.

We know there is more work to do to improve and build on the Affordable Care Act, but this TrumpCare bill is not the answer, and I am working with my colleagues to fight against this legislation.

Furthermore, I am working on additional legislation that would help combat this substance misuse crisis. I joined Senator PORTMAN in introducing the STOP Act, bipartisan legislation that would help stop dangerous synthetic drugs like fentanyl and carfentanyl from being shipped through our borders to drug traffickers here in the United States. These synthetic drugs are only making this crisis more dangerous, causing a spike in deaths in New Hampshire and across the Nation. We must do everything possible to stop them from entering our country.

I joined a bipartisan group of colleagues, led by Senator KLOBUCHAR, to introduce the SALTS Act, which would empower law enforcement to crack down on synthetic substances and better prosecute drug traffickers.

I also joined Senators MANCHIN, SHAHEEN, and several of our colleagues to reintroduce the LifeBOAT Act, which would establish a permanent funding stream to provide and expand access to substance misuse treatment.

These are essential steps we need to take now. I will also continue evaluating additional legislative steps to support treatment, prevention, recovery, and law enforcement efforts. We know the road ahead will not be easy. The scourge of addiction requires us, at times, to change the way we have always done things at a quicker pace than is sometimes comfortable but that can never be an excuse for inaction.

Every day, I am reminded of the stories like those of the grandmother I met at the annual Easter egg hunt, Phil's and Ashley's, and those of the thousands in my State who continue to feel the impacts of a crisis that is taking far too many lives. By making their voices heard, citizens in New Hampshire are breaking through the stigma of addiction and, in turn, are helping others seek the treatment and recovery they need. It is incumbent upon all of us to ensure that those critical services are there for them.

We must all continue to speak up and fight for those who are voiceless and those who continue to struggle. We must reach out and work toward policies that can truly make a difference because often when we reach out, people reach back, but if we are silent or if we allow the rug to be pulled out from under those seeking help, this epidemic will only get worse. It will devastate even further our families, our communities, and our businesses.

I am going to continue to fight to make progress, and I am willing to work with anyone to help those struggling to get the treatment they need and to support all of the dedicated professionals who are on the frontlines of battling this crisis. We will have to continue to fight together, each and every one of us, every single day, to

build on our efforts to combat this epidemic, and by working together, we can and we will stem and turn the tide.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER (Mr. GARDNER). The Senator from New Hampshire.

CONGRATULATING SENATOR HASSAN

Mrs. SHAHEEN. Mr. President, I just wanted to say how pleased I am to be able to join my colleague from New Hampshire on the floor for her official maiden address. It is so nice to see so many of our women colleagues here for this as well.

As she pointed out, I just wanted to echo the great work Senator HASSAN has done, especially as Governor, in expanding the Medicaid Program in New Hampshire so that it provides treatment for so many people, especially when it comes to the heroin and opioid epidemic, and why we are so concerned about any efforts to roll that back—because that would kick thousands of people in New Hampshire off of treatment with nowhere else to go. I certainly plan to continue to join her as we fight for this effort, and I know our colleagues are going to help us in that. I believe that if we all work together, we can make progress, as she has so eloquently stated.

So congratulations to Senator HASSAN for her first official maiden speech. I know it will be just one of many more to come.

(The remarks of Mrs. SHAHEEN pertaining to the submission of S. 630 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mrs. SHAHEEN. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. WARREN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

REPUBLICAN HEALTHCARE BILL

Ms. WARREN. Mr. President, last week Republicans in the House released a bill to repeal the Affordable Care Act and cut Medicaid to the bone. On Tuesday, the Congressional Budget Office—those are the independent budget experts who analyze policies under consideration here in Congress—estimated that the plan would rip health insurance coverage away from 24 million Americans and cut \$880 billion in the Medicaid program. And as a bonus, the plan provides hundreds of billions of dollars in tax breaks for the rich. Who comes up with a plan like

this? What kind of healthcare bill has, as its central feature, ripping away health insurance from tens of millions of American citizens?

What kind of politician thinks they were sent to Congress to destroy the financial stability of millions of middle-class families and give wealthy donors a tax break that they certainly don't need? Who thinks that the central problem in America is that middle-class families have too much healthcare coverage and that the richest people in America need government to hand them more money? There is no other way to say it: This bill is just part of a Republican plan to help the rich get richer and kick dirt in everyone else's face.

This bill is an economic disaster, and at its center, it is cruel—cancer survivors losing coverage, seniors facing premium increases of \$12,000 a year, people with disabilities forced into nursing homes. And one of the cruelest things is what this bill will do to individuals, to families, and to communities struggling with the opioid crisis.

Last year in Massachusetts, nearly 2,000 people died from opioid use. That is more than double the number who died in 2013. That is right, double. Between 2014 and 2015, Massachusetts had a bigger jump in its death rate from drug overdoses than any other State except North Dakota.

Last week, I was on the front lines in Lynn Community Health Center, where dedicated staffers are trying to meet this opioid epidemic head on. This week, I went to Manet Community Health Center, where a coordinated team in Quincy is battling the opioid crisis. While I was there, I not only met with the professionals, I saw the mamas and the babies, the people who are in recovery, and people who reach out to those who are still in the grip of drugs. The opioid crisis isn't happening to someone else's family or in someone else's community. It is happening to our families in our communities, and we need to do more to stop this plague before it takes another of our loved ones.

We need to do more; what we absolutely cannot do is less. We cannot take away the resources already committed to fighting the opioid crisis so that some millionaire can get a tax break. Current law, the ACA, requires all insurance plans to cover substance use disorder treatment and prevention as an essential health benefit. That means that your insurance company can't turn off the access to treatment just when you need it most by saying: Sorry, we just don't cover that. Current law, the ACA, gave people the chance to get that insurance through health exchanges and subsidies. Millions more people got private insurance. And through Medicaid expansion, millions more were covered by Medicaid. So there it is, our first line of defense in the war on opioid addiction.

The ACA currently means that more people are covered, and that coverage includes substance abuse treatment. What does the Republican plan do? It takes away coverage for 24 million people. That is 24 million people who no longer have any access to substance use disorder treatment and prevention services. And then they want to let insurance companies jack up the out-of-pocket costs for substance abuse programs and mental health programs. In fact, some Medicaid plans would be able to drop this coverage altogether. So millions more people would lose their one lifeline if someone in their family is taken by drugs.

Don't get me wrong. What we are doing right now is not enough. Even now, only 10 percent of those who need treatment for substance use disorder receive it and 90 percent can't get help, but that means we need more, not less help.

Repealing the protections for mental health and substance use disorders in the ACA would yank more than \$5 billion in actual funding that is currently going to mental health and treatment services. That is the Republican plan to deal with the opioid crisis. Ask any family trying to get treatment for a loved one who is addicted to drugs. We already have an opioid treatment gap. Gutting the ACA is like shoving a stick of dynamite into the treatment gap and then lighting the fuse. And if the Republicans get their way, people will lose health coverage. People will lose access to recovery services. People will die.

Now is the time to stop this cruel bill in its tracks before it hurts real people. Now is the time to speak out about the importance of the ACA and Medicaid to you and to your family.

If you or someone you know has been touched by the opioid epidemic, you know how much this matters. Maybe you have a sister, a child, a church member, or a high school friend who has struggled with substance use disorder. Maybe you know someone who has fought on the frontlines of this crisis as a healthcare provider, community advocate, as a first responder.

If you do, then you know the stakes in this debate over the ACA and Medicaid. Now is the time to act. Don't wait. If the Republicans end up destroying help for millions of people, don't wake up the next morning and wonder if you could have said more or if you could have raised your voice back when it mattered. No, the Republicans are trying to pass this terrible healthcare bill now, now is the time to speak out. It is time to stand up and to tell Republicans to end their cruel healthcare plan. Our families and our communities are counting on us and we cannot let them down. Please, speak out.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

RECOGNIZING THE 45TH IDITAROD RACE

Ms. MURKOWSKI. Mr. President, we have been talking a lot about the weather here in Washington, DC, the past couple of days. We got a little bit of snow yesterday in some parts. People are still kind of plowing out of their driveways. I am looking at the daffodils that were out 3 days ago, and they are now buried, and the cherry blossoms are a little bit crispy on the trees.

So many of us are not feeling like spring has really sprung here. But in Alaska, in my home State, when we think of spring, one of the things that brings a smile to the face of so many of us is that it means it is time for the Iditarod, the Last Great Race on Earth. It is an exciting time of the year for so many, when we come together to celebrate a 1,000-mile race across some pretty desolate territory in the State of Alaska.

The race itself has a much storied history, one that is somewhat unique to the State of Alaska and to our culture. The race commemorates a life-saving diphtheria serum run to the community of Nome. Back in 1925, diphtheria had raged through the community, and there was no way to get the serum to Nome. We did not have aircraft that could make it that far. Remember, it is pretty cold in February and in March. We still don't have a road. We really had no way to move the diphtheria serum.

So it was determined, after a great deal of debate and discussion and pros and cons that they would use a dog team relay to get the diphtheria serum to Nome. There are names of dogs that have now become infamous, like Togo, Fritz, and Balto, which led this amazing race. Today, the memory of that lifesaving race is lived on in a race that features just a little bit shy of 1,000 miles, again across pretty frozen isolated areas. It involves 1,000-plus dogs that are in the running.

For many of us, there are 1,000 more reasons that you really would not want to do that. But I have to tell you, as I look at these mushers, as I look at these dogs, and as I look at all that goes into the mushing history of our State, it makes me excited about not only the men and women who are the mushers but the true athletes, the K-9 athletes, and all that they give up.

I was home in Anchorage last weekend for the ceremonial start on Saturday. It is a great deal of hoopla. There are not too many communities in America where you actually truck snow into the downtown part of your community, fill the streets up with snow so that the dog teams can launch from downtown. Thousands of people gather to watch the start. We were commemorating the 45th annual Iditarod race.

The official start was on Monday morning in Fairbanks, AK, a town that

I also call home, having gone to high school there. The route this year was from Fairbanks, what they call the northerly route, up to Nome. It shaves a little bit of the miles off. I think this year it was about 979 miles. So it was not quite 1,000 miles, but still good enough to test a man or a woman and their dogs.

It was kind of tough starting in Fairbanks on the morning of the race. Temperatures were around 50 below. They hit the river, went right past the house where I grew up, and went downriver. By the time they got to the first checkpoint there at Tanana, the temperatures were 50 below and people were talking about how you stay warm on a sled and who has bad frostbite that is coming back after years of running.

Let's just put it this way. The Iditarod is not for the timid or the weak. It takes real grit to run this race. When you think about all the hoopla that comes with the ceremonial start and all the people who came out in the community, then you get on the trail and you are alone. You are by yourself. We have 26 different checkpoints between Fairbanks and Nome. As a musher reaches a checkpoint, there is an appreciative audience of the villagers who come out to cheer them on.

Again, the villagers can't offer help with taking care of the teams. The mushers have to do it all themselves. But there is a lot of time to think and reflect about the beauty surrounding you, a lot of time to worry about whether or not you have moose or wolf or bear or whatever is out there keeping them company. But truly, this is not only an endurance race, but it is a race that challenges the mind. There are stretches of just almost mind-numbing isolation in the cold where you are just focusing on your team in front of you.

But as you can see, when you get out—this is right on the outskirts of Nome; this is coming in at the end of the race—there is a lot of isolation out there. The temperatures that you are dealing with are tough on a human being. Over the course of this past week, the temperature range was a 70-degree range. The temperature in Nome yesterday at the conclusion was 4 degrees above zero. So it is on the positive side, which was good news for the mushers. But that is a pretty substantial range that you are going through.

It is an amazing race in terms of the strategy that goes into it. You would think: Well, you just get your dogs in line. You know where you are going to feed them. You know where you are going to let them rest.

But the strategy that goes into a race like this is really quite unique to the various mushers. What we have seen with this race is an extraor-

dinarily fast race, where the winner was averaging between 10 and 11 miles per hour between some of these checkpoints. It is pretty extraordinary to have your dogs keep up a pace like this.

Some mushers will hop off their sleds and run alongside their dogs when they are going uphill, just to take some of the weight off the sled. But think about that. You have been going for a week. You have been going around the clock pretty much for some of these. You are exhausted. You are freezing cold. Now you are going to jog behind your dogs to lighten the load. This is, again, extraordinary. Many of the others, as they are approaching the end, will keep their strongest dogs, shed the nonessential gear, and switch to a lighter sled to push through on the final stretch.

But there are a lot of different tactics. When a dog is tired, you can put them in the basket so the dog can rest, kind of like a coach on a basketball team: You need to be put on the bench and just kind of take a breather here. We do it with the dogs as well. But this is a race not only about the endurance, but it also is one where there is a great deal of work to ensure that these high-performance athletes are cared for and that their safety is looked after.

Again, if a dog gets too tired and is just not right, mushers can leave them at a checkpoint to ensure their well-being so that they are not pushed too much. Again, putting them in a basket, making sure that the dogs are cared for. There is a veterinarian at every step along the way. The vets check the dogs out at every checkpoint. The mushers have to carry the veterinary check record, if you will.

These vets are not local vets. There are some 50 vets that volunteer to come to Alaska for the Iditarod and go out there along the trail to one of these checkpoints and to do the checks before the race and after the race.

When I was in Anchorage last week, I was visiting with a veterinarian from Colorado. The Presiding Officer probably might even know him. But he comes every year. This was his eighth Iditarod. He volunteers his time because, again, it is an amazing race with amazing K-9 athletes. They are the ones who get the care and attention. I don't know that there are any doctors out along the trail for the mushers, but the dogs are well cared for.

It is required and there is mandatory rest that is taken. Mushers can determine where the 24-hour rest period is taken. There are two 8-hour stops, one along the Yukon River and one at White Mountain, just before you get to Nome. But, again, you think about the demands on the individual as they are mushing along at this pace.

There is a story out of this year's race about a musher. I think it was day 3 into the race. A team comes into the

checkpoint. They are clipping right along, but there is no musher. The musher had fallen asleep while standing on the runners of his sled and just kind of fell off his sled.

He had a pretty good team, if I can just say. They were obviously following the trail from teams ahead of them. That team just went on and ended up at the checkpoint there. It was a little while later that another musher came along and saw this musher walking, following his dog's footprints. He gave him a ride to the next checkpoint where his dogs were all there just waiting for him, saying: You know, we got here first. Where were you?

But it kind of speaks to some of the issues that go on along the trail. There used to be a time, up until this year, when there was no two-way communication devices that were allowed—none at all. So as to your cellphone, you could not have your cellphone with you.

It was designed to make sure you were not gaining unfair advantage in determining where other mushers were ahead of you or behind you. But for safety reasons, I think there is a recognition that being able to send out an alert if you need it is probably wise and important. A thousand miles is a lot of land to cover. There are a lot of things that can go wrong when it is just you and your dogs along the trail.

The news. The news is big about the 45th Iditarod race. This year, the winner, a fabulous gentleman by the name of Mitch Seavey, blasted the overall record—extraordinarily impressive. He set the Iditarod record of 8 days, 3 hours, 40 minutes, and 13 seconds. What is wonderful to add to this story is that this is the fastest time. The next fastest time, the fastest time that we had had up until this year, was the year prior, which was set by his son. Think about that. What athletic competition, what sport can you have a father and a son go in toe to toe beating the all-time record? Last year, the 29-year-old son was the winner. This year, the 57-year-old dad is the winner. And who came in second this year? The son.

When I was at the ceremonial start and I had the opportunity to see Mitch Seavey, I went up to him, and I said: OK, I know everyone is betting on Dallas Seavey to win because it would be win No. 5 for him, but I am going with the old guy.

Fifty-seven is not so old. Mitch Seavey certainly demonstrated that just yesterday.

The Seavey family is Iditarod legend. Dan Seavey, who is Mitch's father, ran the very first Iditarod in 1973, and then some 44 years later, his son Mitch and his grandson Dallas are still going at it. Mitch won in 2004 and in 2013, and his son Dallas won in 2012, 2014, 2015, and 2016—again, a father and son kind of trading off second and third places during each of these.

It is extraordinary when you think about the records that have been broken with this race, and the closeness of the race is exciting to look at. When the second and third place finishers came in—Dallas came in just 5 minutes ahead of the third place musher, Nicolas Petit, who calls Girdwood his hometown, as does one of our young pages here, and it is a place I call home as well.

So there is a lot of excitement with the winners, not only with Mitch Seavey's record-smashing race but also the fact that he is the oldest racer to win, at 57. Again, as he has reminded us, 57 isn't that old.

I will acknowledge that both Dallas and Nicolas Petit came in breaking last year's record as well.

So for the sixth year in a row, we have had a Seavey champion. You talk about a family of champions, this is pretty amazing. This one is Mitch's third win, and it is an extraordinary win.

I spoke to Mitch not too long ago to offer him my congratulations, and I told him: As a parent of two 20-somethings, I like the command you demonstrate. You have still got it in you. You are going to be a fierce competitor.

But what Mitch told me was really a lovely statement. He said that what was so great was to be at the finish line seeing his son coming in and seeing Dallas genuinely happy at Mitch's win. He said that they were head-to-head competitors all throughout the race, and Dallas didn't make that five-time win that he was hoping for, that so many of us Alaskans were hoping for, but he was so genuinely proud of his father.

As of this afternoon, we have 10 mushers who have crossed the finish line. I wish all of the other mushers and their fearless dogs good luck as they continue to make their way to Nome over the next few days and beyond.

This is an event that I love to celebrate with my colleagues. I love to brag about the amazing men and women, not just the Alaskans but from all over the country and really from all over the world. Our fourth place finisher is from Norway, Joar Leifseth Ulsom. He was right up there all the way to the end. It is men. It is women. Jessie Royer was the first woman in, and she came in fifth place. Aliy Zirkle crossed in eighth place. So they are remarkable men and women—Alaskans, Americans, and people from truly around the globe—who come to compete.

Truly the ones we celebrate with great enthusiasm and gusto are these canine athletes that demonstrate to us all that there is no end, there is no limit to their love to run, their love to compete, and their desire to excel.

I am pleased to be able to celebrate with colleagues from the Senate in rec-

ognizing the 45th Iditarod race, the Last Great Race on Earth.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. LEE). The Senator from Oklahoma.

CONGRESSIONAL REVIEW ACT RESOLUTION

Mr. LANKFORD. Mr. President, I want to take the chance to have just a moment to be able to reflect on what the Senate has just completed. We have worked through a process of identifying what is called the Congressional Review Act. Most Americans are not familiar with this because it is so seldom used. In fact, it has only been used one time before this Congress successfully.

It is a moment for the Congress to be able to look back at regulations that have been promulgated by the administration and say: Was that the intent of the law?

It is something that we have worked at for a long time to be able to get as a frequent part of this national conversation. We call it the REINS Act. It allows Congress to be able to look at each major regulation when it comes out from the administration and ask the simple question: When the regulations are created, are they consistent with the statute? That is what regulations are. No administration can just invent policy and say: We think this is a good thing to do. That is the task of Congress. That is why the Constitution says that all legislative powers shall reside in the Congress, because an administration can't make up the law. It has to come from this body, from the House of Representatives, and then be signed by the President. After that is done, then regulations are created that have to be consistent with the law.

The Congressional Review Act was created years ago to allow Congress to have a second glance at regulations as they are put out and say: Is that consistent with the statute we passed? This Congress has already gone through multiples of those.

In the last 6 months of the Obama administration, many regulations were created. When they were created, they were not consistent with the statute. This Congress has already turned back billions of dollars of regulations from the American people. One of those was done this week. Ironically, it is an issue that deals with unemployment benefits and drug testing.

Many States have requested the ability to be able to do drug testing for unemployment benefits. And this is not a situation where this Congress believes that all people on unemployment benefits need to be drug tested or are unemployed because of drug use—far from it.

In 2012, Congress passed the Middle Class Tax Relief and Job Creation Act. In that, it allowed States, if they chose

to—they don't have to but if they chose to—to do drug testing for benefits eligibility, for unemployment benefits under two circumstances. One of them is if the applicant was terminated from their employment based on the unlawful use of a controlled substance. In other words, if they were just fired from a previous job because they were using drugs, they wouldn't be able to get unemployment benefits because they had already been certified as a drug user. The second one is that if the only available suitable work meant that they had to be drug tested, then they could be drug tested.

What is the design of this? The design of the policy was to encourage people to get back to work. If they were fired from a previous job because they used drugs, it is a natural thing to say: Before you can get unemployment benefits, we want to make sure you have gotten off drugs since that time period you were fired, or if you will be drug tested for the only job that is available to you in your targeted area, you are not available to be able to take that job if you haven't already had some sort of drug testing.

It is a commonsense measure, and it is given to the States to say to the States: You can choose to do this or not to do this, but if you choose to do it, you can, because unemployment benefits are a partnership between the Federal Government and local States.

We believe this is one tool of many to be able to help people who are trapped in the addiction of drugs to have one more incentive to be able to get off that addiction. Multiple different methods are also used within States to enable them to walk alongside families and individuals and help them get off their substance abuse habits as well.

It is a powerful motivator to say to people: If you want to get some support into your family to help you transition back into a job, the law says that to be on unemployment benefits, you have to be available for work. And if this person is currently addicted to drugs and using drugs, they are not available for work.

This measure was passed in 2012. The Obama administration took 4 years to promulgate the rules off of this commonsense measure, and once they finally promulgated the rules, they created a set of rules so complex, so complicated, with so many exceptions built into it, that the rule meant nothing. It put us in the situation of saying: What Congress passed 4 years ago, we actually wanted that to go into effect to give those States the right to be able to do it.

So this Congress—the House of Representatives overwhelmingly voted and this week the Senate also voted to be able to block out that last-minute regulation from the Obama administration, which they took 4 years to promulgate, and to be able to say to the

States: If you choose to do drug testing with someone who was fired from a previous job because of drug use or because the only job available to that person will have drug testing, if you want to help families be able to get off substance abuse and to be able to set this standard for them, you can.

We have an epidemic of drug use in our Nation. We should do everything we can to not only deal with the interdiction of drugs coming into the country but to also deal with abuse of drugs in our country. This is one of those measures, and I am glad my State and other States will again have that opportunity to be able to use this.

OKLAHOMA WILDFIRES

Mr. LANKFORD. Mr. President, on January 15, 2017, an incredible ice storm came through my State. For some States that haven't seen ice storms, they are beautiful, but boy are they destructive. As freezing rain comes down, it lands on power lines, lands on trees, destroys the trees, power lines come down, and it is incredibly difficult for families and for regions when this happens. You can't move. You can't function. You can't travel the streets because they are covered with ice. It is very destructive.

The northwest part of our State experienced an ice storm like that on January 15. That ice storm devastated the Woodward area and all over the northwest—trees, debris, damage, power out for weeks in that area.

Then, in early March, it was starting to warm up. The forecasters from the National Weather Service and the Forest Service saw the forecast coming out of rapidly dropping humidity levels and very high winds, with a lot of debris damage still in the area. It was the perfect storm for wildfires.

They prepositioned assets in that area to be able to respond if they broke out, but on March 6—just a week and a half ago—wildfires broke out all across northwestern Oklahoma. Four large fires in particular broke out simultaneously in multiple areas. Some of them were started by some of those same power lines that were weakened by the ice storm. Now the high winds—60 miles an hour—are taking down those weak power lines, and they are striking the ground and starting a fire spontaneously out in a field.

There were four individual fires across this area covering 315,000 acres just in Oklahoma. One of those fires spread straight across the Kansas border and burned an additional 472,000 acres. To give you a point of reference of how large these fires were, the total fire damage that was done in acres is greater than the entire State of Rhode Island. Twenty homes were destroyed, 3,000 cattle were killed in the field, 6,500 hogs were killed, and 7 people died in the fire.

Let me give you a picture of what we faced in this area as I went out last Friday with Senator INHOFE to tour the area both from the air and on the ground and to talk to farmers and those individuals who are trying to work through this very difficult process. Those farmers and ranchers are facing something you can't even imagine in their fields. For miles, there is no grass. The cattle that did survive the fire had literally no food on their ranch for miles. Hundreds of miles of fence line were taken down. Each mile of fence in Oklahoma, just a simple barbed wire fence, costs about \$10,000, and hundreds of miles of fence line were destroyed.

We have animals that burned alive as they tried to escape the fire. We had deer that, as they were running across the fields, got caught up in the barbed wire fence and 16-mile-per-hour winds, and the 16-mile-an-hour flame caught up with the deer in the fence and burned them alive as they tried to escape.

We have families who have lost absolutely everything.

We have volunteer firefighters across much of this area who would literally be fighting the fire in one county in one area and hear on the radio about how a fire had broken out in another county on a road right near their own home, and literally volunteer firefighters fighting one fire could hear on the radio about the destruction of their home at a different fire.

In different places, the volunteer firefighters and those who were gathered, both career and volunteers, would see a raging fire at the home of their neighbor, of people they knew. In western Oklahoma, you know your neighbors in that area. You know the folks in the county. They would head out to a home as the fire was rushing at them and try to fight it off, try to cut a fire line to be able to stop it. Eventually, the fire would get so close, they would literally take their fire equipment and park the equipment between the fire and the home and spray down their equipment in hopes that the fire would jump over the house as the firefighters just huddled behind their own equipment hoping the fire didn't come to them. They saved several homes by using that extreme method.

Neighbors took their own farm equipment and their own tractors and created fire lines to be able to protect their neighbors' homes.

These small community firefighters fought fires for hours and hours. They saved a lot of lives, and they saved a lot of structures.

I can't even begin to tell you the pain of walking through that area, what has been described by many as walking across a moonscape of destruction where there is literally nothing left.

What have we seen in that? I will state that what we have seen is a tenacious spirit from people who survived

an ice storm, were without power for weeks in many areas, and then had a wildfire come right behind it and destroy what was left. Over 20,000 bales of hay have already been donated from farmers all over Oklahoma who are trying to feed the cattle that are still left—20,000 bales. Understand the expense of 20,000 bales of hay being donated but also understand the efforts of all the truckdrivers who loaded up their vehicles and personally paid the gas money and the travel expenses to be able to deliver that hay over hundreds of miles to those folks. Oftentimes, the travel of that truckdriver and the gas required are more expensive than the hay that is in the back of it, and they are delivering as much as they possibly can.

I have to thank the folks from the Farm Bureau; the Oklahoma Cattlemen's Association; Western Equipment; Oklahoma Farm Credit; the Red Cross of Oklahoma; the Salvation Army; the Oklahoma Department of Agriculture; the Oklahoma Forestry Service; Southern Baptist Disaster Relief; Oklahoma emergency management—first responders from all over the State, volunteer and career firefighters who worked very long and difficult hours. USDA and FEMA were also on site. I thank Harper County Extension; all the emergency management folks from Beaver, Harper, and Woodward Counties; all the folks who have donated, places like Love's Travel Stops that have donated so much to be able to move things there; the United Way; Cleanline Energy and their donations; and untold numbers of civic organizations and churches from around that community.

As I looked at many of those folks in the area last week and met with some leaders and pastors in the area, I reminded the folks that the devastation they face is not something that will be recovered from quickly. Springtime will come soon, and the area that is just black earth right now will spring to life with green grass again in the weeks ahead. But the loss of those fence lines, the loss of thousands of animals, the loss of homes, the loss of structures, will take a very long time for the folks—the farmers and ranchers who don't live on a high profit margin.

I have continued to encourage the pastors and churches in that area to walk alongside some families who will have a hard time recovering from this for a long time. I have encouraged our Oklahoma agencies and our Federal agencies to do what we can to be able to step in with repairing fence lines and helping them recover from a very traumatic event.

My wife and I stood with a rancher who talked about going out into the field after the fire. His home was completely destroyed. As he traveled out to the field around him checking on his cattle, he found dead cattle but also

found cattle with their faces completely burned, blinded, with coyotes chasing them down. He said all he could do was stand there in the field and cry. These are going to be long days.

I am grateful that there are neighbors taking care of neighbors. I am proud of the people of Oklahoma watching out for each other. As we walk through this, God willing, we will continue to be able to hug and take care of our neighbors in the days ahead.

I want to tell this Senate and the people of the United States that this was a wildfire as big as the State of Rhode Island, and many people haven't even heard of it. But I can assure all of you that the folks in Oklahoma have experienced it, and we will walk through it together as a Nation.

With that, Mr. President, I yield back.

The PRESIDING OFFICER. The Senator from Oklahoma.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. LANKFORD. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUNSHINE WEEK

Mr. GRASSLEY. Mr. President, this week is Sunshine Week, an annual nationwide celebration of the good that comes from peeling back the curtains on government. Sunshine Week coincides with the National Freedom of Information Day and President James Madison's birthday, both of which occur on March 16.

James Madison understood the value of an informed citizenry as a necessary check against those in power. We shouldn't forget his call for the people to "arm themselves with the power which knowledge gives."

More recently in our Nation's history, Justice Brandeis declared, "sunlight is said to be the best of disinfectants."

These sentiments hold true to this day. A government that operates in darkness—and a public that's kept in the dark—sows the seeds of waste, fraud, and abuse.

In the face of secrecy and obstruction, the public has a vital weapon: the Freedom of Information Act, FOIA.

Over 50 years ago, President Lyndon Johnson signed FOIA into law, establishing the public's judicially enforceable right to government information.

Before FOIA, the people had to justify their need for information to the

government, but after FOIA, the government has to justify its refusal to release information to the public. FOIA's enactment marked a crucial step toward a government more accountable to the people.

No doubt, FOIA manifests Congress's recognition of the need to carefully balance the public's right to know and the government's interest in protecting certain information from disclosure, but practice and history demonstrates this balance has all too often been tilted away from transparency.

Many in government have continued to find ways to undermine citizens' right to know under FOIA. Transparency should be the norm, not the exception; yet, when it comes to FOIA requests, we have continued to see a government culture of delay, deny, and defend. When this happens, FOIA's effectiveness is undermined and the public becomes even more skeptical of its government.

We have seen this in one way or another under every administration, both Republican and Democratic, since FOIA's enactment, but the trend toward secrecy and obstruction in recent years should alarm all of us.

According to a March 14 Associated Press report, "The Obama administration in its final year in office spent a record \$36.2 million on legal costs defending its refusal to turn over federal records under [FOIA]."

In 2016, the Obama administration set records for "outright denial of access to files, refusing to quickly consider requests described as especially newsworthy, and forcing people to pay for records who had asked the government to waive search and copy fees."

To top it off, "The government acknowledged when challenged that it had been wrong to initially refuse to turn over all or parts of records in more than one-third of such cases, the highest rate in at least six years."

We simply cannot continue down this path.

Fortunately, a truly bipartisan and bicameral effort last year resulted in the enactment of the FOIA Improvement Act of 2016. I was proud to be a cosponsor of this important piece of legislation and to have worked closely with my colleagues on the Judiciary Committee, as well as the open government community, in ensuring its passage. It achieves some of the most meaningful and necessary reforms to FOIA in history.

We are already witnessing some of the positive impacts of these reforms.

For example, the National Security Archive, a nonprofit open government advocate, fought for years to achieve the public release of certain historical documents about the Bay of Pigs invasion. But time and again, they were met with legal hurdles put up by the Central Intelligence Agency, CIA.

This past October, however, the CIA released these historically significant

documents. In doing so, the CIA's Chief Historian stated that the Agency is "releasing this draft volume today because recent 2016 changes in the [FOIA] requires us to release some drafts that are responsive to FOIA requests if they are more than 25 years old."

This is excellent news. It is just one example of the good that can result from bipartisan work toward a common goal for the American people. I look forward to hearing many other such stories of important information finally being made publicly available under FOIA, thanks to these recent reforms.

But we can't just rest on our laurels. No matter which party is in control of Congress or the White House, continuing oversight of FOIA—and the faithful implementation of its amendments—is essential to ensure the law's effectiveness as a tool for the public good.

As chairman of the Judiciary Committee, I am proud during this Sunshine Week to join Senators Feinstein, Cornyn, and Leahy in sending letters to the Trump administration to learn more about specific steps taken to carry out the FOIA Improvement Act of 2016 and efforts underway to improve the proactive disclosure of information.

Compliance with both the letter and spirit of FOIA should always be a top priority of any administration, so I look forward to hearing back about progress made.

Before President Trump took office, I stood on this floor and urged him to reverse the secrecy and obstruction that defined the Obama administration's FOIA track record. Today I reiterate that call.

A new administration provides a new opportunity to get it right.

This Sunshine Week, let's recommit to working together toward improving open government, fulfilling FOIA's promise, and ensuring a more informed citizenry.

DISCHARGE PETITION—S.J. RES. 34

We, the undersigned Senators, in accordance with chapter 8 of title 5, United States Code, hereby direct that the Senate Committee on Commerce, Science, and Transportation be discharged from further consideration of S.J. Res. 34, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Federal Communications Commission relating to "Protecting the Privacy of Customers of Broadband and Other Telecommunications Services," and further, that the resolution be placed upon the Legislative Calendar under General Orders.

Jeff Flake, Mike Rounds, Thom Tillis, John Boozman, Todd Young, John Thune, Cory Gardner, Steve Daines, David Perdue, Tim Scott, Dan Sullivan, Mitch McConnell, Thad Cochran, Michael B. Enzi, Dean Heller, John Hoeven, James M. Inhofe, Roger F.

Wicker, Bill Cassidy, Patrick J. Toomey, Ron Johnson, Richard C. Shelby, John Cornyn, Orrin Hatch, Shelley Moore Capito, Jerry Moran, Mike Crapo, Rob Portman, Deb Fischer, Pat Roberts.

ADDITIONAL STATEMENTS

REMEMBERING JOSEPH "JOE" CELESTINO GALLEGOS

• Mr. BENNET. Mr. President, I wish to honor the life of Joseph "Joe" Celestino Gallegos, a beloved leader and constituent from my home State of Colorado. Mr. Gallegos passed away on December 11, 2016, at the age of 60, after a battle with cancer. He was a true visionary and leader in his hometown of San Luis, the oldest town in Colorado, where he was elected to a fourth term as Costilla County commissioner just a few months ago.

Mr. Gallegos was a fifth-generation farmer and rancher with deep ties to the American West. His family property, the Corpus A. Gallegos Ranches, was settled in 1860 and recognized as a "Colorado Centennial Farm" in 1990. The son of educators, Mr. Gallegos spent his youth in Pagosa Junction and Colorado Springs, CO, and in Questa, NM. He spent his weekends, vacations, and summers working the family ranch in San Luis and tending to livestock in the surrounding mountains of the Sangre de Cristo Range.

After graduating from Colorado State University in Fort Collins with a degree in mechanical engineering, Mr. Gallegos became an engineer in the oil fields. His work took him to Texas, Louisiana, North Dakota, Wyoming, Ireland, and Africa before he returned to San Luis permanently in 1986.

Working with his father on the family ranch, Mr. Gallegos soon became a trailblazing advocate for the land, water, people, and culture of San Luis and Costilla County, working selflessly to preserve the area's rich local traditions. Mr. Gallegos was one of the founders of the Sangre de Cristo Acequia Association, which protects some of the oldest water rights in the State of Colorado, and his work has inspired younger generations to respect local water rights and acequia conservation. He served on the Costilla County Conservancy Board for 13 years and was also a member and ditch rider of the San Luis People's Ditch, which holds the oldest water right in Colorado.

Mr. Gallegos was elected as a Costilla County commissioner four times, serving in office for 12 years. He was passionate about creating and sustaining local jobs; rehabilitating infrastructure and historic structures; and supporting veterans, senior citizens, and youth. One of the projects of which he was most proud was the restoration of the old Costilla County courthouse.

Built in 1883, it is one of just two intact adobe courthouses in Colorado. Mr. Gallegos also worked to restore the Lobatos Bridge, the southernmost bridge over the Rio Grande River in Colorado, originally built in 1892.

He oversaw the construction of a Health and Human Services complex and a senior citizens' center; helped create a county Trails, Open Space, and Recreation Program; supported the effort to name State Highway 159 as the Costilla County Veterans Memorial Highway; and developed the Costilla County Biodiesel Project. He also pursued other renewable energy initiatives such as biomass heat for county shops and solar electricity for county buildings.

Outside of his work, Mr. Gallegos also earned a second-degree black belt in martial arts and was gifted at training and riding horses.

Mr. Gallegos was a man whose generosity touched the lives of countless others. Over 500 people attended his funeral service at Centennial High School in San Luis. He is survived by his daughter Patricia Vialpando, her sisters Annmarie Gonzales and Cristina Miers, and their families; his sister Marie Rafaela Gallegos-McCord, his brothers Aquino "Jerry" Gallegos, James "Jimmy" Gallegos, and their families; his niece Elaiza Gallegos; his nephews Adrien and Django Gallegos; and two very special people, Rose Mendoza-Green and her granddaughter Celena.

I join with the people of Costilla County and the San Luis Valley in honoring Mr. Gallegos's life, and I send my deepest condolences to his family and loved ones.●

TRIBUTE TO ROCKY ERICKSON

• Mr. DAINES. Mr. President, this week, I have the distinct honor of recognizing Rocky Erickson for his long run as the voice of Montana sports. When traveling along the many roads in Big Sky Country or stopping in at a local watering hole for a bite to eat, if you are in earshot of a radio and that radio is tuned to local sports, there is a good chance that Rocky is on the other end of the broadcast.

Rocky grew up on his family's wheat farm in the small McCone County community of Vida. After high school, he studied telecommunications at Liberty University in Lynchburg, VA. Shortly after completing his degree, Rocky returned to eastern Montana and began to provide Montana sports fans with high quality commentary. Rocky's distinguished broadcasting career began in the early 1980s and continues today. This past weekend, he was calling the play by play for the Montana High School State Basketball Championship tournament games. Rocky's Montana sports program is broadcast daily on 40 stations, and he has been recognized by

his peers as the “Montana Sportscaster of the Year” on nine separate occasions. The native son of Vida, population 70, has gone on to do great things within his industry. His broadcasts are sincerely appreciated by sports fans across Montana.

Attending a Montana sporting event helps one appreciate how valued and unifying local sports can be to our communities. Rocky has shared these treasured experiences with many Montanans by giving his audience a rich texture and personal touch in each broadcast. Thank you, Rocky, for your outstanding work, and I hope to hear you again soon.●

HONOREES OF THE 28TH ANNUAL MAINE WOMEN'S HALL OF FAME

● Mr. KING. Mr. President, today I wish to honor two exceptional women, Dr. Ann Koch Schonberger and the late Clara Swan, who are the new inductees to the Maine Women's Hall of Fame. Ann and Clara have made a vital impact on the lives of women in their communities and across the State of Maine. We celebrate their dedication to improving the lives of women in Maine.

Dr. Ann Koch Schonberger, from Bangor spent more than 20 years as the director of the women's studies program at the University of Maine and now serves as faculty emerita, focusing on women's, gender, and sexuality studies. Ann also spent many years as a mathematics professor. Ann has published numerous papers and presented at dozens of conferences on her research and experiences on the intersection between STEM careers and gender. She has also spent countless hours volunteering at the Spruce Run Womancare Alliance, helping women heal from domestic abuse and other forms of violence. Ann strives to bring to Maine the Spruce Run mantra of “imagining communities without isolation, violence, abuse and fear.”

The late Clara Swan was born in Princeton, ME, and spent her life serving-as an educator, administrator, and coach. Clara touched the lives of thousands of students during her 30-plus years at the Husson University campus in Bangor. Clara herself was a graduate of the school, known as the Maine School of Commerce when she graduated in 1933. She returned to Husson in 1939, and spent 34 years as a professor and administrator. She was also a women's basketball coach for 19 years, amassing a record of 240 wins, 34 losses, and 7 ties, which included two undefeated seasons. Clara's legacy will not only live on in her former students and players, but at her former institution as well. In 2002, Husson named its fitness center in Clara's honor. She somehow found the time to volunteer at St. Joseph's Hospital, and she delivered meals to seniors' homes as part of the Meals on Wheels program. Clara

lived an active life until she died at the age of 104 this past January.

Congratulations to both Ann and Clara for their induction into the Maine Women's Hall of Fame. With this well-earned honor, Ann and Clara join the ranks of Senator Margaret Chase Smith, Senator Olympia Snowe, and Senator Susan Collins, remarkable women who have inspired women in Maine and across the country. Maine is lucky to benefit from such outstanding leaders and pioneers for women in higher education. I thank Ann and Clara for their service and their many contributions to the women and communities of our State.●

MESSAGE FROM THE HOUSE

At 10:06 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that pursuant to 36 U.S.C. 2302, and the order of the House of January 3, 2017, the Speaker appoints the following Members of the House of Representatives to the United States Holocaust Memorial Council: Mr. DEUTCH of Florida and Mr. SCHNEIDER of Illinois.

MEASURES DISCHARGED

The following joint resolution was discharged by petition, pursuant to 5 U.S.C. 802(c), and placed on the calendar:

S.J. Res. 34. Joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Federal Communications Commission relating to “Protecting the Privacy of Customers of Broadband and Other Telecommunications Services”.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-1015. A communication from the Secretary, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled “Exemptions for Security-Based Swaps” (RIN3235-AL17) received during adjournment of the Senate in the Office of the President of the Senate on March 10, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-1016. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Iran as declared in Executive Order 12957 of March 15, 1995; to the Committee on Banking, Housing, and Urban Affairs.

EC-1017. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Somalia that was declared in Executive Order 13536 on April 12, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-1018. A communication from the Secretary of Commerce, transmitting, pursuant to law, a report relative to the export to the

People's Republic of China of items not detrimental to the U.S. space launch industry; to the Committee on Banking, Housing, and Urban Affairs.

EC-1019. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of Implementation Plans; California; California Mobile Source Regulations” (FRL No. 9959-00-Region 9) received during adjournment of the Senate in the Office of the President of the Senate on March 10, 2017; to the Committee on Environment and Public Works.

EC-1020. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Approval; District of Columbia; Update to Materials Incorporated by Reference” (FRL No. 9955-98-Region 3) received during adjournment of the Senate in the Office of the President of the Senate on March 10, 2017; to the Committee on Environment and Public Works.

EC-1021. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Approval and Designation of Areas; KY; Redesignation of the Campbell County, 2010 1-Hour SO₂ Nonattainment Area to Attainment” (FRL No. 9959-10-Region 4) received during adjournment of the Senate in the Office of the President of the Senate on March 10, 2017; to the Committee on Environment and Public Works.

EC-1022. A communication from the Attorney, International Trade Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Steel Import Monitoring and Analysis System” (RIN0625-AB09) received in the Office of the President of the Senate on March 9, 2017; to the Committee on Finance.

EC-1023. A communication from the General Counsel, Office of the Inspector General of the Intelligence Community, transmitting, pursuant to law, a report relative to a vacancy in the position of Inspector General of the Intelligence Community received in the Office of the President of the Senate on March 9, 2017; to the Select Committee on Intelligence.

EC-1024. A communication from the Acting Chairman of the Federal Energy Regulatory Commission, transmitting, pursuant to law, a report relative to the progress made in licensing and constructing the Alaska Natural Gas Pipeline; to the Committee on Energy and Natural Resources.

EC-1025. A communication from the Director of Congressional Affairs, Office of New Reactors, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled “Special Topics for Mechanical Components” ((NUREG-0800) (SRP 3.9.1)) received in the Office of the President of the Senate on March 13, 2017; to the Committee on Environment and Public Works.

EC-1026. A communication from the Director of Congressional Affairs, Office of New Reactors, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled “Determination of Rupture Locations and Dynamic Effects Associated with the Postulated Rupture of Piping” ((NUREG-0800) (SRP 3.6.2)) received in the Office of the President of the Senate on March 13, 2017; to the Committee on Environment and Public Works.

EC-1027. A communication from the Director of Congressional Affairs, Office of New

Reactors, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Applicable Code Cases" (NUREG-0800) (SRP 5.2.1.2) received in the Office of the President of the Senate on March 13, 2017; to the Committee on Environment and Public Works.

EC-1028. A communication from the Director of Congressional Affairs, Office of New Reactors, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Seismic and Dynamic Qualification of Mechanical and Electrical Equipment" (NUREG-0800) (SRP 3.10) received in the Office of the President of the Senate on March 13, 2017; to the Committee on Environment and Public Works.

EC-1029. A communication from the Director of Congressional Affairs, Office of New Reactors, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Postulated Rupture Locations in Fluid System Piping Inside and Outside Containment" (NUREG-0800) received in the Office of the President of the Senate on March 13, 2017; to the Committee on Environment and Public Works.

EC-1030. A communication from the Chief Human Resources Officer, United States Postal Service, transmitting, pursuant to law, the Postal Service's fiscal year 2016 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-1031. A communication from the Chairman, Dwight D. Eisenhower Memorial Commission, transmitting, pursuant to law, a report relative to the memorial construction; to the Committee on Rules and Administration.

PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM-11. A concurrent resolution adopted by the Legislature of the State of Louisiana memorializing the United States Congress to recognize that the Louisiana coastal area is an area in crisis and to enact federal regulatory reform and disaster recovery regulations that minimize delays in the processes by which the state of Louisiana responds to the crises faced as a result of coastal land loss and natural disasters; to the Committee on Environment and Public Works.

HOUSE CONCURRENT RESOLUTION NO. 4

Whereas, the citizens of Louisiana are no strangers to natural disasters and have been heavily involved in the fight for flood protection infrastructure that will protect our vital region, home to two million people who live and work at the epicenter of our nation's valuable energy, wetlands, and seafood resources; and

Whereas, Louisiana's three million acres of wetlands are lost at the rate of about sixteen square miles per year, but reducing these losses is proving to be very difficult and extremely costly; and

Whereas, Louisiana's wetlands today represent nearly forty percent of the wetlands located in the continental United States, but account for nearly eighty percent of the losses experienced in the continental United States; and

Whereas, many studies indicate that major shifts in the course of the Mississippi River over thousands of years built the land in

south Louisiana through its delta building process; and

Whereas, man-made levees have contributed significantly to the degradation of the wetlands with the disintegration intensified by the channelization caused by the construction of the Mississippi River levees and man-made canals; and

Whereas, the seasonal flooding that previously provided sediments critical to the healthy growth of wetlands that sustain our deltaic system has been virtually eliminated by construction of massive levees that channel the river for over a thousand miles which in turn cause the sediment carried by the river to now be discharged into the Gulf of Mexico far from the coast, thereby depriving wetlands of vital sediment; and

Whereas, Louisiana's coastal area is critical to our nation's energy security with half of the country's oil refineries, a network of pipelines that serve ninety percent of the nation's offshore energy production and thirty percent of its total oil and gas supply, and a port complex supporting twenty percent of all waterborne commerce vital to thirty-one states; and

Whereas, these valuable and necessary human activities such as energy exploration, commercial and recreational navigation, agriculture, and development during the past century have affected the wetlands, directly and indirectly, enabling salt water from the Gulf of Mexico to intrude into brackish and freshwater wetlands and contributing to wetlands deterioration and loss increasing the vulnerability of our coastal communities; and

Whereas, the state has committed extensive resources to address this crisis, through the establishment of the Coastal Protection and Restoration Authority tasked with development of a state Master Plan to provide hurricane protection, coastal restoration, the reduction of saltwater intrusion, and improving hydrology throughout the coastal area by allowing water to move between the interior and exterior marshes of the system, including a mitigation plan that will create an additional one thousand three hundred and fifty-two acres of coastal marsh, and risk reduction benefits; and

Whereas, the state has substantially increased its financial commitment to the coast resulting in significant progress on projects that maintain land and reduce risk, however capricious regulatory requirements waste taxpayer money, delay or deny projects, and increase risk both to the federal treasury and our citizens resulting in increased construction and emergency response costs: Now, therefore, be it

Resolved, That the Legislature of Louisiana memorializes the Congress of the United States to recognize that the Louisiana coast is in a state of crisis and in need of recognition by the President and the federal government, that federal disaster attention and cooperation are acutely needed to assist the state to better provide for the health, safety, and welfare of the people who need it most, and to increase federal investment in infrastructure that provides coastal protection in coastal Louisiana; and be it further

Resolved, That a copy of this Resolution be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana delegation to the United States Congress as well as the Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP) and the Federal Emergency Management Agency (FEMA) to enable collaboration between the

federal, state, and local officials to clear regulatory hurdles, and inform Americans everywhere about the value of our critical communities, ecosystems, and our unique hurricane protection and disaster recovery needs.

EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted:

By Mr. JOHNSON for the Committee on Homeland Security and Governmental Affairs.

*Elaine C. Duke, of Virginia, to be Deputy Secretary of Homeland Security.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. SHAHEEN (for herself, Mr. MCCAIN, Mr. REED, Mr. TILLIS, Mr. BLUMENTHAL, and Mr. KAINE):

S. 630. A bill to amend the Afghan Allies Protection Act of 2009 to make 2,500 visas available for the Afghan Special Immigrant Visa program, and for other purposes; to the Committee on the Judiciary.

By Mr. MARKEY:

S. 631. A bill to amend the FAA Modernization and Reform Act of 2012 to provide guidance and limitations regarding the integration of unmanned aircraft systems into United States airspace, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. COONS (for himself, Ms. STABENOW, Mr. RUBIO, and Mr. NELSON):

S. 632. A bill to amend title 28 of the United States Code to authorize the appointment of additional bankruptcy judges; and for other purposes; to the Committee on the Judiciary.

By Mr. GRASSLEY (for himself, Mrs. MCCASKILL, and Mr. WYDEN):

S. 633. A bill to amend the Congressional Accountability Act of 1995 to apply whistleblower protections available to certain executive branch employees to legislative branch employees, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. GARDNER (for himself and Mr. LEE):

S. 634. A bill to require reductions in the direct cost of Federal regulations that are proportional to the amount of increases in the debt ceiling; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. SHAHEEN (for herself, Ms. COLLINS, Mr. WHITEHOUSE, Mr. MARKEY, and Mrs. MURRAY):

S. 635. A bill to amend title 28, United States Code, to prohibit the exclusion of individuals from service on a Federal jury on account of sexual orientation or gender identity; to the Committee on the Judiciary.

By Mrs. MURRAY (for herself, Mr. BLUMENTHAL, Mr. BOOKER, Mr. BROWN, Ms. CANTWELL, Mr. CARDIN,

Mr. CASEY, Mr. COONS, Mr. DURBIN, Mr. FRANKEN, Mrs. GILLIBRAND, Ms. HASSAN, Mr. HEINRICH, Ms. HIRONO, Mr. KAINE, Mr. KING, Ms. KLOBUCHAR, Mr. LEAHY, Mr. MARKEY, Mr. MENENDEZ, Mr. MERKLEY, Mr. MURPHY, Mr. REED, Mr. SANDERS, Mr. SCHUMER, Mr. UDALL, Mr. VAN HOLLEN, Ms. WARREN, Mr. WHITEHOUSE, Mr. WYDEN, and Mr. PETERS):

S. 636. A bill to allow Americans to earn paid sick time so that they can address their own health needs and the health needs of their families; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WYDEN (for himself, Mr. BROWN, and Ms. HEITKAMP):

S. 637. A bill to amend titles XI and XVIII of the Social Security Act to provide greater transparency of discounts provided by drug manufacturers; to the Committee on Finance.

By Mr. PORTMAN (for himself, Ms. STABENOW, and Mr. BROWN):

S. 638. A bill to amend the Internal Revenue Code of 1986 to provide appropriate rules for the application of the deduction for income attributable to domestic production activities with respect to certain contract manufacturing or production arrangements; to the Committee on Finance.

By Mr. PORTMAN (for himself, Mr. BENNET, and Mrs. CAPITO):

S. 639. A bill to clarify that nonprofit organizations such as Habitat for Humanity may accept donated mortgage appraisals, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. DURBIN (for himself, Mr. BROWN, Mr. MARKEY, Mr. CARDIN, Mr. CASEY, and Mr. VAN HOLLEN):

S. 640. A bill to prioritize funding for an expanded and sustained national investment in biomedical research; to the Committee on the Budget.

By Mr. DURBIN (for himself and Ms. BALDWIN):

S. 641. A bill to prioritize funding for an expanded and sustained national investment in basic science research; to the Committee on the Budget.

By Mr. PAUL (for himself, Mr. LEE, Mr. CRAPO, Mr. KING, Mr. UDALL, and Mr. HEINRICH):

S. 642. A bill to restore the integrity of the Fifth Amendment to the Constitution of the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. GRASSLEY (for himself, Ms. KLOBUCHAR, Mr. CORNYN, Mr. DURBIN, Mr. GRAHAM, Mr. LEAHY, Mr. FRANKEN, Mr. BLUMENTHAL, and Mr. MARKEY):

S. 643. A bill to provide for media coverage of Federal court proceedings; to the Committee on the Judiciary.

By Mr. COCHRAN (for himself and Mr. WICKER):

S. 644. A bill to authorize the Secretary of the Interior to conduct a special resource study of the Medgar Evers House, located in Jackson, Mississippi, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. KLOBUCHAR (for herself, Mrs. CAPITO, Mr. KING, Ms. HEITKAMP, Mr. BOOZMAN, Mr. FRANKEN, and Mr. SULLIVAN):

S. 645. A bill to require the Secretary of Commerce to conduct an assessment and analysis of the effects of broadband deployment and adoption on the economy of the United States, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BLUMENTHAL (for himself, Ms. HIRONO, Mr. FRANKEN, Mr. DURBIN, and Mr. WHITEHOUSE):

S. 646. A bill to amend title 38, United States Code, to improve the enforcement of employment and reemployment rights of members of the uniformed services, to amend the Servicemembers Civil Relief Act to improve the protection of members of the uniformed services, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BLUMENTHAL (for himself, Mr. BROWN, Mr. MARKEY, Mr. FRANKEN, Mrs. MURRAY, Mr. MERKLEY, and Mr. WHITEHOUSE):

S. 647. A bill to amend title 9, United States Code, with respect to arbitration; to the Committee on the Judiciary.

By Mrs. GILLIBRAND (for herself and Mr. WICKER):

S. 648. A bill to establish a grant program to promote the development of career education programs in computer science in secondary and postsecondary education; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DURBIN (for himself, Mr. GRASSLEY, Mr. FRANKEN, Mr. BLUMENTHAL, and Ms. KLOBUCHAR):

S. 649. A bill to permit the televising of Supreme Court proceedings; to the Committee on the Judiciary.

By Mr. COONS (for himself and Mr. ROBERTS):

S. 650. A bill to amend the Small Business Act to expand tax credit education and training for small businesses that engage in research and development, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mrs. MCCASKILL (for herself and Mr. TESTER):

S. 651. A bill to require the posting online of certain government contracts; to the Committee on Homeland Security and Governmental Affairs.

By Mr. PORTMAN (for himself and Mr. KAINE):

S. 652. A bill to amend the Public Health Service Act to reauthorize a program for early detection, diagnosis, and treatment regarding deaf and hard-of-hearing newborns, infants, and young children; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HATCH:

S. 653. A bill to amend the Carl D. Perkins Career and Technical Education Act of 2006 to make the maintenance of effort provision less burdensome on States; to the Committee on Health, Education, Labor, and Pensions.

By Mr. TOOMEY (for himself, Mr. BLUMENTHAL, Mr. DURBIN, and Mrs. FEINSTEIN):

S. 654. A bill to revise section 48 of title 18, United States Code, and for other purposes; to the Committee on the Judiciary.

By Mr. RISCH (for himself and Mr. KING):

S. 655. A bill to exempt certain 16- and 17-year-old individuals employed in logging operations from child labor laws; to the Committee on Health, Education, Labor, and Pensions.

By Mr. COTTON (for himself, Mr. LEE, and Mr. RUBIO):

S. 656. A bill to help individuals receiving disability insurance benefits under title II of the Social Security Act obtain rehabilitation services and return to the workforce, and for other purposes; to the Committee on Finance.

By Mr. WICKER (for himself and Mr. BROWN):

S. 657. A bill to provide for the publication by the Secretary of Health and Human Services of physical activity recommendations for Americans; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HOEVEN (for himself and Mr. COONS):

S. 658. A bill to treat all controlled substance analogues, other than chemical substances subject to the Toxic Substances Control Act, as controlled substances in schedule I regardless of whether they are intended for human consumption; to the Committee on the Judiciary.

By Mr. RUBIO (for himself and Mr. CARDIN):

S. 659. A bill to impose sanctions with respect to the People's Republic of China in relation to activities in the South China Sea and the East China Sea, and for other purposes; to the Committee on Foreign Relations.

By Mr. GARDNER (for himself and Mr. BENNET):

S. 660. A bill to amend the Higher Education Act of 1965 in order to fulfill the Federal mandate to provide higher educational opportunities for Native American Indians; to the Committee on Health, Education, Labor, and Pensions.

By Mr. UDALL:

S. 661. A bill to assist entrepreneurs, support development of the creative economy, and encourage international cultural exchange, and for other purposes; to the Committee on Finance.

By Mr. BLUMENTHAL (for himself, Mr. SANDERS, Mr. MARKEY, Mr. DURBIN, Mr. MERKLEY, Mr. KAINE, Ms. BALDWIN, Mr. WYDEN, and Ms. HIRONO):

S. 662. A bill to provide incentives for hate crime reporting, grants for State-run hate crime hotlines, a Federal private right of action for victims of hate crimes, and additional penalties for individuals convicted under the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act; to the Committee on the Judiciary.

By Mr. THUNE:

S. 663. A bill to establish the position of Choice Program Ombudsman within the Office of Inspector General of the Department of Veterans Affairs to manage complaints regarding the provision of hospital care and medical services under section 101 of the Veterans Access, Choice, and Accountability Act of 2014; to the Committee on Veterans' Affairs.

By Mr. HATCH:

S. 664. A bill to approve the settlement of the water rights claims of the Navajo in Utah, to authorize construction of projects in connection therewith, and for other purposes; to the Committee on Indian Affairs.

By Mr. CASSIDY (for himself, Mr. TILLIS, Mr. KENNEDY, and Mr. COCHRAN):

S. 665. A bill to amend the Outer Continental Shelf Lands Act to authorize additional lease sales to be added to an approved 5-year leasing program; to the Committee on Energy and Natural Resources.

By Mr. SCOTT (for himself, Mr. GRAHAM, and Mr. ISAKSON):

S. 666. A bill to amend the Internal Revenue Code of 1986 to modify the credit for production from advanced nuclear power facilities; to the Committee on Finance.

By Mr. FRANKEN (for himself, Mrs. CAPITO, Ms. KLOBUCHAR, and Mr. CORNYN):

S. 667. A bill to amend titles 5, 10, 37, and 38, United States Code, to ensure that an

order to serve on active duty under section 12304a or 12304b of title 10, United States Code, is treated the same as other orders to serve on active duty for determining the eligibility of members of the uniformed services and veterans for certain benefits and for calculating the deadlines for certain benefits; to the Committee on Armed Services.

By Mr. CARPER (for himself, Mr. BENNET, Mr. BLUMENTHAL, Mr. BOOKER, Mr. COONS, Ms. CORTEZ MASTO, Ms. DUCKWORTH, Mr. DURBIN, Mr. FRANKEN, Mrs. GILLIBRAND, Ms. HIRONO, Mr. KAINE, Mr. LEAHY, Mr. MARKEY, Mr. MENENDEZ, Mr. MERKLEY, Mr. MURPHY, Mrs. MURRAY, Mr. REED, Mr. SANDERS, Mr. VAN HOLLEN, Ms. WARREN, Mr. WYDEN, and Ms. HARRIS):

S. 668. A bill to nullify the effect of the recent Executive order regarding border security and immigration enforcement; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. KAINE (for himself, Mr. MCCAIN, Mr. RUBIO, and Mr. MURPHY):

S. Res. 87. A resolution expressing the sense of the Senate concerning the ongoing conflict in Syria as it reaches its six-year mark in March, the ensuing humanitarian crisis in Syria and neighboring countries, the resulting humanitarian and national security challenges, and the urgent need for a political solution to the crisis; to the Committee on Foreign Relations.

By Ms. STABENOW (for herself, Mrs. GILLIBRAND, Ms. KLOBUCHAR, Mr. BROWN, Mr. DURBIN, Mr. FRANKEN, Mr. PETERS, and Ms. BALDWIN):

S. Res. 88. A resolution expressing the sense of the Senate that the President and the Secretary of State should ensure that the Government of Canada does not permanently store nuclear waste in the Great Lakes Basin; to the Committee on Foreign Relations.

By Mr. ENZI (for himself and Mr. MENENDEZ):

S. Res. 89. A resolution supporting the designation of March 2017 as "National Colorectal Cancer Awareness Month"; considered and agreed to.

By Mr. KAINE (for himself and Mr. WARNER):

S. Con. Res. 9. A concurrent resolution recognizing the George C. Marshall Museum and George C. Marshall Research Library in Lexington, Virginia, as the National George C. Marshall Museum and Library; to the Committee on Energy and Natural Resources.

ADDITIONAL COSPONSORS

S. 29

At the request of Mr. TESTER, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 29, a bill to permit disabled law enforcement officers, customs and border protection officers, firefighters, air traffic controllers, nuclear materials couriers, members of the Capitol Police, members of the Supreme Court Police, employees of the

Central Intelligence Agency performing intelligence activities abroad or having specialized security requirements, and diplomatic security special agents of the Department of State to receive retirement benefits in the same manner as if they had not been disabled.

S. 34

At the request of Mr. JOHNSON, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 34, a bill to amend chapter 8 of title 5, United States Code, to provide for the en bloc consideration in resolutions of disapproval for "midnight rules", and for other purposes.

S. 82

At the request of Mr. REED, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 82, a bill to amend the Internal Revenue Code of 1986 to expand the denial of deduction for certain excessive employee remuneration, and for other purposes.

S. 204

At the request of Mr. JOHNSON, the name of the Senator from Alabama (Mr. STRANGE) was added as a cosponsor of S. 204, a bill to authorize the use of unapproved medical products by patients diagnosed with a terminal illness in accordance with State law, and for other purposes.

S. 205

At the request of Mr. THUNE, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor of S. 205, a bill to amend the Internal Revenue Code of 1986 to repeal the estate and generation-skipping transfer taxes, and for other purposes.

S. 236

At the request of Mr. WYDEN, the names of the Senator from Iowa (Mrs. ERNST) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 236, a bill to amend the Internal Revenue Code of 1986 to reform taxation of alcoholic beverages.

S. 255

At the request of Mr. SCHATZ, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 255, a bill to increase the rates of pay under the General Schedule and other statutory pay systems and for prevailing rate employees by 3.2 percent, and for other purposes.

S. 275

At the request of Ms. HEITKAMP, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 275, a bill to allow the financing by United States persons of sales of agricultural commodities to Cuba.

S. 324

At the request of Mr. HATCH, the names of the Senator from Michigan (Mr. PETERS) and the Senator from Maine (Mr. KING) were added as cosponsors of S. 324, a bill to amend title 38, United States Code, to improve the

provision of adult day health care services for veterans.

S. 341

At the request of Mr. GRAHAM, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 341, a bill to provide for congressional oversight of actions to waive, suspend, reduce, provide relief from, or otherwise limit the application of sanctions with respect to the Russian Federation, and for other purposes.

S. 374

At the request of Mr. BLUNT, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 374, a bill to enable concrete masonry products manufacturers to establish, finance, and carry out a coordinated program of research, education, and promotion to improve, maintain, and develop markets for concrete masonry products.

S. 382

At the request of Mr. MENENDEZ, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 382, a bill to require the Secretary of Health and Human Services to develop a voluntary registry to collect data on cancer incidence among firefighters.

S. 415

At the request of Ms. CORTEZ MASTO, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 415, a bill to nullify the effect of the recent Executive order that makes the vast majority of unauthorized individuals priorities for removal and aims to withhold critical Federal funding to sanctuary cities.

S. 445

At the request of Mr. CARDIN, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 445, a bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 448

At the request of Mr. BROWN, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 448, a bill to amend title XVIII of the Social Security Act to provide for treatment of clinical psychologists as physicians for purposes of furnishing clinical psychologist services under the Medicare program.

S. 459

At the request of Mr. RUBIO, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 459, a bill to designate the area between the intersections of Wisconsin Avenue, Northwest and Davis Street, Northwest and Wisconsin Avenue, Northwest and Edmunds Street, Northwest in Washington, District of Columbia, as "Boris Nemtsov Plaza", and for other purposes.

S. 479

At the request of Mr. BROWN, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 479, a bill to amend title XVIII of the Social Security Act to waive coinsurance under Medicare for colorectal cancer screening tests, regardless of whether therapeutic intervention is required during the screening.

S. 497

At the request of Ms. CANTWELL, the names of the Senator from Wisconsin (Ms. BALDWIN), the Senator from Pennsylvania (Mr. CASEY), and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. 497, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of certain lymphedema compression treatment items as items of durable medical equipment.

S. 515

At the request of Mr. CASEY, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 515, a bill to require the Secretary of Labor to maintain a publicly available list of all employers that relocate a call center overseas, to make such companies ineligible for Federal grants or guaranteed loans, and to require disclosure of the physical location of business agents engaging in customer service communications, and for other purposes.

S. 517

At the request of Mrs. FISCHER, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 517, a bill to amend the Clean Air Act with respect to the ethanol waiver for Reid vapor pressure limitations under such Act.

S. 518

At the request of Mr. WICKER, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 518, a bill to amend the Federal Water Pollution Control Act to provide for technical assistance for small treatment works.

S. 544

At the request of Mr. TESTER, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 544, a bill to amend the Veterans Access, Choice, and Accountability Act of 2014 to modify the termination date for the Veterans Choice Program, and for other purposes.

At the request of Mr. MCCAIN, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 544, *supra*.

S. 608

At the request of Mrs. FEINSTEIN, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 608, a bill to nullify the effect of the March 6, 2017 executive order that temporarily restricts most nationals from six countries from entering the United States.

S. 629

At the request of Mrs. FEINSTEIN, the names of the Senator from New York (Mrs. GILLIBRAND), the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of S. 629, a bill to amend the Federal Food, Drugs, and Cosmetic Act to ensure the safety and effectiveness of medically important antimicrobials approved for use in the prevention, control, and treatment of animal diseases, in order to minimize the development of antibiotic-resistant bacteria.

S.J. RES. 27

At the request of Mr. CASSIDY, the names of the Senator from Alabama (Mr. SHELBY) and the Senator from Kentucky (Mr. MCCONNELL) were added as cosponsors of S.J. Res. 27, a joint resolution disapproving the rule submitted by the Department of Labor relating to "Clarification of Employer's Continuing Obligation to Make and Maintain an Accurate Record of Each Recordable Injury and Illness".

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. SHAHEEN (for herself, Mr. MCCAIN, Mr. REED, Mr. TILLIS, Mr. BLUMENTHAL, and Mr. KAINE):

S. 630. A bill to amend the Afghan Allies Protection Act of 2009 to make 2,500 visas available for the Afghan Special Immigrant Visa program, and for other purposes; to the Committee on the Judiciary.

Mrs. SHAHEEN. Mr. President, I come to the floor again today to speak about a program I have been working on that has had bipartisan support for a number of years; that is, the Afghan Special Immigrant Visa Program. This program allows Afghans, including interpreters, who have supported the U.S. mission in Afghanistan and who face threats as a result of their service to apply for refuge in the United States. As I said, this has had strong bipartisan support. I have worked with Senators MCCAIN, TILLIS, LEAHY, GRAHAM, and so many others here in the Chamber to try to make sure we provide enough visas for those Afghans who are being threatened and who want to come to the United States.

I wish to point out that the Trump administration, even as it has sharply restricted immigration and refugee programs, has made exceptions for those who served alongside our soldiers and diplomats. In fact, when the administration's original Executive order on immigration was released, there was bipartisan anger that Iraqi interpreters were not protected because this program has served not just those in Afghanistan who have helped us but also those in Iraq. So the administration recognized its mistake and has made an exception for Iraqi SIV recipients,

and now they have exempted Iraq from their Executive order.

It is really past time that we rally renewed support for the Afghan SIV Program. Last week, we learned that the State Department has stopped interviewing applicants for the Afghan program because there are more applicants in the final stages of the process than there are visas. Unless Congress acts, the final visas will be exhausted by the end of May. It is estimated that more than 10,000 applicants are still in some step of the process of obtaining these visas.

For these Afghans, it really is no exaggeration to say that this is a matter of life and death. Interpreters who served the U.S. mission are being systematically hunted down by the Taliban, and unless Congress acts, this program will lapse and we will abandon these Afghans to a harsh fate.

The United States promised to protect those Afghans who served our mission with great loyalty and at enormous risk, and it would be a stain on our national honor to break this promise. It would also carry profound strategic costs. U.S. forces and diplomats have always relied on local people to help us accomplish our missions. We continue to require this assistance in Afghanistan, and we will need this support in other places in the future where we face conflict. So we have to ask, if we don't keep our promise, why would anyone agree to help the United States if we abandon those who assist us? This is exactly why the former commander of U.S. forces in Afghanistan, GEN David Petraeus, and his predecessor, GEN Stanley McChrystal, have pleaded with Congress to extend the Afghan SIV Program. In a letter to Congress last year, more than 30 additional prominent generals, including Gen. John Allen, the former commander in Afghanistan, GEN George Casey, the former commander in Iraq, and two former Chairmen of the Joint Chiefs of Staff also urged Congress to extend the program.

In addition, our soldiers and marines are keenly interested in protecting the interpreters who served with them in Afghanistan. Many of them owe their lives to the interpreters who went into combat with them. In recent years, I have gotten to know one of those servicemen, a former Army captain, Michael Breen, who is a Granite Stater. He served with the infantry in Iraq and led paratroopers in Afghanistan. He speaks with admiration about one interpreter in particular who was an Iraqi—part of the Iraqi program—a woman in her early twenties who was named Wissam.

On one occasion, Captain Breen and his soldiers were at a small forward operating base in Iraq. He said that a man approached, frantically pointing to his watch and indicating an explosion with his hands. The Americans

didn't speak Arabic, so they couldn't tell if the man was trying to warn them or threaten them. Wissam hurried over toward Captain Breen to assist. Wissam was beloved by her American comrades, always cheerful and eager to help. She listened to the man and said that he was actually there warning of an improvised explosive device on the main road.

As Captain Breen later told me, "A trusted interpreter can be the difference between a successful patrol and a body bag." He noted that every night, he and his fellow soldiers would hunker down in their heavily guarded perimeter, but Wissam would leave the compound and go home. One evening after she left the American compound, three gunmen ambushed her car. She was killed—one more interpreter who paid the ultimate price for serving the American mission. As Captain Breen later said, one day there will be a granite monument with the names of all of the American servicemembers who died in Iraq and Afghanistan. Wissam deserves to have her name on that monument, too, because she took great risks and she gave her life while serving the United States.

To be eligible for a visa through the Afghan SIV Program, new applicants must demonstrate at least 2 years of faithful and valuable service to the U.S. mission. To receive a visa, they must also clear a rigorous screening process that includes an independent verification of their service and then an intensive interagency review.

We know that the service of these individuals has been critical to our successes in Afghanistan.

Last month in Keene, NH, I met with a remarkable recent immigrant from Afghanistan named Patmana Rafiq Kunary. Patmana had worked closely with the U.S. Agency for International Development in Kabul. She went door to door, encouraging women to take out microloans to start their own businesses. Patmana eventually became vice president for operations at the USAID-sponsored Microloan Program.

In fact, just today I talked to a woman reporter from Afghanistan who wanted to know what message of hope I could provide to the women of Afghanistan. Well, I told her about Patmana, and I told her that one of the things that keep us in Afghanistan supporting our soldiers is concern about what is happening to the women in Afghanistan.

For Patmana, going door to door and working closely with Americans—this was dangerous work. She drew unwelcome attention wherever she went, and she became a high-profile target for the Taliban and others. And then one day in 2013, she got a call at her USAID office. It was from the distraught wife of one of her USAID colleagues, another Afghan. The caller's husband had just been murdered, apparently in re-

taliation for his work with the Americans.

Realizing that her life was in danger, too, Patmana applied for a special immigrant visa. For 2 years, she and her husband were subjected to repeated interviews at the U.S. Embassy in Kabul. Her background was checked and rechecked before visas were finally granted. She told me that they would move frequently. They couldn't stay in one place very long because the Taliban would find them. And she said occasionally there was a knock on her relatives' door, saying "We know where Patmana is," and that would be a signal to move.

She and her husband now live happily in Keene, NH. I am pleased to say her husband has found work as an auditor with a local financial company, and they have a 2-year-old daughter. They are welcomed as valued members of the Keene community and of our larger Granite State family.

The many contributions of these Afghans—both in Afghanistan and now as residents or citizens of the United States—those contributions help explain why senior U.S. commanders and diplomats have urged Congress to extend the Afghan SIV Program. Our Secretary of Defense, GEN James Mattis, during the confirmation process, said: "Most of our units could not have accomplished their missions without the assistance, often at the risk of their lives, of these courageous men and women."

We would never leave an American warrior behind on the battlefield. Likewise, we must not leave behind the Afghan interpreters who served side by side with our warriors and diplomats.

We made a solemn promise to these brave people, and I am going to do everything I can to ensure that we keep this promise. I know there is a lot of bipartisan support in this body to do that. So today I am introducing the Keep Our Promise to Our Afghan Allies Act with Senators MCCAIN, REED, and TILLIS. This legislation would authorize additional special immigrant visas and would help ensure that the program does not lapse and leave behind thousands of Afghans who helped us with the threat by the Taliban.

In addition, I intend to work closely with Senators who are negotiating legislation to fund the Federal Government in order to ensure that additional visas are included. I urge my colleagues to join me. Let's keep the promise we made to our Afghan allies and support these efforts.

By Mr. DURBIN (for himself, Mr. BROWN, Mr. MARKEY, Mr. CARDIN, Mr. CASEY, and Mr. VAN HOLLEN):

S. 640. A bill to prioritize funding for an expanded and sustained national investment in biomedical research; to the Committee on the Budget.

S. 640

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "American Cures Act".

SEC. 2. CAP ADJUSTMENT.

(a) IN GENERAL.—Section 251(b)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)) is amended—

(1) by redesignating subparagraph (D) as subparagraph (E); and

(2) by inserting after subparagraph (C), the following:

"(D) BIOMEDICAL RESEARCH.—

"(i) NATIONAL INSTITUTES OF HEALTH.—If a bill or joint resolution making appropriations for a fiscal year is enacted that specifies amounts for the National Institutes of Health at the Department of Health and Human Services, then the adjustments for that fiscal year shall be the amount of additional new budget authority provided in that Act for such programs for that fiscal year, but shall not exceed—

"(I) for fiscal year 2017, \$2,966,000,000 in additional new budget authority;

"(II) for fiscal year 2018, \$4,718,000,000 in additional new budget authority;

"(III) for fiscal year 2019, \$6,643,000,000 in additional new budget authority;

"(IV) for fiscal year 2020, \$8,743,000,000 in additional new budget authority; and

"(V) for fiscal year 2021, \$10,981,000,000 in additional new budget authority.

"(ii) CENTERS FOR DISEASE CONTROL AND PREVENTION.—If a bill or joint resolution making appropriations for a fiscal year is enacted that specifies amounts for the Centers for Disease Control and Prevention at the Department of Health and Human Services, then the adjustments for that fiscal year shall be the amount of additional new budget authority provided in that Act for such programs for that fiscal year, but shall not exceed—

"(I) for fiscal year 2017, \$1,430,000,000 in additional new budget authority;

"(II) for fiscal year 2018, \$1,828,000,000 in additional new budget authority;

"(III) for fiscal year 2019, \$2,264,000,000 in additional new budget authority;

"(IV) for fiscal year 2020, \$2,740,000,000 in additional new budget authority; and

"(V) for fiscal year 2021, \$3,247,000,000 in additional new budget authority.

"(iii) DEPARTMENT OF DEFENSE HEALTH PROGRAM.—If a bill or joint resolution making appropriations for a fiscal year is enacted that specifies amounts for the Department of Defense health program, then the adjustments for that fiscal year shall be the amount of additional new budget authority provided in that Act for such programs for that fiscal year, but shall not exceed—

"(I) for fiscal year 2017, \$135,100,000 in additional new budget authority;

"(II) for fiscal year 2018, \$241,000,000 in additional new budget authority;

"(III) for fiscal year 2019, \$356,000,000 in additional new budget authority;

"(IV) for fiscal year 2020, \$482,000,000 in additional new budget authority; and

"(V) for fiscal year 2021, \$618,000,000 in additional new budget authority.

"(iv) MEDICAL AND PROSTHETICS RESEARCH PROGRAM OF THE DEPARTMENT OF VETERANS AFFAIRS.—If a bill or joint resolution making appropriations for a fiscal year is enacted that specifies amounts for the medical and

prosthetics research program of the Department of Veterans Affairs, then the adjustments for that fiscal year shall be the amount of additional new budget authority provided in that Act for such programs for that fiscal year, but shall not exceed—

“(I) for fiscal year 2017, \$36,000,000 in additional new budget authority;

“(II) for fiscal year 2018, \$65,000,000 in additional new budget authority;

“(III) for fiscal year 2019, \$98,000,000 in additional new budget authority;

“(IV) for fiscal year 2020, \$134,000,000 in additional new budget authority; and

“(V) for fiscal year 2021, \$172,000,000 in additional new budget authority.

“(v) DEFINITIONS.—As used in this subparagraph:

“(I) ADDITIONAL NEW BUDGET AUTHORITY.—The term ‘additional new budget authority’ means—

“(aa) with respect to the National Institutes of Health, the amount provided for a fiscal year, in excess of the amount provided in fiscal year 2016, in an appropriation Act and specified to support the National Institutes of Health;

“(bb) with respect to the Centers for Disease Control and Prevention, the amount provided for a fiscal year, in excess of the amount provided in fiscal year 2016, in an appropriation Act and specified to support the Centers for Disease Control and Prevention;

“(cc) with respect to the Department of Defense health program, the amount provided for a fiscal year, in excess of the amount provided in fiscal year 2016, in an appropriation Act and specified to support the Department of Defense health program; and

“(dd) with respect to the medical and prosthetics research program of the Department of Veterans Affairs, the amount provided for a fiscal year, in excess of the amount provided in fiscal year 2016, in an appropriation Act and specified to support the medical and prosthetics research program of the Department of Veterans Affairs.

“(II) CENTERS FOR DISEASE CONTROL AND PREVENTION.—The term ‘Centers for Disease Control and Prevention’ means the appropriations accounts that support the various institutes, offices, and centers that make up the Centers for Disease Control and Prevention.

“(III) DEPARTMENT OF DEFENSE HEALTH PROGRAM.—The term ‘Department of Defense health program’ means the appropriations accounts that support the various institutes, offices, and centers that make up the Department of Defense health program.

“(IV) MEDICAL AND PROSTHETICS RESEARCH PROGRAM OF THE DEPARTMENT OF VETERANS AFFAIRS.—The term ‘medical and prosthetics research program of the Department of Veterans Affairs’ means the appropriations accounts that support the various institutes, offices, and centers that make up the medical and prosthetics research program of the Department of Veterans Affairs.

“(V) NATIONAL INSTITUTES OF HEALTH.—The term ‘National Institutes of Health’ means the appropriations accounts that support the various institutes, offices, and centers that make up the National Institutes of Health.”.

(b) FUNDING.—There are hereby authorized to be appropriated—

(1) for the National Institutes of Health, the amounts provided for under clause (i) of such section 251(b)(2)(D) in each of fiscal years 2017 through 2021, and such sums as may be necessary for each subsequent fiscal year;

(2) for the Secretary of Health and Human Services, acting through the Centers for Dis-

ease Control and Prevention, the amounts provided for under clause (ii) of such section 251(b)(2)(D) in each of fiscal years 2017 through 2021, and such sums as may be necessary for each subsequent fiscal year;

(3) for the Department of Defense health program, the amounts provided for under clause (iii) of such section 251(b)(2)(D) in each of fiscal years 2017 through 2021, and such sums as may be necessary for each subsequent fiscal year; and

(4) for the Medical and prosthetics research program of the Department of Veterans Affairs, the amounts provided for under clause (iv) of such section 251(b)(2)(D) in each of fiscal years 2017 through 2021, and such sums as may be necessary for each subsequent fiscal year.

(c) MINIMUM CONTINUED FUNDING REQUIREMENT.—Amounts appropriated for each of the programs and agencies described in section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985 (as added by subsection (a)) for each of fiscal years 2017 through 2021, and each subsequent fiscal year, shall not be less than the amounts appropriated for such programs and agencies for fiscal year 2016.

(d) EXEMPTION OF CERTAIN APPROPRIATIONS FROM SEQUESTRATION.—

(1) IN GENERAL.—Section 255(g)(1)(A) of the Balanced Budget and Emergency Deficit Control Act (2 U.S.C. 905(g)(1)(A)) is amended by inserting after “Advances to the Unemployment Trust Fund and Other Funds (16-0327–0–1–600).” the following:

“Appropriations under the American Cures Act.”.

(2) APPLICABILITY.—The amendment made by this section shall apply to any sequestration order issued under the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.) on or after the date of enactment of this Act.

By Mr. DURBIN (for himself and Ms. BALDWIN):

S. 641. A bill to prioritize funding for an expanded and sustained national investment in basic science research; to the Committee on the Budget.

S. 641

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “American Innovation Act”.

SEC. 2. CAP ADJUSTMENT.

(a) IN GENERAL.—Section 251(b)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)) is amended—

(1) by redesignating subparagraph (D) as subparagraph (E); and

(2) by inserting after subparagraph (C), the following:

“(D) BASIC SCIENCE RESEARCH.—

“(i) NATIONAL SCIENCE FOUNDATION.—If a bill or joint resolution making appropriations for a fiscal year is enacted that specifies amounts for the National Science Foundation, then the adjustments for that fiscal year shall be the amount of additional new budget authority provided in that Act for such programs for that fiscal year, but shall not exceed—

“(I) for fiscal year 2017, \$429,000,000 in additional new budget authority;

“(II) for fiscal year 2018, \$834,000,000 in additional new budget authority;

“(III) for fiscal year 2019, \$1,279,000,000 in additional new budget authority;

“(IV) for fiscal year 2020, \$1,764,000,000 in additional new budget authority; and

“(V) for fiscal year 2021, \$2,279,000,000 in additional new budget authority.

“(ii) DEPARTMENT OF ENERGY, OFFICE OF SCIENCE.—If a bill or joint resolution making appropriations for a fiscal year is enacted that specifies amounts for the Office of Science at the Department of Energy, then the adjustments for that fiscal year shall be the amount of additional new budget authority provided in that Act for such programs for that fiscal year, but shall not exceed—

“(I) for fiscal year 2017, \$378,000,000 in additional new budget authority;

“(II) for fiscal year 2018, \$674,000,000 in additional new budget authority;

“(III) for fiscal year 2019, \$998,000,000 in additional new budget authority;

“(IV) for fiscal year 2020, \$1,351,000,000 in additional new budget authority; and

“(V) for fiscal year 2021, \$1,727,000,000 in additional new budget authority.

“(iii) DEPARTMENT OF DEFENSE SCIENCE AND TECHNOLOGY PROGRAMS.—If a bill or joint resolution making appropriations for a fiscal year is enacted that specifies amounts for the Department of Defense science and technology programs, then the adjustments for that fiscal year shall be the amount of additional new budget authority provided in that Act for such programs for that fiscal year, but shall not exceed—

“(I) for fiscal year 2017, \$931,000,000 in additional new budget authority;

“(II) for fiscal year 2018, \$1,661,000,000 in additional new budget authority;

“(III) for fiscal year 2019, \$2,456,000,000 in additional new budget authority;

“(IV) for fiscal year 2020, \$3,320,000,000 in additional new budget authority; and

“(V) for fiscal year 2021, \$4,258,000,000 in additional new budget authority.

“(iv) NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES.—If a bill or joint resolution making appropriations for a fiscal year is enacted that specifies amounts for the scientific and technical research and services of the National Institute of Standards and Technology at the Department of Commerce, then the adjustments for that fiscal year shall be the amount of additional new budget authority provided in that Act for such programs for that fiscal year, but shall not exceed—

“(I) for fiscal year 2017, \$42,000,000 in additional new budget authority;

“(II) for fiscal year 2018, \$73,000,000 in additional new budget authority;

“(III) for fiscal year 2019, \$108,000,000 in additional new budget authority;

“(IV) for fiscal year 2020, \$147,000,000 in additional new budget authority; and

“(V) for fiscal year 2021, \$188,000,000 in additional new budget authority.

“(v) NATIONAL AERONAUTICS AND SPACE ADMINISTRATION SCIENCE MISSION DIRECTORATE.—If a bill or joint resolution making appropriations for a fiscal year is enacted that specifies amounts for the Science Mission Directorate at the National Aeronautics and Space Administration, then the adjustments for that fiscal year shall be the amount of additional new budget authority provided in that Act for such programs for that fiscal year, but shall not exceed—

“(I) for fiscal year 2017, \$302,000,000 in additional new budget authority;

“(II) for fiscal year 2018, \$600,000,000 in additional new budget authority;

“(III) for fiscal year 2019, \$928,000,000 in additional new budget authority;

“(IV) for fiscal year 2020, \$1,286,000,000 in additional new budget authority; and

“(V) for fiscal year 2021, \$1,666,000,000 in additional new budget authority.

“(vi) DEFINITIONS.—As used in this subparagraph:

“(I) ADDITIONAL NEW BUDGET AUTHORITY.—The term ‘additional new budget authority’ means—

“(aa) with respect to the National Science Foundation, the amount provided for a fiscal year, in excess of the amount provided in fiscal year 2016, in an appropriation Act and specified to support the National Science Foundation;

“(bb) with respect to the Department of Energy Office of Science, the amount provided for a fiscal year, in excess of the amount provided in fiscal year 2016, in an appropriation Act and specified to support the Department of Energy Office of Science;

“(cc) with respect to the Department of Defense science and technology programs, the amount provided for a fiscal year, in excess of the amount provided in fiscal year 2016, in an appropriation Act and specified to support the Department of Defense science and technology programs;

“(dd) with respect to the National Institute of Standards and Technology scientific and technical research services, the amount provided for a fiscal year, in excess of the amount provided in fiscal year 2016, in an appropriation Act and specified to support the National Institute of Standards and Technology scientific and technical research services; and

“(ee) with respect to the National Aeronautics and Space Administration Science Mission Directorate, the amount provided for a fiscal year, in excess of the amount provided in fiscal year 2016, in an appropriation Act and specified to support the National Aeronautics and Space Administration Science Mission Directorate.

“(II) DEPARTMENT OF DEFENSE SCIENCE AND TECHNOLOGY PROGRAMS.—The term ‘Department of Defense science and technology programs’ means the appropriations accounts that support the various institutes, offices, and centers that make up the Department of Defense science and technology programs.

“(III) DEPARTMENT OF ENERGY OFFICE OF SCIENCE.—The term ‘Department of Energy Office of Science’ means the appropriations accounts that support the various institutes, offices, and centers that make up the Department of Energy Office of Science.

“(IV) NATIONAL AERONAUTICS AND SPACE ADMINISTRATION SCIENCE MISSION DIRECTORATE.—The term ‘National Aeronautics and Space Administration Science Mission Directorate’ means the appropriations accounts that support the various institutes, offices, and centers that make up the National Aeronautics and Space Administration Science Mission Directorate.

“(V) NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES.—The term ‘National Institute of Standards and Technology scientific and technical research and services’ means the appropriations accounts that support the various institutes, offices, and centers that make up the National Institute of Standards and Technology scientific and technical research and services.

“(VI) NATIONAL SCIENCE FOUNDATION.—The term ‘National Science Foundation’ means the appropriations accounts that support the various institutes, offices, and centers that make up the National Science Foundation.”

(b) FUNDING.—There are hereby authorized to be appropriated—

(1) for the National Science Foundation, the amounts provided for under clause (i) of

such section 251(b)(2)(D) in each of fiscal years 2017 through 2021, and such sums as may be necessary for each subsequent fiscal year;

(2) for the Department of Energy Office of Science, the amounts provided for under clause (ii) of such section 251(b)(2)(D) in each of fiscal years 2017 through 2021, and such sums as may be necessary for each subsequent fiscal year;

(3) for the Department of Defense science and technology programs, the amounts provided for under clause (iii) of such section 251(b)(2)(D) in each of fiscal years 2017 through 2021, and such sums as may be necessary for each subsequent fiscal year;

(4) for the National Institute of Standards and Technology scientific and technical research and services, the amounts provided for under clause (iv) of such section 251(b)(2)(D) in each of fiscal years 2017 through 2021, and such sums as may be necessary for each subsequent fiscal year; and

(5) for the National Aeronautics and Space Administration Science Mission Directorate, the amounts provided for under clause (v) of such section 251(b)(2)(D) in each of fiscal years 2016 through 2021, and such sums as may be necessary for each subsequent fiscal year.

(c) MINIMUM CONTINUED FUNDING REQUIREMENT.—Amounts appropriated for each of the programs and agencies described in section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985 (as added by subsection (a)) for each of fiscal years 2017 through 2021, and each subsequent fiscal year, shall not be less than the amounts appropriated for such programs and agencies for fiscal year 2016.

(d) EXEMPTION OF CERTAIN APPROPRIATIONS FROM SEQUESTRATION.—

(1) IN GENERAL.—Section 255(g)(1)(A) of the Balanced Budget and Emergency Deficit Control Act (2 U.S.C. 905(g)(1)(A)) is amended by inserting after “Advances to the Unemployment Trust Fund and Other Funds (16-0327-0-1-600).” the following:

“Appropriations under the American Innovation Act.”

(2) APPLICABILITY.—The amendment made by this section shall apply to any sequestration order issued under the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.) on or after the date of enactment of this Act.

By Mr. GRASSLEY (for himself, Ms. KLOBUCHAR, Mr. CORNYN, Mr. DURBIN, Mr. GRAHAM, Mr. LEAHY, Mr. FRANKEN, Mr. BLUMENTHAL, and Mr. MARKEY):

S. 643. A bill to provide for media coverage of Federal court proceedings; to the Committee on the Judiciary.

Mr. GRASSLEY. Mr. President, affirming the public's right to know how their government is run, Sunshine Week is an annual reminder of the importance of transparency and accountability in a government of the people, by the people, and for the people. In the spirit of government transparency, I am pleased to join a bipartisan group of colleagues to introduce the Sunshine in the Courtroom Act of 2017. This important piece of legislation furthers the public's access to court proceedings by permitting Federal judges at all Federal court levels to open their courtrooms to television cameras and radio broadcasts.

For decades, and with great results, States such as my home State of Iowa have allowed cameras in their courtrooms. In fact, all 50 States and the District of Columbia now allow some news coverage of proceedings, and it is time we join them. This openness in our courts improves the public's understanding of the legal system and what happens inside our courts.

However, our Federal judicial system unnecessarily remains a mystery to many across the country. The bill I am introducing today, along with Senator KLOBUCHAR and a number of cosponsors from both sides of the aisle, will greatly improve public access to Federal courts by letting Federal judges open their courtrooms to television cameras and other forms of electronic media. Letting the Sun shine in on our Federal courtrooms will allow Americans to better understand the judicial process.

The Sunshine in the Courtroom Act will ensure that the introduction of cameras and other broadcasting devices into courtrooms goes as smoothly as it has at the State level. This legislation leaves the presence of the cameras in Federal trial and appellate courts to the sole discretion of the judges—it is not mandatory. The bill also provides a mechanism for Congress to study the effects of this legislation on our judiciary before making this change permanent through a 3-year sunset provision. The bill protects the privacy and safety of nonparty witnesses by giving them the right to have their faces and voices obscured. Additionally, the bill prohibits the televising of jurors and includes a provision to protect the due process rights of each party.

It is time to open the courthouse doors and let the light shine in on the Federal judiciary. Granting the public greater access to an already public proceeding will inspire greater faith in and appreciation for our judges who pledge equal and impartial justice for all.

Mr. President, I ask unanimous consent that the text of this bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 643

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Sunshine in the Courtroom Act of 2017”.

SEC. 2. FEDERAL APPELLATE AND DISTRICT COURTS.

(a) DEFINITIONS.—In this section:

(1) PRESIDING JUDGE.—The term “presiding judge” means the judge presiding over the court proceeding concerned. In proceedings in which more than 1 judge participates, the presiding judge shall be the senior active judge so participating or, in the case of a circuit court of appeals, the senior active circuit judge so participating, except that—

(A) in en banc sittings of any United States circuit court of appeals, the presiding judge shall be the chief judge of the circuit whenever the chief judge participates; and

(B) in en banc sittings of the Supreme Court of the United States, the presiding judge shall be the Chief Justice whenever the Chief Justice participates.

(2) APPELLATE COURT OF THE UNITED STATES.—The term “appellate court of the United States” means any United States circuit court of appeals and the Supreme Court of the United States.

(b) AUTHORITY OF PRESIDING JUDGE TO ALLOW MEDIA COVERAGE OF COURT PROCEEDINGS.—

(1) AUTHORITY OF APPELLATE COURTS.—

(A) IN GENERAL.—Except as provided under subparagraph (B), the presiding judge of an appellate court of the United States may, at the discretion of that judge, permit the photographing, electronic recording, broadcasting, or televising to the public of any court proceeding over which that judge presides.

(B) EXCEPTION.—The presiding judge shall not permit any action under subparagraph (A), if—

(i) in the case of a proceeding involving only the presiding judge, that judge determines the action would constitute a violation of the due process rights of any party; or

(ii) in the case of a proceeding involving the participation of more than 1 judge, a majority of the judges participating determine that the action would constitute a violation of the due process rights of any party.

(2) AUTHORITY OF DISTRICT COURTS.—

(A) IN GENERAL.—

(1) AUTHORITY.—Notwithstanding any other provision of law, except as provided under clause (iii), the presiding judge of a district court of the United States may, at the discretion of that judge, permit the photographing, electronic recording, broadcasting, or televising to the public of any court proceeding over which that judge presides.

(ii) OBSCURING OF WITNESSES.—Except as provided under clause (iii)—

(I) upon the request of any witness (other than a party) in a trial proceeding, the court shall order the face and voice of the witness to be disguised or otherwise obscured in such manner as to render the witness unrecognizable to the broadcast audience of the trial proceeding; and

(II) the presiding judge in a trial proceeding shall inform each witness who is not a party that the witness has the right to request the image and voice of that witness to be obscured during the testimony of the witness.

(iii) EXCEPTION.—The presiding judge shall not permit any action under this subparagraph—

(I) if that judge determines the action would constitute a violation of the due process rights of any party; and

(II) until the Judicial Conference of the United States promulgates mandatory guidelines under paragraph (5).

(B) NO MEDIA COVERAGE OF JURORS.—The presiding judge shall not permit the photographing, electronic recording, broadcasting, or televising of any juror in a trial proceeding, or of the jury selection process.

(C) DISCRETION OF THE JUDGE.—The presiding judge shall have the discretion to obscure the face and voice of an individual, if good cause is shown that the photographing, electronic recording, broadcasting, or televising of the individual would threaten—

(i) the safety of the individual;

(ii) the security of the court;

(iii) the integrity of future or ongoing law enforcement operations; or

(iv) the interest of justice.

(D) SUNSET OF DISTRICT COURT AUTHORITY.—The authority under this paragraph shall terminate 3 years after the date of the enactment of this Act.

(3) INTERLOCUTORY APPEALS BARRED.—The decision of the presiding judge under this subsection of whether or not to permit, deny, or terminate the photographing, electronic recording, broadcasting, or televising of a court proceeding may not be challenged through an interlocutory appeal.

(4) ADVISORY GUIDELINES.—The Judicial Conference of the United States may promulgate advisory guidelines to which a presiding judge, at the discretion of that judge, may refer in making decisions with respect to the management and administration of photographing, recording, broadcasting, or televising described under paragraphs (1) and (2).

(5) MANDATORY GUIDELINES.—Not later than 6 months after the date of enactment of this Act, the Judicial Conference of the United States shall promulgate mandatory guidelines that a presiding judge is required to follow for obscuring of certain vulnerable witnesses, including crime victims, minor victims, families of victims, cooperating witnesses, undercover law enforcement officers or agents, witnesses subject to section 3521 of title 18, United States Code, relating to witness relocation and protection, or minors under the age of 18 years. The guidelines shall include procedures for determining, at the earliest practicable time in any investigation or case, which witnesses should be considered vulnerable under this section.

(6) PROCEDURES.—In the interests of justice and fairness, the presiding judge of the court in which media use is desired has discretion to promulgate rules and disciplinary measures for the courtroom use of any form of media or media equipment and the acquisition or distribution of any of the images or sounds obtained in the courtroom. The presiding judge shall also have discretion to require written acknowledgment of the rules by anyone individually or on behalf of any entity before being allowed to acquire any images or sounds from the courtroom.

(7) NO BROADCAST OF CONFERENCES BETWEEN ATTORNEYS AND CLIENTS.—There shall be no audio pickup or broadcast of conferences which occur in a court proceeding between attorneys and their clients, between co-counsel of a client, between adverse counsel, or between counsel and the presiding judge, if the conferences are not part of the official record of the proceedings.

(8) EXPENSES.—A court may require that any accommodations to effectuate this Act be made without public expense.

(9) INHERENT AUTHORITY.—Nothing in this Act shall limit the inherent authority of a court to protect witnesses or clear the courtroom to preserve the decorum and integrity of the legal process or protect the safety of an individual.

By Mr. DURBIN (for himself, Mr. GRASSLEY, Mr. FRANKEN, Mr. BLUMENTHAL, and Ms. KLOBUCHAR):

S. 649. A bill to permit the televising of Supreme Court proceedings; to the Committee on the Judiciary.

S. 649

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Cameras in the Courtroom Act”.

SEC. 2. AMENDMENT TO TITLE 28.

(a) IN GENERAL.—Chapter 45 of title 28, United States Code, is amended by inserting at the end the following:

“§ 678. Televising Supreme Court proceedings

“The Supreme Court shall permit television coverage of all open sessions of the Court unless the Court decides, by a vote of the majority of justices, that allowing such coverage in a particular case would constitute a violation of the due process rights of 1 or more of the parties before the Court.”.

(b) CLERICAL AMENDMENT.—The chapter analysis for chapter 45 of title 28, United States Code, is amended by inserting at the end the following:

“678. Televising Supreme Court proceedings.”.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 87—EX-PRESSING THE SENSE OF THE SENATE CONCERNING THE ONGOING CONFLICT IN SYRIA AS IT REACHES ITS SIX-YEAR MARK IN MARCH, THE ENSUING HUMANITARIAN CRISIS IN SYRIA AND NEIGHBORING COUNTRIES, THE RESULTING HUMANITARIAN AND NATIONAL SECURITY CHALLENGES, AND THE URGENT NEED FOR A POLITICAL SOLUTION TO THE CRISIS

Mr. KAINE (for himself, Mr. MCCAIN, Mr. RUBIO, and Mr. MURPHY) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 87

Whereas the transnational Salafi-jihadi organizations ISIL and al Qaeda are utilizing the conflict in Syria and the actions of the Assad regime to recruit and mobilize fighter and popular support;

Whereas the crisis in Syria has led to the creation of terrorist safe havens controlled by ISIL and al Qaeda, along with other extremist groups, which have become bases from which to plan, direct, and inspire attacks against the United States and its allies and partners;

Whereas the spread of violence perpetuated by the Syrian conflict and the flow of refugees is a threat to the security of United States allies in the Middle East and Europe, placing immense domestic and humanitarian burdens on Syria's neighbors, most notably Lebanon and Jordan, as well as Turkey and Iraq;

Whereas the Syrian conflict has allowed Iran's Islamic Revolutionary Guard Corps and its proxies to increase their influence in parts of Syria and potentially threaten Israel's borders;

Whereas United Nations Security Council resolutions 2332 (2016), 2268 (2016), and 2139 (2014) call for the implementation of a cessation of hostilities in Syria and reaffirm the

international community's support for the immediate, direct, and uninhibited access of humanitarian workers throughout the Syrian Arab Republic;

Whereas the United Nations High Commissioner for Refugees estimates that the Syrian conflict has created 4,800,000 refugees and 6,600,000 internally displaced persons;

Whereas widespread and systematic attacks on civilians, schools, hospitals, and other civilian infrastructure, in violation of international humanitarian law, continue in Syria, in particular as result of the actions of the Assad regime and its Russian and Iranian supporters;

Whereas widespread and systematic violations of the human rights of the people of Syria continue to be perpetrated by the Assad regime;

Whereas, according to Amnesty International, the Assad regime has a documented record of committing mass human rights abuses against detainees, including 5,000 to 13,000 detainees summarily executed by hanging between September 2011 through December 2015;

Whereas the regime of Bashar al-Assad has repeatedly blocked civilian access to or diverted humanitarian assistance, including medical supplies, from besieged and hard-to-reach areas, in violation of United Nations Security Council resolutions;

Whereas the Assad regime is subject to and in violation of both United Nations Security Council Resolution 2118 (2013) on the Framework for Elimination of Syrian Chemical Weapons and United Nations Security Council Resolution 2209 (2015) Condemning the Use of Chlorine Gas in Syria;

Whereas the Governments of the Russian Federation and Iran have supported the Assad regime, perpetuated the conflict, and deployed tactics and strategies that have caused grave harm to civilians, including their conduct in the siege of eastern Aleppo, constituting war crimes and crimes against humanity;

Whereas there exists sufficient documentation, as well as credible, clear, and convincing reporting, to charge Bashar al-Assad with war crimes and crimes against humanity due to the Assad regime's confirmed use of chemical weapons, use of barrel bombs against noncombatants, widespread use of torture, summary executions, prolonged sieges, forcible relocations, and indiscriminate targeting of civilians and humanitarian actors;

Whereas the United States Government has provided over \$5,800,000 since 2011 in humanitarian assistance to communities and people directly impacted by the Syrian conflict, including \$364,000,000 that will be provided in fiscal year 2017 for refugees and other people displaced by the Syrian conflict; and

Whereas the United States Armed Forces are leading the Global Coalition to Counter ISIL and are deployed with Coalition allies within the territory of Syria and are working by, with, and through local Syrian partner forces to defeat ISIL and stabilize territory taken from it; Now, therefore, be it

Resolved, That the Senate—

(1) strongly condemns the regime of Bashar al-Assad for committing war crimes and crimes against humanity during the Syrian conflict, including the use of chemical weapons, in violation of its obligations as required by United Nations Security Council Resolutions 2118 (2013) and 2209 (2015), and for the widespread use of torture, summary executions, prolonged sieges, forcible relocations, and indiscriminate targeting of civilians and humanitarian actors;

(2) condemns the Assad regime and the Government of the Russian Federation for using indiscriminate cluster munitions on civilian areas and infrastructure and for the deliberate targeting of United Nations humanitarian aid convoys;

(3) urges all parties to the conflict, particularly the Russian Federation, Iran, and Iranian-backed militias, to immediately halt indiscriminate attacks, the imposition of starvation sieges, and other forms of warfare directed against civilians and civilian infrastructure;

(4) strongly urges all parties to the conflict to allow for and facilitate immediate, unfettered access to humanitarian assistance throughout Syria, respecting the safety, security, independence, and impartiality of humanitarian workers and ensuring freedom of movement to deliver aid, particularly in areas of Syria controlled by opposition forces;

(5) affirms the neutrality of medical professionals providing humanitarian assistance and health care on a non-political basis, and condemns attacks against such personnel or interference in the provision of medical care, particularly in areas of Syria controlled by opposition forces;

(6) encourages the President to make it the policy of the United States Government to continue to coordinate a comprehensive and generous response to the Syrian humanitarian crisis, including assistance and development, and protection of human rights inside Syria and in the region;

(7) urges all parties in Syria to support the immediate and full implementation of United Nations Security Council Resolution 2268 (2016), which calls for a cessation of hostilities in the conflict, except with ISIL and al Qaeda and their affiliated organizations, to facilitate the provision of humanitarian assistance and reconstruction of war-affected communities in Syria;

(8) affirms that the elimination of al Qaeda and ISIS safe havens in Syria, from which those organizations can plan and launch attacks against the United States and its partners, is a vital national security interest of the United States;

(9) commends the Syrian Democratic Forces, the Syrian Arab Coalition, and other local, Syrian partner forces for their support of Operation Inherent Resolve and the efforts of the Global Coalition to Counter ISIL;

(10) affirms that the stability of key European and Middle Eastern partners is vital to the national security of the United States and preventing the Syrian conflict from undermining that stability is a top priority for the United States;

(11) calls on the international community to continue to support neighboring countries and host communities who are generously supporting refugees and internally displaced persons fleeing the conflict in Syria;

(12) calls on the President to continue the active participation of the United States Government in a robust and effective diplomatic process to achieve a political agreement to the Syrian conflict; and

(13) urges the President to develop and submit to the Committees on Foreign Relations and Armed Services of the Senate within 90 days a strategy for providing long-term stability and security in areas seized from ISIL.

Mr. KAINE. Mr. President, 6 years ago, the Syrian people rose up against the tyranny of the Assad regime and hoped that the international community would stand by their side in this monumental endeavor. Nearly half a

million Syrians have been killed by this conflict. More than 13 million Syrians have been forced to flee their homes and continue to face starvation and sieges by pro-Assad forces. Assad's barrel bombs and Russian airstrikes still target hospitals and schools. Syria's neighbors have provided refuge to nearly 5 million, mostly women and children. At the same time, many Syrians continue to risk their lives in an attempt to find safety on Europe's shores.

In the vacuum left by Assad's devastation, extremist groups like ISIS and al-Qaida have found fertile ground. Ankara, Baghdad, Beirut, Brussels, Paris, San Bernadino—these are just a few of the places impacted by ISIS. As long as the Syrian conflict continues, violence and extremism will continue to spiral out of the region. It is time for the United States and international community to hold the Assad regime and its backers accountable for their actions. The Trump administration should take an active role in resolving this conflict. The Syrian conflict has many dimensions—leaving this to the Russians and hoping that they can end this war is not a strategy. American leadership, along with support from regional actors and the international community, is the only meaningful approach towards bringing peace to Syria and its citizens and justice to the Assad regime for its brutal actions.

I am pleased to introduce this resolution with Senators MCCAIN and RUBIO and MURPHY that condemns the Assad regime's blatant disregard for international law and human life and asks the Trump administration to pursue a strategy that can help bring the brutal conflict to a peaceful conclusion. The resolution also denounces Iran and Russia for their political and military support of the Assad regime and calls for protection of civilians and humanitarian workers.

SENATE RESOLUTION 88—EXPRESSING THE SENSE OF THE SENATE THAT THE PRESIDENT AND THE SECRETARY OF STATE SHOULD ENSURE THAT THE GOVERNMENT OF CANADA DOES NOT PERMANENTLY STORE NUCLEAR WASTE IN THE GREAT LAKES BASIN

Ms. STABENOW (for herself, Mrs. GILLIBRAND, Ms. KLOBUCHAR, Mr. BROWN, Mr. DURBIN, Mr. FRANKEN, Mr. PETERS, and Ms. BALDWIN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 88

Whereas the water resources of the Great Lakes Basin are precious public natural resources, shared by the Great Lakes States and the Canadian Provinces;

Whereas the United States and Canada have, since 1909, worked to maintain and improve the water quality of the Great Lakes through water quality agreements;

Whereas over 40,000,000 people in both Canada and the United States depend on the fresh water from the Great Lakes for drinking water;

Whereas Ontario Power Generation is proposing to build a permanent geological repository for nuclear waste less than one mile from Lake Huron in Kincardine, Ontario, Canada;

Whereas nuclear waste is highly toxic and can take tens of thousands of years to decompose to safe levels;

Whereas a spill of nuclear waste into the Great Lakes could have lasting and severely adverse environmental, health, and economic impacts on the Great Lakes and the people that depend on them for their livelihood;

Whereas 187 local, county, State, and tribal governments have passed resolutions in opposition to Ontario Power Generation's proposed nuclear waste repository;

Whereas tribes and First Nations' citizens have a strong spiritual and cultural connection to the Great Lakes, and its protection is fundamental to treaty rights;

Whereas Ontario Power Generation has promised not to move forward with their current proposal without the support of the First Nations that would be impacted; and

Whereas, during the 1980s, when the Department of Energy, in accordance with the Nuclear Waste Policy Act of 1982, was studying potential sites for a permanent nuclear waste repository in the United States, the Government of Canada expressed concern with locating a permanent nuclear waste repository within shared water basins of the two countries: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) the Government of Canada should not allow a permanent nuclear waste repository to be built within the Great Lakes Basin;

(2) the President and the Secretary of State should take appropriate action to work with the Government of Canada to prevent a permanent nuclear waste repository from being built within the Great Lakes Basin; and

(3) the President and the Secretary of State should work together with their Government of Canada counterparts on a safe and responsible solution for the long-term storage of nuclear waste.

SENATE RESOLUTION 89—SUPPORTING THE DESIGNATION OF MARCH 2017 AS “NATIONAL COLORECTAL CANCER AWARENESS MONTH”

Mr. ENZI (for himself and Mr. MENENDEZ) submitted the following resolution; which was considered and agreed to:

S. RES. 89

Whereas colorectal cancer is the second leading cause of cancer death among men and women combined in the United States;

Whereas, in 2017, more than 135,430 individuals in the United States will be diagnosed with colorectal cancer and approximately 50,260 more will die from it;

Whereas colorectal cancer is one of the most preventable forms of cancer because screening tests can find polyps that can be removed before becoming cancerous;

Whereas screening tests can detect colorectal cancer early, which is when treatment works best;

Whereas the Centers for Disease Control and Prevention estimates that if every individual who is 50 years of age or older had

regular screening tests, as many as 60 percent of deaths from colorectal cancer could be prevented;

Whereas the 5-year survival rate for patients with localized colorectal cancer is 90 percent, but only 39 percent of all diagnoses occur at that stage;

Whereas colorectal cancer screenings can effectively reduce the incidence of colorectal cancer and mortality, but 1 in 3 adults between 50 and 75 years of age are not up to date with recommended colorectal cancer screening;

Whereas public awareness and education campaigns on colorectal cancer prevention, screening, and symptoms are held during the month of March each year; and

Whereas educational efforts can help provide to the public information on methods of prevention and screening, as well as symptoms for early detection: Now, therefore, be it

Resolved, That the Senate—

(1) supports—

(A) the designation of March 2017 as “National Colorectal Cancer Awareness Month”; and

(B) the goals and ideals of National Colorectal Cancer Awareness Month; and

(2) encourages the people of the United States to observe National Colorectal Cancer Awareness Month with appropriate awareness and educational activities.

SENATE CONCURRENT RESOLUTION 9—RECOGNIZING THE GEORGE C. MARSHALL MUSEUM AND GEORGE C. MARSHALL RESEARCH LIBRARY IN LEXINGTON, VIRGINIA, AS THE NATIONAL GEORGE C. MARSHALL MUSEUM AND LIBRARY

Mr. KAINE (for himself and Mr. WARNER) submitted the following concurrent resolution; which was referred to the Committee on Energy and Natural Resources:

S. CON. RES. 9

Whereas General George C. Marshall served as Army Chief of Staff during World War II, Special Ambassador to China, Secretary of State, and Secretary of Defense;

Whereas General George C. Marshall was promoted to General of the Army in 1944, one of only five Army five-star generals in the history of the United States;

Whereas General George C. Marshall was awarded the Congressional Gold Medal in 1946 for his military strategy and vital role during World War II;

Whereas General George C. Marshall was awarded the Nobel Peace Prize in 1953 for developing the European economic recovery strategy known as the Marshall Plan;

Whereas the George C. Marshall Foundation was established in 1953 and is devoted to preserving the legacy of General George C. Marshall through educational scholarship programs and facilities;

Whereas the George C. Marshall Foundation opened the George C. Marshall Museum and George C. Marshall Research Library in 1964 in Lexington, Virginia, on the post of the Virginia Military Institute, which is the alma mater of General George C. Marshall;

Whereas the George C. Marshall Museum educates the public about the military and diplomatic contributions of General George C. Marshall through extensive exhibits; and

Whereas the George C. Marshall Research Library maintains the most comprehensive

collection of records documenting the life and leadership of General George C. Marshall: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress recognizes the George C. Marshall Museum and George C. Marshall Research Library in Lexington, Virginia, as the National George C. Marshall Museum and Library.

Mr. KAINE. Mr. President. I would like to recognize the George C. Marshall Foundation's museum and library as the National George C. Marshall Museum. General George C. Marshall was born in Uniontown, PA to a Virginia family. He is a distant relative of Chief Justice John Marshall, the fourth Supreme Court Justice of the United States. General Marshall graduated from the Virginia Military Institute in 1901 as senior first captain of the Corps of Cadets.

General Marshall served in a variety of posts in the Philippines, the United States, France, and China, distinguishing himself as a military leader. In 1939 he was named Chief of Staff by President Roosevelt and was responsible for building, supplying, and deploying over 8 million soldiers. Marshall also urged military readiness prior to the attack on Pearl Harbor.

After World War II, President Truman sent General Marshall to China to broker a coalition government between the Nationalist allies under Generalissimo Chiang Kai-shek and the Communists under Mao Zedong. In 1946, General Marshall received the Congressional Gold Medal of Honor. President Truman appointed Marshall Secretary of State in 1947. In what became known as the Marshall Plan, as Secretary of State Marshall oversaw the postwar European economic recovery strategy. In 1953, General Marshall received the Nobel Peace Prize for his postwar work, the only career officer in the U.S. Army to ever receive this honor.

The George C. Marshall Foundation was established in 1953 and officially opened in 1964. The foundation's museum is located in Lexington, Virginia and is dedicated to educating the public and the military and diplomatic career of General George C. Marshall. The foundation has devoted its mission to educating the public about the important contributions of General Marshall through its museum and research Library. The Museum has five extensive exhibits and houses General Marshall's Nobel Peace Prize.

I am proud to introduce this resolution which will recognize and honor General George C. Marshall.

AUTHORITY FOR COMMITTEES TO MEET

Mr. SULLIVAN. Mr. President, I have 10 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

**BANKING, HOUSING, AND URBAN AFFAIRS
COMMITTEE**

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on March 15, 2017, at 10 a.m. to conduct a hearing entitled "Assessing U.S. Sanctions on Russia: Next Steps."

**COMMERCE, SCIENCE, AND TRANSPORTATION
COMMITTEE**

The Committee on Commerce, Science, and Transportation is authorized to hold a meeting during the session of the Senate on Wednesday, March 15, 2017, at 10 a.m. in room 106 of the Dirksen Senate Office Building.

ENVIRONMENT AND PUBLIC WORKS COMMITTEE

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Wednesday, March 15, 2017, at 10 a.m. in room 406 of the Dirksen Senate Office Building.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Wednesday, March 15, 2017, at 11 a.m., to hold a hearing entitled "Six Years of War in Syria: The Human Toll."

HOMELAND SECURITY COMMITTEE

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Wednesday, March 15, 2017, at 10 a.m.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on March 15, 2017, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Vows for Visas: Investigating K-1 Fiancé Fraud."

VETERANS' AFFAIRS COMMITTEE

The Committee on Veterans' Affairs is authorized to meet during the session of the Senate on Wednesday, March 15, 2017, at 2:30 p.m. in SR-418, to conduct a hearing entitled, "GAO's High Risk List and the Veterans Health Administration."

SELECT COMMITTEE ON INTELLIGENCE

The Senate Select Committee on Intelligence is authorized to meet during the session of the 115th Congress of the U.S. Senate on Wednesday, March 15, 2017, from 1:30 p.m., in room SH-219 of the Senate Hart Office Building.

SUBCOMMITTEE ON AIRLAND

The Subcommittee on Airland of the Committee on Armed Services is authorized to meet during the session of the Senate on Wednesday, March 15, 2017, at 3:30 p.m.

COMMITTEE ON THE JUDICIARY

SUBCOMMITTEE ON CRIME AND TERRORISM

The Committee on the Judiciary, Subcommittee on Crime and Ter-

rorism, is authorized to meet during the session of the Senate on March 15, 2017, at 2:30 p.m. in room SD-226 of the Dirksen Senate Office Building.

PRIVILEGES OF THE FLOOR

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the privileges of the floor be granted to Alexander Haberstroh, a military fellow for my office, as well as Charlotte Regula-Whitefield, an oceans fellow for my office, for the remainder of 2017.

The PRESIDING OFFICER. Without objection, it is so ordered.

**FALEOMAVAEGA ENI FA'AUA'A
HUNKIN VA CLINIC**

Mr. LANKFORD. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be discharged from further consideration of H.R. 1362 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 1362) to name the Department of Veterans Affairs community-based outpatient clinic in Pago Pago, American Samoa, the Faleomavaega Eni Fa'aua'a Hunkin VA Clinic.

There being no objection, the Senate proceeded to consider the bill.

Mr. LANKFORD. I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 1362) was ordered to a third reading, was read the third time, and passed.

**EXPRESSING THE SENSE OF THE
SENATE REGARDING THE TRAF-
FICKING OF ILLICIT FENTANYL
INTO THE UNITED STATES FROM
MEXICO AND CHINA**

Mr. LANKFORD. Mr. President, I ask unanimous consent that the Foreign Relations Committee be discharged from further consideration of S. Res. 83 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 83) expressing the sense of the Senate regarding the trafficking of illicit fentanyl into the United States from Mexico and China.

There being no objection, the Senate proceeded to consider the resolution.

Mr. LANKFORD. I ask unanimous consent that the resolution be agreed

to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 83) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of March 8, 2017, under "Submitted Resolutions.")

**HONORING IN PRAISE AND RE-
MEMBRANCE THE EXTRAOR-
DINARY LIFE, STEADY LEADER-
SHIP, AND REMARKABLE, 70-
YEAR REIGN OF KING BHUMIBOL
ADULYADEJ OF THAILAND**

Mr. LANKFORD. Mr. President, I ask unanimous consent that the Foreign Relations Committee be discharged from further consideration of and the Senate now proceed to the consideration of S. Res. 9.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 9) honoring in praise and remembrance the extraordinary life, steady leadership, and remarkable, 70-year reign of King Bhumibol Adulyadej of Thailand.

There being no objection, the Senate proceeded to consider the resolution.

Mr. LANKFORD. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 9) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of January 10, 2017, under "Submitted Resolutions.")

**EXPRESSING SUPPORT FOR THE
DESIGNATION OF MARCH 21, 2017,
AS "NATIONAL ROSIE THE RIV-
ETER DAY"**

Mr. LANKFORD. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of and the Senate now proceed to the consideration of S. Res. 76.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 76) expressing support for the designation of March 21, 2017, as "National Rosie the Riveter Day."

There being no objection, the Senate proceeded to consider the resolution.

Mr. LANKFORD. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 76) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of March 1, 2017, under "Submitted Resolutions.")

SUPPORTING THE DESIGNATION OF MARCH 2017 AS "NATIONAL COLORECTAL CANCER AWARENESS MONTH"

Mr. LANKFORD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 89, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 89) supporting the designation of March 2017 as "National Colorectal Cancer Awareness Month."

There being no objection, the Senate proceeded to consider the resolution.

Mr. LANKFORD. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 89) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of March 21, 2017.)

ORDERS FOR THURSDAY, MARCH 16, 2017, THROUGH TUESDAY, MARCH 21, 2017

Mr. LANKFORD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn, to then convene for pro forma sessions only, with no business being conducted, on the following dates and times and that following each pro forma session, the Senate adjourn until the next pro forma session: Thursday, March 16 at 11:30 a.m. and Monday, March 20 at 10 a.m.; I further ask that when the Senate adjourns on Monday, March 20, it next convene at 10:30 a.m. on Tuesday, March 21; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following leader remarks, the Senate be in a period of morning

business for 1 hour, with Senators permitted to speak therein; finally, that the morning business hour be equally divided, with the majority controlling the first half and the Democrats controlling the final half.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT

Mr. LANKFORD. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senator HATCH.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LANKFORD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. HATCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF NEIL GORSUCH

Mr. HATCH. Mr. President, I rise today to once again address the nomination of Judge Neil M. Gorsuch to be the next Associate Justice of the U.S. Supreme Court.

I am extraordinarily pleased that the President has nominated such an outstanding individual to fill the seat that was held by my friend, the late Justice Antonin Scalia, for nearly three decades.

In the weeks since Judge Gorsuch's nomination, I have done my best to make the case that he is exactly the kind of Justice that we need: one that will—in the timeless words of *Marbury v. Madison*—say what the law is, not what he wishes the law would be.

In my view, his outstanding credentials and his understanding of the proper role of a judge under our Constitution make him a choice that should command universal support. Unfortunately, this feeling does not appear to be as broadly shared as it should be.

Leftwing activists are demanding a scorched-earth approach to Judge Gorsuch's nomination, and I am afraid that some of my colleagues on the other side of the aisle appear to have been swept up in this fervor. Their opposition stems from two different sources and has taken two different forms.

The first cause is the visceral reaction among some to our new President. After last year's bitterly fought election campaign, many on the left simply refuse to accept the legitimacy of the new administration and are dead set on all-out opposition to every initiative, every policy, and every nominee of this

President. As a case in point, we are in mid-March and the President is still waiting for the Senate to confirm his Cabinet nominees. This hasn't happened, to my knowledge, in the 40 years I have been in the Senate.

Skeptical of any nominee's willingness to hold the administration that nominated him accountable to the law, they are demanding assurances about how Judge Gorsuch would rule on the administration's most controversial moves.

The Supreme Court confirmation process should not be treated as just another forum to litigate the wisdom and lawfulness of the new administration's policies. Not only does such an approach distract from the proper focus on the nominee's qualifications and judicial philosophy, but it also threatens to undermine the very independence Democrats claim to want in a Supreme Court Justice.

As I have explained in detail as recently as last week, nominees of both parties for decades have refused to speculate on cases that may come before them in order to not prejudice their potential future judgments. Moreover, as a sitting Federal judge, Judge Gorsuch is bound by the code of conduct for United States judges, one of the canons of which prohibits a judge from making "public comment on the merits of a matter pending or impending in any court."

In light of this longstanding, necessary, and, in Judge Gorsuch's case, legally mandated practice, I have found it extraordinarily disappointing to hear some of my colleagues try to turn on its head Judge Gorsuch's admirable efforts to protect his independence. For example, the minority leader has repeatedly castigated Judge Gorsuch for refusing to take a definitive stand on the legality of the new administration's policies, accusing him of "avoiding answers like the plague."

For those of us of all political stripes who want a Supreme Court Justice who decides cases on the basis of what the law commands, rather than whether the result serves a particular political or policy agenda—be it Republican or Democrat, conservative or liberal, pro-Trump or anti-Trump—Judge Gorsuch's refusal to prejudice his approach to future cases should be celebrated, not condemned.

As Justice Sotomayor said recently: "Any self-respecting judge who comes in with an agenda that would permit that judge to tell you how they will vote is the kind of person you don't want as a judge."

Put more colorfully, there is a plague threatening judicial independence; here, this plague takes the form of the minority leader's attempt to extract these sorts of inappropriate answers, and Judge Gorsuch is wise to avoid that. The minority leader should know better.

Moreover, we know the minority leader does know better, given his many years of service on the Judiciary Committee and, in particular, how he acquiesced to the same approach when now-Justices Sotomayor and Kagan were presented with similar timely hypotheticals during their confirmation processes.

Sadly, I have little doubt that this line of attack on Judge Gorsuch will continue to infect the confirmation process, but we should be completely clear and unambiguous about what these attempts to get Judge Gorsuch to answer hypothetical questions about the legality of the administration's policies represent. They are illegitimate, partisan attempts to derail his nomination, cleverly shrouded in a cloak of alleged concern about his independence. Americans should not be under any illusions that these proper concerns about independence amount to anything else.

To turn to the second source of opposition to Judge Gorsuch's nomination, one need only examine this week's New York Times heading, which blared: "Democrats' Line of Attack on Gorsuch: No Friend of the Little Guy."

This same theme has been repeated by various leftwing interest groups and by some of my colleagues here in the Senate. They should be ashamed. As I have explained extensively in the past, the judge's critics view the judiciary as simply an extension of politics, just another forum to relitigate battles that they lost in the policymaking process. In their view, the job of a judge is not to apply the law to the facts dispassionately, but rather to pick winners and losers on the basis of the political popularity of the litigants and the policy consequences of the decision.

While such an approach is antithetical to the role of a judge under the Constitution, it has become an entrenched article of faith for most of those on the left. As such, they have approached Judge Gorsuch's nomination in a predictable manner: cherry-picking and mischaracterizing his opinions as evidence of a political agenda with total disregard of what the law commanded in each of those cases.

Simply put, this line of attack on Judge Gorsuch is ludicrous. Any reasonable analysis of his opinions shows that his decisions apply to laws enacted by the people's elected representatives, without regard to his own personal preferences. His approach manifests the Constitution's vision of the appropriate role of a judge that has been prominently embraced by Justice Scalia: "If you're going to be a good and faithful judge, you have to resign yourself to the fact that you are not always going to like the conclusions you reach. If you like them all the time, you're probably doing something wrong."

Today, I want to examine just a few of the cases seized on by Judge Gorsuch's liberal critics to demonstrate just how unfounded their attacks are. *Compass Environmental v. Occupational Safety and Health Review Commission* involved a Tenth Circuit ruling against a firm for failing to provide adequate training to protect its employees from electric shock hazards. Judge Gorsuch did indeed rule in the firm's favor, but the case did not present the question of whether the company should do more to protect its workers. Rather, the case turned on the question of whether the Secretary of Labor satisfied the standard of showing any evidence to demonstrate that the firm in question was providing less training than what is the norm in the industry.

One need only examine the judge's opinion to understand how that specific legal burden was met, reaching the same conclusion as the administrative law judge below.

Next, *Riddle v. Hickenlooper* touches on one of the liberals' faith talking points: the supposed need to regulate political speech in order to fight money in politics. While this case has been characterized as some invitation for wealthy and large corporations to exert undue influence in politics, it actually turned on a rather narrow and technical question of whether a \$200 disparity in the contribution limits for major party and write-in candidates for Colorado's State House of Representatives amounted to an equal protection violation.

Judge Gorsuch joined the majority opinion of his colleagues—an Obama appointee, by the way—in agreeing that it did constitute such a violation, and then wrote a brief concurrence outlining how unclear Supreme Court precedent was on this particular point.

Moreover, he stated how "clear" it was that "with a little effort, Colorado could have achieved its stated policy objectives . . . without offending" the Constitution.

In essence, Judge Gorsuch adopted a particularly narrow position on a relatively minor issue in the grand scheme of campaign finance law, meriting none of his opponents' extrapolations about larger issues of political speech.

Finally, several of Judge Gorsuch's writings have called into question the so-called *Chevron* doctrine, under which Federal courts defer to administrative agencies' interpretations of the law. His opponents have seized on this skepticism to argue that Judge Gorsuch is somehow reflexively opposed to regulation. Nothing could be further from the truth.

These critics of Judge Gorsuch should recall that the *Chevron* deference first flourished as a reaction against liberal judges overturning the deregulatory actions of the Reagan ad-

ministration. I myself am a skeptic of *Chevron* and have led the fight to overturn it with my *Separation of Powers Restoration Act*. But as the name of my legislation suggests, overturning *Chevron* is about restoring the constitutional allocation of powers between the three branches, maintaining fidelity to the text of the *Administrative Procedure Act*, and ensuring that the bureaucracy abides by the law no matter its policy goals.

These are a few of Judge Gorsuch's opinions that have been most prominently mischaracterized as driven by a political agenda, when in reality their results are demanded by the law. Sadly, I expect that these mischaracterizations and inappropriate demands of Judge Gorsuch will continue to appear in this confirmation process. They don't have any better arguments, and those arguments are not only flawed, but they are wrong and inappropriate.

Let me quote from a prominent liberal law professor, Harvard's Noah Feldman, to sum up how I think we all should feel about this strategy:

I'm not sure who decided that the Democratic critique of U.S. Supreme Court nominee Judge Neil Gorsuch would be that he doesn't side with the little guy. It's a truly terrible idea. . . . [S]liding with workers against employers isn't a jurisprudential position. It's a political stance. And justices—including progressive justices—shouldn't decide cases based on who the parties are. They should decide cases based on their beliefs about how the law should be interpreted.

That is a liberal law professor agreeing with me, really, and condemning these types of *ad hominem* attacks by people who know better or should know better.

I urge my colleagues on the other side of the aisle to resist the temptation to give in to partisan and ideological pressure to engage in these tactics I described earlier, and I hope people will pay attention to what I have suggested. These are unworthy of the Senate's role, and they are unmerited with respect to such a stellar nominee as Judge Gorsuch, a man who is clearly committed to the proper, independent role of a judge.

I urge all of my colleagues to join me in helping to ensure his speedy confirmation. This man is a decent, honorable, intelligent man who deserves the support of this decent, honorable, intelligent body. The arguments of the other side are without merit and, frankly, are really abysmal, and I sure hope they will reconsider and vote for this man who will be an excellent Justice on the U.S. Supreme Court.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HATCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Thereupon, the Senate, at 6:04 p.m., adjourned until Thursday, March 16, 2017, at 11:30 a.m.

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. HERBERT R. MCMASTER, JR.

OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE

DANIEL COATS, OF INDIANA, TO BE DIRECTOR OF NATIONAL INTELLIGENCE.

ADJOURNMENT UNTIL 11:30 A.M.
TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 11:30 a.m. tomorrow.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 15, 2017:

HOUSE OF REPRESENTATIVES—Wednesday, March 15, 2017

The House met at 4:30 p.m. and was called to order by the Speaker pro tempore (Mr. WEBSTER of Florida).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
March 15, 2017.

I hereby appoint the Honorable DANIEL WEBSTER to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: God of the universe, we give You thanks for giving us another day.

We ask Your blessing upon our Nation. Bless the work of the Members of the people's House. May they toil diligently to bring about solutions to the pressing issues of these times.

Bless all the men and women across our country, especially those who work in service to others: police; firefighters; healthcare providers; teachers; those who work in local, State, and national government; and those men and women serving in our Armed Forces.

During contentious days, may Your spirit of peace and comity descend upon all engaged, that the truth might be revealed and justice and good government for all be preserved.

May all that is done be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Florida (Mr. DUNN) come forward and lead the House in the Pledge of Allegiance.

Mr. DUNN led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to five requests for 1-minute speeches on each side of the aisle.

HONORING GEORGE COCHRAN

(Mr. DUNN asked and was given permission to address the House for 1 minute.)

Mr. DUNN. Mr. Speaker, I rise today to honor George "Boogie" Cochran, Jr., who passed away peacefully at the age of 89 on March 1.

Mr. Speaker, Chief Cochran lived a life in full, one of family and of service.

As a 17-year-old Leon High School student, he enlisted in the Navy in 1944. He served bravely aboard Navy destroyers in the Pacific campaigns. He participated in America's nuclear weapons testing after the war, and in the action surrounding the Cuban Missile Crisis.

In 1963, in recognition of his dedicated and courageous service in the Navy, Chief Cochran was awarded the first annual Commander Ernest Evans Memorial Award aboard the USS Johnston.

He loved his family, his country, and his community. He represents the best of America.

Boogie, you will be missed by many, and may you rest in peace.

OPPOSING THE AMERICAN HEALTH CARE ACT

(Mr. KILDEE asked and was given permission to address the House for 1 minute.)

Mr. KILDEE. Mr. Speaker, my constituents have been calling all weekend. They do not support the Republican health care bill, TrumpCare.

Over the weekend, we received 750 calls or emails. Ninety-three percent of those have contacted me to say that they are against TrumpCare, and here is why:

Higher costs for less care; \$2,400 annually for an average American family.

Millions kicked off health care. The Congressional Budget Office says 24 million. Some might say they are way off. So maybe it is 20 million. Maybe it is 30 million. Lots of Americans lose health care as a result of this plan.

An age tax. If you are age 50 to 65, fasten your seat belts; \$6,971 in increased costs for lesser health care.

And huge, huge tax breaks for millionaires. The 400 richest Americans

would get an average \$7 million tax break.

This is not the right direction for this country. It is not the right direction for health care. We should reject it.

RECOGNIZING SHELBY TOWNSHIP, MICHIGAN, POLICE OFFICERS

(Mr. MITCHELL asked and was given permission to address the House for 1 minute.)

Mr. MITCHELL. Mr. Speaker, I rise today to highlight an act of bravery from police officers in an incident occurring just miles from my district office in Shelby Township, Michigan.

In mid-February, Sergeant Troy Titchenell and Officer Paul Fox responded to a call that a boy had fallen through the ice on Iroquois Lake. Sergeant Titchenell, without concern for himself, first on the scene, immediately got a life ring from a local resident and walked onto the ice. Officer Fox then arrived and walked onto the ice to take the rope attached to the life ring.

While towing the young man to safety, the ice broke and Sergeant Titchenell was submerged in the water up to his chest. With Officer Fox pulling on the rope and Sergeant Titchenell supporting the boy in the water, both were able to rescue the young man. I believe they saved a life that day.

This incident exemplifies the risks police officers will take to protect all of us. Their daily acts of bravery must be recognized. I am proud to highlight the actions of these courageous officers, and I am grateful to recognize their service to our community.

IN SUPPORT OF THE GREAT LAKES RESTORATION INITIATIVE

(Mr. SCHNEIDER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCHNEIDER. Mr. Speaker, I rise today in defense of one of our most magnificent natural wonders: the Great Lakes. They contain a fifth of the world's freshwater and are vitally important to the economy and the quality of life in my district.

The Great Lakes Restoration Initiative, which has received strong support from both sides of the aisle, works to clean up the Great Lakes, control invasive species, restore habitats, and reduce runoff. Yet we have heard that

President Trump may virtually eliminate this critical program with an eye-popping irresponsible 97 percent cut to the budget; \$300 million in funding would be reduced to just \$10 million.

At the same time, his administration may gut EPA funds for climate science, clean air, and safe water.

Let me be clear. I am adamantly opposed to these cuts and will do everything in my power to stop them.

Tomorrow, on Great Lakes Day, the President is expected to release a budget proposal. I urge him to include robust funding for the Great Lakes Restoration Initiative and the EPA programs and ensure we pass on a sustainable, healthy planet to our children.

IMPROVE THE AMERICANS WITH DISABILITIES ACT

(Mr. POE of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE of Texas. Mr. Speaker, Original Pizza in Broomfield, Colorado, has been in business since the 1990s. Now they are being sued.

The plaintiff claims they do not have ADA-accessible parking signage or proper insulation wrapped around the pipes under the restroom sink.

The claims waged against Original Pizza are mostly false. The sink is compliant, and the parking issue could be fixed with a better sign and a bit of paint. Not to mention, Original Pizza was never notified of the alleged violations by the plaintiff.

Now the plaintiff is demanding money to pay or a lawsuit will be filed. The same plaintiff has filed over 70 other lawsuits against businesses for alleged ADA violations.

Plaintiffs and attorneys hope companies will decide to settle rather than face an expensive court trial.

The ADA Education and Reform Act will require giving businesses notice and time to fix the alleged infraction before the lawsuit is filed. Notice and cure are a fair way to handle ADA violations.

And that is just the way it is.

CELEBRATING ADMIRAL LLOYD "JOE" VASEY'S 100TH BIRTHDAY

(Ms. HANABUSA asked and was given permission to address the House for 1 minute.)

Ms. HANABUSA. Mr. Speaker, I rise today to send my warmest aloha to Admiral Lloyd "Joe" Vasey on his belated 100th birthday celebration tonight in Honolulu.

After graduating from the United States Naval Academy in 1939, Admiral Vasey joined the submarine service and served under John S. McCain, Jr., father of United States Senator JOHN MCCAIN.

After the war and a long and distinguished service to our Nation, Admiral

Vasey formed the CSIS Pacific Forum, with the goal of promoting peace in Asia Pacific. He is why we call the men and women of his time the Greatest Generation.

I encourage my colleagues to join me in honoring the admiral by working to help make his dream of a Pacific War Memorial at Pearl Harbor a reality.

In his words: "There is no recognition for well over 150,000 brave Americans who were lost in the Pacific War. We need to honor them, and their families need a place to mourn."

Admiral Vasey's patriotism, devotion to duty, and desire for peace should be an example for us all.

Happy birthday, Admiral Vasey, and may you continue to have fair winds and following seas.

DENNIS COUNIHAN SELECTED AS SAVANNAH'S ST. PATRICK'S DAY PARADE GRAND MARSHAL

(Mr. CARTER of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARTER of Georgia. Mr. Speaker, I rise today to congratulate Mr. Dennis Counihan for being named grand marshal of Savannah's 2017 St. Patrick's Day Parade. The annual St. Patrick's Day Parade in Savannah has been a beloved local tradition and an important family affair since its beginning in 1824.

Welcoming visitors from all over the world to celebrate its Irish heritage, Savannah astonishingly hosts the third largest St. Patrick's Day Parade in the world and the second largest in the United States. As such, the position of grand marshal is not to be taken lightly. This year there were a record-setting six nominees vying for the position, but Mr. Counihan rose above the rest due to his experience and dedication to Savannah.

Mr. Counihan's love for his community is emphasized through his work with the Hollander Senior Living company, where he purchases old real estate to be redesigned as nursing homes. It seems as if Mr. Counihan was destined to be grand marshal, considering his family's role in the parade over the years. His brother Brian is currently the parade chairman, and his father, Michael, served as the parade's grand marshal in 1988.

Mr. Counihan has been on the parade committee since 1980. He certainly knows the dedicated effort that goes into making this event special and successful.

Congratulations, Mr. Counihan, on this great honor. I look forward to seeing the new additions you will bring to the parade.

INVESTING IN AMERICA'S INFRASTRUCTURE

(Mr. PANETTA asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. PANETTA. Mr. Speaker, I rise today to advocate for a national infrastructure plan.

I represent the central coast of California, and this winter we got rain. We got a lot of rain. So much so that it caused millions in damage to the area, including the closure of the famous Highway 1 in Big Sur, with major mudslides in the south and the loss of the 315-foot Pfeiffer Canyon Bridge in Big Sur.

That damage has left 450 people isolated: kids can't get to school; families are separated; and employers and employees are suffering, including the loss of \$8 million in 1 month in the off-season.

But the effects of that damage extend beyond Big Sur to the surrounding towns, counties, and, actually, the entire State of California. People from all over the world come to Big Sur. They drive down from San Francisco. They drive up from Los Angeles. They patronize towns all along their way to Big Sur.

We understand why. It is the most beautiful place in the world. It is my home. And we want it to be open to all of you.

It is time that the Congress and our President help Americans by investing in our American infrastructure.

□ 1645

THE IMPORTANCE OF MAINTAINING DACA

(Mr. LOWENTHAL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LOWENTHAL. Mr. Speaker, today I rise to stress the importance of maintaining Deferred Action for Childhood Arrivals, commonly known as DACA.

DACA recipients were brought here to the United States as children, and in most cases America is the only home they have ever known. They want to contribute to our economy, to our society, and our country; and they will, unless we are foolish enough to stop them.

Taking any step against DACA would not only hurt DACA recipients, it would hurt the United States. Let's protect these promising youth and keep this program intact while we work out a humane path to citizenship.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. POE of Texas). Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on

which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

ARBUCKLE PROJECT MAINTENANCE COMPLEX AND DISTRICT OFFICE CONVEYANCE ACT OF 2017

The SPEAKER pro tempore. When the House adjourned on Wednesday, March 8, 2017, there was a pending motion by the gentleman from Florida (Mr. WEBSTER) to suspend the rules and pass the bill (H.R. 132) to authorize the Secretary of the Interior to convey certain land and appurtenances of the Arbuckle Project, Oklahoma, to the Arbuckle Master Conservancy District, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The gentleman from Florida (Mr. WEBSTER) has 16 minutes remaining, and the gentleman from California (Mr. HUFFMAN) has 19 minutes remaining.

Without objection, the gentleman from Maryland (Mr. BROWN) will control the time of the gentleman from California.

There was no objection.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida.

Mr. WEBSTER of Florida. Mr. Speaker, I ask unanimous consent that the gentleman from Colorado (Mr. TIPTON) be allowed to manage the remainder of the time for the majority.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. TIPTON. Mr. Speaker, I yield myself such time as I may consume.

H.R. 132, sponsored by Congressman TOM COLE of Oklahoma, conveys two buildings and two acres of land of the federal Arbuckle Project to the Arbuckle Master Conservancy District in Oklahoma. The district has operated and maintained the project for decades, and completed repayment of its capital costs for the project in 2012.

While non-controversial, legislation is necessary in order to facilitate this and other Bureau of Reclamation title transfers. Under current law, these buildings and land remain in federal ownership until legislation is enacted to transfer the title to the District. Mr. COLE's bill achieves this objective.

This title transfer is a win-win for the District and the federal government. The District will no longer be subject to certain federal paperwork requirements and the federal government will be relieved of all future liability and financial responsibilities associated with these facilities and land.

I urge adoption of the measure, which overwhelmingly passed the House on a bipartisan basis in the last Congress.

Mr. Speaker, I reserve the balance of my time.

Mr. BROWN of Maryland. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 132 would allow a title transfer of two Federal buildings to the Arbuckle Master Conservancy District in south central Oklahoma. These buildings are part of the Arbuckle Project, which is a water project authorized by Congress in 1962 to provide flood control, recreational opportunities, and municipal water supply.

Nearly all of the facilities within the Arbuckle Project were already transferred to the Arbuckle Master Conservancy District in 2012 after the district finished repaying what it owed the Federal Government for construction. However, due to some overly narrow language in the legislation authorizing the Arbuckle Project, two buildings within the project have yet to be transferred.

Transferring the two remaining buildings will save taxpayer money that would otherwise be needed to operate and maintain the buildings and will also relieve the Federal Government of any potential future liability associated with the buildings. This is straightforward legislation that should be quickly passed.

Mr. Speaker, I yield back the balance of my time.

Mr. TIPTON. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. WEBSTER of Florida). The question is on the motion offered by the gentleman from Florida (Mr. WEBSTER) that the House suspend the rules and pass the bill, H.R. 132.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. TIPTON. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

APPROVING THE LOCATION OF A MEMORIAL TO COMMEMORATE AND HONOR THE MEMBERS OF THE ARMED FORCES WHO SERVED ON ACTIVE DUTY IN SUPPORT OF OPERATION DESERT STORM OR OPERATION DESERT SHIELD

Mr. TIPTON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the joint resolution (S.J. Res. 1) approving the location of a memorial to commemorate and honor the members of the Armed Forces who served on active duty in support of Operation Desert Storm or Operation Desert Shield, and ask for its immediate consideration in the House.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The text of the joint resolution is as follows:

S.J. RES. 1

Whereas section 8908(b)(1) of title 40, United States Code, provides that the location of a commemorative work in Area I, as depicted on the map entitled "Commemorative Areas Washington, DC and Environs", numbered 869/86501 B, and dated June 24, 2003, shall be deemed to be authorized only if a recommendation for the location is approved by law not later than 150 calendar days after the date on which Congress is notified of the recommendation;

Whereas section 3093 of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (40 U.S.C. 8903 note; Public Law 113-291) authorized the National Desert Storm Memorial Association to establish a memorial on Federal land in the District of Columbia, to honor the members of the Armed Forces who served on active duty in support of Operation Desert Storm or Operation Desert Shield; and

Whereas the Secretary of the Interior has notified Congress of the determination of the Secretary of the Interior that the memorial should be located in Area I: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the location of a commemorative work to commemorate and honor the members of the Armed Forces who served on active duty in support of Operation Desert Storm or Operation Desert Shield authorized by section 3093 of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (40 U.S.C. 8903 note; Public Law 113-291), within Area I, as depicted on the map entitled "Commemorative Areas Washington, DC and Environs", numbered 869/86501 B, and dated June 24, 2003, is approved.

The joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING THE SECRETARY OF THE INTERIOR TO AMEND THE DEFINITE PLAN REPORT FOR THE SEEDSKADEE PROJECT

Mr. TIPTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 648) to authorize the Secretary of the Interior to amend the Definite Plan Report for the Seedskadee Project to enable the use of the active capacity of the Fontenelle Reservoir.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 648

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. AUTHORITY TO MAKE ENTIRE ACTIVE CAPACITY OF FONTENELLE RESERVOIR AVAILABLE FOR USE.

(a) IN GENERAL.—The Secretary of the Interior, in cooperation with the State of Wyoming, may amend the Definite Plan Report for the Seedskadee Project authorized under the first section of the Act of April 11, 1956 (commonly known as the "Colorado River Storage Project Act" (43 U.S.C. 620)) to provide for the study, design, planning, and construction activities that will enable the use

of all active storage capacity (as may be defined or limited by legal, hydrologic, structural, engineering, economic, and environmental considerations) of Fontenelle Dam and Reservoir, including the placement of sufficient riprap on the upstream face of Fontenelle Dam to allow the active storage capacity of Fontenelle Reservoir to be used for those purposes for which the Seedskaadee Project was authorized.

(b) COOPERATIVE AGREEMENTS.—

(1) IN GENERAL.—The Secretary of the Interior may enter into any contract, grant, cooperative agreement, or other agreement that is necessary to carry out subsection (a).

(2) STATE OF WYOMING.—

(A) IN GENERAL.—The Secretary of the Interior shall enter into a cooperative agreement with the State of Wyoming to work in cooperation and collaboratively with the State of Wyoming for planning, design, related preconstruction activities, and construction of any modification of the Fontenelle Dam under subsection (a).

(B) REQUIREMENTS.—The cooperative agreement under subparagraph (A) shall, at a minimum, specify the responsibilities of the Secretary of the Interior and the State of Wyoming with respect to—

(i) completing the planning and final design of the modification of the Fontenelle Dam under subsection (a);

(ii) any environmental and cultural resource compliance activities required for the modification of the Fontenelle Dam under subsection (a) including compliance with—

(I) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(II) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); and

(III) subdivision 2 of division A of subtitle III of title 54, United States Code; and

(iii) the construction of the modification of the Fontenelle Dam under subsection (a).

(c) FUNDING BY STATE OF WYOMING.—Pursuant to the Act of March 4, 1921 (41 Stat. 1404, chapter 161; 43 U.S.C. 395), and as a condition of providing any additional storage under subsection (a), the State of Wyoming shall provide to the Secretary of the Interior funds for any work carried out under subsection (a).

(d) OTHER CONTRACTING AUTHORITY.—

(1) IN GENERAL.—The Secretary of the Interior may enter into contracts with the State of Wyoming, on such terms and conditions as the Secretary of the Interior and the State of Wyoming may agree, for division of any additional active capacity made available under subsection (a).

(2) TERMS AND CONDITIONS.—Unless otherwise agreed to by the Secretary of the Interior and the State of Wyoming, a contract entered into under paragraph (1) shall be subject to the terms and conditions of Bureau of Reclamation Contract No. 14-06-400-2474 and Bureau of Reclamation Contract No. 14-06-400-6193.

SEC. 2. SAVINGS PROVISIONS.

Unless expressly provided in this Act, nothing in this Act modifies, conflicts with, preempts, or otherwise affects—

(1) the Act of December 31, 1928 (43 U.S.C. 617 et seq.) (commonly known as the “Boulder Canyon Project Act”);

(2) the Colorado River Compact of 1922, as approved by the Presidential Proclamation of June 25, 1929 (46 Stat. 3000);

(3) the Act of July 19, 1940 (43 U.S.C. 618 et seq.) (commonly known as the “Boulder Canyon Project Adjustment Act”);

(4) the Treaty between the United States of America and Mexico relating to the utilization of waters of the Colorado and Tijuana

Rivers and of the Rio Grande, and supplementary protocol signed November 14, 1944, signed at Washington February 3, 1944 (59 Stat. 1219);

(5) the Upper Colorado River Basin Compact as consented to by the Act of April 6, 1949 (63 Stat. 31);

(6) the Act of April 11, 1956 (commonly known as the “Colorado River Storage Project Act”) (43 U.S.C. 620 et seq.);

(7) the Colorado River Basin Project Act (Public Law 90-537; 82 Stat. 885); or

(8) any State of Wyoming or other State water law.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Colorado (Mr. TIPTON) and the gentleman from Maryland (Mr. BROWN) each will control 20 minutes.

The Chair recognizes the gentleman from Colorado.

GENERAL LEAVE

Mr. TIPTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. TIPTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 648, sponsored by the gentlewoman from Wyoming (Ms. CHENEY), allows the State of Wyoming to increase the active storage capacity for the Fontenelle Dam and Reservoir located in southwest Wyoming. The bill allows the State to enter into agreements with the Federal Government to study, design, plan, and perform construction activities to accomplish this goal. Wyoming will pay for any and all costs associated with these activities.

This bill, which passed the House without objection in the last Congress when it was sponsored by our former colleague Cynthia Lummis, simply empowers Wyoming to better utilize its Colorado River water allocation through improved water storage at no cost to the Federal Government. I urge my colleagues to support this commonsense bill.

Mr. Speaker, I urge adoption of the measure, and I reserve the balance of my time.

Mr. BROWN of Maryland. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 648 would increase the amount of water that can be stored in the Fontenelle Reservoir in Lincoln County, Wyoming, by allowing the active storage capacity of the reservoir to be used. This bill has been written in a balanced manner that respects existing laws, compacts, and treaties, and does not attempt to expand Wyoming's entitlement to Colorado River supplies at the expense of other Colorado River Basin States.

H.R. 648 is a straightforward, non-controversial piece of legislation that

is identical to a bill that was unanimously passed by the Committee on Natural Resources last Congress. I support H.R. 648 and urge its adoption.

Mr. Speaker, I reserve the balance of my time.

Mr. TIPTON. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Wyoming (Ms. CHENEY).

Ms. CHENEY. Mr. Speaker, I thank my colleague from Colorado and my colleague from Maryland for their support of this bill.

Mr. Speaker, I introduced H.R. 648 so that we could begin the work necessary to increase the active storage capacity of the Fontenelle Reservoir. As a headwater State, Wyoming takes care of its water, and we know that water is our most important natural resource. Water uses currently at this dam span the gamut from irrigation, domestic, industrial, municipal, fish and wildlife, and recreation. Power generation is a secondary purpose at the dam, and current uses also include industrial capacity for our trona miners, fertilizer producers, and fulfillment of a range of energy needs.

Mr. Speaker, this bill would simply authorize the Bureau of Reclamation to enter into a cooperative agreement with the State of Wyoming so that we could begin the process to study, design, and construct increased capacity for the reservoir. This is a process, Mr. Speaker, that has been held up previously by onerous NEPA requirements, and we need to move quickly so that we can begin to increase this capacity.

Currently the reservoir has 265,000 acre-feet to accommodate water as active capacity. This legislation would potentially add an additional 80,000 acre-feet of existing reservoir space. This bill would provide an affordable and efficient way to add more usable storage in the Colorado River Basin and would accomplish these goals without contemplating the construction of a new dam. The bill has the support of the Wyoming Water Development Office and the Wyoming Water Development Commission, which develops our State's water resources for conservation, storage, distribution, recreation, and other public interests. Our Governor Matt Mead included this concept in the 2015 Wyoming water strategy.

Mr. Speaker, this bill will empower Wyoming to better utilize our water allocation and improve our water storage, and I urge my colleagues to support this bill.

Mr. BROWN of Maryland. Mr. Speaker, I have no additional speakers, and I yield back the balance of my time.

Mr. TIPTON. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Colorado (Mr. TIPTON) that the House suspend the rules and pass the bill, H.R. 648.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. TIPTON. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

MARTIN LUTHER KING, JR. NATIONAL HISTORICAL PARK ACT OF 2017

Mr. TIPTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 267) to redesignate the Martin Luther King, Jr. National Historic Site in the State of Georgia, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 267

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Martin Luther King, Jr. National Historical Park Act of 2017”.

SEC. 2. MARTIN LUTHER KING, JR. NATIONAL HISTORICAL PARK.

The Act entitled “An Act to establish the Martin Luther King, Jr. National Historic Site in the State of Georgia, and for other purposes” (Public Law 96-428) is amended—

(1) in subsection (a) of the first section, by striking “the map entitled ‘Martin Luther King, Jr. National Historic Site Boundary Map’, number 489/80,013B, and dated September 1992” and inserting “the map entitled ‘Martin Luther King, Jr. National Historical Park Proposed Boundary Revision’, numbered 489/128,786 and dated June 2015”;

(2) by striking “Martin Luther King, Jr. National Historic Site” each place it appears and inserting “Martin Luther King, Jr. National Historical Park”;

(3) by striking “national historic site” each place it appears and inserting “national historical park”;

(4) by striking “historic site” each place it appears and inserting “historical park”.

SEC. 3. REFERENCES.

Any reference in a law (other than this Act), map, regulation, document, paper, or other record of the United States to “Martin Luther King, Jr. National Historic Site” shall be deemed to be a reference to “Martin Luther King, Jr. National Historical Park”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Colorado (Mr. TIPTON) and the gentleman from Maryland (Mr. BROWN) each will control 20 minutes.

The Chair recognizes the gentleman from Colorado.

GENERAL LEAVE

Mr. TIPTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. TIPTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 267, introduced by Congressman JOHN LEWIS, redesignates the Martin Luther King, Jr. National Historic Site in the State of Georgia as the Martin Luther King, Jr. National Historical Park. It also authorizes the National Park Service to include the Prince Hall Masonic Temple in the historical park's boundaries.

The Prince Hall Masonic Temple long served as the headquarters of the Southern Christian Leadership Conference. This well-known civil rights organization was cofounded by Dr. King, who also served as its first president. Including the Prince Hall Masonic Temple within the unit's boundaries will allow the National Park Service to provide technical assistance to the building's owners with regard to repairs, renovations, and maintenance that will preserve its historic integrity.

Our Nation's historic sites and historical parks provide us with the unique opportunity to share the very spaces in which the generations before us lived and worked. At these sites, Americans are able to metaphorically walk in the footsteps of our Nation's Founders and of those who followed them and perfected their vision for our country. At this time of division in our country, it is important to be able to look back at leaders like Martin Luther King, Jr., who promoted unity and the dignity of the human person.

Congressman LEWIS' bill before the House today will expand opportunities for Americans to learn about the legacy of Dr. King and other icons of the civil rights movement. I urge adoption of this legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. BROWN of Maryland. Mr. Speaker, I yield myself such time as I may consume.

H.R. 267 is an important and historically significant piece of legislation that has broad bipartisan support. In fact, it passed the House on a voice vote just over a year ago. The bill accomplishes two primary goals: to designate the Martin Luther King, Jr. National Historic Site in Atlanta, Georgia, as a national historical park; and to adjust the boundary of the park to include the Prince Hall Masonic Temple, the first headquarters of the Southern Christian Leadership Conference. Taken together, these actions will enhance the National Park Service's ability to tell and elevate the story of Dr. King.

The site, which is the final resting place of the great civil rights leader, Dr. Martin Luther King, Jr., continues to connect visitors with the historical and contemporary struggles for civil rights in this country.

□ 1700

These stories are as relevant today as they were half a century ago. By officially designating the area as a national historical park, this legislation will provide the site with the acknowledgement it so justly deserves.

Lastly, I want to thank Congressman LEWIS, who remains an important and iconic civil rights leader, for bringing this important bill forward.

Mr. Speaker, I reserve the balance of my time.

Mr. TIPTON. Mr. Speaker, I have no additional speakers, and I reserve the balance of my time.

Mr. BROWN of Maryland. Mr. Speaker, I yield such time as he may consume to the gentleman from Georgia (Mr. LEWIS), my esteemed colleague.

Mr. LEWIS of Georgia. Mr. Speaker, I thank the gentleman from Colorado and the gentleman from Maryland for supporting this legislation.

I am a proud sponsor of the Martin Luther King, Jr. National Historical Park Act.

First, let me thank each and every member and the staff from the Natural Resources Committee for their hard work and support of this act.

Mr. Speaker, this nonpartisan bill will simply change these historic Atlanta places from being a site to a park. At no additional cost to taxpayers, this bill will create the first national historic park in the State of Georgia. This small change will significantly improve the way the National Park Service preserves, shares, and presents the history of the Dr. Martin Luther King, Jr., site or park.

Dr. Martin Luther King, Jr., was our moral compass. He represented the best of America. His mission was to create the beloved community, a community at peace with itself and our neighbors. Throughout his life, Dr. King urged each and every one of us to recognize the dignity and worth of every human being.

Passing this simple piece of legislation will improve how this important history and legacy is shared with visitors from across our country and from around the world.

Again, Mr. Speaker, I would like to thank the chair and ranking member for their support of this legislation.

Mr. TIPTON. Mr. Speaker, I continue to reserve the balance of my time.

Mr. BROWN of Maryland. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. JOHNSON).

Mr. JOHNSON of Georgia. Mr. Speaker, I thank the gentleman from Maryland for yielding.

Mr. Speaker, today, I rise in proud support, and I join my colleague, Congressman LEWIS, in supporting H.R. 267 and its efforts to redesignate the Martin Luther King, Jr. National Historic Site as the Martin Luther King, Jr. National Historical Park.

For decades, large numbers of people have descended on this site to see the

birthplace where the dreamer was moved by destiny into leadership of the modern civil rights movement. The site as it stands now, which also contains the historic Ebenezer Baptist Church, has faced hardships over the years leading to budget cutbacks and a decrease in staff.

H.R. 267 would increase funding that would help preserve this American landmark and increase the size of the park so that future generations can continue to visit and enjoy.

Just like Dr. King never led a march without a plan, we shouldn't leave this critical piece of the civil rights movement without a plan for its future. We should continue to work to preserve the place where Dr. King was born, lived, worked, worshipped, and where he is buried.

Mr. Speaker, I stand in strong support of H.R. 267, the Martin Luther King, Jr. National Historical Park Act of 2017.

The time has come to update the historic sites and monuments at the Martin Luther King, Jr., National Historic Site. This common sense legislation seeks to end the current restrictions that prevent the site from adopting the proposed "Martin Luther King, Jr. National Historical Park Proposed Boundary Revision" and reclassifying the landmark more appropriately as a "National Park."

Originally, this site established in 1980, encompassed the portions of Auburn Avenue in Atlanta, Georgia, the house in which Dr. Martin Luther King, Jr. was born, and the Ebenezer Baptist Church where Dr. King's family prayed. Public Law 96-428 memorialized these buildings with the intent to "protect and interpret for the benefit, inspiration and education of present and future generations the places where Martin Luther King, Jr. was born, where he lived, worked, and worshipped, and where he is buried."

Unfortunately, the MLK National Historic Site remains classified as a "National Site." The National Park Service defines areas with similar geography and size as national parks. The title "National Site" no longer fits with the current structure of this historic landmark. The current boundaries of site limit the National Park Service's ability to conserve important landmarks in Atlanta. The provisions outlined in this bill will allow the site to expand and in turn preserve the history of Dr. King's life for thousands of Americans to personally experience and ensure our nation never forgets his dream. An extension of the current boundaries of the site would help greater serve the mission of the site.

Dr. King altered the course of American history. Our nation's citizens owe a debt to the sacrifices and tireless crusade led by this great man. Dr. King encouraged love and empathy for in the hearts of countless Americans. His contribution to humanity has been priceless.

We must never forget the sacrifices made by the heroes of the Civil Rights Movement. I stand with my esteemed colleague and civil rights champion, Congressman JOHN LEWIS, who proposed this legislation. I strongly urge my colleagues to support this resolution.

Mr. BROWN of Maryland. Mr. Speaker, I have no additional speakers. I

again urge adoption of this important legislation.

Mr. Speaker, I yield back the balance of my time.

Mr. TIPTON. Mr. Speaker, I yield back the balance of my time.

Mr. JODY B. HICE of Georgia. Mr. Speaker, I take great pleasure that we may come to the floor today to celebrate and recognize the remarkable legacy of Martin Luther King, Jr. King is characterized by modeling his life after Jesus Christ in order to live a life dedicated to the service of others, whether that be preaching the Gospel to his congregation at Ebenezer Baptist Church, or to the pursuit of justice and equality.

Mr. Speaker, my home state of Georgia has the great honor of preserving King's legacy at the Martin Luther King, Jr. National Historic Site. And today we have the opportunity under the leadership of my friend and fellow Georgian, JOHN LEWIS, to pass H.R. 267, the Martin Luther King, Jr. National Historical Park Act, to re-designate the site as a National Historic Park.

I strongly believe that this site meets and exceeds the requirements for re-designation as a National Historic Park and fully support my friend in his effort. Mr. Speaker, I'd like to thank Congressman LEWIS for leading this legislation. As a cosponsor of this bill, a member of the Committee on Natural Resources, and as a fellow Georgian, I offer my strongest support and encourage my colleagues to vote in favor of H.R. 267.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Colorado (Mr. TIPTON) that the House suspend the rules and pass the bill, H.R. 267, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. TIPTON. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 5 o'clock and 5 minutes p.m.), the House stood in recess.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SIMPSON) at 6 o'clock and 30 minutes p.m.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following commu-

nication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 15, 2017.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on March 15, 2017, at 5:42 p.m.:

That the Senate passed without amendment H.R. 1362.

With best wishes, I am,
Sincerely,

KAREN L. HAAS.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 132, by the yeas and nays;
H.R. 648, by the yeas and nays;
H.R. 267, de novo.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

ARBUCKLE PROJECT MAINTENANCE COMPLEX AND DISTRICT OFFICE CONVEYANCE ACT OF 2017

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 132), to authorize the Secretary of the Interior to convey certain land and appurtenances of the Arbutle Project, Oklahoma, to the Arbutle Master Conservancy District, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. WEBSTER) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 407, nays 1, not voting 21, as follows:

[Roll No. 159]

YEAS—407

Abraham	Beatty	Boyle, Brendan
Adams	Bera	F.
Aderholt	Bergman	Brady (PA)
Aguilar	Beyer	Brady (TX)
Allen	Biggs	Brat
Amodei	Bilirakis	Bridenstine
Arrington	Bishop (GA)	Brooks (AL)
Babin	Bishop (MI)	Brooks (IN)
Bacon	Bishop (UT)	Brownley (CA)
Banks (IN)	Black	Buchanan
Barletta	Blum	Buck
Barr	Blumenauer	Bucshon
Barragan	Blunt Rochester	Budd
Barton	Bonamici	Burgess
Bass	Bost	Bustos

Butterfield	Goodlatte	Lujan, Ben Ray	Scalise	Speier	Walberg	Barr	Doyle, Michael	King (NY)
Byrne	Gosar	Lynch	Schakowsky	Stefanik	Walden	Barragán	F.	Kinzinger
Calvert	Gottheimer	MacArthur	Schiff	Stewart	Walker	Barton	Duffy	Knight
Capuano	Gowdy	Maloney, Sean	Schneider	Stivers	Walorski	Bass	Duncan (SC)	Krishnamoorthi
Carbajal	Granger	Marchant	Schrader	Suozi	Walters, Mimi	Beatty	Duncan (TN)	Kuster (NH)
Cárdenas	Graves (GA)	Marshall	Schweikert	Swalwell (CA)	Walz	Bera	Dunn	Kustoff (TN)
Carson (IN)	Graves (LA)	Massie	Scott (VA)	Takano	Wasserman	Bergman	Ellison	Labrador
Carter (GA)	Graves (MO)	Mast	Scott, Austin	Taylor	Schultz	Beyer	Emmer	LaHood
Carter (TX)	Green, Al	Matsui	Scott, David	Tenney	Waters, Maxine	Biggs	Engel	LaMalfa
Cartwright	Green, Gene	McCarthy	Sensenbrenner	Thompson (CA)	Watson Coleman	Bilirakis	Eshoo	Lamborn
Castor (FL)	Griffith	McClintock	Serrano	Thompson (MS)	Weber (TX)	Bishop (GA)	Españillat	Lance
Castro (TX)	Grijalva	McCollum	Sessions	Thompson (PA)	Webster (FL)	Bishop (MI)	Esty	Langevin
Chabot	Grothman	McEachin	Sewell (AL)	Thornberry	Wenstrup	Bishop (UT)	Evans	Larsen (WA)
Chaffetz	Guthrie	McGovern	Shea-Porter	Tiberi	Westerman	Black	Farenthold	Larson (CT)
Cheney	Gutiérrez	McHenry	Sherman	Tipton	Williams	Blum	Faso	Latta
Chu, Judy	Hanabusa	McKinley	Shimkus	Tonko	Wilson (FL)	Blumenauer	Ferguson	Lawrence
Clark (MA)	Harper	McMorris	Shuster	Torres	Wilson (SC)	Blunt Rochester	Fitzpatrick	Lawson (FL)
Clarke (NY)	Harris	Rodgers	Simpson	Tsongas	Wittman	Bonamici	Fleischmann	Lee
Clay	Hartzler	McNerney	Sinema	Turner	Womack	Bost	Flores	Levin
Cleaver	Hastings	McSally	Sires	Upton	Woodall	Boyle, Brendan	Fortenberry	Lewis (GA)
Clyburn	Heck	Meadows	Smith (MO)	Valadao	Woodall	F.	Foster	Lewis (MN)
Coffman	Hensarling	Meehan	Smith (NE)	Vargas	Yarmuth	Brady (PA)	Fox	Lieu, Ted
Cohen	Herrera Beutler	Meeks	Smith (NJ)	Veasey	Yoder	Brady (TX)	Frankel (FL)	Lipinski
Cole	Hice, Jody B.	Meng	Smith (TX)	Vela	Yoho	Brat	Franks (AZ)	LoBiondo
Collins (GA)	Higgins (LA)	Messer	Smith (WA)	Velázquez	Young (AK)	Bridenstine	Frelinghuysen	Lofgren
Comer	Hill	Mitchell	Smucker	Visclosky	Young (IA)	Brooks (AL)	Gabbard	Long
Comstock	Himes	Moolenaar	Soto	Wagner	Zeldin	Brooks (IN)	Gaetz	Loudermilk
Conaway	Holding	Mooney (WV)				Brownley (CA)	Gallagher	Love
Connolly	Hollingsworth	Moore				Buchanan	Gallego	Lowenthal
Conyers	Hoyer	Moulton				Buck	Garamendi	Lowe
Cook	Hudson	Mullin				Bucshon	Garrett	Lucas
Cooper	Huffman	Murphy (FL)				Budd	Gibbs	Luetkemeyer
Correa	Huizenga	Murphy (PA)				Burgess	Gohmert	Lujan Grisham,
Costa	Hultgren	Nadler				Bustos	Gonzalez (TX)	M.
Costello (PA)	Hunter	Napolitano				Butterfield	Goodlatte	Lujan, Ben Ray
Courtney	Hurd	Neal				Byrne	Gosar	Lynch
Cramer	Issa	Newhouse				Calvert	Gottheimer	MacArthur
Crawford	Jackson Lee	Noem				Capuano	Gowdy	Maloney
Crist	Jayapal	Nolan				Carbajal	Granger	Carolyn B.
Crowley	Jeffries	Norcross				Cárdenas	Graves (GA)	Maloney, Sean
Cuellar	Jenkins (KS)	Nunes				Carson (IN)	Graves (LA)	Marchant
Culberson	Jenkins (WV)	O'Halleran				Carter (GA)	Graves (MO)	Marshall
Cummings	Johnson (GA)	O'Rourke				Carter (TX)	Green, Al	Massie
Curbelo (FL)	Johnson (LA)	Olson				Cartwright	Green, Gene	Mast
Davidson	Johnson (OH)	Palazzo				Castor (FL)	Griffith	Matsui
Davis (CA)	Johnson, E. B.	Pallone				Castro (TX)	Grijalva	McCarthy
Davis, Rodney	Johnson, Sam	Palmer				Chabot	Grothman	McClintock
DeFazio	Jones	Panetta				Chaffetz	Guthrie	McCollum
DeGette	Jordan	Pascarell				Cheney	Gutiérrez	McEachin
Delaney	Joyce (OH)	Paulsen				Chu, Judy	Hanabusa	McGovern
DeLauro	Kaptur	Pearce				Clark (MA)	Harper	McHenry
DelBene	Katko	Pelosi				Clarke (NY)	Harris	McKinley
Demings	Keating	Perlmutter				Clay	Hartzler	McMorris
Denham	Kelly (IL)	Perry				Cleaver	Hastings	Rodgers
Dent	Kelly (MS)	Peters				Clyburn	Heck	McNerney
DeSantis	Kennedy	Peterson				Coffman	Hensarling	McSally
DeSaulnier	Khanna	Pingree				Cohen	Herrera Beutler	Meadows
Deutch	Kihuen	Pittenger				Cole	Hice, Jody B.	Meehan
Diaz-Balart	Kildee	Pocan				Collins (GA)	Higgins (LA)	Meeks
Dingell	Kilmer	Poe (TX)				Comer	Hill	Meng
Doggett	Kind	Poliquin				Comstock	Himes	Messer
Donovan	King (IA)	Polis				Conaway	Holding	Mitchell
Doyle, Michael	King (NY)	Posey				Connolly	Hollingsworth	Moolenaar
F.	Kinzinger	Price (NC)				Conyers	Hoyer	Mooney (WV)
Duffy	Knight	Quigley				Cook	Hudson	Moore
Duncan (SC)	Krishnamoorthi	Raskin				Cooper	Huffman	Moulton
Duncan (TN)	Kuster (NH)	Ratcliffe				Correa	Huizenga	Mullin
Dunn	Kustoff (TN)	Reed				Costa	Hultgren	Murphy (FL)
Ellison	Labrador	Reichert				Costello (PA)	Hunter	Murphy (PA)
Emmer	LaHood	Renacci				Courtney	Hurd	Nadler
Engel	LaMalfa	Rice (NY)				Cramer	Issa	Napolitano
Eshoo	Lamborn	Rice (SC)				Crawford	Jackson Lee	Neal
Españillat	Lance	Richmond				Crist	Jayapal	Newhouse
Esty	Langevin	Roby				Crowley	Jeffries	Noem
Evans	Larsen (WA)	Roe (TN)				Cuellar	Jenkins (KS)	Nolan
Farenthold	Larson (CT)	Rogers (AL)				Culberson	Jenkins (WV)	Norcross
Faso	Latta	Rogers (KY)				Cummings	Johnson (GA)	Nunes
Ferguson	Lawrence	Rokita				Curbelo (FL)	Johnson (LA)	O'Halleran
Fitzpatrick	Lawson (FL)	Rooney, Francis				Davidson	Johnson (OH)	O'Rourke
Fleischmann	Lee	Rooney, Thomas				Davis (CA)	Johnson, E. B.	Olson
Flores	Levin	J.				Davis, Rodney	Johnson, Sam	Palazzo
Fortenberry	Lewis (GA)	Ros-Lehtinen				DeFazio	Jones	Pallone
Foster	Lewis (MN)	Rosen				DeGette	Jordan	Palmer
Fox	Lieu, Ted	Roskam				Delaney	Joyce (OH)	Panetta
Frankel (FL)	Lipinski	Ross				DeLauro	Kaptur	Pascarell
Franks (AZ)	LoBiondo	Rothfus				DelBene	Katko	Paulsen
Frelinghuysen	Lofgren	Rouzer				Demings	Keating	Pearce
Gabbard	Long	Roybal-Allard				Denham	Kelly (IL)	Pelosi
Gaetz	Loudermilk	Royce (CA)				Dent	Kelly (MS)	Perlmutter
Gallagher	Love	Ruiz				DeSantis	Kennedy	Perry
Gallego	Lowenthal	Ruppersberger				DeSaulnier	Khanna	Peters
Garamendi	Lowe	Rutherford				Deutch	Kihuen	Peterson
Garrett	Lucas	Ryan (OH)				Diaz-Balart	Kildee	Pingree
Gibbs	Luetkemeyer	Sánchez				Dingell	Kilmer	Pittenger
Gohmert	Lujan Grisham,	Sanford				Doggett	Kind	Pocan
Gonzalez (TX)	M.	Sarbanes				Donovan	King (IA)	Poe (TX)

NAYS—1

Amash
NOT VOTING—21

Blackburn	Kelly (PA)	Rush
Brown (MD)	Loeb	Russell
Cicilline	Maloney,	Slaughter
Collins (NY)	Carolyn B.	Titus
Davis, Danny	Marino	Trott
DesJarlais	McCauley	Welch
Fudge	Payne	
Higgins (NY)	Rohrabacher	

□ 1857

Mr. NOLAN changed his vote from “nay” to “yea.”

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AUTHORIZING THE SECRETARY OF THE INTERIOR TO AMEND THE DEFINITE PLAN REPORT FOR THE SEEDSKADEE PROJECT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 648) to authorize the Secretary of the Interior to amend the Definite Plan Report for the Seedskadee Project to enable the use of the active capacity of the Fontenelle Reservoir, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Colorado (Mr. Tipton) that the House suspend the rules and pass the bill.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 408, nays 0, not voting 21, as follows:

[Roll No. 160]

YEAS—408

Abraham	Allen	Babin
Adams	Amash	Bacon
Aderholt	Amodei	Banks (IN)
Aguilar	Arrington	Barletta

Poliquin	Schneider	Torres
Polis	Schrader	Tsongas
Posey	Schweikert	Turner
Price (NC)	Scott (VA)	Upton
Quigley	Scott, Austin	Valadao
Raskin	Sensenbrenner	Vargas
Ratcliffe	Serrano	Veasey
Reed	Sessions	Vela
Reichert	Sewell (AL)	Velázquez
Renacci	Shea-Porter	Visclosky
Rice (NY)	Sherman	Wagner
Rice (SC)	Shimkus	Walberg
Richmond	Shuster	Walden
Roby	Simpson	Walker
Roe (TN)	Sinema	Walorski
Rogers (AL)	Sires	Walters, Mimi
Rogers (KY)	Smith (MO)	Walz
Rokita	Smith (NE)	Wasserman
Rooney, Francis	Smith (NJ)	Schultz
Rooney, Thomas J.	Smith (TX)	Waters, Maxine
Ros-Lehtinen	Smith (WA)	Watson Coleman
Rosen	Smucker	Weber (TX)
Roskam	Soto	Webster (FL)
Ross	Speier	Wenstrup
Rothfus	Stefanik	Westerman
Rouzer	Stewart	Williams
Roybal-Allard	Suozi	Wilson (FL)
Royce (CA)	Swalwell (CA)	Wilson (SC)
Ruiz	Takano	Wittman
Ruppersberger	Taylor	Womack
Rutherford	Tenney	Woodall
Ryan (OH)	Thompson (CA)	Yarmuth
Sánchez	Thompson (MS)	Yoder
Sanford	Thompson (PA)	Yoho
Sarbanes	Thornberry	Young (AK)
Scalise	Tiberi	Young (IA)
Schakowsky	Tipton	Zeldin
Schiff	Tonko	

NOT VOTING—21

Blackburn	Higgins (NY)	Rush
Brown (MD)	Kelly (PA)	Russell
Ciçilline	Loebach	Scott, David
Collins (NY)	Marino	Slaughter
Davis, Danny	McCauley	Titus
DesJarlais	Payne	Trott
Fudge	Rohrabacher	Welch

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1903

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. CROWLEY. Pursuant to clause 2(a)(1) of rule IX, I rise to give notice of my intent to raise a question of the privileges of the House.

The form of the resolution is as follows:

Expressing the sense of the House of Representatives that the President shall immediately disclose his tax return information to Congress.

Mr. Speaker, it is worth expressing, once again.

Expressing the sense of the House of Representatives, the President shall immediately disclose his tax return information to Congress and the American people.

I want to thank Mr. PASCRELL from the Ways and Means Committee for leading this issue in that committee

and here on the floor, as well as ANNA ESHOO from the Energy and Commerce Committee, and more to come in the weeks to come.

The SPEAKER pro tempore. The gentleman from New York is recognized only to give notice.

Mr. CROWLEY. Mr. Speaker, the form of the remainder of the resolution is as follows:

Whereas, in the United States' system of checks and balances, Congress has a responsibility to hold the executive branch of government to the highest standard of transparency to ensure the public interest is placed first;

Whereas, according to the Tax History Project, every President after Richard Nixon has disclosed their tax return information to the public;

Whereas, tax returns provide an important baseline disclosure because they contain highly instructive information including whether the candidate paid taxes, what they own, what they have borrowed and from whom, whether they have made any charitable donations, and whether they have taken advantage of tax loopholes;

Whereas, disclosure of the President's tax returns could help those investigating Russian influence in the 2016 election understand the President's financial ties to the Russian Federation and Russian citizens, including debts owed, and whether he shares any partnership interests, equity interests, joint ventures, or licensing agreements with Russia or Russians;

Whereas, it has been reported that President Trump's close senior advisers, including Carter Page, Paul Manafort, Roger Stone, and General Michael Flynn, have been under investigation by the Federal Bureau of Investigation for their ties to the Russian Federation;

Whereas, Russian Deputy Foreign Minister Sergei Ryabkov told Interfax, a Russian media outlet, on November 10, 2016, that "there were contacts" with Donald Trump's 2016 campaign, and it has been reported that members of President Trump's inner circle were in contact with senior Russian officials throughout the 2016 campaign;

Whereas, according to his 2016 candidate filing with the Federal Election Commission, the President has 564 financial positions in companies located in the United States and around the world;

Whereas, against the advice of ethics attorneys and the Office of Government Ethics, the President has refused to divest his ownership stake in his businesses;

Whereas, the Director of the non-partisan Office of Government Ethics said that the President's plan to transfer his business holdings to a trust managed by family members is "meaningless" and "does not meet the standards that . . . every President in the past four decades has met";

Whereas, the the Emoluments Clause was included in the U.S. Constitution for the express purpose of preventing federal officials from accepting any "present, Emolument, Office, or Title . . . from any King, Prince, or foreign state";

Whereas, the Trump International Hotel in Washington, D.C., has hired a "director of diplomatic sales" to generate high-priced business among foreign leaders and diplomatic delegations;

Whereas, the Trump International Hotel could receive up to \$60,000 from the Kuwaiti government for a party it held at the hotel on February 22, 2017;

Whereas, the President used a legally dubious tax maneuver in 1995 that could have allowed him to avoid paying federal taxes for 18 years;

Whereas, the public still does not have a thorough understanding of the influences and conflicts President Trump has due to his various foreign and domestic business interests;

Whereas, on January 30, 2017, President Trump publicly issued an executive order announcing that pipeline makers in the U.S. must use American-made steel in their projects;

Whereas, on March 3, 2017, President Trump quietly reversed himself, issuing an order allowing the steel for the Keystone pipeline to be imported from foreign countries;

Whereas, without direct knowledge on the conflicts this President has due to his business interests, he could be advancing policies that create an uneven playing field for working Americans;

Whereas, the public should be able to examine his business interests, relationships, and conflicts to ensure that all policies put forward by the Trump administration solely benefit the American public and not his corporate business partners;

Whereas, the most signed petition on the White House website calls for the release of the President's tax return information to verify compliance with the Emoluments Clause, with 1,082,000 signatures as of the date of this resolution;

Whereas, the Chairmen of the Ways and Means Committee, Joint Committee on Taxation, and Senate Finance Committee have the authority to request the President's tax returns under Section 6103 of the tax code;

Whereas, the Joint Committee on Taxation reviewed the tax returns of President Richard Nixon in 1974 and made the information public;

Whereas, the Ways and Means Committee used IRC 6103 authority in 2014 to make public the confidential tax information of 51 taxpayers;

Whereas, the American people have the right to know whether or not their President is operating under conflicts of interest related to international affairs, tax reform, government contracts, or otherwise;

Now, therefore, be it resolved, that the House of Representatives shall:

One, immediately request the tax return information of Donald J. Trump for tax years 2006 through 2015 for review in closed executive session by the Committee on Ways and Means, as provided under Section 6103 of the Internal Revenue Code, and vote to report the information therein to the full House of Representatives;

Two, support transparency in government and the longstanding tradition of Presidents and Presidential candidates disclosing their tax returns.

The SPEAKER pro tempore. The Chair will now recognize the gentleman from New York to offer the resolution just noticed.

Does the gentleman offer the resolution?

Mr. CROWLEY. Mr. Speaker, I offer my resolution.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

RESOLUTION

Expressing the sense of the House of Representatives that the President shall immediately disclose his tax return information to Congress and the American people.

Whereas, in the United States' system of checks and balances, Congress has a responsibility to hold the Executive Branch of government to the highest standard of transparency to ensure the public interest is placed first;

Whereas, according to the Tax History Project, every President after Richard Nixon has disclosed their tax return information to the public;

Whereas, tax returns provide an important baseline disclosure because they contain highly instructive information including whether the candidate paid taxes, what they own, what they have borrowed and from whom, whether they have made any charitable donations, and whether they have taken advantage of tax loopholes;

Whereas, disclosure of the President's tax returns could help those investigating Russian influence in the 2016 election, understand the President's financial ties to the Russian Federation and Russian citizens, including debts owed, and whether he shares any partnership interests, equity interests, joint ventures or licensing agreements with Russia or Russians;

Whereas, it has been reported that President Trump's close senior advisers, including Carter Page, Paul Manafort, Roger Stone, and General Michael Flynn, have been under investigation by the Federal Bureau of Investigation for their ties to the Russian Federation;

Whereas, Russian Deputy Foreign Minister Sergei Ryabkov told *Interfax*, a Russian media outlet, on November 10, 2016 that "there were contacts" with Donald Trump's 2016 campaign, and it has been reported that members of President Trump's inner circle were in contact with senior Russian officials throughout the 2016 campaign;

Whereas, according to his 2016 candidate filing with the Federal Election Commission, the President has 564 financial positions in companies located in the United States and around the world;

Whereas, against the advice of ethics attorneys and the Office of Government Ethics, the President has refused to divest his ownership stake in his businesses;

Whereas, the director of the nonpartisan Office of Government Ethics said that the President's plan to transfer his business holdings to a trust managed by family members is "meaningless" and "does not meet the standards that . . . every president in the past four decades has met";

Whereas, the Emoluments Clause was included in the U.S. Constitution for the express purpose of preventing federal officials from accepting any "present, Emolument, Office, or Title . . . from any King, Prince, or foreign state";

Whereas, the Trump International Hotel in Washington, D.C. has hired a "director of diplomatic sales" to generate high-priced business among foreign leaders and diplomatic delegations;

Whereas, the Trump International Hotel could receive up to \$60,000 from the Kuwaiti government for a party it held at the hotel on February 22, 2017;

Whereas, the President used a legally dubious tax maneuver in 1995 that could have allowed him to avoid paying federal taxes for 18 years;

Whereas the public still does not have a thorough understanding of the influences and conflicts President Trump has due to his various foreign and domestic business interests;

Whereas on January 30, 2017 President Trump publicly issued an executive order announcing that pipeline makers in the US must use American-made steel in their projects;

Whereas on March 3, 2017 President Trump quietly reversed himself, issuing an order allowing the steel for the Keystone Pipeline to be imported from foreign countries;

Whereas without direct knowledge on the conflicts this President has due to his business interests, he could be advancing policies that create an uneven playing field for working Americans;

Whereas the public should be able to examine his business interests, relationships, and conflicts to ensure that all policies put forward by the Trump Administration solely benefit the American public and not his corporate business partners;

Whereas, the most signed petition on the White House website calls for the release of the President's tax return information to verify compliance with the Emoluments Clause, with 1 million, 82 thousand signatures as of the date of this resolution;

Whereas, the Chairmen of the Ways and Means Committee, Joint Committee on Taxation, and Senate Finance Committee have the authority to request the President's tax returns under Section 6103 of the tax code;

Whereas, the Joint Committee on Taxation reviewed the tax returns of President Richard Nixon in 1974 and made the information public;

Whereas, the Ways and Means Committee used IRC 6103 authority in 2014 to make public the confidential tax information of 51 taxpayers;

Whereas, the American people have the right to know whether or not their President is operating under conflicts of interest related to international affairs, tax reform, government contracts, or otherwise: Now, therefore, be it:

Resolved, That the House of Representatives shall—

1. Immediately request the tax return information of Donald J. Trump for tax years 2006 through 2015 for review in closed executive session by the Committee on Ways and Means, as provided under Section 6103 of the Internal Revenue Code, and vote to report

the information therein to the full House of Representatives

2. Support transparency in government and the longstanding tradition of Presidents and Presidential candidates disclosing their tax returns.

The SPEAKER pro tempore. Does the gentleman from New York wish to present argument on the parliamentary question whether the resolution presents a question of the privileges of the House?

Mr. CROWLEY. Yes, Mr. Speaker, I do.

The SPEAKER pro tempore. The gentleman from New York is recognized.

Mr. CROWLEY. Mr. Speaker, under rule IX, clause 1, questions of the privileges of the House are "those affecting the rights of the House collectively, its safety, dignity, and the integrity of its proceedings."

I would argue there is nothing more of a threat to the integrity of the House of Representatives than ignoring our duty to provide a check and balance, as our Founders expected of us, of the executive branch.

To restore the dignity of the House, we must use our authority to request President Trump's tax returns and give the American people the transparency that they deserve.

The American people know full well the scope of the President's financial background, as related by television and the media; but they don't know the details.

Article I, section 9 of the Constitution includes a clause prohibiting foreign emoluments to the President. The Office of Government Ethics has warned us about the President's decision not to divest or set up a blind trust, and there is a need to fully understand the President's ties to Russia.

Mr. Speaker, we are seeing the President saying one thing, such as mandating the use of American-made steel on American pipelines, then quietly reversing himself to allow the use of foreign-made steel on the Keystone Pipeline, which is being built by a Canadian company.

The resolution I am offering can provide the transparency to help ease the concerns of Americans in every corner of our country. The Internal Revenue Code includes language laying out a path for the Ways and Means Committee to obtain the tax returns and review them in a respectful way. There is the precedent that I have stated earlier that provides for this to be used.

A growing number of Members and Senators from both parties have been saying we should have the President's tax returns. One of those is Congressman STEVE KNIGHT of California who announced to his constituents that the President's tax returns should be made public, so I look forward to his support of this resolution.

The House must demonstrate that its Members are listening to our constituents' concerns. The House must demonstrate that it cares about protecting

the integrity of the House, of our government, of our Constitution, of our system of checks and balances. Let's shine a bright light on the President's conflicts together.

We, as the elected Representatives of our constituents and the broader American public, can judge whether his decisions are being made for himself, his business, or for the greater good of the American people.

At the end of the day, if President Trump has nothing to hide, then he should be willing to do what every President since Richard Nixon has done, and that is, release his tax returns.

The SPEAKER pro tempore. The Chair would remind the gentleman from New York that the question is on, and his remarks must be confined to, the question of privilege.

Mr. CROWLEY. Mr. Speaker, I think I have been toeing that line very closely.

The SPEAKER pro tempore. A little bit over it.

Mr. CROWLEY. At the very least, even if he continues to hide behind the phony excuse of being under audit, he should release tax returns for 2016 as those are not under audit.

Mr. Speaker, this resolution is not about partisanship. It is about America.

No, you are not listening to your constituents, my colleagues. It is about America, my colleagues. They want to see these tax returns.

The American people expect more from the promise than heckling back and forth. They expect their Representatives from both sides of the aisles to demand these tax returns.

The SPEAKER pro tempore. The gentleman will suspend.

The gentleman from New York must keep his remarks confined to the question of the privileges of the House.

Mr. CROWLEY. I appreciate that, Mr. Speaker.

It is about America, Mr. Speaker.

I yield back the balance of my time.

The SPEAKER pro tempore. For what purpose does the gentleman from New Jersey seek recognition?

Does the gentleman wish to be heard on the question of privilege and on the question of privilege only?

Mr. PASCRELL. Yes, Mr. Speaker.

The SPEAKER pro tempore. That is the question before the House.

Mr. PASCRELL. I want to thank the gentleman from New York (Mr. CROWLEY).

Mr. Speaker, Mr. CROWLEY cited the very source of what our proposal is, and that is, section 6103, and, particularly section 6103(f), of the Tax Code of the United States of America, which has been part of the Tax Code since 1924.

Mr. Speaker, this is a wonderful part of the Tax Code. Take my word for it. And it has been a wonderful part of the Tax Code since 1924.

It is very clear the main argument against this proposal, this resolution, has been over the last several weeks that this is an administrative part of the Tax Code. I would submit to you, Mr. Speaker, that this is not simply arranging the deck chairs on the Titanic. This has to do with all of us. This has to do with what we put in to our tax files when we submit them to the IRS.

There is real authority when you read this section, Mr. Speaker. I can assure you I will not read it. That will be for another time. But I can assure you it is very specific and goes beyond administrative authority. We are talking about apparitional authority.

We are talking about that three different committees in the House and the Senate can call on anybody with due cause to have them submit their tax returns.

By the way, when you look at why section 6103 was put into the Tax Code in 1924, as a result of one of the greatest scandals in the 20th century, then you understand it was not just meant as an administrative situation.

Now, Mr. Speaker, we believe that it is imperative for the public to know and understand how such tax reform that we are about to go into pretty soon will benefit the President of the United States.

The SPEAKER pro tempore. The gentleman's remarks must be confined to the question of privilege.

Mr. PASCRELL. I am talking right to the resolution, Mr. Speaker.

The SPEAKER pro tempore. The gentleman's remarks must be confined to the question of whether the resolution presents a privilege of the House.

Mr. PASCRELL. Well, we are talking about the present President, our President of the United States.

The SPEAKER pro tempore. The question is whether the resolution presents a question of privilege, and the gentleman must confine his remarks to that debate.

Mr. PASCRELL. We are talking about, as I said—

The SPEAKER pro tempore. The gentleman has not been recognized to discuss the value or merit of the resolution. The gentleman has been recognized only to argue whether it presents a privileged question to the House.

Mr. PASCRELL. I believe it is a privileged question and resolution that has been offered because it goes to the very integrity of the House of Representatives, and I am a part of the House of Representatives.

Now, our President had an infamous response—

The SPEAKER pro tempore. The gentleman's remarks must be confined to the question of privilege.

Mr. PASCRELL. He said, when an allegation that he had paid no taxes, he said—

The SPEAKER pro tempore. The Chair is prepared to rule.

The gentleman from New York seeks to offer a resolution as a question of the privileges of the House under rule IX.

As the Chair ruled on February 27, 2017, and March 7, 2017, the resolution directs the Committee on Ways and Means to meet and consider an item of business under the procedures set forth in 26 U.S.C. 6103, and, therefore, does not qualify as a question of the privileges of the House.

Mr. CROWLEY. Mr. Speaker, I appeal the ruling of the Chair.

The SPEAKER pro tempore. The question is, Shall the decision of the Chair stand as the judgment of the House?

MOTION TO TABLE

Mr. MCCARTHY. Mr. Speaker, I have a motion at the desk.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. McCarthy moves that the appeal be laid on the table.

The SPEAKER pro tempore. The question is on the motion to table.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. CROWLEY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on the motion to table will be followed by a 5-minute vote on suspending the rules and passing H.R. 267, if ordered.

The vote was taken by electronic device, and there were—yeas 223, nays 183, answered “present” 1, not voting 22, as follows:

[Roll No. 161]

YEAS—223

Abraham	Chaffetz	Frelinghuysen
Aderholt	Cheney	Gaetz
Allen	Coffman	Gallagher
Amash	Cole	Garrett
Amodei	Collins (GA)	Gibbs
Arrington	Comer	Gohmert
Babin	Comstock	Goodlatte
Bacon	Conaway	Gosar
Banks (IN)	Cook	Gowdy
Barletta	Costello (PA)	Granger
Barr	Cramer	Graves (GA)
Barton	Crawford	Graves (LA)
Bergman	Culberson	Graves (MO)
Biggs	Curbelo (FL)	Griffith
Bilirakis	Davidson	Grothman
Bishop (MI)	Davis, Rodney	Guthrie
Bishop (UT)	Denham	Harper
Black	Dent	Harris
Blum	DeSantis	Hartzler
Bost	Diaz-Balart	Hensarling
Brady (TX)	Donovan	Herrera Beutler
Brat	Duffy	Hice, Jody B.
Bridenstine	Duncan (SC)	Higgins (LA)
Brooks (AL)	Duncan (TN)	Hill
Brooks (IN)	Dunn	Holding
Buchanan	Emmer	Hollingsworth
Buck	Farenthold	Hudson
Bucshon	Faso	Huizenga
Budd	Ferguson	Hultgren
Burgess	Fitzpatrick	Hunter
Byrne	Fleischmann	Hurd
Calvert	Flores	Issa
Carter (GA)	Fortenberry	Jenkins (KS)
Carter (TX)	Fox	Jenkins (WV)
Chabot	Franks (AZ)	Johnson (LA)

Johnson (OH)
Johnson, Sam
Jordan
Joyce (OH)
Katko
Kelly (MS)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marshall
Massie
Mast
McCarthy
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mitchell

NAYS—183

Adams
Aguilar
Barragan
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan
F.
Brady (PA)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cuellar
Cummings
Davis (CA)
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett

Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rokita
Rooney, Francis
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Rutherford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions

Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Smith (WA)
Soto
Speier

ANSWERED "PRESENT"—1

Sanford

NOT VOTING—22

Blackburn
Brown (MD)
Cicilline
Collins (NY)
Davis, Danny
DesJarlais
Fudge
Higgins (NY)

Kelly (PA)
Loebback
Marino
McCauley
Payne
Rohrabacher
Rooney, Thomas
J.

Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Wilson (FL)
Yarmuth

□ 1947

So the motion to table was agreed to.
The result of the vote was announced
as above recorded.

A motion to reconsider was laid on
the table.

MARTIN LUTHER KING, JR. NATIONAL HISTORICAL PARK ACT OF 2017

The SPEAKER pro tempore (Mr. ARRINGTON). The unfinished business is the question on suspending the rules and passing the bill (H.R. 267) to redesignate the Martin Luther King, Junior, National Historic Site in the State of Georgia, and for other purposes, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Colorado (Mr. Tipton) that the House suspend the rules and pass the bill, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on
the table.

REPORT ON RESOLUTION PROVIDING FOR THE EXPENSES OF CERTAIN COMMITTEES OF THE HOUSE OF REPRESENTATIVES IN THE 115TH CONGRESS

Mr. HARPER from the Committee on House Administration, submitted a privileged report (Rept. No. 115-38) on the resolution (H. Res. 173) providing for the expenses of certain committees of the House of Representatives in the One Hundred Fifteenth Congress, which was referred to the House Calendar and ordered to be printed.

PROVIDING FOR APPOINTMENT OF MEMBERS OF BOARD OF DIRECTORS OF OFFICE OF COMPLIANCE

Mr. HARPER. Mr. Speaker, I ask unanimous consent that the Com-

mittee on House Administration be discharged from further consideration of the bill (H.R. 1228) to provide for the appointment of members of the Board of Directors of the Office of Compliance to replace members whose terms expire during 2017, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The text of the bill is as follows:

H.R. 1228

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. APPOINTMENT OF MEMBERS OF BOARD OF DIRECTORS OF OFFICE OF COMPLIANCE.

(a) APPOINTMENT OF MEMBERS.—

(1) MEMBERS REPLACING MEMBERS WHOSE TERMS EXPIRE IN MARCH 2017.—Notwithstanding the first sentence of section 301(e) of the Congressional Accountability Act of 1995 (2 U.S.C. 1381(e)), of the members of the Board of Directors of the Office of Compliance who are appointed to replace the 3 members whose terms expire in March 2017—

(A) one shall have a term of office of 3 years; and

(B) 2 shall have a term of office of 4 years, as designated at the time of appointment by the persons specified in section 301(b) of such Act (2 U.S.C. 1381(b)).

(2) MEMBERS REPLACING MEMBERS WHOSE TERMS EXPIRE IN MAY 2017.—In accordance with the first sentence of section 301(e) of the Congressional Accountability Act of 1995 (2 U.S.C. 1381(e)), the members of the Board of Directors of the Office of Compliance who are appointed to replace the 2 members whose terms expire in May 2017 shall each have a term of office of 5 years.

(b) SERVICE OF CURRENT MEMBERS.—Notwithstanding the second sentence of section 301(e) of the Congressional Accountability Act of 1995 (2 U.S.C. 1381(e)) or section 3 of the Office of Compliance Administrative and Technical Corrections Act of 2015 (Public Law 114-6; 2 U.S.C. 1381 note)—

(1) an individual serving as a member of the Board of Directors of the Office of Compliance whose term expires in March 2017 may be reappointed to serve one additional term at the length designated under paragraph (1) of subsection (a), but may not be reappointed to any additional terms after that additional term expires; and

(2) an individual serving as a member of the Board of Directors of the Office of Compliance whose term expires in May 2017 may be reappointed to serve one additional term at the length referred to in paragraph (2) of subsection (a), but may not be reappointed to any additional terms after that additional term expires.

(c) PERMITTING MEMBERS TO SERVE UNTIL APPOINTMENT OF SUCCESSORS.—Section 301(e) of the Congressional Accountability Act of 1995 (2 U.S.C. 1381(e)) is amended by adding at the end the following new paragraph:

“(3) PERMITTING SERVICE UNTIL APPOINTMENT OF SUCCESSOR.—A member of the Board may serve after the expiration of that member's term until a successor has taken office.”.

AMENDMENT OFFERED BY MR. HARPER

Mr. HARPER. Mr. Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Add at the end the following new subsection:

(d) AUTHORITY OF CONGRESSIONAL LEADERSHIP IN MAKING APPOINTMENTS.—Section 301(b) of the Congressional Accountability Act of 1995 (2 U.S.C. 1381(b)) is amended by striking the period at the end of the second sentence and inserting the following: “, who are authorized to take such steps as they consider appropriate to ensure the timely appointment of the members of the Board consistent with the requirements of this section.”.

Mr. HARPER (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading of the amendment.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1259, VA ACCOUNTABILITY FIRST ACT OF 2017; PROVIDING FOR CONSIDERATION OF H.R. 1367, IMPROVING AUTHORITY OF SECRETARY OF VETERANS AFFAIRS TO HIRE AND RETAIN PHYSICIANS AND OTHER EMPLOYEES; AND PROVIDING FOR CONSIDERATION OF H.R. 1181, VETERANS 2ND AMENDMENT PROTECTION ACT

Mr. BUCK from the Committee on Rules, submitted a privileged report (Rept. No. 115-39) on the resolution (H. Res. 198) providing for consideration of the bill (H.R. 1259) to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes; providing for consideration of the bill (H.R. 1367) to improve the authority of the Secretary of Veterans Affairs to hire and retain physicians and other employees of the Department of Veterans Affairs, and for other purposes; and providing for consideration of the bill (H.R. 1181) to amend title 38, United States Code, to clarify the conditions under which certain persons may be treated as adjudicated mentally incompetent for certain purposes, which was referred to the House Calendar and ordered to be printed.

NATIONAL K9 VETERANS DAY

(Mr. PAULSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAULSEN. Mr. Speaker, this week, we recognized National K9 Vet-

erans Day. It was on March 13, 1942, that the U.S. Army K9 Corps was officially formed, although dogs have had a role in our military ever since our country's founding. We not only honor military dogs, but also police dogs, customs dogs, border patrol dogs, and other working dogs that work to protect our communities.

These dogs provide an incredible service to our brave men and women overseas. They are responsible for saving lives and preventing injuries, sometimes at their own expense.

Many of our servicemembers form very strong bonds with these loyal companions. That is why I authored the Military Working Dog Military Retirement Act and was proud to see it pass with overwhelming bipartisan support last Congress. This new law guarantees that service dogs are returned and retired to the United States after serving overseas. Previously, military members were often forced to spend their own money to bring these animals home.

Mr. Speaker, let us remember and honor these four-legged heroes. They are a valuable component of protecting Americans through their courage and their loyalty.

NOAA FUNDING

(Mr. LANGEVIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LANGEVIN. Mr. Speaker, I rise today in strong support of the mission of NOAA, the National Oceanic and Atmospheric Administration, now under attack by the Trump administration.

An assault on NOAA, Mr. Speaker, is an assault on science. NOAA is a data-driven organization with proven research in the public interest. NOAA defends our coasts from the surges we have seen from Sandy, Irene, and other storms. NOAA's satellites keep watch day and night, providing up-to-the-second data to farmers, forecasters, and fishermen.

Mr. Speaker, I acknowledge the Trump administration's denial of climate damage, but I do not understand it. Defunding NOAA, as the President's budget purportedly does, does not make our climate problems simply go away. The mission of NOAA isn't just about our environment. American businesses rely on its data every day to give them an economic advantage. After all, there is a reason NOAA is in the Department of Commerce to begin with.

TRIBUTE TO FORMER CONGRESSMAN JOHN WOLD

(Ms. CHENEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. CHENEY. Mr. Speaker, I rise today to pay tribute to a dear friend and former Member of this House, John Wold, of Casper, Wyoming, who passed away on February 19. Congressman Wold was a member of the Greatest Generation serving as a naval engineer during World War II. He also served Wyoming in our State legislature and as our Member of Congress. He was a leader and pioneer in the energy field, and he made numerous contributions, along with his incomparable wife, Jane, to our civic life and as a philanthropist.

I knew John my whole life. The friendship between our families goes back even farther. John was the oldest living former Member of Congress, and I was honored to receive his advice and counsel over the years.

I will never forget attending his 100th birthday this past summer in Casper and seeing the joy it brought him to be surrounded by so many of his wonderful children, grandchildren, and great-grandchildren.

We will miss him, but the impact Congressman Wold had on our State and our Nation and the legacy of leadership and honor he leaves behind will continue to be an inspiration for generations to come.

SOUTH SUDAN

(Ms. BASS asked and was given permission to address the House for 1 minute.)

Ms. BASS. Mr. Speaker, last month, the U.N. declared a famine in parts of South Sudan. As I rise today, more than 100,000 men, women, and children there are facing immediate starvation. Arguably, this was an avoidable crisis.

Internal conflicts have worsened the dire living conditions for the people of South Sudan, and the government of the Republic of South Sudan must live up to its promise and ensure access to the most vulnerable communities by humanitarian organizations. According to recent estimates, without immediate action, an additional 5.5 million people living in South Sudan will experience famine.

Although we haven't yet seen the President's budget, it is reported that there is a 37 percent decrease in foreign aid. This could include severe cuts to humanitarian funding.

In this regard, I introduced H. Res. 187 in support of the efforts by USAID and other providers of humanitarian assistance in the international community. I urge my colleagues on both sides of the aisle to support this bipartisan resolution, and, by doing so, begin an end to this crisis.

CONGRATULATING THERESA BRYANT

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, today I rise to recognize Theresa Bryant, who is West Forsyth High School's 2016–2017 Teacher of the Year.

This first-generation college graduate, Kiwanis member, and Key Club adviser has worked at West Forsyth in Clemmons since 2000, where she teaches sophomore English and Shakespeare as an elective.

Theresa's proudest moment in the field of education is her role in the creation of the Shakespeare elective class. After an educational opportunity at the Globe Theatre in London, she worked with a colleague to create an intensive curriculum covering eight plays. The class has brought the words of the Bard to more than 4,000 students at West Forsyth, as well as four other schools in the district.

Theresa is known for her dedication to her students and making her lessons relevant to their different learning styles so everyone can understand the material.

We are lucky to have a teacher of her caliber serving students in North Carolina's Fifth District.

□ 2000

SOMEBODY ELSE'S BABIES

(Mr. SWALWELL of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SWALWELL of California. Mr. Speaker, in every chapter from the story of America's success, we find countless examples of the contributions made by immigrants. In fact, it begins in our prologue: we are a nation founded by immigrants.

Yet, over the weekend, a Member of this House, Mr. KING of Iowa, said: "We can't restore our civilization with somebody else's babies."

There is nothing to restore. We are the greatest country in the world. But, worse, by disparaging the value of somebody else's babies, Mr. KING argues for an America void of people of color or who worship differently than he does. That is not who we are.

Behind me are a few small examples of somebody else's babies: people who immigrated to America or whose families immigrated to America, practicing many different faiths, coming from many different countries.

They include the daughter of Chinese immigrants who became one of America's most celebrated and best-selling authors, Amy Tan; the son of a Syrian migrant, Steve Jobs, who founded Apple; and the son of a Kenyan student, who recently finished two terms as the 44th President of the United States, Barack Obama.

These are not somebody else's babies. These are immigrants and the children of immigrants, and they are our babies.

I was born and baptized in Sac City, Iowa, located in Mr. KING's district. It

is where I learned from Exodus 22:21, "You must not mistreat or oppress foreigners in any way. Remember, you yourselves were once foreigners." And from the Iowans I know, they were raised to accept and love the same way.

I hope my colleagues join me in denouncing bigoted, hateful, and divisive rhetoric, and let's celebrate the beautiful diversity that has always made our Nation shine: these beautiful "somebody else's babies" who are America's babies.

FREEING UP RESTRICTIVE FUEL MILEAGE STANDARDS

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, I rise today to applaud the President's decision to halt new EPA fuel mileage restrictions on the auto industry, also known as CAFE standards.

Speaking to auto industry workers in Detroit today, President Trump promised to reexamine stringent fuel efficiency rules that were hurried into place in the final days of the previous administration.

After committing to a review in 2018, the Obama administration changed course just before leaving office and decided to keep the requirements in place for model year vehicles 2022–2025. According to reviews by independent economists and engineers, these requirements would add at least an average of \$3,800 in costs per vehicle, even after supposed fuel savings were considered.

Even more, this vastly limits consumer choice, whether someone wants to buy a minivan to move their family or soccer team around, a farmer or contractor that needs a three-quarter-ton pickup to do his or her job, or maybe somebody that would just like to buy a sporty car.

Even worse, it is entirely unclear whether existing technology even allows the 60 percent jump from the 2016 requirement of 34.1 miles per gallon to reach the almost 55-mile-per-gallon requirement in only seven model years to 2025 without sacrificing safety and, yet again, eviscerating consumer choice.

The President's decision to fully review these requirements will result in lower vehicle costs, allow safer vehicles, and boost our U.S. economy by supporting domestic manufacturing.

THE TRUTH MUST BE TOLD

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON LEE. Mr. Speaker, let me join my colleagues, first of all, and say that this country is made up of somebody else's babies; and I am very

proud to be an American who sees the great talent of these babies who have become great leaders, such as teachers, scientists, doctors, lawyers, and members who do public service. Thank you to somebody else's babies.

Let me also congratulate the district court in Hawaii, which has just rendered a decision to block the President's Muslim ban again. Thank you for that wise and deliberative decision.

I rise today in particular to really ask and wonder where we are in this country that a President of the United States can, first, tweet out that a former President committed a criminal felony: wiretapping.

In the last 48 hours, there is mish-mash of information coming from the press secretary or the director of communications and the President: Oh, maybe it was not wiretapping by the President of the United States formally, but it is generally wiretapping.

Mr. President, let me be very clear: the words of the Commander in Chief are known to carry great weight. It is the American people that have to trust and believe and be commanded and led.

I am saddened by the state that we are in right now. I am saddened that there is one position one day and another position another day. As a senior member of the Judiciary Committee, we cannot tolerate that kind of mismatched conversation. The truth must be told. The American people must know it, Members of Congress must know it. I believe committees should be investigating if there was a wiretap or not and if there was an action by the former President. If not, tell the truth.

The SPEAKER pro tempore (Mr. FITZPATRICK). The Chair would remind Members to direct their remarks to the Chair.

HONORING TRINITY UNITED METHODIST ON ITS 200TH YEAR

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, this year, the Trinity United Methodist Church in Bellefonte, Pennsylvania, marks its 200th year as a house of worship.

Founded in April of 1817, the church congregation began with just seven people. Schoolmaster and Methodist layman James McGee led the first meeting. Over the years, Trinity's congregation has steadily grown, and today it boasts 200 members. The current church was built in 1875, and in 1962, an educational building was added on.

The church plays an important role in the Bellefonte community and it organizes several programs throughout the year, including a free community lunch, a New Year's Day dinner, free public concerts, and a toy drive before Christmas for children in need.

Mr. Speaker, for the last 200 years, Trinity United Methodist Church has opened its doors for people to hear the Word of the Lord, but a church is much more than a building. It brings a love of God into the community and into the hearts of those who fill the seats each Sunday.

God bless Trinity United Methodist Church on the momentous occasion of its bicentennial.

BULLY BUSTERS

(Ms. JAYAPAL asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JAYAPAL. Mr. Speaker, I rise today on behalf of a group of 11- and 12-year-old girls from my district who have noticed an unsettling trend in modern politics and who are absolutely determined to do something about it. They see bullying from leaders who are supposed to be their role models. They witness fear, intimidation, and vitriol being thrown at religious minorities, LGBTQ people, women, immigrants, communities of color. And, yes, I am also somebody else's baby.

In the face of this hate, these girls have decided to take action by forming the D.C. Bully Busters. These change-making girls, not even old enough to vote yet, but certainly old enough to make their voices heard, have vowed to stand up against the bullying they are seeing in American politics.

Mr. Speaker, if grade-schoolers can say that bullying, intimidation, and silently standing by are cowardly tactics that have no place in politics, then the adults who represent them must be courageous enough to do the same thing.

On Friday, I will be proudly signing the D.C. Bully Busters pledge, and I urge my colleagues on both sides of the aisle to join me so that we can let everyone know at every level that bullying is never acceptable.

COMMONSENSE VA REFORM

(Mr. BERGMAN asked and was given permission to address the House for 1 minute.)

Mr. BERGMAN. Mr. Speaker, I rise today as a cosponsor of H.R. 1259, the VA Accountability First Act.

This important piece of legislation targets vulnerabilities within the VA employment structure that prevent bad actors from being fired or demoted. This commonsense reform gives the Secretary of the VA the flexibility to dismiss or demote employees who are guilty of on-the-job inebriation, drug diversion, and sexual assault, just to name a few. Our veterans deserve quality care. They have earned quality care.

As chairman of the Veterans' Affairs Subcommittee on Oversight and Inves-

tigations, it is my highest priority in making sure that our Department of Veterans Affairs is working for the men and women who have worn the cloth of our Nation and made the sacrifices that keep us free: our veterans.

This bill moves the needle in the right direction, and I commend Chairman ROE for introducing it.

HEALTHCARE REFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentleman from Georgia (Mr. FERGUSON) is recognized for 60 minutes as the designee of the majority leader.

Mr. FERGUSON. Mr. Speaker, I would like to start by saying that, for the last 25 years, I practiced dentistry in Georgia's Third District and I experienced a healthcare system that was broken and in desperate need of repair to reduce costs and increase access to care.

After the Affordable Care Act was signed into law, I saw my patients, my friends, my neighbors forced away from doctors who had treated them for their entire lives. Instead of decreasing costs, patients saw their costs skyrocket and their access to care limited.

As a medical practitioner, I want what is best for my patients. Those are the people that I am fighting for: my neighbors and constituents who saw their premiums skyrocket, their quality and access to care limited or determined by a government bureaucrat. I committed to them that I would repeal ObamaCare and undo the damage that it has done to our healthcare system.

The legislation we are currently considering in the House, the American Health Care Act, is just the beginning of keeping that promise.

This is not a choice between a broken healthcare system that existed before ObamaCare. It is a new direction that reflects an understanding of what works and what does not work. The legislation will enact many reforms that directly impact Americans by lowering costs and improving access to care.

Tonight, my colleagues and I are going to share with you in great detail what that legislation does. We have all been very open in our opposition to the Affordable Care Act, but it is also important that we share with our constituents what we stand for and what we are working to do to reform this broken system.

We stand for patient-centered healthcare that meets the needs of our constituents in an affordable way. We stand for market-driven healthcare solutions and an industry that prioritizes personal freedom over government mandates. We stand for the biggest entitlement reform in a generation to ensure that we protect our most vulnerable populations.

This is just a short list of the goals we are working towards, and I am excited to be joined by a number of my colleagues tonight to help me explain more to the American people what is happening with our healthcare system.

Mr. Speaker, I yield to the gentleman from Texas (Mr. ARRINGTON). He served in the George W. Bush administration. He has worked with the FDIC, and he has been a public servant in Lubbock, Texas, at Texas Tech University. He serves on the House Agriculture Committee, the Budget Committee, and the House Veterans' Affairs Committee.

Mr. ARRINGTON. Mr. Speaker, the facts are indisputable: President Obama's attempt to plan our healthcare economy from Washington, D.C., has failed.

I have spent nearly 2 years crisscrossing 29 counties in west Texas, and I can report from the many stories from my constituents that no single law or policy has been more reviled, more destructive, or more intrusive than ObamaCare. It is absolutely crushing our small businesses and Main Street Americans everywhere.

The American Health Care Act repeals ObamaCare and is a step in the right direction to freeing the American people from the scourge of government-controlled health care.

For the first time since the passage of ObamaCare, according to the Congressional Budget Office's report recently, the American Health Care Act will lower premiums over time by 10 percent, a far cry from the skyrocketing premiums we have seen over the last several years since the passage of the Affordable Care Act.

The report goes on to say that the American Health Care Act will reduce the deficit by \$337 billion and make the biggest entitlement reform in generations, saving taxpayers well over \$800 billion.

This bill strikes at the heart of ObamaCare by repealing its mandates, eliminating its taxes, and gutting its regulations.

Make no mistake, this legislation is not perfect. I will continue to fight for more conservative and more fiscally responsible policy outcomes like work requirements for able-bodied adults. But when the dust settles and the debate is over, we cannot allow perfect policy aspirations to be the enemy of good, conservative results. The alternative, Mr. Speaker, is simply unacceptable.

□ 2015

My constituents sent me to Washington to tackle the tough issues and solve the big problems. Well, we have got one, and it is called ObamaCare. I committed a long time ago that if I ever had the chance, I would repeal ObamaCare, and I plan on keeping my promise, Mr. Speaker.

Mr. FERGUSON. Mr. Speaker, the gentleman from Texas touched on some

very important issues. One that he talked about was the process here, that this is just the beginning of a long journey that we must take to rebuild our American healthcare system.

This has been an open legislative process. More than 8 months ago, even before I was a Member of this great House, the Republican caucus here released A Better Way agenda, which detailed a consensus vision for patient-centered healthcare reform. Our bill, the American Health Care Act, is built on that framework.

These ideas are not new. They are not unvetted. They are a product of many conversations, debates, and work. Unlike the drafting of ObamaCare, we want our constituents to know what is in this legislation before we pass it. That is why every American can go to readthebill.gov and look at this legislation for themselves. In fact, I encourage anyone who hasn't taken time to look at this legislation yet to go to readthebill.gov and read more about the American Health Care Act.

At no point in this process have I felt closed out of it. As a matter of fact, as a freshman, I can tell you that I have had my voice heard, I have been asked for input, and I have seen many of the ideas that I have spoken about be included in this bill.

This bill has not been crafted behind closed doors. It has not been kept in the shadows. As a matter of fact, it has been just the opposite. As a freshman Member sitting in conference, leadership has been very straightforward about the intentions of the bill, the basic framework of the bill, and I am excited to see that, as this process has gone through regular order, we have seen many amendments added to it, and we are continuing that process.

Regular order means that we have done something very unique here. We haven't just taken a bill and passed it and then get to read what is in it. We have taken a bill, and we have taken it through the committee process. Our colleagues on the Committee on Energy and Commerce and Committee on Ways and Means have worked through some many long nights debating amendments in an open process.

Tomorrow the House Committee on the Budget will take up this business. I am a member on that committee, and I am looking forward to the process of going through the debate tomorrow. I am sure that it will be long, and I am sure many amendments will be debated; but I am excited about the opportunity that we have to move a piece of legislation forward, make it better, make it more conservative, but, most importantly, make sure that Americans have great health care, access to that health care at an affordable price.

Mr. Speaker, I yield to the gentleman from Nebraska (Mr. BACON).

Mr. BACON. Mr. Speaker, I rise today in support of the American Health Care Act.

ObamaCare has failed, and we need to replace it. It has made health care inaccessible for many of the Americans it was created to help. Our premiums have skyrocketed, small business growth has been stunted as it can't expand due to health care regulations, and employees have seen their hours cut. Individuals are forced to purchase healthcare coverage they do not want.

Over the past 2 years, I have met with many Nebraskans in my district. I keep hearing about the broken promises of ObamaCare and the tight stranglehold this law has created for the American people. I have heard from a young mother who had to pay for the whole bill of the delivery of her child. The ACA plan she was on had a \$12,000 deductible, and that plan didn't help her one cent.

Another citizen from Omaha, Jeanine, was happy with her healthcare insurance for decades. Five years ago, she was paying \$323 a month and was satisfied with the coverage she had. Four years ago, she was told by her insurance company that she would have to pay more because she would need additional coverage, like maternity coverage, even though she was past that stage in her life. Two years ago, that insurance plan of Jeanine's jumped to \$690 a month—double.

However, her health insurance company had another policy under ACA which she could switch to. She did so for \$150 a month with a \$550 credit. At least, she had that plan until her insurance company dropped that ACA policy and sent Jeanine searching for another policy. Now Jeanine is on an ACA policy that covers her primary doctor but not her dentist or her pharmacy. All Jeanine wants is a healthcare plan that fits her needs. She does not want the Federal Government telling her what coverage she must purchase.

Imagine for just a second that you have been happy for decades with a product you use, and one day the government comes in and tells you that you don't know what is best for you. They force you to pay more, and in return you get something that doesn't work. ACA is like the government telling you that you need to buy an expensive, fast, shiny sports car with all the bells and whistles, when all you wanted was a less expensive economy car to get you around town. But later you find out that that fancy sports car is actually a lemon.

That is exactly what happened to Jeanine and countless other Americans when ObamaCare forced them to coverage they did not want or need. This is more than a failed system. It is wrong to the core, and this is what the American Health Care Act is designed to fix.

The American Health Care Act is a step in the right direction, and we are

fulfilling our promises to repair the problems that ACA has left us. This legislation repeals major flaws of ObamaCare, such as employer and individual mandates, letting individuals choose what coverage is best for them. Under this bill, health savings accounts will be expanded and will give tax credits for those who buy their own insurance to give them parity with those who get employer-provided coverage tax free. These are things that I campaigned on and promised to fight for, and they are in the bill.

The bill also gives States more control over their healthcare policies, allowing for patient-centered health care and getting the Federal bureaucrats out of the discussion. The American Health Care Act, instead, allows for individuals to choose the health insurance plans based on their needs and budget, allowing for Americans to have greater access and to find a health plan that is right for them. The CBO shows that it is going to lower those premiums by 10 percent. Now, Nebraska had a 51 percent increase last year, Mr. Speaker. This plan is going to lower premiums by 10 percent.

The American Health Care Act will reduce the deficit and cut taxes. According to Monday's CBO score, this bill will reduce the Federal deficit by \$337 billion and lower taxes by \$883 billion. That is good for America.

Finally, the American Health Care Act does this and yet preserves affordable insurance for those with pre-existing conditions and maintains a safety net for those who cannot pay premiums. These are things that I also promised to fight for, and they are in the bill.

I look forward to working with my fellow House Members on both sides of the aisle to deliver the best law for the American people. We are going to be debating this bill for the next few weeks, and we are going to make it better.

I am proud that this Congress and the Republican leadership have made a commitment to passing this legislation in an open and transparent process. This is a good first step toward fixing the mess of the ACA.

Before we vote on this, I encourage my colleagues and the American people to carefully read the bill so they can find out what is in it. Unlike ObamaCare, we don't have to pass this to find out what is in it. We know now.

This is a great step forward, a patient-centered, doctor-supported healthcare system that gives power back to the States and gets the bureaucrat out of our healthcare decisions.

Thank you for the opportunity to speak on this.

Mr. FERGUSON. Mr. Speaker, I thank the gentleman from Nebraska (Mr. BACON) for his remarks.

He touched on something that is very important, and that is the driving

down of cost and how this is accomplished. Truly, when the patient is in control of their health care, they are also in control of the cost. We are fighting for consumer choice in a patient-driven healthcare system. We understand, and I certainly understand, that patients and doctors need to be at the center of the healthcare conversation, not bureaucrats and not insurance clerks.

Our plan includes provisions to expand choice and give consumers more control over their healthcare dollars. The American Health Care Act significantly increases the amount individuals and families can contribute to their personal health savings accounts each year, allowing them to save more to pay for future healthcare expenses and the flexibility to use their healthcare dollars as they choose.

It also allows them to spend those healthcare dollars where they think that it will best benefit their families. It allows them to have the most intimate conversations with their healthcare providers and make sure that they are making the right decisions and using their dollars wisely. If the first question always is "does my insurance company pay for it?" you are always going to get the most expensive answer. However, if the patient has contributed to this process, the patient then will be able to make some informed decisions through good conversations with their doctors, and they can better manage their own health care.

We are fighting for a system that puts patients first and allows Georgians in the Third District and all across this Nation to make their own healthcare decisions. That starts with a conversation between the doctor and the patient.

Mr. Speaker, I yield to the gentleman from Florida (Mr. RUTHERFORD). He is a former three-term sheriff from Florida, representing the greater Jacksonville area.

Mr. RUTHERFORD. Mr. Speaker, tonight I rise to speak of fairness, to speak of equity, to speak of parity for America's hardworking taxpayers. I want to talk about bringing parity between Americans who get their insurance coverage through their employer and those who are forced to purchase theirs on the individual market.

Currently, over 150 million Americans who have employer-sponsored health insurance enjoy a tax benefit to purchase that health insurance. However, Americans who purchase their insurance in the individual marketplace, like farmers, small-business owners, plumbers, and mechanics, do not have a similar kind of benefit. Mr. Speaker, simply put, this is just unfair.

However, the American Health Care Plan helps fix this inequity by offering a portable tax credit to help these Americans purchase the health insur-

ance they choose. These credits are also age-adjusted so older Americans who have higher healthcare costs will also see a larger credit to assist them in purchasing that insurance.

Mr. Speaker, I can tell you, many individuals and families in Florida's Fourth Congressional District will benefit from this reform and for the first time will be on a more level playing field in purchasing their health insurance. We are fighting for basic fairness. No American, no small-business man or woman, no farmer, plumber, or mechanic should be disadvantaged because of where they work or where they are forced to purchase their insurance.

Mr. FERGUSON. Mr. Speaker, my colleague from Florida touched on something that is very important, and that is fairness in the marketplace. I can tell you, as a small-business owner, I did not receive the same favorable tax treatment as the major corporations did under the Affordable Care Act. Once this bill took effect, I had to move into the individual market. I had to begin buying health insurance with post-tax dollars, and I was unable to afford the coverage not only for my family, but for the people that I had the pleasure of working with every single day in my business.

What Mr. RUTHERFORD talked about is leveling the playing field, and that is something that we need to do. It will increase innovation. It increases jobs. It increases success. It is so frustrating for Americans as they begin to build their small businesses and they begin to grow, and every single time that they take a step forward, the government takes more and more out of their pocket. Now we have a healthcare system that continues to rob them of their success.

Make no mistake; the healthcare system that we had prior to the Affordable Care Act was certainly not successful and not headed in the right way, but we have made it worse with this. What we have done is we have not only disenfranchised many small businesses and people who are growing their businesses and finding success, but we have also, quite candidly, done a poor job of maintaining our safety net. What we are fighting for is to increase affordable health care for all Americans, and this has meant listening to a lot of the feedback from our families and our constituents back home.

What we need to recognize is that, under our plan, dependents can continue to stay on their parents' insurance until age 26 and they are fully on their feet, if that is the right thing for their families to do. Americans told us that they like this flexibility, and we have listened to them.

Our plan will also ensure that those who have preexisting conditions can't be charged more for the health coverage they need. It also includes incen-

tives, not mandates, to encourage Americans to have continuous coverage. This is good for the marketplace, and it will keep costs down for all Americans. Our portable tax credits will also increase access to coverage by assisting lower income individuals to purchase the health insurance that they need.

What is more, the American Health Care Act includes a Patient and State Stability Fund to help States expand the number of vulnerable patients who have access to health care. We know that States know how to best meet the unique needs of their citizens, and this is going to give them the flexibility to do that. Therefore, as these funds are flexible, they allow things like cutting out-of-pocket expenses for patients, promoting access to preventive services, or increasing available options in the marketplace—all things that are needed.

□ 2030

These reforms will help drive down costs and increase access to care. This is good news for patients who are worried about affordable coverage. Unlike ObamaCare, though, it means that their coverage provides them with meaningful access to care.

It does you no good to have an insurance plan that you cannot afford to use. Time and time again, I have patients, I have small-business owners, I have constituents from all over Georgia's Third District that come to me and say: Just because I have this new insurance plan doesn't mean that my family is getting better care.

One such example was a gentleman that came into my district office just this past week. Three years ago, his health insurance for his family with four children was about \$900, and he had a \$3,000 family deductible. Last year, his premium had risen to \$1,700 a month. And this year, he laid in front of me on my desk in the district office a bill for his health insurance that was \$2,400 a month, and a \$7,000 deductible. He is a small-business owner with nine employees. It is absolutely crushing his family expenses, and that is not fair.

What we have done is we have created an environment where we have tried unsuccessfully to expand access; and in doing so, we have risen costs on men and women across this Nation that are trying to do their best to move into the middle class. We have seen it destroy family finances. We have seen it create a situation where many families now pay more for their health insurance than they do for their own homes.

Mr. Speaker, in my case, that is the exact same thing. My insurance payment is more than my house payment, and that simply doesn't seem right.

Mr. Speaker, I yield to the gentleman from New York (Ms. TENNEY). She has proven to be a great Member of

Congress. I have enjoyed working with her thoroughly. Ms. TENNEY has some very revealing remarks going forward.

Ms. TENNEY. Mr. Speaker, I thank the gentleman from Georgia (Mr. FERGUSON), my esteemed colleague.

I rise today to recognize the New Yorkers who have been hit especially hard by the policies of the previous administration and ObamaCare's so-called reforms to our healthcare system. Patients have been hurt, doctors have been burdened, and families and taxpayers are being crushed by this terrible law, and its thousands of pages of onerous regulations.

Our most vulnerable citizens—seniors, the hardworking middle class, and veterans—are in worse shape now in upstate New York than they were before. In New York State and across the 22nd District, patients are being denied high-quality care that they deserve and need.

With higher costs, less accessible and affordable care, and mountains of red tape, this law has proven to be everything but a Patient Protection and Affordable Care Act. Now, some deductibles are higher than a house payment, and premiums across the Nation have increased on average by 25 percent. Our families didn't sign up for this.

Patients have had their plans canceled and their doctors are deemed out of network. They have fewer and worse choices than before. All the while, costs have skyrocketed with premiums and deductibles jumping by double digits and triple digits in some cases.

This failed law has hurt our economy, small-business owners, and family farms while driving hundreds of thousands of jobs out of our communities. Small businesses are being crushed by ObamaCare and have either stopped hiring or dropped insurance coverage for their employees. The CBO estimated that ObamaCare will result in the loss of at least 2 million jobs. In fact, the number one complaint of small-business owners in my district throughout the last 6 years has been ObamaCare, and 70 percent of the new jobs are created by the small businesses in our community.

One small-business owner, in fact, told me that she had to lay off nearly a dozen employees just to keep up with the cost of ObamaCare. Just think of looking at 12 families and saying: You have now lost the primary caregiver in your family just to keep up with ObamaCare mandates.

Another family that I met with told me they had their insurance lost after being canceled three times, and now their options are either limited or unaffordable.

Another independent, self-insured man with three children told me that he had an insurance plan, but he had no health care, with a \$12,000 annual deductible.

This is unfair and it is unsustainable for small-business owners, particularly those in the independent market.

Hardworking middle class families in New York are being burdened with nearly the highest taxes in the Nation. New York is one of only four States that passes the State 50 percent share Medicaid burden onto the local taxpayers. Twenty-five percent of the State's obligation to cover Medicaid costs are forced onto struggling local governments already suffocating under unfunded mandates from the State. This has caused property and sales taxes to increase year after year, crushing the pocketbooks of even the most vulnerable taxpayers.

In New York State, local taxpayers throughout our 63 counties will be forced to pay over \$7.5 billion annually in this local share to support New York's Medicaid program. New York's Medicaid program is the largest in the Nation. In fiscal year 2018, the cost will be over \$65 billion—over 42 percent of New York's \$152 billion proposed State budget. That is nearly the cost of the entire State of Florida's State budget.

Already, taxpayers in upstate and central New York are burdened with some of the highest combined property and sales tax in the country. Every penny that goes for this failing scheme is a penny less for our schools, our roads, care for our seniors, care for people with special needs, and actually the truly needy in our communities.

There is a better way that won't leave anyone behind. It is vitally important that we begin to repeal ObamaCare so we can provide relief for people across the country and the State.

I am currently reviewing the American Health Care Act, a reform initiative proposed to alleviate the pressures ObamaCare has put on patients, providers, and taxpayers. The proposals in the American Health Care Act will lower premiums by 10 percent, reduce taxes by \$883 billion, and reduce the Federal deficit dollars by \$337 billion. All are a significant step in the right direction.

However, I will continue to listen to constituents in the 22nd District as the House carefully considers this legislation before we vote on it and any future bills to improve and restore our healthcare system for all.

Current and future taxpayers must not be saddled with further debt and taxes to pay for lower quality and less access to care. Any new initiative must enshrine the freedom to choose a plan tailored to each person and each family. Any new initiative must include a competitive marketplace which provides better and broader options for families across all economic sectors. Any new initiative must protect seniors and the truly needy in our society, because we do have an obligation and a desire to help them.

But the status quo is unacceptable. ObamaCare is inefficient, ineffective, and tramples our precious liberties. We, as their duly elected representatives, should do all in our power to patient-centered, cost-conscious, high-quality system of health care in this country. I will continue to fight for everyone in our communities.

Mr. FERGUSON. Mr. Speaker, I thank my colleague from New York for her very candid remarks. As you can see, she touched on many important issues—the unfairness of the system that we have now, but also the importance of protecting our Medicaid safety net.

What we have seen under the Affordable Care Act is that we have seen our safety nets eroded. We are diverting resources away from the people that need them the most—the poor, the elderly, the blind, the disabled, children, and pregnant women—and we are pushing those resources to able-bodied men and women who do have the ability to work.

It is important to recognize that our legislation is probably the largest entitlement reform program in a generation. Our legislation puts Medicaid back on a budget for the first time in history. It provides enhanced flexibility to the States to allow them to design effective and financially sound programs to meet their population's unique needs.

Our plan also ensures that Medicaid prioritizes care for the most vulnerable, who it was originally intended for. We must do this because there are so many Americans, unfortunately, that have to depend on this safety net for their health care.

I understand this. In my hometown, in my dental practice, I treated patients who relied on Medicaid for their healthcare coverage. It was an honor to take care of them and to have very real discussions about their healthcare needs. I understand this vulnerable population because they were a vital part of my practice, and it was truly my pleasure to take care of them. I understand the unique circumstances that cause many of these individuals to be on Medicaid and to need this valuable safety net.

But we have to have an honest conversation about that. We have to be able to provide that safety net. And as we put more and more able-bodied men and women without children on that safety net, it is diverting resources away from those that need it the most. That is not right and that is not the American way. We are fighting to protect and strengthen this Nation's healthcare safety net.

Mr. Speaker, I yield to the gentleman from Kansas (Mr. MARSHALL). Dr. Marshall knows firsthand about health care. He was a practicing OB/GYN, a board chairman of a hospital, and he has served our Nation in the United States Army.

Mr. MARSHALL. Mr. Speaker, I am so proud to stand shoulder to shoulder with people like my colleague, Dr. DREW FERGUSON, from Georgia.

I am so proud to stand tonight with the President of the United States. I know that tonight Mr. Trump is speaking loudly on behalf of our healthcare bill. Mr. Trump is ready to take the fight on with us who feel like we need to move this health care forward.

I am not sure how many of you grew up without power steering in your vehicles, but if you know anything about the lack of power steering—and I think back to the tractors I drove growing up, and that tractor, you could not turn that wheel until you started the tractor moving—or if you had a Ford truck or a Dodge truck or a Chevy truck and it didn't have power steering, you couldn't turn that truck until it started moving.

Mr. Speaker, it is time to get this bill moving. We have to move health care forward. I am so tired of the rhetoric of repeal and replace. I am telling you, my constituents sent me here to fix health care. Forget the political rhetoric. I am ready to fix health care. I am ready to stand shoulder to shoulder with Republicans, with Democrats, with people down the aisle, across the aisle, and with our President to get this healthcare bill passed.

Unfortunately, ObamaCare has failed. When this first came about, I was so excited. I was hoping that this would be a healthcare bill that would work. But, unfortunately, it is true that this healthcare bill is dying very quickly.

One-third of counties across this country no longer have a provider to take care of the exchange. My own State of Kansas is down to one provider. Today, even more insurance companies are bailing. This bill is dying. Doing nothing is simply not an option, Mr. Speaker.

□ 2045

As I visited with thousands of patients over the last several years and thousands of my constituents, they said there are several things that they thought were important that we save from this healthcare bill, the Affordable Care Act, and I think we have done just that:

Number one, we have protected the preexisting issue conditions;

Number two, we are letting children stay on their parents' health insurance until age 26;

Number three, we are ensuring that women are not charged more for health insurance just because they are a woman; and

Number four, we protected the doughnut hole and kept it closed for Medicare.

So I think we have saved the best things of the Affordable Care Act.

So what have we removed? Mr. Speaker, we removed almost \$1 trillion

of taxes. This is the most significant entitlement reform in our generation, the most significant entitlement reform since the 1960s started Medicaid.

What can we expect out of this bill?

We expect premiums to decrease by 10 percent.

We expect to start reprioritizing Medicaid moneys. I want to make sure, Mr. Speaker, that we prioritize Medicaid moneys for those who need it the most: those with disabilities, children, and the elderly. And I want to make sure these people are at the front of the Medicaid line rather than at the end of the line.

This country cannot afford to give Medicaid to able-bodied Americans. We need to prioritize the dollars that we have for those that need it the most.

Mr. Speaker, we spent \$580 billion last year on Medicaid. We are on our way to spending \$1 trillion on Medicaid if we don't do something soon. This country cannot afford to spend \$1 trillion on Medicaid.

Mr. Speaker, these are only the first steps of bending the cost curve downward for health care. We have to do more than just this bill. There are going to be more steps.

I have complete faith in Dr. Tom Price, our new HHS Secretary, that he will be deregulating health care, which is the most regulated business in the country right now. Give Dr. Price 60, 90 days to deregulate medicine and start encouraging competition, and we will start bending this cost curve downward.

We need to empower free markets. We need to empower States to have more local control. We are expanding healthcare savings accounts, but there are many more things we need to do. This is just the start of healthcare reform.

This is the first chapter of a new book on healthcare reform. There are many more chapters to go. I cannot wait to improve health care, to improve quality and start driving the cost curve downward.

Mr. Speaker, thank you so much for allowing me the time to stand shoulder to shoulder with our President, as well as with Dr. DREW FERGUSON, who is representing the State of Georgia so proudly. I am so proud to be called his freshman colleague.

Mr. FERGUSON. Mr. Speaker, I want to thank Dr. MARSHALL for his strong remarks and pointing out and highlighting several important things.

You know, one of the biggest things that we are fighting for as part of repealing ObamaCare is that we are fighting for our personal freedom. Right now, Americans have the "choice" of purchasing a government-mandated, one-size-fits-all product or paying a government-mandated penalty. In almost a third of all U.S. counties, and many in my home State of Georgia, consumers don't even have

the choice between insurances to purchase. This is not a choice.

With the passage of the American Health Care Act, no longer will the Federal Government mandate that Americans purchase a product that they don't want, because we believe that individuals should have the freedom to make their own choices. We understand the unique dignity of every human being. This dignity calls for self-determination and personal freedom, and we are fighting for that freedom. It is important.

I want to thank all of my colleagues who have joined me tonight to share with our constituents more about what we are fighting for.

First off, our legislation promotes personal freedom by eliminating the individual and employer mandates. Purchasing decisions should be left up to the consumer, not the Federal Government. Under our plan, no American is mandated to purchase a product that he or she does not want and cannot afford.

As I have shared, I have personal experience with how important the conversation between the patient and their doctor is. By almost doubling the cap on how much individuals can contribute to their personal health savings accounts each year and expanding where those dollars can be used, our plan puts patients back at the center of the conversation with their doctor, and they remove all of the government bureaucrats from the middle of that conversation.

Health care is personal. It should belong to the patient and their healthcare provider—and no one else. That is where the most important decisions are made.

We are also working to strengthen our safety net to ensure that our vulnerable populations have continued access to health care. Our plan returns power to the States with the biggest entitlement reform in a generation. Our legislation also protects Americans with preexisting conditions, ensuring that no one is unable to purchase insurance because of an illness.

ObamaCare is a complex tangle of regulations and Federal overreach. With every day that passes, Americans and businesses feel the growing weight of a healthcare system that is failing. But it is also irresponsible to return to a broken healthcare system that brought us ObamaCare.

Tomorrow, we will take the next step in the open legislative process as my colleagues and I on the Budget Committee do our part to send the American Health Care Act to the floor of the House for a vote. I am excited to take this step, but I want to be clear that this is only one part of repeal and reform. We are doing all that we can, and we are going to continue to push for conservative solutions with this bill. But it is not the final vote that we will take. There are many steps to go.

While it will take time and patience, I made a promise to repeal the Affordable Care Act and improve our healthcare system for all Americans. I am committed to this difficult road of building this healthcare system that puts patients first. The American people deserve the hard work and political will it will take to do this the right way.

Mr. Speaker, I am honored to have been joined by my colleagues tonight and glad to hear their comments, and I know that you have been as well. I want to point out that my colleagues have done an outstanding job tonight, and I believe that they have made some very, very salient points, and articulated reasons why we must step forward and do all that we can to reform our American healthcare system.

We have to control the cost. We have to do the things necessary to put patients back in control. And, Mr. Speaker, I have confidence that this body, along with our President and our colleagues in the Senate, can do that.

Mr. Speaker, I yield back the balance of my time.

ROAD TRIP CAMARADERIE

The SPEAKER pro tempore (Mr. ARRINGTON). Under the Speaker's announced policy of January 3, 2017, the gentleman from Texas (Mr. O'ROURKE) is recognized for 60 minutes as the designee of the minority leader.

Mr. O'ROURKE. Mr. Speaker, it is great to be here tonight. I just traveled with my good friend, close colleague, and fellow Texan—and your fellow Texan—WILL HURD, who started with me in San Antonio, Texas, yesterday at 7 a.m., San Antonio time, where we, because of the inclement weather on the East Coast and because of his canceled flight and the possibility that mine might also be canceled, decided to rent a car in San Antonio and drive it here to Washington, D.C., in time for votes this evening that started at 6:30 eastern standard time.

That road trip in a Chevy Impala, rented in San Antonio, took us from San Antonio to Austin, to San Marcos, to Dallas, to Waco, to Texarkana, and then into Little Rock in Arkansas, over into Tennessee—cities including Memphis, Nashville, and Johnson City—and then through Virginia, 36 hours total, 31 of them either driving or at a pit stop fueling up on gas or grabbing a sandwich.

Mr. Speaker, there were really two reasons to do this. One was to make sure that we could get to work and not allow the weather delays or flight cancellations to stop us from doing the jobs that we were elected to do on behalf of the people that we represent, but the other reason was for a Democrat and a Republican to get together, get to know each other, understand the issues before this Congress from each

other's perspective, and see if we couldn't find some common ground.

In addition, because each of us so deeply believes in transparency and accountability, we allowed the people that we represent to join us on that trip. We live-streamed the entire journey on Facebook Live, with thousands of people from all over this country submitting their questions, their comments, their suggestions, their advice, their guidance, including where to get the best doughnut at midnight in Memphis, Tennessee—which turns out to be Gibson's Donuts—where Mr. HURD from Texas and I had a chance to meet some of the folks who make those doughnuts and some of the folks who eat them. It was one of the best parts of the trip.

Mr. Speaker, I am just so grateful that there is an opportunity, despite the deep divisions between our two parties at times and despite the imperative to raise money, to campaign, to spend time away from each other, understandably, with our families or listening to our constituents back in our home districts. Mr. Speaker, I am so grateful that we had a chance to spend some time together getting to know each other, getting to talk about the issues that are important to the people we represent and to this country at large.

Mr. Speaker, at this time, I yield to my friend from Texas (Mr. HURD), the gentleman who represents the 23rd Congressional District.

Mr. HURD. I would like to thank the Speaker, and I thank the gentleman from Texas for yielding.

One of my favorite quotes is from Teddy Roosevelt. He says: "Far better it is to dare mighty things, to win glorious triumphs, even though checkered by failure, than to take rank with those poor spirits who neither enjoy much nor suffer much, because they live in the gray twilight that knows neither victory nor defeat."

The gentleman from Texas and I had a great 31 hours—I guess, 36 hours, 31 of it being in a vehicle. It was fun, and it was like going on a road trip with my buddy having a good time, but it was more impactful for that.

Actually, I think I am going through separation anxiety. I want to know what Sarah is doing right now, or Carol. They were with us late last night in those last 3 hours of our trip when we were tired and hungry and ready to go to sleep. But these are folks that we didn't know—and I didn't even know what part of the country they were in—that kept us going, and it was because of their excitement about what we were doing that kept us going.

□ 2100

We talked many times about how this was an opportunity. In the press, in the media, we focus on the things that divide us, not the things that

unite us; and it was a great opportunity to show that there is a lot between Republicans and Democrats that brings us together. It was great. We didn't always agree, and we show that we could disagree without being disagreeable.

My heart was warmed. At the beginning of the trip, some of the responses to our trip were mean-spirited. By the end of it, I think people understood and recognized what we were trying to do, and they valued that.

I hope that this trip—and the response that the American people across these great States—showed, as an example to our colleagues, that bipartisanship is a real thing; that people care and want to see folks working together and to stop retreating to their tired corners and instead try to talk about what we need to do to do the work of the American people.

I got to learn a lot about the gentleman from Texas (Mr. O'ROURKE), a person I would like to be able to call my friend, a battle buddy now, having spent so much time in a Chevy Impala with him. I still question why he positions himself so close to the steering wheel when he drives, but I think that is one of the things that another trip may have to help figure out.

Really, to all of those who watched, listened, shared, enjoyed, and made comments, thank you. Thank you because this was a truly wonderful experience and it made the entire trip worth it.

We made it on time. We actually got here early, which we weren't expecting, and that is because of my good friend from the great State of Texas' (Mr. O'ROURKE) discipline and tenacity going from point A to point B. We were able to do our job today, and we just want to say thank you to those who helped us do that.

Mr. O'ROURKE. Mr. Speaker, our journey began after picking up the car at the rental lot at 5:00 a.m. with a breakfast at Mi Tierra cafe in San Antonio where we were presented by the staff there with this pinata, which became our mascot along the way. So, Mr. Speaker, I want to make sure that you and our colleagues tonight have a chance to see this.

Perhaps, on the more whimsical side, there was some discussion amongst my friend from Texas (Mr. HURD) and those who joined us on the journey virtually through the Livestream about trying to encourage more Members of Congress from both sides of the aisle in a way that would allow them to take time with each other, to get to know each other, to listen to each other and, yes, to talk about serious policy issues, but also to find out a little bit about who they are, where they came from, what excites them about their service, their families, the communities that they represent. And that allows for

what I hope will be a more close, productive, and effective working relationship on behalf of the people we serve.

Despite the obvious talent, Mr. Speaker, in this Chamber, Members that I have had the pleasure to get to know over the last 4 years that I have been here who hail from all parts of the country, from all backgrounds, who are among the best and brightest in their communities, who are here to do the right thing, to deliver for their constituents and to put this country first. It is interesting that, despite that, we haven't been able to get many of the big things accomplished for this country. We can think about things like comprehensive immigration reform or comprehensive tax reform, for that matter, or educational and healthcare reforms that are going to impact every single family and every single one of the communities that we represent.

I think part of the reason is that we need to reform the institution itself. And those reforms could take the form of comprehensive campaign finance reform or ending gerrymandering of districts and having a national congressional redistricting committee that is nonpartisan that draws those lines on rational, logical bases. Or we could have term limits for Members of Congress so that you can't serve in what turns out to be perpetuity for the political life of a community and have some faith in the talent and the leadership that is produced in that community that we all represent.

Those are things that are going to be tough to do, let's admit it. Some of them require amendments to our Constitution.

Where we could start, Mr. Speaker, is just spending some time with each other, taking a road trip, playing a game of basketball, going out on a run, having a cup of coffee, having lunch together. As my friend from Texas (Mr. HURD) says that too often we are in our own corners. And on our side, maybe that is in meetings about how to message those good things that we want to do for the American public or outside of this Chamber and away from our official responsibilities raising the resources in order to get reelected or to get our colleagues from the same party reelected.

Those are understandable and, yes, I think, necessary things to do, but sometimes we do them to the exclusion of what is even more important and necessary and, that is, getting to know each other, being able to work with each other, and solving the problems and capitalizing on the opportunities that face this country.

For whatever it is worth, 36 hours later, I feel like I have the opportunity to do that with my friend from Texas. What I would like him to do, if he would, is to share with us and with you, Mr. Speaker, some of those issues

that we talked about and some of the takeaways or the conclusions or the things that we shared and learned.

I am going to tell you, at the outset, to set your expectations, we didn't solve all of these problems. And we didn't even come necessarily to common agreement on all of the big issues, but we definitely heard each other's perspective. In some cases, we definitely moved a little bit in the positions that we started with. And I will say that I learned a lot.

I learned a lot about Mr. HURD, his background, his perspective, getting to talk to his dad, his sister, and his brother who all called in while we were traveling across the country. But I learned about those things that shape his views on the issues that he and I both care about and why, in some cases, he sees a different means to getting to the same goal that I want to get to and that the people I represent want to get to.

There were a number of issues that we tackled and discussed.

I yield to the gentleman from Texas (Mr. HURD) to share some of those issues we discussed with you, Mr. Speaker.

Mr. HURD. Mr. Speaker, the gentleman from Texas (Mr. O'ROURKE) and I have spent the last 2 years working on a number of projects together. We have worked on the bilateral relationship between the United States and Mexico. We have worked on border security together. We have worked on trade. We have worked on support to veterans and those in our military. In the last 36 hours, I learned that there is a broader set of issues that we can work together.

He got me to a point where I recognize that something like a hiring freeze may not be the most efficient way. I think one of the folks that were watching the live feeds over the last 36 hours said: Let's use a scalpel rather than a sledgehammer. I think that is pretty good advice.

He recognized that having the ability to get someone out of the government who is not performing to the level that we need them to perform needs to be done in an efficient and quick manner. This is one example of how, in our positions, we realized we agreed on more than we probably thought from the outset.

The gentleman from Texas (Mr. O'ROURKE) prides himself and has been really a champion of veterans in the great State of Texas as well as the rest of the country. The only time I saw him get a more passionate look or a bigger smile on his face was when he was talking about doughnuts or his wife, actually. Seeing him talk to his lovely wife and his children and see his face light up was really amazing and heartwarming.

So I hope that our colleagues learn that what we found out in the last 36

hours is that working together is not a dirty phrase. Bipartisanship is not a dirty word; that people are going to actually reward you for thinking and reaching beyond your perceived limits. That is one of my takeaways from the last 36 hours.

So if you all live in the State of New York, instead of taking a plane back, rent a car—Dollar Rent A Car has some pretty good Chevy Impalas—and drive back to New York City together and talk about these conversations. If you take a train, sit next to each other and have that conversation. Include the folks that are sitting in the chairs around you, if you feel so inclined. These are the first steps we can do in order to take on these big issues and these big challenges.

When the 435 people in the House of Representatives raised their hand and got sworn in and the 100 Members of the Senate raised their hands and got sworn in, they took on this task of coming to this august body in order to do big things to help this country. I don't doubt that the 535 people who make up this Congress believe that this is truly the greatest Nation in the world, and they want to do everything they can to advance its cause.

So we have to, if we are going to solve these big problems, we have to do it together, plain and simple. The American people want us to do it together. And I think we got a taste of that over the last 36 hours, and it is something that will stick with me, and it is something that I am looking forward to working with the gentleman from Texas (Mr. O'ROURKE) from the great city of El Paso in the next days and weeks.

One of the things that I learned from the gentleman from Texas (Mr. O'ROURKE) was he is very good at thanking people. He is very good at thanking his team. He is very good at thanking people that have helped us, and I want to thank our teams.

The folks that make up the gentleman's staff and my team, they stayed up longer than we did. They had to deal probably with more pressures than we did. Rachel Holland in my office, Nancy Pack, Stoney Burke, Matthew Haskins, these are some members of my team. Callie Strock, I know, in her new position, worked really hard to get things done. Chris Malen is one of the new members of my team. Austin Agrella did so much. They were excited to be a part of this. Eliezer Flores is someone who was so excited, and I think the first person who we saw when we got back. These were the people who enabled us to take away these lessons over the last 36 hours.

To those who watched, shared, asked a question, who responded or answered a question for us because the feed was going too fast, thank you. Thank you for an amazing experience. I am looking forward to the next trip. Hopefully

there is one before the Congress Cannonball Run of 2018.

I think that it is incumbent upon the gentleman from Texas (Mr. O'ROURKE) and I to be a team again and see if there are others who can beat us in a race from San Antonio, Texas, to Washington, D.C.

Mr. Speaker, I thank you for the opportunity to hold this Special Order session. This is my first time participating in a Special Order session, but I think it was justified for such a special occasion that means so much to me.

I would like to thank the gentleman from Texas (Mr. O'ROURKE) for his firm grasp on the steering wheel, his willingness to go and do things that hadn't been done before, and for his friendship.

Mr. O'ROURKE. Mr. Speaker, I will conclude by joining the gentleman from Texas (Mr. HURD) in thanking the teams that made this possible in our office, led by David Wysong, my chief of staff; John Meza, who manned the communications; Samantha Stiles, chief of logistics, also known as our scheduler; Cynthia Cano, our district director back in El Paso; and everyone who works with them.

As my friend says, I also want to thank the tens of thousands of people who participated in this over the course of the last 36 hours. Some folks tuned in and they had to tune out because they had to go to work, take care of a kid, get some sleep, or they were just bored by what we were doing. But they understood the premise was that we were not able or, in the gentleman from Texas' (Mr. HURD) case, his flight was canceled into Washington, D.C., because of the weather—I feared that mine might as well be—and that we rented a car and that we had to be in Washington, D.C., after leaving San Antonio at 7:00 a.m., by 6:30 p.m. on Wednesday in order to be there and vote and represent the interest of our constituency. If we are to be honest with each other, it was tough and go for a little while. We ran into a two-hour pileup just south of Waco when we were still in Texas.

My friend from Texas (Mr. HURD) has a penchant for getting to know a town and wanting to spend some time in a coffee shop talking to the owner about the art of making coffee and the philosophy that accompanies that. It is a fascinating conversation to be sure, but it added precious minutes that I and many of our viewers felt we could not spare.

□ 2015

Yet, working together, balancing my friend's natural curiosity and interests in the communities in which we were traveling, and my desperation to get to Washington, D.C., in time to cast our votes, we were able to arrive in 36 hours. Thirty-six hours total travel time we were able to arrive with al-

most 30 minutes to spare, which if you consider the context, the amount of hours, the 1,600-plus miles traveled, that is a remarkable feat.

Look, I don't want to take too much from this, but I think we might be able to find some encouragement that two Members working their way across the largest State in the lower 48, and then through Arkansas, Tennessee, and Virginia, were able together to make decisions necessary to ensure that we were able to get to our destination in time, get our job done, and represent those people that we serve.

That, for some reason, Mr. Speaker, was interesting to people. We had thousands watching us, newspapers following, broadcast stations carrying the feed from our car.

Why?

Because—and it shouldn't be this way—this is such an unusual event for a Republican and Democrat, not to file a bill together—that happens fairly often and I am grateful for that—but to sit down and enjoy each other's company, learn from each other, and take on the challenge of driving these 1,600 miles together.

I did not know my friend from Texas as well as I do now, 36 hours later, and I didn't know how this was going to turn out.

Were we going to be able to stand each other's company? Were we going to be able to take each other's driving? Were we going to be able to make the compromises necessary to decide where to eat, when to stop, when to sleep, and how to get there?

Imperfectly, yet satisfactorily, we were able to do that, ultimately get here on time.

We both thought as we finished votes this evening—because we got here in time to cast those votes and went back to our office to thank our staffs. As we were doing that, we thought that we owe it to each other, to our colleagues with whom we work, all 435 of us, to say that both of us want to do everything we can to build on this experience, to share it with you, to thank those from the constituencies that we represent and from across the United States who shared that journey with us, who ensured that we had our seatbelts on, that my eyes were on the road, that we were able to get some sleep in Nashville.

I want to thank everyone who had a part in this, and I just want to thank this Chamber and those who sent me here for this very high honor of being able to serve. It was really an amazing experience, and I am going to use it to the best of my ability to serve my constituents to the best of my ability, and make common cause with as many of my colleagues that are here in this Chamber.

Mr. Speaker, I yield again to my friend from Texas.

Mr. HURD. Mr. Speaker, I want to just thank a couple more people. I

would like to thank my girlfriend, Lynlie Wallace, for being supportive of many of my shenanigans. She supports me in these efforts, and I am grateful for that.

I would like to thank Tyler Lowe, Jon Arnold, and my district staff. If it wasn't for them, we never would have kicked off at 0700 from Mi Tierra Restaurant. They got us on the right path. So it truly has been a good time.

I think the gentleman from Texas and I are ready for some shuteye. I do not know how many times a Special Order has been done between a Republican and a Democrat. We will have to ask the Parliamentarian after this, but hopefully this is the first of many.

Mr. O'ROURKE. Mr. Speaker, I want to again thank my friend from Texas for joining me tonight on the floor of the House for his words, and for taking the chance in driving across much of the country with me to get here and making sure that we could fulfill our responsibilities; and not just the immediate responsibility of getting here in time to vote, which we were able to do, but our responsibility to find a way to work with each other across party lines and address the important issues before this country that are going to be critical for this country's future success and the well-being of those that we represent.

Mr. Speaker, I don't think it is any accident that the Speaker pro tempore tonight is also from Texas. I think this is a good moment for our State. I think this is a good moment for this Congress. I think this is a chance to strengthen the institution, and I am grateful for the opportunity to serve here.

Mr. Speaker, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MARINO (at the request of Mr. MCCARTHY) for today on account of inclement weather.

Mr. PAYNE (at the request of Ms. PELOSI) for today on account of medical condition.

Mr. RUSH (at the request of Ms. PELOSI) for today through March 24 on account of death in the family.

ADJOURNMENT

Mr. HURD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 21 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, March 16, 2017, at 10 a.m. for morning-hour debate.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk

for printing and reference to the proper calendar, as follows:

Mr. MCCAUL: Committee on Homeland Security. H.R. 1309. A bill to streamline the office and term of the Administrator of the Transportation Security Administration, and for other purposes (Rept. 115-37). Referred to the Committee of the Whole House on the state of the Union.

Mr. HARPER: Committee on House Administration. House Resolution 173. Resolution providing for the expenses of certain committees of the House of Representatives in the One Hundred Fifteenth Congress (Rept. 115-38). Referred to the House Calendar.

Mr. BUCK: Committee on Rules. House Resolution 198. Resolution providing for consideration of the bill (H.R. 1259) to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes; providing for consideration of the bill (H.R. 1367) to improve the authority of the Secretary of Veterans Affairs to hire and retain physicians and other employees of the Department of Veterans Affairs, and for other purposes; and providing for consideration of the bill (H.R. 1181) to amend title 38, United States Code, to clarify the conditions under which certain persons may be treated as adjudicated mentally incompetent for certain purposes (Rept. 115-39). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. TIPTON (for himself, Mr. MULLIN, Mr. COLE, Mr. CÁRDENAS, and Ms. MICHELLE LUJAN GRISHAM of New Mexico):

H.R. 1528. A bill to amend the Higher Education Act of 1965 in order to fulfill the Federal mandate to provide higher educational opportunities for Native American Indians; to the Committee on Education and the Workforce.

By Mr. SANFORD (for himself and Mr. MEADOWS):

H.R. 1529. A bill to prohibit the Secretary of the Treasury from using extraordinary measures to prevent the Government from reaching the statutory debt limit, or using extraordinary measures once such limit has been reached, and for other purposes; to the Committee on Ways and Means.

By Mr. ISSA (for himself, Mr. WALKER, Mr. ROYCE of California, Mrs. CAROLYN B. MALONEY of New York, Mr. HULTGREN, Mr. FRANKS of Arizona, Mr. PITTENGER, Mr. SANFORD, Mr. BABIN, Ms. BROWNLEY of California, Mr. FARENTHOLD, Mr. MOULTON, Mr. QUIGLEY, Mr. POE of Texas, Mr. SCHWEIKERT, Mr. POLIS, Mr. DELANEY, Mr. KING of New York, Mr. ROSS, Mrs. COMSTOCK, Mr. ABRAHAM, Ms. STEFANIK, Mr. HURD, Mr. WALBERG, Mr. BRIDENSTINE, Mr. WILSON of South Carolina, Mr. MCHENRY, Mr. BEYER, and Mr. JORDAN):

H.R. 1530. A bill to amend securities, commodities, and banking laws to make the information reported to financial regulatory agencies electronically searchable, to enable RegTech applications, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on Agriculture, for a period to be subsequently

determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BLUMENAUER (for himself, Mr. BEYER, Mr. CARTWRIGHT, Ms. JUDY CHU of California, Mr. CONNOLLY, Mr. CONYERS, Mr. GRIJALVA, Mr. GUTIERREZ, Ms. NORTON, Mr. HUFFMAN, Mr. KEATING, Mr. MCNERNEY, Mr. PALLONE, Mr. PASCRELL, and Mr. POCAN):

H.R. 1531. A bill to amend the Internal Revenue Code of 1986 to provide for the use of funds in the Hazardous Substance Superfund for the purposes for which they were collected, to ensure adequate resources for the cleanup of hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Transportation and Infrastructure, Energy and Commerce, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BYRNE (for himself, Mr. GAETZ, Mr. ADERHOLT, Mr. BROOKS of Alabama, Ms. SEWELL of Alabama, and Mr. ROGERS of Alabama):

H.R. 1532. A bill to reaffirm that certain land has been taken into trust for the benefit of the Poarch Band of Creek Indians, and for other purposes; to the Committee on Natural Resources.

By Ms. CLARKE of New York:

H.R. 1533. A bill to provide for further comprehensive research at the National Institute of Neurological Disorders and Stroke on unruptured intracranial aneurysms; to the Committee on Energy and Commerce.

By Mrs. DINGELL:

H.R. 1534. A bill to establish a program that provides dislocated workers with a subsidy or coupon that may be applied towards obtaining broadband Internet access service, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ESTY (for herself and Mr. LARSON of Connecticut):

H.R. 1535. A bill to amend the Wild and Scenic Rivers Act to designate certain segments of the Farmington River and Salmon Brook in the State of Connecticut as components of the National Wild and Scenic Rivers System, and for other purposes; to the Committee on Natural Resources.

By Mr. FITZPATRICK:

H.R. 1536. A bill to prioritize the payment of pay and allowances to members of the Armed Forces and Federal law enforcement officers in the event the debt ceiling is reached or there is a funding gap; to the Committee on Ways and Means, and in addition to the Committees on Transportation and Infrastructure, Armed Services, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GARRETT (for himself and Mr. JORDAN):

H.R. 1537. A bill to restore Second Amendment rights in the District of Columbia; to the Committee on Oversight and Government Reform.

By Mr. GRIFFITH (for himself, Mr. GARRETT, Mr. BUTTERFIELD, Mr. MULLIN, and Mrs. HARTZLER):

H.R. 1538. A bill to amend the Federal Power Act to require the Federal Energy Regulatory Commission to minimize infringement on the exercise and enjoyment of property rights in issuing hydropower licenses, and for other purposes; to the Committee on Energy and Commerce.

By Mr. GUTHRIE (for himself and Ms. MATSUI):

H.R. 1539. A bill to amend the Public Health Service Act to reauthorize a program for early detection, diagnosis, and treatment regarding deaf and hard-of-hearing newborns, infants, and young children; to the Committee on Energy and Commerce.

By Mr. HILL (for himself and Mr. PITTENGER):

H.R. 1540. A bill to help individuals receiving disability insurance benefits under title II of the Social Security Act obtain rehabilitative services and return to the workforce, and for other purposes; to the Committee on Ways and Means.

By Ms. JENKINS of Kansas:

H.R. 1541. A bill to authorize the Secretary of the Interior to acquire certain property related to the Fort Scott National Historic Site in Fort Scott, Kansas, and for other purposes; to the Committee on Natural Resources.

By Mr. JOHNSON of Ohio (for himself, Ms. DEGETTE, Mr. BUTTERFIELD, Mrs. WALORSKI, Ms. SCHAKOWSKY, Mr. BLUMENAUER, Mr. ROYCE of California, Mr. CRAWFORD, Mr. SMITH of New Jersey, Mrs. COMSTOCK, Mr. WENSTRUP, Mr. MEHAN, Mr. KIND, Mrs. DINGELL, Mr. BEN RAY LUJAN of New Mexico, Mr. YARMUTH, and Mr. PASCRELL):

H.R. 1542. A bill to amend title XIX of the Social Security Act to cover physician services delivered by podiatric physicians to ensure access by Medicaid beneficiaries to appropriate quality foot and ankle care, to amend title XVIII of such Act to modify the requirements for diabetic shoes to be included under Medicare, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KELLY of Pennsylvania (for himself and Mr. KIND):

H.R. 1543. A bill to amend the Small Business Act to expand tax credit education and training for small businesses that engage in research and development, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Small Business, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KINZINGER (for himself, Mr. BLUMENAUER, Mr. STIVERS, Mr. MOULTON, Mr. BANKS of Indiana, Mr. PETERS, Mr. WENSTRUP, Mr. CONYERS, Mr. HUNTER, Mr. RYAN of Ohio, Ms. STEFANIK, Mr. HASTINGS, Mr. REICHERT, Mr. JOHNSON of Georgia, Mr. GALLAGHER, and Mr. WELCH):

H.R. 1544. A bill to amend the Afghan Allies Protection Act of 2009 to make 2,500 visas available for the Afghan Special Immigrant Visa program, and for other purposes; to the Committee on the Judiciary.

By Ms. KUSTER of New Hampshire (for herself, Mr. WENSTRUP, Mr. BERGMAN, and Ms. BROWNLEY of California):

H.R. 1545. A bill to amend title 38, United States Code, to clarify the authority of the Secretary of Veterans Affairs to disclose certain patient information to State controlled substance monitoring programs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. LOEBSACK:

H.R. 1546. A bill to direct the Federal Communications Commission to establish a methodology for the collection by the Commission of mobile service coverage data; to the Committee on Energy and Commerce.

By Ms. MCSALLY (for herself, Mr. GOSAR, Mr. SCHWEIKERT, Mr. FRANKS of Arizona, Mr. BIGGS, Ms. SINEMA, Mr. O'HALLERAN, and Mr. GALLEGOS):

H.R. 1547. A bill to provide for the unencumbering of title to non-Federal land owned by the city of Tucson, Arizona, for purposes of economic development by conveyance of the Federal reversionary interest to the city; to the Committee on Natural Resources.

By Mr. O'ROURKE:

H.R. 1548. A bill to amend the Federal Election Campaign Act of 1971 to require all political committees to notify the Federal Election Commission within 48 hours of receiving cumulative contributions of \$1,000 or more from any contributor during a calendar year, and for other purposes; to the Committee on House Administration.

By Mr. PERLMUTTER:

H.R. 1549. A bill to authorize certain private rights of action under the Foreign Corrupt Practices Act of 1977 for violations that damage certain businesses, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on the Judiciary, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. REICHERT (for himself, Mr. LARSON of Connecticut, Mr. MEEHAN, Mr. KIND, Mr. KELLY of Pennsylvania, Mr. RENACCI, Ms. SLAUGHTER, Mr. LANCE, Mr. RODNEY DAVIS of Illinois, Mr. COLLINS of New York, Mr. DEFAZIO, Ms. PINGREE, Mr. PASCRELL, Mr. POCAN, Mr. BARLETTA, Mr. RYAN of Ohio, Mr. SWALWELL of California, Ms. DELAURO, Ms. SHEA-PORTER, Mr. KING of New York, Miss RICE of New York, Mr. ELLISON, Mr. BOST, Mr. BLUMENAUER, Mr. KILMER, Mr. COLE, Mr. WALBERG, Mr. FRELINGHUYSEN, Mr. COURTNEY, Mr. GOODLATTE, Ms. ESTY, and Mrs. WALORSKI):

H.R. 1550. A bill to amend the Internal Revenue Code of 1986 to increase and make permanent the exclusion for benefits provided to volunteer firefighters and emergency medical responders; to the Committee on Ways and Means.

By Mr. RICE of South Carolina (for himself, Mr. BLUMENAUER, Mr. DUNCAN of South Carolina, Mr. MARCHANT, Mr. DAVID SCOTT of Georgia, Ms. SINEMA, Mr. VEASEY, Mr. ALLEN, Mr. JOHNSON of Georgia, Mr. WILSON of South Carolina, Mr. ROGERS of Alabama, Mr. BYRNE, Mr. BISHOP of Georgia, Mrs. NAPOLITANO, Mr. CLYBURN, Mr. JODY B. HICE of Georgia, Ms. SEWELL of Alabama, Mr. PAULSEN, Mr. SANFORD, Mr. SIMPSON, Mr. GOWDY, and Mr. FERGUSON):

H.R. 1551. A bill to amend the Internal Revenue Code of 1986 to modify the credit for production from advanced nuclear power fa-

cilities; to the Committee on Ways and Means.

By Mr. ROSS:

H.R. 1552. A bill to preserve open competition and Federal Government neutrality towards the labor relations of Federal Government contractors on Federal and federally funded construction projects, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. RYAN of Ohio:

H.R. 1553. A bill to award a Congressional Gold Medal to all United States nationals who voluntarily joined the Canadian and British armed forces and their supporting entities during World War Two, in recognition of their dedicated service; to the Committee on Financial Services, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WALBERG (for himself, Mrs. DINGELL, and Mr. MOONEY of West Virginia):

H.R. 1554. A bill to include information concerning a patient's opioid addiction in certain medical records; to the Committee on Energy and Commerce.

By Mr. WALBERG (for himself, Mr. ELLISON, Mr. MCCLINTOCK, and Mr. CARDENAS):

H.R. 1555. A bill to restore the integrity of the Fifth Amendment to the Constitution of the United States, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Energy and Commerce, Ways and Means, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BANKS of Indiana (for himself and Mr. JONES):

H.J. Res. 89. A joint resolution to authorize the use of United States Armed Forces against al-Qaeda, the Taliban, the Islamic State of Iraq and Syria, successor organizations, and associated forces; to the Committee on Foreign Affairs.

By Mr. GOODLATTE (for himself, Mr. BEYER, Mr. BRAT, Mrs. COMSTOCK, Mr. CONNOLLY, Mr. GARRETT, Mr. GRIFFITH, Mr. MCEACHIN, Mr. SCOTT of Virginia, Mr. TAYLOR, and Mr. WITTMAN):

H. Con. Res. 33. Concurrent resolution designating the George C. Marshall Museum and George C. Marshall Research Library in Lexington, Virginia, as the National George C. Marshall Museum and Library; to the Committee on Education and the Workforce.

By Mr. HOLDING (for himself, Mr. CONNOLLY, Mr. DIAZ-BALART, Ms. FRANKEL of Florida, Mr. NUNES, Mrs. RADEWAGEN, Mr. KIND, Mr. KILMER, Mr. COOPER, Mr. THOMAS J. ROONEY of Florida, Mr. SHERMAN, Ms. ROSELEHTINEN, Mr. ROSKAM, Mr. COURTNEY, Mr. HASTINGS, Mr. FLEISCHMANN, Mr. RUPPERSBERGER, Mr. SENSENBRENNER, Mr. HIGGINS of New York, and Ms. SPEIER):

H. Res. 199. A resolution recognizing the self determination of Gibraltar to determine its status as a British Overseas Territory; to the Committee on Foreign Affairs.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representa-

tives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. TIPTON:

H.R. 1528.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 1 (relating to the power of Congress to provide for the general welfare of the United States) and clause 18) relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress).

By Mr. SANFORD:

H.R. 1529.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Mr. ISSA:

H.R. 1530.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 Clause 3

The Congress shall have power to regulate commerce with foreign nations, and among the several states, and with the Indian tribes.

By Mr. BLUMENAUER:

H.R. 1531.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution, provides that "Congress shall have Power to lay and collect Taxes . . .".

By Mr. BYRNE:

H.R. 1532.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Article I, Section 8 which grants Congress the power to regulate Commerce with the Indian Tribes.

This bill is enacted pursuant to Article II, Section 2, Clause 2 in order the enforce treaties made between the United States and several Indian Tribes.

By Ms. CLARKE of New York:

H.R. 1533.

Congress has the power to enact this legislation pursuant to the following:

the power granted to Congress under Article I of the United States Constitution and it subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mrs. DINGELL:

H.R. 1534.

Congress has the power to enact this legislation pursuant to the following:

Article I Section VIII

By Ms. ESTY:

H.R. 1535.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of Section 8 on Article I of the Constitution

By Mr. FITZPATRICK:

H.R. 1536.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. GARRETT:

H.R. 1537.

Congress has the power to enact this legislation pursuant to the following:

The United States Constitution, Article 1, Section 8, Clause 17

By Mr. GRIFFITH:

H.R. 1538.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the U.S. Constitution

By Mr. GUTHRIE:

H.R. 1539.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. HILL:

H.R. 1540.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Ms. JENKINS of Kansas:

H.R. 1541.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 1 (relating to the power of Congress to provide for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, section 3, clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mr. JOHNSON of Ohio:

H.R. 1542.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the U.S. Constitution

By Mr. KELLY of Pennsylvania:

H.R. 1543.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Article I Section 8 of the United States Constitution.

By Mr. KINZINGER:

H.R. 1544.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the U.S. Constitution

By Ms. KUSTER of New Hampshire:

H.R. 1545.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 8 of the Constitution, Congress has the power "to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or any Department or Officer thereof"

By Mr. LOEBSACK:

H.R. 1546.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the US Constitution

By Ms. MCSALLY:

H.R. 1547.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have Power to lay and collect Taxes, Duties, Imports and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States.

Article I, Section 8, Clause 18: To make all laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

Article IV, Section 3, Clause 2: The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States.

By Mr. O'ROURKE:

H.R. 1548.

Congress has the power to enact this legislation pursuant to the following:

Section 4 of Article I of the Constitution:

The times, places and manner of holding elections for Senators and Representatives, shall be prescribed in each state by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

By Mr. PERLMUTTER:

H.R. 1549.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 9, Clause 8

By Mr. REICHERT:

H.R. 1550.

Congress has the power to enact this legislation pursuant to the following:

"Article I, Section 8, Clause 1: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States."

By Mr. RICE of South Carolina:

H.R. 1551.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1. The Congress shall have power to lay and collect taxes, duties, impost and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, impost and excises shall be uniform throughout the United States.

By Mr. ROSS:

H.R. 1552.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. RYAN of Ohio:

H.R. 1553.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. WALBERG:

H.R. 1554.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 3 and 18 of the United States Constitution

By Mr. WALBERG:

H.R. 1555.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 9 of the Constitution of the United States; the power to constitute Tribunals inferior to the Supreme Court.

The purpose of the bill is to amend the civil asset forfeiture procedures and Section 8, Clause 9 extends to Congress the power to create inferior courts and to make rules of procedure and evidence for such courts.

By Mr. BANKS of Indiana:

H.J. Res. 89.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 11, the Congress has the power to declare war.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 30: Mr. FRANKS of Arizona.

H.R. 38: Mr. LONG.

H.R. 249: Mr. GARRETT.

H.R. 256: Mr. ALLEN.

H.R. 275: Mr. SMUCKER.

H.R. 303: Mr. COURTNEY and Mr. BISHOP of Michigan.

H.R. 305: Ms. PLASKETT.

H.R. 354: Mr. GOODLATTE and Mr. FERGUSON.

H.R. 371: Ms. SEWELL of Alabama and Mr. ESPAILLAT.

H.R. 391: Mr. HENSARLING.

H.R. 392: Mr. HENSARLING, Mr. AL GREEN of Texas, Mrs. DAVIS of California, Mr. BACON, Mr. ROYCE of California, Mr. HILL, Mr. KEATING, Mr. BERA, and Mrs. CAROLYN B. MALONEY of New York.

H.R. 426: Mr. DENT.

H.R. 427: Ms. SLAUGHTER.

H.R. 490: Mr. MEADOWS.

H.R. 502: Ms. BARRAGAN, Mr. CUMMINGS, Mr. DEFazio, Miss RICE of New York, Mr. LIPINSKI, Mr. NEAL, Mr. HIMES, Mr. SCHRAEDER, and Ms. SPEIER.

H.R. 613: Mr. VISCLOSKEY.

H.R. 632: Mr. ROYCE of California, Mr. MEEKS, Mrs. NAPOLITANO, and Mr. CARTWRIGHT.

H.R. 644: Mr. GOODLATTE, Mr. MESSER, Mr. BUCSHON, and Mr. SMUCKER.

H.R. 672: Mr. GIBBS and Mr. CHABOT.

H.R. 721: Mr. POLIQUIN, Mr. KING of Iowa, Mr. HARRIS, and Mr. MARSHALL.

H.R. 739: Mr. EVANS, Ms. JUDY CHU of California, Ms. WASSERMAN SCHULTZ, and Mr. ELLISON.

H.R. 747: Mr. VALADAO, Mr. SANFORD, Mr. WILLIAMS, and Ms. STEFANIK.

H.R. 757: Mrs. COMSTOCK and Mr. SHERMAN.

H.R. 765: Ms. CLARKE of New York.

H.R. 794: Ms. ESTY, Mr. HECK, Mr. NORCROSS, Miss RICE of New York, Mr. ENGEL, Mr. POCAN, Mr. POLIS, Mr. SWALWELL of California, Mr. HUFFMAN, Ms. NORTON, Ms. WILSON of Florida, and Mr. WALZ.

H.R. 804: Mr. DELANEY, Mr. GALLEGO, Mrs. TORRES, and Mr. PANETTA.

H.R. 807: Mrs. WALORSKI, Mr. SCHIFF, Mr. LEVIN, Mr. ROUZER, Ms. HERRERA BEUTLER, and Mr. GUTHRIE.

H.R. 816: Mrs. COMSTOCK.

H.R. 898: Mr. COFFMAN.

H.R. 909: Mr. CUELLAR and Mr. LAWSON of Florida.

H.R. 911: Mr. BACON.

H.R. 916: Mrs. COMSTOCK.

H.R. 918: Mr. COURTNEY.

H.R. 1002: Mr. LEVIN.

H.R. 1006: Mr. HASTINGS.

H.R. 1017: Mr. GUTIERREZ, Mr. ROE of Tennessee, Ms. DEGETTE, Ms. HERRERA BEUTLER, Mr. FRANKS of Arizona, Mr. PASCRELL, and Mr. CARTWRIGHT.

H.R. 1057: Mr. KELLY of Mississippi, Mr. PAULSEN, Mr. CURBELO of Florida, Ms. CLARK of Massachusetts, Mr. TROTT, Mr. POLIQUIN, Mr. ROUZER, Mr. MARSHALL, and Mr. COSTELLO of Pennsylvania.

H.R. 1098: Mr. VALADAO and Mr. MICHAEL F. DOYLE of Pennsylvania.

H.R. 1148: Mr. MURPHY of Pennsylvania.

H.R. 1150: Mr. MOONEY of West Virginia, Mr. RODNEY DAVIS of Illinois, Mr. AMODEI, Mrs. NOEM, Mr. FARENTHOLD, Mrs. WALORSKI, and Mr. ROUZER.

H.R. 1155: Mr. SENSENBRENNER.

H.R. 1164: Mr. MCCLINTOCK and Mr. BYRNE.

H.R. 1200: Mr. GOTTHEIMER and Mr. HUDSON.

H.R. 1246: Mr. SOTO.
 H.R. 1248: Mr. GRIJALVA.
 H.R. 1251: Mr. KILMER.
 H.R. 1278: Mr. MCGOVERN.
 H.R. 1295: Mr. RUSH.
 H.R. 1299: Mr. LYNCH, Mr. CLAY, and Mr. POLIS.
 H.R. 1322: Mr. LAWSON of Florida.
 H.R. 1346: Mr. RATCLIFFE, Mr. TROTT, and Mr. MAST.
 H.R. 1368: Ms. BONAMICI and Mr. LYNCH.
 H.R. 1374: Ms. WASSERMAN SCHULTZ.
 H.R. 1375: Mr. KILMER and Mr. CONYERS.
 H.R. 1380: Mr. O'HALLERAN and Mr. POLIQUIN.
 H.R. 1382: Mr. DESANTIS.
 H.R. 1399: Mr. ALLEN.
 H.R. 1421: Mr. SWALWELL of California and Mr. BLUMENAUER.
 H.R. 1444: Mr. ROE of Tennessee.
 H.R. 1446: Mr. SIRES.
 H.R. 1452: Mr. NADLER, Mr. HUFFMAN, Ms. VELÁZQUEZ, Ms. SCHAKOWSKY, Mr. BEYER, Mr. CARSON of Indiana, Mr. VELA, and Mr. COHEN.
 H.R. 1456: Ms. NORTON, Ms. DELAURO, Mr. SCHWEIKERT, Ms. TENNEY, Mr. THOMPSON of California, Mr. SANFORD, Mr. ENGEL, Mr. RASKIN, Ms. SHEA-PORTER, and Mr. QUIGLEY.
 H.R. 1468: Mr. DONOVAN.

H.R. 1485: Mr. ESPAILLAT.
 H.R. 1486: Ms. MOORE, Mr. PAYNE, Mr. LANGEVIN, Ms. CLARKE of New York, Mr. KEATING, and Mrs. WATSON COLEMAN.
 H.J. Res. 48: Ms. JAYAPAL and Ms. FUDGE.
 H.J. Res. 54: Mr. BANKS of Indiana.
 H.J. Res. 59: Mr. SMITH of Texas.
 H. Con. Res. 9: Mr. CÁRDENAS and Mr. KILMER.
 H. Con. Res. 10: Mr. ROKITA.
 H. Con. Res. 13: Ms. PLASKETT, Mr. DUFFY, Mr. O'HALLERAN, Mr. PAULSEN, Mr. JONES, and Mr. SHUSTER.
 H. Res. 15: Mr. COOK, Mr. VELA, Mr. DESAULNIER, Mr. GUTIÉRREZ, Mr. SHERMAN, Mr. MURPHY of Pennsylvania, and Mr. PAL-LONE.
 H. Res. 28: Ms. FUDGE, Ms. BARRAGÁN, Mr. BUTTERFIELD, Mr. PALLONE, Ms. PLASKETT, Mr. CONYERS, Mr. KIHUEN, Mr. NEAL, Mr. ELLISON, Mr. LAMALFA, and Ms. WASSERMAN SCHULTZ.
 H. Res. 31: Mr. VELA, Mr. CASTRO of Texas, Mr. KIHUEN, Mr. PALLONE, Mr. DOGGETT, and Mr. LEVIN.
 H. Res. 90: Mr. QUIGLEY.
 H. Res. 162: Ms. JUDY CHU of California and Mr. POCAN.
 H. Res. 187: Ms. JAYAPAL.
 H. Res. 191: Ms. LEE.

H. Res. 192: Ms. WASSERMAN SCHULTZ, Mr. GRIJALVA, and Mr. SCHNEIDER.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The amendment to be offered by Chairman DAVID P. ROE, or a designee, to H.R. 1259, the VA Accountability First Act of 2017, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

The amendment to be offered by Representative BRAD WENSTRUP, or a designee, to H.R. 1367, to improve the authority of the Secretary of Veterans Affairs to hire and retain physicians and other employees of the Department of Veterans Affairs, and for other purposes, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

EXTENSIONS OF REMARKS

HONORING BRIDGEPORT CITY
COUNCIL PRESIDENT TOM
MC CARTHY ON ST. PATRICK'S
DAY

HON. JAMES A. HIMES

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2017

Mr. HIMES. Mr. Speaker, I rise to extend my sincere congratulations to Tom McCarthy for being awarded the title of Grand Marshal of the 34th Annual Greater Bridgeport St. Patrick's Day Parade. In his fifteen years as City Councilman, nine of which he has served as President, Tom McCarthy has dedicated himself to serving Bridgeport and representing its citizens with thoughtfulness, competence and ability. Tom McCarthy's hard work and dedication to the City of Bridgeport is much appreciated, and this honor is well deserved.

IN RECOGNITION OF JENNIFER
MORGAN

HON. PATRICK MEEHAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2017

Mr. MEEHAN. Mr. Speaker, I rise today to honor the accomplishments and contributions of Jennifer B. Morgan of Newtown Square, PA.

Jennifer Morgan was appointed President of SAP North America in 2014, a position in which she oversees some 20,000 employees with more than 100,000 customers in every sector and industry of the U.S. economy.

With Jennifer at the helm, SAP has launched a successful expansion into groundbreaking new cloud computing services and other innovative new business segments. SAP is not only one of the largest employers in Delaware County, PA, it's also a good corporate citizen, sponsoring and supporting non-profits and economic development in our region.

Jennifer is a groundbreaking female executive, and one of far too few females at the pinnacle of American business and industry. She's prioritized diversity in the workplace, promoted pay equality and worked to level the playing field for all employees.

This National Women's History Month, Jennifer is being honored by the Delaware County Women's Commission with their Woman of Achievement Award. It's a fitting honor to an outstanding leader in our community.

DOJ'S FAILURE TO PROTECT
VOTING RIGHTS

HON. TERRI A. SEWELL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2017

Ms. SEWELL of Alabama. Mr. Speaker, today I rise in protest of President Trump and his Justice Department's failure to protect Americans' voting rights. The right to vote is a sacred right for which Americans have fought for generations. From the battlefields of the Revolutionary War, to the Women's Suffrage Movement, to Bloody Sunday in my hometown of Selma, Alabama, Americans have risked their lives for the right to vote.

Unfortunately, The Trump Justice Department recently decided to dismiss their discriminatory purpose claim against Texas's voter ID law. Texas's current draconian Voter ID law places harsh restrictions on minorities and young voters. In 2013, the Department of Justice filed a lawsuit against the state of Texas claiming that their voter photo identification law, SB 14, violated Section 2 of the Voting Rights Act. Since then, two courts have agreed that this law is discriminatory. So it is incredibly disturbing that the new Department of Justice reversed their position and withdrew their lawsuit. This action represents a dramatic shift from the Obama Administration's policy of protecting Americans' voting rights.

The American people deserve a Justice Department that values and protects the right to vote. New barriers to voting are being erected across the country, threatening the integrity of our electoral process and our democracy. For example, after the Supreme Court struck down key provisions of the Voting Rights Act, many states, like Alabama and Texas responded to the Supreme Court's decision by imposing voter ID laws similar to those of the Jim Crow era. These laws are blatantly discriminatory, undemocratic, and un-American.

In Alabama, the state government passed a law requiring a photo ID to vote while simultaneously closing 34 DMV offices. Doing so had a discriminatory effect on 8 out of the 10 counties in Alabama with the highest percentage of Black registered voters. Clearly we cannot yet trust certain states to protect their citizens' right to vote. As Americans, we should all be horrified of these laws and the Department of Justice's failure to fight these regressive measures.

States must not be allowed to return to an era of mass-voter discrimination, and historically, it has been the responsibility of the Justice Department to protect Americans from new Jim Crow like laws. Unfortunately, President Trump's Justice Department seems to be rolling back this policy.

In 2015, I introduced the Voting Rights Advancement Act, legislation that would require states with a recent history of voter discrimina-

tion to seek approval from the U.S. Department of Justice before making any changes to their electoral laws. Specifically, this bill will restore Section 4(b) of the VRA which the Supreme Court invalidated in *Shelby County v. Holder*. Under the new Trump Administration, it is more important than ever that we pass the Voting Rights Advancement Act, and have an independent Justice Department that is committed to protecting Americans' right to vote.

HONORING THE LIFE OF DEBORAH
MANNING

HON. ELISE M. STEFANIK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2017

Ms. STEFANIK. Mr. Speaker, I rise today to honor a remarkable woman who dedicated her life to serving New York's 21st District.

Deborah Manning was born in Ticonderoga, New York, and served as Hague Town Clerk for 23 years.

In the 21st District, we are proud of Deborah Manning's legacy of dedicated public service, and we honor the life she led with integrity and compassion.

I would like to extend my deepest condolences to her friends and family.

REMEMBERING IRON BILL
DOWLING

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2017

Mr. POE of Texas. Mr. Speaker, today, March 15, 2017 the last alarm will be sounded for one of Houston's finest, Captain William "Iron Bill" Dowling. Although Iron Bill fought tirelessly these last few years, he went home with the Good Lord shortly before his 44th birthday: March 14, 1973–March 7, 2017.

While we mourn the loss of this Houstonian Hero, we also remember his service to his city and country. On May 31, 2013, Houston Fire Department suffered its most tragic event in its history. A 5-alarm blaze at a hotel in southwest Houston claimed the lives of four firefighters and injured fourteen other firefighters when the roof collapsed, some critically.

The following lives were lost:

Captain EMT Matthew Renaud, 35, of Station 51;

Engineer Operator EMT Robert Bebee, 41, of Station 51;

Firefighter EMT Robert Garner, 29, of Station 68;

Probationary Firefighter Anne Sullivan, 24, of Station 68.

They were the best we had in Houston, and we are still saddened that they are gone.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

One of the brave who survived was Captain Dowling.

Iron Bill was injured serving Houston, the community in which he was raised. A graduate of Klein Oak High School, Captain Dowling left Texas to serve his nation as an enlistee with the United States Marine Corps. In 1993, on leave from Marine boot camp training, he married his high school sweetheart, Jacki. As a Marine, Iron Bill served 4 years, including a deployment to Somalia with I Marine Expeditionary Force in support of Operation Restore Hope, 1995. He returned home to Texas and to Jacki to begin his career and to start a family. Twenty-one years later, Captain Dowling and Jacki have three children: Forrest, Faith and Foster.

Iron Bill's patriotic spirit and love of the community led him to join the Houston Fire Department. He graduated from the Houston Fire Department Academy in 2000 and steadily rose through the ranks. He worked at Stations 12, 19, and 48 before making Captain at Station 68 in January of 2013. Firehouse 68 is located at the corner of Bissonnet and South Gessner in the heart of Southwest Houston. In 2013, the fire apparatus of Firehouse 68 made 14,847 responses, making it the third busiest fire station in the City of Houston. There, at Firehouse 68, Captain Dowling became known as Iron Bill, a fitting nickname to describe a strong and courageous hero.

It was just five months after he arrived at Station 68 that Captain Dowling and fellow firefighters received an alarm call that would take them to the gates of hell.

On that fateful day, in the heat of the Texas noonday sun, Captain Dowling along with the four other firefighters rushed into the hotel to find potential trapped guests. While the firefighters were in the hotel, the roof collapsed, trapping and killing Garner and Sullivan from Station 68 and Bebee and Renaud from Station 51. Captain Dowling's legs were crushed and burned, but he remained calm, radioed for help and waited for his brothers to pull him from the flames.

The attending physician in the ambulance said that Captain Dowling, though severely injured, kept asking about the condition of his crew. He was more concerned for the safety of others than himself, the testament of a true hero. He told the doctor, on the way to the hospital, to tell his wife and children that he would fight for them. Hearing this comes as no surprise to Captain Dowling's family; they know him as a fighter.

Captain Dowling was seriously injured with burns over thirty percent of his body, and he was placed in a medically induced coma for months at Memorial Hermann Hospital and Medical Center. He subsequently had both legs amputated and suffered brain damage. A long road of recovery was ahead for Captain Dowling, but surrounded by a team of doctors, his family, firefighter family, friends, church and the entire city and state of Texas, Iron Bill was not alone. Deservingly, Captain Dowling became everyone's hero.

Since returning home, Jacki left her full time job at Frank Elementary to care for her husband full time. It's no surprise that as a Texas woman, she's strong and determined, but quite simply, the strength that she possesses is amazing. To keep the community updated

on Iron Bill, she started blogging on a community Facebook page entitled "Capt. William Dowling Iron Bill". This blog allows the community to rally behind the Dowling family, cry with them, laugh with them, pray for them and see their hero survive.

In August of 2016, the Dowling family moved to Durango, Colorado in order for Captain Dowling to make the most of his journey in the great outdoors. He became hooked on skiing through Adaptive Sports. Jacki said he was the healthiest he had been in a long time and was thriving in the mountain air so Jacki returned to coaching volleyball.

On the morning of March 7, 2017 Jacki asked for prayers for Iron Bill, as she was worried about his recent spell with pneumonia. That evening Captain William Dowling took his final journey home into the arms of the Good Lord.

Captain Dowling will be remembered for his bravery, determination, and loyalty. He always put others ahead of himself and was dedicated to serving his community. The legacy Iron Bill leaves behind is one that his friends, family, and community will never forget.

Today, the entire city of Houston will pay tribute to the life of one of Houston's heroes, one of our finest.

Houston firefighters are grateful for the support of 174 firefighters from 30 Texas departments that will ride in Houston stations tomorrow so A-shift firefighters can attend the memorial service for Iron Bill Dowling. Thanks to firefighters from College Station, Plano, Montgomery County, Conroe, Weatherford, Pearland, New Braunfels, South Montgomery County, Fort Worth, Sugar Land, China Grove, Kemah, West University, Longview, Nacogdoches, Bexar County ESD 2, Lewisville, Galveston, Lubbock, Baytown, Southlake, Benbrook, Seguin, Austin, Dallas, Westfield, Waco, Hutchins, Tomball, and The Woodlands.

As the family of Iron Bill mourns the loss of a great man, I hope they know the community of Tomball, the greater Houston area and Texas' Second District will keep the family in their thoughts and prayers. Our community will always be grateful for his service and sacrifices. Once a hero, always a hero. That's the man we call Iron Bill.

And that's just the way it is.

CELEBRATING MAPLE SEASON IN NEW YORK'S 21ST DISTRICT

HON. ELISE M. STEFANIK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2017

Ms. STEFANIK. Mr. Speaker, I rise today to honor a time-honored tradition in New York's 21st district. Specialty crop products are a critical part of the North Country's economy, and maple holds a special and delicious place among them. Every year in late winter and early spring, the cultivation of maple tree sap gives residents a reason to celebrate.

New York State is home to the largest resource of tappable maple trees within the United States. Every year, our farms produce thousands of gallons of sap, which will then be

made into syrup and other maple products. These products are not only a staple in households across the region, they also encourage tourism and support our small and local businesses.

The benefits of maple syrup production are a source of celebration for communities throughout the North Country. Throughout March, maple festivals are held across New York, with families and friends gathering to enjoy delicious products and attend tours of locally owned farms.

In our district, the Toad Hill Maple Farm has been producing high quality maple products for over 30 years. Utilizing more than 100 acres of land and currently standing as the largest maple producer in Warren County, the system used at Toad Hill can turn 1,000 gallons of sap into 25 gallons of syrup per hour.

Mr. Speaker, I am proud to stand on the House floor today to support our North Country maple farmers.

IN RECOGNITION OF CYNTHIA WILBANKS' SERVICE AND ACTIV- ISM ON BEHALF OF THE SOUTH- EAST MICHIGAN COMMUNITY

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2017

Mrs. DINGELL. Mr. Speaker, I rise today to recognize Cynthia Wilbanks, the University of Michigan's Vice President for Government Relations, for receiving the United Way of Washtenaw County's 2017 Woman of the Year Award. Ms. Wilbanks has served Washtenaw County and southeast Michigan with distinction through her involvement in nonprofit and community organizations.

Cynthia Wilbanks has been an effective advocate and leader in southeast Michigan through her work at the University of Michigan and on behalf of the community. While serving as the University's Vice President of Government Relations, Ms. Wilbanks has championed initiatives to strengthen the University community and coordinate the University's policies and responses to federal, state and local legislation. In addition, Ms. Wilbanks serves on the boards of directors of numerous nonprofit organizations, including the Riverside Arts Center Foundation, Center for Michigan, and Ann Arbor SPARK, a startup and business incubator. She is also an active member of United Way and served as the University of Michigan United Way's Campaign Chair for four straight years.

Ms. Wilbanks has also distinguished herself through her outstanding record of public service. She has served on the staff of several U.S. Representatives, including working as Rep. Carl Pursell's district director from 1979 through 1992. During her time as a public servant, Ms. Wilbanks was a tireless advocate who fought for policies to benefit southeast Michigan and its residents. Her record of achievement has helped make Michigan a great place to live and work.

Ms. Wilbanks' leadership and hard work have been critical to the growth and success of the University of Michigan as well as the

greater southeast Michigan community. As a result of her efforts, Ms. Wilbanks was named one of the 100 most influential women in Metro Detroit by Crain's Detroit Business in 2002 and has also received the Girl Scouts of the Huron Valley Council's Women of Distinction Award. These accolades, in addition to being named Woman of the Year, are a testament to Ms. Wilbanks' record of success and continued activism in the community. It is my hope that Ms. Wilbanks continues to build on these accomplishments in the coming years.

Mr. Speaker, I ask my colleagues to join me in honoring Cynthia Wilbanks and her tremendous work on behalf of the University of Michigan and the community at large. She has distinguished herself through her outstanding professional and volunteer efforts.

RICHARD BLANKENSHIP

HON. BRAD R. WENSTRUP

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2017

Mr. WENSTRUP. Mr. Speaker, I rise today to honor the life and memory of Richard Blankenship of Hillsboro, Ohio.

Richard's time here on earth will be remembered by many as serving both his community, and his country. He was a U.S. Army veteran, having served his country with dedication.

And that dedication and passion was felt in the Cincinnati and Hillsboro communities, where Richard served in a number of different roles, influencing the lives of many.

From the Cincinnati Bengals, to the Southern State Community College, to East Clinton High School, where he served as both a coach and a teacher. At Finneytown Local Schools, where he taught and held various coaching positions, teaching students important lessons of teamwork and leadership.

When Richard retired from teaching in Finneytown in 2003, he said "I will miss being with students and parents, but it's time to hang up my gym shoes."

Richard, our communities are better for having you here, teaching our children, students, and those around you, and changing their lives for the better.

My thoughts are with the Blankenship family.

HONORING THE LIFE OF MICHAEL
F. RING

HON. ELISE M. STEFANIK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2017

Ms. STEFANIK. Mr. Speaker, I rise today to honor a remarkable man who dedicated his life to serving the 21st District of New York.

Michael Ring was a loving father and a successful business owner, but he was also a man who believed in public service and the importance of participatory government. Michael worked as a broadcast engineer throughout New York's North Country. However, this is only a portion of his immense contribution to the community.

Mr. Ring worked for the betterment of others during his time as an advisor to the Jefferson County Board of Cooperative Education Services as well as through his efforts as Co-Chair of the Watertown Area Emergency Alert System. His guidance and care could be seen in his time as a volunteer teacher, college student mentor and PTA member as well as through his participation in a multitude of groups that advocated for the importance of national security.

I first met Mike when he was a fellow candidate for Congress in 2013. I was immediately struck by Mike's genuine kindness, generosity, warmth, and dedication to mentoring others. Mike made friends with people from around the globe and advocated on their behalf. He also was a self-published author of wonderful books. I will miss seeing Mike's smile at community events in Jefferson County.

I would like to extend my sincerest condolences to the family and friends of Michael Ring, especially his beloved wife Penny. Thank you for sharing him with us all.

HONORING THE LIFE OF CON-
GRESSMAN ELIGIO "KIKI" DE
LA GARZA

HON. VICENTE GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2017

Mr. GONZALEZ. Mr. Speaker, I rise today to honor the life of Congressman Eligio "Kiki" de la Garza, who passed away this Monday, March 13, 2017.

De la Garza served as the federal representative for the 15th District of Texas from 1965 to 1997. During his Congressional service, he was Chairman of the Committee on Agriculture from 1981 to 1994 and Ranking Member of the Committee from 1995 to 1997. De la Garza was a founding member of the Congressional Hispanic Caucus.

At the age of 17, de la Garza joined the United States Navy and served for two years, including the final months of World War II. Upon returning home, he completed his high school education before attending Edinburg Junior College and St. Mary's University in San Antonio. While at St. Mary's, de la Garza was again deployed, this time to the Korean War where he was an artillery officer in the United States Army. He then earned his Juris Doctor from St. Mary's University in San Antonio. De la Garza was elected to the Texas House of Representatives in 1951, at the young age of 24, serving six terms before being elected to the U.S. House of Representatives.

During his tenure in the U.S. House of Representatives, de la Garza endeavored to improve the lives of rural Texans, working to expand and improve federal support for farmers and ranchers. He also stood up for the disenfranchised, supporting landmark civil rights legislation that led to important progress for our society. Born and raised in the Rio Grande Valley, de la Garza understood the importance of maintaining strong international relations and was a staunch supporter of the

U.S.-Mexico relationship. He was the first Member of Congress to receive Mexico's Order of the Aztec Eagle Award and Israel's Vulcan Center's Lifetime Achievement Award—both awards recognized his efforts to cultivate stronger, more constructive ties between the United States and its allies. As a founding member and chairman of the Congressional Hispanic Caucus and the first Hispanic to chair a standing committee in the U.S. House of Representatives, he is an inspiration for the next generation of Latino leaders.

Mr. Speaker, this week our country lost a statesman, public servant, husband, father, grandfather, and friend, but his legacy will live on. It is a privilege to follow in the footsteps of Eligio "Kiki" de la Garza, who was genuinely committed to empowering rural areas and the Hispanic community.

IN RECOGNITION OF HIS HOLINESS
THE GYALWANG DRUKPA JIGME
PEMA WANGCHEN

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2017

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I rise today to pay tribute to His Holiness the Gyalwang Drukpa Jigme Pema Wangchen on the occasion of his birthday.

His Holiness the Gyalwang Drukpa is the head of the 1,000 year-old Drukpa Lineage of Buddhism, which originates from the Indian Scholar-Saint Naropa, an unbroken ancient lineage that continues to thrive. The Drukpa Lineage has over 30 million followers worldwide and has a profound cultural influence throughout the Himalayan region.

Inspired by a strong belief that all individuals can work for the benefit of their communities, His Holiness the Gyalwang Drukpa is a world-renowned humanitarian, environmentalist, and champion of gender equality. His good works have been recognized by the United Nations and the Indian Government. The international non-profit Waterkeepers Alliance named His Holiness the Guardian of the Himalayas.

His Holiness the Gyalwang Drukpa and his followers provided relief services to tens of thousands in the Himalayas following the devastating 2015 earthquake in Nepal and continues to rebuild the community. Additionally, he supports and organizes clinics which provide access to medical services in remote communities.

His Holiness the Gyalwang Drukpa works tirelessly to empower, educate, protect and inspire girls and women in the Himalayas and around the world and has led efforts to ensure that the rights of peoples of all faiths and nationalities are equally respected and protected.

His Holiness the Gyalwang Drukpa personally trekked and bicycled thousands of miles across the Himalayas to further the goals of gender equality and of environmental stewardship.

His Holiness supports myriad educational initiatives which seek to improve people's lives through education while simultaneously fostering respect for and knowledge of indigenous cultures. In furtherance of this aim, His

Holiness has led efforts to preserve local art and to disseminate globally knowledge about the local cultural heritage.

His Holiness the Gyalwang Drukpa has led multiple initiatives to protect the environment in the Himalayas. As part of the One Million Trees project, His Holiness organized in 2012 the largest simultaneous tree planting initiative to support clean air and protect against soil erosion.

Mr. Speaker, I ask my colleagues to join me in recognizing the spiritual and humanitarian leadership of His Holiness the Gyalwang Drukpa Jigme Pema Wangchen on the occasion of his birthday.

RECOGNIZING MS. LISA COHEN

HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2017

Mr. REICHERT. Mr. Speaker, today I rise to recognize Ms. Lisa Cohen, Executive Director of the Washington Global Health Alliance, in light of her retirement. During a CODEL to the Middle East I visited Afghanistan as a freshman in Congress and visited an abandoned school meant for female students. Yet unfortunately, it was not used for very long due to rule of law that girls are not allowed to be educated. Since then, I made it a mission to serve as a Co-Chair on the Global Health and Poverty Caucus and fought for the opportunity that girls can and should be educated. And I could not have done this without the extremely important and valuable partnership of Ms. Cohen. From day one, Ms. Cohen has never said no in helping me fight for human rights around the world, and in fact, she has taught and encouraged me to take on global issues that we must stand for today. Ms. Cohen has been such a wonderful force in the global community, and not just in the Seattle area, but around the country, as she has been diligently working to form an alliance in the Atlanta region too. With more alliances for global health, we can someday have a world where polio no longer exists and every woman can give a healthy birth to a child in a fully-functioning hospital. I will truly miss working with Ms. Lisa Cohen of the Washington Global Health Alliance, but am delighted to know that we shall remain friends. I thank Ms. Cohen for everything that she has done to make this world a better place for every single person.

PEARLAND BASKETBALL COACH WINS 700TH GAME

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2017

Mr. OLSON. Mr. Speaker, I rise today to congratulate Pearland High School's Steve Buckelew for winning his 700th game as a boys' basketball coach.

Steve's 700th game was won as he coached the Pearland High School Oilers to an 83-48 home victory over Brazoswood High

School. Steve has been a basketball coach for the last 32 years, with his last 21 years as Pearland's head coach. He spent time coaching basketball teams in Arkansas, Louisiana and Texas, with five years as an assistant coach at Louisiana Tech. When asked how many more wins are left in him, he said "I don't know, but I'd like to get about six or seven more this year."

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Steve Buckelew of Pearland for winning his 700th game as a boys' basketball coach. We are extremely proud to have him coaching our athletes to victory each year. Keep up the good work.

IN MEMORY OF BARRY JOLLETT

HON. THOMAS J. ROONEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2017

Mr. THOMAS J. ROONEY of Florida. Mr. Speaker, I rise today to honor the life and service of Barry Jollett, of Punta Gorda, Florida, who tragically passed away on March 1.

When Barry and his wife, Mary, moved to Florida 15 years ago, they immersed themselves in our local community. For the past four years, Barry took on the challenge of serving as the Chairman of the Charlotte County Republicans, as well as the Vice Chair for the Republican Executive Committee. Under his leadership, the Charlotte County Republicans continued to spread their message throughout our community and the entire county is better because of it.

Barry was no stranger to leadership roles when he moved to Florida. Before starting his lifelong career with Verizon, he served in the United States Navy during the Vietnam War. He also served as a Commodore for the PGI Seafarers, and his dedication to our country was evident even after he left our military. We are all eternally grateful for his service and leadership.

I have had the pleasure of meeting Barry many times during my tenure in office and I believe that his memory will be preserved in the legacy he left behind. Barry was a strong leader, a loyal patriot and hard worker. But more importantly, he was a friendly neighbor, loving husband and caring father. His memory will never be forgotten.

Mr. Speaker, I speak for all of Charlotte County when I say that Barry Jollett will be truly missed. My thoughts and prayers are with his wife Mary and their family during this time.

IN HONOR OF THE 250TH ANNIVERSARY OF THE BRICK PRESBYTERIAN CHURCH

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2017

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I rise to celebrate the 250th An-

niversary of The Brick Presbyterian Church, one of the nation's oldest and most venerable religious institutions. The Brick Church has been in continuous operation since 1767, with the exception of a few years during the Revolutionary War, and has a rich history of serving the community as a spiritual home. Pastoral leaders of The Brick Church have had a profound impact on the nation as spiritual leaders, brilliant composers of sacred music and compassionate advocates for the poor, the downtrodden and refugees.

The Brick Church began as an expansion of the First Presbyterian Church at Wall Street, whose growing congregation could no longer be accommodated. Its first building was on Beekman Street on a site now occupied by Pace University's downtown campus. The first pastor was Reverend John Rodgers who would close the street in front of the church during services to eliminate noise. Dr. Rodgers also corresponded with George Washington, was the first moderator of the General Assembly and served as chaplain to the New York State Legislature.

During the Revolutionary War, the British commandeered the church for use first as a hospital and later as a brig. By 1858, after surviving two wars, three epidemics and three fires, the church followed its congregation uptown to Fifth Avenue at 37th Street. Nearly a century later, in response to further migration north, the church moved in 1940 to its present location at 91st Street and Park Avenue.

The church's other pastors were Gardiner Spring (1810 through 1873), James Ormsbee Murphy (1865 through 1875), Llewellyn Bevan (1877 through 1882), Henry Van Dyke (1883 through 1900), Maltbie Davenport Babcock (1900 through 1901), William Rogers Richards (1902 through 1910), William Pierson Merrill (1911 through 1938), Paul Austin Wolfe (1938 through 1964), D. Reginald Thomas (1965 through 1970), James Seth Stewart (1972 through 1974), and Herbert B. Anderson (1978 through 2001). Rev. Van Dyke became ambassador to the Netherlands under President Woodrow Wilson and organized efforts to serve the tens of thousands of refugees flooding the country at the onset of World War I.

The Brick Church is currently led by the remarkable Reverend Michael L. Lindvall who was installed on October 27, 2002 as only its 13th installed pastor. Rev. Lindvall has made education a center of his ministry at the church, recognizing that parishioners may have less exposure to the Bible, theology or the history and governance of the church than they once did. Accordingly, educational programs such as the Children's Sunday Church School, youth programs, and adult education are critically important to The Brick Church.

Over the centuries, Brick Church has assisted in educating poor children, supported immigrant congregations and settlement houses, and worked to improve the neighborhood. Before the Civil War, leaders of the congregation were outspoken abolitionists who condemned slavery and corruption. Members of the Brick Church have supported the Deacon Ministries and Grants program that helps over 22,000 people annually. Members also volunteer for a wide variety of community-based organizations that tutor young people, help homebound seniors, serve the homeless and

help the formerly incarcerated make a fresh start.

A number of The Brick Church's clergy have made significant contributions to sacred music, including Revs. Van Dyke, Babcock, Merrill and Wolfe. In addition, Clarence Dickinson provided outstanding musical leadership along with Helen Dickinson, who founded the School of Sacred Music at Union Theological Seminary in New York City. Today, Keith S. Tóth, a graduate of the Oberlin and Juilliard Schools of Music, carries on the church's fine tradition of musical excellence.

Mr. Speaker, I ask my colleagues to join me in honoring The Brick Church for providing a spiritual home to New Yorkers for 250 years.

ABBY HOUSE WINS TEXAS HISTORY ESSAY CONTEST

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2017

Mr. OLSON. Mr. Speaker, I rise today to congratulate Abby House of Needville, TX, for being the grand-prize winner of the Save Texas History essay contest in the seventh grade division.

The statewide contest is sponsored by the Texas General Land Office's Save Texas History program. The essay students were asked to write was, "What history in your community, or in Texas, is worth saving?" Abby wrote about the storied history of the Imperial Sugar building in Sugar Land, TX. The students' essays were judged based off of how compelling their story was, how useful and interesting the facts were, grammar, spelling and organization. For winning the grand-prize, Abby received numerous prizes from the San Antonio Tourism Council, from Six Flags Fiesta Texas tickets, to tickets to the San Antonio Zoo, and more. She is currently a seventh grader at Needville Junior High School.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Abby House for winning the grand-prize of the Save Texas History essay contest. We're proud to have her represent TX-22 and look forward to seeing her future accomplishments.

PERSONAL EXPLANATION

HON. KYRSTEN SINEMA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2017

Ms. SINEMA. Mr. Speaker, due to illness, I was unable to vote on roll call votes 138 through 158. Had I been present, I would have voted: nay on roll call number 138; nay on roll call number 139; aye on roll call number 140; aye on roll call number 141; aye on roll call number 142; aye on roll call number 143; aye on roll call number 144; aye on roll call number 145; aye on roll call number 146; aye on roll call number 147; nay on roll call number 148; aye on roll call number 149; aye on roll call number 150; aye on roll call number 151; nay on roll call number 152; aye on roll call

number 153; aye on roll call number 154; aye on roll call number 155; aye on roll call number 156; aye on roll call number 157; and nay on roll call number 158.

COMMEMORATING THE 24TH ANNI- VERSARY OF THE BANGLADESH ASSOCIATION OF FLORIDA'S ASIAN FOOD FAIR & CULTURAL SHOW

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2017

Mr. HASTINGS. Mr. Speaker, I rise today to honor the Bangladesh Association of Florida. For 24 years, this fine organization has presented the Asian Food Fair & Cultural Show in Palm Beach County. This annual program is eagerly awaited by citizens around South Florida for its exciting and diverse performances of singing, dancing, acrobatics and food from many Asian nations.

Mr. Speaker, I am pleased to have been involved with the people of the Bangladesh Association of Florida since the inception of this wonderful program. It is one of the cultural highlights of every year. It is widely appreciated and greatly enjoyed by everyone who experiences its variety of entertainment. We are fortunate to have it on our schedule of great events, and I thank the Bangladesh Association for bringing it to us.

KOPFER TROMBONE SKILLS RANKED FIRST IN STATE

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2017

Mr. OLSON. Mr. Speaker, I rise today to congratulate Benjamin Kopfer of Fort Bend, TX, for being ranked first in state for playing bass trombone.

On top of being ranked first in state, Benjamin, a sophomore at Fort Bend Christian Academy (FBCA), was invited to participate in the Texas Private School Music Educators Association All-State Band for the second year in a row. It's rare for a sophomore to be invited to play with the All-State Band, let alone a sophomore who played the year before as well. When not amazing audiences with his musical talents, Benjamin also plays on the FBCA baseball team.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Benjamin for being ranked first in state. We are extremely proud of him and look forward to him achieving the All-State Band again next year.

HOUSE REPUBLICANS FULFILL PROMISE

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2017

Mr. WILSON of South Carolina. Mr. Speaker, last week, House Republicans delivered on the promise to make the health care system work for American families by introducing the American Health Care Act. This legislation puts the patient first, not the government.

Families in the Second Congressional District and across the country have experienced how Obamacare has failed. Obamacare destroyed jobs, increased premiums, and presented people with fewer health care choices. The American Health Care Act is a real solution to ending the Obamacare failure.

The bill specifically protects those with pre-existing conditions, allows young adults to remain on their parent's insurance until they are 26, and provides a stable transition to a system of lower costs and increased options.

I appreciate Ways and Means Committee Chairman KEVIN BRADY, Chairman GREG WALDEN of Energy and Commerce, and Speaker PAUL RYAN for their dedication and remarkable leadership. This is a positive first step that will advance health care for all Americans, as championed by President Donald Trump and Office of Management and Budget Director Mick Mulvaney, with HHS Secretary Tom Price.

In conclusion, God Bless Our Troops. We will never forget September 11th in the Global War on Terrorism.

INTRODUCTION OF THE SUPERFUND REINVESTMENT ACT

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2017

Mr. BLUMENAUER. Mr. Speaker, today, joined by 14 original cosponsors, I am pleased to reintroduce the Superfund Reinvestment Act. This legislation would provide much needed funding to clean up toxic waste sites throughout the United States and relieve the financial burden of cleanup that is currently shouldered by the American taxpayers.

There are more than 1,100 severely polluted Superfund sites across the United States that approximately 49 million Americans live within three miles of. These contaminated sites harm air and water quality and threaten the economic and social vitality of vulnerable communities. These communities can be exposed to toxins such as arsenic, benzene, PCBs, mercury, and a wide range of solvents, which can lead to health problems such as infertility, low birth weight, birth defects, leukemia, and respiratory difficulties.

The Superfund program was originally created in 1980 to clean up these contaminated sites help reduce exposure to the health risks and fears that come from living close to toxic waste. Unfortunately, at approximately 30 percent of Superfund sites known as orphan

sites, those responsible for the pollution cannot be found or do not have the ability to pay, so instead the federal government foots the bill.

Originally, payments for orphan sites were financed through taxes on chemicals, petroleum, and corporate income, which were deposited into the Superfund Liability Trust Fund. This Fund ensured that those industries responsible for pollution pay for the remediation of sites where there is no responsible party. These taxes expired in 1995 and were not reauthorized. As a result, the Trust Fund has been depleted and the funding for the cleanup of orphan sites has shifted primarily to general funds.

The Superfund Reinvestment Act would reinstate taxes on the petrochemical industry to fund the cleanup of hazardous waste sites across the country. It would make sure that polluters, not taxpayers, are paying for cleanup of orphan sites. The bill includes excise taxes of \$.163 per barrel on crude oil or refined oil products and taxes ranging from \$.51 to \$11.35 per ton on certain chemicals. The bill would reinstate a corporate environmental income tax of .12 percent on a corporation's modified alternative minimum taxable income that exceeds \$3.735 million. This legislation would expand the definition of oil to include unconventional crude oil sources, such as tar sands and oil shale. This legislation also would guarantee that money from the Trust Fund is only spent on Superfund cleanups.

I urge my colleagues to join me in working to strengthen the Superfund program by ensuring that polluters continue to pay. With our environment at such a high risk, we need a fully funded Superfund program now more than ever. Restoring these taxes will go a long way towards making certain that funds are available to cleanup America's most toxic waste sites and to help keep our communities and our families safe, healthy and economically secure for future generations.

CHRIS NILSSON NAMED TECHNOLOGY ADMINISTRATOR OF THE YEAR

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2017

Mr. OLSON. Mr. Speaker, I rise today to congratulate Chris Nilsson of Fort Bend County, TX, for being named as the Texas Computer Education Association's (TCEA) Technology Administrator of the Year for 2017.

Chris is Lamar Consolidated Independent School District's Director of Technology Integration and oversees computer technicians and the districts Campus Instructional Technology Specialists. He was nominated by two of the technology specialists thanks to his exemplary vision and technology management. His colleague, David Jacobson, the district's Chief Technology Information Officer, said he's done an outstanding job leading and uniting two departments and is very deserving of this recognition. His expertise is an asset for both the school district and the students.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again

to Chris for being named as TCEA Technology Administrator of the Year. We're very proud of him and look forward to his future accomplishments.

THOMAS S. WILLIAMSON, JR.

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2017

Ms. NORTON. Mr. Speaker, I rise today to ask my colleagues to join me in recognizing the extraordinary life of Thomas S. Williamson, Jr., who passed away this month at the age of 70. Mr. Williamson was a former president of the D.C. Bar and a member of our Federal Law Enforcement Nominating Commission, which advises me on the selection of important federal officials for the District of Columbia, including federal district court judges and the U.S. Attorney for the District of Columbia. Tom will be especially remembered as a champion for equal legal access to justice for all. His service will be held at the National Cathedral tomorrow.

Tom Williamson began his career at the law firm Covington & Burling LLP in 1974, where he became a partner, focusing on employment law, complex litigation, and health and welfare law matters for state governments. As a student, Tom played varsity football at Harvard College and excelled academically. He went on to Oxford University, where he was a Rhodes Scholar, and then to the University of California at Berkeley School of Law. From the beginning of his career and for more than 40 years, Tom had a deep commitment to pro bono service and civil rights. His passion for equal justice was influenced by his experience as a child when his family integrated a white neighborhood in Piedmont, California and experiencing the racism that resulted.

District residents are particularly grateful to Tom, who was an influential member of a team of attorneys representing the District in *Adams v. Clinton*, a case that sought voting rights for the District in the House and Senate. Throughout his years in successful private practice, Tom continuously provided legal service to those most in need of good lawyers—whether providing pro bono service to residents or leading the defense of the District's marriage equality law. Tom's career in law also included public service, where he served as the deputy inspector general at the U.S. Department of Energy and the solicitor of the U.S. Department of Labor.

Mr. Speaker, as my thoughts are with Tom's wife, Shelly Brazier, and his family, I ask my colleagues to join me in recognizing the extraordinary life of Thomas S. Williamson, Jr.

BRAIN AWARENESS WEEK

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2017

Mr. BLUMENAUER. Mr. Speaker, March 13 through 17, 2017 commemorates Brain

Awareness Week, which presents an important opportunity to educate lawmakers, students, and the broader public about brain science, and its many impacts and benefits. This is critical when you consider that brain disorders and diseases affect the lives of nearly 100 million Americans—from Alzheimer's to ALS to mental illness.

Neurological and neurodegenerative disorders are among the leading causes of disability in the United States and around the world—greater than heart disease and cancer put together. As society ages, this number will increase exponentially as will the cost to the healthcare system and to the economy. Yet, the underlying causes of most neurological diseases remain unknown.

Neuroscience is the next great frontier. Research and work being done in this field needs to be front and center in both the private world and Congress.

The bipartisan Congressional Neuroscience Caucus' mission is to build awareness of the intrinsic role brain research plays in understanding ourselves and our society. As the Co-Founder and Co-Chair, I am committed to working on these important issues and hope my colleagues will join our efforts as members of the Congressional Neuroscience Caucus.

NEW STEAKHOUSE DEBUTS IN RICHMOND, TX

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2017

Mr. OLSON. Mr. Speaker, I rise today to recognize a new upscale restaurant in Richmond, TX, and its executive chef, Ja'Nel Witt.

Sammy's Steakhouse will be Sammy Vela's sixth restaurant in the area and will cater to steak and wine lovers. The menu has a variety of delicious dishes, from green chili-smoked gouda mac and cheese to mouth-watering steak. An extensive wine bar allows customers to complete their dish with the perfect complement. The executive chef, Ja'Nel Witt, will be a great addition to the new restaurant, especially having been the Season II winner of Gordon Ramsey's Hell's Kitchen. Her culinary talents will be appreciated by Richmond and Houston area visitors.

On behalf of the Twenty-Second Congressional District of Texas, I again recognize and welcome the newest restaurant, Sammy's Steakhouse, to TX-22. We look forward to trying Sammy's Steakhouse.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and

any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, March 16, 2017 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MARCH 20

11 a.m.

Committee on the Judiciary

To hold hearings to examine the nomination of Neil M. Gorsuch, of Colorado, to be an Associate Justice of the Supreme Court of the United States.

SH-216

MARCH 21

9:30 a.m.

Committee on Armed Services

To hold hearings to examine U.S. policy and strategy in Europe.

SD-G50

10 a.m.

Committee on Energy and Natural Resources

To hold hearings to examine opportunities to improve and expand infrastructure important to Federal lands, recreation, water, and resources.

SD-366

Committee on Health, Education, Labor, and Pensions

To hold hearings to examine FDA user fee agreements, focusing on improving medical product innovation for patients.

SD-430

2:30 p.m.

Committee on Commerce, Science, and Transportation

Subcommittee on Consumer Protection, Product Safety, Insurance, and Data Security

To hold hearings to examine fighting back against scams used to defraud Americans.

SR-253

Special Committee on Aging

To hold hearings to examine raising grandchildren in the opioid crisis and beyond.

SD-562

MARCH 22

9 a.m.

Committee on Health, Education, Labor, and Pensions

To hold hearings to examine the nomination of R. Alexander Acosta, of Florida, to be Secretary of Labor.

SD-430

10 a.m.

Committee on Commerce, Science, and Transportation

To hold hearings to examine the promises and perils of emerging technologies for cybersecurity.

SD-106

Committee on Foreign Relations

To hold hearings to examine the state of global humanitarian affairs.

SD-419

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine perspectives from the DHS frontline, focusing on evaluating staffing resources and requirements.

SD-342

Committee on Veterans' Affairs

To hold a joint hearing with the House Committee on Veterans' Affairs to examine the legislative presentation of multiple veterans service organizations.

SD-G50

10:30 a.m.

Committee on Appropriations

Subcommittee on Department of Defense

To hold hearings to examine defense readiness and budget update.

SD-192

2:30 p.m.

Committee on Commerce, Science, and Transportation

Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard

To hold hearings to examine the state of the Coast Guard, focusing on ensuring military, national security, and enforcement capability and readiness.

SR-253

Committee on Foreign Relations

Subcommittee on Africa and Global Health Policy

To hold hearings to examine a progress report on conflict minerals.

SD-419

3:30 p.m.

Committee on Armed Services

Subcommittee on Airland

To hold hearings to examine Army modernization.

SR-222

MARCH 23

9:30 a.m.

Committee on Armed Services

To hold hearings to examine United States European Command.

SD-G50

Committee on Banking, Housing, and Urban Affairs

To hold hearings to examine the nomination of Jay Clayton, of New York, to be a Member of the Securities and Exchange Commission.

SD-538

2:30 p.m.

Committee on Armed Services

Subcommittee on Personnel

To hold hearings to examine Department of Defense civilian personnel reform.

SR-232A

MARCH 29

2:30 p.m.

Committee on Homeland Security and Governmental Affairs

Subcommittee on Federal Spending Oversight and Emergency Management

To hold hearings to examine the effect of borrowing on Federal spending.

SD-342

3 p.m.

Committee on Small Business and Entrepreneurship

To hold hearings to examine how small businesses confront and shape regulations.

SR-428A

SENATE—Thursday, March 16, 2017

The Senate met at 11:30 and 1 seconds a.m., and was called to order by the Honorable JAMES LANKFORD, a Senator from the State of Oklahoma.

**APPOINTMENT OF ACTING
PRESIDENT PRO TEMPORE**

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, March 16, 2017.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JAMES LANKFORD, a Senator from the State of Oklahoma, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mr. LANKFORD thereupon assumed the Chair as Acting President pro tempore.

ADJOURNMENT UNTIL MONDAY,
MARCH 20, 2017, AT 10 A.M.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate stands adjourned until 10 a.m., on Monday, March 20, 2017.

Thereupon, the Senate, at 11:30 and 32 seconds a.m., adjourned until Monday, March 20, 2017, at 10 a.m.

HOUSE OF REPRESENTATIVES—Thursday, March 16, 2017

The House met at 10 a.m. and was called to order by the Speaker.

MORNING-HOUR DEBATE

The SPEAKER. Pursuant to the order of the House of January 3, 2017, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

WAITING FOR CENSURE, DENUNCIATIONS, AND REBUKES

The SPEAKER. The Chair recognizes the gentleman from Illinois (Mr. GUTIERREZ) for 5 minutes.

Mr. GUTIERREZ. Mr. Speaker, I use Twitter and have about 65,000 followers, which is pretty modest by Trump standards; but my staff is smart enough to keep the launch code secret from me so that when I say something, we find the right words to express what I want to say, and occasionally, very occasionally, I have a chance to cool down before I fire off a tweet. But this week we learned that one of our colleagues doesn't have a reasonable staff person who helps him think through his tweets.

On Sunday, STEVE KING of Iowa tweeted out his love and praise for the anti-Muslim nationalist candidate in Holland who is running on an explicitly White supremacist platform; anti-immigration, anti-Islam, anti-refugee, anti-people of color. This candidate is the full White nationalist package. And apparently, KING and Geert Wilders are very good friends.

In his tweet, Representative KING says: "Wilders understands that culture and demographics are our destiny. We cannot restore our civilization with somebody else's babies."

Let that sink in for a moment.

In context, what it means is: A, STEVE KING believes Western civilization is under attack by outsiders; and, B, those outsiders can never be assimilated or be considered part of our civilization.

God knows what Representative KING would think of my grandson who likes to tell me that in this arm he is Puerto Rican and in this one he is Mexican. But he says: "Grandpa, right here, I am 100 percent American."

You think: My grandson, yeah, he is right, and the Congressman from Iowa is wrong. I think my grandson is every bit as American as STEVE KING or I am.

I was born during Jim Crow, when separate but equal was the law of the land. But during my lifetime, we fought segregation and racism, and my daughters have been fighting it even more in their generation, so that exclusion, segregation, and racial hatred are no longer the law of the land.

Now, at least as far as I am concerned, my grandson, who was born in America, is an American, whether STEVE KING likes it or not. Born in Illinois, he is not someone else's baby. He is 100 percent American. He is part of our civilization, and he is the future of America, along with STEVE KING's grandchildren.

Just to be clear, Representative KING's message was warmly received and retweeted by none other than David Duke, the grand wizard of the Ku Klux Klan, who has been a very proud Republican candidate on numerous occasions.

Duke said: "Just in case you were thinking of moving, sanity reigns supreme in Iowa's Fourth Congressional District," and, "God bless STEVE KING."

Oh, but Representative KING was not done. He is never done. He did an interview with an Iowa talk radio show where he discussed "the plan" of television anchorman Jorge Ramos to make White people the minority in America, causing KING to respond that: "I will predict that Hispanics and the Blacks will be fighting each other before that happens."

So what happens when a Member of Congress makes racist remarks? Is he censured? Are his words taken down? Is he rebuked by the leaders of his party?

If he traveled somewhere without getting permission or he accepted a gift without prior approval of Congress, he would be punished. He might even get censured or called out in some way.

But for making racist comments, for supporting a racist candidate in someone else's election, or for saying things that receive high praise from David Duke and the KKK, nothing is going to happen. I have not heard leaders in the Republican Party scrambling to say that STEVE KING does not represent their views on race, religion, diversity, and the threat that "somebody else's babies" pose to American civilization.

A friend of mine in Chicago asked me what I thought was going on when a Member of Congress says such hurtful,

xenophobic things, calling, essentially, on Black and Brown people to join in a race war.

The answer is that people like Representative KING feel empowered; empowered by the presence of Steve Bannon, Stephen Miller, Jeff Sessions; empowered by a President who wants us all to fear Muslims, fear Mexicans, and, frankly, fear all Latinos, even my American-born grandson.

This is what happens when American men and women remain silent. When we do not stand up to the bully, the racist, the nationalist, they get more and more empowered. They get more and more empowered, and their actions become more and more normal.

Well, saying that Black and Brown people will be fighting each other and saying that non-White people are somehow somebody else's children and not our children—the children of a nation that believes all men are created equal—well, that is not normal, and the American people will not accept the silence of the majority party when one of their own speaks out in this way.

I am waiting for the censure, the denunciations, and the rebukes. But I suspect I will be waiting a long time.

25TH ANNIVERSARY OF ISRAELI EMBASSY BOMBING IN ARGENTINA

The SPEAKER pro tempore (Mr. JODY B. HICE of Georgia). The Chair recognizes the gentlewoman from Florida (Ms. ROS-LEHTINEN) for 5 minutes.

Ms. ROS-LEHTINEN. Mr. Speaker, tomorrow we will, sadly, commemorate the 25-year anniversary of the terrorist bombing against the Israeli Embassy in Buenos Aires, Argentina, which occurred on March 17, 1992. The terror attack also destroyed a Catholic church and a nearby school.

Twenty-nine people lost their lives in this horrific attack, including Israeli diplomats and their spouses, a Catholic priest, and Argentinian citizens, many of whom were children; and nearly 250 others were wounded.

Two years later, on July 18, 1994, over 80 people were murdered in a similar terrorist bombing at the building of the Jewish community organization, also known as AMIA, in Buenos Aires.

These two attacks had many similarities, Mr. Speaker: many innocent people lost their lives or were severely injured; Israelis and Jews were the main target for these horrific attacks; and, unsurprisingly, Iran, the world's foremost state sponsor of terror and its

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

terror proxy group, Hezbollah, were responsible for these attacks.

Yet here we are, 25 years after the Israeli Embassy bombing and 23 years after the AMIA attack, and those responsible for those cowardly acts have yet to be brought to justice.

It hasn't been for lack of evidence, Mr. Speaker. In fact, the Supreme Court of Argentina found that the Iranian-backed—U.S.-, Israel-, and Arab League-designated—Lebanese-based terror group Hezbollah was responsible for the embassy bombing. A preponderance of evidence shows that Iran directed, financed, and assisted Hezbollah in the commission of the terror attack.

Buenos Aires also called for a special prosecutor to investigate the AMIA bombing and appointed special investigator Alberto Nisman to the case. As a result, Argentina issued international arrest warrants for nine Iranian officials in connection with the AMIA bombing after Nisman determined that Iranian proxy Hezbollah was responsible for this heinous act.

Mr. Nisman's commitment to the rule of law and the fight against corruption and terror was unwavering. I had the honor and privilege to call Alberto a friend and speak with him frequently to discuss the case and Iran's role in these barbaric attacks.

Sadly, Mr. Speaker, Alberto was found dead in his apartment in Argentina on January 19, 2015, under mysterious and suspicious circumstances. In December 2015, President Macri made a bold statement, a decision, to create a special prosecutor to investigate Nisman's death, which hopefully will not only uncover the truth surrounding his death, but also could vindicate the work for which Alberto dedicated and maybe even gave his life.

We can honor Alberto's legacy by continuing his work to hold those responsible for the terrorist bombings 25 years ago against the Israeli Embassy in Buenos Aires and the AMIA bombing in 1994. That is why I am introducing a resolution today alongside Chairman ROYCE, Ranking Member ENGEL, TED DEUTCH, JEFF DUNCAN, and ALBIO SIREs, all of whom lead the way in holding Iran accountable for its cowardly acts of terror.

This resolution, Mr. Speaker, expresses support to the Government of Argentina for its investigation into the terrorist bombing of the Israeli Embassy on March 17, 1992, as well as the AMIA bombing on July 18, 1994. The resolution also commends President Macri for appointing a special investigator in December of last year to examine the 1994 AMIA terrorist attacks.

We are calling on our own government to assist Argentina in any way possible to ensure that perpetrators are brought to justice. We also urge responsible nations to work together to fight and defeat international terrorism and its state sponsors like Iran.

I urge all of my colleagues to support this important resolution, to take a moment today to remember those who suffered in Hezbollah's barbaric terrorist attack, and to continue to press those responsible to be brought to justice.

Lastly, Mr. Speaker, I would like to acknowledge and personally thank the Argentine Ambassador to the U.S., Martin Lousteau, for being here in the gallery this morning. The Israeli Ambassador to the U.S., Ron Dermer, is represented by Reuven Azar, Deputy Head of Mission at the Israeli Embassy, who was actually born in Argentina. I thank them for being here this morning.

I urge this investigation to go forward with U.S. support as well. I thank them so much, and let us remember the victims of these dastardly attacks today.

SPEAKING AGAINST THE AMERICAN HEALTH CARE ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, in the aftermath of the November election, it has been exciting to watch the unprecedented outpouring of citizen concern, activism, and, in some cases, outrage. America is finding its voice so Congress can find its spine.

Most recently, the people are demanding Congress be held accountable for the outrageous efforts on behalf of Republicans to dismantle the Affordable Care Act, forcing more expensive coverage for insurance plans that will not be as good and breaking the Trump promise of better, more affordable health care.

It has become clear that the Republican plan would force older Americans between the ages of 50 and 64 to pay 60 percent more for their health insurance coverage.

The Republican plan also seeks to unwind the life-changing expansion under Medicaid that has provided care for the poor, disabled, and lower income and helps people with mental illness and opioid addiction.

Wildly increasing the ranks of the uninsured and lowering the quality of care and affordability is so unacceptable to the American public that it is exposing deep divisions within the Republican ranks.

The wrecking crew is being slowed as public awareness and citizen action spread across the country. This morning, the American public has drawn a new assignment: to resist the Trump budget. It is shocking in its reckless cuts to programs that Americans hold dear.

□ 1015

What does it say that the cuts proposed to the Environmental Protection

Agency are so extreme that even the EPA Administrator, Scott Pruitt, who has made a career out of attacking the EPA, found it too brutal even for him?

The unnecessary expansion of some defense spending, especially the trillion-dollar spending spree that we are embarking on for new nuclear weapons, is completely out of sync with our real defense needs and slashing vital State Department programs that enhance our security.

Trump would not just impose shocking reductions on peacekeeping and humanitarian action, but he would deny the State Department the ability to exercise soft power. This compromises our national security interests and leaves us less safe.

Critical and widely supported lifesaving medical research efforts will be slashed, reversing years of bipartisan effort to enhance medical research to fight disease, illness, and disability.

At a time of housing crisis across the country, some of the few Federal tools to increase affordability and combat homelessness are being cut away.

This budget disaster would even zero out Federal support for public broadcasting, even though it represents just a tiny sliver of Federal budget and supports a vital public service. Public broadcasting is supported by an overwhelming majority of Americans, even those who voted for Donald Trump. Appallingly, those cuts would punish rural and small town America that are more dependent than anybody else on public broadcasting support to be able to maintain that service.

The people who are resisting this reckless administration have this new assignment: resist the budget; make clear to their representatives that it should be dead on arrival; that decades of bipartisan support for vital programs to protect the environment, human services, international humanitarian interest, medical research, even public broadcasting will not be tolerated.

People are making a difference, but America needs all of us to find our voice so that Congress does its job.

PENN STATE EXTENSION IS A VALUABLE SERVICE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to commend the efforts of Penn State Extension, which is an educational network that gives the people in Pennsylvania's 67 counties access to the university's resources and expertise, especially its agricultural resources as a land-grant university.

Cooperative extension services began in 1914. The Smith-Lever Act established a system of cooperative extension services connected to the land-

grant universities in order to inform people about the current developments in agriculture, home economics, public policy and government, leadership, 4-H, economic development, coastal issues, and many other related subjects. It helped farmers learn new agricultural techniques by the introduction of home instruction.

Since its inception, it has been focused on informal, noncredit adult continuing education. Thus, cooperative extension is not a service, but a scholarly content-driven educational mission of the university. This program is funded by the U.S. Department of Agriculture, State, and county governments. Through these county-based partnerships, Penn State Extension educators, faculty, and local volunteers work together to share unbiased, research-based information with local residents.

Penn State Extension can help you become a master gardener. It helps teach families how to prepare and preserve food safely. It can help you learn about how to start a home-based business or how to properly prepare tax forms. Penn State Extension helps individuals, families, businesses, and communities throughout Pennsylvania with information and a broad range of educational programs.

Everyone in the community can tap into the assets and information of our major research university, and there are numerous ways to learn. You can attend an educational event, take an online course, read a publication, or speak face-to-face with an extension educator. There is no shortage of learning opportunities with Penn State Extension.

Mr. Speaker, this is just one way that Penn State is extending knowledge and improving the quality of life for all Pennsylvanians. The programs are very localized and touch every county in the State through 21 separate districts. Extension is particularly helpful to farmers and those involved in the agriculture industry, which is Pennsylvania's number one economic driver.

Whether you are a beginning farmer or you have a few years under your belt, it is good to know you are not in the farming world alone. Extension activities can help connect you with others to share ideas, trials, and tribulations. In fact, Federal cooperative extension programs have helped more than 137,000 farmers stay in business just since 1985. Without cooperative extension and the underlying research, researchers have estimated that the country would have lost 28 percent more farmers than those who actually left agriculture.

Who would feed us? Who would provide that food, fiber, building materials, even forms of energy that our farmers and farm families do today?

By design, extension is locally directed and responsive to the needs of

local communities. I am grateful that Penn State is one of those land-grant universities and can offer this service to the public. It helps keep our local farmers abreast of the most up-to-date information that impacts the industry and impacts the lives of families. It helps promote lifelong learning and provides invaluable support and assistance to our communities. That is something for which we can all be very proud.

AN IMMIGRANT STORY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Massachusetts (Mr. KENNEDY) for 5 minutes.

Mr. KENNEDY. Mr. Speaker, I rise to share the story of a family that I have come to know. They came from a humble place, scraping by. Amidst instability in their native land, they could barely keep food on their table. For years, their government ignored their struggle and suffering. Like so many others, they dreamed of a better life in America.

Finally, they managed to cobble together enough money to make the dangerous journey to our shores. Yet, once here, they discovered that life wasn't so easy. They were resented for their accents, their faith, and their foreign ways. Doors were slammed in their faces when they sought work.

So they worked harder. They leaned on each other and those who came before. They forged a community and they organized. They built churches, businesses, and schools. Slowly but surely, they began to enjoy some measure of success and stability.

Mr. Speaker, I am sure that there are Garcias or Asgaris or Rodriguezes that share that same story, but the one I tell is not theirs.

This family's name is Kennedy. Struggling immigrants whose quest for a better life took them from Ireland's potato famine to Boston's immigrant barrios. It is the ageless story of a young man looking for a better future, of a family in search of a safe place to settle down, of the sacrifice that any parent would make for the benefit of their children. And it has been repeated millions of times in every corner of our world in the over 150 years since my ancestors fled their home to find a new one.

My father has a memory of my great-grandmother, Rose, that he shared with me once. He was playing outside with friends one day when she called him in. As he fidgeted around and impatiently tried to sit still, she pulled out a big scrapbook and flipped to a stack of carefully folded newspapers in the back. One after another, she opened them up to the help wanted section. There, she pointed to ad after ad marked in big block letters: No Irish need apply.

My great-grandmother's message was clear: Don't forget where you came from, don't forget the blood and the sweat and the tears that generations before you have shed so that you would never feel the sting of prejudice.

For my family and so many others, this became a deeply personal fight. In July of 1964, a young Attorney General named Robert Kennedy sat in front of the House Judiciary Committee. There, my grandfather urged Congress to act on immigration reform. Our system, he said, "is a source of embarrassment to us around the world, it is a source of anguish to many of our own citizens, it is a source of loss to the economic and creative strength of our nation as a whole, it is inconsistent with our principles and out of step with our history."

The opposition that he and other advocates have faced half a century ago sounds eerily familiar to so many of us today: Immigrants will flood our cities and towns. They will take American jobs. They will poison American culture. They aren't from here. They aren't like us. They are somebody else's babies.

Fifty years later, the opposition still hasn't updated their talking points. Fifty years later, our broken immigration system is still a source of embarrassment, but worse, of anguish and of loss. Fifty years later, we face a threat unlike almost any we have seen in recent history: a President who has built an entire campaign—and now an administration—on the scapegoating of immigrant families.

We have watched President Trump threaten our most fundamental American values with border walls and bad hombres. We have heard his racial epithets. We have seen cold-hearted executive orders. We have stood in horror as his administration sweeps the country with raids that appear unprecedented in their utter disregard for family, community, and common decency.

That is why I stand here today, on the eve of St. Patrick's Day, the proud son of Irish immigrants and the humble beneficiary of our country's golden doors, to deliver a message to immigrant families: President Trump does not speak for all of us, and his immigration policies are opposed by leaders in Washington who do not take your patriotism for granted. We are grateful for your contribution to our communities, our culture, and our economy. We understand your willingness to walk to the ends of the Earth, to navigate oceans and mountains and deserts and war zones because every parent would do the same. We know what you have risked to give them a better future and what you have sacrificed to be a part of our United States. We stand by your side in the fight ahead.

The SPEAKER pro tempore. Members are reminded to refrain from engaging in personalities toward the President.

THE NEED FOR IMMIGRATION REFORM

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. COSTA) for 5 minutes.

Mr. COSTA. Mr. Speaker, I rise today to speak about the need for bipartisan and comprehensive immigration reform. I am disappointed by President Trump's actions on immigration during his first 2 months in office. I do not say that lightly, because I want this President to succeed, as I want every President to succeed, because if they succeed, so does our country.

But the President's comments and actions to implement policies that don't hold up American values has me feeling very uneasy. To say the least, his erratic statements made on domestic and foreign policy, that he has either taken back or corrected, demonstrates a lack of diplomatic experience. For example, issuing an executive order to build a wall on the U.S.-Mexican border is not a real solution to fixing our broken immigration system. It does little, if anything, to improve our national security, and it would only hurt trade relations with Mexico, which would have a very serious economic impact not only on American exporters, but especially California's agriculture industry.

Additionally, the Trump administration's directives to deport undocumented immigrants, regardless of how long they have lived here and the contributions they have made to our society, is a strong example of the President's implementing policy that not only is flawed from a human rights perspective, but it is going to have a negative impact on our economy as well.

President Trump is forcing over 11 million individuals who have lived in the United States for decades deeper into the shadows of our communities. They are scared to go to work, scared to go to school, and scared to live their lives. California's agriculture industry relies heavily on a workforce of individuals who are undocumented and work every single day to accomplish the American Dream for themselves and their families. These individuals are not only contributing to the agriculture industry, but they are also students, entrepreneurs, and businessowners.

Furthermore, implementing an executive order to ban travel to the United States is not the American way. As many people in my district are aware, President Trump's first travel ban prohibited a 12-year-old girl, Eman, and her U.S. citizen father from coming home to the United States, and his order put them in harm's way while they waited in Djibouti.

□ 1030

Last month, a Federal appeals court ruled to block that executive order travel ban. Four weeks ago, father and

daughter finally came back to Los Banos to rejoin their family.

Our President and his team had to go back to the drawing board, as we know, to issue a new executive order. And just last night, his second executive order to ban travel was blocked.

The Trump administration claims that the flawed executive orders are:

One, a vital measure for protecting national security;

Two, work to improve the vetting process; and

Three, that the United States has a right to vet people who are entering the country and keep people out who are doing us harm.

I agree that we need to work together to protect national security. The Federal Government is obligated to keep our country safe and vet people who enter this country. And guess what? Thorough and rigorous vetting policies are already in place, and they have been going back to the Bush administration ever since 9/11. That is nothing new. My office receives case-work on a weekly basis regarding visas that are being extremely vetted and individuals who are waiting for years to get the proper visa to come to this country. That is extreme vetting.

I strongly encourage the President to work with us in Congress and implement a policy that actually strengthens our national security, upholds our national security, and upholds our American values that we all cherish. Working together on a bipartisan basis, we can fix our Nation's broken immigration system. Working together, we can make important investments in our infrastructure, and we should. Working together, we can reform our tax system so it is simple and fair. Working together, we can negotiate a farm bill that provides benefits for all Americans. Working together, we can fix the Affordable Care Act.

Clearly, in regards to the ACA, my Republican friends have decided to go at it alone. That is too bad.

I stand ready to work with the President on a bipartisan basis on all of the above, but the President must reach out. I sincerely want our President to do well because that is what is in the best interest of our country, as I want every American President to do well. But it will not happen. It will not happen, my colleagues, my friends, unless we work together.

MASSIVE TAX BREAKS FOR THE WEALTHY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. DEFAZIO) for 5 minutes.

Mr. DEFAZIO. Mr. Speaker, over the last 7 years, we have heard a lot from the Republicans about repeal and replace. They voted some 67 times to repeal the Affordable Care Act, which they call ObamaCare.

We have seen their so-called replacement plan. Actually, it is a plan to gut the Affordable Care Act and stuff through massive tax breaks for the wealthy. What is new? That is the number one, two, and three priority of the current Republican majority here in the House of Representatives.

They got an analysis Monday. It was a little discouraging, but not really. The Speaker touted the fact it would reduce the deficit by \$377 billion. Sure, if you take away health care from 24 million people, you can save some money on that end, but you lose a lot on the other end with families going bankrupt. The most frequent cause of bankruptcy in America was an uninsured healthcare emergency before the Affordable Care Act.

Small rural hospitals will be closing their doors all across America if this bill goes through. And even the larger hospitals, having to give more uninsured care to people in crisis, will be having to jack up prices, and, of course, that means higher premiums for everybody else. Back to the good old days of freedom to choose. In this case, their freedom to choose bankruptcy, or death, or who knows what else, under this plan.

They have really painted a target on older Americans. They are going to allow the healthcare insurance industry—which, by the way, is exempt from antitrust law, so it is not competitive. They keep saying: Competition and choice. How do you have competition when an industry does, and is, allowed to collude to set prices to exclude certain areas or people from coverage or certain diseases from coverage? They can do that all behind closed doors. It is legal for that industry. And they will not include a provision to take away their antitrust immunity as part of this bill.

So they are going to allow insurance companies to charge anybody age 50 or older five times the premium for a younger person. Now, let's look at, say, a modest income of a 21-year-old of \$27,000 a year. They will actually pay \$250 less for a policy that will cover less. But that is okay, I guess, sort of, maybe.

But for a 64-year-old earning the same amount of money—and there are 64-year-olds out there still working who can't get Medicare yet and don't have a big retirement fund—they are still working for modest wages of \$27,000 a year, they will see their healthcare costs go from \$1,700 a year to \$14,600. So a 64-year-old American working person with an income of \$27,000 would have a premium of \$14,600. Now, how is that going to work? How is that going to work? More than half of their income would go to pay for a health insurance plan. They have put a target square on those millions of people, and that is absolutely outrageous.

This bill is tax cuts very thinly disguised as the American Health Care

Act. The cuts are pretty astounding. If you earn \$700,000 a year, you will get a \$37,000 tax cut. Now, those people are really hurting. Those people at \$700,000 a year are worried about their health insurance. No, not so much. They probably get it for free through their corporate connections, or whatever. And even if they did, with \$772,000, they can afford the increase with a \$37,000 tax break.

But then how about the most privileged of the privileged of the privileged, those in the top 1 percent whose income averages \$4 million a year? They get a tax cut of \$207,000 a year under this bill. This bill is tax cuts disguised as an excuse for a replacement for the ACA.

There are a few other tax cuts, again, really deserving and needy folks—the pharmaceutical industry, \$25 billion, and the medical device industry, \$20 billion. And health insurance companies exempt from antitrust law can, once again, pay their CEOs \$5 million or \$10 million a year and take a full tax deduction, which under current law they can't.

So here it is, the goodie bag: Tax cuts for the wealthiest among us, tax cuts for the pharmaceutical industry, health insurance industry, medical device manufacturers; and, for the rest of America, the booby prize, which is healthcare plans that cover less and cost a lot more.

Oh, and then a couple of years out, 14 million people will be cut off of Medicaid.

These are really expensive tax cuts, and they have got to be paid for. The Republicans are fiscally responsible. They are going to pay for the tax cuts for people who earn \$1 million a year, they are going to pay for the tax cuts for the pharmaceutical industry, but they have to screw a hell of a lot of people to do it.

The SPEAKER pro tempore. The Chair would remind Members to refrain from using vulgarity.

RECOGNIZING RESIGNATION OF MUSTAFA ALI

The SPEAKER pro tempore. The Chair recognizes the gentleman from Virginia (Mr. MCEACHIN) for 5 minutes.

Mr. MCEACHIN. Mr. Speaker, I rise today in recognition of Mr. Mustafa Ali's 24 years of service to the health and wellness of the American people.

On March 7, Mr. Ali sent his resignation to Administrator Scott Pruitt. He resigned from his post as the leader of the Environmental Protection Agency's Environmental Justice program.

For more than 2 decades, Mr. Ali led our Nation's leaders on environmental justice in their search for equalizing the playing field for vulnerable communities that have been victims of actions that threaten their public health and the quality of their air, water, and land.

In his letter, Mr. Ali said, in part:

Communities of color, low-income communities, and indigenous populations are still struggling to receive equal protections before the law.

These communities, both rural and urban, often live in areas with toxic levels of air pollution, crumbling or nonexistent water and sewer infrastructure, lead in their drinking water, brownfields from vacant former industrial and commercial sites, Superfund and other hazardous waste sites, as well as other sources of exposures to pollutants.

Despite the many challenges we face regarding the impacts of pollution and a changing climate, we have just as many effective tools and programs, with long track records of assisting vulnerable communities in meeting their goals of improving public health and enhancing the environmental quality of their local communities.

Mr. Ali's resignation is a signal for me. In my eyes, a longtime soldier in the fight to level the playing field for all Americans to live in a clean environment left the Environmental Protection Agency because it was no longer welcoming for individuals who want to work with facts.

As we await the President's fiscal year 2018 budget, we need to remember how impactful Environmental Justice programs are to our constituents' health. Flint is one of the most salient examples of what can happen when environmental justice watchdogs are not empowered to do their good work.

OBAMACARE FAILED TO MEET ITS GOALS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Washington (Mrs. McMORRIS RODGERS) for 5 minutes.

Mrs. McMORRIS RODGERS. Mr. Speaker, I rise today because ObamaCare, though well intentioned, has failed to meet its own goals and promises.

There is a lot of passion on both sides of the aisle, I know. I just sat through 27 hours of debate in the Energy and Commerce Committee last week. It is clear that Republicans and Democrats have shared goals when it comes to health care. We want lower premiums, more choices, high-quality health care, the best in the world. But ObamaCare did not get us there. And if we continue on the current path, health care in this country is only going to get worse.

Premiums this last year alone have risen, on average, across this country by 25 percent. One out of three counties only has one plan available to them. Networks are collapsing.

That is why we are working to repeal and replace ObamaCare. We are committed to creating a better healthcare future for every person in America. No back-room deals, no ramming through bills no one has had time to read, and no surprises.

Every step of the way, we want to hear from you, the American people. Visit readthebill.gop and give us your

feedback. Health care should be an open, transparent process through regular order, and that is exactly what we are doing with the American Health Care Act.

OPPOSING GOP REPEAL BILL

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Alabama (Ms. SEWELL) for 5 minutes.

Ms. SEWELL of Alabama. Mr. Speaker, today, I rise to express my opposition to the GOP healthcare bill.

On Monday, we received from the CBO a report that the House repeal bill will increase the number of uninsured Americans by 24 million in 2026. Fifty-two million Americans will be uninsured in 2026, which is more than ever before, and definitely more than the Affordable Care Act.

The intentions here are clear. The bill's drafters are choosing to ration care for the elderly and the working class to fund tax cuts for the Nation's highest earners.

Under the GOP bill, a 64-year-old, with an income of \$26,000, will have to pay a net of \$12,900 more each year for her coverage than she currently does. In addition to the disproportionate harm that this bill will do to seniors, it will also accelerate the insolvency of the Medicare trust fund by 3 years.

Mr. Speaker, the GOP plan cuts \$880 billion from projected Medicaid spending over the next decade, while providing almost \$600 billion in tax cuts to the wealthy and to corporations. Sixty-four percent of the tax cuts would go to millionaires and billionaires, while an additional 20 percent would go to those making between \$500,000 and \$1 million. Mr. Speaker, less than 1 percent of my constituents make more than \$200,000, so it would be irresponsible of me not to voice my concern for a bill that contradicts the interests of my constituents so blatantly.

When I first got a copy of the bill less than 2 days before we marked it up in the Ways and Means Committee, I was left wondering if the bill was written to address our Nation's healthcare challenges or just to relieve the wealthy few of their tax obligations.

The drafters of this bill made the disappointing choice to favor value tested and failed trickle-down economics over investing in a stronger, healthier America. Large numbers of unhealthy and uninsured Americans are not reflective of the governing bodies that make good choices.

The Republican health plan directly slashes funding for people with disabilities by \$12 billion, cutting the program that helps people live in their communities and reach their full potential.

□ 1045

I represent a historically underserved constituency in Alabama's Seventh

Congressional District. The median income in my district is less than \$34,000. The majority of the health providers in my district have a patient population that is disproportionately dependent on Medicare and Medicaid and is uninsured. These healthcare providers cannot withstand caps to Medicaid or increases in their uninsured population. If this bill is implemented without substantial changes, rural health care will be lost and rural lives will be at risk.

In my district, I have met constituents who have weekly made choices between whether to buy medicine or to put food on the table. I have a pediatrician in my district in Birmingham who will stop what she is doing to track down patients newly infected with STDs so they do not transmit it.

In States with so many high rates of STDs in this country, every attempt to curb the spread of disease is critical. The GOP bill guts the Prevention and Public Health Fund, which helps community doctors provide preventative care and reduce the threat of public health crises.

Mr. Speaker, over the past several weeks, my office has received over 600 emails from constituents about health care. Many shared positive stories about the Affordable Care Act. Others, particularly those from low-income areas, fall in that gap, that Medicaid gap; and the State of Alabama, like so many Republican-led States, did not choose to expand Medicaid.

Unfortunately, the GOP health bill is not the answer. This bill will take Medicaid away from America's children, working parents, and seniors in nursing homes. By 2026, nearly 30 percent of Americans aged 50 to 64 earning \$30,000 will be uninsured. Surely, Mr. Speaker, this is not what this body intended.

This bill is not only morally unsound, but fiscally irresponsible, and I urge my colleagues to vote "no" for the GOP repeal bill.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 47 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BOST) at noon.

PRAYER

Reverend Dr. Andrew Chaney, First and Calvary Presbyterian Church, Springfield, Missouri, offered the following prayer:

God, You are never far, but the busyness of each day makes You feel distant. Inner barricades block Your guidance—fears haunt us, worries entangle our minds, and pressures cast shadows upon our hearts. Keep these anxieties of life from overwhelming us.

Give us victory over pride so that our common humanity may provoke new inroads of compassion to sympathize more deeply with those in need.

Give us victory over stubbornness. Replace the grudges that hinder our collaboration with forgiveness that opens minds to new possibilities.

Give us victory from the stain of lustful sins. Keep us on the straight and narrow path. Cleanse and purify our hearts by the inspiration of Your holy spirit.

O God, give these Members of Congress a courageous perseverance, an unshakeable integrity, a spirit that cannot be broken. Secure the faith of this House, thereby securing the heritage and the future of America.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. WILSON of South Carolina. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. WILSON of South Carolina. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from California (Mr. RUIZ) come forward and lead the House in the Pledge of Allegiance.

Mr. RUIZ led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WELCOMING REVEREND DR. ANDREW CHANEY

The SPEAKER pro tempore. Without objection, the gentleman from Missouri (Mr. LONG) is recognized for 1 minute.

There was no objection.

Mr. LONG. Mr. Speaker, today I have the honor of introducing my friend Reverend Dr. Andrew Chaney.

Reverend Chaney is a third-generation minister. He serves as the senior minister at the historic First and Calvary Presbyterian Church in Springfield, Missouri, a church that is a special place to my family. Reverend Chaney serves as an important spiritual voice for me and the Springfield community.

Congress has a longstanding tradition of beginning each session with a prayer. I am privileged and honored to have the opportunity today to welcome Reverend Dr. Andrew Chaney to the people's House as he opened today's session with a prayer.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 further requests for 1-minute speeches on each side of the aisle.

CLIMATE CHANGE

(Ms. STEFANIK asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. STEFANIK. Mr. Speaker, my district is the proud home to Adirondack Park, an environmental treasure. We understand in the north country that protecting our environment plays an important role in promoting economic growth and opportunity.

Along with 16 of my colleagues, I am proud to introduce a resolution calling on the House of Representatives to commit to working on economically viable solutions that address the threat of climate change.

Clean energy innovation is critical, and this resolution brings together the priority of addressing the risks of climate change with the importance of protecting and creating American jobs. This resolution calls on American ingenuity, innovation, and exceptionalism, also citing that it is a conservative principle to protect, conserve, and be good stewards of our environment.

No matter what side of the aisle you are on, we all have a significant responsibility to protect our environment from avoidable damage. I ask my colleagues to join in this commitment and support this important resolution.

RESOLUTION OF INQUIRY

(Mr. QUIGLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. QUIGLEY. Mr. Speaker, today I have introduced a resolution of inquiry requesting that the President and Attorney General provide the House with

any evidence in their possession relating to President Trump's claims that President Obama illegally ordered the wiretapping of Trump Tower, a task not welcomed but necessitated by the President's seemingly baseless accusations that the Obama administration wiretapped Trump Tower during the Presidential campaign. These accusations should be taken literally and seriously.

As a member of the Intelligence Committee, I have seen absolutely no evidence that supports the President's claims. President Trump and the Department of Justice have a responsibility to completely clarify the President's statement on Twitter.

If the White House and Department of Justice are unable to produce this evidence, as I suspect will be the case, the President owes the American people a thorough and immediate explanation and apology.

LET'S TAKE CARE OF OUR VETERANS

(Mr. ALLEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ALLEN. Mr. Speaker, today I rise in support of the VA Accountability First Act. This legislation provides the VA's Secretary with increased ability to remove, demote, or suspend any VA employee for poor performance or misconduct.

Why it takes legislation to enforce common sense is beyond me. Just like in the business world, the VA and its employees must be held accountable for their actions.

Three weeks ago, I hosted a veterans townhall in Swainsboro, Georgia. Many of the complaints and concerns shared with me were about wait times. One thing no one has enough of is time, especially our veterans. For far too long, veterans have waited for care at their own expense. This is unacceptable.

It is our responsibility to not only take care of, but provide the best possible care to our servicemen and -women. Getting rid of bad and incompetent actors is a great place to start.

I encourage my colleagues to support this legislation. It is truly the least we can do for those who have done so much for us.

WHAT WILL AMERICAN HEALTH CARE ACT MEAN?

(Mr. RUIZ asked and was given permission to address the House for 1 minute.)

Mr. RUIZ. Mr. Speaker, the American Health Care Act, known as TrumpCare, will cause 24 million more people to go without health insurance over the next decade.

As an emergency physician, I know that everyone, even healthy young peo-

ple, are vulnerable to car accidents or diseases that require critical care. Whether they have insurance or not, people get sick and get injured.

I have never treated a patient who said they were uninsured because they preferred to be uninsured. They simply couldn't afford it.

So what does 24 million more uninsured people mean?

It means more pain, suffering, and shorter life spans for people who go without care.

It means more ER visits and a longer wait to see a doctor in the emergency rooms for everyone.

It means financial ruin for young families or those ready to retire.

It means that hospitals and providers might lay off workers or even go out of business due to rising uncompensated care. It means they will charge more to make ends meet, which will raise premiums and out-of-pocket costs for everyone. Everyone will have to pay more.

I urge everyone to vote "no."

HOUSE REPUBLICANS FULFILL PROMISE

(Mr. WILSON of SOUTH CAROLINA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, an editorial last week in the Post and Courier of Charleston cites "GOP health bill a start," which provided accurate insight into how the American Health Care Act is the first step in a three-step approach on how to put patients back in control of health care.

The editorial states: "Any flaws notwithstanding, it's an important step forward for the GOP to put a fully fleshed-out healthcare bill on the table. . . . But there is certainly cause for optimism that a tweaked . . . healthcare bill can at least bandage and begin to cure some of the festering wounds left by ObamaCare. . . ."

"Republicans have a chance to make things right. They have a chance to help more Americans afford health care in a sustainable and responsible way. They have the chance to place more healthcare decisions in the hands of patients and doctors and fewer in the hands of government.

"The bill introduced on Tuesday is a first step in the right direction. . . ."

I appreciate the positive vision of Speaker PAUL RYAN with President Donald Trump and his team of OMB Director Mick Mulvaney and HHS Secretary Tom Price.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism to defeat Islamic extremist terrorists.

DEFEAT TRUMPCARE

(Mr. GENE GREEN of Texas asked and was given permission to address the House for 1 minute.)

Mr. GENE GREEN of Texas. Mr. Speaker, 24 million Americans will lose their health insurance. They will become uninsured. We call it TrumpCare, as it should be called.

For 7 years, Republicans have said they have a better alternative to the Affordable Care Act. President Trump promised on the campaign trail that Republicans would put forward a plan that would have insurance for everybody which would be far less expensive and far better for the American people.

We now know the Congressional Budget Office report says that 24 million people will lose their health insurance, including 7 million who will lose their insurance they currently have through their employers.

Older Americans waiting to get on Medicare would be charged five times what they pay now. It reduces the Medicare trust fund, and it cuts 25 percent in Medicaid, a program that provides care for children and senior citizens.

Mr. Speaker, this plan is both heartless and financially unsound. This repeal bill does not lower premiums or out-of-pocket costs nor does it expand access to care, and it provides a huge tax cut poorly disguised as a healthcare bill.

We need to defeat this bill.

THE RUSSIAN INVASION OF CRIMEA

(Mr. POE of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE of Texas. Mr. Speaker, this week marks 3 years since Russia violated Ukraine's territorial integrity and illegally stole Crimea.

In 2014, the people of Ukraine peacefully decided to move closer to the European Union and away from the Russian sphere of influence. However, the Napoleon of Siberia would have none of it. Russian troops invaded the Crimean Peninsula of Ukraine. Little green men then invaded two more regions in eastern Ukraine.

The Russian invasions have cost 10,000 Ukrainian lives, but Russia has not stopped. Troops are pursuing a slow strategy to take more and more territory in eastern Ukraine.

Russia has invaded a sovereign country and taken over its lands. Mr. Speaker, what country is next?

The American people must stand with Ukraine and against the tyranny of the Russian bear. It is time to stand up to Putin. He must pay a price for his aggression. Sanctions against and isolation of the bear are good places to start.

And that is just the way it is.

A CALL FOR HEARINGS TO DETERMINE ROOT CAUSE OF WAVE OF HATE CRIMES

(Mr. KRISHNAMOORTHY asked and was given permission to address the House for 1 minute.)

Mr. KRISHNAMOORTHY. Mr. Speaker, over the last few months, we have seen a surge of hate-driven violence, vandalism, and threats against numerous communities. As a member of the Oversight Committee, I am calling for hearings to determine the root cause of this wave of hate crimes and how we can combat it.

While our government must show its commitment to answering these attacks, the American people already have. Desecrations of Jewish cemeteries were met with waves of volunteers assisting in their restoration. Mosque burnings were met with contributions from Americans of all faiths to help the rebuilding. And when two Indian men in Kansas were shot and one murdered, a Caucasian third man was wounded when he heroically sought to intervene.

These actions speak to the resilience of our people, the highest principles of our Nation, and why we are proud to be Americans. America is, indeed, an exceptional nation.

I hope Chairman CHAFFETZ will heed my call and hold hearings on this wave of hate-inspired attacks to help America remain exceptional.

□ 1215

IMPROVING VETERANS' ACCESS TO CARE

(Mrs. ROBY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. ROBY. Mr. Speaker, I am pleased that the House this week is taking action to bring much-needed accountability and improvement to the VA.

Two and a half years ago, in the wake of the veterans waitlist scandal, Congress rightfully passed legislation giving the VA Secretary greater authority to fire senior managers responsible for those failures. I was glad to support the bill. In fact, the director of our own scandal-ridden central Alabama VA became the first fired under the new law.

But, Mr. Speaker, we all know that law did not go far enough. Responsibility for failures at the VA doesn't just lie with senior managers. We need to provide the VA Secretary increased authority to swiftly remove, demote, or suspend any VA employee for poor performance or misconduct. That is why I urge my colleagues to support the VA Accountability First Act.

The problems at the VA may have left the front page for now, but the problems are still very present. The

work of improving veterans' access to care is far from over, and I will not stop until it is done.

WAR IS BEING DECLARED ON THE GREAT LAKES

(Mrs. DINGELL asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. DINGELL. Mr. Speaker, I rise today because war is being declared on the Great Lakes. Those of us who live in the Great Lakes region recognize that the current times are anything but useful.

The Great Lakes account for 21 percent of the world's freshwater supply and are a major thoroughfare for transportation, commerce, trade, as well as recreation and tourism. Critical investments over the last decade have helped clean up and protect these waters, and that work is now in danger. Much is preventable and it must be stopped.

President Trump's budget released today virtually eliminates funding for the Great Lakes Restoration Initiative, which will cause significant harm to our communities, to jobs, and to our way of life. This jeopardizes our ability to fight back against invasive species that threaten the region's biodiversity, including the Asian carp. It also impacts vital cleanup projects that ensure our water is safe to drink. And there are those who want to store nuclear waste in the Great Lakes as well. It is not a partisan issue; it is an American issue.

RESUSCITATE OUR HEALTHCARE SYSTEM

(Mr. CARTER of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARTER of Georgia. Mr. Speaker, I rise today to urge my colleagues to support resuscitating our healthcare system.

ObamaCare is being crushed under its own weight and the American Health Care Act will deliver a better way for health care. One of the greatest failures of ObamaCare is that it forces Americans into coverage that they do not want and that they cannot afford.

Our plan, instead, is designed to empower patients to access quality, affordable, and patient-centered health care. The American Health Care Act will put the free market back into health care, giving Americans the freedom of choice. Instead of Washington controlling the decisions of patients, we will empower them to make their own choices.

Americans deserve to have access to quality, affordable, and patient-centered health care, and this is how we intend to make this a reality. Remember, this is the first phase of this mis-

sion to rescue our country's health care, and I am committed to making sure that it is not the last.

Phase two is underway with administrative actions from our friend, Secretary of Health and Human Services, Dr. Tom Price. Leader MCCARTHY has begun to lay out additional legislation that we could not include in reconciliation. We will waste no time on this and we will begin consideration next week.

The battle does not end with the American Health Care Act, but it is a crucial first step to a better tomorrow.

CBO ANALYSIS ESPECIALLY BAD NEWS FOR WOMEN

(Mrs. CAROLYN B. MALONEY of New York asked and was given permission to address the House for 1 minute.)

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, today the House Budget Committee passed the Republican healthcare plan.

We all know by now that the recent CBO analysis has some very bad news for millions of Americans, but it has some especially bad news for women. The GOP plan makes Planned Parenthood ineligible for any reimbursement from Medicaid or Medicare for one entire year. More than half of Planned Parenthood facilities are in rural or medically underserved areas. Even in my district in New York, women are lined up outside the building and down the block, often waiting for Planned Parenthood services.

Yet, the CBO says that if the GOP plan becomes law, more than 15 percent of low-income women in our country will be without any access to health care—no cancer screenings and no tests and treatments for STDs. Women's lives and well-being should have greater value than this, but they just don't seem to count in the cruel math of this merciless law.

PUT HEALTH CARE BACK IN THE HANDS OF AMERICANS

(Mr. RICE of South Carolina asked and was given permission to address the House for 1 minute.)

Mr. RICE of South Carolina. Mr. Speaker, 4 percent of the people of South Carolina have individual policies under ObamaCare. I submit to you that if you have a health insurance policy that pays nothing, with a deductible so high that you can't use it, regardless of the fact that statistics may say you are covered, you are not covered.

Sadly, that is what many of my constituents back home in South Carolina are dealing with under ObamaCare. I have statement after statement from folks in South Carolina that are being horribly damaged by this law. They are faced with rising premiums, high deductibles, and limited choice.

In my State, premiums went up nearly 30 percent last year. At one time,

South Carolina had five different providers. Now there is only one, and they are threatening to pull out.

What happens then?

By now it is clear that this law is not helping South Carolinians the way it was intended. But what I also want to make clear is Republicans have a plan to fix it. Our plan does a blanket repeal of harmful ObamaCare taxes, like the individual and employer mandates. It preserves patient protections so people won't be denied for preexisting conditions. It gives individuals and families better control of their health care by allowing them to spend their healthcare dollars as they see fit.

Simply put, our plan moves us from an unsustainable path to a sustainable one.

SKINNY BUDGET

(Mr. EVANS asked and was given permission to address the House for 1 minute.)

Mr. EVANS. Mr. Speaker, this morning, President Trump has released the first budget proposal of his administration.

In reading through the budget proposal, I am reminded of what President Trump said in the summer when he was speaking to the African-American community in a rally in Philadelphia.

He said: What do you have to lose?

This is what we have to lose: eliminating the Department of Housing and Urban Development's Community Development Block Grant program, whose sole purpose is to combat poverty nationwide.

This is what we have to lose: cutting funding for Head Start and before- and after-school programs for our kids does not give them a chance to get ahead.

This is what we have to lose: stripping funding for Medicaid in your new healthcare law that provides critical services for our most vulnerable.

This is what we have to lose: all of those cuts do not give our seniors, our children, and our working families a chance to get ahead.

Our communities have too much to lose, Mr. President. Our communities need the opportunity to make crucial investments that make our neighborhoods stronger block by block.

WE MUST IMPROVE FOOD ACCESS

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, a healthy diet for many Americans may have nothing to do with commitment, but, rather, accessibility.

Limited access to supermarkets and grocery stores with fresh nutritional food can be a challenge in both rural and urban communities. These are often called food deserts.

This is a particular concern for the Supplemental Nutrition Assistance Program, or SNAP, which intends to provide nutrition to millions of Americans.

According to the USDA, to qualify as a low-access community, at least 500 people and/or at least 33 percent of the population must reside more than 1 mile from a supermarket or large grocery store. For rural areas, the distance is more than 10 miles.

It is difficult to eat healthy when the easiest store to get to primarily provides packaged and processed food. SNAP recipients may find a local market convenient, but it often offers high-calorie foods with minimal nutritional value. These foods can often be a staple for families with limited resources.

It is my hope that we can increase access to fresh food for communities throughout the country. Our families deserve no less.

I look forward to working with the Agriculture Nutrition Subcommittee to continue to look at the SNAP program so that it serves those it is intended to serve.

JANUARY TRADE DEFICIT

(Ms. KAPTUR asked and was given permission to address the House for 1 minute.)

Ms. KAPTUR. Mr. Speaker, the Commerce Department just announced that America's trade deficit for January 2017 was \$48.5 billion, the largest monthly deficit since March 2012. That translates into more lost jobs in our country.

In the campaign, President Trump criticized our trade deals. He promised to do better for American workers. And now, nearly 2 months into his Presidency, what action has he taken to stop the erosion of this deficit and the jobs that go with them?

It continues to get worse.

What hope can he give to the hundreds and hundreds more steelworkers in Lorain, Ohio, who just received pink slips over the weekend due to the permanent closure of another steel line, due to Chinese imports and predatory trade practice?

It is going to put a lot of steelworkers back to work, President Trump said during the campaign and after as he revived the Keystone and Dakota Access pipelines. But his talk turned out to be empty and a pipe dream because the pipes have already been purchased from foreign sources.

Next month, China's President, Xi Jinping, will visit President Trump at Mar-a-Lago in Florida. President Trump talked tough on China throughout the campaign, but what will he do to reform Chinese trade practices that are resulting in these increasing trade deficits?

Mr. Speaker, I hope our President begins to keep the long list of campaign

promises that he made to working people across this country, reverses these deficits, and starts increasing good jobs again.

LET'S FIX AMERICA'S HEALTHCARE SYSTEM

(Mr. LOUDERMILK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LOUDERMILK. Mr. Speaker, whatever possessed someone to think that a faceless, nameless bureaucrat in an ivory tower in Washington, D.C., who has never been to my district, who has never met with the people, think they know more about what is good for the family and the children of my people than they do?

That was a question that was asked of me by a constituent this weekend.

What makes you think you know better what is best for my family and my children than I do?

He was referring to the Affordable Care Act.

He went on to tell me that he used to have an insurance policy that cost \$300 a month that he could use. Today, he is paying \$1,600 a month for something he cannot use and he doesn't want, but by the force of law, he is forced to have.

He went on to say: Will you please, please do something now to fix this problem?

Another person said: Are you going to be able to get to a reform to fix America's health care that you like?

My answer was no.

We are not going to get to something I like, but that is not the issue here. Why? Because America is not ready for what I want. That is true Federalism, that this place has nothing to do with health care.

We can't get there right now because we don't have the votes, but we can get to something we need. I call upon my brothers and sisters in the House: Let's fix America's healthcare system. We have the opportunity to do it now.

□ 1230

COMMEMORATING THE TRANSFER OF THE U.S. VIRGIN ISLANDS FROM DENMARK TO THE UNITED STATES

(Ms. PLASKETT asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. PLASKETT. Mr. Speaker, later today, I intend to reintroduce a resolution commemorating the transfer of the U.S. Virgin Islands from Denmark to the United States. In that resolution, it discusses the 1733 slave revolt, the first slave revolt in the Western Hemisphere; the 1848 slave rebellion and emancipation, 17 years before the United States; and, of course, the 1917

transfer of ownership of the Virgin Islands from Denmark to the U.S.

We also discussed great Virgin Islanders, such as Alton Adams, Edward Blyden, Camille Pissarro, Judah Benjamin, and Roy Innis.

What does the transfer mean, and what have been the gains and benefits to the people of the Virgin Islands because of the purchase by the United States? The Americans were able to receive a pristine, geopolitically strategic location in the Caribbean with a people who are loyal to and proud of this country.

What has been given to the Virgin Islanders, a people willing and eager to take on the responsibilities of that citizenship but who, in fact, have moved from a system of serfdom, under Danish rule, to second-class, limited privileged citizenship by the United States?

We need to take this time in this centennial transfer year to look at what have been the gains and for the U.S. to make a more perfect Union by more perfect citizenship and more inclusion of the U.S. Virgin Islands into the United States.

STOP MILITARIZING LAW ENFORCEMENT

(Mr. JOHNSON of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JOHNSON of Georgia. Mr. Speaker, for nearly three decades, State and local law enforcement agencies across America have been flooded with surplus military-grade weaponry through the Pentagon's 1033 program.

Late last year, law enforcement in North Dakota responded to protesters in Standing Rock in a well-documented, militarized fashion, reminding us of the danger which the use of military equipment by domestic law enforcement poses to the civil liberties of Americans.

During the elections, President Trump ran on a promise to restore "law and order." I am deeply concerned that the administration will follow up on that promise by making more military equipment available to State and local law enforcement agencies. This would further blur the line between the military and civilian police officers and violate a founding principle of our Nation.

For this reason, I am, today, reintroducing the bipartisan Stop Militarizing Law Enforcement Act to rein in the Pentagon's excess property management program and ensure that our communities are not just safe, but that the civil liberties of ordinary Americans continue to be protected.

IT IS CRUCIAL TO REPEAL AND REPLACE AFFORDABLE CARE ACT

(Mr. YOHO asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. YOHO. Mr. Speaker, I rise today to voice my concern about how crucial it is that we repeal and replace the poorly named Affordable Care Act.

We are working towards a better healthcare plan and doing it in a better fashion than the other side did 8 years ago. We are actually going through regular order, allowing the committees of jurisdiction to do their work in public, and have the text for all to see and debate.

Mr. Speaker, ObamaCare is failing and will collapse on its own. Many more will lose their insurance, and the healthcare system will get drastically worse if we simply leave it in place. The worst thing we can do is nothing.

4.7 million Americans were kicked off their healthcare plans by the ACA. I was one of them. Under the ACA, there has been a 25 percent average increase in premiums for the midlevel plans in 2017 for millions of Americans trapped in the healthcare.gov exchanges. Nearly one-third of U.S. counties have only one insurer offering an exchange plan.

ObamaCare is unsustainable. Mr. Speaker, it is time for Congress to do its job and replace the failed ObamaCare. We guarantee we will read this bill before we pass it.

PROVIDING FOR CONSIDERATION OF H.R. 1259, VA ACCOUNTABILITY FIRST ACT OF 2017; PROVIDING FOR CONSIDERATION OF H.R. 1367, IMPROVING AUTHORITY OF SECRETARY OF VETERANS AFFAIRS TO HIRE AND RETAIN PHYSICIANS AND OTHER EMPLOYEES; AND PROVIDING FOR CONSIDERATION OF H.R. 1181, VETERANS 2ND AMENDMENT PROTECTION ACT

Mr. BUCK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 198 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 198

Resolved, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1259) to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Veterans' Affairs. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amend-

ment in the nature of a substitute consisting of the text of Rules Committee Print 115-7. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part A of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. At any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1367) to improve the authority of the Secretary of Veterans Affairs to hire and retain physicians and other employees of the Department of Veterans Affairs, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Veterans' Affairs. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115-6. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part B of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the

Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 3. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 1181) to amend title 38, United States Code, to clarify the conditions under which certain persons may be treated as adjudicated mentally incompetent for certain purposes. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Veterans' Affairs; and (2) one motion to recommit.

The SPEAKER pro tempore. The gentleman from Colorado is recognized for 1 hour.

Mr. BUCK. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. HASTINGS), my friend, pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. BUCK. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. BUCK. Mr. Speaker, I rise today in support of the rule and the underlying legislation.

Our veterans have paid a high price. Dispatched to foreign lands to fight for our freedom, many returned injured, grief-stricken over lost friends, and torn apart by the violence of war.

We owe them our time, our energy, our gratitude, and our protection. That is why we are here on the floor today: to protect the constitutional rights of our heroes and to make sure we are taking care of them like we promised we would.

H.R. 1181, the Veterans 2nd Amendment Protection Act, ensures that government cannot strip our heroes of their constitutional rights without due process. Under current law, if the VA determines that a veteran needs a guardian or fiduciary to help manage their benefits, then that veteran's name must be sent to the NICS database, prohibiting them from purchasing a firearm.

The decision to strip any constitutional right from anyone, most importantly our veterans who have put their lives on the line to defend our Constitution, needs to be made with due

process. The VA was never designed to adjudicate the removal of constitutional rights. This decision should be made by a judge or judicial authority.

Instead of stripping veterans of constitutional rights, our VA should be focused on protecting veterans. That is exactly what the other two bills under consideration do.

H.R. 1259 gives the Department of Veterans Affairs greater ability to discipline employees for misconduct or poor performance.

We entrust our VA employees with the health and well-being of our veterans. Most of these employees do a great job, working hard to make sure our heroes are cared for; but, occasionally, a VA employee engages in misconduct, behavior that can endanger the very lives of our veterans.

These men and women sacrificed to serve our Nation. The least we can do is enable them to receive the best care possible at the VA. That is why we need H.R. 1259, to allow the VA, under an expedited process, to fire or suspend or demote employees who are putting our veterans at risk.

The legislation also allows the VA to recoup the money paid in bonuses or relocation grants to employees convicted of a felony.

Mr. Speaker, our veterans deserve the best. They deserve the best employees. They deserve the best medical staff. That is what the third bill under consideration, H.R. 1367, will achieve. This legislation improves the VA's ability to recruit the best medical staff, offering the agency direct hiring authority to fill key positions with critical staffing needs.

It also creates a fellowship program to train up VA management for the best performance. It is time to improve the personnel practices at the Veterans Administration.

Mr. Speaker, the resolution on the floor today is vital for our Nation's veterans. Their constitutional rights and their well-being stand in the balance.

Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS. Mr. Speaker, I yield myself such time as I may consume.

I thank the gentleman, my friend from Colorado, for yielding me the customary 30 minutes for debate, and I rise to debate the rule providing for consideration of the three bills related to the Department of Veterans Affairs—interestingly, all under one rule. We have been doing two bills under one rule. We are now headed to three. I recommend we just put all of our bills under a rule and save us a lot of time.

The first bill under today's rule, to improve the authority of the Secretary of Veterans Affairs to hire and retain physicians and other employees of the Department of Veterans Affairs, the bipartisanship reflected in this bill is certainly a rarity in this body and,

frankly, could have easily come before us under the suspension of the rules.

There are nearly 47,000 job vacancies for doctors, nurses, and other medical professionals throughout the Veterans Administration's healthcare system. The VA is consistently rated as one of the worst Federal agencies in terms of pay and leadership, and since 2009, the number of VA employees resigning or retiring has risen every year.

□ 1245

As of the new year, 547,000 patients were waiting more than 30 days for care at a VA hospital. It is clear that we must act to improve the VA on a holistic level, and this bill is a good start.

This legislation establishes staffing, recruitment, and retention programs to enable the VA to build a stronger workforce.

However, I am disappointed that the Rules Committee majority did not make in order an amendment that I offered to this measure, which would have allowed the Secretary of the VA to fill any existing vacant positions within the Veterans Administration, regardless of whether the position was vacated before or after the reckless hiring freeze imposed by Donald John Trump.

I would also note that Representatives SCHRADER and MOULTON offered an amendment that would fully lift the hiring freeze, but the Rules Committee blocked this amendment as well from receiving a vote on the House floor. I remain disheartened at the way the majority continues to operate the business of the House of Representatives.

The bipartisanship this bill enjoys dissipates when we move to another bill wrapped in today's three-rule measure, and that is H.R. 1181, the Veterans 2nd Amendment Protection Act. Before I launch into all of my remarks regarding this, I want to make it very clear that I and most Members of the House of Representatives will do everything we can to protect the Second Amendment rights of U.S. citizens and veterans especially.

This legislation, however, if enacted, would immediately enable approximately 174,000 veterans currently deemed mentally unfit by the VA to purchase firearms. At its core, this bill assumes that all veterans with mental illness should have unfettered access to guns, regardless of whether they will turn the weapon on themselves or their loved ones, and that any determination otherwise is simply wrong. The broadly reaching bill arbitrarily removes every veteran flagged by the National Instant Criminal Background Check System from its rolls, literally putting tens of thousands of lives at risk.

Let's look at the facts. Under procedures currently in place by the VA and the Department of Justice, an individual who lacks the mental capacity

to contract or to manage his or her own affairs can be prevented from purchasing a gun. This term applies to veterans with severe mental illnesses who require a fiduciary to help manage their VA benefits. If the veteran thinks there was an error or that he or she was unfairly disqualified, the veteran can utilize the same due process and appeals procedures that are available for other VA decisions.

Under the current process, which was codified in the 21st Century Cures Act just a few months ago, the veteran is allowed a hearing before the Board of Veterans Appeals and given several opportunities for judicial review and appeal in Federal court.

Mr. Speaker, this bill turns this sensible and humane approach on its head. It is time that we acknowledge where we are as a country. It is time that we deal with the fact that we are in the midst of a veterans' suicide epidemic. Twenty veterans kill themselves every day. That is 7,300 of our finest and bravest persons in our society. Two-thirds of these suicides are carried out using firearms.

A Department of Veterans Affairs report, provided to Congress in 2015, revealed that nearly 20,000 veterans diagnosed with schizophrenia, 15,000 diagnosed with post-traumatic stress disorder, and thousands more diagnosed with dementia, Alzheimer's, and serious depression were on the NICS rolls. Under this bill, these individuals and many more would be given immediate access to guns, putting themselves and others in danger.

Even as our Nation suffers shooting after shooting, Congress has not acted. Democrats held a sit-in in this very room in that well in this last Congress to protest the callousness of the House Republican leadership in preventing us from even considering legislation to protect our citizens with reference to guns. Rather than act to address gun violence, we instead considered legislation like this, which will actually lead to more gun violence, Mr. Speaker. The logic and lack of compassion in such an approach absolutely escapes me.

Our country has witnessed horrific shootings in the past few years. Dozens of children were murdered at Sandy Hook. Nearly 50 people were killed at the Pulse nightclub in Orlando. One of our very own from this Congress was nearly assassinated while holding a townhall event in 2011. We continue to ignore the ramifications of shootings at Oak Creek, Aurora, Virginia Tech—I could go on and on—Charleston. The list just continues. 32,000 Americans lose their lives every year from gun violence.

We have grieved together. And I, along with several of my colleagues, have stopped standing down here in the well for a moment of silence and then going back to our regular business after hundreds of our people are killed

throughout this society. We have demanded change together, and we have been shocked by the paralysis that has gripped this institution when it comes to taking commonsense steps to end our country's gun violence epidemic.

Today, we see in this bill another measure coming out of Republican leadership that sprints toward the goal set by this country's powerful gun lobby. Listen up, NRA, there are people like me that aspire to have a zero rating by you every year. And it is not just the gun lobbyists, it is gun manufacturers as well. It may be great for the gun manufacturers' bottom line and the NRA's bottom line, but it is terrible for those brave men and women who have served this country so fully, those brave men and women who suffer wounds that may not be visible to the naked eye, but are no less real and worthy of our attention.

With each new tragedy that occurs, whether it be a mass shooting or the 20 servicemembers we lose every day to suicide, those who stand in the way of legislation to address our country's gun violence epidemic are increasingly culpable for its continuation. I am disgusted with this morally bankrupt obfuscation, and I think the American people are, too.

Let me lay down a marker. Of the 435, plus six Members of the House of Representatives and the 100 U.S. Senators, I want to see the first person when this measure goes into effect, if it does, and 174,000 veterans are taken off of the NICS rolls and can access guns, the first one that dies—and I hope we track it—I want everybody to stand up and remember that we had a chance to stop it here. Don't tell me, if 20 veterans are killing themselves every day and if 7,000-plus of them are killing themselves every year—and we won't even mention domestic violence and the horror that comes from those guns—if we continue this effort, we will allow more deaths along those lines.

Before concluding, Mr. Speaker, I want to say a few words about the final bill encompassed in this rule, H.R. 1259, the VA Accountability First Act of 2017, and the Republicans' continued assault on the working people of this country.

At its core, this bill is an attack on workers' rights, plain and simple, and will do more harm than good in our efforts to improve care at the Veterans Administration. This legislation would strip the collective bargaining rights of VA workers. It weakens an employee's right to appeal. It weakens protections for VA workers who speak up against mismanagement and patient harm.

Republicans claim they want to help fix our VA system, yet, with this bill, they do that by insulting, undermining, and attacking the very employees who serve and care for our veterans, including the over 120,000 vet-

erans who work for the VA. Yesterday, one of our colleagues presented at the Rules Committee a statistic that I didn't know. Of the 2 million Federal employees in this great Nation of ours, 640,000 of them are veterans. So when we get ready to pare back this government that somehow or another people have targeted for all sorts of cuts, if you read today's budget proposal by Donald John Trump, you will see that lots of these veterans will be losing their jobs, in addition to all of the things that we have already discussed.

We need to make improvements at the VA. Everybody knows that. That is clear. But singling out VA employees and their protections is counterproductive, to say the least, and only compounds manpower shortages plaguing the agency.

This legislation will exacerbate recruitment problems and impair retention at the agency. It threatens the agency's ability to build a robust clinical workforce by threatening the quality of care that the VA will be able to provide.

I don't know what the pique is by my Republican colleagues with reference to workers in this country. They talk a very good game about protecting workers and we are going to bring back jobs and we are going to do all of these things that are going to protect the middle class.

I will get a chance to talk about this a little bit more, but I am very proud of the unions in this Nation. They are the unions that people like my father and countless of us who served in the House of Representatives worked in and helped build this Nation. They are the people that our veterans from the Second World War, the Korean conflict, and Vietnam who became union members and went on to do things for collective bargaining that made workers' rights be better for people in America. And I don't see tearing them down—let alone in the VA administration—is something that we need to do.

Mr. Speaker, my friends on the other side of the aisle know exactly where their priorities lie with this bill, and it is certainly not with improving the quality of care of our veterans, but rather in exploiting yet another opportunity to attack the rights of working men and women across our country.

I reserve the balance of my time.

Mr. BUCK. Mr. Speaker, I yield myself such time as I may consume.

My friend from Florida and I were in committee yesterday and heard testimony from one of our colleagues that this bill, as it pertains to veterans' gun rights, is not reactive. It does not go back to those individuals who have been denied their due process rights, who have been denied their Second Amendment rights.

This bill is prospective only. It will only affect those who in the future have been denied those rights. And I

think it is absolutely important that we understand the Republican Party in the House of Representatives is committed to make sure that those individuals who have been denied their due process rights, their Second Amendment rights in the past, we will find a solution. We will help those individuals.

Right now, we are focused on making sure that others have the ability to a fair, open hearing where they can present their side of the story before they are denied their constitutional rights.

My friend and colleague from Florida (Mr. HASTINGS) also talks about the fact that H.R. 1259 will do more harm than good; that somehow disciplining those who are delivering poor services to our veterans is unfair to unions. The truth is that 35 percent of the VA's workforce is made up of veterans.

□ 1300

But the fact is that veteran employees believe employees that are not meeting acceptable standards for their fellow veterans should be removed, period, regardless of their service while on Active Duty.

Are opponents of removing poor-performing employees and those whose misconduct warrant removal saying that a veteran employee who cannot do the job or is guilty of misconduct be kept on the job?

On the contrary, veterans know that the strictest accountability standards apply to them during their military service, and millions of hardworking Americans in the private sector do not enjoy anything close to the protections enjoyed by Federal employees.

The only employees who need to be concerned with reasonable reform that would be made by this legislation are those who aren't doing their jobs on behalf of the veterans who they serve.

Mr. Speaker, I yield 3 minutes to the gentleman from Florida (Mr. MAST).

Mr. MAST. Mr. Speaker, I want to start by saying this. I was prompted to say this by the remarks from my colleague from Florida just now.

I believe that there is absolutely nothing that is common sense about preventing those who defend America from having the opportunity to defend themselves. There is no common sense in that whatsoever.

I listened to your emotional remarks here, and I listened as you gave zero specifics on the mental illness that my colleague specifically talked about being worried about.

Specifically, what mental illnesses is it that had you concerned?

I would encourage you to have the courage to be specific and say exactly what it is that you mean so that there is no confusion.

Now, the true intent of my remarks today are to talk about my favorite part of going to the VA, and that is sit-

ting next to my fellow veterans when I sit down at one of the clinics at my local VA hospital. Whether it is a marine from Iraq, whether it is a sailor from World War II, a soldier from Vietnam, an airman from Korea, whenever we sit down next to each other, there is a camaraderie that exists immediately.

One of the first things that is said is usually some sort of off-topic joke about the branch that the other person comes from. It is that camaraderie of shared service that unites us in a way that half a century of age can't divide. I can tell you, we have common experiences, and we have common healthcare challenges as well.

It is important for veterans to come together and for the VA to establish and maintain expertise in providing for our unique healthcare needs. Unfortunately, too many VA facilities have lost their hunger to provide care. They have lost the passion to meet the individual needs of veterans, and it has become way too much of a rarity that a veteran's needs are truly met when they enter the VA facility.

You cobble that together with enough bad experiences from underperforming employees, and it forces veterans to ask: Where else can I go for my care?

That is why I am excited to see the House bring forward two bills this week that get at the crux of the matter: authority to hire the best employees and the ability to remove underperforming employees.

Today we will debate the VA Accountability First Act. We will provide the VA Secretary the flexibility to either remove, demote, or suspend an employee for misconduct. It can be very little that is more important to go on at the VA.

Tomorrow we will debate H.R. 1367 that will bolster the Secretary's situational awareness to recruit and retain the very best employees.

You know, when a veteran like myself or my peers goes to the VA, we are not given a choice in our provider. We go there, and they look at a person like me and they say: Your last name is MAST. We are going to assign you to Alpha clinic. This is your provider, and there is no choice.

The veterans deserve nothing less than the kind of care and accountability that these bills endeavor to provide.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BUCK. Mr. Speaker, I yield the gentleman an additional 2 minutes.

Mr. MAST. Mr. Speaker, I encourage my colleagues to vote for this rule and to bring each of these bills to the floor.

Mr. HASTINGS. Mr. Speaker, I yield myself such time as I may consume.

I have great respect for my colleague whose district abuts a portion of my district in Florida. I want to make it very clear that it is important to listen

to what a person says. My colleague just commented that I did not offer the specifics with reference to persons who suffered some form of mental illness; and he said that, in my passionate remarks, I failed to provide those specifics.

Let me go back and read you my remarks again. A Department of Veterans Affairs report provided to Congress in 2015 revealed that nearly 20,000 veterans diagnosed with schizophrenia, 15,000 diagnosed with post-traumatic stress disorder, and thousands more diagnosed with dementia, Alzheimer's, and serious depression.

Is that specific enough for you, or do I need to add additional reasons?

Evidently my colleague didn't hear that.

Mr. MAST. Will the gentleman yield?

Mr. HASTINGS. I yield to the gentleman from Florida.

Mr. MAST. I appreciate that. When I get to speaking about the specifics of this matter—and you used a very broad, general term, like the term “post-traumatic stress disorder.” That is something that is, unfortunately, layered upon nearly every veteran that exits service today. So to go out there and have this ability to put people into this NICS, who have this sort of label placed upon them, that is exactly the crux of this that I am getting to that is not specific enough. It does not point to what is specifically an issue that anybody is facing.

Mr. HASTINGS. Reclaiming my time, is schizophrenia one of those things that isn't specific enough for you?

Mr. MAST. If the gentleman would yield, that is certainly an issue that we can point to. But when you talk about post-traumatic stress and so many other issues that are diagnosed by the Department of Veterans Affairs—

Mr. HASTINGS. Reclaiming my time, that is what you should have said rather than say that I didn't offer specifics, and I just want to make that very clear to you.

I don't think that people with diagnosis of schizophrenia, that have been allowed—that their fiduciaries have determined that their mental illness allows that they should not get a gun, I suggest to you and to anybody that those persons that have a gun—and I made the distinction. You evidently didn't hear that part either. I made the distinction about the Second Amendment and how much I support it and I support veterans, and I support veterans' rights to defend themselves. But I don't support crazy people having guns, whether they are veterans or not, and it is just that simple.

The SPEAKER pro tempore. Members of both sides of the aisle are reminded to address their remarks to the Chair.

Mr. HASTINGS. Mr. Speaker, I yield 2½ minutes to the gentleman from

California (Mr. TAKANO), the vice chair of the Veterans' Affairs Committee.

Mr. TAKANO. Mr. Speaker, I thank the gentleman from Florida for yielding me time.

Mr. Speaker, I rise in opposition to the rule. In its current form, H.R. 1181 would endanger veterans in crisis and serve as another obstacle to addressing the crisis of veteran suicide.

We had hoped to introduce amendments which would protect veterans' rights while ensuring their safety. By bringing this bill to the floor under a closed rule, the majority has prevented us from doing so, from considering other possibilities to come together in a bipartisan fashion.

There are changes that could be made to this legislation to ensure that it is good public policy. For instance, we could consider a streamlined appeals process that would allow veterans erroneously flagged by the background check system to have their status changed.

I do acknowledge the concern of the gentleman from Florida that people with PTSD on this list may have been inappropriately flagged to be on this list, and we could have discussed a streamlined process. We could conduct a study of the VA's existing practices for submitting records of veterans to the background check system.

But rather than subject that whole list to being dismantled and freeing people that should not be free to have weapons—crazy people from having weapons—at the very least, we should understand the impact this change would have on veteran suicide, as Ms. ESTY suggested when she tried to offer an amendment to the Rules Committee last night to require a study into the number of veterans who have committed suicide by firearm, who should have been prevented from accessing a firearm under current policies.

I do wish, Mr. Speaker, to dispute the gentleman from Colorado's contention that this is only about going forward, that it affects going forward. I maintain there is considerable concern that this will affect those that exist on the list currently.

These are sensible ideas that I offered, that we could have considered instead of being forced to vote on the legislation we have now. We could come together under unanimity to solve this issue.

But under this rule, we are forced to vote only on legislation that would make veterans and their communities less safe. Accordingly, I call on my colleagues to oppose this rule.

Mr. BUCK. Mr. Speaker, I yield myself such time as I may consume.

My friend from Florida talked about the specificity that he used in describing the conditions of these veterans, but that is not what the rule says.

What the rule says, Mr. Speaker, is that if someone—if a veteran needs a

fiduciary, they will be denied the ability to own, possess, purchase a firearm. It doesn't say if they are schizophrenic. It doesn't say if they have PTSD. It doesn't say if they have depression, and if they have PTSD or depression that is somehow linked to further violent behavior. It doesn't say that.

What it says is, if you can't balance your bank account, you can't have a gun to protect yourself. There is no relationship between those two.

Now, if the gentleman from Florida would go to the Veterans Administration and talk to them about the need to link that finding of a fiduciary with future violent behavior, we may not be here today.

But so many people have been trapped in this overbroad rule that we are going to make sure that those people that have a fiduciary and are listed by the VA have a due process right to show that they are nonviolent; that they don't have a propensity to commit a crime with a weapon; that they are not a harm to themselves or to others.

And if the VA or an independent judicial officer finds that they are, then yes, list them on the NICS report, but give them that due process right. That is where the majority believes this rule created during the Clinton administration and by the Veterans Administration falls.

Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. MAST).

Mr. MAST. Mr. Speaker, I take issue with a term that was thrown around far too loosely twice in just the last couple of minutes by my colleagues from the other side of the aisle here where each of them used the term "crazy." They used the term "crazy" twice. I take serious issue with that.

This is the reality: our servicemembers that endeavor onto the battlefield, they face snipers that are targeting them. They face mortars being dropped on their head. They face improvised explosive devices like the ones that took my legs and so many of my friends. There are aviators that fly beyond the lines of our enemy. They face the threat of being shot down or captured. There are marines, there are sailors. And all of us—you know, the reality is we do come home with demons that are associated with a life that is surrounded by death. That is certainly the truth.

But to say for one moment that that is something that allows the term "crazy" to be layered upon any one of these heroes that goes out there and serves in defense of this country, that goes out there and has the willingness to have their uniform stained with the blood of their friends, I find that to be a disgusting use of that word. I resent the fact that it has been done, Mr. Speaker, and I would respectfully ask that there be an apology made to those that put on the uniform and go out and

defend this country on behalf of every single American.

Mr. HASTINGS. Mr. Speaker, I would urge my friend from Colorado to know that I have no additional speakers and I am prepared to close if he is prepared to close.

Mr. Speaker, I reserve the balance of my time.

Mr. BUCK. Mr. Speaker, may I inquire how much time I have remaining?

The SPEAKER pro tempore. The gentleman from Colorado has 17¼ minutes remaining.

Mr. BUCK. Mr. Speaker, I yield 2 minutes to my friend from Georgia (Mr. COLLINS).

□ 1315

Mr. COLLINS of Georgia. Mr. Speaker, I appreciate my colleague from the Rules Committee yielding me time.

I can't be in any more agreement with my friend from Florida just now. We talked about this actually in the Rules Committee yesterday. If you look at the actual language in the rule, it gets down to the fact that you are adjudicated a mental defective. That is language that has to be stopped in this. I know my friend from the Rules Committee, and we serve on Judiciary together, we are going to actually look into this. Because if we really want to start talking about veterans and suicide, then we need to start addressing it head-on in real terms and in real ways with the issues that they face and not simply saying that we are going to take a right away.

It is amazing to me that we are discussing this issue. What about the other amendments? Well, we are just going to do the Second Amendment.

In fact, what is happening right now among many, and for those who need to understand this, many of our VA colleagues who want to go to the Veterans Administration, have stopped going. If we want to actually worry about some of this stuff that they are worrying about with their mental health, then we need to take impediments away from them getting help, to let them know that just because they have problems that they can't process, getting help from the VA is something that should not be predicated on a fiduciary or somebody helping them.

If they have got real issues, then follow the law. Follow the law. Adjudicate this. Don't give just simple carte blanche to say: We are going to take this away, and then, oh, by the way, go fix it yourself.

I said yesterday in the Rules Committee: I am still in the Air Force. I am an attorney and a chaplain. I served in Iraq. I have delivered these death notifications. I have counseled those who have called saying: I don't find a reason to live, Chaplain.

When we begin to throw around loosely these terms as we did yesterday

in committee, when we send letters that say: if you vote for this, then you are actually making it free and easier—I think was the wording—to get guns to veterans. This is why this problem breaks down. This is why we use veterans as pawns. If you are against this, vote “no,” but don’t use the cover of saying that you are helping people on suicide. Get to the issues.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BUCK. Mr. Speaker, I yield the gentleman an additional 2 minutes.

Mr. COLLINS of Georgia. When we understand this, I understand the discussions, and I understand the issues we have here, but not with this. Make your vote. But don’t cloak it. Don’t call it crazy people.

Congressman MAST, that ain’t what they are.

They are hurting. They need help. If this is an impediment to that, then vote “yes.” If you want to vote “no,” fine, vote “no.” But at least get the issue right.

The issue is that the Veterans Affairs is saying: We are going to take your constitutional right away without adjudication and make you do it on your own because we have an opinion about this that we think could happen because you have got a fiduciary, you can’t do it on your own.

When we understand what is really at the heart of this, I would encourage all to say: you know, the veterans, you just overstepped your bounds here. We are going to put this back where it needs to be, and then we are going to get on to the real issues of veterans who are needing help.

I know my Florida appreciates that. We have talked about it before. These veterans need help. Our VA needs help. Our hospitals need help. The money and time that are spent to help these folks when they come back—they are not crazy, they are not defective. They are just people who have been through a tough time, and they need a little kindness, compassion, and help.

They are not broken. I broke my leg. I stepped on a piece of glass, and I cut my achilles. That is what happened to me. But if my mind—everybody said: Your cast looks interesting. Nobody talks about it, though, if I came home to say: I am depressed. I have an issue.

We start backing away. We have got to break that in our country. Mental health has got to be a priority—this—to be against this and claim what we are claiming here on the floor is wrong.

Mr. HASTINGS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, my friend that sits on the Rules Committee, my colleague from Georgia, correctly speaks to this issue and its need to go to the Judiciary Committee or other committees to ensure that veterans have the appropriate adjudication.

I don’t know where he or my colleague from Florida would place schiz-

ophrenia. I am not a mental health expert, but I have spent a good portion of my career here in Congress dealing with issues and trying to address issues of mental health, be it veterans or not.

Mr. Speaker, if we defeat the previous question, I am going to offer an amendment to the rule to bring up H.R. 696, Representative SCHRADER’s bill to exempt the Department of Veterans Affairs from Donald John Trump’s hiring freeze. As we have already discussed, my amendment to allow the VA Secretary to fill vacant positions, regardless of whether they were vacated before or after the hiring freeze, was blocked last night in the Rules Committee.

There are nearly 47,000 vacant positions within the VA, and we should not be limiting the VA’s authority to fill these positions, especially as we continue to work towards reducing patient wait times.

On a bipartisan basis, Members of both the House and Senate have requested that the VA be exempt from the hiring freeze. Mr. Speaker, this is commonsense legislation to ensure that the VA can recruit and hire qualified staff to meet the needs of our veterans.

Mr. Speaker, I ask unanimous consent to insert the text of my amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HASTINGS. Mr. Speaker, at the end of the day, we are gathered here, once again, to debate the same old, tired, irresponsible, and morally bankrupt policies championed by my friends across the aisle, policies that will, while we face a suicide epidemic among those servicemembers who have so bravely served this country, make it easier for them to take their own lives by increasing their access to guns. That may be good policy for the powerful gun lobby and gun manufacturers, but it is horrendous policy for the American people.

We have before us legislation that will gut workers’ rights for VA employees while also making it easier to reprimand those who are brave enough to speak out against the ills they see occurring at the VA—ills that have and will continue to undermine the quality of service our veterans are able to receive.

All of this moral ineptitude is set against the backdrop of a healthcare plan recently put forth by Republicans that will raise the number of uninsured in this country to 24 million in under 10 years. This includes 14 million folks being unceremoniously kicked off of Medicaid and 7 million Americans kicked off of the health insurance plans they receive through their employers.

This is a plan that will increase premiums for individual policyholders by up to 29 percent. This is a plan that will increase, particularly for older Americans, out-of-pocket healthcare expenses.

Mr. Speaker, in the final analysis, this is no plan at all but rather a shameful and cynical massive giveaway to the ultrawealthy at the expense of the middle class that will result in hardworking Americans paying far more for far, far less.

Mr. Speaker, I have been in this institution 25 years, and I have been on this Earth 80 years. I have seen an awful lot of trauma during that period of time. I served as a State court judge and had the responsibility of Baker Acting—it is called in Florida—people to mental institutions. I have established fiduciaries for people who were unable to take care of themselves. I worked actively when we had mental health hospitals to keep those mental health hospitals open.

I would say to you, Mr. Speaker, so that you can say to the gentleman who asked that I apologize, that I apologize for nothing having to do with any remarks that I made within the confines of what is allowed in this institution. The simple fact of the matter is I used the term “crazy,” and I had reference to schizophrenia. Now, it may very well be that these are not broken people, it is that they are brave people who came home with problems. But crazy is crazy, and I would say that until the day I die.

Mr. Speaker, I yield back the balance of my time.

Mr. BUCK. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to draw your attention and the attention of my colleague from Florida to a letter dated January 26, 2017, from the chairman of the Committee on Veterans’ Affairs, U.S. House of Representatives, Representative ROE, and the chairman of the Committee on Veterans’ Affairs, U.S. Senate, Chairman ISAKSON, to the President in which they asked for various positions to be exempted from the President’s executive order concerning a hiring freeze.

The next day, January 27, the Acting Secretary issued a memorandum under the authority of that Presidential memorandum, executive order, granting the chairman’s request and exempting various positions.

I would exceed my time limitations, Mr. Speaker, if I were to read all of these. But let me assure you there are dozens and dozens of positions at the Veterans Administration that have been exempted from the President’s hiring freeze. They include social worker, science lab technician, practical nurse, nursing assistant, dietitian, nutritionist, occupational therapist, on and on and on. And the need for the amendment that the gentleman presents is unnecessary.

I would also like to talk very briefly about the gentleman's argument that somehow those at the Veterans Administration are being harmed, and we are attacking a union in some way rather than trying to deal with real situations and improving the quality of care at the VA.

I want to give a few examples of VA employees and just the time that it took to remove people. A VA employee was a willing participant in an armed robbery several years ago, and after a lengthy legal and administrative battle where the employee was supported by the Public Employees Union, the employee was reinstated in their previous position without any discipline.

A VA nurse showed up to work intoxicated and participated in a veteran's surgery while under the influence of alcohol. Although the employee eventually resigned, to date, no other employees were disciplined for allowing the employee to participate in the veteran's surgery.

In 2013, a vocational rehab specialist out of the Central Alabama Veterans Health Care System crashed a government car, and a passenger ended up dying. He was later indicted for a DUI. The VA confirmed that the employee was not removed from payroll until January of this year—almost 4 years.

In 2014, a VA employee at the Central Alabama Veterans Health Care System took a veteran who was a recovering drug addict to a crack house where he purchased illegal drugs for the veteran, as well as purchased a prostitute for him, though the employee was still employed at the VA well over a year later after the incident until they were finally able to remove him.

Mr. Speaker, I ask my colleagues to stand up now for our veterans. They have performed their duty, and it is time for us to perform for them.

Our duty is to take care of them. A "yes" vote restores their Constitutional rights and improves their quality of care.

I ask my colleagues to vote "yes" on this resolution, vote "yes" on the underlying bill. I thank Chairman ROE and Representative WENSTRUP for bringing these bills before us.

The material previously referred to by Mr. HASTINGS is as follows:

AN AMENDMENT TO H. RES. 198 OFFERED BY
MR. HASTINGS

At the end of the resolution, add the following new sections:

SEC. 4. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 696) to prohibit any hiring freeze from affecting the Department of Veterans Affairs. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Oversight and Government Reform. After

general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 5. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 696.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled

"Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. BUCK. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HASTINGS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess for a period of less than 15 minutes.

Accordingly (at 1 o'clock and 30 minutes p.m.), the House stood in recess.

□ 1335

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BOST) at 1 o'clock and 35 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Ordering the previous question on House Resolution 198;

Adoption of House Resolution 198, if ordered; and

Agreeing to the Speaker's approval of the Journal.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

PROVIDING FOR CONSIDERATION OF H.R. 1259, VA ACCOUNTABILITY FIRST ACT OF 2017; PROVIDING FOR CONSIDERATION OF H.R. 1367, IMPROVING AUTHORITY OF SECRETARY OF VETERANS AFFAIRS TO HIRE AND RETAIN PHYSICIANS AND OTHER EMPLOYEES; AND PROVIDING FOR CONSIDERATION OF H.R. 1181, VETERANS 2ND AMENDMENT PROTECTION ACT

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 198) providing for consideration of the bill (H.R. 1259) to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes; providing for consideration of the bill (H.R. 1367) to improve the authority of the Secretary of Veterans Affairs to hire and retain physicians and other employees of the Department of Veterans Affairs, and for other purposes; and providing for consideration of the bill (H.R. 1181) to amend title 38, United States Code, to clarify the conditions under which certain persons may be treated as adjudicated mentally incompetent for certain purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The vote was taken by electronic device, and there were—yeas 227, nays 185, not voting 17, as follows:

[Roll No. 162]

YEAS—227

Abraham	Chabot	Frelinghuysen
Aderholt	Chaffetz	Gaetz
Allen	Cheney	Gallagher
Amash	Coffman	Garrett
Amodei	Cole	Gibbs
Arrington	Collins (GA)	Gohmert
Babin	Comer	Goodlatte
Bacon	Comstock	Gosar
Banks (IN)	Conaway	Govdy
Barletta	Cook	Granger
Barr	Costello (PA)	Graves (GA)
Barton	Cramer	Graves (MO)
Bergman	Crawford	Griffith
Biggs	Culberson	Grothman
Bilirakis	Curbelo (FL)	Guthrie
Bishop (MI)	Davidson	Harper
Bishop (UT)	Denham	Harris
Black	Dent	Hartzler
Blackburn	DeSantis	Hensarling
Blum	DesJarlais	Herrera Beutler
Bost	Diaz-Balart	Hice, Jody B.
Brady (TX)	Donovan	Higgins (LA)
Brat	Duncan (SC)	Hill
Bridenstine	Duncan (TN)	Holding
Brooks (AL)	Dunn	Hollingsworth
Brooks (IN)	Emmer	Hudson
Buchanan	Farenthold	Huizenga
Buck	Faso	Hultgren
Bucshon	Ferguson	Hunter
Budd	Fitzpatrick	Hurd
Burgess	Fleischmann	Issa
Byrne	Flores	Jenkins (KS)
Calvert	Fortenberry	Jenkins (WV)
Carter (GA)	Foxx	Johnson (LA)
Carter (TX)	Franks (AZ)	Johnson (OH)

Johnson, Sam	Murphy (PA)
Joyce (OH)	Newhouse
Katko	Noem
Kelly (MS)	Nunes
King (IA)	Olson
King (NY)	Palazzo
Kinzinger	Palmer
Knight	Paulsen
Kustoff (TN)	Pearce
Labrador	Perry
LaHood	Pittenger
LaMalfa	Poe (TX)
Lamborn	Poliquin
Lance	Posey
Latta	Ratcliffe
Lewis (MN)	Reed
LoBiondo	Reichert
Long	Renacci
Loudermilk	Rice (SC)
Love	Roby
Lucas	Roe (TN)
Luetkemeyer	Rogers (AL)
MacArthur	Rogers (KY)
Marchant	Rohrabacher
Marshall	Rokita
Massie	Rooney, Francis
Mast	Rooney, Thomas J.
McCarthy	Ros-Lehtinen
McCaul	Roskam
McClintock	Ross
McHenry	Rothfus
McKinley	Rouzer
McMorris	Royce (CA)
Rodgers	Russell
McSally	Rutherford
Meadows	Sanford
Meehan	Scalise
Messer	Schweikert
Mitchell	Scott, Austin
Moolenaar	Sensenbrenner
Mooney (WV)	Sessions
Mullin	

NAYS—185

Adams	Dingell	Levin
Aguilar	Doggett	Lewis (GA)
Barragán	Doyle, Michael F.	Lieu, Ted
Bass	Ellison	Lipinski
Beatty	Bera	Loeback
Beyer	Eshoo	Loftgren
Bishop (GA)	Espallat	Lowenthal
Blumenauer	Esty	Lowey
Blunt Rochester	Evans	Lujan Grisham, M.
Bonamici	Foster	Luján, Ben Ray
Boyle, Brendan F.	Frankel (FL)	Lynch
Brady (PA)	Gabbard	Maloney, Carolyn B.
Brown (MD)	Galleo	Maloney, Sean
Brownley (CA)	Garamendi	Matsui
Bustos	Gonzalez (TX)	McCollum
Butterfield	Gottheimer	McEachin
Capuano	Green, Al	McGovern
Carbajal	Green, Gene	McNerney
Cárdenas	Grijalva	Meeks
Carson (IN)	Gutiérrez	Meng
Cartwright	Hanabusa	Moore
Castor (FL)	Hastings	Moulton
Castro (TX)	Heck	Murphy (FL)
Chu, Judy	Higgins (NY)	Nadler
Cicilline	Himes	Napolitano
Clark (MA)	Hoyer	Neal
Clarke (NY)	Huffman	Nolan
Clay	Jackson Lee	Norcross
Cleaver	Jayapal	O'Halleran
Clyburn	Jeffries	O'Rourke
Cohen	Johnson (GA)	Pallone
Connolly	Johnson, E. B.	Panetta
Conyers	Jones	Pascrell
Cooper	Kaptur	Pelosi
Correa	Keating	Perlmutter
Costa	Kelly (IL)	Peters
Courtney	Kennedy	Peterson
Crist	Khanna	Pingree
Crowley	Kihuen	Pocan
Cuellar	Kildee	Polis
Cummings	Kilmer	Price (NC)
Davis (CA)	Kind	Quigley
DeFazio	Krishnamoorthi	Raskin
DeGette	Kuster (NH)	Rice (NY)
Delaney	Langevin	Richmond
DeLauro	Larsen (WA)	Rosen
DeBene	Larson (CT)	Ruiz
Demings	Lawrence	Ruppersberger
DeSaulnier	Lawson (FL)	Ryan (OH)
	Lee	

Sánchez	Smith (WA)	Veasey
Sarbanes	Soto	Vela
Schakowsky	Speler	Velázquez
Schiff	Suozi	Visclosky
Schneider	Swalwell (CA)	Walz
Schrader	Takano	Wasserman
Scott (VA)	Thompson (CA)	Schultz
Scott, David	Thompson (MS)	Waters, Maxine
Serrano	Titus	Watson Coleman
Sewell (AL)	Tonko	Welch
Shea-Porter	Torres	Yarmuth
Sherman	Tsongas	
Sires	Vargas	

NOT VOTING—17

Collins (NY)	Graves (LA)	Rush
Davis, Danny	Jordan	Sinema
Davis, Rodney	Kelly (PA)	Slaughter
Deutch	Marino	Walorski
Duffy	Payne	Wilson (FL)
Fudge	Roybal-Allard	

□ 1358

Mr. ELLISON and Ms. McCOLLUM changed their vote from “yea” to “nay.”

Messrs. TIPTON and DAVIDSON changed their vote from “nay” to “yea.”

So the previous question was ordered. The result of the vote was announced as above recorded.

Stated against:

Ms. ROYBAL-ALLARD. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted “nay” on rollcall No. 162.

Ms. WILSON of Florida. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted “nay” on rollcall No. 162.

Ms. SINEMA. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted “nay” on rollcall No. 162.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. HASTINGS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 229, noes 187, not voting 13, as follows:

[Roll No. 163]

AYES—229

Abraham	Buchanan	Dent
Aderholt	Buck	DeSantis
Allen	Bucshon	DesJarlais
Amash	Budd	Diaz-Balart
Amodei	Burgess	Donovan
Arrington	Byrne	Duffy
Babin	Calvert	Duncan (SC)
Bacon	Carter (GA)	Duncan (TN)
Banks (IN)	Carter (TX)	Dunn
Barletta	Chabot	Emmer
Barr	Chaffetz	Farenthold
Barton	Cheney	Faso
Bergman	Coffman	Ferguson
Biggs	Cole	Fitzpatrick
Bilirakis	Collins (GA)	Fleischmann
Bishop (MI)	Comer	Flores
Bishop (UT)	Comstock	Fortenberry
Black	Conaway	Foxx
Blackburn	Cook	Franks (AZ)
Blum	Costello (PA)	Frelinghuysen
Bost	Cramer	Gaetz
Brady (TX)	Crawford	Gallagher
Brat	Culberson	Garrett
Bridenstine	Curbelo (FL)	Gibbs
Brooks (AL)	Davidson	Gohmert
Brooks (IN)	Denham	Goodlatte

Gosar	MacArthur	Rothfus	Nadler	Rosen	Suozzi	Crist	King (NY)	Rosen
Gowdy	Marchant	Rouzer	Napolitano	Roybal-Allard	Swalwell (CA)	Cuellar	Knight	Roskam
Granger	Marshall	Royce (CA)	Neal	Ruiz	Takano	Culberson	Krishnamoorthi	Ross
Graves (GA)	Massie	Russell	Nolan	Ruppersberger	Thompson (CA)	Cummings	Kustoff (TN)	Rothfus
Graves (LA)	Mast	Rutherford	Norcross	Ryan (OH)	Thompson (MS)	Davidson	Labrador	Royce (CA)
Graves (MO)	McCarthy	Sanford	O'Halleran	Sánchez	Titus	Davis (CA)	LaMalfa	Ruppersberger
Griffith	McCaul	Scalise	O'Rourke	Sarbanes	Tonko	Davis, Rodney	Lamborn	Russell
Grothman	McClintock	Schweikert	Pallone	Schakowsky	Torres	DeGette	Larson (CT)	Rutherford
Guthrie	McHenry	Scott, Austin	Panetta	Schiff	Tsongas	DeLauro	Latta	Sanford
Harper	McKinley	Sensenbrenner	Pascarella	Schneider	Vargas	DeBene	Lawrence	Scalise
Hartzler	McMorris	Sessions	Pelosi	Schrader	Veasey	Demings	Lawson (FL)	Schneider
Hensarling	Rodgers	Shimkus	Perlmutter	Scott (VA)	Vela	Dent	Lewis (MN)	Schweikert
Herrera Beutler	McSally	Shuster	Peters	Scott, David	Velázquez	DeSaulnier	Lipinski	Scott (VA)
Hice, Jody B.	Meadows	Simpson	Peterson	Serrano	Visclosky	DesJarlais	Loeb sack	Scott, Austin
Higgins (LA)	Meehan	Smith (MO)	Pingree	Sewell (AL)	Walz	Diaz-Balart	Lofgren	Scott, David
Hill	Messer	Smith (NE)	Pocan	Shea-Porter	Wasserman	Dingell	Long	Sensenbrenner
Holding	Mitchell	Smith (NJ)	Polis	Sherman	Schultz	Doggett	Love	Serrano
Hollingsworth	Moolenaar	Smith (TX)	Price (NC)	Sinema	Waters, Maxine	Donovan	Lowenthal	Sessions
Hudson	Mooney (WV)	Smucker	Quigley	Sires	Watson Coleman	Duncan (SC)	Lucas	Shea-Porter
Huizenga	Mullin	Stefanik	Raskin	Smith (WA)	Welch	Duncan (TN)	Luetkemeyer	Sherman
Hultgren	Murphy (PA)	Stewart	Rice (NY)	Soto	Wilson (FL)	Dunn	Lujan Grisham,	Shimkus
Hunter	Newhouse	Stivers	Richmond	Speier	Yarmuth	Elison	M.	Shuster
Hurd	Noem	Taylor	NOT VOTING—13			Emmer	Luján, Ben Ray	Simpson
Issa	Nunes	Tenney	Collins (NY)	Harris	Rush	Engel	Marshall	Sinema
Jenkins (KS)	Olson	Thompson (PA)	Davis, Danny	Jordan	Slaughter	Eshoo	Massie	Smith (MO)
Jenkins (WV)	Palazzo	Thornberry	Davis, Rodney	Kelly (PA)	Walorski	Esty	Mast	Smith (NE)
Johnson (LA)	Palmer	Tiberi	Deutch	Marino		Farenthold	McCarthy	Smith (NJ)
Johnson (OH)	Paulsen	Tipton	Fudge	Payne		Ferguson	McCaul	Smith (TX)
Johnson, Sam	Pearce	Trott	ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE			Fleischmann	McClintock	Smith (WA)
Jones	Perry	Turner	The SPEAKER pro tempore (during the vote). There are 2 minutes remain-			Fortenberry	McCollum	Smucker
Joyce (OH)	Pittenger	Upton	ing.			Foster	McHenry	Soto
Katko	Poe (TX)	Valadao	□ 1406			Frankel (FL)	McMorris	Speier
Kelly (MS)	Poliquin	Wagner	So the resolution was agreed to.			Franks (AZ)	Rodgers	Stefanik
King (IA)	Posey	Walberg	The result of the vote was announced			Frelinghuysen	McNerney	Stewart
King (NY)	Ratcliffe	Walden	as above recorded.			Gabbard	Meadows	Suozzi
Kinzinger	Reed	Walker	A motion to reconsider was laid on			Gallo	Meehan	Swalwell (CA)
Knight	Reichert	Walters, Mimi	the table.			Garamendi	Meeks	Takano
Kustoff (TN)	Renacci	Weber (TX)	PERSONAL EXPLANATION			Garrett	Meng	Taylor
Labrador	Rice (SC)	Webster (FL)	Mr. RODNEY DAVIS of Illinois. Mr. Speak-			Goodlatte	Messer	Tenney
LaHood	Roby	Wenstrup	er, had I been present, I would have voted			Gowdy	Mooleenaar	Thornberry
LaMalfa	Roe (TN)	Westerman	“yea” on rollcall No. 162, and “yea” on rollcall			Granger	Mooney (WV)	Titus
Lamborn	Rogers (AL)	Williams	No. 163.			Griffith	Moore	Torres
Lance	Rogers (KY)	Wilson (SC)	PERSONAL EXPLANATION			Grothman	Mullin	Trott
Latta	Rohrabacher	Wittman	Mrs. WALORSKI. Mr. Speaker, I was un-			Guthrie	Murphy (FL)	Tsongas
Lewis (MN)	Rokita	Womack	avoidably detained. Had I been present, I			Hanabusa	Murphy (PA)	Vela
LoBiondo	Rooney, Francis	Woodall	would have voted “yea” on rollcall No. 162,			Harper	Nadler	Wagner
Long	Rooney, Thomas	Yoder	and “yea” on rollcall No. 163.			Harris	Napolitano	Walden
Loudermilk	J.	Yoho	PERSONAL EXPLANATION			Hartzler	Newhouse	Walker
Love	Ros-Lehtinen	Young (AK)	Mrs. WALORSKI. Mr. Speaker, I was un-			Heck	Nunes	Walorski
Lucas	Roskam	Young (IA)	avoidably detained. Had I been present, I			Hensarling	O'Rourke	Walters, Mimi
Luetkemeyer	Ross	Zeldin	would have voted “yea” on rollcall No. 162,			Higgins (LA)	Olson	Walz
			PERSONAL EXPLANATION			Himes	Palazzo	Wasserman
			Mrs. WALORSKI. Mr. Speaker, I was un-			Hollingsworth	Palmer	Schultz
			avoidably detained. Had I been present, I			Huffman	Perlmutter	Waters, Maxine
			would have voted “yea” on rollcall No. 162,			Hultgren	Pingree	Webster (FL)
			and “yea” on rollcall No. 163.			Hunter	Pocan	Welch
						Issa	Polis	Westerman
						Johnson (GA)	Posey	Williams
						Johnson (LA)	Quigley	Wilson (SC)
						Johnson, Sam	Richmond	Wittman
						Jones	Roby	Womack
						Kaptur	Roe (TN)	Yarmuth
						Kelly (MS)	Rogers (AL)	Yoho
						Kennedy	Rogers (KY)	Young (AK)
						Kildee	Rohrabacher	Young (IA)
						King (IA)	Rooney, Francis	Zeldin

Keating	Noem	Ryan (OH)
Kelly (IL)	Nolan	Sánchez
Khanna	Norcross	Sarbanes
Kihuen	O'Halleran	Schakowsky
Kilmer	Pallone	Schiff
Kind	Panetta	Schrader
Kinzinger	Pascrell	Sewell (AL)
Kuster (NH)	Paulsen	Sires
LaHood	Pearce	Stivers
Lance	Pelosi	Thompson (CA)
Langevin	Perry	Thompson (MS)
Lee	Peters	Thompson (PA)
Levin	Peterson	Tiberi
Lewis (GA)	Pittenger	Tipton
Lieu, Ted	Poe (TX)	Turner
LoBiondo	Poliquin	Upton
Loudermilk	Price (NC)	Valadao
Lowey	Raskin	Vargas
Lynch	Ratcliffe	Veasey
MacArthur	Reed	Velázquez
Maloney, Sean	Reichert	Visclosky
Matsui	Renacci	Walberg
McEachin	Rice (NY)	Watson Coleman
McGovern	Rice (SC)	Weber (TX)
McKinley	Rokita	Wenstrup
McSally	Ros-Lehtinen	Wilson (FL)
Mitchell	Rouzer	Woodall
Moulton	Roybal-Allard	Yoder
Neal	Ruiz	

ANSWERED "PRESENT"—1

Tonko

NOT VOTING—20

Blumenauer	Gonzalez (TX)	Marino
Collins (NY)	Huizenga	Payne
Conyers	Jordan	Rooney, Thomas
Davis, Danny	Kelly (PA)	J.
Deutch	Larsen (WA)	Rush
Faso	Maloney	Slaughter
Fudge	Carolyn B.	
Gohmert	Marchant	

□ 1413

So the Journal was approved.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Ms. SLAUGHTER. Mr. Speaker, I was unavoidably detained and missed rollcall vote numbers 162, 163, and 164. Had I been present, I would have voted "nay" on each vote.

VETERANS 2ND AMENDMENT PROTECTION ACT

Mr. ROE of Tennessee. Mr. Speaker, pursuant to House Resolution 198, I call up the bill (H.R. 1181) to amend title 38, United States Code, to clarify the conditions under which certain persons may be treated as adjudicated mentally incompetent for certain purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. SIMPSON). Pursuant to House Resolution 198, the bill is considered read.

The text of the bill is as follows:

H.R. 1181

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Veterans 2nd Amendment Protection Act".

SEC. 2. CONDITIONS FOR TREATMENT OF CERTAIN PERSONS AS ADJUDICATED MENTALLY INCOMPETENT FOR CERTAIN PURPOSES.

(a) IN GENERAL.—Chapter 55 of title 38, United States Code, is amended by inserting after section 5501A the following new section:

"§ 5501B. Conditions for treatment of certain persons as adjudicated mentally incompetent for certain purposes"

"Notwithstanding any determination made by the Secretary under section 5501A of this title, in any case arising out of the administration by the Secretary of laws and benefits under this title, a person who is mentally incapacitated, deemed mentally incompetent, or experiencing an extended loss of consciousness shall not be considered adjudicated as a mental defective under subsection (d)(4) or (g)(4) of section 922 of title 18 without the order or finding of a judge, magistrate, or other judicial authority of competent jurisdiction that such person is a danger to himself or herself or others."

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 55 of such title is amended by inserting after the item relating to section 5501A the following new item:

"5501B. Conditions for treatment of certain persons as adjudicated mentally incompetent for certain purposes."

The SPEAKER pro tempore. The gentlemen from Tennessee (Mr. ROE) and the gentlewoman from Connecticut (Ms. ESTY) each will control 30 minutes.

The Chair recognizes the gentleman from Tennessee.

GENERAL LEAVE

Mr. ROE of Tennessee. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous material in the RECORD on H.R. 1181.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to not traffic the well during debate.

Mr. ROE of Tennessee. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, too often, as Americans, we tend to take our freedom for granted. We should never forget we owe the freedom to our Nation's veterans. That is why it is so egregious that many veterans come home to find that they have to do battle with the VA—the very agency that is supposed to help and support them—to protect their own constitutional rights. The problem occurs when VA, for whatever reason, determines that a veteran needs assistance managing his or her VA financial benefits and decides to appoint a fiduciary.

Now, there may be many reasons that a veteran might need a fiduciary, such as a veteran who has TBI may have trouble with math and struggles to balance his or her checkbook. But it is important to remember that the decision to appoint a fiduciary is made by a VA bureaucrat, not a judge or a magistrate after ensuring that veteran's due process rights are protected.

Unfortunately, there are serious, unintended consequences when VA ap-

points a fiduciary. This is because, once VA decides that the beneficiary needs help with finances, even though there may be no evidence that the individual may be a danger to himself or others, the Department sends his or her name to the FBI to be added to the NICS list.

As you know, anyone whose name is on the NICS list is legally prohibited from possessing a firearm. This means that the veteran can no longer participate in sports like hunting or target shooting. The veteran is also legally obligated to relinquish any firearms he or she owns, including collector's pieces and family heirlooms.

I am opposed to the VA's existing policy not only because it deprives veterans of their constitutional rights without due process of law, I am also concerned that these veterans are not able to participate in recreational therapy programs like VA's program at the VA Grand Junction medical center in Colorado that enables veterans with physical and mental disabilities to go hunting or shooting. I know from personal experience that these therapy programs are very effective in helping these heroes recover from injuries that they have received while serving our country.

It is unfortunate that some of the opponents of this bill are perpetrating the outdated stereotypes that people who are mentally ill may be violent and should be feared. I am concerned that these false characterizations may actually deter people from seeking the health services they need.

It is hard enough for some people to admit they need help, Mr. Speaker, but imagine how much more difficult it is when they fear that they would be stigmatized and isolated. It is also possible that some veterans decide to avoid using VA healthcare services all together out of fear that a VA bureaucrat may decide that they are incompetent and take away their constitutional rights.

Let's take a look at the people who actually are added to the NICS list as a result of the Veterans Administration's appointing a fiduciary.

There are currently more than 1,000 children under the age of 20 here on the NICS list, likely because VA appointed a fiduciary because they are too young to handle their own money.

VA has also added the names of 107,000 people over 80 years old to the NICS list. These individuals probably just need help with their finances due to their advanced age.

But should VA really take away the Second Amendment rights from our Nation's seniors, particularly those who fought for the country? It is outrageous that the only group of people that can have their constitutional rights taken away without a hearing before a judge or magistrate are the very people who fought for those rights

and their dependents. Even criminals must be convicted in a court of law before their names are added to that list, Mr. Speaker.

H.R. 1181 would simply prohibit VA from sending veterans' names to the NICS list unless there is an order from a judge or a magistrate that says the person may harm themselves or others.

This proposal has enjoyed bipartisan support in the past. In 2011, the House passed H.R. 2349, which included similar provisions, by voice vote. And just last month, both the House and Senate passed H.J. Res. 40, which prevented the Social Security Administration from implementing a similar policy to report the names of some people who have received disability insurance benefits to NICS.

H.R. 1181 also has wide support among the veterans community, including the American Legion, the VFW, and AMVETS. H.R. 1181 is also supported by the National Disability Rights Network and the National Rifle Association. Additionally, H.R. 1181 has a positive statement of the administration's support.

Mr. Speaker, veterans who fought to defend the Constitution should also be allowed the rights it protects. I urge all Members to support H.R. 1181. It is the right thing to do, and I reserve the balance of my time.

Ms. ESTY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I recently joined the Committee on Veterans' Affairs because of its bipartisan history of working together to improve care for our veterans. I stand ready to work with the committee—in particular, with Chairman ROE—and with every Member of this House to improve and work on the important issues that affect our veterans every day. However, I cannot support this bill, and I strongly urge my colleagues to oppose it.

As this House knows all too well, there is a veterans suicide crisis in this country, a crisis that is enabled by the easy access to firearms. Just last week, the Secretary of Veterans' Affairs, David Shulkin, told the House Committee on Veterans' Affairs that the issue of veteran suicide is one of his highest priorities, and it needs to be a priority of this House as well.

Today, on this day that we have this debate, 20 brave men and women who have worn the uniform in service of this country will take their lives in suicide, and the vast majority of them will use a gun.

As folks all over the country who have helped veterans know, the means matter. Research has shown that more than 85 percent of suicide attempts with a firearm are ultimately fatal compared with just 5 percent for all other means. That is why addressing the public health crisis in the veteran community demands a thoughtful and comprehensive approach: to ensure

that veterans in crisis do not have easy access to guns and that they get the care that they need and deserve.

And yet, today, this House is voting on legislation that completely ignores the crisis that many of our most vulnerable veterans are facing. Unfortunately, this bill was rushed to the floor with no consideration in committee, collaboration, or even time for all of us to understand its full implications. The majority scheduled H.R. 1181 for a vote in committee last week with the bare minimum notice required, even having to move the start time of the markup to comply with the 48-hour notice requirement.

During last week's committee markup, I raised the concern shared by many who work closely on this issue that H.R. 1181 would end up being applied retroactively. The result of this bill being applied retroactively would mean that, if it should pass, more than 170,000 veterans currently prohibited from owning a firearm would be able to pass a background check and buy a gun.

While the chairman expressed his sincere intent and desire that this legislation not be applied retroactively, it is fair to say that reasonable people disagree on how this bill would be implemented. This honest disagreement, alone, illustrates exactly why this House should be taking its time on a bill that could have such a profound impact on our Nation's veterans.

The fact of the matter is that, should H.R. 1181 be signed into law, it would need to be read together with the NICS Improvement Amendments Act of 2007, which requires—requires—Federal agencies to update the records they have previously shared with NICS, meaning, should this bill pass, the VA would be required to remove the 170,000 records they have previously shared with NICS since none of those were approved by a court, nor did they meet the new standard established by this bill.

Now, with respect to the text of the bill itself, the Veterans 2nd Amendment Protection Act, contrary to its name, would create an end run around the firearms mental health prohibitor that we have attempted to refine and improve since Congress passed the Brady Act nearly 20 years ago and the bipartisan NICS Improvement Amendment Act of 2007.

Put simply, this bill would make it easier, not harder, for those veterans in crisis to get access to a firearm by establishing a new judicial requirement that is far higher than any other agency's or department's implementation of the firearms mental health prohibitor, and, quite frankly, would be impractical, if not impossible, for the VA to actually use. The VA is already strapped for resources, and it is unclear if it has the legal standing to initiate a legal proceeding such as that suggested in the bill.

As Members of this House know very well, there has been a fierce debate in this country over the meaning and extent of the Second Amendment right to bear arms. But the question before this House today is not whether an American has a right to own a firearm. The Supreme Court has been very clear on this issue, and the controlling law has been settled. However, constitutional rights are not absolute. As the late Justice Scalia wrote in the controlling Supreme Court *Heller* decision on the Second Amendment, "the Second Amendment is not unlimited."

The question before this House is whether we are going to summarily overturn the VA's efforts over the last 20 years to help prevent veteran suicide and protect veterans' families by reporting the names of veterans with serious mental health issues to the National Instant Criminal Background Check System, known as NICS.

Supporters of this legislation argue that the current process used by the VA to share mental health records with NICS is overinclusive and must be thrown out and replaced with a process that ensures veterans' due process rights.

I agree that the current process is overinclusive, and I agree that we must do more to ensure veterans have sufficient notice, an opportunity to be heard, and a meaningful opportunity to appeal any decision that may impact their constitutional rights; and I stand ready to work with my colleagues on the committee and in this House to more specifically tailor the application of the firearms background checks law as it applies to veterans, both prospectively and retroactively.

□ 1430

But a wholesale elimination of the VA's long-established practice to help keep firearms out of the hands of veterans who are at serious risk of harming themselves or others is dangerous and misguided.

To be clear, of the 170,000 veterans currently prohibited from owning a firearm, as of 2015, almost 20,000 of them were diagnosed with schizophrenia, over 11,000 with dementia, and over 5,000 with Alzheimer's. For a veteran suffering with a significant mental health condition like one of these, access to a firearm is a serious matter.

Moreover, just 3 months ago, this Congress passed bipartisan legislation that codified a process for how the VA can make a determination of the mental capacity of a veteran before that information is sent to NICS. The 21st Century Cures Act, which passed this House 3 months ago by a vote of 392–26, required a veteran to be provided notice of a proposed financial competency determination and given an opportunity to be heard, present evidence, and be represented at a hearing.

H.R. 1181 seeks to undo this carefully crafted compromise before we even

have a chance to study the impacts of the 21st Century Cures Act or the VA's existing practices.

Mr. Speaker, I include in the RECORD a letter signed by 12 veterans, including retired Generals Stanley McChrystal and David Petraeus, whose leadership and support for our military and veterans community is unquestioned and who believe that this bill could put mentally ill veterans in harm's way by giving them easy access to firearms.

VETERANS COALITION FOR
COMMON SENSE,
March 14, 2017.

Hon. MITCH MCCONNELL,
Majority Leader, U.S. Senate,
Washington, DC.

Hon. PAUL RYAN,
Speaker, House of Representatives,
Washington, DC.

Hon. CHUCK SCHUMER,
Minority Leader, U.S. Senate,
Washington, DC.

Hon. NANCY PELOSI,
Democratic Leader, House of Representatives,
Washington, DC.

DEAR MAJORITY LEADER MCCONNELL, LEADER SCHUMER, SPEAKER RYAN AND LEADER PELOSI, As dedicated service members and members of the Veterans Coalition for Common Sense, we write to you today to express our grave concerns with legislation being considered by Congress, the Veterans 2nd Amendment Protection Act. This proposal would put America's veterans who need our support the most in harm's way by providing them with easy access to firearms. Instead of passing this irresponsible and dangerous legislation, Congress should instead do more to guarantee that all veterans have access to world-class medical and counseling services. We urge you to oppose this bill.

Our nation is facing a devastating epidemic of veteran suicide. The bill you are debating comes at a time when an average of 20 veterans commit suicide each day, two-thirds of whom do so by using a firearm. We know that non-deployed veterans are at a 61 percent higher risk of suicide compared to the American civilian population, and deployed veterans are at a 41 percent higher risk. Firearms are the most lethal means when it comes to suicide, resulting in death nine out of ten times. When vulnerable veterans have access to firearms, they can do harm not only to themselves but also to family members and loved ones. The impact of these tragedies is felt in communities across our nation.

Last week, we were pleased to hear Secretary of Veterans Affairs (VA) David Shulkin announce his intent to provide urgent mental health care services to veterans with other-than-honorable discharges. This is a step in the right direction. Over 22,000 soldiers in the Army alone have received these bad paper discharges since 2009 due to mental health conditions, and they are among the ones who most need access to comprehensive mental health services.

But they are not the only ones. In 2008, President Bush signed a law requiring all federal agencies to submit the names of individuals who are legally prohibited from possessing guns to the National Instant Criminal Background Check System (NICS). Since then, the VA has submitted over 174,000 names of servicemen and women who require a fiduciary to manage their benefits and have been determined through clear and convincing evidence to meet the federal stand-

ard for gun prohibition. Of these 174,000, 19,000 are individuals that suffer from schizophrenia and another 15,000 have severe PTSD.

For these individuals, possession of a firearm could be fatal. The Veterans 2nd Amendment Protection Act would put at risk the safety of these veterans and our communities by changing the standard for gun prohibition, so the VA's determinations would no longer stop a veteran from obtaining a gun. Instead, the names of veterans already in the background check system would be erased, putting them at much greater risk of self-harm. This would be irresponsible, dangerous, and life threatening to those who need access to care, not weapons.

Just last year, Congress worked to ensure that all veterans have appropriate due process protections in place through the 21st Century Cures Act. This codified existing practice and guaranteed that individuals who disagree with their final adjudication have the ability to appeal this determination.

We appreciate your service to your country in the United States Congress, and look forward to working with you to support and protect our men and women in uniform and their communities. In doing so, we urge you to oppose the Veterans 2nd Amendment Protection Act. Thank you for your consideration.

Sincerely,

Admiral Thad Allen, USCG (Ret.); General Peter W. Chiarelli, USA (Ret.); General Wesley Clark, USA (Ret.); General Michael V. Hayden, USA (Ret.); General James T. Hill, USA (Ret.); General Stanley A. McChrystal, USA (Ret.); Admiral Eric T. Olson, USN (Ret.); General David H. Petraeus, USA (Ret.); Lieutenant General Mark Hertling, USA (Ret.); Lieutenant General Russel Honore, USA (Ret.); Lieutenant General Claudia J. Kennedy, USA (Ret.); Lieutenant General Norman R. Seip, USAF (Ret.); Rear Admiral James "Jamie" A. Barnett, USN (Ret.); Brigadier General Stephen A. Cheney, USMC (Ret.).

Ms. ESTY. Mr. Speaker, I include in the RECORD a letter from Everytown for Gun Safety and a coalition letter led by the Newtown Action Alliance signed by over 40 organizations from around the country opposing this bill.

EVERYTOWN FOR GUN SAFETY,
New York, NY, March 7, 2017.

Re Reject H.R. 1181, which would put U.S. veterans in danger.

Hon. PHIL ROE,
Chairman, House Committee on Veterans' Affairs, Washington, DC.

Hon. TIM WALZ,
Ranking Member, House Committee on Veterans' Affairs, Washington, DC.

DEAR CHAIRMAN ROE AND RANKING MEMBER WALZ: I write to express Everytown for Gun Safety's strong opposition to H.R. 1181. In the midst of a suicide epidemic among our veterans, this bill would discard hundreds of thousands of mental health records from the background check system and enable Veterans Affairs beneficiaries suffering from severe mental illness to buy firearms.

The stakes could not be higher. Twenty U.S. veterans take their lives each day—a suicide rate more than 20 percent higher than among the civilian population. Two in three of those suicides are carried out with firearms. While suicide in the general population has decreased since the turn of the century, suicide among veterans has not.

H.R. 1181 would repeal the law that blocks VA beneficiaries from possessing or purchasing firearms if they have been found mentally incompetent, after receiving due process and the right to a formal hearing. According to the VA, more than 170,000 prohibiting records for these beneficiaries are already in the background check system. Under this legislation, those records would no longer lead to a failed background check—and would be removed from the system entirely. H.R. 1181 would roll back the law that prohibits people with a VA incompetency finding from purchasing firearms—even though many of these beneficiaries suffer from schizophrenia or severe long-term post traumatic stress disorder.

The current process works, and it provides veterans with due process. To make an incompetency finding, VA officials must have clear and convincing evidence. The beneficiary has an opportunity to request a formal hearing and may appeal an adverse decision to a federal judge. Indeed, the 21st Century Cures Act, passed in 2016 by the Republican Congress and signed into law by President Obama, provides new comfort at the statutory level that beneficiaries can present evidence from a mental health professional and be represented by counsel at incompetency hearings.

When it comes to suicide, means matter. When suicide is attempted with a firearm, the chances that a person will actually end his or her life are radically increased. Because firearms are uniquely lethal, up to 90 percent of suicide attempts with guns result in death. In addition, suicide is often an impulsive act and 90 percent of people who attempt and fail to kill themselves do not end up dying from suicide. Preventing firearm access in these moments of crisis can be the difference between a long life and a tragedy.

I urge you to protect our service members and veterans by rejecting H.R. 1181.

Sincerely,

JOHN FEINBLATT,
President.

NEWTOWN ACTION ALLIANCE,
Newtown, CT, March 14, 2017.

DEAR MEMBERS OF CONGRESS: We strongly urge you to oppose H.R. 1181—Veterans 2nd Amendment Protection Act, a bill that would immediately remove 174,000 individuals deemed "mentally incompetent" by the Department of Veterans Affairs (VA) Secretary from the National Instant Criminal Background Check System (NICS). These individuals who suffer from serious mental illnesses like dementia, schizophrenia, and severe post-traumatic stress disorder (PTSD) will be able to access firearms more easily. With veteran suicide rate increasing by 32.2% from 2001 to 2014, Congress should be closing the background check loopholes rather than weakening our background check system.

Please thoroughly review the 2014 veteran suicide statistics from VA's Fact Sheet on Suicide Prevention to understand why HB 1181 must be opposed to reduce the tragic epidemic of veteran suicides in our nation.

https://www.va.gov/opa/publications/factsheets/Suicide_Prevention_FactSheet_New_VA_Stats_070616_1400.pdf

"Veteran Suicide Statistics, 2014"

In 2014, an average of 20 Veterans died from suicide each day. 6 of the 20 were users of VA services.

In 2014, Veterans accounted for 18% of all deaths from suicide among U.S. adults, while Veterans constituted 8.5% of the US population. In 2010, Veterans accounted for 22% of

all deaths from suicide and 9.7% of the population.

Approximately 66% of all Veteran deaths from suicide were the result of firearm injuries.

There is continued evidence of high burden of suicide among middle-aged and older adult Veterans. In 2014, approximately 65% of all Veterans who died from suicide were aged 50 years or older.

After adjusting for differences in age and gender, risk for suicide was 21% higher among Veterans when compared to U.S. civilian adults. (2014)

After adjusting for differences in age, risk for suicide was 18% higher among male Veterans when compared to U.S. civilian adult males. (2014)

After adjusting for differences in age, risk for suicide was 2.4 times higher among female Veterans when compared to U.S. civilian adult females. (2014)

Overview of data for the years between 2001–2014

In 2014, there were 41,425 suicides among U.S. adults. Among all U.S. adult deaths from suicide, 18% (7,403) were identified as Veterans of U.S. military service.

In 2014, the rate of suicide among U.S. civilian adults was 15.2 per 100,000.

Since 2001, the age-adjusted rate of suicide among U.S. civilian adults has increased by 23.0%.

In 2014, the rate of suicide among all Veterans was 35.3 per 100,000. Since 2001, the age-adjusted rate of suicide among U.S. Veterans has increased by 32.2%.

In 2014, the rate of suicide among U.S. civilian adult males was 26.2 per 100,000.

Since 2001, the age-adjusted rate of suicide among U.S. civilian adult males has increased by 0.3%.

In 2014, the rate of suicide among U.S. Veteran males was 37.0 per 100,000.

Since 2001, the age-adjusted rate of suicide among U.S. Veteran males has increased by 30.5%.

In 2014, the rate of suicide among U.S. civilian adult females was 7.2 per 100,000.

Since 2001, the age-adjusted rate of suicide among U.S. civilian adult females has increased by 39.7%.

In 2014, the rate of suicide among U.S. Veteran females was 18.9 per 100,000.

Since 2001, the age-adjusted rate of suicide among U.S. Veteran females has increased by 85.2%."

Gun suicides and homicides are preventable with common sense gun laws. Connecticut passed the second strongest gun violence prevention laws in America after the Sandy Hook tragedy, without infringing on the Second Amendment rights of gun owners. Regrettably, Congress failed to take action after the Sandy Hook massacre and over 400,000 Americans have been killed or injured by guns since the gunman with severe mental illness brutally gunned down 20 innocent children and six educators in five minutes. If it can happen in Sandy Hook then it can happen anywhere.

We urge you to adequately represent the 90 percent of Americans who continue to support expanded background checks to keep guns away from individuals who are a danger to themselves or others. We implore you to vote NO to H.R. 1181, fix NICS and pass an expanded background check bill to protect the military service members, our veterans, our families and our communities throughout the United States.

Sincerely,

Newtown Action Alliance, Blue Star Families, CeaseFire Pennsylvania, CHICAGO

SURVIVORS, Coalition Against Gun Violence, Colorado Ceasefire Legislative Action, Connecticut Against Gun Violence, Delaware Coalition Against Gun Violence, Episcopal Peace Fellowship, Gays Against Guns, Greenwich Council Against Gun Violence, Gun Violence Prevention Center of Utah, GunControlToday, Hoosiers Concerned About Gun Violence, Indivisible DuPage, Iowans for Gun Safety, Iowans for Gun Safety, Jessi's Message, Joint Action Committee, Maine Gun Safety Coalition, Marylanders to Prevent Gun Violence, Nebraskans Against Gun Violence.

New Castle NH Huddle, New Castle Promise, North Carolinians Against Gun Violence, NYAGV, Ohio Coalition Against Gun Violence, One Pulse for America, Pride Fund to End Gun Violence, Protect Minnesota, Rabbinical Assembly, Reconstructionist Rabbinical Association, Rhode Island Coalition Against Gun Violence, Seacoast Family Promise, States United to Prevent Gun Violence, Stop Handgun Violence, Texas Gun Sense, The Virginia Center for Public Safety, The Virginia Gun Violence Prevention Coalition, Unitarian Universalists of Santa Fe, WAVE Educational Fund, Women Against Gun Violence, Women's Voices Raised for Social Justice, St. Louis, MO.

Ms. ESTY. Mr. Speaker, I recognize that the current practice of information sharing between the VA and NICS is overinclusive and that alternatives should be explored that would more appropriately balance veterans' Second Amendment rights with ensuring that veterans who pose a danger to themselves or to others do not have access to firearms.

This bill, however, was not considered through regular order and no genuine attempt was made to work across the aisle or with the VA to craft a real solution that addresses the real crisis of veterans' suicide in this country.

I stand ready to work with the chairman to address legitimate concerns regarding the VA process. And in fact, just yesterday, I visited at length with VA Secretary Shulkin on how we can all work together to keep our veterans safe and get them the care and support they and their families need.

I cannot support any bill, especially one addressing an issue as important as veterans' suicide, through this rushed process.

I ask all of my colleagues to join me in opposing H.R. 1181. Our veterans put their lives on the line for this country. We shouldn't put their lives and their families at risk when they need us most.

Mr. Speaker, I reserve the balance of my time.

Mr. ROE of Tennessee. Mr. Speaker, I yield myself such time as I may consume.

In America, the last time I looked, you are presumed innocent until proven guilty. What we have done with these veterans who have served this country, many of them injured in combat, is we have said you are guilty and you have to prove you are innocent to be able to own a firearm in your own home.

By the way, Mr. Speaker, people who are in a fiduciary status actually statistically have a slightly lower incarceration rate than veterans who are not. So to say that they are a danger to themselves or a danger to others is erroneous.

The other thing I would like to say is that the 21st Century Cures Act, Mr. Speaker, has codified basically the VA policy is what it did. It did not change the policy. What we are saying to veterans is that if you are an honorably discharged veteran who needs a fiduciary for whatever reason, you automatically lose a constitutionally guaranteed right.

I yield 2 minutes to the gentleman from Illinois (Mr. BOST), an active member of the Veterans Affairs' Committee.

Mr. BOST. Mr. Speaker, I rise today in support of the Veterans 2nd Amendment Protection Act.

It is unfortunate that under current practices, it doesn't take a doctor or a judge to determine a veteran is unfit to own a firearm. Not a doctor, not a judge; it just takes the assignment of the fiduciary.

Mr. Speaker, the women and men took an oath of office to protect and defend our Constitution—the same as we do in our offices to serve our veterans—and to stand in harm's way.

Mr. Speaker, this is exactly the opposite of what our legal system should allow. There is no due process. All of a sudden they go to the VA. They are seeking help with maybe other issues that are out there—because they can't even have a judge or a doctor make that decision, if that is the case—but they do make a decision that they have to have a fiduciary to help them with certain things.

It is vitally important that we maintain the due process. This legislation still allows for dangerous individuals to be denied their firearms, but it leaves the determination to someone with the expertise to understand their case. This is a case where bureaucracy has run amok. We have got to stop it. That is what our job here is to do.

Our Second Amendment rights are vitally important. Each amendment and those rights under our Constitution are vitally important. And for those men and women who have served to protect those rights, shouldn't we make sure that they are protected with due process.

I urge my colleagues to support H.R. 1181.

Ms. ESTY. Mr. Speaker, I yield myself such time as I may consume to respond to the assertion that there is no due process in this act and that the 21st Century Cures Act did not do anything to help veterans.

The 21st Century Cures Act codified the following due process guaranteed to veterans through the VA. Individuals are notified by the VA that a fiduciary is recommended and are allowed

30 days to respond with a notification of acceptance or contest, and they are notified of the implications that this would have for being reported to NICS. The veteran then has 60 days to present evidence against the need for a fiduciary. And as required by law, the VA relief process allows impacted individuals to maintain their fiduciary, but regain gun eligibility removing their names from NICS. These are all already processes in place.

I yield 3 minutes to the gentleman from California (Mr. TAKANO), who is the vice ranking member of the Veterans' Affairs Committee.

Mr. TAKANO. Mr. Speaker, I rise in opposition to H.R. 1181.

The epidemic—actually, rather the tragedy—of veterans' suicide has affected families across the country, including my own. I recall walking home after school at the age of 10 or 11 in the month of November—as you know, Veterans Day is in the month of November—and hearing the news that my uncle, who lived across the street from us, had taken his own life with a firearm. He was a Vietnam veteran, and his memory serves as a personal reminder about the tragedy of veterans' suicide. To this day, it continues to plague our communities with our recent conflicts in Iraq and Afghanistan.

Of the 20 veterans who die from suicide every day, two-thirds of those occur by firearm. Part of stopping this crisis is keeping guns out of the hands of our most vulnerable veterans. Removing all individuals determined by the VA to be mentally incompetent from the National Instant Criminal Background Check System will make it easier for a veteran in crisis to obtain a firearm.

To be clear, there are veterans currently flagged in the background check system who should not be there, and we need to create a fair and streamlined process for veterans to appeal their status.

But there is a balance between protecting veterans' Second Amendment rights and protecting veterans who are a danger to themselves or others. Immediately removing restrictions on every individual does not strike the right balance. Instead, it rolls back the bipartisan work we have done through the 21st Century Cures Act, and it endangers the lives of veterans who need our help the most.

I urge my colleagues to oppose this bill.

Mr. ROE of Tennessee. Mr. Speaker, I yield 2 minutes to the gentleman from Colorado (Mr. LAMBORN).

Mr. LAMBORN. Mr. Speaker, I rise in strong support of H.R. 1181, the Veterans 2nd Amendment Protection Act. Our veterans should not lose their right to bear arms and defend themselves and their families simply because they receive health care from the VA and have someone appointed to help them with their finances.

Currently, when a veteran appoints a fiduciary to help them manage their VA benefits, the VA automatically adds the veteran's name to a list that prevents them from purchasing a firearm. It makes no sense to take away a veteran's constitutionally protected rights simply because someone else is managing their finances.

Opponents of this bill argue that dangerous or suicidal veterans could have easy access to guns if this VA process is stopped. However, the program does not make any determination on veterans' mental health or the dangers they pose to others. The VA system focuses only on whether veterans receive assistance with their finances.

The right to bear arms is too important to deprive veterans of due process without a judicial determination of whether the veteran poses a threat to themselves or others. Those who defend our Nation, whether or not they use a fiduciary to manage their benefits, are entitled to the right to defend themselves.

I urge my colleagues to support this good bill.

Ms. ESTY. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. BERA).

Mr. BERA. Mr. Speaker, I rise today in opposition of the so-called Veterans 2nd Amendment Protection Act. I agree with the chairman of the full committee that we don't want to take away Second Amendment rights from our veterans. In fact, our veterans have the skills and understanding of how to handle firearms. I think about this as a doctor, though, who has served veterans and who has worked in the VA system.

We have an epidemic on our hands right now. Every day, 20 veterans commit suicide. That is 20 too many. As someone who has sat in the exam room and listened to these veterans, if there is any evidence or risk of suicidal ideations, if there is any risk of that, I don't want to take doctors out of this process, and that is what I am worried about here. My first job is to do no harm and to do good and help protect these veterans.

Two out of three veterans who commit suicide do so with a firearm. We have got to prevent this. This is an epidemic, and it is a national crisis, and we know gun suicides are preventable.

When we see those risks, I want to make sure I, as a doctor, have the ability to act and protect that veteran. We need to address this problem like the public health issue that it is. We need to continue to allow doctors to report the risks when they see them. It makes their patients safer, their communities safer, and it is the right thing to do.

I would love to work with my colleague, a fellow doctor and the chairman of the full committee, on making sure we protect our veterans.

Mr. ROE of Tennessee. Mr. Speaker, I yield myself such time as I may consume.

The text of this bill does not remove the names of anyone who is currently on the NICS list. It simply prohibits the VA Secretary from continuing to send the names of beneficiaries who utilize a fiduciary to the NICS list. And there is nothing in the bill that would require the VA Secretary to take any action with respect to those already on the list.

Just one other thing, Mr. Speaker, to show you how the VA's policy is not consistent: just as an example, a veteran who is rated at 100 percent disabled for PTSD is not automatically given a fiduciary, even though the symptoms required for that rating may include suicidal or homicidal ideation. So they are very inconsistent about how they do this. And of the 915,744 veterans who have a service-connected PTSD condition, only 1.7 percent of them have a fiduciary. Remember, they lose their constitutionally guaranteed right.

I yield 1½ minutes to the gentleman from Texas (Mr. FARENTHOLD), a hard-working member of this conference.

□ 1445

Mr. FARENTHOLD. Mr. Speaker, under current practice, if a veteran or beneficiary is appointed a fiduciary by the VA, they are automatically labeled as mentally defective and added to the FBI's background check system which prohibits them from purchasing a firearm. This rule fails to identify which beneficiaries have a mental illness that make them a danger, instead instituting a blanket ban on anyone who needs help managing their benefits, and it discourages veterans who need help from seeking help.

The Veterans 2nd Amendment Protection Act will prohibit the VA from considering a beneficiary just because they are assisted by a fiduciary as mentally defective without due process. Just because you have trouble managing your finances doesn't mean you are dangerously mentally ill. This discourages veterans who may need help from seeking help.

We owe it to our veterans and to all Americans to protect the freedoms guaranteed by our Constitution and ensure that they are not taken away without due process. That is why I urge my colleagues to join me in supporting this bill.

Ms. ESTY. Mr. Speaker, may I inquire how much time I have remaining?

The SPEAKER pro tempore. The gentlewoman from Connecticut has 14 minutes remaining. The gentleman from Tennessee has 18½ minutes remaining.

Ms. ESTY. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. THOMPSON).

Mr. THOMPSON of California. I thank the gentlewoman for yielding and thank her for her leadership on this issue.

Mr. Speaker, I rise in opposition to this piece of legislation. This bill undermines our commitment to our veterans, it weakens our background check system, and it puts guns in the hands of those who shouldn't have them.

I am a combat veteran and I am a gun owner. I strongly support the Second Amendment. With responsible gun ownership comes the recognition that not everyone is mentally capable to own a gun.

Every day, 20 veterans take their own life, most of those with a firearm, so the VA acted to prevent violence and to comply with the law by keeping guns out of the hands of veterans who are in crisis. These are veterans with very serious diagnoses, including 20,000 veterans diagnosed with schizophrenia, over 11,000 with dementia, and more than 5,000 with Alzheimer's. Passing this bill would remove their names from our background check system.

This is absolute stupidity. The VA has done a good job to keep more than 174,000 veterans with serious mental health problems from getting a gun. They are working hard to save the lives of these veterans. This bill would make it easier for veterans to take their own life.

I don't want to see another veteran become a statistic. Passing this bill puts our veterans at risk. We owe them the best care and support. Sadly, this bill would leave them more vulnerable than ever. This is a dangerous overstep, and I urge every Member to seriously consider the impact this will have on our veterans, their families, and their communities.

Mr. ROE of Tennessee. Mr. Speaker, once again, let me state this for the record. The text of this bill does not remove the names of anyone who is currently on the NICS list, except it prohibits the VA Secretary from continuing to send the names of the beneficiaries who utilize a fiduciary to the NICS list.

I don't want guns in the hands of anybody who should not own a gun who is mentally unstable, but what we are saying is that a VA rater should be a judge or a magistrate, where you can argue both sides of this in front of them. It shouldn't be a VA bureaucrat that is doing this.

I yield 2 minutes to the gentleman from Texas (Mr. CONAWAY), the chairman of the Agriculture Committee.

Mr. CONAWAY. Mr. Speaker, I rise today in support of the Veterans 2nd Amendment Protection Act, a bill that I have supported for the last several Congresses.

The Second Amendment is a constitutional right for all of us, but it is especially sacred to the men and women who put their lives on the line to protect our Constitution and our way of life. Unfortunately, under current law, many of our servicemembers

who use a fiduciary to help them navigate the increasingly complicated Department of Veterans Affairs are automatically labeled as mentally defective—which, in this politically correct era, is probably not the best way to phrase them—which places them in the FBI's National Instant Criminal Background Check System.

This label wrongly denies these veterans their constitutional right to bear arms. The determination for a label of this magnitude should rest with the courts, as this bill ensures, not with a bureaucrat, as the current practice dictates.

Mr. Speaker, as our colleagues on the other side of the aisle said, they have listed some almost 40,000 people who have a clinical issue who deserve to have a conversation of the 174,000 that are on the list. What about the other 130,000?

As the other side has also admitted, it overreaches and is beyond what we should be doing. Their gratuitous offer to negotiate to fix that, they know, of course, that the current practice of just labeling folks by a bureaucrat would remain in place throughout that negotiation process if it were to ever actually occur.

All too often, government bureaucracies fail the very men and women who fought to protect this Nation; however, this bill is an easy fix to ensure that veterans aren't further hindered by Big Government bureaucracies.

I urge my colleagues to support the legislation.

Ms. ESTY. Mr. Speaker, I yield 4 minutes to the gentleman from Arizona (Mr. GALLEGOS).

Mr. GALLEGOS. Mr. Speaker, I rise in opposition to H.R. 1181. As a combat veteran in the Iraq war, the issues we are debating this afternoon are deeply personal to me.

Veteran suicide has reached crisis levels in this country, and our failure to do more to help veterans in desperate need of mental health care is truly shameful. Unfortunately, Republicans have brought forward a bill today that will make this crisis even worse.

Here is the plain truth. If we allow people with serious mental illnesses to purchase dangerous weapons, we are putting their lives and the lives of their loved ones at risk.

Mr. Speaker, at a time when more veterans are taking their own lives, we should be debating how to get them greater resources and support, not easier access to firearms. At least 10—10—esteemed military leaders, including David Petraeus, Michael Hayden, and Stanley McChrystal all agree. Here is what they wrote in a heartfelt letter to Congress:

"Our Nation is facing a devastating epidemic of veteran suicide. The bill you are debating comes at a time when

an average of 20 veterans commit suicide each day, two-thirds of whom do so by buying a firearm.

"We know that nondeployed veterans are at a 61 percent higher risk of suicide compared to the American civilian population, and deployed veterans are at a 41 percent higher risk" than the American civilian population.

"When vulnerable veterans have access to firearms, they can do harm not only to themselves but also to their family members and loved ones. The impact of these tragedies is felt in communities across our Nation.

"The VA has submitted over 174,000 names of servicemen and -women who require a fiduciary to manage their benefits and have been determined through clear and convincing evidence to meet the Federal standard for gun prohibition.

"Of these 174,000, 19,000 are individuals that suffer from schizophrenia, and another 15,000 have severe PTSD.

"For these individuals, possession of a firearm could be fatal."

They conclude by calling the bill before us today "irresponsible, dangerous, and life threatening to those who need access to care, not weapons," and I couldn't agree more with that.

The question for my Republican friends is a simple one: Do you know more about what is best for our veterans than General Hayden? Do you have a better understanding of what would improve their welfare than General McChrystal? Do you appreciate their needs more acutely than General Petraeus? If the answer is no, then you should vote "no" on this bill later today.

Mr. Speaker, if this legislation is signed into law, more veterans will take their own lives. That is the tragic reality we face. Please side with General Petraeus and General McChrystal. Side with your conscience and your values. Side with our veterans. Please vote "no."

Mr. Speaker, I include in the RECORD a letter from the Law Center to Prevent Gun Violence regarding a summary of the effect of H.R. 1181.

LAW CENTER TO
PREVENT GUN VIOLENCE,
March 10, 2017.

MEMORANDUM

To Interested Parties.
From Americans for Responsible Solutions.
Re Effect of H.R. 1181 (2017): Veterans 2nd Amendment Protection Act.

SUMMARY

H.R. 1181, the Veterans 2nd Amendment Protection Act, would mandate that veterans determined to be mentally incompetent or incapacitated by the Veterans Administration (VA) shall not be considered to have been "adjudicated as a mental defective" for the purposes of federal firearms law without a finding by a judge or judicial authority that the veteran is a danger to self or others.

The VA has reported records to the FBI's National Instant Criminal Background

Check System (NICS) regarding more than 170,000 beneficiaries who were adjudicated as mentally incompetent under a very different standard. The vast majority of those incompetency adjudications have been made (1) without a finding of dangerousness and (2) without the involvement of a judge or judicial officer.

In short, this bill would drastically change the standard under which veteran beneficiaries may be considered "adjudicated" for the purposes of federal firearms law, and it provides no express time limitation to ensure that this new standard would not be applied to VA adjudications that occurred before enactment of this bill. As a result, there is significant concern about how this legislation would affect veterans who have previously been adjudicated as mentally incompetent by the VA, and who are, as a result, currently considered subject to federal law's firearm prohibition.

The NICS Improvement Amendments Act of 2007 (NIAA) states that once a federal department or agency is aware that, when the basis under which a record was made available to NICS does not apply, or no longer applies, a federal agency must "update, correct, modify, or remove the record from any database that the agency maintains and makes available to the Attorney General, in accordance with the rules pertaining to that database; and (ii) notify the Attorney General that such basis no longer applies so that the National Instant Criminal Background Check System is kept up to date." A strong argument could be made that, if H.R. 1181 were to become law, most beneficiaries who have been found to be mentally incompetent by the VA could no longer be considered subject to federal law's firearm prohibition.

RELEVANT LANGUAGE

The relevant language of the bill states: "Notwithstanding any determination made by the Secretary under section 5501A of this title, in any case arising out of the administration by the Secretary of laws and benefits under this title, a person who is mentally incapacitated, deemed mentally incompetent, or experiencing an extended loss of consciousness shall not be considered adjudicated as a mental defective under subsection (d)(4) or (g)(4) of section 922 of title 18 without the order or finding of a judge, magistrate, or other judicial authority of competent jurisdiction that such person is a danger to himself or herself or others."

The key phrase is "in any case arising out of the administration by the Secretary of laws and benefits under this title." This phrase determines the scope of the individuals that would be affected by this bill. It is not limited to cases that the Secretary administers subsequent to the enactment of the bill, but rather is unbounded in time. This language could therefore be interpreted to apply to any case arising out of the administration of these laws and benefits by the Secretary, regardless of when the case occurred. If the NICS Section of the FBI follows this interpretation, it may remove records of these individuals from NICS.

This would have far-reaching impact. Currently, few if any mental incompetency determinations by the VA are made by a judge, magistrate, or judicial authority. These determinations are made by VA examiners who determine, in the course of processing veterans' benefits claims, that as a result of as a result of marked subnormal intelligence, or mental illness, incompetency, condition, or disease, a beneficiary "lacks the mental capacity to contract or manage his or her own affairs" and requires a fiduciary to handle the disbursement of benefits.

Because these beneficiaries require a fiduciary to handle disbursement of their payments due to mental incompetence, they are considered to "lack[] the mental capacity to . . . manage [their] own affairs . . . as a result of marked subnormal intelligence, or mental illness, incompetency, condition, or disease," and are therefore prohibited from possessing a firearm under existing federal law.

These incompetency determinations may be appealed to the VA's administrative Board of Veterans Appeals, and then eventually to federal court, but the federal judges reviewing the case would be reviewing the VA's finding that the veteran is mentally incompetent, and would have no basis for determining whether or not the veteran was "a danger to himself or herself or others." Determining whether a person is a danger to self or others is generally outside the purview of the Veterans Benefits Administration or cases arising out of the administration of laws regarding veterans' claims for benefits.

If an incompetent beneficiary seeks relief specifically from the NICS firearm prohibition, the VA must determine whether the beneficiary has proven by clear and convincing evidence that "he or she is not likely to act in a manner dangerous to self or others, and the granting of relief is not contrary to public safety and/or the public interest." Essentially, the VA is tasked in these cases with assessing whether the beneficiary met a substantial burden of proving non-dangerousness. This does not involve a finding by a judge, magistrate, or judicial authority. Though veterans may then appeal an action by the VA denying NICS relief to a federal district court judge, that judge would be tasked with reviewing whether the evidence reasonably justified the VA's determination that the veteran failed to provide clear and convincing evidence that he or she was not dangerous. It is not clear even in these rare cases that a judge upholding the VA's determination would have occasion to make an affirmative finding that the person was a danger to self or others.

In short, this bill would drastically change the standard under which veteran beneficiaries may be considered "adjudicated" for the purposes of federal firearms law, and provides no express time limitation to ensure that this new standard shall not be applied to previous adjudications by the VA. It could therefore threaten to implicitly require that NICS lose nearly every prohibiting mental health record it has ever received from the VA.

LIMITING AMENDMENT

In order to avoid the loss of these records in NICS, we suggest amending the phrase "in any case arising out of the administration . . ." to refer only to cases arising subsequent to the enactment of this law.

Mr. ROE of Tennessee. Mr. Speaker, I yield myself such time as I may consume.

I guess by listening to the debate that is going on, one would assume that someone who has a fiduciary would be a danger to themselves and others, and I think that is completely erroneous to assume that.

Let me read you excerpts of a floor statement that Senator BURR made in 2009 to show you how this can get off track. And we are going to put sort of a human face on this, just an excerpt

from a letter that Jennifer wrote as the wife of Corey.

"Corey served in Iraq. He was a paramedic. He was severely injured by an IED explosion in 2004, which caused severe burns, damage to his lungs, and severe traumatic brain injury after shrapnel entered his skull. Corey spent . . . 5 years recovering from his injuries. Jennifer reports that he is walking, talking, and enjoying life at home with his two children.

"Now it gets really sad. Because of his head injury, Corey still requires help with certain things. The VA said he needed help managing his disability compensation payments, and they named Jennifer, his spouse, as his fiduciary"—his wife. "That is where I would like to read you her letter. Again, I quote from the letter:

"On May 19, 2009, we had our annual fiduciary meeting with the VA field examiner. At the end of the meeting, our field examiner said he needed to read a statement to us. He read the Brady Bill statement and then stated that Corey can't own, possess, use, be around, et cetera, any firearms. He then went on to say that anyone in our household can't own a gun while living in this household.

"I asked him about Corey going on adaptive hunting trips and he said he couldn't. Corey stated that he had a gun that was handed down from his grandfather and that Corey was going to hand it down to his son, and the field examiner told him that he couldn't have it. He stated to Corey that if he did own a gun or be around a gun that he would be threatened with imprisonment.

"The way that that field examiner talked to Corey about this issue was not appropriate. The field examiner said that I could challenge it and handed me a blank sheet of paper with a VA heading. I asked the field examiner for the statement that he read to me, but he said that he had to ask his boss if he could actually provide a copy of that statement. After 2 weeks of me emailing him, I finally got the attached papers in the mail. I think the VA is taking this way out of concept, and I would greatly appreciate your support."

"Well, in case any of my colleagues think the government would never prosecute someone like Corey for possession of a firearm, being around a firearm, I wish to read to my colleagues excerpts from the VA directive that went out to all VA regional offices on September 29, 2009, on this very issue.

"The directive is meant to inform fiduciary field examiners of their obligation if they were to witness a violation of the Brady Act. I am going to quote from this VA memorandum to the field examiners.

"Field examiners or other VA employees who encounter beneficiaries believed to be in violation of the Brady

Act are required to notify the fiduciary activity manager as soon as safely possible. At no time should the employee place him/herself in danger. The fiduciary activity manager at the VA regional office of jurisdiction must immediately report the alleged violation to the Bureau of Alcohol, Tobacco and Firearms," and here is the number.

And that is straight out of their memorandum, Mr. Speaker.

We don't want weapons, no one in this room, and none of my colleagues on the VA Committee, Republican or Democrat, want weapons in the hands of someone that is considered dangerous. But we have American heroes that are being denied their Second Amendment right to even keep their grandfather's gun. I feel that, if you want to go and have your due process rights in front of a court of law or magistrate, that is perfectly okay. That is the way our system works. But not a VA rater. They don't get to do that. And I think, by passing this bill, we will guarantee those rights to our American heroes.

I reserve the balance of my time.

Ms. ESTY. Mr. Speaker, I yield 3 minutes to the gentleman from Maryland (Mr. BROWN).

Mr. BROWN of Maryland. Mr. Speaker, I would like to thank my colleague from Connecticut for yielding me time.

Mr. Speaker, I rise today in opposition to H.R. 1181, which has very little, if anything, to do with protecting veterans' Second Amendment rights as the bill's title suggests.

I am a 30-year veteran of the United States Army. I served in Iraq. I have led soldiers in both combat support and combat service support units in the active and reserve components.

Our servicemen and -women face harsh realities in harsh environments—not just in wartime, but in peacetime as well. Military life, Mr. Speaker, is a hard life during war and in peace. It takes a toll on the body and the mind. The number of military members seeking mental and behavioral health services in the last 16 years, as well as the mental health-related incidences involving soldiers and veterans, substantiates my point.

But our soldiers are resilient, and that is no less true when we take off the uniform.

□ 1500

But for many of our veterans, it might take some extra help, some extra time, to recover from that harsh and sometimes traumatic military experience.

As a nation, we must support our veterans in recovering from that experience not only by providing the benefits they deserve, but by protecting their right to enjoy the rights that they have defended.

But, Mr. Speaker, H.R. 1181 misses the mark. When a determination is

made that a veteran is mentally incompetent or incapacitated, for whatever reason, that determination is made to protect them, not to punish or deprive them. When that determination is made, we owe it to our veterans not to put a weapon in their hand, but, rather, to put the full weight of a responsive mental health system at their disposal.

We entrusted our soldiers with a weapon while in uniform, so let's treat our veterans with the same expectations and standards of safety when they take off the uniform. If the unintended consequences of the current law, as the bill's supporters claim, are too broad and disqualified too many of our veterans from responsible gun ownership, then let's work together to tackle that issue.

However, this bill goes too far and would prohibit the VA Secretary from sharing important information with law enforcement on veterans who might be a danger to themselves or to others.

Unfortunately, Mr. Speaker, H.R. 1181 misses the mark and ignores the responsibility to safeguard and take care of our veterans who have sacrificed so much to protect our Nation.

Mr. Speaker, I include in the RECORD three documents, and they are the testimony of Brigadier General Xenakis, an op-ed from General Chiarelli, as well as testimony submitted by Jeffrey Swanson.

TESTIMONY OF BRIGADIER GENERAL (RET)
STEPHEN N. XENAKIS, MD

ERIK ERIKSON SCHOLAR, THE AUSTEN RIGGS
CENTER

Subcommittee on Disability Assistance and
Memorial Affairs, Hearing June 24, 2015

H.R. 2001—Veterans 2nd Amendment
Protection Act

Thank you to the Committee for this opportunity to submit testimony regarding H.R. 2001—Veterans 2nd Amendment Protection Act. I am Dr. Stephen Xenakis, retired Brigadier General and Army Medical Corps Officer, with 28 years of active military service. I am certified by the American Board of Psychiatry and Neurology in General Psychiatry and Child and Adolescent Psychiatry, and have dedicated my professional career to providing medical and psychiatric care to our soldiers and veterans and sustaining the readiness of our fighting force. First and foremost, I am dedicated to improving and protecting their health and wellbeing, and therefore urge the committee not to pass H.R. 2001—Veterans 2nd Amendment Protection Act (H.R. 2001) in its current form.

Under the current process, if a veteran is determined to be incapable of managing his or her disbursement of funds from the Veterans Benefits Administration (VBA), the veteran is assigned a fiduciary, categorized as mentally incompetent, considered "adjudicated mental defective," and therefore prohibited from purchasing or possessing firearms. In its current form, H.R. 2001 would change the process, stating those who are deemed mentally incompetent by the Department of Veterans Affairs' (VA) would NOT be considered adjudicated mental defec-

tive "without the order or finding of a judge, magistrate, or other judicial authority of competent jurisdiction that such person is a danger to himself or herself or others." The result being, individuals who are currently prohibited from purchasing or possessing firearms, because of a VBA fiduciary finding, would no longer be prohibited.

Though I concur that there is room for improvement in the VA interpretation of the mentally incompetent determination, H.R. 2001 is misguided in its approach. Yes, there may be individuals who have been swept into the "adjudicated mental defective" category because they need assistance managing their disbursement of VBA funds and for whom firearms access would not pose a risk to themselves or anyone else. However, there are also individuals in this category for whom access to a firearm would indeed be dangerous. Therefore restoring firearms in the sweeping manner to everyone declared mentally incompetent by the VA, as H.R. 2001 would do, would put our veterans, and citizens, in harm's way.

To discuss H.R. 2001 is to discuss this country's veteran suicide crisis, and to discuss suicide is to discuss access to firearms. The high suicide rate among the veteran population is devastating; a 2012 report from the VA reported an estimated 22 veterans per day commit suicide. Data shows recent veterans who were on active duty during the wars in Iraq and Afghanistan have a marked increased risk of suicide compared to the general population (41% higher suicide risk among deployed veterans; 61% higher risk among those non-deployed). Access to firearms is a significant part of the problem; a study of male veterans found that veterans were more likely than non-veterans to use firearms as a means to suicide. Research shows firearms are the most lethal means to suicide; an estimated 85% of suicide attempts using a firearm are fatal, compared to 2% by poisoning or overdose, or 1% by cutting.

The evidence is strong and paints a grim picture—suicide is a serious public health problem. According to 2013 data from the Centers for Disease Control and Prevention, suicide is the 10th leading cause of death for all age groups. Suicide is the second leading cause of death for those age 25–34, ahead of heart disease, liver disease, or HIV. Over half of the 41,149 suicides in 2013 were by firearm.

Our society can mitigate this problem however with smart policies and practices. We should take a page out of the military training manuals. The military trains us to think "safety first" and avoid unnecessary harm and injury. It is our standard practice among military psychiatrists to confront a potentially suicidal soldier and intervene aggressively to protect the soldier and the family. I routinely ask—"do you have weapons, where are they, what can you and your family do now to keep you and them safe?" As such, it is absolutely crucial, that any veteran who has been deemed mentally incompetent by the VBA go through an individualized process to restore his or her firearms rights, including an assessment for risk to self and others consistent with best medical practices, to ensure that the veteran would not constitute a danger to the self or others going forward. Such a process is not outlined in H.R. 2001 and, therefore, I urge the committee not to pass the amendment in its current form.

[From The Hill, Mar. 16, 2017]

GIVE OUR VETERANS CONSIDERING SUICIDE
HELP, NOT A GUN

(By Gen. Peter W. Chiarelli, retired)

As the Army's vice chief of staff, I spent much of my time working on a crisis most Americans don't even realize exists. A crisis that on average takes the lives of 20 American veterans each day: the devastating epidemic of veteran suicide.

Our brave men and women in uniform risk their lives daily to make America safer. But for many, when they return home, the battles they face are far from over. The stress of repeated deployments, failed relationships, financial challenges, depression and PTSD are among the reasons that every year roughly 7,000 veterans take their own life. Two-thirds of the time they do so by gun.

Researchers who study suicides have found that the decision to end one's life is often spontaneous, and that if accessible, guns are the most lethal and common way one commits suicide. For this reason, eliminating easy access to a gun during a mental health crisis can mean the difference between life and death.

Knowing this, I am shocked that some in Congress are currently supporting a new piece of misguided and dangerous legislation that would make it easier for veterans who are at risk of facing a mental health crisis to get their hands on a gun. Congress should be working to save lives and to guarantee that all veterans have access to world-class medical care and counseling, not making it easier for those suffering from the hidden wounds of war to end their lives.

We have to do better. And as someone who has spent years working to reform our mental health system and to reduce veteran suicides, I know we can.

Shortly after the tragedy at Virginia Tech, Congress passed, and President Bush signed, bipartisan legislation requiring the Department of Veterans Affairs to send the names of veterans who have clear and convincing evidence of mental incompetency to the National Instant Criminal Background Checks System. Any person listed within this system is ineligible to legally purchase firearms from a licensed dealer.

The legislation that Congress is currently considering would reverse this law, and would immediately remove more than 174,000 mental health records from the background check system. The records that would be removed include veterans who are prohibited from obtaining guns because they are suffering from serious mental illnesses like dementia, schizophrenia, and long-term severe posttraumatic stress.

We know that reducing veteran suicide is a complicated issue that requires comprehensive solutions. That said, providing veterans who struggle with mental illness increased access to a gun is not part of that solution.

Congress should instead focus on more supportive gun-focused legislation like making it easier for family and friends to help their loved ones in crisis. Most states currently lack laws that enable family and friends to contact law enforcement and remove firearms from individuals who pose a threat to themselves or others. Gaps like these in our laws help explain why since 1968, more Americans have died from guns in the United States than on battlefields of all the wars in our country's history.

Still, there are some who will mislabel these responsible policies as efforts to strip our veterans of their rights without due process. They could not be more wrong. In fact, there is already a law on the books that

ensures any veteran on the prohibited purchaser list has a right to a hearing where they can present evidence regarding his or her mental capability. That's important. The current system works.

Last year, I joined former Congresswoman Gabrielle Giffords, her husband, Navy combat veteran and retired NASA astronaut Capt. Mark Kelly, and a long list of the nation's most prominent retired military officials to launch the Veterans Coalition for Common Sense. It is a national initiative of distinguished veterans from all branches and ranks of the military who are committed to advancing commonsense solutions to gun violence here at home. While respecting the Second Amendment rights of law-abiding Americans, our focus is to help keep guns out of the wrong hands, and saves lives.

Throughout the course of my nearly four decades of service to our nation, I saw first hand the incredible power of firearms and the dangers they pose when they end up in the hands of people who should not have them.

Every day while deployed, our brave men and women in uniform risk their lives to protect our freedom, and when they return, we should protect theirs. Congress has a duty to ensure these heroes' safety and they can do so through rational and honorable gun safety legislation. Our veterans in crisis need our help, not a gun.

TESTIMONY SUBMITTED BY JEFFREY SWANSON,
PHD AND RICHARD BONNIE, LLB

Subcommittee on Disability Assistance and Memorial Affairs, Hearing, June 24, 2015,
H.R. 2001—Veterans 2nd Amendment Protection Act

We thank the Committee for this opportunity to submit testimony regarding H.R. 2001: Veterans 2nd Amendment Protection Act.

The Veterans 2nd Amendment Protection Act (H.R. 2001) addresses an important concern of fairness in a policy that is intended to protect veterans but may infringe their rights without sufficient due process. The policy in question is VA's current practice of reporting to the FBI's National Instant Criminal Background Check System (NICS) the names of veterans who are assigned a fiduciary to assist the veteran in managing their benefit funds. What is controversial about this is that VA decides, in a rather opaque administrative procedure, who gets a "fiduciary"—and thus, indirectly, who is put into NICS—without assessing whether a financially-challenged veteran is at risk of harm to self or others. This decision occurs without a hearing before either a judge or other objective, duly authorized administrative officer in which the facts of the matter could be presented and challenged.

Over the past several years, VA has reported the names of about 100,000 "incompetent beneficiaries" to the NICS—the database that licensed gun dealers query to determine whether people trying to buy a gun can legally do so. The proposed law, H.R. 2001, would remove these veterans' names from NICS and would uncouple the loss of gun rights from routine assignment of VA fiduciaries in the future. Would such changes be good or bad for veterans, or for the public? Our testimony offers some background information and research evidence to help legislators evaluate VA's fiduciary/gun-restriction policy and consider the possible advantages and drawbacks of rescinding it.

The Department of Veterans Affairs did not invent the idea of removing gun rights from people found incompetent to manage

their money; the policy was apparently initiated to implement the 1968 federal Gun Control Act, which banned the possession of firearms by certain categories of persons assumed to be dangerous, including anyone "adjudicated as a mental defective." The archaic phrase gives offense to modern ears and lacks clinical meaning, but the Department of Justice (DOJ) has defined it specifically to include anyone who "lacks the mental capacity to contract or manage his or her own affairs" as determined by some lawful authority. According to current VA procedure, military veterans fall under this broad gun-disqualifying definition whenever the VA finds them to be financially incompetent and in need of a third-party "fiduciary" to manage VA benefit funds.

VA's assignment of fiduciaries is made through an administrative process within the Veterans Benefits Administration (VBA), and without the requirement of either a formal evaluation of decision-making capacity by a healthcare professional or a genuine opportunity for a fair hearing for adjudicating the question of financial capacity as defined in the DOJ regulations. These strong due process objections to the VA's policy are clearly the main concern underlying H.R. 2001. The argument is mainly about procedure, and we have serious doubts about whether VA's current way of assigning fiduciaries actually meets the definition of "adjudicated as a mental defective" under the Gun Control Act. But it is worth asking whether this procedurally flawed policy is also substantively flawed. Is there a public-safety rationale for attaching gun rights to the fiduciary standard? What do we know about the relationship between the ability to manage money and risk of harm to self or others? Is there even a connection?

Recent research on post-deployment adjustment of Iraq and Afghanistan war veterans has found a modest statistical correlation between a measure of financial decision-making capacity and self-reported suicidality and interpersonal violent behavior. In a nationally representative random sample of 1,388 separated veterans and reservists from the era of our recent wars, participants were tested on basic money management skills and also queried about violence and suicidal behavior and thoughts. Veterans who scored poorly on financial management abilities were about twice as likely to report serious acts of violence, arrest, suicidal behavior, and use of illicit drugs, compared to those with good money management skills. These differences in relative risk associated with financial incapacity were statistically significant, even though the majority of veterans with financial incapacity were not violent or suicidal. Other research, on civilians with psychiatric disabilities who were found incompetent to manage their Supplemental Security Income (SSI) benefits, found that assignment of a family member as a "representative payee" was significantly associated with increased risk of violent acts by the incompetent beneficiary against family members.

Does the fiduciary gun-restriction policy, as it stands, effectively prevent firearm-related violence and suicide among veterans? The full answer to that question is unknown, but the population impact of the policy is inherently limited by the very small proportion of at-risk individuals that it affects, considering the entire veteran population of approximately 22 million. There are undoubtedly better and more efficient, effective, comprehensive, and carefully-tailored ways to keep guns out of the hands of dangerous people than reporting a relatively

small number of putatively financially incompetent veteran beneficiaries to the NICS.

But what about the 100,000 veterans who are already in NICS because they were assigned a fiduciary? What are the implications, for them and their families, of automatically restoring their gun rights without any case-by-case review? Unfortunately, there is little information publically available about the population of incompetent veterans who have already been reported to the NICS. However, we do know something about the distribution of psychiatric diagnoses of veterans in NICS, which are typically the diagnoses for which the veterans are receiving VA benefits: approximately 20,000 of the group—1 in 5 of those in NICS—have a diagnosis of schizophrenia or other psychotic illness, and about half of those have a “paranoid type” of schizophrenia, which is typified by delusions of persecution and threat from others.

Do these mental health conditions significantly elevate the risk of violence and suicide and thereby justify legal restrictions on gun access? Sometimes, and it depends. Epidemiological studies of people with schizophrenia in the general community have found that the large majority are not violent towards others, but that the subgroup with acute symptoms of excessive and irrational threat perception—such as believing that others are “out to get me”—are significantly more likely to be violent towards others.

Also in NICS are about 23,000 veterans diagnosed with posttraumatic stress disorder and about 15,000 (mostly older) veterans suffering from dementia with underlying causes ranging from Alzheimer’s disease to traumatic brain injury research literature would suggest that both of these groups of veterans, too, carry some elevated risk of suicide or irresponsible behavior with firearms. Still, all of these diagnostic categories function as nonspecific risk factors for gun violence and suicide; there are many more people with these diagnoses who will not harm anyone than who will. That is because violence and suicide are caused by many interacting factors—mental illness being only one—and people with mental illness may carry other risk and protective factors for dangerous behavior. It is just the magnitude of the thing being prevented—death by a gun—that might justify limiting the rights of so many people who would not turn out to be violent in any case.

Civil rights advocates and gun violence prevention experts could each find fault with a policy that infringes the constitutional rights of so many while having only modest impact, at best, on gun violence and suicide. Hence, the criticism that animates H.R. 2001: that the VA’s fiduciary/gun policy, without due process, precludes access to firearms by people who have not been shown to pose any particular risk of harming anyone. To make matters seem even more unfair, those “incompetent beneficiaries” reported by VA to the NICS have been subjected to different treatment than similarly-situated civilian counterparts. For instance, incompetent Supplemental Security Income (SSI) beneficiaries with “representative payees” assigned by the Social Security Administration do not similarly lose gun rights. Further, when states report “incompetent” individuals to NICS, it is because a state court has determined mental incompetency in a formal adjudicatory procedure—one that relies on expert clinical testimony and offers due process protections commensurate with the important rights at stake.

In the end, what would H.R. 2001 accomplish from the veteran’s point of view? Main-

ly, it would mean that VA’s appointment of a fiduciary to manage one’s VA benefits would no longer be used, by itself, as a predicate for denying the veteran the right to purchase and possess a gun. This would reform the VA’s arguably flawed policy going forward. However, the problem addressed by H.R. 2001 is more complicated in two ways. First, it is necessary for the VA to take appropriate steps to facilitate NICS reporting for veterans receiving mental health care in the VA system who are found by a lawful judicial or administrative authority to pose a danger to themselves or others. For example, the VHA could decide to report to NICS all involuntary commitments to VA hospitals; this would fill a gap created by the current inconsistent NICS-reporting practices of state civil courts and public mental health authorities.

Second, it is necessary to address the fate of the 100,000 veterans who are already in NICS. Some of these veterans are disqualified under other criteria because, for example, they have been involuntarily committed or convicted of a felony or domestic violence misdemeanor, with corresponding additional records in the NICS. However, should the gun rights of all of the remaining veterans in this group be automatically restored by retroactively invalidating the VA’s past actions? From the limited available data, it seems likely that automatically restoring all of these individuals’ gun rights will provide legal access to firearms for at least some veterans who do, in fact, pose a danger to themselves or others. Therefore, for veterans already in the NICS because of a fiduciary determination by the VA, perhaps some level of systematic review on the question of dangerousness, with due process overseen by a federal court, might provide some needed protection and peace of mind—for the veterans themselves, as well as for their families and communities.

Mr. ROE of Tennessee. Mr. Speaker, I yield myself such time as I may consume.

I include in the RECORD two documents from the VFW and The American Legion supporting this legislation.

VETERANS OF FOREIGN WARS
OF THE UNITED STATES,
March 8, 2017.

Hon. DAVID P. ROE,
Chairman, House Veterans’ Affairs Committee,
Washington, DC.

DEAR CHAIRMAN ROE: On behalf of the men and women of the Veterans of Foreign Wars of the United States (VFW) and our Auxiliary, I am pleased to offer the VFW’s support for H.R. 1181, the Veterans 2nd Amendment Protection Act.

It is unconscionable to require veterans to choose between the care they have earned and deserve and their constitutional rights. Your legislation would ensure veterans who suffer from mental health conditions no longer have to worry about losing their 2nd amendment rights when seeking potentially lifesaving mental health care. By elevating the threshold for inclusion in the National Instant Criminal Background Check System, this important legislation would help destigmatize mental health and protect veterans’ constitutional rights.

The VFW commends your leadership on this issue and your commitment to our nation’s veterans. We look forward to working with you to ensure the passage of this important legislation.

Sincerely,

CARLOS U. FUENTES,
Director,
VFW National Legislative Service.

THE AMERICAN LEGION,
Washington, DC, March 2, 2017.

Hon. PHIL ROE,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE ROE: On behalf of our more than 2.2 million members, The American Legion expresses support for HR 1181, the Veterans 2nd Amendment Protection Act. This measure, as currently written, would prohibit the Department of Veterans Affairs (VA) from considering any beneficiary assisted by a fiduciary as “mentally defective” without a magistrate or judicial authority ruling that the beneficiary is a public danger for the purpose of reporting their names to the National Instant Criminal Background Check System (NICS), or any other database intended to identify persons who would be excluded from keeping, possessing, or purchasing firearms.

Veterans are not required to give up their weapons for the purpose of receiving VA health care for mental health conditions. However, there are concerns that the threat of being placed on a list that might deny veterans their Second Amendment rights could act as a deterrent for those who might otherwise seek treatment for their mental health conditions. The American Legion’s concern is that stigmas associated with mental illnesses may force veterans to lose their Second Amendment rights.

The American Legion reaffirms its recognition that the Second Amendment of the United States Constitution guarantees each law-abiding American citizen the right to keep and bear arms and encourages our nation’s lawmakers to recognize the same. The men and women who have fought to protect the Constitution deserve to live under both its laws and rights.

In conclusion, The American Legion applauds your leadership in addressing issues that are important to America’s servicemembers, veterans and their families.

Sincerely,

CHARLES E. SCHMIDT,
National Commander.

Mr. ROE of Tennessee. Mr. Speaker, I, too, served in the military as a military doctor in the 2nd United States Infantry Division in Southeast Asia many years ago, so I have seen patients who were mentally ill. One of the things that has bothered me is that we are perpetuating an outdated stereotype that mentally ill people are prone to violence. Most are not, and perpetuating this stereotype that they are may result in their being isolated or not seeking treatment. This is unfortunate for people who suffer from mental illness and need support and understanding.

I think we do them a great disservice. My bill would require a court of law rather than a VA rating specialist—that is all we are saying here—to determine whether an individual actually poses a danger to themselves or others before their name gets sent to the FBI and added to the NICS list. A VA employee should not be able to add a veteran’s name to a NICS list before that veteran has been afforded due process.

Let me explain how bad it really is. It is outrageous that a criminal has more rights than a veteran when it

comes to being placed on the NICS list—at least they aren't added to the list until they have been convicted by a judge or a jury, Mr. Speaker. We should at least treat our American heroes that well.

Here is another point I would like to make: a veteran that has been rated—listening to the debate to show you how the VA system is not a standard for everyone. A VA veteran rated 100 percent for PTSD does not automatically get a fiduciary because they are 100 percent service-connected disabled because of their service even though the symptoms require that, for that rating, it may include suicidal or homicidal ideation.

All we are saying—and I think, hopefully, everyone would agree—is that you deserve as an American citizen—and especially an American citizen, Mr. Speaker, who has served this country whether in combat or not, who has served his country in the military—your day in court and at least be heard by a judge and jury.

Mr. Speaker, I reserve the balance of my time.

Ms. ESTY. Mr. Speaker, may I inquire how much time I have remaining?

The SPEAKER pro tempore (Mr. ROGERS of Kentucky). The gentleman has 6½ minutes remaining.

Ms. ESTY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I note that the chairman noted the support of some of the veteran service organizations, and I think it is noteworthy that the IAVA, the Iraq and Afghanistan Veterans of America, has in the past supported this bill. They do not support it this year. They do not because they are so concerned about the crisis we are facing, particularly in their members—those who have come back from the wars in the last 10 or 20 years. They are concerned about that veteran suicide crisis that we are facing and are concerned that this bill might make that worse.

We have heard repeatedly assertions that this would be the only category, that veterans alone would be deprived without adjudication. That is not true. In fact, the law for the firearms prohibitor covers many categories of people who do not have any legal determination:

Anyone who is an unlawful user or addicted to a controlled substance is prohibited, does not require any adjudication.

The NICS has 23,000 people who are prohibited under the controlled substance addiction and use category. Anyone adjudicated as mentally defective or committed to a mental institution, there are 4.2 million people. There are a wide variety of people who are in that category, again, many without court orders. Those were aliens, those dishonorably discharged from the Armed Forces, that is 10,000 individuals. So it is not unique to veterans. There are other categories as well.

But I really think the bottom line is this: we have heard a great deal of agreement that we care about our veterans, we want to prevent military suicides, and we know that for some of these veterans, it would be dangerous for them to have a firearm. That is precisely why this committee should have had a hearing, so we would have had the opportunity to systematically address these issues and find a better way forward that recognizes that some veterans who need a fiduciary also should not have firearms, and some who need a fiduciary, there is no concern there. But we have been deprived of that opportunity in committee, to do the work we should be doing in committee, to work together in a bipartisan way to fashion a better way forward.

This is way too far. It is an overreaction to a process that should be fixed, and we are committed to do that. But the alternative we are presented with today will wholesale uproot the 20-year process of the Veterans Administration that would be dangerous and wrong, and we remain committed to working together in committee.

Mr. Speaker, I reserve the balance of my time.

Mr. ROE of Tennessee. How much time do I have remaining, Mr. Speaker?

The SPEAKER pro tempore. The gentleman has 10 minutes remaining.

Mr. ROE of Tennessee. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this proposal is not new. It has been passed out of committee in 2010, 2011, 2013, and this year. It passed the full House, H.R. 2349, in the 112th Congress, which is included in this proposal, by a voice vote.

On February 2, the House approved H.J. Res. 40, which nullified the Social Security Administration rule that would have similarly restricted the Second Amendment rights to certain disabled people who require help managing their finances. There is no reason that veterans who have fiduciaries should be treated any differently than Social Security beneficiaries who need help managing their finances.

Next, Mr. Speaker, veterans who need fiduciaries are not necessarily mentally ill. A veteran may not be able to handle his or her finances due to conditions such as traumatic brain injury. Furthermore, The American Legion testified in 2015 about a case in which the VA declared a veteran incompetent because he told his doctor he didn't pay his bills. But, in reality, the veteran didn't pay his bills because, like a lot of us, of the division of household responsibilities. His wife paid the bills, and he got caught up in that. Then to get out of it is a chore.

I wanted to say, once again, I really feel strongly about this because we worked on the 21st Century Cures bill on removing the stigma of mentally ill people that because someone is men-

tally ill, they are a danger to themselves or others. Perpetuating this stereotype, I think, is dangerous. I think it keeps people from coming in and seeking the help that they need.

Also, and I have participated in this, Mr. Speaker, at home where we have used hunting trips or fishing trips to help veterans with PTSD get back on their feet and assume—instead of treating it as a disability and saying: We are going to get you well and back on your feet and be a productive member of society.

I am afraid if we stereotype this, we will prevent people from coming in for the very needed help that they so richly have earned and need.

Mr. Speaker, I reserve the balance of my time.

Ms. ESTY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I note that 18 of the 26 Members of the House Veterans' Affairs Committee did not serve during a time when there has been a hearing on this bill—18 of us, and that includes me. The evidence that the chairman was referencing from 2015 was from a hearing that never occurred, so there was never an opportunity to discuss that evidence. Again, I think this underscores the extent to which we really do need a hearing.

I have to say, since 2012, when the Newtown shootings occurred in my district, the public feels differently about this now, and our veterans numbers have been going up and up. So I think it is high time for us to have a hearing. It has been 5 years. We should be looking at this process.

The last point I will note: there has been much made of the Constitution today and how outrageous it is. In 20 years since this process has been in place in the VA, I note that no one has ever challenged this successfully in court as a violation of constitutional due process, and I know the love our veterans have for the Constitution, as we do in this Chamber. That tells me that many families, for example, actually are relying on this.

So, again, I pledge to the chairman we should be working together in committee to get this process right. This is not the way to do it, not with this bill, not with the questions, and not without an opportunity for us to do the things I have referenced.

Mr. Speaker, I reserve the balance of my time.

Mr. ROE of Tennessee. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as all of us in this incredible place that we are in, the House of Representatives in the Capitol of the U.S., our hearts go out to everyone, especially the families, of all those touched by that horrible tragedy that was just described. I am willing to work with anyone on the committee or otherwise in a reasonable way to keep

firearms out of the hands of criminals and people who are dangerous. There is no question we are all willing to do that. But that case did not involve a veteran who had a fiduciary.

I am a strong supporter of the Second Amendment even if others aren't. I think we can all agree that veterans should not be denied the same due process rights that all other Americans receive. What this bill does is ensure that veterans do not lose their constitutional rights without a judicial hearing.

The freedoms granted under the Constitution of this great country should apply to all Americans, especially those who have been willing to put their lives at risk to protect those same freedoms. It is wrong for veterans and beneficiaries who use a fiduciary to lose their Second Amendment right without due process.

This commonsense bill would ensure that no veteran or beneficiary is declared mentally defective simply because a VA rater appoints someone to assist with the management of that person's financial affairs.

Mr. Speaker, I reserve the balance of my time.

Ms. ESTY. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, we have heard spirited and passionate remarks here today, but I think it underscores how much we would benefit, the veterans that we serve would benefit, their families, and this Chamber would benefit from our pursuing regular order with this very important topic. So, again, I urge in the strongest possible terms for my colleagues to vote against this bill, to give us the opportunity to get this process right, to safeguard our veterans, protect them from military suicide, and to preserve their rights in the best possible way. This hastily considered, rushed-through legislation that leaves way too many questions and way too much risk for our veterans I must strongly oppose.

Mr. Speaker, I yield back the balance of my time.

Mr. ROE of Tennessee. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, as all of us in this room are, I am personally devastated that our Nation loses 20 of our finest citizens to suicide every day. Ending this tragedy is one of the top priorities we have on the Veteran Affairs' Committee and as a nation. We have and will continue to work with the VA to develop programs that will effectively help identify and treat veterans who may be considering ending their own lives.

But denying veterans who have fiduciaries their constitutional rights will not end veteran suicide. It is unfair to paint all veterans who may need a fiduciary with the same broad stroke and to assume that just because someone needs assistance with their financial

affairs, that they may also be violent and a danger or they are contemplating suicide. That is just plain wrong.

□ 1515

It is unfortunate that the arguments advanced by some of the opponents of this bill reinforce the false impression that people who suffer from mental health challenges—and veterans, in particular—are dangerous. There is no evidence that people who suffer from mental illness are more likely to be more violent than people in the general population—just none. I am convinced that perpetuating this outdated and incorrect stereotype makes the situation worse, deterring people from seeking the very health services that they need.

It is difficult for some folks to admit they need help. I saw patients like that for years who finally broke down in my office and explained that they were depressed or whatever the situation may be. Imagine how much harder it is when people feel that they will be stigmatized or isolated because other people may fear them?

By passing this bill, Congress will send a strong message that people who suffer from mental illness are owed the same respect and have the same constitutional rights as every other American citizen.

Once again, Mr. Speaker, I encourage all of our Members to support H.R. 1181, and I yield back the balance of my time.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I stand in strong opposition to H.R. 1181, the "so-called" Veterans 2nd Amendment Protection Act.

Mr. Speaker, twenty veterans a day tragically take their own lives.

Just ONE veteran taking his or her own life is one too many.

But twenty every day is an epidemic. It is unconscionable, and unacceptable.

With two-thirds of veteran suicides being carried out with firearms, this bill practically pulls the trigger for veterans at risk.

H.R. 1181 threatens the safety of our nation's veterans and potentially others; by providing those veterans suffering from mental illness with greater ease in obtaining a firearm.

The National Instant Criminal Background Check System is a critical tool in stopping those who want to do harm to themselves or others.

If passed, this bill would dangerously alter the protocols for including a veteran in the database when he or she has been assigned a fiduciary.

In addition, over one hundred-seventy thousand mentally ill veterans would be removed from the National Instant Criminal Background Check System.

Instead of wasting time and energy on senseless budget cuts and harmful bills like H.R. 1181, this Congress should be focused on strengthening protocols so that no veteran struggling with mental illness ever falls through the cracks.

Just two months ago, a veteran, Esteban Santiago, suffering from mental illness fell

through the cracks and killed five people at my home airport in Fort Lauderdale.

The current protocols failed him. We failed him and we should be doing all that we can to make the system strong for those suffering—not making the situation worse, as this bill does.

This bill does a grave disservice to those men and women who have served us valiantly.

Moreover, it is opposed by military leaders including General Stanley McChrystal and General David Petraeus, who led our troops in Iraq and Afghanistan.

It is our obligation to ensure every veteran has the physical and mental health care they both deserve and need. We owe them better than this. Instead, this bill prioritizes putting firearms in the hands of mentally ill veterans who are already at serious risk.

Mr. ROE of Tennessee. Mr. Speaker, I include in the RECORD two letters from the National Disabilities Rights Network and the National Rifle Association in support of H.R. 1181:

NATIONAL RIFLE ASSOCIATION
OF AMERICA,

Washington, DC, March 7, 2017.

DEAR CHAIRMAN ROE: I am pleased to write on behalf of the National Rifle Association in support of H.R. 1181, the "Veterans 2nd Amendment Protection Act."

This bill would address an ongoing problem over the past 12 years in which veterans and veterans' family members for whom fiduciaries have been appointed by the Department of Veterans Affairs are deemed to have been "adjudicated as . . . mental defective[s]" and prohibited from possessing or receiving firearms. Such an appointment is not necessarily based on any finding that the veteran is a danger to himself or herself or to others.

Fortunately, the NICS Improvement Amendment Act of 2007 provided these individuals with the opportunity to seek relief from that legal disability. However, your bill goes one step further in protecting the rights of veterans and family members, by ensuring that no VA proceeding going forward will prevent a person from exercising his or her Second Amendment rights unless a judicial authority has found that the person's mental incapacity or disorder actually makes him or her dangerous.

We wish you success in moving forward with this important protection for the rights of those who have served our country. Please don't hesitate to call me.

Sincerely,

JASON M. QUIMET,
Director of Federal Affairs.

NATIONAL DISABILITY
RIGHTS NETWORK,

Washington, DC, March 17, 2017.

Re National Disability Rights Network letter of support for H.R. 1181, the Veterans 2nd Amendment Protection Act

Hon. PHIL ROE,
Chairman, House Veterans' Committee,
Washington, DC.

DEAR CHAIRMAN ROE: The National Disability Rights Network (NDRN) writes in support of H.R. 1181, the "Veterans 2nd Amendment Protection Act". We appreciate your strong advocacy on this important topic.

The National Disability Rights Network (NDRN) is the non-profit membership organization for the federally mandated Protection

and Advocacy (P&A) and Client Assistance Program (CAP) systems for individuals with disabilities. The P&As and CAPs were established by the United States Congress to protect the rights of people with disabilities and their families through legal support, advocacy, referral, and education. P&As and CAPs are in all 50 states, the District of Columbia, Puerto Rico, and the U.S. Territories (American Samoa, Guam, Northern Mariana Islands, and the US Virgin Islands), and there is a P&A and CAP affiliated with the Native American Consortium which includes the Hopi, Navaho and San Juan Southern Paiute Nations in the Four Corners region of the Southwest. Collectively, the P&A and CAP Network is the largest provider of legally based advocacy services to people with disabilities in the United States.

H.R. 1181 prohibits the Department of Veterans Affairs, from considering a veteran to be adjudicated as "mentally defective" for purposes of the right to receive or transport firearms without the order or finding of a judicial authority that such person is a danger to himself or herself or others. We oppose the reporting of names without full adjudication for a number of reasons, including:

The damaging message of a policy that focuses on reporting individuals who, for example, receive assistance in managing their benefits to the NICS gun database. The current public dialogue is replete with inaccurate stereotyping of people with mental disabilities as violent and dangerous, and there is a real concern that the VA policy will reinforce those unfounded assumptions.

The absence of any data suggesting that there is any connection between a beneficiary who is assisted by a fiduciary and a propensity toward gun violence.

The absence of any meaningful due process protections by not requiring an adjudication by a court of competent jurisdiction. Although the NICS Improvements Act of 2007 allows agencies to transmit the names of individuals who have been "adjudicated" to lack the capacity to manage their own affairs, VA's process does not, without a decision of a judicial authority, constitute an adjudication. Veterans should not lose the Constitutional rights they have fought to protect and defend without proper due process.

We urge Congress to act, through passing H.R. 1181, to prevent the damage the current VA practice to report names of veterans with disabilities to the NICS background check system without proper adjudication is causing on veterans with disabilities.

Please contact Amanda Lowe, Senior Public Policy Analyst with any questions.

Sincerley,

CURT DECKER,
Executive Director.

Ms. ESTY. Mr. Speaker, during debate on H.R. 1181, the Veterans 2nd Amendment Protection Act, the official positions of several veteran services organizations were discussed. To clarify remarks I made during that debate, the Iraq and Afghanistan Veterans of America (IAVA) did not take an official position on H.R. 1181 prior to the House's consideration of the bill, nor has IAVA publicly discussed why they have not taken a position on this bill in the 115th Congress. I regret any confusion that may have been caused by my remarks.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 198, the previous question is ordered on the bill.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. ROE of Tennessee. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

VA ACCOUNTABILITY FIRST ACT OF 2017

GENERAL LEAVE

Mr. ROE of Tennessee. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to insert extraneous material in the RECORD on H.R. 1259.

The SPEAKER pro tempore (Mr. BANKS of Indiana). Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 198 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 1259.

The Chair appoints the gentleman from Kentucky (Mr. ROGERS) to preside over the Committee of the Whole.

□ 1518

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1259) to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes, with Mr. ROGERS of Kentucky in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Tennessee (Mr. ROE) and the gentleman from Minnesota (Mr. WALZ) each will control 30 minutes.

The Chair recognizes the gentleman from Tennessee.

Mr. ROE of Tennessee. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, I rise today in support of my bill, H.R. 1259, the VA Accountability First Act of 2017.

Mr. Chair, you and many other Members of this body are well aware that providing true accountability at the Department of Veterans Affairs has been a goal of mine and many of my colleagues for years. The House has re-

mained committed to this goal and has already passed several iterations of the legislation before us today, yet the challenges remain, which is why we are here once again trying in this Congress to effect real change and reform.

To bring real reform, we need to provide Secretary Shulkin with the tools he needs to swiftly and effectively discipline employees who don't meet the standards our veterans deserve or who fail in their sacred mission to provide world-class health care and benefits to the men and women who have served.

My bill would provide a singular expedited procedure for all VA employees to respond and appeal to proposed removals, demotions, and suspensions for performance or misconduct or, in the case of title 38 employees, who are healthcare providers, for a question involving direct patient care or clinical competence.

The prenotification and response process would be required to be completed within 15 business days, and the employee would be entitled to an expedited appeal to the Merit Systems Protection Board, where the first step at the administrative judge would be limited to 45 days. Additionally, either party would be able to appeal the administrative judge's decision to the full MSPB and would be provided the opportunity for limited judicial review.

H.R. 1259 would also ensure that the disciplinary procedures and avenues to appeal set up by this bill are the only avenues in place for title 5 and hybrid title 38 employees to dispute proposed removals, demotions, and suspensions for longer than 14 days. Pure title 38 employees, mainly VA's physicians and registered nurses, would retain their current internal process, but the timelines for disciplinary action and the appeals process would also be aligned to the timelines for all other VA employees as set up by this bill.

This bill would also provide improved protections for whistleblowers; would allow the Secretary to reduce an employee's Federal pension if they are convicted of a felony that influenced their job at VA; would provide the Secretary with the authority to recoup a bonus provided to an employee who engaged in misconduct or poor performance prior to receiving the bonus; and would allow the Secretary to recoup any relocation expenses that were authorized for a VA employee only through the employee's ill-gotten means, such as waste, fraud, and malfeasance.

Lastly, it would also provide the Secretary with the direct hiring authority that he desperately needs and has been asking for so that we can hire medical center directors and VISN directors in a more expedited manner and fill leadership vacancies across VA.

Mr. Chair, as I have said, I agree with all of my colleagues that the vast majority of VA employees are hard-working public servants who are dedicated to providing quality health care and benefits for veterans. But it is beyond comprehension that, with as much outright malfeasance that Congress, the American public, the media, and our courageous whistleblowers have uncovered at the VA, which has led to the increased scrutiny of the Department over the past few years, that we still see far too many instances of VA employees not living up to the standards America expects and not living up to the standards that our men and women who have served this country deserve.

Knowing many of the instances that have happened at the VA are a slap in the face to our veterans, it is unbelievable to me that anyone would oppose the bill before us here today.

The committee has discovered an instance of an employee showing up drunk to work to scrub in for a surgery on a veteran; a VA employee taking a recovering addict to a crack house and buying him drugs and a prostitute; a VA employee participating in an armed robbery; and senior managers retaliating against whistleblowers, at which point VA then has to pay hundreds of thousands of dollars to the whistleblower in restitution.

Not only are all of these acts egregious and not only are all of these instances factual, they are just the tip of the iceberg; but what causes me to stand before you today is that, in none of these instances, did the VA hold these employees accountable in any reasonable timeframe, if at all.

I blame many factors for this, but mainly I blame an antiquated civil service system and a grievance process set up by the union-negotiated collective bargaining agreements that have left VA unwilling to jump through the many hoops to do what is right.

Mr. Chair, it is well past time that we not allow the current system to continue, and it is certainly our duty to finally take action and enact meaningful changes at VA that put veterans and their families first and foremost. Everything else should come second. That includes the power of the public sector unions.

Everyone in government knows that the civil service laws that were once meant to promote the efficiency of government are now obsolete and make it almost impossible to remove a poor-performing employee. Last year, VA's then-Deputy Secretary Sloan Gibson, under President Obama, sat before the Veterans Affairs' Committee and admitted it was too difficult to fire a substandard VA employee.

The Government Accountability Office studies the government's ability to hold low-performing employees accountable and found that it took 6

months to a year, on average, and sometimes significantly longer, to fire poor-performing government employees.

I have heard the concerns that this bill will hurt the Department's ability to recruit and retain good employees. I don't buy this argument, as every VA employee I speak to tells me exactly the opposite. Good employees want to work in an environment where they know everyone can be held accountable for their actions.

I believe the current status quo of allowing bad employees to continue at their jobs while receiving a paycheck actually hurts the moral of other employees who are doing the right thing 24 hours a day.

This is the same for employees of the Department who are veterans. I know that some have said that this would hurt veterans who are employed at a VA, since they make up a large percentage of VA employees, as it should be. As a veteran myself, and as my fellow veterans here today would agree—we don't sign up to serve, whether in uniform or civilian clothes, because we put our individual employee protections ahead of the mission—the mission always comes first, Mr. Chair; and at the VA, the mission is our veterans. Veterans want to work alongside colleagues they know are working hard for their fellow men and women they served alongside.

I also want to note that, from day one, I have worked with Secretary Shulkin and his team in the drafting of this bill that is before us today. He has endorsed this legislation not because he wants to punish employees or make it harder to recruit quality employees, but because he sees this type of change as desperately needed if he is going to truly reform the Department, as both sides of the aisle want.

Secretary Shulkin is someone who garnered the trust and respect of two Presidents of two different parties to serve our veterans, and he was confirmed by a vote in the Senate of 100–0. Mr. Chair, I hope that my colleagues would understand that his support and assistance in crafting this bill before us today is because real accountability at the Department of Veterans Affairs is a veteran issue, not a political issue.

It is time that we align ourselves with our Nation's veterans and the organizations that represent them. Fifteen veterans service organizations support the bill before us today: the American Legion, Veterans of Foreign Wars of the United States, Paralyzed Veterans of America, Iraq and Afghanistan Veterans of America, the Military Order of the Purple Heart, Concerned Veterans for America, Student Veterans for America, Reserve Officers Association, Fleet Reserve Association, Association of the United States Navy, the Enlisted Association of the National Guard of the United States,

VetsFirst, AMVETS, the Military Officers Association of America, and the United States Army Warrant Officers Association. These are 15 groups that represent millions of veterans and their families.

While I am in no way trying to make this a political argument or say that my colleagues on the other side of the aisle do not care about veterans—they do—but when it comes to this particular issue, accountability at the VA, I do not believe we can avoid the facts:

The facts are, when we talk about accountability at VA during our VSO hearings with the Senate, Members get an ovation.

The facts are that veterans, not just from the headquarters in D.C., but across this country, come up and thank Members for putting veterans' rights before all else.

The facts are the only groups that have staunchly come out and opposed the reform we are trying to make in this bill are the public sector unions.

As I said, this should not be a political discussion and this should not be one side of the aisle trying to out-veteran the other side of the aisle. We don't want to do that. But when you look at the facts, it is clear what our veterans and what the American public want us to do here in this Congress.

□ 1530

We have a package that makes meaningful changes to VA's civil service system while maintaining due process rights, as we should. Today we have the opportunity to make real and lasting changes to a broken system. Today we can decide to stand with our veterans or we can stand with the status quo and the unions that perpetuate the status quo, which I believe has failed them and the American public for far too long.

I hope you all will join me and the 15 veteran organizations that support this legislation and do what is right for veterans and pass H.R. 1259. Let's put accountability first so that transformative reforms can succeed.

Mr. Chair, I reserve the balance of my time.

HOUSE OF REPRESENTATIVES, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,

Washington, DC, March 10, 2017.

Hon. DAVID P. ROE,
Chairman, Committee on Veterans' Affairs,
Washington, DC.

DEAR MR. CHAIRMAN: I write concerning H.R. 1259, "VA Accountability First Act of 2017." As you know, the Committee on Veterans' Affairs received an original referral and the Committee on Oversight and Government Reform a secondary referral when the bill was introduced on February 28, 2017. I recognize and appreciate your desire to bring this legislation before the House of Representatives in an expeditious manner, and accordingly, the Committee on Oversight and Government Reform will forego action on the bill.

The Committee takes this action with our mutual understanding that by foregoing consideration of H.R. 1259 at this time we do not

waive any jurisdiction over the subject matter contained in this or similar legislation. Further, I request your support for the appointment of conferees from the Committee on Oversight and Government Reform during any House-Senate conference convened on this or related legislation.

Finally, I would ask that a copy of our exchange of letters on this matter be included in the bill report filed by the Committee on Veterans' Affairs, as well as in the Congressional Record during floor consideration, to memorialize our understanding.

Sincerely,

JASON CHAFFETZ,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON VETERANS' AFFAIRS,
Washington, DC, March 10, 2017.

Hon. JASON CHAFFETZ,
Chairman, House Committee on Oversight and Government Reform, Washington, DC.

DEAR CHAIRMAN CHAFFETZ: In reference to your letter on March 10, 2017 I write to confirm our mutual understanding regarding H.R. 1259, the "VA Accountability First Act of 2017."

I appreciate the House Committee on Oversight and Government Reform's waiver of consideration of provisions under its jurisdiction and its subject matter as specified in your letter. I acknowledge that the waiver was granted only to expedite floor consideration of H.R. 1259, and does not in any way waive or diminish the House Committee on Oversight and Government Reform's jurisdictional interests over this legislation or similar legislation. I will support a request from the House Committee on Oversight and Government Reform for appointment to any House-Senate conference on H.R. 1259. Finally, I will also support your request to include a copy of our exchange of letters on this matter in the Congressional Record during floor consideration.

Again, thank you for your assistance with these matters.

Sincerely,

DAVID P. ROE M.D.,
Chairman.

Mr. WALZ. Mr. Chairman, I yield myself such time as I may consume.

I rise in opposition to H.R. 1259. Let me be clear that I rise in opposition not after serving this Nation in uniform for 24 years; not after serving on this committee longer than anyone else on the committee; and not with serving honorably with my friend, the chairman, who—I want to be clear, first of all, where the commonality lies around this issue, about 95 percent of it, you are not going to find daylight between us.

The idea that anyone would put a special interest ahead of the care of a veteran is not only distasteful, it is wrong to assume that. There are legitimate differences on how to get accountability in the VA, and we have come to some conclusions that get us pretty close. This piece of legislation—and I do not condemn the committee because this is truly a bipartisan committee, but, for whatever reason, for the first time in the decade-plus that I have served on this committee, we have brought a bill to the floor without a hearing.

We held a markup and brought it to the floor. The majority has the right to

do as they please. What that deprives us of is the ability to build consensus around issues we know we share. I know the chairman's heart is providing absolute best care to every single veteran. I also know the chairman's heart is to make sure that every employee who is doing their job is respected the way they are supposed to be. There is not disagreement on that.

This piece of legislation, and framing it as a false choice between veterans and the employees, the majority of whom are veterans, in many cases, serving other veterans, is a false choice. The chart that was put up, I belong to half those organizations. There is also an organization that is on there that differs from the others because it is a 501(c)(4) with the sole purpose of political attack ads on Members of the opposing party. Leave them off the sheet. The other ones I agree with. The others are 501(c)(3)s advocating for veterans, but for us to pretend this isn't a proxy fight for outside groups on something bigger is disingenuous and moves us away from the place we should have gotten.

To show you the comity, my friend from Tennessee gave an impassioned, logical, and, in my opinion, correct assessment on the Veterans 2nd Amendment, H.R. 1181. I agree with the chairman on this. I believe we could have built consensus by bringing that through the committee, but it doesn't change the fact that I think the chairman eloquently got to the heart of that. I know what the heart of that was because the majority side used the term over two dozen times, "due process." It matters. These are veterans working in the VA who should have due process to their Second Amendment rights and to their employment rights. It ensures that the working environment attracts and retains the best and brightest.

So let's go through a little bit of what is here. One of the things is, we talk about going back and breaking a sacred pledge. You can disagree what is in the collective bargaining that was done between the administrations, Republican and Democrat, and those employees who work there, but to go in and arbitrarily change that from Congress, how is that due process? How about in the next bargaining agreement you make the case that those things need to be there. I will stand there with you and tell you this: The public sector unions need to give more, because you know what happens if they don't? They get painted with those examples.

I hear some people say there are 350,000 employees in the VA, and they gave five examples of five bad people. You should give those examples. That is unacceptable, horrid, and should never be agreed to. This is a zero sum proposition. If one bad employee gives substandard care, Mr. Chairman, to one

veteran, that is a failure, and the majority and the minority are in absolute agreement on that.

But here is what I fear. We have had legislation—and I will offer up an amendment to do this—that has bipartisan support, that has Senate support. We will see if I am right or wrong on this, but I am almost certain—and it is our responsibility in this House not to message things for those outside groups to run attack ads, it is to get things that actually get through.

I am saying today—and I will be the first to come back and tell you I was wrong on this—the process of getting legislation into law to be enacted by the agencies means compromise must be there. I think we come back here in October, this isn't done yet. Why don't we give on the 5 percent that is not agreed upon and get the 95 percent right so we can act to enact it? This is going to be the perfect getting in the way of the good, and I would argue the zeal to get it done in the way of due process.

I do not question the heart of any of my colleagues to get this right. I do not question—I hope it would not come back to me—the outrage I feel when I hear the story—and I know when the chairman tells me it, it is true—of someone showing up intoxicated trying to provide care to a veteran. How in goodness name is that person not done, not removed, and not moved forward? I will have to tell you this: I have been there on this. I am a public schoolteacher. Do you know who hates a bad public schoolteacher the most? A good public schoolteacher. What really angers me is when management doesn't do their dang job, follow the law and remove those people, and give the due process to them.

The same thing happens in the VA. Management needs to do their job. We have issued subpoenas for Phoenix, we have issued subpoenas for Philadelphia, we have issued subpoenas for St. Paul of people doing egregious things, not caring for veterans. They should come here, and they should lose their jobs. In some cases, they did. Do you know what they all did have in common? None of them were part of a collective bargaining agreement. They were the management. My fear on this is you have bad managers making bad decisions, and if someone speaks up, Mr. Chairman, who is a lower ranking member, their only protection to improve the system is by collectively bargained grievance processes to make sure their due process is heard. That is all we are asking for.

I do not deny there are going to be proxy fights on this. I will not deny that I believe the public sector unions need to be in a partnership with this. I believe we should have had them in a hearing and set those union members down there and asked them: How in God's name can you justify this? Ask

them and say: What would help so that we can do this?

I have witnessed this as a public schoolteacher. Beating up on public schoolteachers all the time is not the best way to entice good people to go into public school teaching. I ask people, whether it be teachers or the veterans—go ask your veterans, how many have received quality care at the VA? How many really appreciate that floor nurse who did what he or she was supposed to do? How many are grateful that their cardiac surgeon is one of the best in the world and is choosing to make less money to serve there?

But I won't deny this. We have managers who are unaccountable. This piece of legislation does not get at the heart of it because the teeth are saved for the rank-and-file members. I agree. I think the gentleman is exactly right.

I want to read something. You tell me if this is okay. We had a VA employee who was written up and subsequently fired because they were practicing medicine without a license. That is outrageous. Outrageous that you would go there and you don't have the license, and you are practicing medicine. That person was fired. If we pass this piece of legislation, they are done and they are not coming back.

But there is a little bit different story to this. This was a Navy veteran in Arkansas, and you know what they got it for? Not picking up a scalpel and doing something that a doctor should do, not writing a prescription for an opioid and trying to steal medicine, which does happen. What they did was, they entered the wrong code on a chart, and that got them for practicing medicine without a license.

When they went through the approved negotiated grievance process, not only did they find out that this was wrong to this combat Navy veteran trying to serve other veterans who was discharged by a manager, it turns up the lack of management oversight. It was the entire system was flawed and the chart was wrong. So the grievance process not only returned the employee back to their rightful job, it fixed the system guaranteeing better care for veterans going forward.

So I don't disagree. When we try and make it, the big scary thing is, oh, we have unions that don't care about veterans, don't care about what the care is, and what we need to do is fire those people immediately. Well, you know what? Some of them do need to be fired. But if there is not a process in place—this Navy veteran caring for other veterans was released without due process—we don't find out about a broken system putting veterans' care at risk. That is what is at stake here.

My point is not to disagree. The chairman has insights into veterans that I think are second to none. The committee works together on this. Once again, when you gain the most

votes, you get the majority, and I respect that. But I would also say that if we want to build consensus around this, I am going to offer up a piece of legislation that was written by a Republican Senator that has the ability to pass, be signed into law, and will get at the heart of this by going after the managers.

Mr. Chairman, it is important to me, and I know it is important to my chairman, a Vietnam veteran himself, it is important to the staff sitting behind, veterans ourselves, that we not allow what has happened in this country to get into the Committee on Veterans' Affairs, to divide us over talking points when our goals are exactly the same.

When we have legitimate differences, again, I don't think it is fair to me, as a veteran and a union member, to put something up that says you are choosing sides. I am not choosing sides. We are all in this together. What I disagree with is it is my opinion—and I wish I would have had experts testify to this, employment law people, bring the union folks in there, have us have this debate so that we can say: you know what, these changes are good, these won't make a difference.

I respectfully oppose the way this legislation is written. I respectfully totally associate myself with the chairman on why he wants to do it and why he believes that this is best. I only ask, take a look at some of the improving amendments that can get us all to the same point, and give us the benefit of the doubt that we are not assuming the worst. And I don't—as some have said, this is an attempt to bust unions or bust the civil service system. That is the farthest thing from the chairman's mind. I know that because never, in my experience, has he done anything to disprove that veterans' care comes first, quality of care at the VA comes first, and accountability must go with that. My concern is, this doesn't get us there nor does it have a chance to become into law. With those things, let's come back at it, let's approach it a little differently, and let's find the common ground that is there.

Mr. Chair, I reserve the balance of my time.

Mr. ROE of Tennessee. Mr. Chair, I yield myself such time as I may consume.

With that impassioned plea, I was asked yesterday on a Facebook page who I might, from the other side of the aisle, like to ride across the country with, and it was my friend TIM WALZ who I would like to ride with. He very passionately represents veterans very well, and it has been an absolute pleasure to work on the committee with him for the last 8 years.

Mr. Chair, just a couple things. The bill subjects all career employees to this new formal removal authority, and this would include frontline employees, middle management, even Senior Exec-

utive Service employees. Just a couple more things. It provides a unified process, not a bunch of different ones, for employees to appeal major adverse actions and other actions for title 38 when it pertains to a question involving direct patient care or clinical competence.

The current grievance procedures can allow an appeal to drag on for almost 350 days, and the House is the only legislative body that has passed a true accountability bill. I know, having spoken with Secretary Shulkin yesterday, he very much wants this piece of legislation in his toolbox to help reform the VA, which is desperately needed.

Mr. Chair, I yield 3 minutes to the gentlewoman from Washington (Mrs. McMORRIS RODGERS), our Conference chair.

Mrs. McMORRIS RODGERS. Mr. Chair, I thank our chairman for his leadership on this important issue.

The way that a grateful nation shows its appreciation to those who have served is to make sure that they get the care that they need when the time comes. Every day, veterans contact my office seeking help to address their concerns and help them navigate the VA.

□ 1545

Mrs. McMORRIS RODGERS. Mr. Chairman, the VA has one job. Its sole mission is to serve our veterans—our heroes. But it is clear that too often this agency has become disconnected from its mission. When a veteran contacts the VA, they should have the red carpet rolled out for them and treated like heroes. Instead, they feel like they are a burden.

The VA Accountability First Act is one of many needed reforms. And it is common sense, if you are involved in misconduct, you should be demoted, suspended, or fired. You shouldn't get a pay raise or a bonus. If you are a whistleblower, you should be protected. And the Secretary of the VA should have the flexibility to hold staff accountable.

I thank the chairman and the committee for their work to create a culture of accountability at the VA. With his leadership and with our partners, I am confident that we will see some positive disruption that puts our veterans first.

Mr. WALZ. Mr. Chairman, I yield 5 minutes to the gentleman from Maryland (Mr. HOYER), my good friend, the distinguished minority whip.

Mr. HOYER. Mr. Chairman, I thank the gentleman for yielding.

I rise in opposition to this bill, and I adopt many of the premises that my friend, Mr. WALZ, adopted.

I also adopt the premise of Dr. ROE, who is a really dear friend of mine, that TIM WALZ is the kind of guy you wouldn't mind riding across the country with. That is because he is honest,

he is knowledgeable, and he is sincere. Frankly, I attribute all of those same characteristics to Dr. ROE.

But, Mr. Chairman, I rise in opposition to this bill. Everybody on this floor agrees that our veterans deserve the best care possible. There is no debate about that. All of us in this House are focused on that goal. But this bill does nothing to meet that goal, in my view. This bill is part of—and I do not ascribe it to Dr. ROE—a significantly long history of a partisan effort to scapegoat Federal civil servants that has been going on for decades, long before Dr. ROE got in it or Mr. WALZ got in it.

It is a follow-on to the dangerous hiring freeze the Trump administration imposed in January and the repeated attempts over the last several years to extract more and more cuts from Federal employees' pay and benefits, which contributed over \$150 billion in cuts in pay and benefits over the last 6 years. Stripping away the rights of VA employees to work in a nonpartisan, professional environment will not improve the care our veterans and their families deserve and expect from the VA medical system.

This bill, in my view, would undermine the collective bargaining rights—I am a very strong supporter of collective bargaining rights—of VA employees serving as doctors, nurses, physical therapists, and others in critical jobs, and disrupt the collaborative relationship between VA managers and employees that is essential to a successful workplace environment.

Many years ago—almost 100 years ago—we adopted a civil service system. The premise of that system is we ought to have professional employees—not political employees, not political appointees—not subject to change because of the political whims that may be blowing one way or the other. This bill risks demoralizing those who have tirelessly been working to help our veterans reintegrate into civilian life in communities across this country.

Let me make it clear—and I am sure Dr. ROE is not surprised when I say this—that I agree with Mr. WALZ. If there is an employee who is not performing well, that employee ought not to be kept on. But this bill removes the process that was negotiated, or could be negotiated, in a collective bargaining way. And if, by the way, it takes 300-plus days, then perhaps this legislation could deal with that to shorten it. There are ways this could be dealt with that, in my view, will not undermine the civil service protections that are important not only for the employees, but for the system itself.

I have no doubt there are measures that can be adopted to improve VA performance and effectively and fairly discipline employees who engage in misconduct. We ought not to tolerate that. But this bill does not include them. I

have not read Senator ISAKSON's bill, but perhaps that is closer, and I look forward to reviewing it with both the chairman and the ranking member.

This bill goes too far, shreds basic due process rights, in my view, and punishes even model employees. And let me say as an aside, when I say it undermines basic due process rights, part of those rights are to have some time to get representation, to thoughtfully respond, to have some discovery as to what is going on here, what is being alleged, why is it being alleged, and who is alleging it. This bill eviscerates that, in some respects.

I am proud to represent 62,000 Federal employees in Maryland's Fifth District, including many who work at the VA's clinic in Charlotte Hall and in Camp Springs in the neighboring Fourth District. We ought to remember, Mr. Chairman, that when we undermine our Federal workforce and our ability to recruit and retain the best and brightest, we undermine our government's ability to serve the American people. So this is not just about present employees. It is about those who might consider employment in the future.

Mr. Chairman, I hope we don't make the mistake of, in effect, throwing the baby out with the bath water. Let's not take away the rights and protections of those who serve us so ably.

But, yes, I agree with Dr. ROE and with Ranking Member WALZ. If there are those who are not serving us well, yes, there ought to be a process; it ought to be fair, it ought to provide time in which to respond, not interminable time, so that we can have an agency of which we can be proud and does what we all want—serve our veterans in a way that we would expect, demand, and that we are morally obligated to give.

Mr. ROE of Tennessee. Mr. Chairman, also during that live Facebook page, I mentioned another person I wouldn't mind riding across the country with, and it was Mr. HOYER, just to clarify the RECORD.

Mr. Chairman, just a couple of clarification things.

All we have done with this bill is—we haven't removed due process rights—we have just shortened the time. And to show the concern that I had, I was afraid that if we used 14 or 15 calendar days—let's say, President's Day would be on a Monday, which would be a holiday—that would take a day away. So I said let's make this first part of this 15 business days. So that is 3 weeks. And then the accelerated review can go on 45 business days, which is 9 weeks. So this is 3 months of time, not a full year. But it simply compresses that time into a 3-month timeframe that this could last. So I think that people have their due process rights protected.

Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. BILIRAKIS), my good friend, vice chair of our committee.

Mr. Chairman, I have enjoyed working with my chairman, and, of course, our ranking member, on behalf of our true American heroes over the years, and we have got much more good work to do for our heroes.

Mr. Chairman, too often, the VA has failed to hold employees accountable when they do not uphold their duty to care for those who served.

The vast majority, as has been said by our chairman, are hardworking and dedicated to our Nation's heroes. But those bad actors are harmful to veterans and the VA's reputation as a whole. They must be fired. If a VA employee fails in their duty to care for veterans, they should be removed, as I said, from their post swiftly, no matter how senior their position.

It is unacceptable that it can take a year, or even longer, to remove, demote, or suspend a VA employee. The VA Accountability First Act would remove those bureaucratic roadblocks and rid the agency of its toxic culture of mediocrity.

The bill would also safeguard whistleblowers—that is necessary—from retaliation and protect employees' due process rights.

I am proud to cosponsor the VA Accountability First Act, and I strongly urge passage.

Mr. WALZ. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. TAKANO), my good friend, the vice ranking member of the full Committee on Veterans' Affairs.

Mr. TAKANO. Mr. Chairman, I thank the gentleman, Sergeant Major WALZ from the State of Minnesota, for yielding me time.

I also would like to say to the chairman, we had a wonderful time traveling to Afghanistan to pay respect to our troops during Thanksgiving. I don't have to travel across the country with him, but I did travel halfway around the world with him.

Mr. Chairman, I rise in opposition to H.R. 1259.

Every Member of Congress supports accountability for employees at the Department of Veterans Affairs—everybody. Building a culture of excellence at the VA is critical to providing veterans the care and support they deserve.

However, H.R. 1259 does not further this goal, or improve outcomes at the VA. We are not going to be able to fire our way to better outcomes at the VA.

The question posed by the VA Accountability First Act is whether accountability or workers' rights are mutually exclusive. I, along with many of my colleagues, believe we can respect VA employees—a third of whom are veterans themselves—while also ensuring that poor-performing employees are held accountable.

This legislation violates workers' rights in two very specific ways:

First, it would erode due process protections by giving employees too little time—just 10 days—to prepare for a disciplinary hearing, and then just 7 days to file an appeal with the Merit Systems Protection Board.

Second, it goes much further than past accountability bills by eliminating the use of collectively bargained grievance procedures for front-line VA employees. Not only do collectively bargained procedures often lead to quicker and simpler solutions, but they also give added protection to potential whistleblowers by acting as a check against managers who may retaliate against an employee who raises an issue.

Mr. Chairman, there is no question that we have workforce challenges at the VA, but this bill does not solve them. Instead, it eschews the Senate's bipartisan accountability legislation in favor of a much more one-sided bill.

To my colleagues who voted on VA accountability legislation in the past: This is not the same bill. It goes much further. And I ask you to join me in opposing it.

This is the first time the majority has targeted collective bargaining at the VA in this way. Your vote against this bill today will show that you oppose this very tactic.

If we are serious about providing veterans the best care possible, we should focus on removing the Federal hiring freeze, advancing the appeals modernization bill, and other bipartisan efforts that will immediately improve veterans' access to high-quality care and support.

Mr. Chairman, I include in the RECORD a letter from the American Federation of State, County and Municipal Employees in opposition to this bill, a letter from the American Federation of Government Employees, as well as a letter from the American Federation of Labor and Congress of Industrial Organizations.

AFSCME,
March 15, 2017.

HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REPRESENTATIVE: On behalf of the 1.6 million members of the American Federation of State, County and Municipal Employees (AFSCME), I'm writing to urge you to oppose H.R. 1259, which would eliminate collective bargaining rights and fundamental due process rights of employees at the Department of Veterans Affairs (VA).

The bill makes it easier to fire people for a good reason or a bad reason. By eliminating merit-based principles for workers facing a removal, demotion or suspension, the bill makes it easier for management or political appointees to scapegoat employees that advocate strongly for the veteran patients they serve. Basic civil service due process rights are necessary to block corruption, patronage, discrimination, and political pressure to cover up problems in the delivery of services to veterans.

The bill destroys the right of registered nurses and other front-line VA employees to

use a union grievance procedure to efficiently and fairly address proposed adverse employment actions. This is union busting.

This bill will not help improve the care to veterans from the VA but rather make such care politicized and subject to corrupting and corrosive influences unrelated to quality. Moreover, this bill sets a dangerous precedent that could subsequently harm more than one million additional federal workers in other agencies and occupations, and the public they serve. We urge you to vote against H.R. 1259.

Sincerely,

SCOTT FREY,
Director of Federal Government Affairs.

AFGE,
March 7, 2017.

Re AFGE Opposition to H.R. 1259.

Hon. PHIL ROE,
Chairman, House Veterans' Affairs Committee,
Washington, DC.

Hon. TIM WALZ,
Ranking Member, House Veterans' Affairs Committee,
Washington, DC.

DEAR CHAIRMAN ROE AND RANKING MEMBER WALZ: I am writing on behalf of nearly 700,000 federal employees represented by the American Federation of Government Employees, AFL-CIO (AFGE), including 230,000 employees of the Department of Veterans Affairs (VA) to urge you to oppose H.R. 1259, a bill introduced by Representative Phil Roe (R-TN) to eliminate collective bargaining rights and significantly cut the due process rights of employees facing a proposed removal, demotion, or suspension (adverse action).

H.R. 1259 is a direct assault on the union rights of every VA employee, including more than 120,000 veterans within the VA workforce. This bill will hurt, not fix, the VA. It will reverse the significant improvements made over the past two years, and will make it harder for veterans to get the veteran-centric medical care and benefits on which they rely.

In addition to punitive, counterproductive due process attacks recycled from earlier bills, H.R. 1259 breaks new ground by union-busting. The bill destroys the right of every VA front line employee to use union grievance procedures to efficiently and fairly address proposed adverse actions. The grievance procedure is not only part of the law but also part of the contract negotiated between labor and management. The only avenue that VA front line employees will have left is a rushed management-run appeals process that does not allow good employees enough time to gather the evidence they need to defend their jobs. For medical professionals facing proposed adverse actions related to professional conduct or competence, the reductions in the timeframe for the agency review process are more severe, even though their cases typically involve complex medical issues.

In addition, all front-line employees and managers will have weaker rights to appeal to the Merit System Protection Board (MSPB), their first chance at an independent review. They will only have seven days to appeal to the MSPB after they are fired (and off the payroll), and the bill ties the hands of the MSPB Administrative Judge (AJ) with the recycled "one-size-fits-all" prohibition against mitigating the penalty, regardless of the facts of the individual case.

When the employee loses at the MSPB (which happens in 80% of cases now), he would have only seven days to prepare an appeal to the United States Court of Appeals for the Federal Circuit.

How does this impact the life of a veteran working in a VA? What if a veteran working in a regional office processing claims is trying to do his job in the face of unfair allegations of poor performance by a manager who did not want to hire a veteran and did not train him properly before rushing him onto the job? It means that he only has ten days to gather all the evidence he needs to respond to a proposed removal and his manager only has five days to decide whether to go ahead and fire him. Therefore, 15 days after learning that he may be fired, he has no job and no paycheck. Then he has one week to get his appeal to the MSPB, during which he must hire an attorney if he can afford one, where the AJ cannot give him a suspension or demotion even if the judge believes that the facts dictate a less severe punishment than removal. When the MSPB upholds the decision to fire him, he has just one week to prepare his appeal to a federal appeals court (and again, hire an attorney if he can afford one), while he is without a job and without a paycheck.

Just last month, Chairman Roe stated that "the men and women who have fought for our great nation should never have to struggle to find a job," but his bill attacks every option that veterans in the VA workforce have to save their jobs in the face of unjustified firings.

Chairman Roe has also expressed his intentions to reduce mismanagement at the VA, but his bill weakens the critical protections that VA employees need to speak up against mismanagement and patient harm. Every day, employees throughout the VA report concerns to management that directly impact patient safety, health care access, processing of disability claims, and many other functions essential to the agency mission.

Chairman Roe opposes the hiring freeze because he understands how critical it is for veterans who depend on the VA to have a "robust clinical workforce." Yet his bill singles out VA employees, including every clinician caring for veterans, for worse treatment than other federal employees through recoupment of compensation already earned, including pensions, relocation bonuses, and performance bonuses. These provisions are unnecessary and violate due process. There are already ample safeguards in the law against retention of improper relocation and performance bonuses, and the VA has already dismantled the relocation bonus program that was the subject of abuse allegations. In addition, this bill directly contradicts private sector law that forbids the recoupment of pensions.

Thank you for considering the views of AFGE. If you need more information, please contact Marilyn Park of my staff.

Sincerely,

J. DAVID COX, Sr.,
National President.

AFL-CIO,
March 8, 2017.

Hon. PHIL ROE,
Chair, House Veterans' Affairs Committee,
Washington, DC.

Hon. TIM WALZ,
Ranking Member, House Veterans' Affairs Committee,
Washington, DC.

DEAR CHAIRMAN ROE AND RANKING MEMBER WALZ: On behalf of the AFL-CIO, I urge you to reject the VA Accountability First Act (H.R. 1259), introduced by Chairman David Roe. H.R. 1259 is a thinly veiled effort to destroy union rights and shift the blame for management failures at the VA onto the backs of front line employees.

The bill severely truncates the appeals process in current law and destroys grievance procedures that have been successfully used throughout the federal government to provide stability and protection against arbitrary treatment, and with it any guarantee that employees will feel safe speaking out against mismanagement or to protect patient safety.

Rather than building a culture of trust at the VA, H.R. 1259 would turn back the clock to an era when employees could be fired with the slightest justification and almost no opportunity to mount an effective defense. Worse, the bill would single out VA employees for harsher treatment than other federal workers, including the recoupment of compensation already earned without adequate due process, including pension benefits, and relocation and performance bonuses.

The Roe bill reflects the Chairman's opposition to collective bargaining and the crucial role labor organizations play in giving federal workers a voice on the job. For the 120,000 veterans who work at the VA, this bill is not only a slap in the face but a betrayal of the promise that they would be guaranteed fair treatment if they came to work for the federal government.

We urge you to reject H.R. 1259.

Sincerely,

WILLIAM SAMUEL, *Director,
Government Affairs Department.*

Mr. ROE of Tennessee. Mr. Chairman, I thank my friend, Mr. TAKANO.

"If you engage in an unethical practice, if you cover up a serious problem, you should be fired. Period. It shouldn't be that difficult." President Barack Obama, at the Choice Act's signing in 2014.

Dr. Shulkin is not a hard-line person. He received 100 votes, Mr. Chairman, in the Senate. I don't know that anybody else in this confirmation process has come close to that, but he has had unanimous support. He has asked for this. We worked with his office. He has personally asked that this be passed. That is why we are bringing this bill down here in this form.

Mr. Chairman, I yield 2 minutes to the gentleman from Colorado (Mr. COFFMAN), one of my great friends here in Congress, a fellow classmate. We came in together. We, too, have traveled to Afghanistan together to visit our Active Duty military in combat. He, too, is a combat veteran.

□ 1600

Mr. COFFMAN. Mr. Chair, I thank the chairman for yielding.

Today, as a veteran of both the Army and the United States Marine Corps, I rise on behalf of all those who have called, written, and stopped by my office seeking reform and accountability of the Department of Veterans Affairs.

I, along with the chairman and my colleagues on the House Committee on Veterans' Affairs, introduced H.R. 1259, the VA Accountability First Act of 2017. Today the House will vote to ensure the VA can hold its employees accountable for their actions and make sure that this agency remains committed and connected to its sole mission of serving our Nation's veterans.

Additionally, this bill would provide improved protections for whistleblowers to ensure those brave enough to tell Congress and the American people what is really happening at the VA are protected.

After the wait-time scandal in Phoenix and the over \$1 billion cost overrun at the Aurora VA hospital, it is time that we reform the VA's culture of corruption and bureaucratic incompetence. This legislation will help the VA meet our Nation's obligations to the men and women who have made tremendous sacrifices on behalf of our freedom.

Mr. WALZ. Mr. Chairman, may I inquire how much time I have remaining?

The Acting CHAIR (Mr. POE of Texas). The gentleman from Minnesota has 10 minutes remaining.

Mr. WALZ. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chair, you are hearing it here, and these are folks, we work together. This idea of accountability matters deeply to all of us. We know when you are in any business, this business—we have had colleagues of ours in here be arrested for buying cocaine from undercover police officers in Washington, D.C.

Well, that brings great discredit to every single one of us, but I certainly don't think it requires all of us, then, to go through the same thing that person is going through or deprive us our rights of where we are at. This idea of due process, and what we are asking about, is not something meant to protect a bad employee. In fact, it is just the opposite. It is meant to improve the workforce.

My plea on this is—much of this bill, there is agreement on, Mr. TAKANO was right—it went a step further. Having been a rank-and-file person in a collectively bargained unit, my goal was to provide the best quality education so our students could learn—an environment, quality teachers, and all of those things.

I am at a loss for the desire to come here and decide that, and again, we say it in passing: Well, I don't want to deride all of those really good employees who are there. I just want to take away their collectively bargained right that was there.

Even though we can give example after example, like Robert. He was a service-connected disabled Navy veteran with over a decade of experience at the Veterans Benefits Administration. He was demoted after consistently, every single year, receiving highly satisfactory or top-rated performance reviews. Robert volunteered to be part of a quality review team to get rid of the backlog, and he had the audacity to tell his manager that there were better ways we could do this. Perhaps all of this overtime pay and consolidating all of these claims to one

place was not in the best interest of that. That manager, on the way out the door, demoted and tried to remove Robert from that position.

Now, keep in mind, that same manager, all of those years before, had rated him well. Well, maybe something happened. Maybe Robert started doing something wrong. Maybe Robert wasn't that good an employee.

But again, under this piece of legislation, Robert's collectively bargained right—which he used and grieved it and got back his job, and subsequently, the manager had problems on their performance reviews, where it came from.

So again, don't set this up as if everything is wrong.

And I would make note of this: We are doing our best to attract the best and brightest to the VA. Nobody is defending the bad. But when I hear folks come to the floor and it is nothing but what a horrific place this is, I leave this for you, Mr. Chairman.

I also have the privilege of representing America's premier medical institution in the Mayo Clinic, and I look at what they do. Folks at Mayo Clinic will tell me some of the finest cardiac surgeons in the world are at the Minneapolis VA.

I will also tell you this. If you, in America, go to any hospital—Dr. ROE can attest to this—the thing that you should probably be most worried about and the thing that kills most people—over 90,000 a year—is hospital-acquired infections.

Do you know who does it better and has the lowest rate, better than Mayo Clinic, better than Johns Hopkins? The VA. So somebody among those rank-and-file members who is cleaning the operating rooms and cleaning the equipment is doing so in a manner that is better than any other.

What message are we sending them today? If a manager doesn't do their job and decides they want to fire you, we are going to lump everybody together. I just ask, once again, to my colleagues, to this body, these are things that should have been debated in a hearing. We should have brought in the experts.

Here is what I think. I think you would build a broader coalition—because I have to be very honest with you. I think our public sector unions could help us and step up and say: What was the real situation here? How do you respond to this egregious breach of trust? And what do you think would be a better way?

I am not saying they would give us a suggestion. I want to be very honest and not disingenuous. They may not answer us. We should have at least asked them: What would you do to make this better? What could speed it up, and what could protect them?

We didn't do that because we didn't have a hearing, and I think that stops building the consensus. I think it makes it harder to get this.

I will tell you this. The bill I keep referencing that was over in the Senate had 45 Senate cosponsors. Good luck getting 45 of them to agree today. It is Thursday, and we did it on an accountability plea that also had the support of every single one of those groups on there, except one, to support that piece of legislation.

So we went a step further. We didn't have a hearing. We tried to let outside groups frame this as a veterans versus public sector union folks, who were also veterans. That is not what it is. We just need to get it right.

Mr. Chair, I reserve the balance of my time.

Mr. ROE of Tennessee. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, I think my good friend, Mr. WALZ, helps make the point that this person who was aggrieved, it doesn't have to last so long. You can actually compress this time. As I mentioned, it is not short; 3 months to get this resolved. But this process we are putting together actually helps that person that has been aggrieved by the supervisor, I would argue.

Mr. Chair, I yield 1½ minutes to the gentleman from Florida (Mr. DUNN), a new member of our committee, a veteran and physician from Florida.

Mr. DUNN. Mr. Chair, I rise in support of H.R. 1259, the VA Accountability First Act of 2017.

President Lincoln reminds us of our duty "to care for him who shall have borne the battle," and, frankly, our government has done a miserable job of it.

While a large number of VA employees honorably serve our veterans, that is not always the case. In the real world, if you don't do your job, you get fired. Yet we have employees at the VA who are guilty of gross misconduct, even major felonies, and they are still on the job.

"Why is this?" you ask. Because the process to fire them is too arduous. The VA system that lives up to our veterans' sacrifices starts with personnel. The VA Accountability First Act is a great first step in addressing poor performance and misconduct at the VA. It will allow Secretary Shulkin to make substantive changes as he works to improve veterans' care.

We need to make the VA work for our veterans instead of our bureaucrats.

Mr. WALZ. Mr. Chair, I yield myself such time as I may consume.

Again, we are not going to find a lot of disagreement.

I will tell you what a good first step would be: hire some surgeons. There are openings there. This is our first salvo at trying to fix the VA. We have an appeals bill that every single veterans service organization agrees: appeals modernization. We have worked that thing through. We have had the language. It is not here.

We have a Choice bill that is expiring August 7. We have had a hearing with the VA Secretary, and that is the way it should have been. It is not here today.

What we have is a bill that did not go through regular order, a bill that obviously didn't build a consensus, and this is very unusual to have a bill from the VA Committee. I bet you 90 to 95 percent of the time when one hits this floor, it gets 300 to 400 votes up on that board, but this one is not.

So, again, if the contention is that Members of this House don't care if there is a bad employee working there, that is disingenuous and wrong. But if we do believe, putting it in place—and again, the example I gave, the chairman is right. It took Robert 6 weeks to get all of the information gathered together because the manager who left was holding on to it and had to get the union to force the release of that information. His 14 days would have come and gone, and that is it.

This is why, sometimes, I am not going to defend 400 days. That is ridiculous. I am not going to spend—if they are dragging their feet. But this guy got fired by a manager, got demoted down, wanted to get the information. The outgoing manager said, "It isn't my problem." The union had to go—and had to go, in this case, almost to court—to get the information back to them so he could present a case that said exactly what was ruled upon: You got fired illegally by a bad manager.

I am telling people, if you are angry when things go wrong at the VA, you have got 330 million Americans who are with you. We have subpoenaed them. None of them were collectively bargained. The problem is in management and middle management not doing their job.

Do your work.

You know what would be great is if the management actually did what they are supposed to do and improved bad performance before it gets to a point where it causes problems and you actually improve that employee, which saves us money from having to go out and hire someone else and you have the system working better. But to watch something go wrong, not do your due diligence, not follow the law, then fire someone and then complain that it takes too long to fix it, how about we figure out what really gets, keeps, retains, and makes the VA better?

There are other places that we could work on. Ninety percent of it, you have got my agreement. I think you are going to see that 10 percent is going to ensure this does not get into law; and that, in itself, is simply wrong because no one disagrees. We could make this system work better.

Mr. Chair, I reserve the balance of my time.

Mr. ROE of Tennessee. Mr. Chair, I will just point out that I don't think

the VA has a reputation of firing too many people.

Mr. Chair, I yield 1 minute to the gentleman from Florida (Mr. RUTHERFORD), a new Member, and a very active member of our committee.

Mr. RUTHERFORD. Mr. Chairman, I thank my colleague from Tennessee for this opportunity.

I rise today, Mr. Chairman, in support of H.R. 1259, the VA Accountability First Act, because our veterans deserve to receive the best care possible, and our VA personnel deserve to work alongside only the best qualified and professional caregivers.

Mr. Chairman, I am proud to serve almost 100,000 veterans in northeast Florida, and this important bill will ensure that veterans throughout the Nation get the care and respect that they have earned.

In addition, thousands of good and caring VA employees dedicate their lives to serving our veterans in some of their greatest times of need. But it is unfair—unfair—to these many hardworking VA employees when those working alongside of them engage in misconduct and they are not held accountable.

Mr. Chairman, our veterans deserve better, and our caring, hardworking VA employees deserve better. As has been stated multiple times, this bill does not eliminate employee due process. My colleagues and I in Congress carry a sacred obligation to our veterans, have a sacred obligation to our Nation to improve accountability at our VA.

Mr. WALZ. Mr. Chair, after the gentleman finishes with his speakers, I will close.

I reserve the balance of my time.

Mr. ROE of Tennessee. Mr. Chair, I would like to inquire as to the balance of my time.

The Acting CHAIR. The gentleman has 9 minutes remaining.

Mr. ROE of Tennessee. Mr. Chair, I yield 3 minutes to the gentleman from Utah (Mr. CHAFFETZ), the chairman of the Oversight and Government Reform Committee, a fellow classmate.

□ 1615

Mr. CHAFFETZ. Mr. Chair, I really appreciate what Chairman ROE of Tennessee is doing. He pours his heart and soul into one of the most important issues and things we can deal with here in Congress and, that is, helping our veterans.

Veterans step up and serve in our military. I stand in awe. They do the heavy lifting. They run through the fire. They engage. Then they come home, and we have got to do a better job of taking care of those people who take care of us.

The Veterans Administration, just like the rest of Federal Government, has a lot of good people who actually work there, do care, and have big hearts. With a government of more

than 2 million people, every once in a while you come across some bad apples. They may be a poor performer, or they may just have their heart in a different place, and we have got to deal with these bad apples.

While you have a whole set of people who are actually trying to do the right thing, you are going to run into some people every once in a while who aren't doing the right thing, and you have to be able to dismiss them.

Now, the Oversight and Government Reform Committee has jurisdiction on the Federal civilian workforce, and we have worked closely with Chairman ROE of Tennessee to help make this possible.

Through the last couple of years that I have been chairman of the Oversight and Government Reform Committee, we have heard a number of accounts where Federal employees couldn't be disciplined fast enough. It was obvious what they had done, but they had run into roadblocks in being able to dismiss people.

We heard horror stories from the Environmental Protection Agency where there was a sexually harassed intern that lasted for 3 years. It took 5 weeks to process the harasser's removal proceedings.

We heard the Government Accountability Office come and testify before our committee that it can take 6 months to a year to remove a Federal employee for poor performance. You know what? That isn't good enough. When you have a bad apple and somebody is misusing the system and they are not performing, they are hurting our veterans. And when they are hurting our veterans, I take that personally. Everybody should take that personally. Nobody wants to see that happen.

So this bill, H.R. 1259, is a very important bill to accelerate that process. Again, let's remember that most of the people who work there are good, hardworking, patriotic people who care. But when you do have a bad apple and you do need to get rid of that person, we have to have an expedited removal proceeding.

I know this bill does a number of things, but I can tell you, having heard testimony time and time and time again in a variety of Federal agencies, especially the VA, this is a much-needed bill.

We are going to work as a committee to implement reforms like this governmentwide. To put the Veterans Administration first and deal with this first, I think, is the right priority of this Congress.

Again, hats off to Chairman ROE of Tennessee and the committee as a whole for addressing this so aggressively and so early in the 115th Congress.

I urge passage of H.R. 1259.

Mr. WALZ. Mr. Chairman, I would say that I am pleased that the gen-

tleman from Utah (Mr. CHAFFETZ) is going to use the Oversight and Government Reform Committee to provide oversight of this administration. I welcome it. I have some suggestions for some other oversight of the administration, and I would be glad to share them.

I reserve the balance of my time.

Mr. ROE of Tennessee. Mr. Chairman, I yield 1 minute to the gentleman from Indiana (Mr. BANKS), a new member of our committee who is also in the Reserves serving our Nation in the military.

Mr. BANKS of Indiana. Mr. Chairman, let me first commend the gentleman from Tennessee (Mr. ROE) for his leadership on this issue and so many others on behalf of our veteran population.

As a veteran myself of the war in Afghanistan, I have a deep commitment to ensuring that my fellow veterans receive the proper care and treatment that they have earned by serving our country. That is why I am proud to be an original cosponsor of the VA Accountability First Act.

This bipartisan legislation will give Secretary Shulkin the tools that he needs to change the dysfunctional culture of the VA. It has been 3 years since the wait list at VA facilities became public, yet too many of our veterans deal with VA employees who engage in misconduct that could endanger their lives.

Too often, it takes months or even years to remove those employees. Worse still, sometimes these employees are not removed at all. Most VA employees, though, are hardworking and dedicated people, which makes it that much more unfair when the VA can't or won't hold bad employees accountable.

We can and must do better, and this bill is a first step in that process.

The Acting CHAIR. The time of the gentleman has expired.

Mr. ROE of Tennessee. Mr. Chair, I yield an additional 30 seconds to the gentleman.

Mr. BANKS of Indiana. The bill would shorten the time it takes to fire a VA employee for misconduct, give the Secretary the discretion to both revoke bonuses previously paid to employees engaging in misconduct and reduce pensions of employees found guilty of felonies while on the job, and provide improved protections for whistleblowers.

These are commonsense proposals supported by many veterans' groups. This bill is also supported by Secretary Shulkin. It is a no-brainer, and that is why I support it.

Mr. WALZ. Mr. Chairman, I reserve the balance of my time.

Mr. ROE of Tennessee. Mr. Chairman, I yield 2 minutes to the gentleman from Colorado (Mr. LAMBORN), a good friend and long-term member of the Veterans' Affairs Committee.

Mr. LAMBORN. Mr. Chairman, I thank Chairman ROE of Tennessee for his leadership on this legislation and also for letting me speak.

I rise today in strong support of H.R. 1259, the VA Accountability First Act. For years, my colleagues and I have fought hard to hold VA bureaucrats accountable. The VA still lacks the ability to take swift action against employees who prevent veterans from getting the benefits that they have earned.

We should be able to terminate senior executives at failing hospitals that force veterans to languish on secret wait lists. We should not award bonuses to poorly performing employees who engage in misconduct, and we shouldn't provide full retirement benefits to convicted criminals whose crime harmed veterans.

We can't stop there. We must go further to pursue bold reform at the VA. I look forward to working with Chairman ROE of Tennessee, Chairwoman MCMORRIS RODGERS, and others to pass the Caring for Our Heroes in the 21st Century Act, which would finally empower veterans, including the almost 100,000 in my congressional district in Colorado, to make their own healthcare decisions.

Let's pass H.R. 1259 today. It is a good piece of legislation.

Mr. WALZ. Mr. Chair, may I inquire how much time I have remaining?

The Acting CHAIR. The gentleman from Minnesota has 1 minute remaining.

Mr. WALZ. Mr. Chair, I am glad we got an opportunity to debate this, which is what we should do. There is no disagreement that we need to hold folks accountable. We need to get the best people at the VA. We need to commit to improving the VA the best we can.

My respect and admiration for the chairman is as it has always been, the highest it can be. I know his heart and his intellect is aimed at that. We have some legitimate differences on this. I don't believe they are so big they can't be overcome. I do believe we should try and keep this away from the partisan ship that so often engulfs this House.

My commitment to Chairman ROE of Tennessee is to do the best I can to continue to try and improve upon these. We have a lot more work to do that will be happening together to improve the care of our veterans.

I yield back the balance of my time.

Mr. ROE of Tennessee. Mr. Chairman, to go along with what Sergeant Major WALZ said, it is truly a privilege to work with him on these issues. His heart is in the right place. He truly cares about veterans.

I believe this bill, though, does do what needs to be done. Secretary Shulkin—approved 100-0 in the Senate—believes that he needs this tool to be able to reform the VA. I think it is

imperative that we, as legislators, provide him the tools when we say we demand accountability at the VA.

Once again, I encourage all Members to support H.R. 1259.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

It shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115-7. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 1259

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “VA Accountability First Act of 2017”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. References to title 38, United States Code.

Sec. 3. Removal, demotion, and suspension of employees based on performance or misconduct.

Sec. 4. Reduction of benefits for Department of Veterans Affairs employees convicted of certain crimes.

Sec. 5. Authority to recoup bonuses or awards paid to employees of Department of Veterans Affairs.

Sec. 6. Authority to recoup relocation expenses paid to or on behalf of employees of Department of Veterans Affairs.

Sec. 7. Time period for response to notice of adverse actions against supervisory employees who commit prohibited personnel actions.

Sec. 8. Direct hiring authority for medical center directors and VISN directors.

Sec. 9. Time periods for review of adverse actions with respect to certain employees.

SEC. 2. REFERENCES TO TITLE 38, UNITED STATES CODE.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 38, United States Code.

SEC. 3. REMOVAL, DEMOTION, AND SUSPENSION OF EMPLOYEES BASED ON PERFORMANCE OR MISCONDUCT.

(a) **IN GENERAL.**—Subchapter I of chapter 7 is amended by adding at the end the following new section:

“§ 719. Employees: removal, demotion, or suspension based on performance or misconduct

“(a) **IN GENERAL.**—The Secretary may remove, demote, or suspend an individual who is an employee of the Department if the Secretary determines the performance or misconduct of the individual warrants such removal, demotion, or suspension. If the Secretary so removes, demotes, or suspends such an individual, the Secretary may—

“(1) remove the individual from the civil service (as defined in section 2101 of title 5);

“(2) demote the individual by means of a reduction in grade for which the individual is qualified, that the Secretary determines is appropriate, and that reduces the annual rate of pay of the individual; or

“(3) suspend the individual.

“(b) **PAY OF CERTAIN DEMOTED INDIVIDUALS.**—(1) Notwithstanding any other provision of law, any individual subject to a demotion under subsection (a)(2) shall, beginning on the date of such demotion, receive the annual rate of pay applicable to such grade.

“(2) An individual so demoted may not be placed on administrative leave during the period during which an appeal (if any) under this section is ongoing, and may only receive pay if the individual reports for duty or is approved to use accrued unused annual, sick, family medical, military, or court leave. If an individual so demoted does not report for duty or receive approval to use accrued unused leave, such individual shall not receive pay or other benefits pursuant to subsection (e)(5).

“(c) **NOTICE TO CONGRESS.**—(1) Not later than 30 days after removing, demoting, or suspending an individual employed in a senior executive position under subsection (a) or after removing, demoting, or suspending an individual under chapter 74 of this title, the Secretary shall submit to the Committees on Veterans’ Affairs of the Senate and House of Representatives and to each Member of Congress representing a district in the State or territory where the facility where the individual was employed immediately before being removed, demoted, or suspended is located notice in writing of such removal, demotion, or suspension. Such notice shall include the job title of the individual, the location where the individual was employed immediately before being removed, demoted, or suspended, the proposed action, and the reason for such removal, demotion, or suspension.

“(2) Not later than 30 days after the last day of a fiscal year, the Secretary shall submit to the Committees on Veterans’ Affairs of the Senate and House of Representatives a report listing all removals, demotions, and suspensions under this section or under chapter 74 of this title during such fiscal year. Each such report shall include the job title of each individual removed, demoted, or suspended, the location where the individual was employed immediately before being so removed, demoted or suspended, the proposed action, and the reason for such removal, demotion, or suspension.

“(3) In this subsection, the term ‘senior executive position’ means, with respect to a career appointee (as that term is defined in section 3132(a)(4) of title 5), a Senior Executive Service position (as such term is defined in section 3132(a)(2) of title 5).

“(d) **PROCEDURE.**—(1) Subsection (b) of section 7513 of title 5 shall apply with respect to a removal, demotion, or suspension under this section, except that the period for notice and response, which includes the advance notice period required by paragraph (1) of such subsection and the response period required by paragraph (2) of such subsection, shall not exceed a total of 10 business days. Subsection (c) of such section and section 7121 of such title shall not apply with respect to such a removal, demotion, or suspension.

“(2) The Secretary shall issue a final decision with respect to a removal, demotion, or suspension under this section—

“(A) in the case of a proposed removal, demotion, or suspension to which an individual responds under paragraph (1), not later than five business days after receiving the response of the individual; or

“(B) in the case of a proposed removal, demotion, or suspension to which an individual does

not respond, not later than 15 business days after the Secretary provides notice to the individual under paragraph (1).

“(3) The procedures under chapter 43 of title 5 shall not apply to a removal, demotion, or suspension under this section.

“(4)(A) Subject to subparagraph (B) and subsection (e), any removal, demotion, or suspension under subsection (a) may be appealed to the Merit Systems Protection Board, which shall refer such appeal to an administrative judge pursuant to section 7701(b)(1) of title 5.

“(B) An appeal under subparagraph (A) of a removal, demotion, or suspension may only be made if such appeal is made not later than 7 days after the date of such removal, demotion, or suspension.

“(e) **EXPEDITED REVIEW.**—(1) Upon receipt of an appeal under subsection (d)(4)(A), the administrative judge shall expedite any such appeal under such section and, in any such case, shall issue a final and complete decision not later than 45 business days after the date of the appeal.

“(2) Notwithstanding section 7701(c)(1)(B) of title 5, the administrative judge shall uphold the decision of the Secretary to remove, demote, or suspend an employee under subsection (a) if the decision is supported by substantial evidence. If the decision of the Secretary is supported by substantial evidence, the administrative judge shall not mitigate the penalty prescribed by the Secretary.

“(3)(A) The decision of the administrative judge under paragraph (1) may be appealed to the Merit Systems Protection Board.

“(B) An appeal under subparagraph (A) of a decision of an administrative judge may only be made if such appeal is made not later than 7 business days after the date of the decision of the administrative judge.

“(4) In any case in which the administrative judge cannot issue a decision in accordance with the 45-day requirement under paragraph (1), the Merit Systems Protection Board shall, not later than 14 business days after the expiration of the 45-day period, submit to the Committees on Veterans’ Affairs of the Senate and House of Representatives a report that explains the reasons why a decision was not issued in accordance with such requirement.

“(5)(A) A decision of the Merit Systems Protection Board under paragraph (3) may be appealed to the United States Court of Appeals for the Federal Circuit pursuant to section 7703 of title 5.

“(B) An appeal under subparagraph (A) of a decision of the Merit Systems Protection Board may only be made if such appeal is made not later than 7 business days after the date of the decision of the Board.

“(C) Any decision by such Court shall be in compliance with section 7462(f)(2) of this title.

“(6) The Merit Systems Protection Board may not stay any removal, demotion, under this section.

“(7) During the period beginning on the date on which an individual appeals a removal from the civil service under subsection (d) and ending on the date that the United States Court of Appeals for the Federal Circuit issues a final decision on such appeal, such individual may not receive any pay, awards, bonuses, incentives, allowances, differentials, student loan repayments, special payments, or benefits related to the employment of the individual by the Department.

“(8) To the maximum extent practicable, the Secretary shall provide to the Merit Systems Protection Board such information and assistance as may be necessary to ensure an appeal under this subsection is expedited.

“(9) If an employee prevails on appeal under this section, the employee shall be entitled to backpay (as provided in section 5596 of title 5).

“(10) This subsection shall supercede any collective bargaining agreement to the extent that such an agreement conflicts with this subsection.

“(f) **WHISTLEBLOWER PROTECTION.**—(1) In the case of an individual seeking corrective action (or on behalf of whom corrective action is sought) from the Office of Special Counsel based on an alleged prohibited personnel practice described in section 2302(b) of title 5, the Secretary may not remove, demote, or suspend such individual under subsection (a) without the approval of the Special Counsel under section 1214(f) of title 5.

“(2) In the case of an individual who has filed a whistleblower complaint, as such term is defined in section 731 of this title, the Secretary may not remove, demote, or suspend such individual under subsection (a) until a final decision with respect to the whistleblower complaint has been made.

“(g) **TERMINATION OF INVESTIGATIONS BY OFFICE OF SPECIAL COUNSEL.**—Notwithstanding any other provision of law, the Special Counsel (established by section 1211 of title 5) may terminate an investigation of a prohibited personnel practice alleged by an employee or former employee of the Department after the Special Counsel provides to the employee or former employee a written statement of the reasons for the termination of the investigation. Such statement may not be admissible as evidence in any judicial or administrative proceeding without the consent of such employee or former employee.

“(h) **VACANCIES.**—In the case of an individual who is removed or demoted under subsection (a), to the maximum extent feasible, the Secretary shall fill the vacancy arising as a result of such removal or demotion.

“(i) **DEFINITIONS.**—In this section:

“(1) The term ‘individual’ means an individual occupying a position at the Department but does not include—

“(A) an individual appointed pursuant to section 7306, 7401(1), or 7405 of this title;

“(B) an individual who has not completed a probationary or trial period; or

“(C) a political appointee.

“(2) The term ‘suspend’ means the placing of an employee, for disciplinary reasons, in a temporary status without duties and pay for a period in excess of 14 days.

“(3) The term ‘grade’ has the meaning given such term in section 7511(a) of title 5.

“(4) The term ‘misconduct’ includes neglect of duty, malfeasance, or failure to accept a directed reassignment or to accompany a position in a transfer of function.

“(5) The term ‘political appointee’ means an individual who is—

“(A) employed in a position described under sections 5312 through 5316 of title 5 (relating to the Executive Schedule);

“(B) a limited term appointee, limited emergency appointee, or noncareer appointee in the Senior Executive Service, as defined under paragraphs (5), (6), and (7), respectively, of section 3132(a) of title 5; or

“(C) employed in a position of a confidential or policy-determining character under schedule C of subpart C of part 213 of title 5 of the Code of Federal Regulations.”

(b) **REPEAL OF SUPERCEDED PROVISION OF LAW.**—

(1) **IN GENERAL.**—Section 713 of title 38, United States Code, is hereby repealed.

(2) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 7 is amended by striking the item relating to section 713.

(c) **CLERICAL AND CONFORMING AMENDMENTS.**—

(1) **CLERICAL.**—The table of sections at the beginning of chapter 7 is amended by inserting after the item relating to section 717 the following new item:

“719. Employees: removal, demotion, or suspension based on performance or misconduct.”

(2) **CONFORMING.**—Section 4303(f) of title 5, United States Code, is amended—

(A) by striking “or” at the end of paragraph (2);

(B) by striking the period at the end of paragraph (3) and inserting “, or”; and

(C) by adding at the end the following:

“(4) any removal or demotion under section 719 of title 38.”

(d) **TEMPORARY EXEMPTION FROM CERTAIN LIMITATION ON INITIATION FROM REMOVAL FROM SENIOR EXECUTIVE SERVICE.**—During the 120-day period beginning on the date of enactment of this Act, an action to remove an individual from the Senior Executive Service at the Department of Veterans Affairs pursuant to this section may be initiated, notwithstanding section 3592(b) of title 5, United States Code, or any other provision of law.

SEC. 4. REDUCTION OF BENEFITS FOR DEPARTMENT OF VETERANS AFFAIRS EMPLOYEES CONVICTED OF CERTAIN CRIMES.

(a) **REDUCTION OF BENEFITS.**—

(1) **IN GENERAL.**—Subchapter 1 of chapter 7 is further amended by inserting after section 719, as added by section 3, the following new section:

“§721. Reduction of benefits of employees convicted of certain crimes

“(a) **REDUCTION OF ANNUITY FOR REMOVED EMPLOYEE.**—(1) The Secretary shall order that the covered service of an employee of the Department removed from a position for performance or misconduct under section 719 or 7461 of this title or any other provision of law shall not be taken into account for purposes of calculating an annuity with respect to such individual under chapter 83 or chapter 84 of title 5, if—

“(A) the Secretary determines that the individual is convicted of a felony that influenced the individual’s performance while employed in the position;

“(B) before such order is made, the individual is afforded—

“(i) notice of the proposed order; and

“(ii) an opportunity to respond to the proposed order by not later than ten business days following receipt of such notice; and

“(C) the Secretary issues the order—

“(i) in the case of a proposed order to which an individual responds under subparagraph (B)(ii), not later than five business days after receiving the response of the individual; or

“(ii) in the case of a proposed order to which an individual does not respond, not later than 15 business days after the Secretary provides notice to the individual under subparagraph (B)(i).

“(2) Upon the issuance of an order by the Secretary under paragraph (1), the individual shall have an opportunity to appeal the order to the Director of the Office of Personnel Management before the date that is seven business days after the date of such issuance.

“(3) The Director of the Office of Personnel Management shall make a final decision with respect to an appeal under paragraph (2) within 30 business days of receiving the appeal.

(b) **REDUCTION OF ANNUITY FOR RETIRED EMPLOYEE.**—(1) The Secretary may order that the covered service of an individual who is removed for performance or misconduct under section 719 or 7461 of this title or any other provision of law but who leaves employment at the Department prior to the issuance of a final decision with respect to such action shall not be taken into account for purposes of calculating an annuity with respect to such individual under chapter 83 or chapter 84 of title 5, if—

“(A) the Secretary determines that the individual is convicted of a felony that influenced

the individual’s performance while employed in the position;

“(B) before such order is made, the individual is afforded—

“(i) notice of the proposed order; and

“(ii) opportunity to respond to the proposed order by not later than ten business days following receipt of such notice; and

“(C) the Secretary issues the order—

“(i) in the case of a proposed order to which an individual responds under subparagraph (B)(ii), not later than five business days after receiving the response of the individual; or

“(ii) in the case of a proposed order to which an individual does not respond, not later than 15 business days after the Secretary provides notice to the individual under subparagraph (B)(i).

“(2) Upon the issuance of an order by the Secretary under paragraph (1), the individual shall have an opportunity to appeal the order to the Director of the Office of Personnel Management before the date that is seven business days after the date of such issuance.

“(3) The Director of the Office of Personnel Management shall make a final decision with respect to an appeal under paragraph (2) within 30 business days of receiving the appeal.

(c) **ADMINISTRATIVE REQUIREMENTS.**—Not later than 37 business days after the Secretary issues a final order under subsection (a) or (b), the Director of the Office of Personnel Management shall recalculate the annuity of the individual.

(d) **LUMP-SUM ANNUITY CREDIT.**—Any individual with respect to whom an annuity is reduced under subsection (a) or (b) shall be entitled to be paid so much of such individual’s lump-sum credit as is attributable to the period of covered service.

(e) **SPOUSE OR CHILDREN EXCEPTION.**—The Secretary, in consultation with the Office of Personnel Management, shall prescribe regulations that may provide for the payment to the spouse or children of any individual referred to in subsection (a) or (b) of any amounts which (but for this subsection) would otherwise have been nonpayable by reason of such subsections. Any such regulations shall be consistent with the requirements of sections 8332(o)(5) and 8411(l)(5) of title 5, as the case may be.

(f) **DEFINITIONS.**—In this section:

(1) The term ‘covered service’ means, with respect to an individual subject to a removal for performance or misconduct under section 719 or 7461 of this title or any other provision of law, the period of service beginning on the date that the Secretary determines under such applicable provision that the individual engaged in activity that gave rise to such action and ending on the date that the individual is removed from or leaves a position of employment at the Department prior to the issuance of a final decision with respect to such action.

(2) The term ‘lump-sum credit’ has the meaning given such term in section 8331(8) or section 8401(19) of title 5, as the case may be.

(3) The term ‘service’ has the meaning given such term in section 8331(12) or section 8401(26) of title 5, as the case may be.”

(2) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 7 is amended by inserting after the item relating to section 719, as added by section 3, the following new item:

“721. Reduction of benefits of employees convicted of certain crimes.”

(b) **APPLICATION.**—Section 721 of title 38, United States Code, as added by subsection (a)(1), shall apply to any action of removal of an employee of the Department of Veterans Affairs under section 719 or 7461 of this title or any other provision of law, commencing on or after the date of the enactment of this Act.

SEC. 5. AUTHORITY TO RECOUP BONUSES OR AWARDS PAID TO EMPLOYEES OF DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Subchapter I of chapter 7 is further amended by inserting after section 721, as added by section 4, the following new section:

“§ 723. Recoupment of bonuses or awards paid to employees of Department

“(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary may issue an order directing an employee of the Department to repay the amount, or a portion of the amount, of any award or bonus paid to the employee under title 5, including under chapter 45 or 53 of such title, or this title if—

“(1) the Secretary determines that the individual engaged in misconduct or poor performance prior to payment of the award or bonus, and that such award or bonus would not have been paid, in whole or in part, had the misconduct or poor performance been known prior to payment;

“(2) before such repayment, the employee is afforded—

“(A) notice of the proposed order; and

“(B) an opportunity to respond to the proposed order by not later than ten business days after the receipt of such notice; and

“(3) the Secretary issues the order—

“(A) in the case of a proposed order to which an individual responds under paragraph (2)(B), not later than five business days after receiving the response of the individual; or

“(B) in the case of a proposed order to which an individual does not respond, not later than 15 business days after the Secretary provides notice to the individual under paragraph (2)(A).

“(b) APPEALS.—Upon the issuance of an order by the Secretary under subsection (a), the individual shall have an opportunity to appeal the order to another department or agency of the Federal Government before the date that is seven business days after the date of such issuance.

“(c) FINAL DECISIONS.—The head of the applicable department or agency of the Federal Government shall make a final decision with respect to an appeal under subsection (b) within 30 business days after receiving such appeal.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter, as amended by section 4, is amended by inserting after the item relating to section 721, as added by section 4(a)(2), the following new item:

“723. Recoupment of bonuses or awards paid to employees of Department.”.

(c) EFFECTIVE DATE.—Section 723 of title 38, United States Code, as added by subsection (a), shall apply with respect to an award or bonus paid by the Secretary of Veterans Affairs to an employee of the Department of Veterans Affairs on or after the date of the enactment of this Act.

(d) CONSTRUCTION.—Nothing in this Act or the amendments made by this Act may be construed to modify the certification issued by the Office of Personnel Management and the Office of Management and Budget regarding the performance appraisal system of the Senior Executive Service of the Department of Veterans Affairs.

SEC. 6. AUTHORITY TO RECOUP RELOCATION EXPENSES PAID TO OR ON BEHALF OF EMPLOYEES OF DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Subchapter I of chapter 7 is further amended by adding at the end the following new section:

“§ 725. Recoupment of relocation expenses paid on behalf of employees of Department

“(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary may issue an order directing an employee of the Department to repay the amount, or a portion of the amount, paid to or on behalf of the employee

under title 5 for relocation expenses, including any expenses under section 5724 or 5724a of such title, or this title if—

“(1) the Secretary determines that relocation expenses were not lawfully authorized or that the employee committed an act of fraud, waste, or malfeasance that influenced the authorization of the relocation expenses;

“(2) before such repayment, the employee is afforded—

“(A) notice of the proposed order; and

“(B) an opportunity to respond to the proposed order not later than ten business days following the receipt of such notice; and

“(3) the Secretary issues the order—

“(A) in the case of a proposed order to which an individual responds under paragraph (2)(B), not later than five business days after receiving the response of the individual; or

“(B) in the case of a proposed order to which an individual does not respond, not later than 15 business days after the Secretary provides notice to the individual under paragraph (2)(A).

“(b) APPEALS.—Upon the issuance of an order by the Secretary under subsection (a), the individual shall have an opportunity to appeal the order to another department or agency of the Federal Government before the date that is seven business days after the date of such issuance.

“(c) FINAL DECISIONS.—The head of the applicable department or agency of the Federal Government shall make a final decision with respect to an appeal under subsection (b) within 30 days after receiving such appeal.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is further amended by inserting after the item relating to section 723, as added by section 5(b), the following new item:

“725. Recoupment of relocation expenses paid to or on behalf of employees of Department.”.

(c) EFFECTIVE DATE.—Section 725 of title 38, United States Code, as added by subsection (a), shall apply with respect to an amount paid by the Secretary of Veterans Affairs to or on behalf of an employee of the Department of Veterans Affairs for relocation expenses on or after the date of the enactment of this Act.

SEC. 7. TIME PERIOD FOR RESPONSE TO NOTICE OF ADVERSE ACTIONS AGAINST SUPERVISORY EMPLOYEES WHO COMMIT PROHIBITED PERSONNEL ACTIONS.

Section 733(a)(2)(B) is amended—

(1) in clause (i), by striking “14 days” and inserting “10 days”; and

(2) in clause (ii), by striking “14-day period” and inserting “10-day period”.

SEC. 8. DIRECT HIRING AUTHORITY FOR MEDICAL CENTER DIRECTORS AND VISN DIRECTORS.

(a) IN GENERAL.—Section 7401 is amended by adding at the end the following new paragraph:

“(4) Medical center directors and directors of Veterans Integrated Service Networks with demonstrated ability in the medical profession, in health care administration, or in health care fiscal management.”.

(b) CONFORMING AMENDMENT.—Section 7404(a)(1) is amended by inserting “and 7401(4)” after “7306”.

SEC. 9. TIME PERIODS FOR REVIEW OF ADVERSE ACTIONS WITH RESPECT TO CERTAIN EMPLOYEES.

(a) PHYSICIANS, DENTISTS, PODIATRISTS, CHIROPRACTORS, OPTOMETRISTS, REGISTERED NURSES, PHYSICIAN ASSISTANTS, AND EXPANDED-FUNCTION DENTAL AUXILIARIES.—Section 7461(b)(2) is amended to read as follows:

“(2) In any case other than a case described in paragraph (1) that involves or includes a question of professional conduct or competence

in which a major adverse action was not taken, such an appeal shall be made through Department grievance procedures under section 7463 of this title.”.

(b) MAJOR ADVERSE ACTIONS INVOLVING PROFESSIONAL CONDUCT OR COMPETENCE.—Section 7462 is amended—

(1) in subsection (b)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking “At least 30” and inserting “Ten business”; and

(ii) in subparagraph (B)—

(I) by striking “A reasonable time, but not less than seven days” and inserting “The opportunity, within the ten-day notice period”; and

(II) by striking “orally and”; and

(B) in paragraph (3)—

(i) by striking “(A) If a proposed adverse action covered by this section is not withdrawn” and inserting “After considering the employee’s answer, if any”; and

(ii) by striking “21 days” and inserting “5 business days”; and

(iii) by striking “answer. The decision shall include a statement of” and inserting “answer stating”; and

(iv) by striking subparagraph (B); and

(C) in paragraph (4)—

(i) by striking “(A) The Secretary” and all that follows through “(B) The Secretary” and inserting “The Secretary”; and

(ii) by striking “30 days” and inserting “7 business days”; and

(2) in subsection (c)—

(A) in paragraph (3), by inserting “the hearing must be concluded not later than 30 business days after the date on which the appeal is filed, and” after “If such a hearing is held.”; and

(B) in paragraph (4)—

(i) by striking “45 days” and inserting “15 business days”; and

(ii) by striking “120 days” and inserting “45 business days”; and

(3) in subsection (d)(1), by striking “90 days” and inserting “15 business days”.

(c) OTHER ADVERSE ACTIONS.—Section 7463 is amended—

(1) by striking subsection (b) and redesignating subsections (c) through (e) as subsections (b) through (d), respectively; and

(2) in subsection (b)(2), as so redesignated—

(A) in subparagraph (A), by striking “an advance” and inserting “ten business days”; and

(B) in subparagraph (B)—

(i) by striking “a reasonable time” and inserting “the opportunity, within the ten business day notice period.”; and

(ii) by striking “orally and”.

The Acting CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part A of House Report 115–39. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. ROE OF TENNESSEE

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in part A of House Report 115–39.

Mr. ROE of Tennessee. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 20, line 15, insert “to or” after “paid”.

The Acting CHAIR. Pursuant to House Resolution 198, the gentleman from Tennessee (Mr. ROE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Tennessee.

Mr. ROE of Tennessee. Mr. Chairman, this manager's amendment would provide technical changes to the bill, while not changing the overall substance of the bill. The amendment is noncontroversial and no cost. It does not change any underlying policy in the bill.

I urge adoption of the amendment.

I reserve the balance of my time.

Mr. WALZ. Mr. Chairman, I claim the time in opposition, although I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman from Minnesota is recognized for 5 minutes.

There was no objection.

Mr. WALZ. Mr. Chairman, this amendment is just a simple technical correction. It does not change my concerns with the underlying bill on H.R. 1259, but I am not opposed to the technical corrections.

I yield back the balance of my time.

Mr. ROE of Tennessee. Mr. Chairman, I urge approval of the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Tennessee (Mr. ROE).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. WALZ

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in part A of House Report 115-39.

Mr. WALZ. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 3 and insert the following new section 3:

SEC. 3. IMPROVED AUTHORITIES OF SECRETARY OF VETERANS AFFAIRS TO IMPROVE ACCOUNTABILITY OF SENIOR EXECUTIVES.

(a) ACCOUNTABILITY OF SENIOR EXECUTIVES.—

(1) IN GENERAL.—Section 713 of title 38, United States Code, is amended to read as follows:

“§ 713. Accountability of senior executives

“(a) AUTHORITY.—(1) The Secretary may, as provided in this section, reprimand or suspend, involuntarily reassign, demote, or remove a covered individual from a senior executive position at the Department if the Secretary determines that the misconduct or performance of the covered individual warrants such action.

“(2) If the Secretary so removes such an individual, the Secretary may remove the individual from the civil service (as defined in section 2101 of title 5).

“(b) RIGHTS AND PROCEDURES.—(1) A covered individual who is the subject of an action under subsection (a) is entitled to—

“(A) be represented by an attorney or other representative of the covered individual's choice;

“(B) not fewer than 10 business days advance written notice of the charges and evidence supporting the action and an opportunity to respond, in a manner prescribed by the Secretary, before a decision is made regarding the action; and

“(C) grieve the action in accordance with an internal grievance process that the Secretary, in consultation with the Assistant Secretary for Accountability and Whistleblower Protection, shall establish for purposes of this subsection.

“(2)(A) The Secretary shall ensure that the grievance process established under paragraph (1)(C) takes fewer than 21 days.

“(B) The Secretary shall ensure that, under the process established pursuant to paragraph (1)(C), grievances are reviewed only by employees of the Department.

“(3) A decision or grievance decision under paragraph (1)(C) shall be final and conclusive.

“(4) A covered individual adversely affected by a final decision under paragraph (1)(C) may obtain judicial review of the decision.

“(5) In any case in which judicial review is sought under paragraph (4), the court shall review the record and may set aside any Department action found to be—

“(A) arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with a provision of law;

“(B) obtained without procedures required by a provision of law having been followed; or

“(C) unsupported by substantial evidence.

“(c) RELATION TO OTHER PROVISIONS OF LAW.—(1) The authority provided by subsection (a) is in addition to the authority provided by section 3592 or subchapter V of chapter 75 of title 5.

“(2) Section 3592(b)(1) of title 5 and the procedures under section 7543(b) of such title do not apply to an action under subsection (a).

“(d) DEFINITIONS.—In this section:

“(1) The term ‘covered individual’ means—

“(A) a career appointee (as that term is defined in section 3132(a)(4) of title 5); or

“(B) any individual who occupies an administrative or executive position and who was appointed under section 7306(a) or section 7401(1) of this title.

“(2) The term ‘misconduct’ includes neglect of duty, malfeasance, or failure to accept a directed reassignment or to accompany a position in a transfer of function.

“(3) The term ‘senior executive position’ means—

“(A) with respect to a career appointee (as that term is defined in section 3132(a) of title 5), a Senior Executive Service position (as such term is defined in such section); and

“(B) with respect to a covered individual appointed under section 7306(a) or section 7401(1) of this title, an administrative or executive position.”.

(2) CONFORMING AMENDMENT.—Section 7461(c)(1) of such title is amended by inserting “employees in senior executive positions (as defined in section 713(d) of this title) and” before “interns”.

(b) PERFORMANCE MANAGEMENT.—

(1) IN GENERAL.—The Secretary of Veterans Affairs shall establish a performance management system for employees in senior executive positions, as defined in section 713(d) of title 38, United States Code, as amended by subsection (a), that ensures performance ratings and awards given to such employees—

(A) meaningfully differentiate extraordinary from satisfactory contributions; and

(B) substantively reflect organizational achievements over which the employee has responsibility and control.

(2) REGULATIONS.—The Secretary shall prescribe regulations to carry out paragraph (1). Strike section 9 and insert the following new section 9:

SEC. 9. REMOVAL OF EMPLOYEES OF DEPARTMENT OF VETERANS AFFAIRS BASED ON PERFORMANCE OR MISCONDUCT.

(a) IN GENERAL.—Subchapter I of chapter 7 of title 38, United States Code, is further amended by inserting after section 713 the following new section:

“§ 714. Employees: removal based on performance or misconduct

“(a) IN GENERAL.—(1) The Secretary may remove a covered individual who is an employee of the Department if the Secretary determines that—

“(A) the performance or misconduct of the covered individual warrants such removal; and

“(B) in the case of removal for performance, a portion of such performance occurred during the two-year period ending on the date of the determination.

“(2) If the Secretary removes a covered individual under paragraph (1), the Secretary may remove the covered individual from the civil service (as defined in section 2101 of title 5).

“(3) Nothing in this section may be construed to authorize a finalized performance appraisal of an employee to be retroactively amended.

“(b) NOTICE TO CONGRESS.—Not later than 30 days after removing a covered individual under subsection (a), the Secretary shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives notice in writing of such removal and the reason for such removal.

“(c) PROCEDURE.—(1) An employee removed under subsection (a) is entitled, before removal, to—

“(A) at least 10 business days written notice (which, in the case of removal for performance, shall identify specific instances as described in clause (i) of section 4303(b)(1)(A) of title 5 and critical elements as described in clause (ii) of such section), unless there is reasonable cause to believe that the employee committed a crime for which a sentence of imprisonment can be imposed—

“(i) stating the specific reasons for the proposed action; and

“(ii) including a file containing all evidence in support of the proposed action;

“(B) 10 business days to answer the charges orally and in writing and to furnish affidavits and other documentary evidence in support of the answer;

“(C) be represented by an attorney or other representative;

“(D) a review of the case by the Secretary before a decision adverse to the employee is made final;

“(E) as soon as practicable, a decision of the Secretary with respect to the charges of the employee; and

“(F) a written statement of the decision of the Secretary that—

“(i) includes the specific reasons of the decision; and

“(ii) in the case of a removal based on performance, complies with section 4303(b)(1)(D) of title 5.

“(2)(A) Subject to subparagraph (B) and subsection (e), any final decision of the Secretary regarding removal under subsection

(a) may be appealed to the Merit Systems Protection Board.

“(B) An appeal under subparagraph (A) of a removal may only be made if such appeal is made not later than 10 business days after the date of such removal.

“(C)(i) Subject to clause (ii), the decision of the Secretary shall be sustained under subparagraph (A) only if the Secretary’s decision—

“(I) in the case of an action based on performance, is supported by substantial evidence; or

“(II) in any other case, is supported by a preponderance of the evidence.

“(ii) Notwithstanding clause (i), the Secretary’s decision may not be sustained under subparagraph (A) if the covered individual—

“(I) shows harmful error in the application of the Secretary’s procedures in arriving at such decision;

“(II) shows that the decision was based on any prohibited personnel practice described in section 2302(b) of title 5; or

“(III) shows that the decision was not in accordance with law.

“(3) The procedures under section 7513(b) of title 5 and chapter 43 of such title shall not apply to a removal under this section.

“(d) EXPEDITED REVIEW.—(1) The Merit Systems Protection Board shall promulgate such rules as the Board considers appropriate to expedite appeals under subsection (c)(2).

“(2) The Board shall ensure that a final decision on an appeal described in paragraph (1) is issued not later than 90 days after the appeal is made.

“(3) During the period beginning on the date on which a covered individual appeals a removal from the civil service under subsection (c)(2) and ending on the date that the Board issues a final decision on such appeal, such covered individual may not receive any pay, awards, bonuses, incentives, allowances, differentials, student loan repayments, special payments, or benefits.

“(4) To the maximum extent practicable, the Secretary shall provide to the Merit Systems Protection Board such information and assistance as may be necessary to ensure an appeal under subsection (c)(2) is expedited.

“(e) RELATION TO TITLE 5.—The authority provided by this section is in addition to the authority provided by subchapter V of chapter 75 of title 5 and chapter 43 of such title.

“(f) DEFINITIONS.—In this section:

“(1) The term ‘covered individual’ means an individual occupying a position at the Department but does not include—

“(A) an individual, as that term is defined in section 713(d); or

“(B) a political appointee.

“(2) The term ‘misconduct’ includes a violation of paragraph (8) or (9) of section 2302(b) of title 5, neglect of duty, malfeasance, or failure to accept a directed reassignment or to accompany a position in a transfer of function.

“(3) The term ‘political appointee’ means an individual who is—

“(A) employed in a position described under sections 5312 through 5316 of title 5 (relating to the Executive Schedule);

“(B) a limited term appointee, limited emergency appointee, or noncareer appointee in the Senior Executive Service, as defined under paragraphs (5), (6), and (7), respectively, of section 3132(a) of title 5; or

“(C) employed in a position of a confidential or policy-determining character under schedule C of subpart C of part 213 of title 5 of the Code of Federal Regulations.”.

(b) CLERICAL AND CONFORMING AMENDMENTS.—

(1) CLERICAL.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 713 the following new item:

“714. Employees: removal based on performance or misconduct.”.

(2) CONFORMING.—

(A) TITLE 5.—Section 4303(f) of title 5, United States Code, is amended—

(i) in paragraph (2), by striking “or” at the end;

(ii) in paragraph (3), by striking the period at the end and inserting “, or”; and

(iii) by adding at the end the following:

“(4) any removal under section 714 of title 38.”.

(B) TITLE 38.—Subchapter V of chapter 74 of title 38, United States Code, is amended—

(i) in section 7461(b)(1), by striking “If the” and inserting “Except as provided in section 714 of this title, if the”; and

(ii) in section 7462—

(I) in subsection (a)(1), by striking “Disciplinary” and inserting “Except as provided in section 714 of this title, the Disciplinary”; and

(II) in subsection (b)(1), by striking “In any case” and inserting “Except as provided in section 714 of this title, in any case”.

The Acting CHAIR. Pursuant to House Resolution 198, the gentleman from Minnesota (Mr. WALZ) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. WALZ. Mr. Chairman, I thank Chairman ROE of Tennessee and Chairman SESSIONS of the Rules Committee for making this amendment in order. I have voiced my concern with the regular order. I think it is important to note that we are given the opportunity here to offer amendments in good faith, and I am grateful for that.

This amendment to H.R. 1259 would replace sections 3 and 9 of the underlying bill with bipartisan legislation from the Veterans First Act that was first introduced by Senator ISAKSON last Congress. This is a piece of legislation I have been talking about.

It is supported from both sides of the aisle, as well as those veterans service organizations, with the exception of one, that was shown earlier.

If we hope to reach any compromise with the Senate on accountability, I believe this amendment could be made in order, be voted on, debated, and passed into it.

The amendment specifically targets senior executives. It has been the senior executives, not the frontline employees, who we have subpoenaed before our committee, and who the VA has failed to hold accountable.

Like H.R. 1259, it provides an expedited process for the VA Secretary to hold senior executives and VA employees accountable.

For a senior executive employee, the employee would get 10 business days’ notice. The employee subject to an adverse action would be able to grieve the action through an internal grievance process that would take no longer than 21 days. The employee would also be

permitted to appeal an adverse action to court. It would also require the VA Secretary to develop a performance management system for SES employees. Do your job. Have the management do their job.

For VA employees, the employee would be removed from misconduct or poor performance that took place within the previous 2 years before the proposed removal. The employee would get 10 business days’ notice. The employee would get 10 business days to respond to the charges. The VA Secretary would be required to provide the employee a decision in a reasonable period of time, and the employee would have 10 days to appeal the decision to the Merit Systems Protection Board. This takes a little time.

The Merit Systems Protection Board would have 90 days to issue a decision. During that time, the employee would receive no pay and no benefits.

My amendment would also leave in place sections 4 through 8 of H.R. 1259 because I agree employees convicted of felonies connected to their jobs should not receive pensions, and poor-performing employees should not receive bonuses. No disagreement.

Most importantly, my amendment provides a fair process that protects whistleblowers. By allowing our frontline employees to use arbitration and grievance procedures under collective bargaining agreements, these frontline employees remain protected from bad managers who want to retaliate against them for speaking out when something is wrong.

I reserve the balance of my time.

Mr. ROE of Tennessee. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. ROE of Tennessee. Mr. Chairman, I yield myself such time as I may consume.

I appreciate the spirit in which this amendment is proposed by the gentleman from Minnesota (Mr. WALZ), but I must oppose it at this time.

The amendment would dramatically weaken the current accountability language for non-SES employees to the point that it would not be a meaningful improvement to or departure from current law. Just as a point of clarification, the Senate never did move the Veterans First Act.

□ 1630

The amendment includes many of the archaic and unnecessary civil service rules that currently hamper true reform and accountability at the Department. And unlike H.R. 1259, which would require the entire internal and first level of external appeals process to be completed within 67 days, the Walz amendment would allow for the process to take at least 120 days, and this period could expand indefinitely.

Additionally, the standard used in this agreement for removing or demoting employees for performance is not a meaningful departure from current law, and I fear it won't make any true changes that are desperately needed at VA.

On the collective bargaining piece, I understand the ranking member's concern, but the last thing I want to do is create a giant loophole that makes it harder to discipline bad employees. Just looking at one of VA's master contracts with employee unions, AFGE, which is the largest union at VA, one can see that the grievance procedures that he wishes to keep in place to dispute discipline can extend to almost 350 days, and this timeline can be easily extended.

With the Walz amendment, we would be creating a giant loophole where the Secretary would have one expedited process in place, while the long and administratively burdensome grievance process remains in place for nearly 285,000 employees at the Department, or 76 percent of the VA's workforce.

Clearly, covering only 24 percent of the VA workforce under an expedited authority is not what I want to do, nor do I expect veterans and taxpayers or the Secretary want to do.

Additionally, when the committee first began working on accountability issues at VA, they were told by the largest Federal Government union, AFGE general counsel, that the union would never support any legislation that changes the status quo.

Based on AFGE's strong support for language identical to the Walz amendment last Congress, I think the message is clear. If Congress adopts this language, we would not be protecting taxpayers or veterans, and we would be supporting the corrupt status quo that fails VA employees and veterans daily.

In the end, the question is very clear: Do we want to stand with veterans and taxpayers to provide the Secretary with the appropriate tools he has asked for to hold these employees accountable? Or do we want to give in to special interests groups to support the status quo?

Once again, I urge all Members to oppose the Walz amendment and support the underlying bill.

Mr. Chairman, I reserve the balance of my time.

Mr. WALZ. Mr. Chairman, the choice is not as easy as that. Do you want to stand with Robert, the good employee who was fired by a bad manager who used the process to get their job back, or do we want to just hurry it?

It is better to get it right than get it done. And I will point out, AFGE, the union you keep hearing about, Mr. Chairman, does not endorse my amendment. They do not endorse my amendment, nor do I care about that.

What I do believe is that this amendment has the opportunity to improve

upon on a bill that we 90 percent agree upon, taking out the piece that is going to make it difficult and not improve care for our veterans. And I guess the thing that I would hope matters, I believe—and we will come back here and see. We will see. That is the good part about this place. If this piece of legislation is passed by October, by Halloween, we should have this bill through and it should be done, and we should be seeing changes.

If we don't, perhaps we do this exercise again, through regular order, taking some of these suggestions that make it possible to get it done.

I encourage my colleagues to support this change that makes sure we can get accountability. Let's agree where we know we agree. It is not picking one over the other. It is deciding how you give due process, encouraging good employees to have the rights that they have earned to improve that care and workplace while at the same time removing those that don't.

Mr. Chairman, I yield back the balance of my time.

Mr. ROE of Tennessee. Mr. Chairman, I am just looking at the AFGE website, and it does have support for the Veterans First Act here on the website; so that is true.

Mr. WALZ. Will the gentleman yield?

Mr. ROE of Tennessee. I yield to the gentleman from Minnesota.

Mr. WALZ. This is not the Veterans First Act. It is pieces from the Veterans First Act, but changes.

Mr. ROE of Tennessee. Mr. Chairman, reclaiming my time.

Basically, the accountability provisions are the same. I, once again, urge all Members to oppose the Walz amendment and support the underlying bill.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Minnesota (Mr. WALZ).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. WALZ. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Minnesota will be postponed.

The Chair understands that amendment No. 3 will not be offered.

AMENDMENT NO. 4 OFFERED BY MS. KUSTER OF NEW HAMPSHIRE

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in part A of House Report 115-39.

Ms. KUSTER of New Hampshire. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 8, line 20, insert "or section 733(c) of this title" after "title 5".

The Acting CHAIR. Pursuant to House Resolution 198, the gentlewoman from New Hampshire (Ms. KUSTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New Hampshire.

Ms. KUSTER of New Hampshire. Mr. Chairman, today I speak on behalf of my amendment, Kuster amendment No. 4. I firmly believe that my amendment will improve accountability at the Veterans Administration.

One of my concerns with the bill before us is that it will inadvertently hurt whistleblowers through retaliation and other discriminatory practices. Whistleblowers are vital for our mission to ensure accountability at the VA.

As the ranking member of the Oversight and Investigations Subcommittee, I know that whistleblowers provide the VA and our committee with information of misconduct before it goes too far or before those responsible can deflect blame or otherwise hide incriminating details. We must ensure that these folks are protected in any bill that seeks to streamline the VA's ability to release employees.

I appreciate the inclusion of whistleblower protections within section 3 of the bill. We understand the importance of protecting whistleblowers, and my amendment would improve upon this language.

Last year's MILCON-VA appropriations bill included what is now section 733 of title 38. This title clarifies and further specifies prohibited personnel actions as they relate to VA whistleblowers. For example, section 733 explicitly prohibits the denial of an otherwise meritorious promotion because that employee filed a whistleblower complaint. The bill currently only references more generic protections found within title 5.

Section 733 was added because of concerns that title 5 was not specific enough to the issues that face the VA. This amendment will ensure that an employee is protected if they help the GAO or the VA Office of Inspector General in any investigations.

This language is bipartisan in nature, and my amendment is supported by the Project on Government Oversight, an independent nonprofit that seeks to improve accountability.

My amendment aligns with the spirit of this bill. It protects those who virtuously serve our Nation's veterans, and punishes those who do wrong by them. I urge my colleagues to vote "yes" on my amendment, Kuster No. 4, because it is common sense and the right thing to do.

Mr. Chairman, I reserve the balance of my time.

Mr. ROE of Tennessee. Mr. Chairman, I ask unanimous consent to rise in opposition, although I am not opposed.

The Acting CHAIR. Is there objection to the request of the gentleman?

There was no objection.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. ROE of Tennessee. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the amendment would allow a whistleblower who is alleging prohibited personnel practices, as defined in title 38, from being disciplined under the bill until the whistleblower complaint is resolved.

The committee has always favored strengthening protections for whistleblowers. My bill already protects whistleblowers, but I am not opposed to Ms. KUSTER's amendment and suggested changes, and I appreciate her offering it. The bill has my full support.

Mr. Chairman, I reserve the balance of my time.

Ms. KUSTER of New Hampshire. Mr. Chairman, I have learned one thing in 4 years: quit while I am ahead.

Mr. Chairman, I have nothing further to add, and I yield back the balance of my time.

Mr. ROE of Tennessee. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Hampshire (Ms. KUSTER).

The amendment was agreed to.

The Acting CHAIR. The Chair understands that amendment No. 5 will not be offered.

AMENDMENT NO. 6 OFFERED BY MR. TAYLOR

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in part A of House Report 115-39.

Mr. TAYLOR. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 9, after line 19, insert the following:
“(i) SEMI-ANNUAL REPORT ON TRANSFERRED EMPLOYEES.—The Secretary shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives semi-annual reports on senior executive employees who are transferred within the Department. Each such report shall include, for each such senior executive employee transferred during the period covered by the report, the reason for the transfer and any costs associated with the transfer.”.

Page 9, line 20, strike “(i)” and insert “(j)”.

The Acting CHAIR. Pursuant to House Resolution 198, the gentleman from Virginia (Mr. TAYLOR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. TAYLOR. Mr. Chairman, I rise to offer my amendment to the VA Accountability First Act. This amendment would require the Secretary of Veterans Affairs to submit a semi-annual report to Congress on the reasons and costs of the transfer of any senior executive employees within the Department.

Mr. Chairman, in my district and the surrounding area, we have the fastest-growing veterans' population in the Nation, specifically, with women veterans, Operation Enduring Freedom veterans, and Operation Iraqi Freedom veterans. I am honored to serve in the district that has the largest population of Active Duty and veterans in the country.

Our own VA center, where I personally receive care, was previously rated as a one-star facility, the lowest rating available; this, by the VA's own rating system. Now, I am pleased to say the center has made strides and progress in many areas. However, the director in charge during the time of poor performance was simply moved to another facility to be a director there. We have to do better. We will do better. The VA Accountability First Act of 2017 is a wonderful and great start.

This amendment will contribute to more transparency, accountability, and oversight. We must continually and consistently hold the VA accountable for underperformance. Our veterans are sacred and deserve the same commitment to high standards they upheld as servicemembers.

We should never defend mediocrity at the VA; rather, strive for better service, care, and excellence.

Mr. Chairman, I reserve the balance of my time.

Mr. WALZ. Mr. Chairman, I claim time in opposition, although I am not opposed to the amendment and, in fact, I am enthusiastically supportive of the amendment.

The Acting CHAIR. Without objection, the gentleman from Minnesota is recognized for 5 minutes.

There was no objection.

Mr. WALZ. Mr. Chairman, I thank the gentleman for bringing this forward. This amendment addresses an issue that we dealt with in our committee last Congress, where senior executives are transferred to different positions around the country, receive pay increases and relocation incentives.

We subpoenaed two senior executives. In fact, the first subpoenas ever issued out of the VA Committee, I asked for them to get there; and they were backed by Mr. ROE, backed by our chairman and ranking member. And to refresh people's minds, these were folks that took positions of lesser power, used their positions to negotiate to get there, and then, in some cases, took \$129,000 moving expenses.

You cannot find anyone more outraged than me. And I will tell you, because it was not done correctly, and we didn't focus on this, I still work with some of those very same people. They have their jobs back.

Now, the debate that the gentleman may have heard earlier is we don't disagree at all that we should get rid of these people. This amendment will focus on the right things, that is what we have been making the case of.

So I applaud the gentleman. I am glad he is here. His military service is greatly appreciated. The statistics he gave on veterans shows that he will be there. I support this amendment, and I certainly believe that my colleagues should all support it.

It is this type of work that improves upon a bill, as I say, once again, 90 percent of what is in this bill is in absolute agreement. This just makes the bill better.

Mr. Chairman, I yield back the balance of my time.

Mr. TAYLOR. Mr. Chairman, I yield 1 minute to the gentleman from Tennessee (Mr. ROE).

□ 1645

Mr. ROE of Tennessee. Mr. Chairman, I want to thank Mr. TAYLOR for his service to our country and to our Nation. I am appreciative of him and his staff for working with us on the amendment. The amendment has, as chair, my full support.

Mr. TAYLOR. Mr. Chairman, I just want to state I thank the gentleman, and I thank the gentleman on the other side, as well, for his support. I think this is the right thing to do for transparency and for accountability for our veterans in the VA.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. TAYLOR).

The amendment was agreed to.

AMENDMENT NO. 7 OFFERED BY MS. TENNEY

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in part A of House Report 115-39.

Ms. TENNEY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following new section:
SEC. 10. ANNUAL REPORT ON PERFORMANCE AWARDS AND BONUSES AWARDED TO CERTAIN HIGH-LEVEL EMPLOYEES OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Chapter 7 of title 38, United States Code, is further amended by inserting after section 723, as added by section 5, the following new section:

“§ 724. Annual report on performance awards and bonuses awarded to certain high-level employees

“(a) IN GENERAL.—Not later than 30 days after the end of each fiscal year, the Secretary shall submit to the appropriate committees of Congress a report that contains, for the most recent fiscal year ending before the submittal of the report, a description of the performance awards and bonuses awarded to Regional Office Directors of the Department, Directors of Medical Centers of the Department, Directors of Veterans Integrated Service Networks, and any other individual employed in a senior executive position.

“(b) ELEMENTS.—Each report submitted under subsection (a) shall include the following with respect to each performance

award or bonus awarded to an individual described in such subsection:

“(1) The amount of each award or bonus.

“(2) The job title of the individual awarded the award or bonus.

“(3) The location where the individual awarded the award or bonus works.

“(c) DEFINITIONS.—In this section:

“(1) The term ‘appropriate committees of Congress’ means—

“(A) the Committee on Veterans’ Affairs and the Committee on Appropriations of the Senate; and

“(B) the Committee on Veterans’ Affairs and the Committee on Appropriations of the House of Representatives.

“(2) The term ‘individual’ means—

“(A) a career appointee (as that term is defined in section 3132(a)(4) of title 5); or

“(B) any individual who occupies an administrative or executive position and who was appointed under section 7306(a) or section 7401(1) of this title.

“(3) The term ‘senior executive position’ means—

“(A) with respect to a career appointee (as that term is defined in section 3132(a)(4) of title 5), a Senior Executive Service position (as such term is defined in section 3132(a)(2) of title 5); and

“(B) with respect to an individual appointed under section 7306(a) or section 7401(1) of this title, an administrative or executive position.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 7 of such title is amended by inserting after the item relating to section 723, as added by section 5, the following new item:

“724. Annual report on performance awards and bonuses awarded to certain high-level employees.”.

The Acting CHAIR. Pursuant to House Resolution 198, the gentlewoman from New York (Ms. TENNEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New York.

Ms. TENNEY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today in support of my amendment to H.R. 1259, which would require the VA to submit a report to Congress at the end of each fiscal year listing the bonuses that were awarded to senior-level executives.

In 2015, VA employees received more than \$177 million in bonuses, which was 24 percent more than they received in 2014. The average bonus for a senior executive was \$10,000.

I have no doubt that the men and women of the VA serve our veterans admirably each day. In my own district, I have spoken with veterans who are grateful for the compassionate care that they receive from local VA clinics throughout upstate New York. VA employees should be fairly compensated for their work and awarded for their achievement.

It is also clear to me that there is more work to be done. Just this month, an audit of several VA facilities in North Carolina and Virginia revealed that wait times continue to be misrepresented and that nearly 14,000 veterans were denied access to timely

care. The audit also found that veterans were waiting an average of 26 days to see mental health specialists, while the VA falsely reported average wait times of 6 days. In light of this information, the American people are right to wonder who at the VA may be receiving a bonus this year.

My amendment adds a simple reporting requirement to the bill that will streamline oversight of bonuses at the VA by requiring the agency to proactively provide information to Congress that details the amount of each bonus awarded to senior executives as well as the job titles of the individuals and the location of their employment. Given the patterns of mismanagement at the VA, the American people deserve to know how bonuses are being awarded at the agency. This bill increases transparency over the bonus process without placing any undue burdens on the agency.

I would encourage my colleagues to support it, and I thank the committee for the opportunity to offer this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. WALZ. Mr. Chairman, I rise in opposition, although I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman from Minnesota is recognized for 5 minutes.

There was no objection.

Mr. WALZ. Mr. Chairman, once again, I am not only not opposed, I am enthusiastically supportive of the gentlewoman’s commonsense, absolutely important piece of legislation. It improves upon the bill. I am glad we had a rule that brought it here, something we have worked on in our committee. I will make note of this.

The gentlewoman is absolutely right. The people we just talked about in the last amendment received bonuses also, but the bulk of this bill also deals with kitchen staff, janitorial staff, and rank-and-file members on the floor that we are working to go after their agreed-upon grievance process to keep their jobs. So this amendment is absolutely something that will get total approval from certainly, I believe, all Members of the House. This should be in the bill and will be in the bill.

This is how bills get better, address real issues, and take on the issue of accountability in a bipartisan manner. Mr. Chairman, I would encourage all my colleagues to support the gentlewoman. We have more work, as the gentlewoman said in this, but this is how it is done to get it right.

Mr. Chairman, I yield back the balance of my time.

Ms. TENNEY. Mr. Chairman, I yield such time as he may consume to the gentleman from Tennessee (Mr. ROE), who is the chairman.

Mr. ROE of Tennessee. Mr. Chairman, this would require the Secretary to re-

port to Congress each year any performance awards or bonuses provided to Senior Executive Service employees at the VA. This is an excellent amendment from the gentlewoman from New York and will provide additional needed transparency at the Department where taxpayer money is being spent, especially when being spent on bonuses for the most senior individuals at VA. This amendment has my full support.

Ms. TENNEY. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from New York (Ms. TENNEY).

The amendment was agreed to.

AMENDMENT NO. 8 OFFERED BY MS. KUSTER OF NEW HAMPSHIRE

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in part A of House Report 115-39.

Ms. KUSTER of New Hampshire. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following:

SEC. 10. ACCOUNTABILITY OF SUPERVISORS AT DEPARTMENT OF VETERANS AFFAIRS FOR ADDRESSING PERFORMANCE OF EMPLOYEES.

(a) IN GENERAL.—The Secretary of Veterans Affairs shall ensure that, as a part of the annual performance plan of a supervisor in the Department, the supervisor is evaluated on the following:

(1) Taking action to address poor performance and misconduct among the employees that report to the supervisor.

(2) Taking steps to improve or sustain high levels of employee engagement.

(3) Promoting a positive culture of service that—

(A) reflects the mission of the Department and the values of integrity, commitment, advocacy, respect, and excellence; and

(B) emphasizes the greatest degree of performance and conduct.

(b) SUPERVISOR DEFINED.—In this section, the term “supervisor” has the meaning given such term in section 7103(a) of title 5, United States Code.

SEC. 11. IMPROVEMENT OF TRAINING FOR SUPERVISORS.

(a) IN GENERAL.—The Secretary of Veterans Affairs shall provide to each employee of the Department of Veterans Affairs who is employed as a supervisor periodic training on the following:

(1) The rights of whistleblowers and how to address a report by an employee of a hostile work environment, reprisal, or harassment.

(2) How to effectively motivate, manage, and reward the employees who report to the supervisor.

(3) How to effectively manage employees who are performing at an unacceptable level and access assistance from the human resources office of the Department and the Office of the General Counsel of the Department with respect to those employees.

(b) DEFINITIONS.—In this section:

(1) SUPERVISOR.—The term “supervisor” has the meaning given such term in section 7103(a) of title 5, United States Code.

(2) WHISTLEBLOWER.—The term “whistleblower” has the meaning given such term in

section 323(g) of title 38, United States Code, as added by section 101.

The Acting CHAIR. Pursuant to House Resolution 198, the gentlewoman from New Hampshire (Ms. KUSTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New Hampshire.

Ms. KUSTER of New Hampshire. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise to speak on my second amendment to H.R. 1259, Kuster amendment No. 8. I am concerned that an unintended consequence of the bill before us would be retaliation against whistleblowers at the VA.

After my 4 years on the House Veterans' Affairs Committee and my time as ranking member of its Oversight and Investigations Subcommittee, I know that whistleblower protections are a bipartisan issue for our committee, and I know that this Congress recognizes the incredible importance of whistleblowers at the VA.

Whistleblowers provided many details that made Congress and the public aware of the Phoenix scandal. They provided valuable information in uncovering the Aurora construction debacle. Whistleblowers save lives and save taxpayer money. Unfortunately, whistleblowers are sometimes targeted for retaliation by their supervisors. My amendment seeks to address this.

My amendment requires supervisors to detail their efforts to correct poor performance and misconduct, efforts that come before the procedures outlined by this bill. It requires supervisors to detail the efforts they have made to improve their work environment and ensure that employees of their team uphold the primary mission of the VA: to serve and to honor our Nation's veterans.

The amendment will also improve training of supervisors to ensure they are equipped to be leaders that improve employee performance and the quality of care at the VA. More importantly, this enhanced training will include instruction on the rights of whistleblowers and how to address concerns or complaints raised by them.

These provisions could help to protect those whistleblowers who are actually experiencing retaliation because it would provide evidence of the past actions a supervisor has taken to address alleged misconduct, and it will highlight leadership shortfalls that could implicate attempted actions taken against an employee.

Together, these provisions will proactively improve the culture of management at the VA so it reflects the virtue and quality that Congress has strived to achieve for so many years. I urge all of my colleagues to vote in favor of my amendment, Kuster No. 8.

Mr. Chairman, I reserve the balance of my time.

Mr. ROE of Tennessee. Mr. Chairman, I ask unanimous consent to claim the time in opposition, although I am not opposed.

The Acting CHAIR. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. ROE of Tennessee. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, Ms. KUSTER's amendment would require VA supervisors to develop performance plans for employees which would, as a part of the plan, measure steps taken to address poor performance but also improve training for VA supervisors—an excellent suggestion.

I agree that all VA employees, especially our managers, should be held to high standards and should have as much training provided them as is available. Ms. KUSTER's amendment has my full support.

Mr. Chairman, I reserve the balance of my time.

Ms. KUSTER of New Hampshire. Mr. Chairman, I have no further comment other than to thank Dr. ROE for his support.

Mr. Chairman, I yield back the balance of my time.

Mr. ROE of Tennessee. Mr. Chairman, this is an excellent amendment, and I urge support.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from New Hampshire (Ms. KUSTER).

The amendment was agreed to.

AMENDMENT NO. 9 OFFERED BY MR. TAKANO

The Acting CHAIR. It is now in order to consider amendment No. 9 printed in part A of House Report 115-39.

Mr. TAKANO. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike sections 1 through 9 and insert the following:

SECTION 1. SUSPENSION AND REMOVAL OF DEPARTMENT OF VETERANS AFFAIRS EMPLOYEES FOR PERFORMANCE OR MISCONDUCT THAT IS A THREAT TO PUBLIC HEALTH OR SAFETY.

(a) IN GENERAL.—Chapter 7 of title 38, United States Code, is amended by adding after section 713 the following new section:

“§715. Employees: suspension and removal for performance or misconduct that is a threat to public health or safety

“(a) SUSPENSION AND REMOVAL.—Subject to subsections (b) and (c), the Secretary may—

“(1) suspend without pay an employee of the Department of Veterans Affairs if the Secretary determines the performance or misconduct of the employee is a threat to public health or safety, including the health and safety of veterans; and

“(2) remove an employee suspended under paragraph (1) when, after such investigation

and review as the Secretary considers necessary, the Secretary determines that removal is necessary in the interests of public health or safety.

“(b) PROCEDURE.—An employee suspended under subsection (a)(1) is entitled, after suspension and before removal, to—

“(1) within 30 days after suspension, a written statement of the specific charges against the employee, which may be amended within 30 days thereafter;

“(2) an opportunity within 30 days thereafter, plus an additional 30 days if the charges are amended, to answer the charges and submit affidavits;

“(3) a hearing, at the request of the employee, by a Department authority duly constituted for this purpose;

“(4) a review of the case by the Secretary, before a decision adverse to the employee is made final; and

“(5) written statement of the decision of the Secretary.

“(c) RELATION TO OTHER DISCIPLINARY RULES.—The authority provided under this section shall be in addition to the authority provided under section 713 and title 5 with respect to disciplinary actions for performance or misconduct.

“(d) BACK PAY FOR WHISTLEBLOWERS.—If any employee of the Department of Veterans Affairs is subject to a suspension or removal under this section and such suspension or removal is determined by an appropriate authority under applicable law, rule, regulation, or collective bargaining agreement to be a prohibited personnel practice described under section 2302(b)(8) or (9) of title 5, such employee shall receive back pay equal to the total amount of basic pay that such employee would have received during the period that the suspension and removal (as the case may be) was in effect, less any amounts earned by the employee through other employment during that period.

“(e) DEFINITIONS.—In this section, the term ‘employee’ means any individual occupying a position within the Department of Veterans Affairs under a permanent or indefinite appointment and who is not serving a probationary or trial period.”.

(b) CLERICAL AND CONFORMING AMENDMENTS.—

(1) CLERICAL.—The table of sections at the beginning of such chapter is amended by adding after the item relating to section 713 the following new item:

“715. Employees: suspension and removal for performance or misconduct that is a threat to public health or safety.”.

(2) CONFORMING.—Section 4303(f) of title 5, United States Code, is amended—

(A) by striking “or” at the end of paragraph (2);

(B) by striking the period at the end of paragraph (3) and inserting “, or”; and

(C) by adding at the end the following:

“(4) any suspension or removal under section 715 of title 38.”.

(c) REPORT ON SUSPENSIONS AND REMOVALS.—Not later than one year after the date of the enactment of this Act, the Inspector General of the Department of Veterans Affairs shall submit to the Committees on Veterans' Affairs of the House of Representatives and the Senate a report on suspensions and removals of employees of the Department made under section 715 of title 38, United States Code, as added by subsection (a). Such report shall include, with respect to the period covered by the report, the following:

(1) The number of employees who were suspended under such section.

(2) The number of employees who were removed under such section.

(3) A description of the threats to public health or safety that caused such suspensions and removals.

(4) The number of such suspensions or removals, or proposed suspensions or removals, that were of employees who filed a complaint regarding—

(A) an alleged prohibited personnel practice committed by an officer or employee of the Department and described in section 2302(b)(8) or 2302(b)(9)(A)(i), (B), (C), or (D) of title 5, United States Code; or

(B) the safety of a patient at a medical facility of the Department.

(5) Of the number of suspensions and removals listed under paragraph (4), the number that the Inspector General considers to be retaliation for whistleblowing.

(6) The number of such suspensions or removals that were of an employee who was the subject of a complaint made to the Department regarding the health or safety of a patient at a medical facility of the Department.

(7) Any recommendations by the Inspector General, based on the information described in paragraphs (1) through (6), to improve the authority to make such suspensions and removals.

The Acting CHAIR. Pursuant to House Resolution 198, the gentleman from California (Mr. TAKANO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. TAKANO. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, my amendment in the nature of a substitute would strike the text of H.R. 1259 and insert a new provision allowing the Secretary to suspend, without pay, any VA employee whose performance or misconduct threatens public health or safety, including the health and safety of veterans. It would give the Secretary the authority to remove a suspended employee after an investigation and review if the Secretary determines removal is in the interests of public health and safety.

Both parties share the desire to protect veterans from mistreatment or harm, especially when they are seeking medical care at a VA facility, but the language in my amendment would be more likely to achieve the majority's stated outcome of removing VA employees whose misconduct harms veterans.

We have voted on similar accountability bills before, but I want to point out that this bill goes much further in the wrong direction. While in the past we have had disagreements on procedure and the amount of time an employee is given to file an appeal, for the very first time, this version of the accountability bill is attempting to undermine VA employees' collective bargaining rights.

Buried in this bill is a new provision that would take away the rights of frontline VA employees to use collectively bargained agreements for settling grievances. This has not been a

part of past negotiations, and the vote that Members take on the underlying bill should not be based solely on their votes on previous accountability bills.

Collectively bargained grievance settlement procedures often lead to quicker and simpler solutions, and they give added protection to potential whistleblowers. When these basic protections are undermined, we give too much power to managers whose goal may be to retaliate against someone who called out a mistake.

The bill, as it is currently being offered, does not provide enough time for an employee to get their case together to file an appeal. It undermines collective bargaining agreements negotiated in good faith between management and employees. It doesn't do enough to protect whistleblowers.

My amendment addresses our shared goal to create accountability at the VA. It would ensure that the Secretary has the authority to immediately suspend any VA employee whose behavior threatens the health and safety of veterans, and that the suspended employee does not accrue pay while the investigation is being carried out.

I hope that Members will join me and vote in favor of my amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. ROE of Tennessee. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. ROE of Tennessee. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in opposition to the amendment.

I appreciate Mr. TAKANO's—who is a very hardworking member of the committee—attempts to insert what he thinks is an appropriate balance of due process and accountability, but the substitute language misses the bar of what we are trying to accomplish.

It would strike the entire bill and insert new language only allowing the Secretary to remove someone if they present a threat to health or safety. This is a nearly unobtainable, if not an immeasurable, bar to reach. This undefined standard makes it almost impossible for the Secretary to remove any employee. It would create a confusing process that only allows someone to be removed after they are suspended first and the Secretary conducts an investigation into the individual.

It would allow for employees to be on indefinite suspension for months, if not years, awaiting the Secretary's final decision, which is not fair to veterans and the employee or good-performing employees and taxpayers. The employee deserves a quick opportunity to present their case, and, if exonerated, get back to doing their job.

Unlike my bill, this would only provide backpay to someone if their re-

moval is overturned on appeal if they are a whistleblower. My bill would require any individual whose disciplinary action is overturned on appeal to receive any backpay for that period.

□ 1700

This amendment does nothing to provide the Secretary with the authority to recoup bonuses or relocation expenses from individuals who receive taxpayer-funded money through illegitimate means such as fraud, waste, or abuse, nor does it allow the Secretary to recoup a portion of a Federal pension of someone convicted of a felony that influenced their VA job.

It would ensure that the current ineffective civil service rules would continue to hamper any change to the corrosive and unaccountable culture at the VA, and would also, more than likely, not apply to some of the employees associated with the VA's egregious scandals, including the bloated Denver, Colorado, construction project; data management at the Philadelphia regional office; FY 2015 \$2.5 billion shortfall cost overruns at the Orlando VA Medical Center; allegations of inappropriate use of government purchase cards to the tune of \$6 billion; and many others.

These are the types of employees that our constituents and veterans expect to be held accountable, but this amendment would not cover.

In the end, the facts are clear: our veterans and the American taxpayer support the reform in H.R. 1259, and not the status quo, which is supported by public sector unions.

I encourage all Members to oppose the Takano amendment and support the underlying bill.

Mr. Chair, I reserve the balance of my time.

Mr. TAKANO. Mr. Chair, I continue to oppose the underlying bill and support my amendment.

I would assert that my amendment would apply to many of the employees in the scandals who were cited by our esteemed chairman.

I want to remind the body that several Republican speakers this afternoon repeated a phrase that the vast majority of employees at the VA are doing a good job. My amendment really does address those few employees who really do pose a threat to veterans' safety or health.

I would also say that I want to remind also the chairman and inform the body that we heard testimony from the bipartisan Commission on Care established through the Choice Act. They were charged with the responsibility of reviewing VA health care.

One of the co-chairs was appointed by a Republican—I believe the Senate majority leader—and the other by the White House. They both reported back that we cannot create excellence at the VA through enhancing the firing process.

They were astounded that more effort and resources have not been invested in the personnel function of the VA to better train our managers in progressive discipline and to do the kind of documentation that really will bring about effective accountability.

By the way, both of these co-chairs led, and do still, large, private sector healthcare organizations. They pushed back on a suggestion that we needed to enhance our dismissal process, our accountability process.

I do agree with the chairman and the ranking member that we have an opportunity to work together as Democrats and Republicans. We are not far apart on the bipartisan agreement that came out of the Senate.

Mr. Chairman, I yield back the balance of my time.

Mr. ROE of Tennessee. Mr. Chair, I agree with my friend on the other side of the aisle that you cannot fire your way to excellence, nor can you grieve your way to excellence. You have to perform your way to excellence.

I certainly appreciate his passion for the committee and the hard work that he has done on numerous bills, but, in this particular case, I will urge all Members to oppose the Takano amendment and support the underlying bill in which the Secretary has asked for the authority.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. TAKANO).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. TAKANO. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part A of House Report 115-39 on which further proceedings were postponed, in the following order:

Amendment No. 2 by Mr. WALZ of Minnesota.

Amendment No. 9 by Mr. TAKANO of California.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 2 OFFERED BY MR. WALZ

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Minnesota (Mr. WALZ) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 194, noes 223, not voting 12, as follows:

[Roll No. 165]

AYES—194

Adams	Gonzalez (TX)	Nolan
Aguilar	Gottheimer	Norcross
Barragán	Green, Al	O'Halleran
Bass	Green, Gene	O'Rourke
Beatty	Grijalva	Pallone
Bera	Gutiérrez	Panetta
Bishop (GA)	Hanabusa	Pascrell
Blumenauer	Hastings	Pelosi
Blunt Rochester	Heck	Perlmutter
Bonamici	Higgins (NY)	Peters
Boyle, Brendan F.	Himes	Peterson
Brady (PA)	Hoyer	Pingree
Brown (MD)	Huffman	Pocan
Brownley (CA)	Jackson Lee	Polis
Bustos	Jayapal	Price (NC)
Butterfield	Jeffries	Quigley
Capuano	Johnson (GA)	Raskin
Carbajal	Johnson, E. B.	Rice (NY)
Cárdenas	Jones	Richmond
Carson (IN)	Kaptur	Rosen
Cartwright	Katko	Roybal-Allard
Castor (FL)	Keating	Ruiz
Castro (TX)	Kelly (IL)	Ruppersberger
Chu, Judy	Kennedy	Ryan (OH)
Cioccilino	Khanna	Sánchez
Clark (MA)	Kihuen	Sarbanes
Clarke (NY)	Kildee	Schakowsky
Clay	Kilmer	Schiff
Cleaver	Kind	Schneider
Clyburn	Krishnamoorthi	Schrader
Cohen	Kuster (NH)	Scott (VA)
Cole	Langevin	Scott, David
Connolly	Larsen (WA)	Serrano
Conyers	Larson (CT)	Sewell (AL)
Cooper	Lawrence	Shea-Porter
Correa	Lawson (FL)	Lee
Costa	Lee	Sherman
Courtney	Levin	Sinema
Crist	Lewis (GA)	Sires
Crowley	Lieu, Ted	Smith (NJ)
Cuellar	Lipinski	Smith (WA)
LoBiondo	LoBiondo	Soto
Cummings	Loeb sack	Speier
Davis (CA)	Lofgren	Suoizzi
DeFazio	Lowenthal	Swalwell (CA)
DeGette	Lowey	Takano
Delaney	Lujan Grisham, M.	Thompson (CA)
DeLauro	Luján, Ben Ray	Thompson (MS)
DelBene	Lynch	Titus
Demings	Maloney,	Tonko
DeSaulnier	Carolyn B.	Torres
Dingell	Maloney, Sean	Tsongas
Doggett	Matsui	Vargas
Doyle, Michael F.	McCollum	Veasey
Ellison	McEachin	Vela
Engel	McGovern	Velázquez
Eshoo	McKinley	Visclosky
Españillat	McNerney	Walz
Esty	Meeks	Wasserman
Evans	Meng	Schultz
Foster	Moore	Waters, Maxine
Frankel (FL)	Moulton	Watson Coleman
Fudge	Murphy (FL)	Welch
Gabbard	Nadler	Wilson (FL)
Gallego	Napolitano	Yarmuth
Garamendi	Neal	Young (AK)

NOES—223

Abraham	Bilirakis	Bucshon
Aderholt	Bishop (MI)	Budd
Allen	Bishop (UT)	Burgess
Amash	Black	Byrne
Amodei	Blackburn	Calvert
Arrington	Blum	Carter (GA)
Babin	Bost	Carter (TX)
Bacon	Brady (TX)	Chabot
Banks (IN)	Brat	Chaffetz
Barletta	Bridenstine	Cheney
Barr	Brooks (AL)	Coffman
Barton	Brooks (IN)	Collins (GA)
Bergman	Buchanan	Comer
Biggs	Buck	Comstock

Conaway	Jenkins (KS)	Roby
Cook	Jenkins (WV)	Roe (TN)
Costello (PA)	Johnson (LA)	Rogers (AL)
Cramer	Johnson (OH)	Rogers (KY)
Crawford	Johnson, Sam	Rohrabacher
Culberson	Joyce (OH)	Rokita
Curbelo (FL)	Kelly (MS)	Rooney, Francis
Davidson	King (IA)	Rooney, Thomas J.
Davis, Rodney	Kinzing	Ros-Lehtinen
Denham	Knight	Roskam
Dent	Kustoff (TN)	Ross
DeSantis	Labrador	Rothfus
DesJarlais	LaHood	Rouzer
Diaz-Balart	LaMalfa	Royce (CA)
Donovan	Lamborn	Russell
Duffy	Lance	Rutherford
Duncan (SC)	Latta	Sanford
Duncan (TN)	Lewis (MN)	Scalise
Dunn	Long	Schweikert
Emmer	Loudermilk	Scott, Austin
Farenthold	Love	Sensenbrenner
Faso	Lucas	Sessions
Ferguson	Luetkemeyer	Shimkus
Fitzpatrick	MacArthur	Shuster
Fleischmann	Marchant	Simpson
Flores	Marshall	Smith (NE)
Fortenberry	Massie	Smith (TX)
Fox	Mast	Smucker
Franks (AZ)	McCarthy	Stefanik
Frelinghuysen	McCaul	Stewart
Gaetz	McClintock	Stivers
Gallagher	McHenry	Taylor
Garrett	McMorris	Tenney
Gibbs	Rodgers	Thompson (PA)
Gohmert	McSally	Thornberry
Goodlatte	Meadows	Tiberi
Gosar	Meehan	Tipton
Gowdy	Messer	Trott
Granger	Mitchell	Turner
Graves (GA)	Moolenaar	Upton
Graves (LA)	Mooney (WV)	Valadao
Graves (MO)	Mullin	Wagner
Griffith	Murphy (PA)	Walberg
Grothman	Newhouse	Walden
Guthrie	Noem	Walker
Harper	Nunes	Walorski
Harris	Olson	Walters, Mimi
Hartzer	Palazzo	Weber (TX)
Hensarling	Palmer	Webster (FL)
Herrera Beutler	Paulsen	Wenstrup
Hice, Jody B.	Pearce	Westerman
Higgins (LA)	Perry	Williams
Hill	Pittenger	Wilson (SC)
Holding	Poe (TX)	Wittman
Hollingsworth	Poliquin	Womack
Hudson	Posey	Woodall
Huizenga	Ratcliffe	Yoder
Hultgren	Reed	Yoho
Hunter	Reichert	Young (IA)
Hurd	Renacci	Zeldin
Issa	Rice (SC)	

NOT VOTING—12

Beyer	Jordan	Payne
Collins (NY)	Kelly (PA)	Rush
Davis, Danny	King (NY)	Slaughter
Deutch	Marino	Smith (MO)

□ 1729

Messrs. GROTHMAN, MITCHELL, COSTELLO of Pennsylvania, WILSON of South Carolina, ZELDIN, McHENRY, Ms. GRANGER, and Mr. DENT changed their vote from "aye" to "no."

Messrs. KILDEE and GUTIÉRREZ changed their vote from "no" to "aye." So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 9 OFFERED BY MR. TAKANO

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. TAKANO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 183, noes 232, not voting 14, as follows:

[Roll No. 166]

AYES—183

Adams Gallego Napolitano
Aguilar Garamendi Neal
Barragán Gonzalez (TX) Nolan
Bass Gotthelmer Norcross
Beatty Green, Al O'Halleran
Bera Green, Gene Pallone
Bishop (GA) Grijalva Panetta
Blumenauer Gutiérrez Pascarelli
Blunt Rochester Hanabusa Pelosi
Bonamici Hastings Perlmutter
Boyle, Brendan Heck Peters
F. Higgins (NY) Peterson
Brady (PA) Himes Pingree
Brown (MD) Hoyer Pocan
Brownley (CA) Huffman Polis
Bustos Jackson Lee Price (NC)
Butterfield Jayapal Quigley
Capuano Jeffries Raskin
Carbajal Johnson (GA) Rice (NY)
Cárdenas Johnson, E. B. Richmond
Carson (IN) Kaptur Rosen
Cartwright Keating Roybal-Allard
Castor (FL) Kelly (IL) Ruiz
Castro (TX) Kennedy Ruppertsberger
Chu, Judy Khanna Ryan (OH)
Cicilline Kihuen Sánchez
Clark (MA) Kildee Sarbanes
Clarke (NY) Kilmer Schakowsky
Clay Kind Schiff
Cleaver Krishnamoorthi Schneider
Clyburn Kuster (NH) Schrader
Cohen Langevin Scott (VA)
Connolly Larsen (WA) Scott, David
Conyers Larson (CT) Serrano
Cooper Lawrence Sewell (AL)
Correa Lawson (FL) Shea-Porter
Costa Lee Sherman
Courtney Levin Sires
Crist Lewis (GA) Smith (WA)
Crowley Lieu, Ted Soto
Cuellar Lipinski Speier
Davis (CA) Loeb sack Suozzi
DeFazio Lofgren Swallow (CA)
DeGette Lowenthal Takano
Delaney Lowey Thompson (CA)
DeLauro Lujan Grisham, Thompson (MS)
DeBene M. Titus
Demings Luján, Ben Ray Tonko
DeSaulnier Lynch Torres
Dingell Maloney, Tsongas
Doggett Carolyn B. Vargas
Doyle, Michael Maloney, Sean Veasey
F. Matsui Vela
Ellison McCollum Visclosky
Engel McEachin Walz
Eshoo McGovern Wasserman
Espallat McNerney Schultz
Esty Meeks Waters, Maxine
Evans Meng Watson Coleman
Foster Moore Welch
Frankel (FL) Moulton Wilson (FL)
Fudge Murphy (FL) Yarmuth
Gabbard Nadler

NOES—232

Abraham Biggs Buck
Aderholt Bilirakis Bucshon
Allen Bishop (MI) Budd
Amash Bishop (UT) Burgess
Amodel Blackburn Byrne
Arrington Blum Calvert
Babin Bost Carter (GA)
Bacon Brady (TX) Carter (TX)
Banks (IN) Brat Chabot
Barletta Bridenstine Chaffetz
Barr Brooks (AL) Cheney
Barton Brooks (IN) Coffman
Bergman Buchanan Cole

Collins (GA) Jenkins (WV)
Comer Johnson (LA)
Comstock Johnson (OH)
Conaway Johnson, Sam
Cook Jones
Costello (PA) Joyce (OH)
Cramer Katko
Crawford Kelly (MS)
Culberson King (IA)
Curbelo (FL) Kinzinger
Davidson Knight
Davis, Rodney Kustoff (TN)
Denham Labrador
Dent LaHood
DeSantis LaMalfa
DesJarlais Lamborn
Diaz-Balart Lance
Donovan Latta
Duffy Lewis (MN)
Duncan (SC) LoBiondo
Duncan (TN) Long
Dunn Loudermill
Emmer Love
Farenthold Lucas
Faso Luetkemeyer
Ferguson MacArthur
Fitzpatrick Marchant
Flores Marshall
Flores Massie
Fortenberry Mast
Foxy McCarthy
Franks (AZ) McCaul
Frelinghuysen McClintock
Gaetz McHenry
Gallagher McKinley
Garrett McMorris
Gibbs Rodgers
Gohmert McSally
Goodlatte Meadows
Gosar Meehan
Gowdy Messer
Granger Mitchell
Graves (GA) Moolenaar
Graves (LA) Mooney (WV)
Graves (MO) Mullin
Griffith Murphy (PA)
Grothman Newhouse
Guthrie Noem
Harper Nunes
Harris O'Rourke
Hartzler Olson
Hensarling Palazzo
Palmer Herrera Beutler
Hice, Jody B. Paulsen
Higgins (LA) Perry
Hill Pittenger
Holding Poe (TX)
Hollingsworth Poliquin
Hudson Posey
Huelskamp Ratcliffe
Hultgren Reed
Hunter Reichert
Hurd Renacci
Issa Rice (SC)
Jenkins (KS) Roby

NOT VOTING—14

Beyer Deutch Payne
Black Jordan Pearce
Collins (NY) Kelly (PA)
Cummings King (NY)
Davis, Danny Marino Slaughter

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1733

So the amendment was rejected.
The result of the vote was announced as above recorded.

The Acting CHAIR. The question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. OLSON) having assumed the chair, Mr. POE of Texas, Acting Chair of the Committee of the Whole House on the state

of the Union, reported that that Committee, having had under consideration the bill (H.R. 1259) to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes, and, pursuant to House Resolution 198, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. KIHUEN. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore (Mr. POE of Texas). Is the gentleman opposed to the bill?

Mr. KIHUEN. I am opposed in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Kihuen moves to recommit the bill H.R. 1259 to the Committee on Veterans' Affairs with instructions to report the same back to the House forthwith, with the following amendments:

Page 8, line 19, insert "or an individual who makes a whistleblower disclosure to the central whistleblower office, including anonymous whistleblower disclosures made through a toll-free telephone number or Internet website" after "Special Counsel".

Add at the end the following new section:

SEC. 10. TREATMENT OF VETERANS, MEMBERS OF UNIFORMED SERVICES, AND WHISTLEBLOWERS.

The amendments made by sections 3 and 9 of this Act shall not apply to any individual who is—

(1) preference eligible under section 2108(3) of title 5, United States Code;

(2) a member of, applies to be a member of, performs, has performed, applies to perform, or has an obligation to perform service in a uniformed service (as such term is defined in section 4303(16) of title 38, United States Code); or

(3) seeking corrective action (or on behalf of whom corrective action is sought) from the Office of Special Counsel based on an alleged prohibited personnel practice described in section 2302(b) of title 5, United States Code.

Mr. ROE of Tennessee (during the reading). Mr. Speaker, I ask unanimous consent to suspend with the reading.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The SPEAKER pro tempore. The gentleman from Nevada is recognized for 5 minutes.

Mr. KIHUEN. Mr. Speaker, this is the final amendment to the bill, which will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage, as amended.

Mr. Speaker, as a nation, we have the moral responsibility for providing for the men and women who have served our country. One of my highest priorities in Congress is ensuring that our veterans receive the care and benefit they have earned.

It has been almost 3 years since a whistleblower shocked the Nation by disclosing 1,400 veterans languish without care at the Phoenix VA. Since then, many others have come forward to report excessive wait times, substandard care, and dirty facilities in VA hospitals all across the country.

The issues we have seen at different VA hospitals have been completely disgraceful. However, what is even more shocking is that many of these whistleblowers have reported some sort of retaliation from hospital directors or the VA's Office of Inspector General, even though Federal law specifically prohibits harassment or retaliation of Federal employees who bring wrongdoing to light.

The recent reports about VA employees facing retaliation is disheartening and it is unacceptable. We need to protect these employees who are trying to ensure that the VA is transparent and accountable to all of our veterans.

Mr. Speaker, my amendment is very simple and commonsense. It merely builds upon existing language in the bill seeking to protect whistleblowers.

Under the bill, a whistleblower can still be fired during the expedited procedure with limited recourse. This amendment would close that loophole.

This amendment would also cover those who come forward to a central whistleblower office instead of just a special counsel.

And, as my colleagues have noted numerous times on the floor today, one-third of our VA employees are veterans. This amendment also works to protect them from unjust firings without due process.

We should never tolerate fraud, waste, or abuse on our Federal agencies. This is especially true when it comes to caring for our Nation's veterans. The brave men and women who have put their lives on the line should be provided with the best quality of care, and it is imperative that the whistleblowers who have stood up to protect our veterans should be fully protected from retaliation.

We should provide whistleblowers with the confidence to step up and help make a change. Helping improve our veterans' health care is dependent in

part on the encouragement and protection of whistleblowers within the VA.

Mr. Speaker, in closing, I say this. No one in this body wants to vote on a bill that may give potential whistleblowers doubt about coming forward. Let's give them the assurance they deserve by voting for this motion to recommit, which will strengthen the whistleblower protection language in the underlying bill.

Mr. Speaker, I urge support for my amendment, and I yield back the balance of my time.

Mr. ROE of Tennessee. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. ROE of Tennessee. Mr. Speaker: "If you engage in an unethical practice, if you cover up a serious problem, you should be fired. Period. It shouldn't be that difficult"—Barack Obama at the Veterans Choice Act signing in August of 2014. That is who said that.

Yesterday, I had breakfast with the Secretary of the VA. We know that accountability and the VA needs reform. The first thing he said to me when he was there was he needs this accountability act to better manage the VA.

What does this bill do, in a nutshell, very quickly? It simply shortens the process instead of taking as much as a year or longer to terminate someone. And we have had people in egregious things they have done. The Phoenix VA issue was mentioned. It took 2 years to get rid of anybody out there.

The Secretary says he needs these authorities. It maintains the due process rights of the employees, which is important. It simply shortens the length of time for as much as a year for some people. The VA said it would take 6 months to a year to fire a government employee—or longer.

It also has accentuated whistleblower protections, allows the Secretary to recoup bonuses from people who have gotten them illegally.

It allows the Secretary to hire people. We have many VA facilities out there that do not have CEOs at this time.

Mr. Speaker, I would recommend that we oppose the MTR, and I would strongly encourage my colleagues from both sides of the aisle, in a bipartisan way, to support the underlying bill.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. KIHUEN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 5-minute vote on the motion to recommit will be followed by 5-minute votes on passage of the bill, if ordered, and passage of H.R. 1181.

The vote was taken by electronic device, and there were—ayes 189, noes 229, not voting 11, as follows:

[Roll No. 167]

AYES—189

Adams	Gallego	Neal
Aguilar	Garamendi	Nolan
Barragan	Gonzalez (TX)	Norcross
Bass	Gottheimer	O'Halleran
Beatty	Green, Al	O'Rourke
Bera	Green, Gene	Pallone
Bishop (GA)	Grijalva	Panetta
Blum	Gutiérrez	Pascarell
Blumenauer	Hanabusa	Pelosi
Blunt Rochester	Hastings	Perlmutter
Bonamici	Heck	Peters
Boyle, Brendan	Higgins (NY)	Peterson
F.	Himes	Pingree
Brady (PA)	Hoyer	Pocan
Brown (MD)	Huffman	Polis
Brownley (CA)	Jackson Lee	Price (NC)
Bustos	Jayapal	Quigley
Butterfield	Jeffries	Raskin
Capuano	Johnson (GA)	Rice (NY)
Carbajal	Johnson, E. B.	Richmond
Cárdenas	Jones	Rosen
Carson (IN)	Kaptur	Roybal-Allard
Cartwright	Keating	Ruiz
Castor (FL)	Kelly (IL)	Ruppersberger
Castro (TX)	Kennedy	Ryan (OH)
Chu, Judy	Khanna	Sánchez
Cicilline	Kihuen	Sarbanes
Clark (MA)	Kildee	Schakowsky
Clarke (NY)	Kilmer	Schiff
Clay	Kind	Schneider
Cleaver	Krishnamoorthi	Schrader
Clyburn	Kuster (NH)	Scott (VA)
Cohen	Langevin	Scott, David
Connolly	Larsen (WA)	Serrano
Conyers	Larson (CT)	Sewell (AL)
Cooper	Lawrence	Shea-Porter
Correa	Lawson (FL)	Sherman
Costa	Lee	Sinema
Courtney	Levin	Sires
Crist	Lewis (GA)	Smith (WA)
Crowley	Lieu, Ted	Soto
Cuellar	Lipinski	Speier
Cummings	Loeb	Suozi
Davis (CA)	Loeb	Swalwell (CA)
DeFazio	Lofgren	Takano
DeGette	Lowenthal	Thompson (CA)
Delaney	Lowey	Thompson (MS)
DeLauro	Lujan Grisham,	
DelBene	M.	Titus
Demings	Luján, Ben Ray	Tonko
DeSaulnier	Lynch	Torres
Dingell	Maloney,	Tsongas
Doggett	Carolyn B.	Vargas
Doyle, Michael	Maloney, Sean	Veasey
F.	Matsui	Vela
Ellison	McCollum	Velázquez
Engel	McEachin	Visclosky
Eshoo	McGovern	Walz
Española	McNerney	Wasserman
Esty	Meeks	Schultz
Evans	Meng	Waters, Maxine
Foster	Moore	Watson Coleman
Frankel (FL)	Moulton	Welch
Fudge	Murphy (FL)	Wilson (FL)
Gabbard	Nadler	Yarmuth
	Napolitano	

NOES—229

Abraham	Bergman	Brooks (IN)
Aderholt	Biggs	Buchanan
Allen	Bilirakis	Buck
Amash	Bishop (MI)	Bucshon
Amodel	Bishop (UT)	Budd
Arrington	Black	Burgess
Babin	Blackburn	Byrne
Bacon	Bost	Calvert
Banks (IN)	Brady (TX)	Carter (GA)
Barletta	Brat	Carter (TX)
Barr	Bridenstine	Chabot
Barton	Brooks (AL)	Chaffetz

Cheney Hurd
Coffman Issa
Cole Jenkins (KS)
Collins (GA) Jenkins (WV)
Comer Johnson (LA)
Comstock Johnson (OH)
Conaway Johnson, Sam
Cook Joyce (OH)
Costello (PA) Katko
Cramer Kelly (MS)
Crawford King (IA)
Culberson Kinzinger
Curbelo (FL) Knight
Davidson Kustoff (TN)
Davis, Rodney Labrador
Denham LaHood
Dent LaMalfa
DeSantis Lamborn
DesJarlais Lance
Diaz-Balart Latta
Donovan Lewis (MN)
Duffy LoBiondo
Duncan (SC) Long
Duncan (TN) Loudermilk
Dunn Love
Emmer Lucas
Farenthold Luetkemeyer
Faso MacArthur
Ferguson Marchant
Fitzpatrick Marshall
Fleischmann Massie
Flores Mast
Fortenberry McCarthy
Foxy McCaul
Franks (AZ) McClintock
Frelinghuysen McHenry
Gaetz McKinley
Gallagher McMorris
Garrett Rodgers
Gibbs McSally
Gohmert Meadows
Goodlatte Meehan
Gosar Turner
Gowdy Mitchell
Granger Moolenaar
Graves (GA) Mooney (WV)
Graves (LA) Mullin
Graves (MO) Murphy (PA)
Griffith Newhouse
Grothman Noem
Guthrie Nunes
Harper Olson
Harris Palazzo
Hartzler Palmer
Hensarling Paulsen
Herrera Beutler Pearce
Hice, Jody B. Perry
Higgins (LA) Pittenger
Hill Poe (TX)
Holding Poliquin
Hollingsworth Posey
Hudson Ratcliffe
Huizenga Reed
Hultgren Reichert
Hunter Renacci

NOT VOTING—11

Beyer Jordan
Collins (NY) Kelly (PA)
Davis, Danny King (NY)
Deutch Marino

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1751

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. TAKANO. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 237, noes 178, not voting 14, as follows:

[Roll No. 168]

AYES—237

Abraham Gohmert
Aderholt Goodlatte
Allen Gosar
Amash Gottheimer
Amodei Gowdy
Arrington Granger
Babin Graves (GA)
Bacon Graves (LA)
Banks (IN) Graves (MO)
Barletta Griffith
Barr Grothman
Barton Guthrie
Bergman Harper
Biggs Harris
Bilirakis Hartzler
Bishop (MI) Hensarling
Black Herrera Beutler
Blackburn Hice, Jody B.
Blum Higgins (LA)
Bost Hill
Brady (TX) Holding
Brat Hollingsworth
Bridenstine Hudson
Brooks (AL) Huizenga
Brooks (IN) Hultgren
Buchanan Hunter
Buck Hurd
Bucshon Issa
Budd Jenkins (KS)
Burgess Jenkins (WV)
Byrne Johnson (LA)
Calvert Johnson (OH)
Carter (GA) Johnson, Sam
Carter (TX) Jones
Castro (TX) Joyce (OH)
Chabot Katko
Chaffetz Kelly (MS)
Cheney King (IA)
Coffman Kinzinger
Cole Knight
Collins (GA) Kustoff (TN)
Comer Labrador
Comstock LaHood
Conaway LaMalfa
Cook Lamborn
Costa Lance
Costello (PA) Latta
Cramer Lewis (MN)
Crawford Long
Cuellar Loudermilk
Culberson Love
Curbelo (FL) Lucas
Davidson Luetkemeyer
Davis, Rodney MacArthur
Denham Marchant
Dent Marshall
DeSantis Massie
DesJarlais Mast
Diaz-Balart McCarthy
Donovan McCaul
Duffy McClintock
Duncan (SC) McHenry
Duncan (TN) McKinley
Dunn McMorris
Emmer Rodgers
Farenthold McSally
Faso Meadows
Ferguson Meehan
Fitzpatrick Messer
Fleischmann Mitchell
Flores Moolenaar
Fortenberry Mooney (WV)
Foxy Mullin
Franks (AZ) Murphy (FL)
Frelinghuysen Murphy (PA)
Gaetz Newhouse
Gallagher Noem
Garrett Nunes
Gibbs O'Halleran
O'Rourke

NOES—178

Beatty Bonamici
Bera Boyle, Brendan
Bishop (GA) F.
Blunt Rochester Brady (PA)

Brown (MD) Himes
Brownley (CA) Hoyer
Bustos Huffman
Butterfield Jackson Lee
Carbajal Jayapal
Cárdenas Jeffries
Carson (IN) Johnson (GA)
Cartwright Johnson, E. B.
Castor (FL) Kaptur
Chu, Judy Keating
Cicilline Kelly (IL)
Clark (MA) Kennedy
Clarke (NY) Khanna
Clay Kihuen
Cleaver Kildee
Clyburn Kilmer
Cohen Kind
Connolly Krishnamoorthi
Conyers Kuster (NH)
Cooper Langevin
Correa Larsen (WA)
Courtney Larson (CT)
Crist Lawrence
Crowley Lawson (FL)
Cummings Lee
Davis (CA) Levin
DeFazio Lewis (GA)
DeGette Lieu, Ted
Delaney Lipinski
DeLauro LoBiondo
DelBene Loeback
Demings Lofgren
DeSaulnier Lowenthal
Dingell Lowey
Doggett Lujan Grisham,
Doyle, Michael M.
F. Luján, Ben Ray
Ellison Lynch
Engel Maloney,
Eshoo Carolyn B.
Espallat Maloney, Sean
Esty Matsui
Evans McCollum
Foster McEachin
Frankel (FL) McGovern
Fudge McNerney
Gallego Meeks
Garamendi Meng
Gonzalez (TX) Moore
Green, Al Moulton
Green, Gene Nadler
Grijalva Napolitano
Gutiérrez Neal
Hanabusa Nolan
Hastings Norcross
Heck Pallone
Higgins (NY) Panetta

NOT VOTING—14

Beyer Davis, Danny
Bishop (UT) Deutch
Blumenauer Jordan
Capuano Kelly (PA)
Collins (NY) King (NY)

□ 1758

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

VETERANS 2ND AMENDMENT PROTECTION ACT

The SPEAKER pro tempore. The unfinished business is the vote on passage of the bill (H.R. 1181) to amend title 38, United States Code, to clarify the conditions under which certain persons may be treated as adjudicated mentally incompetent for certain purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the passage of the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 240, nays 175, not voting 14, as follows:

[Roll No. 169]

YEAS—240

Abraham	Gonzalez (TX)	Pearce
Aderholt	Goodlatte	Perry
Allen	Gosar	Peterson
Amash	Gowdy	Pittenger
Amodei	Granger	Poe (TX)
Arrington	Graves (GA)	Poliquin
Babin	Graves (LA)	Posey
Bacon	Graves (MO)	Ratcliffe
Banks (IN)	Green, Gene	Reed
Barletta	Griffith	Reichert
Barr	Grothman	Renacci
Barton	Guthrie	Rice (SC)
Bergman	Harper	Roby
Biggs	Harris	Roe (TN)
Bilirakis	Hartzler	Rogers (AL)
Bishop (GA)	Hensarling	Rogers (KY)
Bishop (MI)	Herrera Beutler	Rohrabacher
Bishop (UT)	Hice, Jody B.	Rokita
Black	Higgins (LA)	Rooney, Francis
Blackburn	Hill	Rooney, Thomas J.
Blum	Holding	Ros-Lehtinen
Bost	Hollingsworth	Roskam
Brady (TX)	Hudson	Ross
Brat	Huizenga	Rothfus
Bridenstine	Hultgren	Rouzer
Brooks (AL)	Hunter	Royce (CA)
Brooks (IN)	Hurd	Russell
Buchanan	Issa	Rutherford
Buck	Jenkins (KS)	Sanford
Bucshon	Jenkins (WV)	Scalise
Budd	Johnson (LA)	Schneider
Burgess	Johnson (OH)	Schwartz
Byrne	Johnson, Sam	Schweikert
Calvert	Jones	Scott, Austin
Carter (GA)	Joyce (OH)	Sensenbrenner
Carter (TX)	Katko	Sessions
Chabot	Kelly (MS)	Shimkus
Chaffetz	Kind	Shuster
Cheney	King (IA)	Simpson
Coffman	Kinzinger	Sinema
Cole	Knight	Smith (MO)
Collins (GA)	Kustoff (TN)	Smith (NE)
Comer	Labrador	Smith (NJ)
Comstock	LaHood	Smith (TX)
Conaway	LaMalfa	Smucker
Cook	Lamborn	Stefanik
Correa	Latta	Stewart
Costello (PA)	Lewis (MN)	Stivers
Cramer	LoBiondo	Taylor
Crawford	Long	Tenney
Cuellar	Loudermilk	Thompson (PA)
Culberson	Love	Thornberry
Curbelo (FL)	Lucas	Tiberi
Davidson	Luetkemeyer	Tipton
Davis, Rodney	MacArthur	Trott
Denham	Marchant	Turner
Dent	Marshall	Upton
DeSantis	Massie	Valadao
DesJarlais	Mast	Vela
Diaz-Balart	McCarthy	Wagner
Duffy	McCaul	Walberg
Duncan (SC)	McClintock	Walden
Duncan (TN)	McHenry	Walker
Dunn	McKinley	Walorski
Emmer	McMorris	Walters, Mimi
Farenthold	Rodgers	Walz
Faso	McSally	Weber (TX)
Ferguson	Meadows	Webster (FL)
Fitzpatrick	Meehan	Wenstrup
Fleischmann	Messer	Westerman
Flores	Mitchell	Williams
Fortenberry	Moolenaar	Wilson (SC)
Fox	Mooney (WV)	Wittman
Franks (AZ)	Mullin	Womack
Frelinghuysen	Murphy (PA)	Woodall
Gabbard	Newhouse	Yoder
Gaetz	Noem	Yoho
Gallagher	Nunes	Young (AK)
Garrett	Olson	Young (IA)
Gibbs	Palazzo	Zeldin
Gohmert	Paulsen	

NAYS—175

Adams	Gallego	Nadler
Aguilar	Garamendi	Napolitano
Barragán	Gottheimer	Neal
Bass	Green, Al	Nolan
Beatty	Grijalva	Norcross
Bera	Gutiérrez	O'Halleran
Blumenauer	Hanabusa	O'Rourke
Blunt Rochester	Hastings	Pallone
Bonamici	Heck	Panetta
Boyle, Brendan F.	Higgins (NY)	Pascarell
Brady (PA)	Himes	Pelosi
Brown (MD)	Hoyer	Perlmutter
Brownley (CA)	Huffman	Peters
Bustos	Jackson Lee	Pingree
Butterfield	Jayapal	Pocan
Capuano	Jeffries	Polis
Carbajal	Johnson (GA)	Price (NC)
Cardenas	Johnson, E. B.	Quigley
Carson (IN)	Kaptur	Raskin
Cartwright	Keating	Rice (NY)
Castor (FL)	Kelly (IL)	Richmond
Castro (TX)	Kennedy	Rosen
Chu, Judy	Khanna	Roybal-Allard
Cicilline	Kihuen	Ruiz
Clark (MA)	Kildee	Ruppersberger
Clarke (NY)	Kilmer	Ryan (OH)
Clay	Krishnamoorthi	Sánchez
Cleaver	Kuster (NH)	Sarbanes
Clyburn	Lance	Schakowsky
Cohen	Langevin	Schiff
Connolly	Larsen (WA)	Schneider
Cooper	Larson (CT)	Scott (VA)
Costa	Lawrence	Scott, David
Courtney	Lawson (FL)	Serrano
Crist	Lee	Sewell (AL)
Crowley	Levin	Shea-Porter
Cummings	Lewis (GA)	Sherman
Davis (CA)	Lieu, Ted	Sires
DeFazio	Lipinski	Smith (WA)
DeGette	Loeb sack	Soto
Delaney	Lofgren	Speier
DeLauro	Lowenthal	Suozzi
DelBene	Lowe	Swalwell (CA)
Demings	Lujan Grisham, M.	Takano
DeSaulnier	Luján, Ben Ray	Thompson (CA)
Dingell	Lynch	Thompson (MS)
Doggett	Maloney,	Titus
Donovan	Carolyn B.	Tonko
Doyle, Michael F.	Maloney, Sean	Torres
Ellison	Matsui	Tsongas
Engel	McCollum	Vargas
Eshoo	McEachin	Veasey
Espallat	McGovern	Velazquez
Esty	McNerney	Visclosky
Evans	Meeks	Wasserman
Foster	Meng	Schultz
Frankel (FL)	Moore	Waters, Maxine
Fudge	Moulton	Watson Coleman
	Murphy (FL)	Wilson (FL)
		Yarmuth

NOT VOTING—14

Beyer	Jordan	Payne
Collins (NY)	Kelly (PA)	Rush
Conyers	King (NY)	Slaughter
Davis, Danny	Marino	Welch
Deutch	Palmer	

□ 1805

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

IMPROVING AUTHORITY OF SECRETARY OF VETERANS AFFAIRS TO HIRE AND RETAIN PHYSICIANS AND OTHER EMPLOYEES

GENERAL LEAVE

Mr. WENSTRUP. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to insert any extraneous material into the RECORD on H.R. 1367.

The SPEAKER pro tempore (Mr. YODER). Is there objection to the request of the gentleman from Ohio?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 198 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 1367.

The Chair appoints the gentleman from North Carolina (Mr. BUDD) to preside over the Committee of the Whole.

□ 1811

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1367) to improve the authority of the Secretary of Veterans Affairs to hire and retain physicians and other employees of the Department of Veterans Affairs, and for other purposes, with Mr. BUDD in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Ohio (Mr. WENSTRUP) and the gentleman from Minnesota (Mr. WALZ) each will control 30 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. WENSTRUP. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today in support of my bill, H.R. 1367, to improve the authority of the Department of Veterans Affairs to recruit and retain employees.

VA's mission of honoring and serving our Nation's veterans is second to none in the Federal Government, and a high-quality, high-performing workforce is key to VA's ability to successfully execute on that mission.

H.R. 1367 contains a number of provisions that would strengthen VA's ability to identify staffing shortages, recruit employees to fill vacant positions, quickly onboard new hires, and retain high-performing workers across the country. It also contains provisions that would improve leadership and accountability throughout VA and increase the number of veterans in the Federal workforce.

To assist VA in identifying and addressing local staffing deficiencies, this bill would modify the annual determination of staffing shortages to include five clinical occupations and five nonclinical occupations for each VA medical center. Staffing needs can vary significantly from facility to facility, even within the same State, and create a variety of delays, backlogs, and other challenges for veterans.

This provision would allow VA to use this existing reporting tool, which dates back to the 2014 Choice Act, to target a total of 10 occupations at each

VA medical center and use VA's existing direct hire authority to expeditiously address shortages for those occupations.

To increase leadership development opportunities for emerging leaders and encourage the dissemination of best practices between and among VA and private sector, the bill would establish an executive management program to allow eligible VA and private sector employees the opportunity to take 1-year fellowship positions in either comparable private sector entities or VA, respectively. This idea was brought to us by a veteran participating in the joint Veterans of Foreign Wars-Student Veterans of America legislative fellowship program and would mirror a successful fellowship model used by the White House and the State Department.

To increase accountability for senior VA decisionmakers, the bill would require annual performance plans for VA political appointees, similar to the annual performance plans that are required for Senior Executive Service employees.

□ 1815

Like SES employees, political appointees perform at the very highest levels and play critical roles in setting and achieving high profile policies and priorities. It is only appropriate that they too be held accountable for their performance.

To incentivize the hiring of veterans across the Federal Government, the bill would change the service requirement for reservists and guardsmen to be eligible for veterans' preference from 180 days of consecutive Active-Duty service to 180 days of cumulative Active-Duty service, and expand those considered preference eligible to include all retired servicemembers.

Veterans gain a variety of skills during their time in uniform and are often uniquely suited to Federal employment. In recognition of this, some form of veterans' preference has been in place since the Civil War. By modernizing this important benefit today, we can bring needed skill sets to the Federal workforce and promote employment opportunities for veterans, a win-win if there ever was one.

To encourage former VA employees who left VA service to gain relevant education or experience and then return to the VA, the bill would allow the VA to noncompetitively reappoint a former employee to a position not more than 1 grade higher than their former position.

I believe we must do everything possible to encourage former employees to come back and work at the VA and reward them for furthering themselves and using their new skills to benefit veterans.

In order to be eligible for reappointment under this authority, the former

employee must have voluntarily, within the prior 2 years, maintained a satisfactory performance record while at the VA, and retained any necessary licensures or credentials.

To assist the VA in identifying and prioritizing vacancies, the bill would require the VA to establish a recruiting database listing each vacant position that the VA determines is critical to the VA's mission, is difficult to fill, or both.

Also, the bill would authorize and encourage the VA to track qualified applicants for vacant positions and use the recruiting database and the qualified applicant pool to quickly fill vacancies that have gone unfilled for a prolonged time.

To ensure the VA human resources professionals have a thorough understanding of the VA's unique hiring authorities, the bill would require Veterans Health Administration HR employees to receive regular, ongoing training.

The VA healthcare system benefits from direct hiring authorities for clinical personnel under title 38, United States Code. However, these hiring authorities are unique to the VA and can be complex and difficult for HR employees to understand and work with, which increases the likelihood that those authorities go underused and HR professionals experience burnout.

This provision would support those professionals in their important work while ensuring that veterans benefit as much as possible from the special hiring authorities that Congress has granted the VA in statute.

To encourage highly skilled employees wishing to advance in their career at the VA without taking on a management role, this bill would require the VA to establish a promotional track for technical experts that does not require transition to a managerial position. This is a commonsense provision that would increase the VA's ability to retain employees in highly technical positions who want to remain at the VA and continue moving forward in their careers, but are either uninterested in or ill-suited to becoming a manager.

To increase the understanding of the VA's succession planning efforts, the bill would require the Government Accountability Office to conduct a study on succession planning at each VA medical facility, as well as within the Veterans Benefits Administration and the National Cemetery Administration.

Earlier this week, the VA confirmed that 80 percent of current Veterans Integrated Service Network directors and 25 percent of current VA Medical Center directors are eligible to retire. Last year, the VA testified that it can take more than 6 months and multiple re-announcements to fill these important positions in both rural and major metropolitan areas.

Effective succession planning is critical to ensuring stable leadership and to identifying and developing emerging leaders who are ready, willing, and able to step up when existing directors or other managers retire or depart. I look forward to reviewing the results of GAO's work to see what further improvements can be made in this area.

To improve recruitment and retention of younger employees, the bill would require the VA to allow for excepted service appointments leading to conversion to career or career-conditional employment for students and recent graduates.

VA's existing workforce is aging and, as I mentioned just a moment ago, increasingly retirement-eligible. Unfortunately, the VA has historically performed poorly in comparison to other Federal agencies when it comes to hiring younger employees, which could put the VA's future at risk. I am hopeful that this provision will increase the VA's ability to build a pipeline of young talent.

Finally, to increase the VA's understanding of why departing employees choose to leave the VA and, in turn, how the VA could improve in order to retain other employees, this bill would require the VA to develop and deploy a standardized, anonymous exit survey process. The VA has an existing survey process but it is underutilized, with just 30 percent of all clinical employees completing it prior to their departure over the last 5 years, according to a GAO report issued last year.

Factors that contribute to employees voluntarily leaving VA service cannot be addressed unless they are identified, and this provision would help us do that.

In conclusion, Mr. Chairman, the future of the VA, our Nation's second largest bureaucracy, depends on the VA's ability to effectively and efficiently recruit and retain highly qualified and motivated employees in towns and cities across this country. In an increasingly competitive market with an increasingly retirement-eligible workforce, the stakes are simply too high for the VA to continue to struggle to hire the employees it needs.

While more remains to be done to simplify and shorten the VA's hiring process and strengthen the VA's ability to bring the very best professionals onboard to serve our veterans, H.R. 1367 is the first step to ensuring a sufficient VA workforce is available to veterans for generations to come.

I urge all my colleagues to join me in supporting this legislation.

Mr. Chairman, I reserve the balance of my time.

HOUSE OF REPRESENTATIVES, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,

Washington, DC, March 10, 2017.

Hon. DAVID P. ROE,
Chairman, Committee on Veterans' Affairs,
Washington, DC.

DEAR MR. CHAIRMAN: I write concerning H.R. 1367, "to improve the authority of the Secretary of Veterans Affairs to hire and retain physicians and other employees of the Department of Veterans Affairs; and for other purposes." As you know, the Committee on Veterans' Affairs received an original referral and the Committee on Oversight and Government Reform a secondary referral when the bill was introduced on March 6, 2017. I recognize and appreciate your desire to bring this legislation before the House of Representatives in an expeditious manner, and accordingly, the Committee on Oversight and Government Reform will forego action on the bill.

The Committee takes this action with our mutual understanding that by foregoing consideration of H.R. 1367 at this time, we do not waive any jurisdiction over the subject matter contained in this or similar legislation. Further, I request your support for the appointment of conferees from the Committee on Oversight and Government Reform during any House-Senate conference convened on this or related legislation.

Finally, I would ask that a copy of our exchange of letters on this matter be included in the bill report filed by the Committee on Veterans' Affairs, as well as in the Congressional Record during floor consideration, to memorialize our understanding.

Sincerely,

JASON CHAFFETZ,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON VETERANS' AFFAIRS,
Washington, DC, March 10, 2017.

Hon. JASON CHAFFETZ,
Chairman, Committee on Oversight and Government Reform, House of Representatives,
Washington, DC.

DEAR CHAIRMAN CHAFFETZ: In reference to your letter on March 10, 2017, I write to confirm our mutual understanding regarding H.R. 1367, to improve the authority of the Secretary of Veterans Affairs to hire and retain physicians and other employees of the Department of Veterans Affairs and for other purposes.

I appreciate the Committee on Oversight and Government Reform's waiver of consideration of provisions under its jurisdiction and its subject matter as specified in your letter. I acknowledge that the waiver was granted only to expedite floor consideration of H.R. 1367 and does not in any way waive or diminish the Committee on Oversight and Government Reform's jurisdictional interests over this or similar legislation. I will support a request from the Committee on Oversight and Government Reform for appointment to any House-Senate conference on H.R. 1367. Finally, I will also support your request to include a copy of our exchange of letters on this matter in the Congressional Record during floor consideration.

Thank you for your attention and assistance in this matter. Sincerely,

Sincerely,

DAVID P. ROE, M.D.,
Chairman.

Mr. WALZ. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in strong support of H.R. 1367. I would like to thank

the gentleman from Ohio, first of all, as an incredibly important Member of the House Veterans' Affairs Committee, a doctor himself and, as important, a colonel in the United States Army and the United States Army Reserve. An incredible insight into the very issues we are addressing and, I think, bringing this bill right now, we had a very good debate on fixing the VA, moving them in the right direction. And this piece of legislation is incredibly spot-on about another piece of that accountability.

Dr. WENSTRUP's bill will help the VA better understand its staffing shortages, and I think this is important. We all say 45,000 openings or whatever; it is important for us to know, do we need to hire all 45,000 of those; which ones are critical; which ones can be done faster. So that piece is common sense.

It develops an executive management fellowship program that will allow the VA to send its leaders to the private sector to learn best practices and vice versa; again, incredibly smart, welcome change.

It will allow the VA to develop technical advancements, so employees who are in a specific field can advance in title and salary, without moving to a management role.

Quality hiring, training, and retention starts with a good HR department. This legislation will provide critical research into best HR practice and then provide the training to VA HR managers. These provisions, along with other hiring authorities, will help the VA get the right people in the door.

Currently, as the gentleman said, the process is slow, cumbersome, and, quite honestly, I think it just burns people out before they get there. And these are really dedicated folks who want to serve.

I have a gentleman I have become acquainted with who is a nationally renowned cardiac surgeon who left a very lucrative private practice to go to the VA after his son was wounded in the current conflicts in Iraq and Afghanistan, and chose to do his part by going back into the VA system.

He mentioned how cumbersome it was. He mentioned some of the bureaucratic troubles that he had, and all he wanted to do was bring an incredible skill set to serve those who served us; and Mr. WENSTRUP's bill does exactly that.

I encourage all Members to support this legislation, and ask that consideration in support of the amendments be brought forward, be considered. Each of these amendments will improve on a really good piece of legislation, improve the Secretary's ability to recruit, train, and retain a quality workforce.

Mr. Chairman, I reserve the balance of my time.

Mr. WENSTRUP. Mr. Chairman, I would just like to take a second here to

thank the ranking member for his hard work and putting forth many of the ideas that are in this bill and working with us, and thank him for his service to our country in the military and the high rank that he achieved, and bringing those experiences to us.

Mr. Chairman, I yield 2 minutes to the gentleman from Utah (Mr. CHAFFETZ).

Mr. CHAFFETZ. Mr. Chairman, I want to thank, certainly, Dr. WENSTRUP, for bringing forward this bill, and also the ranking member here for good bipartisan work.

1978 was a good year. I was playing soccer at the AYSO as a young, 11-year-old kid. It was also a good year because that was the last time the civil service had a total revamp of its system. It has been that long since civil service has had this type of reform, and we are looking, on the Committee on Oversight and Government Reform, to take what is being done here in a good, bipartisan way, and try to institute some of these good best practices into the broader Federal Government.

The current hiring process is far too long and far too complex. We want to ensure the Federal Government remains a competitive employment option. We also want to make sure, particularly at the VA, that the department has the necessary data to make smart hiring decisions and ensure important positions are filled.

This bill will allow technical experts to earn promotions without having to necessarily go into the management track, which is very important. For some of the skill sets, you don't have to be in management if you are providing a skill that is so imperative to making sure we take care of our veterans.

The bill also allows for a fast-tracked reemployment of former VA employees who have a proven record of success at the agency. We get some people trained up, maybe they go and do something else, we ought to give the people priorities in coming back as well, to make sure that we have the most qualified Federal workers who are taking care of the people who have taken care of us. They did the heavy lifting for this country, and they deserve better, and we can do better by them. A big part of that would be passing this bill, H.R. 1367.

So, again, I want to thank Mr. WENSTRUP for his leadership. I am glad this is moving forward, and I stand in support of the bill.

Mr. WALZ. Mr. Chairman, before I yield to the gentleman from Florida, I would like to point out, as a new Member bringing new vitality and new blood to this, how encouraging it is, both to me and, I would hope, to his constituents. Seeking out ways to serve veterans, coming to try and work on legislation in a bipartisan manner speaks volumes for his commitment.

I yield 2 minutes to the gentleman from Florida (Mr. SOTO).

Mr. SOTO. Mr. Chairman, we send our servicemen and -women overseas in harm's way to protect our country because we know that freedom isn't free. So it is fundamental, as we, with such vigor, ask them to go to the battlefield, that we protect them when they are off the battlefield. And it is fundamental that, when they return, they have a world-class hospital system.

Now, today we begin consideration of H.R. 1367, which is exciting because it is a bipartisan bill to improve the VA's authority to hire, train, and retain physicians and other critical staff in the Veterans Health Administration.

Over the last 5 years, we have seen more than 2 million veterans enroll in the VA healthcare system, and we believe—both parties believe that nothing should stand in the way of any veteran having confidence in and access to care and benefits they earned and deserve.

I represent the central Florida area, and we are so honored to have a brand new Orlando VA, in a high-growth area, and the need is great. I was also honored to be able to have an office right across the street from the VA hospital that we just opened up last week, to be in proximity and to help our veterans.

But I can tell you, having met with some of our veterans already, we are looking at 3- to 6-month waits, even in a new facility.

A gentleman, who I will refer to as Mr. Smith so that I don't divulge his personal information, came to me yesterday, and he had issues with a podiatrist. He was not able to see them over the next couple of weeks. And in his goat farm in my district, he is unable to pursue his gainful employment, and we are trying to get him in over the next 2 weeks, but it could be 3 to 4 weeks.

So we need to stand together to restore trust and accountability and fill these positions. And so I applaud both parties, and I am excited for the Veterans' Affairs Committee to take this bold action to recruit and retain the most talented workforce, which is well-needed to provide quality and timely medical care for our Nation's veterans, for those in central Florida, Florida, and beyond.

□ 1830

Mr. WALZ. Mr. Chair, before I reserve the balance of my time, I would like to point out to the gentleman from Florida that he has a podiatrist right here in Dr. WENSTRUP, so we can just solve the problem as we stand.

I reserve the balance of my time.

Mr. WENSTRUP. Mr. Chair, I yield 2 minutes to the gentleman from Maine (Mr. POLIQUIN), who has been a very vocal supporter of our veterans every step of the way.

Mr. POLIQUIN. Mr. Chair, I would like to point out for the RECORD that

both Mr. WALZ and Mr. WENSTRUP are both veterans, and we are so grateful for their service to our country in so many different ways.

Mr. Chair, it was our first commander-in-chief, George Washington, who said, and I paraphrase, that we can never expect young men and women to rise to the occasion to fight for our country and for our freedom unless we take care of those who have already sacrificed on the battlefield. So the wonderful thing about serving on the Committee for Veterans Affairs, Mr. Chair, is that it is completely bipartisan.

This is all about our veterans. We just love them in the State of Maine—66,000 veterans strong in our Second District of Maine, Mr. Chair. We have one of the highest percentages of our population that are veterans in the country, and we are very, very proud of that.

I must say that, in my dealings with Togus—which is, by the way, Mr. Chair, the first military hospital in the country. It is about 150 years old now. They set up to take care of our Civil War veterans about 150 years ago.

In any event, in talking with the folks at Togus, they made it very clear to me, Mr. Chair, that one of their biggest problems they have, and it is ongoing, is: How do we hire quickly and retain the best quality doctors, nurses, and medical technicians to care for our heroes?

That is why I am so excited and grateful for this opportunity to vote for H.R. 1367, because it helps solve one of these problems. It removes red tape in the hiring process. It streamlines the hiring process.

The Veterans Administration has about 360,000 employees, so it is a very large organization. When that happens, of course, you need to deal with administrative burdens and red tape and what have you.

So I am encouraging all of my fellow colleagues here, Republicans and Democrats, to make sure they vote for this bill, H.R. 1367, because our best fought for us, Mr. Chair, our best fought for us. It is time that our best take care of those who fought for us.

Mr. WALZ. Mr. Chairman, I have no further speakers and will be prepared to close after the gentleman is done.

Mr. Chair, I reserve the balance of my time.

Mr. WENSTRUP. Mr. Chair, once again, I encourage all Members to support H.R. 1367, and I yield back the balance of my time.

Mr. WALZ. Mr. Chair, I can't thank the gentleman enough—smart legislation combining many good ideas, willingness to incorporate those best practices, and then, I think, forcing VA to start moving in that direction.

This is an example, I think, of where the VA is at. And while we may disagree, and you saw a little bit of it

today, it is not because there is any disagreement on what the final outcome is.

Dr. WENSTRUP's bill is smart. It will improve care; it will get good people in the VA; it will retain them; and it will improve HR practices to make sure that happens.

I encourage my colleagues to support the bill and some of the amendments that will work to improve upon a very good piece of legislation.

Mr. Chair, I yield back the balance of my time.

The CHAIR. All time for general debate has expired.

Mr. WENSTRUP. Mr. Chair, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. POLIQUIN) having assumed the chair, Mr. BUDD, Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1367) to improve the authority of the Secretary of Veterans Affairs to hire and retain physicians and other employees of the Department of Veterans Affairs, and for other purposes, had come to no resolution thereon.

CELEBRATING THE LIFE OF LOUISE HOPKINS UNDERWOOD

(Mr. ARRINGTON asked and was given permission to address the House for 1 minute.)

Mr. ARRINGTON. Mr. Speaker, I rise today to celebrate the life and legacy of Louise Hopkins Underwood, a west Texas icon who passed away Tuesday, March 7, at the age of 97.

Mrs. Underwood was known as a charismatic woman with a sharp sense of humor. A woman loved by all, she was gracious, she was generous, and she was inspirational.

Mrs. Underwood was the mother of six and a pioneer in her quest to promote a passion for the arts and a stronger sense of community on the south plains.

Our region, which has a rich history better known for farming and ranching, is now also known for the arts, thanks to Mrs. Underwood.

Ecclesiastes 7:1 says:

A good name is better than fine perfume, and the day of death better than the day of birth.

Thank you, Mrs. Underwood. Thank you for your fragrant life and for leaving a legacy of a brighter, more colorful west Texas.

God bless the Underwood family.

CONDEMNING HEALTHCARE BILL

(Mr. GOTTHEIMER asked and was given permission to address the House for 1 minute.)

Mr. GOTTHEIMER. Mr. Speaker, I rise today to speak out against the

healthcare bill that is currently making its way through the House. It is an attack on seniors that will raise New Jersey taxes, and I refuse to sit idly by.

First, it includes a premium senior tax that would make older Americans pay five times more for their health care.

Second, the plan before Congress takes aim at long-term care to support the elderly and disabled and could ultimately throw seniors out of nursing homes. Three out of five nursing home residents in New Jersey rely on Medicaid to access long-term care.

Finally, it is not only seniors who would be hurt. This bill is a new tax on all New Jersey residents. It cuts Medicaid and leaves the State holding the bag for other States, and it puts additional costs on New Jersey to confront healthcare challenges like the opioid crisis sweeping our State.

We need a bipartisan fix to the Affordable Care Act. This plan does just the opposite. I am ready to sit at the table with Democrats, Republicans, and Independents to come up with a real fix.

BILLIONAIRE'S BUDGET

The SPEAKER pro tempore (Mr. BUDD). Under the Speaker's announced policy of January 3, 2017, the gentlewoman from Washington (Ms. JAYAPAL) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Ms. JAYAPAL. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the subject of my Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

Ms. JAYAPAL. Mr. Speaker, this evening I rise to speak on behalf of the Congressional Progressive Caucus, and I believe some of my colleagues will be joining me, to talk about the budget that has just been released by this President.

I would like to say, Mr. Speaker, that while it is being called a skinny budget, we call it the billionaire's budget. It is the same misguided, rambling, unfocused, bloated giveaway to rich and corporate interests that has been offered for years.

My belief is that a budget is a statement of our values. This budget ensures that the rich get richer at the cost of working people, the environment, and the future of our country.

Funding has been axed for nearly 20 agencies, from the Corporation for Public Broadcasting to the National Endowment for the Arts and the National Endowment for the Humanities. In addition to elimination of these important agencies, the billionaire's

budget guts funding for several other important agencies.

You can see here by this chart from The Washington Post exactly what is happening: the Environmental Protection Agency chopped by 31 percent; the State Department cut by 29 percent; Agriculture cut by 21 percent, the Labor Department by 21 percent.

And the cuts go on through every single agency of critical importance to the American people: Department of Health and Human Services, Commerce, Education, Housing and Urban Development at a time when we have a tremendous housing crisis in this country.

Transportation, from a President who said that he was going to invest in our infrastructure, yet here you see that the Transportation budget has a 13 percent cut.

Mr. Speaker, the reality is that the cost of security for the Trump Tower is \$183 million a year. The budget for the National Endowment for the Arts is \$148 million a year.

There are some other cuts that we could do if we were that concerned, but let's talk about housing. Housing access and affordability is squarely on the chopping block in this billionaire's budget.

With a \$4.3 billion cut, HUD will lose its Community Development Block Grant program. Now, some people don't know exactly what the Community Development Block Grant program does; and, in fact, it sounded like Director Mulvaney didn't know that either when he was asked about a critical program that is funded through this Community Development Block Grant program, and that is funding for Meals on Wheels.

There are communities across this country that fund their Meals on Wheels program, which is funding for meals for the elderly who cannot get to somewhere where they can get a meal, and so we take them a meal. That is Meals on Wheels, an incredibly bipartisan, beloved program. Unfortunately, that would go away because the CDBG program would be cut; and, therefore, the Meals on Wheels program would be cut.

These programs are an integral part of building up our communities, both through affordable housing as well as through some of these critical programs that go as wraparound services to affordable housing.

The city of Seattle, which I represent, is currently in a state of emergency due to its housing crisis. Right now, there are around 3,000 people experiencing homelessness in the city and nearly 10,000 in the surrounding areas—veterans, families, LGBTQ youth.

This is unacceptable. Access to stable housing is absolutely critical to making sure that members of our community are safe and able to access the

services they need to get back on track and live full lives.

Let's talk about Health and Human Services. The Department of Health and Human Services is facing an 18 percent cut to its funding, which could have devastating—and I am talking about life and death—consequences here, absolutely devastating impacts.

It would decrease the funding for the National Institutes of Health, for cancer and medical research, critical programs that help us to figure out how we save lives in this country and actually are part of the innovation that the United States offers. Gutting this funding would put us at a grave disadvantage, and it would put people's lives at risk.

Transportation, another critical area that this President promised that he was going to invest in. He was going to make sure we were bringing forward jobs, that we were investing in our infrastructure, our crumbling roads and bridges, making sure that we are investing in critical transit and transportation projects. But in this budget, the Transportation budget is facing a 13 percent cut. That is nearly half a billion dollars from the TIGER grant program, which has allowed our country to carry out critical infrastructure improvement projects not just in one kind of a city, not just in urban areas, but urban and rural areas alike.

The billionaire's budget would also cut funding to all new fully funded grant agreements, including some really important projects in cities across the country.

In Seattle, our critical streetcar project would be cut; and light rail expansion, which we have been working on for years, the State has invested in a bipartisan way—when I was in the State senate, we actually passed a \$15 billion transportation infrastructure package because we knew that we had to deal with the transportation infrastructure needs of business, of our communities across the State and the influx of people into our State.

□ 1845

We agreed in a bipartisan way that this was something we needed to do. Part of that agreement included being able to fund the next phase of light-rail across our region.

Our Sound Transit CEO, Peter Rogoff, calls this budget a "body blow." I couldn't agree with him more. We are looking at potentially a \$7.7 billion cut to Sound Transit.

These are major transportation projects for our cities. They would create jobs, which is what this President said that he wanted to do, is create jobs. But by gutting these funds and gutting investment in transportation infrastructure, we will be stopping the very projects that are going to create those jobs and help our cities and rural areas make the necessary upgrades that they need to thrive.

Mr. Speaker, one of the worst areas that is hit in this budget is the environment. This billionaire's budget is an all-out assault on our environment and efforts to fund research and curb climate change.

President Trump has found ways to wreak havoc on our efforts to protect our planet by, in this budget, cutting climate research and protection funds to multiple departments. This isn't just the Environmental Protection Agency, but we are talking also about NASA space exploration and many other areas that ensure that we preserve this planet for the next generation.

I have got a 20-year-old, Mr. Speaker, and when I was running for Congress, he said to me: Mom, you have got to work on climate change. It is one of the most important issues facing my generation. You are the stewards of our lands. If you don't take care of this planet, then we won't have anything left and my children won't have anything left.

This is my 20-year-old son telling me this. Mr. Speaker, I promised him I would do everything I can for his generation and future generations to protect our planet.

Unfortunately, one of the biggest cuts in this budget is to the Environmental Protection Agency. This is a 32 percent cut to the Environmental Protection Agency. This decimates all of our work on climate change, all of the research that we need to do so we know how to protect our climate, all of the work on environmental justice programs, which is really essential when you think about who is taking the burden of climate change. It is our low-income communities, communities of color, and other vulnerable and marginalized communities.

I have always believed that we should rename the EPA. Environmental Protection Agency makes it sound like it is something off in the distance, like it is about something out there. But, in fact, what the Environmental Protection Agency does is monitor our water so that we have clean water to drink and use. It monitors our air so that we have clean air to breathe and we don't have asthma and other respiratory diseases that come with air that is so polluted that we can't even survive in it. It ensures that we are protecting human health.

We could rename the EPA the Agency for Clean Water, Clean Air, and Human Health, and I think that that would cover a lot of what the EPA does.

The EPA's cut is going to result in 3,200 lost jobs. That is 20 percent of the department. Research programs would be discontinued both domestically and around the world, and programs like the Clean Power Plan and numerous restoration projects, including a critical restoration project in the Puget

Sound, the Puget Sound Restoration, would lose 93 percent of its funding. This is true of the Great Lakes region. There are places in Republican and Democratic districts across this country that are going to suffer and see environmental protection being rapidly undone.

President Trump has made it painfully clear that he and his administration are enemies not only of the environment, but of the science that tells us that yes, we must address climate change because it is real and it is man-made. Yet, we are fighting efforts to consistently undermine the research and the science that shows us exactly where we are as a country and what we must do in order to protect our environment.

Let me talk about education for a second. With the appointment of Betsy DeVos to the Department of Education, President Trump has signaled that his administration has every intention of doing whatever they can to privatize our education system. The billionaire's budget takes the first steps in that process.

It increases charter school funding by \$168 million and it adds \$250 million to create a new, private school choice program. It cuts \$3.7 billion in grants that go toward after-school programs, aid programs, and important teacher training.

This budget would decimate Head Start. Head Start is a program that has been shown to be successful. When you invest early in kids' education and you make sure that you give them that early support, it definitely has an impact in diminishing and breaking that school-to-prison pipeline.

These are investments that save us money in the long run. Not only are they the most humane thing to do and the right thing to do, but they are actually cost-effective programs that stop us from having to spend millions of dollars down the line when people can't get a great public education.

We should be investing in our public education program and making sure that we are helping kids to go all the way from early learning to higher education. That is the foundation of a great country, when we are educating and investing in our students to have that kind of a great education.

Mr. Speaker, I see that my colleague from the Progressive Caucus is here. I yield to the gentleman from Maryland (Mr. RASKIN), the wonderful Representative from that State, because I know he has got somewhere to go right after this. I invite him to come up here, and I thank him for his leadership on all issues constitutional and otherwise.

Mr. RASKIN. Mr. Speaker, we are so proud of the leadership Congresswoman JAYAPAL is showing in both Washington State and Washington, D.C., in resisting these terrible cuts to the domestic budget of the people of the

United States, in showing leadership, also especially in defending American values when it comes to immigration and affording a refuge to people fleeing political and religious repression all over the world.

She is a true leader and we are very proud of her. I am grateful that she is sharing a couple of minutes with me tonight to talk about the astonishing news of the day, which is the most dramatic and draconian budget cuts offered perhaps in our lifetime to the domestic budget of the United States.

It is going to take us many days—many weeks, indeed—to fully analyze what exactly will be axed with these budget proposals, but I wanted to start with a little exchange that took place today with Mick Mulvaney, who is leading the budget effort for the President.

He had a press conference and he was asked about the implications of these billions of dollars of cuts to Meals on Wheels. He was asked about one specific program, and he had no problem basically casting Meals on Wheels to the curbside, saying: "It's just not showing any results." Which is why the Trump administration apparently feels good about slashing the domestic budget, including the community development block grants which help support Meals on Wheels across the country.

Well, let's just take this one tiny little example, then. Meals on Wheels actually serves 2.4 million Americans between the ages of 60 and 100. These are people who, for reasons of illness or physical infirmity or simply poverty, cannot go grocery shopping for themselves or prepare meals for themselves.

Why don't we take a moment to praise the people at Meals on Wheels who actually do something constructive and patriotic for their country. They bring food to older people who might otherwise go without.

You might say: Well, that is just kind of mushy-headed and soft-hearted. We are in the age of the budget ax. We need to destroy these domestic programs that are a terrible burden on the taxpayers.

Check out a 2013 review of studies on the issue of home-delivered meal programs like Meals on Wheels. The study says that these programs "significantly improve diet quality, increase nutrient intake, and reduce food insecurity and nutritional risk among participants. Other beneficial outcomes include increased socialization opportunities, improvement in dietary adherence, and higher quality of life."

Well, maybe you don't care about any of those things. Maybe you just consider about the bottom line.

Consider this finding. These programs are aligned with the Federal cost-containment policy to rebalance long-term care away from nursing homes to home and community-based services by helping older adults maintain independence and remain in their

homes and communities as their health and functioning decline.

You see, for Mr. Mulvaney and President Trump and the Cabinet of billionaires and CEOs and ethically challenged Russian-influenced corporate titans, they don't care about how the program is actually working right here in American communities.

They don't care about facts. We know they have contempt for facts, which is why they give us their alternative facts. They don't care about studies and books because we know the President is their leader and he doesn't read books.

They definitely don't care about the elderly people who can't make it to the grocery store or who can't afford nutritious meals on their own. These are the same people, after all, that they propose to throw to the curb on Medicaid, with their proposal released last week in the cloak of darkness to repeal the Affordable Care Act and gut Medicaid and replace it with a monstrosity of a program which even their own Members can't support. Under their plan, 14 million would lose their healthcare insurance. Millions of elderly people would lose their insurance.

Now, with this mean-spirited little proposal to take a relative crumb away from the community development block grant and from Meals on Wheels, they would deprive a lot of people even of a wholesome dinner delivered to their home.

Why do they want to slash all of these programs across the board: the EPA, the State Department, the Agriculture Department, the Labor Department, the Department of Health and Human Services, the Commerce Department, the Education Department, HUD, Transportation, Interior, and so on? Why?

Well, the President has announced he wants to take \$54 billion out of that slice of the pie for nondefense discretionary spending, which accounts for only 16 percent of the overall budget, and put that \$54 billion directly into the Pentagon.

Just to repeat, they want to take \$54 billion out of the domestic budget, non-defense discretionary spending, and put it into the Pentagon for a military buildup.

But for what?

The world's second largest military power is Russia. We outspend them 10 to 1. We are a giant and they are a dwarf.

Vladimir Putin, in any event, is Donald Trump's best friend, his BFF, his bosom buddy. The Trump-Putin relationship may be the President's most successful long-term relationship, at least politically speaking.

All that money that goes to the Pentagon, why? What is it for? Is it possible that Mr. Bannon and Mr. Trump are thinking about a war drive?

The President has tweeted about World War III in a very cavalier and flippant way.

It is disturbing. Nobody really knows. But one thing we do know is that all of that money that goes over to the Pentagon, if history is any record, will be available for the beltway bandits, the inside players with political influence and the mega corporations to go and make a buck off of the American taxpayer.

We will strip it from the EPA, and we will strip it from the Department of State, and we will strip it from education and we will put it in the Pentagon, and that is where we know a lot of people are going to get rich.

□ 1900

They are going from Meals on Wheels to deals on wheels. That is the name of the game. No more Meals on Wheels. It is all about deals on wheels. You have got to know the President, you have got to know the inside players in the billionaire Cabinet, and then you can make some money.

Who are they going to sacrifice for this operation announced this week?

Well, it would take us all night to go through all of the domestic programs and projects that the American people depend on that are going to be sliced and diced because of this budget proposal, at least if it goes through.

But let's start with the National Institutes of Health, the NIH. The administration proposes to cut nearly \$6 billion from the NIH—\$5.8 billion they want to get rid of.

Now, what is the NIH, which happens to be in my congressional district in Rockville—and I am so proud of that—where we have got doctors and nurses and researchers and scientists who are working every day as part of the institutional world leader in biomedical research?

This is an entity that supports hundreds of thousands of jobs. These cuts would devastate the NIH and their ability to research lifesaving cures and treatments for diseases.

What kinds of diseases are being treated there?

I am not going to be able to go through all of them because there are hundreds of them that are being researched, where treatments are being developed, where patients are being seen, where progress is being made. Acute respiratory distress syndrome, Agent Orange and dioxin, aging, alcoholism, Alzheimer's disease, ALS, anorexia, anthrax, antimicrobial resistance, anxiety disorders, aphasia, arthritis, assistive technology, asthma, attention deficit disorder, autism, autoimmune disease. That is just the A's.

Let's keep going a little bit. Batten disease, biodefense, bioengineering, biotechnology, bipolar disorder, brain cancer, brain disorders, breast cancer, cancer, cannabinoid research, cardiovascular, cerebral palsy, cervical cancer, child abuse and neglect research,

Charcot-Marie-Tooth disease, childhood leukemia, chronic fatigue syndrome, chronic liver disease and cirrhosis, chronic obstructive pulmonary disease, climate change, climate-related exposures and conditions, colorectal cancer, and on and on. That is just the A's, the B's, and the C's.

They want to cut \$6 billion from the NIH, which is working to cure, address, study, and manage the diseases and the sicknesses that our people are dealing with; and just cavalierly they say they want to slash it so they can pour all of this money over to the military side for a reason unknown.

When they came down with their executive orders, which have now been struck down by multiple Federal District Courts as unconstitutional, as a violation of the Establishment Clause, as a violation likely of due process and equal protection and so on, what they cited was 9/11 multiple times. They cited 9/11. The odd thing, though, was that the three source countries for the 9/11 hijackers—Saudi Arabia, Egypt, and the United Arab Emirates—were left off their executive orders, even right up until today.

Why?

Some people say it is because Donald Trump has extensive business dealings with corporations and governments in those three countries. Nobody really knows. But they developed those orders, which the GOP proudly once called the Muslim ban, in response allegedly to 9/11. Even if you could blame an entire people for the acts of individual terrorists, they didn't do it. They turned to some other countries because that didn't interfere with the President's business interests.

So we have got this huge military buildup and we have got the siphoning away of tens of billions of dollars of the American people's hard-earned money away from medical research and diseases and environmental protection all into the Pentagon. For what reason, nobody knows, and they haven't told us.

What a dangerous moment this is in the life of the American Republic. What a perilous time this is for a nation built on the principle that that great Republican President Abraham Lincoln called government of the people, by the people, and for the people.

Their budget proposal is a job killer. It is going to kill hundreds of thousands of jobs. It devastates and ruins the search for cures, the progress we are making in diseases like cystic fibrosis and diabetes. Diseases that afflict hundreds of thousands, millions of our people, they are just going to pull the plug on that. They are ransacking our children's education. They are hollowing out the rural communities. They are making urban life far more dangerous. They are weakening our leadership overseas. And, of course, because they don't believe in climate

change, they are undermining our ability to respond to the great peril that faces us as a people.

Just like the proposal to trash the Affordable Care Act cannot go through this body because there must be a majority of responsible Members of this body who will not accept that terrible proposal that will throw 24 million of our people off their insurance, this body also cannot accept this terrible budget. It must have arrived here DOA.

If a foreign government, a rival to America, an enemy of America, had come up with this budget, we would regard it as an act of aggression against the American people. You could view it as a declaration of war against the prosperity, the health, and the welfare of our own people. But, alas, it didn't come from abroad. At least it was addressed that it came from the White House. It appears to have come from the administration, yet it threatens our way of life.

I would urge all of my colleagues to very carefully study this budget proposal over the next week or two and make clear that these are not the priorities of the American people, make clear that these are not the values of the American people, and this is not the future of the American people. We must continue to make progress. That means we must reject the Trump budget.

Ms. JAYAPAL. Mr. Speaker, I thank Representative RASKIN for his consistent brilliance and leadership. I so appreciate it. It has been a tremendous honor to serve with him here.

I want to talk about another area that we haven't covered yet, which is the State and development programs budget. This is essentially our efforts around diplomacy and development around the world. This would be incredibly hard hit. The prime target is the United Nations. Climate change initiatives at the United Nations would lose all of their funding. The government would cut back its regular contribution to the U.N. and pay no more than 25 percent of the cost of U.N. peacekeeping operations. The budget would hit all of the multilateral development banks, like the World Bank, which would be trimmed by \$650 million over 3 years, and cultural programs like the East-West Center in Honolulu.

Today a number of Republican colleagues talked about how misguided this cut was, and it made me very hopeful, to be honest. Representatives HAL ROGERS and TED YOHO both agree that this cut is absolutely misguided.

Several retired three- and four-star generals wrote a letter to Congress expressing their deep concern over these serious budget cuts that are being made to the State Department because they know that diplomacy goes hand in hand with any kind of defense that has to be put out there. You have got to

have the two together. Here is what they said: "The State Department, USAID, Millennium Challenge Corporation, Peace Corps and other development agencies are critical to preventing conflict and reducing the need to put our men and women in uniform in harm's way."

In 2013, General Mattis himself said that if more funding for development wasn't provided, he would have to buy more bullets. Development programs are inextricably linked with our national security, and this President should not be cutting these funds if he wants to bolster national security. If he wants to bolster national security, then we should be investing more of our dollars into diplomacy and development as two of the other legs of a three-legged stool. Unfortunately, he is going in the opposite direction.

Our aid and development efforts have to be well-rounded and holistic. I know this because I have worked in international development before all over the world. I have worked along the borders of Laos and Cambodia, in Thailand. I have worked across south Asia. I have worked in Latin America. I know and I understand that our relationships and our ability to build strong multilateral coalitions and to invest in the stability of countries as war is happening there is absolutely essential to preserving peace.

The generals wrote: "We know from our service in uniform that many of the crises our nation faces do not have military solutions alone—from confronting violent extremist groups like ISIS in the Middle East and north Africa to preventing pandemics like Ebola."

This 29 percent cut is absolutely unacceptable and will not keep us safe.

The billionaire's budget doesn't just cut funding for these programs, though. It also increases spending, and not for the benefit of our communities. This administration is calling for \$3 billion to detain more immigrants, deport more people, and build a bigger border wall. The staggering increase to detain an unprecedented 45,700 men and women is unacceptable.

Mr. Speaker, 167 men and women have died in detention since October 2003. The organization that I used to work at put out a human rights abuses report about the detention center controlled by the GEO corporation, private detention center way back in 2005 or 2006. We looked at all of the human rights abuses that were happening not only in that detention center, but we did research on what was happening around the country.

Among the 35 death reviews in this recent report that came out that have been released through Freedom of Information Act requests, substandard medical care contributed to at least 15 deaths. And even when government investigations concluded that a facility

violated government detention standards, the government fails to hold these private facilities accountable and make sure that changes are made to address deficiencies that lead to the loss of human life.

Instead of spending \$3 billion on immigration enforcement and detention, here is what we could do with that money: We could create 45,000 new middle class jobs. We could build 184 new elementary schools. We could hire about 55,000 new kindergarten and elementary schoolteachers. We could provide close to 337,000 Head Start slots for young kids. We could pay for nearly 311,000 people to attend a 4-year college per year. We could help States protect and save up to 12,000 at-risk wildlife and plant species in the United States every year for the next 2.3 years. By the way, we could also provide nearly 2.1 million households with solar energy. We could weatherize over 460,000 homes nationwide, saving the average household about \$283 a year. And we could provide 10 million lifesaving HIV/AIDS treatments.

Mr. Speaker, this budget is about profit over safety, privatization over public good. It is about war over peace and diplomacy. And it is about incarceration over rehabilitation. It is fundamentally about billionaires and lobbyists over the American people.

Mr. Speaker, I yield back the balance of my time.

□ 1915

RECOGNIZING VICTOR MARX

The SPEAKER pro tempore (Mr. GALLAGHER). Under the Speaker's announced policy of January 3, 2017, the gentleman from Arizona (Mr. FRANKS) is recognized for 60 minutes as the designee of the majority leader.

Mr. FRANKS of Arizona. Mr. Speaker, Mr. Victor Marx is a man dedicated to spreading the great truth that even in the face of hate and violence, the love of God can heal even the most wounded among us. Victor's full life story has been chronicled in the book "The Victor Marx Story" and in a film by the same name.

Victor's animating, faith-motivated, moral imperative to help the suffering has fueled the mission of All Things Possible to free children from abuse and the effects of its trauma.

Therefore, Mr. Speaker, I rise today to recognize and to commend Victor Marx and All Things Possible Ministries for the work they do to reach out and embrace traumatized individuals across the world.

In 2015, All Things Possible launched high-risk missions to bring hope to those suffering abuse at the hands of evil in the Middle East. Victor and his team, including Dave Eubank of Free the Oppressed, visited Iraq to help over 300 young women and children who

were previously held captive or traumatized by the violence of ISIS.

In an effort to provide children with tangible comfort, ATP launched the Lions and Lambs project. More than 11,000 little boys and girls have received stuffed animals that play cultural songs and prayers in a language native to their region. These signs of huggable hope remind them that they are not forgotten by the outside world.

In 2016, Victor and his team initiated efforts to find persecuted Christian families in northern Iraq and move them to safe havens in neighboring countries. To date, ATP has relocated more than 40 individuals specifically targeted by ISIS for elimination, giving them hope for a safer, better life, and restoring their faith in the human spirit.

Last year, ATP launched the third option with the goal of offering concrete alternatives to those vulnerable to ISIS recruitment. ATP unites with moderate leaders of the Islamic faith to pursue this goal. Recognizing Victor as a man of the book, a key leader of the Sunni Endowment is now working with ATP to craft a common narrative designed to prevent men of military age from being assimilated into ISIS.

Mr. Speaker, the prophet Isaiah said: The wolf also shall lie down with the lamb, and the leopard shall lie down with the kid; and the calf and the young lion and the fatling together; and a little child shall lead them.

Victor Marx and All Things Possible Ministries have brought this powerful ministry to life in a very touching way. It should encourage all of us to relentlessly pursue that day when the light of hope will fall across all of the lonely faces of God's children all over this world and to that time when future generations, of those whom Jesus called the least of these our brothers and sisters, will be able to walk in the sunlight of liberty for as long as mankind inherits the Earth.

Mr. Speaker, I commend Victor Marx and All Things Possible, and I thank them for trying to make a better world.

Mr. Speaker, I yield back the balance of my time.

DISMANTLING THE AFFORDABLE CARE ACT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 30 minutes.

Mr. BLUMENAUER. Mr. Speaker, this has been a fascinating 2 weeks here on Capitol Hill. We have had, last week, all night sessions in our Ways and Means Committee and on the Energy and Commerce Committee dealing with the Republican plan to dismantle the Affordable Care Act. At times, Mr. Speaker, it is really hard to process all

of the claims and counterclaims that are going on. I feel occasionally like I am in an alternative universe, and it is not just because we were up until 4:30 in the morning debating this.

People have lost track of how we got to this point—what was happening earlier, what has been the benefit and accomplishment of the Affordable Care Act, and what is going to happen moving forward were we to adopt a really disastrous proposal advanced by my Republican friends.

Twenty-five years ago, I was in a different role as Portland's commissioner of public works. And one of the elements in my portfolio for several years was to deal with personnel and benefits and health care. I am fully aware of trying to deal with our 6,000 employees to provide them with affordable health care that the city, as the employer, could afford, and that wasn't too burdensome on our employees. We were caught in a situation with rapidly escalating costs, inflation for medical care twice the rate of the ordinary inflation; we were having problems with employers maintaining coverage in an affordable fashion; and the individual market was, frankly, very chaotic and troublesome.

I have with me here a report from the Kaiser Family Foundation from March of 2009. They talked about these challenges—how the United States healthcare spending had risen from 1970 from 7.2 percent of the gross domestic product to where they projected that it was going to cost us by 2018, next year. It would be \$4.3 trillion, \$13,100 per resident, and account for over 20 percent of the gross domestic product.

Mr. Speaker, I am pleased to say that, as a result of the unprecedented reforms that were incorporated in the Affordable Care Act, we were able to deal with this problem. We began 10 years ago, when Democrats gained control of Congress, working on expansion of the CHIP program, children's health, and it was one of the first actions signed into law by President Obama when he assumed office and we weren't facing a veto from the Bush administration.

We have been working for over 3 years trying to lay the foundation for moving forward with a comprehensive approach for healthcare reform. And it should be noted, for all of the hyperbole about socialized medicine and government dictating outcomes and taking control away from the American people, that is the furthest thing from the truth.

In fact, the program that was developed by President Obama and the Democrats, with no help from Republicans, was actually a middle ground. It relied upon the private insurance that most Americans had through work, and be able to expand that coverage, to be able to improve the quality of care, to be able to rein in medical inflation, to

be able to deal with some of the most needy of us, and to be able to have a healthcare system that performed better.

The simple fact is we spend about twice as much as any other developed country in the world. And our outcomes, on average, are worse than what happens in those countries that my friends on the other side of the aisle derided—Canada, Great Britain, France, Germany. As a practical matter, those people get sick less often, they get well faster, they live longer, and they do so for a fraction of what we pay.

So what we did, through a very extensive process—multiple public hearings, meetings, seminars, position papers that were generated from a wide variety of areas—was to assemble a program to deal with that. One of the elements that drew the scorn of my Republican friends, and, in fact, is part of their repeal that is one of the centerpieces, is to repeal the mandate that people have health care.

It is ironic that that has become a target from Republicans because the mandate came from Republican alternatives to HillaryCare in the Clinton administration. In fact, 19 Republican Senators, including Senator GRASSLEY and Senator HATCH, supported a healthcare mandate to be able to expand and stabilize the health insurance market.

Well, what we have done through those 2 years that it was enacted, March 23, 2010—we are approaching the seventh anniversary—it went live in the fall and was fully in effect in 2014. So in the 3 years that the Affordable Care Act has been in place, it has had remarkable achievements.

You recall I mentioned what the studies showed that we were facing with rapidly escalating healthcare costs, where it was estimated that we would be having over 20 percent of the gross domestic product, we would be approaching over \$13,100 per resident. Well, that didn't happen. Despite the dire predictions of the Republican opposition, healthcare costs did not skyrocket.

In fact, we anticipate now that instead of being over \$13,000 per resident, it is under \$10,000 after a couple years of operation of the Affordable Care Act. Not over 20 percent of the gross domestic product, but 18 percent. We have found that these are the lowest rates of medical inflation since we have been keeping track.

The Affordable Care Act, by any stretch of the imagination, has been a success. We have seen coverage expand dramatically to the lowest rate of uninsured in the United States in our history while we have contained costs. That success is all the more remarkable because there has been a concerted effort on the part of the Republicans, from the moment they seized control of the House in 2011, to make it worse.

Bear in mind, the Republicans attacked the Affordable Care Act in court, on the floor of the House, and in terms of trying to muddy the waters on the State level. The Supreme Court challenge to the constitutionality of the Affordable Care Act failed. The Supreme Court decided that the Affordable Care Act was constitutional and would remain.

But the Supreme Court made a devastating decision that allowed individual States to opt out of Medicaid expansion. That was part of the program that was so important to be able to extend care on a cost-effective basis to some of the lowest income people in the country. Thirty-one States did. Nineteen States refused to do so. That undercut the coverage, made huge problems, created situations where there were people in the Republican-controlled States that refused to extend Medicaid, despite the fact that the Federal Government was paying for it, that we had people who were too poor to qualify for assistance. Shocking, embarrassing, and to the detriment of those States, they had much worse outcomes.

But it is ironic that some of the people who started attacking the Congressional Budget Office projections about the impact of the Republican plan pointed to the calculation on the part of the CBO that they underestimated the number of people who would be uninsured.

□ 1930

Well, that was precisely because there was no expectation that States would not expand Medicare, and if that unfortunate decision hadn't been made, we would, in fact, have seen them hit their target numbers.

Despite the claims of outrage on the Republican side that there would be employers dropping coverage for their employees en masse, we found that, in the main, employers retained coverage. Now, this is not the case going forward with the Republican proposal.

I think there was a reason why my Republican friends insisted on jamming this through the Ways and Means Committee and the Energy and Commerce Committee before we had a chance for the scorekeeper, the CBO, to give the results of their analysis: because they knew how bad it would look.

The CBO anticipates that there will be 14 million more uninsured Americans, including 2 million who will lose coverage provided by their employer because of the way their alternative tax credit for health insurance would be structured. In my State, it is estimated that as many as 465,000 Oregonians could lose coverage. The uninsured rate will triple in our State.

One of the areas that has been most successful with the Affordable Care Act has been for older Americans. They

benefit from the protections against discrimination, and they are going to see a return to much higher premiums and higher costs.

The Republican plan would take the requirement that seniors pay no more than three times the rate of insurance for premiums for younger people, that will be five times greater. And instead of the subsidy that is based on income, there will just be a flat subsidy across the board. This means, in practice, that older Americans are going to face steeply higher premiums, and they are going to pay far more out-of-pocket because of the less generous subsidy.

One example that ought to get, I think, everybody's attention: In 2026, a 64-year-old with an income of about \$26,500 would pay \$14,600 for their health insurance as opposed to \$1,700 today, an increase of almost \$13,000.

Now, there are winners and losers under the Republican approach. The healthy, young people will catch a break, but older Americans will pay a lot more at precisely the time when they need health insurance.

Now, our Speaker appeared to be confused when he was describing the difference between the Republican approach and the Affordable Care Act, when he talked about how all of these people are being subsidized by the majority, who aren't sick. As many commentators rushed to point out to the Speaker, that is what insurance is about. Many people pay some to subsidize those who suffer loss. You pay a couple of hundred dollars a year for auto insurance so that, when you have a \$10,000 loss, that is picked up by the people who don't suffer a loss but paid the premiums nonetheless.

Think about what the Republicans have put in place. They are doubling down on what the Trump administration has done trying to discredit the efficacy of the program, casting it in doubt. The administration has already stopped enforcing the mandate.

The IRS is supposed to check and enforce to make sure that people sign up for the ACA and everybody is part of the insurance pool, just like States have mandatory auto insurance. You are not allowed to run the risk of harming your fellow motorists by not having insurance. That is widely accepted and understood that it is necessary to have the system work right.

Now the Republicans are increasing the damage that Trump has imposed, unilaterally, by not enforcing the mandate. They are going to repeal the mandate. In place of the mandate, they are going to have a 30 percent surcharge in case people drop coverage and decide to reenter the insurance pool.

Well, think about that for a moment. The people who are young, healthy, who feel invincible and don't have healthcare problems now are very likely not to get insurance at all. They figure that when they get sick, they can

go ahead, pay the 30 percent premium. If they find out they have got cancer, some serious disease, then they can sign up later. It is designed to destabilize the insurance system that we have.

By the same token, we are looking at the other end of the spectrum where the people who are lower income, older, and sick are going to pay a disproportionate burden. That is why the CBO determined, in their analysis, that in 2026, actually, there will be a drop in terms of insurance premiums, in terms of the cost. They will start to go down. They will go down because older Americans will be unable to afford the premium. They will drop the coverage.

It is not that they don't need health care. It is not that they are going to somehow avoid becoming sick or having accidents, but they are not going to have insurance coverage. That means the care that many of them are going to experience will be what we were fighting against before the Affordable Care Act. It will be in the emergency room. It will be when it is too late. It is not in a clinic before things get worse. It is after the fact, and it is in a setting that is not nearly as effective.

Mr. Speaker, it is really disappointing that part of the assault is on the Medicaid program itself. Medicaid is this program that provides care to the elderly, disabled, pregnant women, children, poor people. It is part of the bedrock safety net of this country. Republicans were against the expansion of Medicaid and making the qualifications to have Medicaid be more generous.

Under the Affordable Care Act, it is 138 percent of poverty, so lower and middle-income families are able to access this care. Prior to that, there were widely varying requirements across the country, and many of the States, particularly in the South, the States that declined to expand Medicaid, were facing really onerous restrictions—\$10,000, \$12,000, \$7,000 family income—making it very, very hard and for only the most desperately poor to qualify for it.

Now, the Republican plan will eliminate the Medicaid expansion in its current form. It would cap Medicaid funding, and, ultimately, we are going to watch, reverting to what we had before—in effect, *de facto* rationing.

In Oregon, the Republican plan would shift \$2.5 billion back to the States over the next 6 years. States are going to be left with impossible decisions: reducing benefits, cutting people off of Medicaid.

This is what has happened historically when people ran into difficult financial times in the States. They didn't raise taxes to make sure that the poor were provided coverage; they cut back coverage even more.

Sadly, under the Republican plan, 14 million Americans would lose Medicaid

coverage by 2026, and it would start having its impact in less than 3 years.

The policy would also severely set back efforts to combat opioid addiction and improve mental health treatment.

In my community, as I visit health centers, find out what is going on in clinics, in local government, officials that deal with the homeless, the drug addicted, the mentally ill, we found that they are using the opportunity to enroll people in Medicaid to give them proper care and not put that burden on local governments that they simply can't cope with.

The Republican plan would prevent that. We won't be able to have people most in need provided with the mental health, the addiction services, the health care that they need.

The Republican plan would put 2.8 million people with substance disorders, including over 200,000—about 220,000 is the estimate that I have seen—with opioid disorders, at risk of losing their coverage, including the coverage of addiction treatment, continuing the tragic cycle that we see played out in our streets across the country, but particularly in Appalachia. Some of the areas that actually were most opposed to the Affordable Care Act have received the greatest benefit.

In a time of concern about budget deficits, repealing the Affordable Care taxes—which we approved in the Ways and Means Committee in the middle of the night last week—would create an immediate windfall tax cut for the highest American taxpayers. The Affordable Care Act was a balanced plan that actually reduced the deficit while it improved healthcare outcomes across the country.

This approach is going to provide—for example, the top 400 earners would see an average tax break of about \$7 million a year, and people who are millionaires will be receiving tax cuts averaging \$57,000 apiece; but, as it plays out, we will find taxes would raise significantly on about 7 million low- and moderate-income families.

Mr. Speaker, it also puts in jeopardy Medicare coverage for 57 million Americans by cutting the Medicare trust fund resources. Because of the total impact of what we have done with the Affordable Care Act, we have watched the Medicare trust fund have its life extended 2 years. The Republican tax proposal will cut \$170 billion from the Medicare trust fund, moving it closer to being insolvent.

It is fascinating. Donald Trump promised not to touch Medicare or Medicaid. This plan violates both those promises. And as I had mentioned, the Trump promise that everybody would be covered under the Republican plan rings false. That is simply not the case.

Mr. Speaker, it was interesting, in the course of our deliberations, we received correspondence from the Amer-

ican Association of Retired Persons. They represent 38 million members in all 50 States, in the District of Columbia, Puerto Rico, and the Virgin Islands. It has a proven track record of being nonpartisan, a nationwide organization that helps people turn their goals and dreams into real possibilities for older Americans. They have a wide range of issues for which they have championed and gained notoriety; but, most significantly, we have watched them be involved with healthcare decisions, and they have been proven nonpartisan. In fact, I took issue with them when we were dealing with the Medicare part D prescription drug program in 2004.

□ 1945

It was unfortunate, I thought, that they kind of threw their weight to an inadequate program that was not paid for, that added to the deficit, and didn't do anything to fight to reduce prescription drug costs. But they made the judgment that this was the best they could do for the people they represented, and they didn't hesitate for a moment to work with Republicans to be able to enact that.

They wrote on March 7 to the chairs of our Energy and Commerce Committee and our Ways and Means Committee to express their opposition to the American Health Care Act. They did so because it would weaken Medicare's fiscal sustainability. They said it would dramatically increase the healthcare cost for Americans age 50 to 64 and put at risk the health care of millions of children and adults with disabilities and poor seniors who depend on Medicaid programs for long-term services, supports, and other benefits.

They have long fought to protect Medicare, and they pointed out in their correspondence that the 2016 Medicare trustee report said that the Medicare part A trust fund is solvent until 2028. This is 11 years longer than the projection immediately before the Affordable Care Act. Because of the changes in the Affordable Care Act, we gained solvency, 11 years longer.

Now, they have serious concerns about the Health Care Act that repealed provisions that strengthen the fiscal outlook, specifically the repeal of the .9 percent payroll tax on higher income workers. According to their analysis, this provision would hasten the insolvency of Medicare by up to 4 years and diminish Medicare's ability to pay for services in the future.

Think about it, Mr. Speaker, we are dramatically increasing the number of uninsured Americans. We are going to give them more expensive insurance of a lower quality. They will have higher deductibles and copays. At the same time, we are jeopardizing the future of Medicare, which so many American seniors rely upon.

They pointed out that about 6.1 million Americans age 50 to 64 purchase their insurance in the nongroup market, and that over half of them were eligible to receive subsidies for health insurance coverage. They note the significant reduction in the number of uninsured since passage of the ACA, with the number of people in that age bracket dropping by half.

Yet, according to CBO, what is going to happen if the Republican plan is enacted, that that number is going to go back up again, it is going to be unaffordable for a number of seniors, and they are going to be paying a much higher cost.

Mr. Speaker, it is troubling that we are having a debate where we really have tried to discredit independent sources, where we have had no hearing dealing with the legislation that is rushing toward the House floor.

It is ironic that there was debate and discussion criticizing Democrats for the 3 years we spent developing the framework for moving the legislation forward. And after 6 years of my Republican friends being in power in the House, chipping away, undermining the Affordable Care Act, trying to make it worse, discrediting it, and voting over 60 times to repeal it, they do not have a plan in place to replace it.

Now, this is the best we can come up with. It is a program that is widely discredited.

Mr. Speaker, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MARINO (at the request of Mr. MCCARTHY) for today and March 17 on account of inclement weather.

Mr. PAYNE (at the request of Ms. PELOSI) for today and March 17 on account of medical condition.

ENROLLED JOINT RESOLUTION SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a Joint Resolution of the House of the following title, which was thereupon signed by the Speaker:

H.J. Res. 42. Joint Resolution disapproving the rule submitted by the Department of Labor relating to drug testing of unemployment compensation applicants.

SENATE ENROLLED JOINT RESOLUTION SIGNED

The Speaker announced his signature to an enrolled Joint Resolution of the Senate of the following title:

S.J. Res. 1. Joint resolution approving the location of a memorial to commemorate and honor the members of the Armed Forces who served on active duty in support of Operation Desert Storm or Operation Desert Shield.

ADJOURNMENT

Mr. BLUMENAUER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 50 minutes p.m.), the House adjourned until tomorrow, Friday, March 17, 2017, at 9 a.m.

EXECUTIVE COMMUNICATIONS,
ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

777. A communication from the President of the United States, transmitting the preliminary budget of the United States Government for Fiscal Year 2018, pursuant to 31 U.S.C. 1105(a); Public Law 97-258 (as amended by Public Law 101-508, Sec. 13112(c)(1)); (104 Stat. 1288-608) (H. Doc. No. 115—18); to the Committee on Appropriations and ordered to be printed.

778. A communication from the President of the United States, transmitting a request for additional appropriations to the Department of Defense and the Department of Homeland Security for Fiscal Year 2017 (H. Doc. No. 115—19); to the Committee on Appropriations and ordered to be printed.

779. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Sec. 72.202(b), Table of Allotments, FM Broadcast Stations (Red Lake, Minnesota) [MB Docket No.: 16-371] (RM-11777) received March 6, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

780. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final NUREG — Postulated Rupture Locations in Fluid System Piping Inside and Outside Containment [Branch Technical Position 3-4] received March 14, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

781. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final NUREG — Seismic and Dynamic Qualification of Mechanical and Electrical Equipment [SRP 3.10] received March 14, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

782. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final NUREG — Applicable Code Cases [SRP 5.2.1.2] received March 14, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

783. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final NUREG — Determination of Rupture Locations and Dynamic Effects Associated with the Postulated Rupture of Piping [SPR 3.6.2] received March 14, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

784. A letter from the Director, Office of Congressional Affairs, Office of New Reactors, Nuclear Regulatory Commission, transmitting the Commission's final NUREG —

Special Topics for Mechanical Components [SRP 3.9.1] received March 14, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

785. A letter from the Assistant General Counsel for Regulatory Affairs, Office of the General Counsel, Consumer Product Safety Commission, transmitting the Commission's direct final rule — Safety Standard Mandating ASTM F963 for Toys [Docket No.: CPSC-2017-0010] received March 9, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

786. A letter from the Secretary, Department of Commerce, transmitting a report certifying that the export of the listed items to the People's Republic of China is not detrimental to the U.S. space launch industry, pursuant to 22 U.S.C. 2778 note; Public Law 105-261, Sec. 1512 (as amended by Public Law 105-277, Sec. 146); (112 Stat. 2174); to the Committee on Foreign Affairs.

787. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to Somalia that was declared in Executive Order 13536 of April 12, 2010, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec. 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

788. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to Iran that was declared in Executive Order 12957 of March 15, 1995, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec. 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

789. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting the Army's proposed Letter of Offer and Acceptance to Singapore, Transmittal No. 16-81, pursuant to Sec. 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

790. A letter from the Associate General Counsel for General Law, Department of Homeland Security, transmitting two notifications of designation of acting officer and discontinuation of service in acting role, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

791. A letter from the Chief Human Resources Office and Executive Vice President, United States Postal Service, transmitting the Service's FY 2016 No FEAR Act report, pursuant to 5 U.S.C. 2301 note; Public Law 107-174, 203(a) (as amended by Public Law 109-435, Sec. 604(f)); (120 Stat. 3242); to the Committee on Oversight and Government Reform.

792. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Exchange of Flatfish in the Bering Sea and Aleutian Islands Management Area [Docket No.: 150916863-6211-02] (RIN: 0648-XE867) received March 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

793. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, Office for International Affairs and

Seafood Inspection, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — International Affairs; High Seas Fishing Compliance Act; Permitting and Monitoring of U.S. High Seas Fishing Vessels [Docket No.: 070516126-5907-04] (RIN: 0648-AV12) received March 14, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

794. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, Office for International Affairs and Seafood Inspection, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Fishery Conservation and Management Act; Seafood Import Monitoring Program [Docket No.: 150507434-6638-02] (RIN: 0648-BF09) received March 14, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

795. A letter from the Deputy Assistant Administrator for Regulatory Programs, Office of Protected Resources, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Endangered and Threatened Species; Removal of the Puget Sound/Georgia Basin Distinct Population Segment of Canary Rockfish From the Federal List of Threatened and Endangered Species and Removal of Designated Critical Habitat, and Update and Amendment to the Listing Descriptions for the Yelloweye Rockfish DPS and Bocaccio DPS [Docket No.: 160524463-7001-02] (RIN: 0648-XE657) received March 9, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

796. A letter from the Acting Assistant Attorney General, Department of Justice, transmitting the annual report entitled, "PRO IP Act FY 2016", pursuant to 42 U.S.C. 3713d(a); Public Law 110-403, Sec. 404(a); (122 Stat. 4274); to the Committee on the Judiciary.

797. A letter from the Secretary, Bureau of Competition, Federal Trade Commission, transmitting the Commission's notice — Revised Jurisdictional Thresholds for Section 7A of the Clayton Act, 15 U.S.C. Sec. 18a, received March 9, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

798. A letter from the Assistant General Counsel for Regulatory Affairs, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Adjustment of Civil Penalties (RIN: 1212-AB33) received March 9, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

799. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Operational Equipment Test; Bellingham Bay; Bellingham, WA [Docket No.: USCG-2016-0084] (RIN: 1625-AA00) received March 9, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

800. A letter from the Acting Administrator, TSA, Department of Homeland Security, transmitting the Administration's certification that the level of screening services and protection provided at Joe Foss Field Sioux Falls Regional Airport (FSD) will be

equal to or greater than the level that would be provided at the airport by TSA Transportation Security Officers, pursuant to 49 U.S.C. 44920(d)(1); Public Law 107-71, Sec. 108(a); (115 Stat. 613); to the Committee on Homeland Security.

801. A letter from the Acting Secretary of the Army, Department of Defense, transmitting a copy of the memorandum entitled "Construction of the Dakota Access Pipeline"; jointly to the Committees on Transportation and Infrastructure, Natural Resources, and Energy and Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MCCAUL: Committee on Homeland Security. H.R. 1302. A bill to require an exercise related to terrorist and foreign fighter travel, and for other purposes (Rept. 115-40). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCCAUL: Committee on Homeland Security. H.R. 1297. A bill to amend the Homeland Security Act of 2002 to make technical corrections to the requirement that the Secretary of Homeland Security submit quadrennial homeland security reviews, and for other purposes (Rept. 115-41). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCCAUL: Committee on Homeland Security. H.R. 1238. A bill to amend the Homeland Security Act of 2002 to make the Assistant Secretary of Homeland Security for Health Affairs responsible for coordinating the efforts of the Department of Homeland Security related to food, agriculture, and veterinary defense against terrorism, and for other purposes (Rept. 115-42, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committees on Energy and Commerce and Agriculture discharged from further consideration. H.R. 1238 referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. JOHNSON of Georgia (for himself, Mr. SCOTT of Virginia, Ms. SPEIER, Ms. NORTON, Mr. RUSH, Mr. SERRANO, Mr. HASTINGS, Mr. EVANS, Ms. MOORE, Ms. SLAUGHTER, Mr. GRIJALVA, Mr. RASKIN, Mr. BLUMENAUER, Mr. COHEN, Mr. NADLER, Ms. JAYAPAL, Mr. TAKANO, Ms. VELÁZQUEZ, Mr. AMASH, Mr. MCCLINTOCK, and Ms. CLARK of Massachusetts):

H.R. 1556. A bill to amend title 10, United States Code, to direct the Secretary of Defense to make certain limitations on the transfer of personal property to Federal and State agencies, and for other purposes; to the Committee on Armed Services.

By Mr. KNIGHT (for himself, Ms. JUDY CHU of California, Mr. SCHIFF, and Mr. SHERMAN):

H.R. 1557. A bill to withdraw certain lands in Los Angeles County, California, from

entry, appropriation, or disposal under the public land laws, and for other purposes; to the Committee on Natural Resources.

By Mr. ROYCE of California (for himself and Mr. BLUMENAUER):

H.R. 1558. A bill to amend the National Flood Insurance Act of 1968 to ensure community accountability for areas repetitively damaged by floods, and for other purposes; to the Committee on Financial Services.

By Mr. SENSENBRENNER (for himself, Mr. YOUNG of Alaska, Ms. PINGREE, and Mr. GARAMENDI):

H.R. 1559. A bill to amend the State Department Basic Authorities Act of 1956 to establish a United States Ambassador at Large for Arctic Affairs, and for other purposes; to the Committee on Foreign Affairs.

By Mr. GOSAR (for himself, Mr. BEYER, Mrs. COMSTOCK, Mr. SUOZZI, Ms. MCSALLY, and Mr. SCHNEIDER):

H.R. 1560. A bill to amend the Family and Medical Leave Act of 1993 to provide leave because of the death of a son or daughter; to the Committee on Education and the Workforce, and in addition to the Committees on Oversight and Government Reform, and House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. VELÁZQUEZ (for herself, Mr. BLUMENAUER, Mr. RASKIN, Mr. SOTO, Ms. MCCOLLUM, and Mr. COHEN):

H.R. 1561. A bill to prohibit any hiring freeze from affecting the National Institutes of Health and the Centers for Disease Control; to the Committee on Oversight and Government Reform.

By Mr. POCAN (for himself, Mr. ELLISON, and Mr. JOHNSON of Georgia):

H.R. 1562. A bill to amend the Help America Vote Act of 2002 to improve the security of the information technology used to administer voter registration procedures and elections for Federal office, to promote the accuracy and integrity of the results of such elections, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KATKO (for himself, Mr. COLLINS of New York, Mr. DONOVAN, Mr. GARAMENDI, Mr. GRIJALVA, Mr. JEFFRIES, Mr. KING of New York, Mr. LIPINSKI, Ms. MCCOLLUM, Mr. WALZ, Ms. VELÁZQUEZ, Mr. ZELDIN, Mr. CONNOLLY, Ms. NORTON, Mrs. COMSTOCK, Mr. UPTON, Mr. DENT, Mr. REED, Mr. POCAN, Ms. STEFANIK, Mr. SMITH of New Jersey, Mr. SOTO, and Mr. KILMER):

H.R. 1563. A bill to amend the Public Health Service Act to provide for the establishment of a mesothelioma patient registry, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BERGMAN:

H.R. 1564. A bill to amend section 504 of the Veterans' Benefits Improvements Act of 1996 to specify the funding source for travel related to examinations by physicians not employed by the Department of Veterans Affairs regarding medical disabilities of applicants for benefits under title 38, United States Code, to codify section 504 of the Veterans' Benefits Improvements Act of 1996, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BARR (for himself, Mr. CUELLAR, Mr. ROE of Tennessee, Mr. PALAZZO, Mr. PITTENGER, Mr. ALLEN, Mr. ROUZER, Mr. MOOLENAAR, Mr. SMITH of Texas, Mr. DUNN, Mr. AUSTIN SCOTT of Georgia, Mr. STEWART, and Mr. CARTER of Georgia):

H.R. 1565. A bill to provide for the creation of a safe harbor for defendants in medical malpractice actions who demonstrate adherence to clinical practice guidelines; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BEYER (for himself, Mrs. DINGELL, Mr. CICILLINE, Mr. JOHNSON of Georgia, Mr. TONKO, Mr. KIND, Mr. TED LIEU of California, Mr. CÁRDENAS, Mr. BUTTERFIELD, Ms. SCHAKOWSKY, Mr. KEATING, Ms. NORTON, and Mr. JEFFRIES):

H.R. 1566. A bill to provide incentives for hate crime reporting, grants for State-run hate crime hotlines, a Federal private right of action for victims of hate crimes, and additional penalties for individuals convicted under the Matthew Shephard and James Byrd, Jr. Hate Crimes Prevention Act; to the Committee on the Judiciary.

By Mr. CUELLAR:

H.R. 1567. A bill to promote economic partnership and cooperation between the United States and Mexico; to the Committee on Foreign Affairs.

By Mr. DUNCAN of Tennessee (for himself, Mr. RODNEY DAVIS of Illinois, Mr. ROUZER, and Mr. PAULSEN):

H.R. 1568. A bill to enhance interstate commerce by creating a national hiring standard for motor carriers, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. FOSTER:

H.R. 1569. A bill to prioritize funding for an expanded and sustained national investment in basic science research; to the Committee on the Budget, and in addition to the Committees on Science, Space, and Technology, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HASTINGS (for himself, Mr. RICHMOND, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BUTTERFIELD, Ms. NORTON, Mr. COHEN, Ms. LEE, Ms. JACKSON LEE, Mr. MCGOVERN, Ms. PLASKETT, Ms. BASS, Mr. BROWN of Maryland, Mr. LEWIS of Georgia, Mr. SERRANO, and Mr. RUSH):

H.R. 1570. A bill to provide for the establishment of a global affairs strategy and assistance for people of African descent, and for other purposes; to the Committee on Foreign Affairs.

By Ms. HERRERA BEUTLER (for herself and Mr. HIGGINS of New York):

H.R. 1571. A bill to provide first responders with planning, training, and equipment capabilities for crude oil-by-rail and ethanol-by-rail derailment and incident response, and for other purposes; to the Committee on Science, Space, and Technology.

By Mr. HUDSON (for himself and Mr. MULLIN):

H.R. 1572. A bill to amend the Public Utility Regulatory Policies Act of 1978 to provide for the consideration by State regulatory authorities and nonregulated electric utilities of whether subsidies should be provided for

the deployment, construction, maintenance, or operation of a customer-side technology; to the Committee on Energy and Commerce.

By Mr. HUIZENGA:

H.R. 1573. A bill to oppose International Monetary Fund participation in foreign-led agreements, reduce moral hazard, and for other purposes; to the Committee on Financial Services.

By Mr. BEN RAY LUJÁN of New Mexico:

H.R. 1574. A bill to amend the Communications Act of 1934 to clarify that the Federal Communications Commission may not take action against a broadcast licensee or any other person on the basis of viewpoint, to clarify that the President may not direct an agency to take such an action, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MACARTHUR:

H.R. 1575. A bill to amend the Internal Revenue Code of 1986 to expand the family members with respect to whom treatment for alcohol and drug addiction is treated as a qualified medical expense for purposes of health reimbursement arrangements, health flexible spending arrangements, and health savings accounts; to the Committee on Ways and Means.

By Ms. MATSUI:

H.R. 1576. A bill to direct the Secretary of Commerce to establish a job-training grant program for workers displaced by automation and to establish an Innovation Corps to enable recent college graduates to volunteer in job-training programs for workers displaced by automation, and for other purposes; to the Committee on Education and the Workforce.

By Ms. MCSALLY (for herself, Mr. GOSAR, and Mr. FRANKS of Arizona):

H.R. 1577. A bill to require the Secretary of the Interior submit a report to Congress evaluating the Capital Investment Strategy and its results, and for other purposes; to the Committee on Natural Resources.

By Mr. PAYNE (for himself, Mr. DENT, Mrs. BEATTY, Ms. NORTON, Ms. MOORE, Mr. COHEN, Mr. GARAMENDI, Ms. MCCOLLUM, Mr. LEWIS of Georgia, Mr. DESAULNIER, Ms. KELLY of Illinois, Ms. PLASKETT, Ms. JACKSON LEE, Mr. LOBIONDO, and Mr. PERRY):

H.R. 1578. A bill to amend title XVIII of the Social Security Act to provide coverage under the Medicare program for FDA-approved qualifying colorectal cancer screening blood-based tests, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PETERS (for himself, Mr. PALLONE, and Mr. TONKO):

H.R. 1579. A bill to require drinking water systems to assess and address their vulnerabilities to climate change, source water degradation, and intentional acts to ensure security and resiliency; to the Committee on Energy and Commerce.

By Mr. QUIGLEY (for himself, Mr. UPTON, Ms. SLAUGHTER, Ms. KAPTUR, Mr. JOYCE of Ohio, Mr. HUIZENGA, Mr. KILDEE, Mr. LANGEVIN, Mrs. DINGELL, Mr. LEVIN, and Mr. HIGGINS of New York):

H.R. 1580. A bill to authorize the Director of the United States Geological Survey to conduct monitoring, assessment, science, and research, in support of the binational

fisheries within the Great Lakes Basin, and for other purposes; to the Committee on Natural Resources.

By Mr. RUIZ:

H.R. 1581. A bill to amend the Communications Act of 1934 to add access to telecommunications and information services in Indian country and areas with high populations of Indian people to the universal service principle relating to access to such services in rural, insular, and high cost areas; to the Committee on Energy and Commerce.

By Mr. RUSSELL (for himself, Mr. JONES, Mr. FLEISCHMANN, Mr. WALZ, Mr. COLE, Mr. KILMER, Mr. KNIGHT, Mrs. HARTZLER, Mr. FRANKS of Arizona, Mr. KELLY of Mississippi, Mr. MARSHALL, and Mr. COLLINS of New York):

H.R. 1582. A bill to require the Secretary of Treasury to mint coins in commemoration of the 100 year anniversary of the 1st Infantry Division; to the Committee on Financial Services.

By Ms. SÁNCHEZ (for herself, Mr. HIGGINS of New York, Ms. KAPTUR, Ms. MOORE, Ms. LEE, Mr. CONYERS, Mr. POCAN, Ms. NORTON, Mr. COHEN, Ms. SCHAKOWSKY, Ms. SHEA-PORTER, Mrs. NAPOLITANO, Mrs. DINGELL, Mr. SCOTT of Virginia, Mr. KHANNA, Mrs. BEATTY, and Mr. CÁRDENAS):

H.R. 1583. A bill to amend title II of the Social Security Act to improve social security benefits for widows and widowers in two-income households; to the Committee on Ways and Means.

By Mr. SCHIFF (for himself, Mr. BEYER, Mr. CICILLINE, Ms. CLARK of Massachusetts, Mr. CONNOLLY, Ms. DELAULO, Ms. DELBENE, Mr. HECK, Mr. HUFFMAN, Mr. KILMER, Mr. LARSEN of Washington, Ms. LEE, Ms. MOORE, Mr. POLIS, Mr. SMITH of Washington, and Ms. SPEIER):

H.R. 1584. A bill to amend the Marine Mammal Protection Act of 1972 to prohibit the taking, importation, and exportation of Orcas and Orca products for public display, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCHWEIKERT (for himself, Ms. SINEMA, Mr. ROYCE of California, Mr. HILL, Mrs. CAROLYN B. MALONEY of New York, Mr. YOHIO, Mr. LAMALFA, Mr. HULTGREN, Mr. GOTTHEIMER, Mr. DAVIDSON, and Mr. POLIS):

H.R. 1585. A bill to amend the Securities Act of 1933 to codify certain qualifications of individuals as accredited investors for purposes of the securities laws; to the Committee on Financial Services.

By Mr. SERRANO:

H.R. 1586. A bill to amend the Federal Food, Drug, and Cosmetic Act to ensure that liquid over-the-counter medications are packaged with appropriate dosage delivery devices and, in the case of such medications labeled for pediatric use, appropriate flow restrictors, and for other purposes; to the Committee on Energy and Commerce.

By Ms. SLAUGHTER (for herself, Ms. DELAULO, Mr. CICILLINE, Mr. CONNOLLY, Mr. DEFazio, Mr. DEUTCH, Mr. LANGEVIN, Mr. TED LIEU of California, Mr. LOWENTHAL, Ms. MCCOLLUM, Mr. MOULTON, Mrs. NAPOLITANO, Ms. NORTON, Ms. SPEIER, Ms. TSON-

GAS, Mr. YARMUTH, Mr. JEFFRIES, and Ms. SHEA-PORTER):

H.R. 1587. A bill to amend the Federal Food, Drug, and Cosmetic Act to preserve the effectiveness of medically important antimicrobials used in the treatment of human and animal diseases; to the Committee on Energy and Commerce.

By Ms. SPEIER (for herself, Mr. BISHOP of Georgia, Mr. BRADY of Pennsylvania, Mrs. DAVIS of California, Ms. GABBARD, Mr. HIMES, Ms. KUSTER of New Hampshire, Ms. NORTON, Ms. ROSEN, Ms. SHEA-PORTER, Mr. WALZ, Mr. COSTELLO of Pennsylvania, Mr. O'HALLERAN, and Ms. FRANKEL of Florida):

H.R. 1588. A bill to amend the Uniform Code of Military Justice to prohibit the non-consensual distribution of private sexual images; to the Committee on Armed Services.

By Mr. THOMPSON of California (for himself and Ms. ESHOO):

H.R. 1589. A bill to amend the Internal Revenue Code of 1986 to adjust the phaseout of the health insurance tax credit for geographic variations in the cost-of-living; to the Committee on Ways and Means.

By Mrs. TORRES (for herself, Ms. NORTON, Mr. SOTO, Mr. SWALWELL of California, and Mr. CARSON of Indiana):

H.R. 1590. A bill to require the Small Business Administration to make information relating to lenders making covered loans publicly available, and for other purposes; to the Committee on Small Business.

By Mr. WELCH:

H.R. 1591. A bill to direct the Federal Communications Commission to adopt rules and conduct outreach to offer recipients of assistance under the Lifeline Assistance Program mobile devices that are capable of receiving a WiFi signal and are capable of tethering with other WiFi compatible hardware or devices, and for other purposes; to the Committee on Energy and Commerce.

By Mr. YOHIO:

H.R. 1592. A bill to remove penalties for health insurers under the Patient Protection and Affordable Care Act and Health Care and Education Reconciliation Act of 2010; to the Committee on Energy and Commerce.

By Ms. SHEA-PORTER (for herself, Mr. BEYER, Mr. GARAMENDI, Mr. HASTINGS, Mr. RASKIN, Mr. WELCH, and Mr. SOTO):

H.J. Res. 90. A joint resolution proposing an amendment to the Constitution of the United States to clarify the authority of Congress and the States to regulate the expenditure of funds for political activity by corporations; to the Committee on the Judiciary.

By Mr. TAYLOR (for himself and Mr. RUPPERSBERGER):

H. Res. 200. A resolution expressing the sense of the House of Representatives that the United States should develop and adopt a comprehensive cybersecurity policy; to the Committee on Foreign Affairs.

By Ms. ROS-LEHTINEN (for herself, Mr. DEUTCH, Mr. ROYCE of California, Mr. ENGEL, Mr. DUNCAN of South Carolina, and Mr. SIREs):

H. Res. 201. A resolution expressing support to the Government of Argentina for its investigation into the terrorist bombing of the Embassy of Israel in Buenos Aires on March 17, 1992; to the Committee on Foreign Affairs.

By Mr. DELANEY (for himself, Mr. COFFMAN, Mrs. DAVIS of California, Mrs. WAGNER, Mr. COLE, Mr. MOULTON, Mrs. HARTZLER, Mr. RUPPERSBERGER, Mr. YOHIO, Mr. CARTWRIGHT, Mr. LAMALFA, Mr. CARSON of

Indiana, Mr. LANCE, Ms. KAPTUR, Mr. MOOLENAAR, Mrs. TORRES, Mr. HARRIS, and Mr. PETERS):

H. Res. 202. A resolution reaffirming the commitment of the United States to the North Atlantic Treaty Organization (NATO); to the Committee on Foreign Affairs.

By Mr. QUIGLEY (for himself, Ms. KAPTUR, Mr. NADLER, Mrs. NAPOLITANO, Ms. SPEIER, Ms. MOORE, and Mr. SWALWELL of California):

H. Res. 203. A resolution of inquiry requesting the President, and directing the Attorney General, to transmit, respectively, certain documents to the House of Representatives relating to certain communications by the President of the United States; to the Committee on the Judiciary.

By Mr. BLUMENAUER (for himself, Mrs. MCMORRIS RODGERS, Ms. NORTON, Mr. TED LIEU of California, Mr. SESSIONS, and Mr. SMITH of Washington):

H. Res. 204. A resolution declaring support for Brain Awareness Week; to the Committee on Energy and Commerce.

By Mrs. DAVIS of California:

H. Res. 205. A resolution expressing the sense of the House of Representatives with respect to ensuring that women's health care under current law is preserved; to the Committee on Energy and Commerce.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

6. The SPEAKER presented a memorial of the General Assembly of the State of Colorado, relative to House Resolution 17-1005, stating the Colorado continues to be a state where all individuals' health remains a top priority, and Coloradans resist attempts to undermine the right to access reproductive health care; to the Committee on Energy and Commerce.

7. Also, a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No.: 21, to encourage the President and Congress of the United States, the Michigan Department of Natural Resources, the United States Army Corps of Engineers, the United States Fish and Wildlife Service, and other Agencies to continue efforts to prevent the introduction of new aquatic species into the Great Lakes from the Chicago area waterway system and to consider new research and technologies; jointly to the Committees on Natural Resources and Transportation and Infrastructure.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. JOHNSON of Georgia:

H.R. 1556.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 (Clauses 1, 14, and 18), which grants Congress the power to provide for the common Defense and general Welfare of the United States; to make rules for the Government and Regulation of the land and

naval Forces; and to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers.

By Mr. KNIGHT:

H.R. 1557.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3

By Mr. ROYCE of California:

H.R. 1558.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 8, Clause 3 of the U.S. Constitution to regulate commerce.

By Mr. SENSENBRENNER:

H.R. 1559.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. GOSAR:

H.R. 1560.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution

By Ms. VELAZQUEZ:

H.R. 1561.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to . . . provide for the . . . general Welfare of the United States; . . .

Article I, Section 8, Clause 3

The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. POCAN:

H.R. 1562.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the Constitution of the United States, which states:

The Congress shall have the power to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof."

By Mr. KATKO:

H.R. 1563.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. BERGMAN:

H.R. 1564.

Congress has the power to enact this legislation pursuant to the following:

Article 1, section 8 of the U.S. Constitution

By Mr. BARR:

H.R. 1565.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3.

Article III, Section 1.

Article III, Section 2, Clause 1.

By Mr. BEYER:

H.R. 1566.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the US Constitution

By Mr. CUELLAR:

H.R. 1567.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18: The Congress shall have power . . . to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitu-

tion in the government of the United States, or in any department or officer thereof.

By Mr. DUNCAN of Tennessee:

H.R. 1568.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the United States Constitution.

By Mr. FOSTER:

H.R. 1569.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1 and 18 of the United States Constitution.

By Mr. HASTINGS:

H.R. 1570.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Ms. HERRERA BEUTLER:

H.R. 1571.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. HUDSON:

H.R. 1572.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution

By Mr. HUIZENGA:

H.R. 1573.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, that no money shall be drawn from the Treasury but in consequence of Appropriations made by Law, and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be made from time to time.

By Mr. BEN RAY LUJÁN of New Mexico:

H.R. 1574.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. MACARTHUR:

H.R. 1575.

Congress has the power to enact this legislation pursuant to the following:

Section 1, Article 8 of the United States Constitutions, which provides that:

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general welfare of the United States.

By Ms. MATSUI:

H.R. 1576.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Ms. MCSALLY:

H.R. 1577.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and General Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

Article I, Section 8, Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

Article IV, Section 3, Clause 2: The Congress shall have Power to dispose of and

make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mr. PAYNE:

H.R. 1578.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 Clause 3—Congress has the ability to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. PETERS:

H.R. 1579.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. QUIGLEY:

H.R. 1580.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the U.S. Constitution

By Mr. RUIZ:

H.R. 1581.

Congress has the power to enact this legislation pursuant to the following:

clause 18 of section 8 of article I of the Constitution

By Mr. RUSSELL:

H.R. 1582.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 5: "To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;"

By Ms. SANCHEZ:

H.R. 1583.

Congress has the power to enact this legislation pursuant to the following:

Article One, section 8, clause 18:

Congress shall have Power—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department of Officer thereof.

By Mr. SCHIFF:

H.R. 1584.

Congress has the power to enact this legislation pursuant to the following:

The Orca Responsibility Care and Advancement Act is constitutionally authorized under Article I, Section 8, Clause 3, "the Commerce Clause" and Article I, Section 8, Clause 18, "the Necessary and Proper Clause." Additionally, the Preamble to the Constitution provides support of the authority to enact legislation to promote the General Welfare.

By Mr. SCHWEIKERT:

H.R. 1585.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. SERRANO:

H.R. 1586.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Ms. SLAUGHTER:

H.R. 1587.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8

By Ms. SPEIER:

H.R. 1588.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8 of the United States Constitution.

By Mr. THOMPSON of California:

H.R. 1589.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Sec 1

By Mrs. TORRES:

H.R. 1590.

Congress has the power to enact this legislation pursuant to the following:

Article 1: Section 8: Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. WELCH:

H.R. 1591.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18: The Congress shall have Power To . . . make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof..

By Mr. YOHO:

H.R. 1592.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1.

By Ms. SHEA-PORTER:

H.J. Res. 90.

Congress has the power to enact this legislation pursuant to the following:

Article V authorizes Congress, whenever two-thirds of both houses "deem it necessary," to propose amendments to the Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 24: Mr. SANFORD.

H.R. 36: Mr. HULTGREN and Mr. FLEISCHMANN.

H.R. 44: Mr. BARTON, Mr. RICHMOND, and Mr. CARTER of Georgia.

H.R. 103: Mr. POCAN.

H.R. 179: Ms. SEWELL of Alabama, Mr. BUSHON, Mr. POCAN, Mr. THOMPSON of Mississippi, Mr. JOHNSON of Georgia, Mr. SHUSTER, and Mr. CARTWRIGHT.

H.R. 184: Mr. BERGMAN.

H.R. 233: Mr. MCEACHIN and Mr. PERLMUTTER.

H.R. 257: Mr. GAETZ.

H.R. 275: Mr. YOHO.

H.R. 299: Mr. MARSHALL, Mr. SMITH of Missouri, Mr. SABLAN, Mr. RODNEY DAVIS of Illinois, and Mr. TAYLOR.

H.R. 350: Mrs. HARTZLER, Ms. TENNEY, and Mr. ALLEN.

H.R. 355: Mr. BISHOP of Michigan.

H.R. 367: Mr. DUNCAN of Tennessee, Mr. BISHOP of Michigan, and Mr. CUELLAR.

H.R. 389: Mr. POCAN.

H.R. 400: Mr. DUNCAN of Tennessee.

H.R. 449: Mr. MULLIN.

H.R. 490: Mr. CHABOT.

H.R. 496: Mr. FASO and Mr. PANETTA.

H.R. 520: Mr. JOHNSON of Ohio, Mr. SESSIONS, and Mr. BISHOP of Michigan.

H.R. 548: Mr. JENKINS of West Virginia, Mr. BURGESS, Mr. BISHOP of Michigan, and Mr. MURPHY of Pennsylvania.

H.R. 565: Mr. HARRIS.

H.R. 639: Mr. UPTON.

H.R. 674: Mr. DUNN.

H.R. 676: Ms. ESHOO, Mr. HIGGINS of New York, Ms. BONAMICI, and Mr. MEEKS.

H.R. 691: Mr. DESANTIS.

H.R. 695: Mrs. MURPHY of Florida and Mr. PALAZZO.

H.R. 750: Mr. KELLY of Pennsylvania.

H.R. 769: Mr. GAETZ.

H.R. 772: Mr. RUSSELL.

H.R. 788: Mr. BACON and Mr. EMMER.

H.R. 795: Mr. PALLONE, Mr. DESAULNIER, and Mr. POE of Texas.

H.R. 801: Mr. AGUILAR.

H.R. 804: Ms. BARRAGÁN, Ms. ESTY, Mr. KRISHNAMOORTHY, and Mr. MCEACHIN.

H.R. 816: Mr. HUFFMAN.

H.R. 817: Mr. RASKIN.

H.R. 820: Mr. LUETKEMEYER, Mr. GALLEGOS, Mr. CÁRDENAS, Ms. TITUS, Ms. KELLY of Illinois, Mr. SMITH of Washington, and Mr. KILDEE.

H.R. 823: Mr. MOULTON and Mr. RASKIN.

H.R. 842: Mr. BRAT.

H.R. 849: Mr. MASSIE, Ms. ROSEN, Mr. COSTELLO of Pennsylvania, and Mr. FORTENBERRY.

H.R. 850: Mr. GROTHMAN.

H.R. 873: Mr. LOUDERMILK.

H.R. 904: Mr. ENGEL.

H.R. 918: Mr. KENNEDY.

H.R. 919: Mr. SWALWELL of California.

H.R. 927: Mrs. BROOKS of Indiana, Ms. TITUS, Ms. SPEIER, and Mrs. BUSTOS.

H.R. 947: Mr. MICHAEL F. DOYLE of Pennsylvania.

H.R. 967: Ms. JENKINS of Kansas and Mrs. CAROLYN B. MALONEY of New York.

H.R. 976: Mr. CRIST.

H.R. 1005: Ms. KAPTUR, Ms. HANABUSA, Mr. SERRANO, Ms. STEFANK, and Ms. TENNEY.

H.R. 1007: Mr. FARENTHOLD.

H.R. 1017: Ms. ROS-LEHTINEN, Mr. JENKINS of West Virginia, Mr. SWALWELL of California, and Mr. SMITH of Washington.

H.R. 1046: Mr. WALBERG and Mr. BISHOP of Michigan.

H.R. 1054: Mrs. CAROLYN B. MALONEY of New York, Ms. SHEA-PORTER, Mr. HUFFMAN, Ms. BROWNLEY of California, and Mr. MAST.

H.R. 1059: Mr. KELLY of Pennsylvania, Mr. ROSKAM, Mr. LEVIN, Mr. QUIGLEY, Ms. PINGREE, Ms. LEE, Mrs. MURPHY of Florida, Mrs. TORRES, and Mr. BERA.

H.R. 1090: Mr. MURPHY of Pennsylvania, Mr. HUFFMAN, Mr. DUNCAN of South Carolina, Mr. SCHNEIDER, Ms. DELBENE, Mr. DENHAM, and Mr. BRADY of Pennsylvania.

H.R. 1094: Mr. BRENDAN F. BOYLE of Pennsylvania.

H.R. 1101: Mr. MCCAUL, Mr. BILIRAKIS, Mr. SMUCKER, Mr. BARLETTA, Mr. TROTT, and Mr. CRAMER.

H.R. 1102: Mr. DESAULNIER.

H.R. 1114: Mr. HASTINGS.

H.R. 1116: Mr. POLIQUIN, Mr. LUCAS, and Mr. SANFORD.

H.R. 1120: Mr. EVANS, Mrs. MURPHY of Florida, and Ms. NORTON.

H.R. 1136: Mr. BRAT and Mr. SMITH of Nebraska.

H.R. 1155: Mr. GALLAGHER.

H.R. 1163: Mr. BOST.

H.R. 1164: Mr. KUSTOFF of Tennessee.

H.R. 1192: Mr. JODY B. HICE of Georgia.

H.R. 1196: Mr. POE of Texas.

H.R. 1205: Mr. SCOTT of Virginia and Mr. DESAULNIER.

H.R. 1212: Mr. BILIRAKIS and Mr. COFFMAN.

H.R. 1215: Mr. FLORES.

H.R. 1219: Mr. SHERMAN.

H.R. 1223: Mr. MULLIN and Mr. NORCROSS.

H.R. 1235: Mr. LAHOOD, Ms. PLASKETT, Ms. JENKINS of Kansas, Mr. MOOLENAAR, Mr.

RYAN of Ohio, Ms. WILSON of Florida, Mr. MCKINLEY, Mr. HIMES, Mr. WELCH, Mr. SCOTT of Virginia, Mr. ROGERS of Kentucky, Mr. AMODEI, and Mr. LEWIS of Georgia.

H.R. 1242: Mr. PETERS.

H.R. 1253: Mr. SWALWELL of California.

H.R. 1295: Mr. POE of Texas.

H.R. 1304: Mr. FLORES.

H.R. 1307: Mr. SHEA-PORTER.

H.R. 1310: Mr. LEWIS of Georgia, Mr. VELA, and Mr. CLEAVER.

H.R. 1316: Mr. LANGEVIN.

H.R. 1317: Ms. STEFANIK.

H.R. 1318: Ms. MOORE and Mr. DOGETT.

H.R. 1339: Mr. BROOKS of Alabama.

H.R. 1356: Mr. HECK.

H.R. 1358: Mr. EVANS, Ms. FUDGE, and Mr. SIRES.

H.R. 1361: Mr. JONES and Mr. NUNES.

H.R. 1393: Mr. GROTHMAN.

H.R. 1407: Mr. JONES.

H.R. 1422: Mr. LOUDERMILK and Mr. PALAZZO.

H.R. 1439: Mr. TED LIEU of California.

H.R. 1440: Mr. TED LIEU of California.

H.R. 1444: Mr. GROTHMAN.

H.R. 1452: Mr. TED LIEU of California.

H.R. 1458: Mr. TED LIEU of California.

H.R. 1468: Mr. TAYLOR.

H.R. 1494: Mrs. NAPOLITANO, Mr. SMITH of Washington, Mr. YARMUTH, Mr. ROTHFUS, Mr. GUTIÉRREZ, Mr. SHERMAN, Mr. WELCH, Ms. MATSUI, Mr. WALZ, Ms. HERRERA BEUTLER, Mr. YODER, Mrs. COMSTOCK, Mr. KELLY of Pennsylvania, Mr. HUFFMAN, Mr. GARAMENDI, Ms. SCHAKOWSKY, Mr. BLUMENAUER, Ms. LEE, Ms. TITUS, Mr. QUIGLEY, Ms. KAPTUR, Mr. LIPINSKI, Ms. SINEMA, Mr. CALVERT, Mr. DAVID SCOTT of Georgia, Ms. ROYBAL-ALLARD, Mr. KILDEE, Ms. TSONGAS, Mr. ELLISON, Mr. MOULTON, Ms. DELBENE, Mr. ENGEL, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. HECK, Mr. BUTTERFIELD, Mr. JONES, Mr. SCHRADER, Mr. SCHIFF, Mr. DENHAM, and Mr. MICHAEL F. DOYLE of Pennsylvania.

H.R. 1513: Mrs. BLACK, Mr. CURBELO of Florida, Mr. KELLY of Pennsylvania, Mr.

MEEHAN, Mr. PITTENGER, Mr. LAMALFA, Ms. SINEMA, Mr. JOYCE of Ohio, Ms. SEWELL of Alabama, Mr. POSEY, Mr. COSTELLO of Pennsylvania, Mr. LATTA, Ms. JENKINS of Kansas, Ms. SÁNCHEZ, Mr. TIBERI, Mr. SMITH of Missouri, Mr. MARCHANT, Mr. CHABOT, and Mr. GROTHMAN.

H.R. 1549: Mr. VARGAS.

H.J. Res. 31: Ms. BROWNLEY of California.

H.J. Res. 51: Ms. ROSEN.

H.J. Res. 59: Mrs. HARTZLER.

H.J. Res. 85: Mr. MAST.

H. Con. Res. 10: Mr. HOLDING.

H. Con. Res. 20: Mr. KING of New York.

H. Res. 28: Mr. SARBANES, Mr. TED LIEU of California, Mr. AMODEI, Mr. CURBELO of Florida, Mr. PRICE of North Carolina, Mr. NORCROSS, and Mr. GALLEGÓ.

H. Res. 31: Ms. FUDGE, Mr. AMODEI, and Mr. VEASEY.

H. Res. 132: Mr. GARAMENDI.

H. Res. 135: Mr. COSTELLO of Pennsylvania.

H. Res. 136: Mr. LEVIN.

H. Res. 162: Mr. LEVIN.

H. Res. 172: Ms. SLAUGHTER, Mr. GRIJALVA, Mr. FORTENBERRY, Mr. ENGEL, Mr. SCHNEIDER, and Mr. KENNEDY.

H. Res. 184: Mr. SARBANES, Mr. FOSTER, Mr. MEEKS, Mr. KEATING, Ms. JAYAPAL, Mr. SWALWELL of California, Mr. QUIGLEY, Mr. CONNOLLY, Mr. THOMPSON of Mississippi, Mr. MOULTON, and Mr. DANNY K. DAVIS of Illinois.

H. Res. 186: Mrs. CAROLYN B. MALONEY of New York, Ms. JUDY CHU of California, Ms. SHEA-PORTER, Mr. GRIJALVA, Mr. MCGOVERN, Mr. SIRES, Mr. BRADY of Pennsylvania, Ms. SCHAKOWSKY, Ms. LEE, Mr. RUPPERSBERGER, Mr. KHANNA, Mr. HIMES, Mr. BEYER, Mr. ENGEL, Mr. PANETTA, Mr. HASTINGS, Mr. SHERMAN, Mr. SMITH of Washington, Ms. DEGETTE, Mr. CRIST, Ms. TSONGAS, Ms. MCCOLLUM, Mr. CICILLINE, Mr. HUFFMAN, Mr. QUIGLEY, Mr. LANGEVIN, Mr. RUSH, and Mr. LEVIN.

H. Res. 188: Mr. LAMALFA.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

22. The SPEAKER presented a petition of The Alleghany County, VA, Board of Supervisors, relative to Resolution R-17-17, urging all United States Senators and all Members of the House of Representatives to reintroduce and pass the Marketplace Fairness Act; to the Committee on the Judiciary.

23. Also, a petition of the Council of the Town of South Boston, VA, relative to a Resolution in support of the Marketplace Fairness Act; to the Committee on the Judiciary.

24. Also, a petition of the Nelson County, VA, Board of Supervisors, relative to Resolution R2017-07, urging the United States Congress to enact the Marketplace Fairness Act or other such legislation; to the Committee on the Judiciary.

25. Also, a petition of the Student Body of Eastern Michigan University, relative to a Resolution in support for and to urge Congressional Representatives to pass the Bridge Act that is before the 115th Congress; to the Committee on the Judiciary.

26. Also, a petition of the City Council of Carencro, LA, relative to Resolution 2017-006, urging Congress to pass destination rate-based legislation that would give states the option to collect from remote online retailers the same tax that local brick-and-mortar merchants currently collect; to the Committee on the Judiciary.

27. Also, a petition of Pascua Yaqui Tribe, Arizona, relative to Resolution No. C02-35-17, supporting the Indian Health Care Improvement Act and Indian-related provisions of the Affordable Care Act; jointly to the Committees on Natural Resources, Energy and Commerce, Ways and Means, and the Budget.

EXTENSIONS OF REMARKS

IN RECOGNITION OF CARL SWOPE,
2017 TIME DEALER OF THE YEAR

HON. BRETT GUTHRIE

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 16, 2017

Mr. GUTHRIE. Mr. Speaker, I rise today to honor a constituent of mine who was recently awarded one of the highest honors in his industry. Mr. Carl Swope, owner of Swope Toyota located in Elizabethtown, Kentucky, in my Congressional District, was named the 2017 TIME Dealer of the Year. The TIME Dealer of the Year award is one of the automobile industry's most prestigious and highly coveted honors.

After graduating from Indiana University, Mr. Swope began working at his father's car dealerships. In 1986, Mr. Swope purchased his first dealership, a single store with 50 employees. Today, Mr. Swope oversees six dealerships representing nine brands in Elizabethtown and Radcliff, Kentucky, and employing over 300 associates.

Mr. Swope is an active participant in the Elizabethtown community. He currently serves as a member of the Hardin County Chamber of Commerce, the Knox Regional Development Board, the Lincoln Heritage Council for the Boy Scouts of America, the Elizabethtown Tourism Commission, the Elizabethtown Airport Board, and the Hardin Memorial Health Foundation Board. He also established a local affiliate for Habitat for Humanity and remains an active part of the organization.

On behalf of all the constituents of Kentucky's 2nd Congressional District, I congratulate Mr. Carl Swope on being named the 2017 TIME Dealer of the Year. I wish him and the Swope family all the best.

BIRTHDAY PROCLAMATION FOR
ANIKA AND PRIAM ZELA

HON. DAVID SCHWEIKERT

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 16, 2017

Mr. SCHWEIKERT. Mr. Speaker, I include in the RECORD the following proclamation:

Whereas, Anika and Priam Zela, twin sister and brother, will be honored by their parents, nona, family and friends on the occasion of their 1st Birthday on March 18th, 2017; and

Whereas, Anika and Priam Zela were born in Phoenix, Arizona on March 16th, 2016, at 12:45 p.m. and 12:36 p.m., respectively, blessing their parents and their family, and have been residents of Scottsdale, Arizona since then; and

Whereas, March has been a blessed month for Anika and Priam, as their parents first met on March 3rd, 2007, the wedding of their par-

ents was held on March 20th, 2011 and they came to this life on March 16th, 2016; whereas March marks the beginning of Spring, where the grips of winter are just beginning to lose their hold as a new season of life begins too; whereas March was the beginning of a New Year and is still celebrated as such in many cultures and religions; whereas March marks the Vernal Equinox where northern and southern hemispheres are equally illuminated and day and night are of equal duration all over the earth symbolizing a twin approach; whereas March marks the International Day of Happiness exactly to the day their parents wedded and Equinox happens, as well as marks the World Mathematics Day; whereas March's birthstones are aquamarine and bloodstone that both symbolize courage; whereas March is named after Mars, the god of war, fertility and agriculture who oversaw the new growth of Spring, and encouraged the continuation of life; whereas the personality of March (and Mars) is charging, unrelinquishing and brutally assertive as, at this point in the year, there is no stopping the burgeoning birth of new life; whereas March (and Mars) is a high-speed locomotive on a single-focused monorail with only one objective: Explosive Expression; whereas March meaning embodies the reigniting of the hearts and consciousness of humankind, a time when we feel the initial kicks of Spring from the deepest womb of the Mother Earth; and, like our ancestors, we are quickened, our soul-palettes are whetted for new conquest and bold assertion and we set a course for forward-momentum; and

Whereas 2016 (MMXVI) was a leap year starting on Friday of the Gregorian calendar, the 2016th year of the Common Era; and

Whereas 2016 was a very eventful year, designated as the International Year of Global Understanding, where ESA and Roscosmos launched the joint ExoMars Trace Gas Orbiter on a mission to Mars; where Gotthard Base Tunnel, the world's longest and deepest railway tunnel, was opened; where NASA's Juno spacecraft entered orbit around Jupiter and NASA launched OSIRIS-REx, its first asteroid sample return mission; where the final video-cassette recorder was manufactured by the Japanese company Funai; where the Solar Impulse 2 became the first solar-powered aircraft to circumnavigate the Earth, and where Summer Olympics were held in Rio de Janeiro, Brazil; and

Whereas, March 16 is the 75th day of the year (76th in leap years) in the Gregorian calendar and there are 290 days remaining until the end of the year; and

Whereas, March 16 is the birthday of James Madison, Jr., the Founding Father and fourth President of the United States and who is hailed as the Father of our Constitution and the Bill of Rights, as well as is the birthday of Georg Ohm, one the most famous physicists and mathematicians; and

Whereas, their parents, family and society expect them to live long and productive lives and be a force for good, justice and progress for those around them, the country and the world; and

Now, Therefore, it is hereby deemed a pleasure to extend this Certificate of Recognition to Anika & Priam Zela on the occasion of their 1st Birthday, with sincere congratulations and best wishes for a long, happy and successful life, wishing them that, with courage, knowledge, love and a spirit of discovery, there would be no limit to the heights they can reach, keeping their eyes on the stars, and their feet on the ground.

PERSONAL EXPLANATION

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 16, 2017

Mr. HIGGINS of New York. Mr. Speaker, on March 15, 2017, I was unable to be present for the recorded votes on roll call no. 159, 160, and 161. Had I been present, I would have voted as follows:

YEA on H.R. 132, the Arbuckle Project Maintenance Complex and District Office Conveyance Act of 2017, YEA on H.R. 648, a bill to authorize the Secretary of the Interior to amend the Definite Plan Report for the Seedskaadee Project to enable the use of the active capacity of the Fontenelle Reservoir, and, NAY on the Motion to Table the Appeal of the Ruling of the Chair.

RECOGNIZING ENDOMETRIOSIS
AWARENESS MONTH

HON. BARRY LOUDERMILK

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 16, 2017

Mr. LOUDERMILK. Mr. Speaker, March is Endometriosis Awareness Month, where we recognize the impact this disease has on the quality of life for women throughout our country. The lack of awareness about endometriosis creates an environment that delays treatment and grows the cost of care.

This condition, in which the tissue that forms the lining of the uterus is found in areas outside the endometrium, causes severe pain in the body. Endometriosis occurs in about one in ten women of reproductive age, and is most often diagnosed in women in their 30s or 40s. This disease can be treated with medication, surgery, or sometimes both.

Roughly five million women in the United States suffer with endometriosis, costing an estimated \$119 billion annually. It can take more than nine years, from the onset of symptoms and visits to specialists, for women to receive a diagnosis of endometriosis; and

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

women with endometriosis are 1.35 times more likely to need surgery or stenting to open blocked arteries.

The general lack of awareness about this disease can contribute to the unnecessary suffering of patients and the rising public costs of this disorder. We must help to bring awareness of endometriosis in order to foster the health and well-being of women across America.

HONORING ROTARY DISTRICT 7150
OF CENTRAL NEW YORK

HON. JOHN KATKO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 16, 2017

Mr. KATKO. Mr. Speaker, I rise today in honor of Rotary District 7150 of Central New York as it hosts Rotary International President-Elect Ian Riseley of Australia.

This weekend, Rotary International President-Elect Riseley will address incoming club presidents at the Multi-District President-Elect Training Seminar and People of Action Dinner in my district in Syracuse, New York. I am proud to see local members of Rotary District 7150 of Central New York honored during this, the centennial of the Rotary International Foundation.

Rotary International is home to more than 35,000 clubs worldwide, including 43 clubs in District 7150 of Central New York. The Rotary's mission of "service above self" is exemplified in our local Rotary Clubs' work assisting veterans in need, recognizing the hard work and success of high school students, restoring our prized parks and waterways, and partnering with local food pantries to reduce hunger throughout the 24th District.

With over 1,200 Rotary members locally, Central New York is a better place because of the work these individuals do for our community. I applaud the members of Rotary District 7150 of Central New York for their service, fellowship, and passion.

PERSONAL EXPLANATION

HON. BILL JOHNSON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 16, 2017

Mr. JOHNSON of Ohio. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted NAY on Roll Call No. 155.

PERSONAL EXPLANATION

HON. MICHAEL T. McCAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 16, 2017

Mr. McCAUL. Mr. Speaker, on March 15, 2017, I missed the voting session. If present, I would have voted as follows:

YES—H.R. 132—Arbuckle Project Maintenance Complex and District Office Conveyance Act of 2017

YES—H.R. 648—To authorize the Secretary of the Interior to amend the Definite Plan Report for the Seedskaadee Project to enable the use of the active capacity of the Fontenelle Reservoir

YES—Motion to Table the Appeal of the Ruling of the Chair

RECOGNIZING THE 50TH ANNIVERSARY
OF THE MISSOURI WHITE-
WATER CHAMPIONSHIPS

HON. JASON SMITH

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 16, 2017

Mr. SMITH of Missouri. Mr. Speaker, I rise today to honor the Missouri Whitewater Championships celebrating their 50th year March 17 through 19, 2017. The races are held at the Millstream Gardens Conservation Area of the Saint Francis River near Fredericktown, Missouri.

The Championships continue a tradition begun in 1968, when the first Saint Francis River Whitewater Slalom Race was held. Since then, the event has expanded its scope and attracts beginners and seasoned competitors from other states and countries. Even Olympic-class paddlers have used this race as training preparation for future Olympic Games.

The event first begun by the Meramec River Canoe Club is now hosted by the Missouri Whitewater Association. It comes together as 100 volunteers set up the race course, provide safety, judge, time, and score the participants while hundreds of spectators cheer.

For providing sportsmen with the thrill of competition on the Saint Francis River for half a century and enhancing tourism for Madison and surrounding counties through its annual Whitewater Championships, I am happy to congratulate the Missouri Whitewater Association today before the United States House of Representatives.

HONORING THE LIFE OF NILS
MICHAEL DECKER

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 16, 2017

Mr. COSTA. Mr. Speaker, I rise today to honor the life and career of Mr. Nils Michael "Mike" Decker of Fresno. Mike Decker passed away on Tuesday, February 14, 2017 in Fresno, California.

Mike was a wonderful, kind man and a dedicated educator. Mike was born in Mt. Clemens, Michigan. His career in education began at St Alphonso's School in Fresno, California followed by Orange Center School in Fresno.

Mike then served 25 years as Principal and Superintendent at Laton Unified School District in Fresno County. In addition, Mike also served on my State Assembly Staff as District Director.

In addition to his friends and family, Mike was adored by his students. Mike positively in-

fluenced the lives of thousands of children with this commitment to education and he helped many young people reach for the stars.

Nils Michael Decker is survived by his wife of 52 years, Diana Decker, his son, Timothy J. Decker, his son, Scott A. Decker and his wife, Maria and his daughter, Katherine Decker. He is also survived by his grandchildren, Michael Hill, Jadyne Garrett, Nicholas Decker and his great granddaughter, Neelia Grace Hill.

Mike's sister, Margo Bellman and his brother Gordon Decker both of Michigan also survive him.

I ask my colleagues to join me today in honoring the life and career of Nils Michael Decker, a hero to his family, a wonderful role model for educators and exemplary father, grandfather, great grandfather and friend.

INTRODUCING THE AFRICAN
DESCENT AFFAIRS ACT

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 16, 2017

Mr. HASTINGS. Mr. Speaker, I rise today to note my introduction of the African Descent Affairs Act, as we continue to highlight the International Decade for People of African Descent.

We have seen a sharp increase in racism, anti-Semitism, xenophobia, homophobia and other forms of discrimination across the world over the last year. Human rights violations emanating from racial prejudice and discrimination have negatively impacted people of African descent around the world, resulting in racial bias and disparities in education, employment, health, housing, justice, and other sectors. We must act now to reverse these disturbing trends. The International Decade for People of African Descent provides an opportunity to not only draw attention to these inequities, but to also join efforts with countries around the globe to develop and implement national strategies honoring the vast contributions of people of African descent and to combat continuing issues of prejudice and discrimination such as those currently gripping our nation.

To aid these efforts, I have introduced the African Descent Affairs Act. The Act seeks to improve the situation of people of African descent around the world by establishing within our State Department a Global Office of African Descent Affairs to establish global foreign policy and assistance strategies for people of African descent; creating a "Fund" to support antidiscrimination and empowerment efforts by African descent led civil society organizations; and requiring Annual State Department Human Rights Reports to include a section on discrimination faced by people of African descent. I believe that U.S. foreign policy strategies such as these have improved the situation of vulnerable groups internationally and would greatly assist in responding to increasing levels of prejudice and discrimination faced by people of African descent around the globe.

The State Department has already launched many successful initiatives that have aided

vulnerable populations, such as the Office of Global Women's Issues, the Special Envoy to Monitor and Combat Anti-Semitism, the Special Advisor for International Disability Rights, the Special Representative to Muslim Communities, and the LGBT Global Equality Fund. Implementing a Global Office of African Descent Affairs will continue this tradition and facilitate the full and equal participation of people of African descent in society, promote knowledge of and respect for the diverse heritage, culture and contributions of people of African descent, and strengthen and implement legal frameworks that combat racial discrimination.

Mr. Speaker, I sincerely hope that my colleagues will embrace the challenge of combating prejudice and discrimination across the world. I encourage them to join me in recognizing the collective history and achievements made by people of African descent by supporting the African Descent Affairs Act.

PERSONAL EXPLANATION

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 16, 2017

Ms. SLAUGHTER. Mr. Speaker, I was unavoidably detained and missed Roll Call vote numbers 159, 160, and 161. Had I been present, I would have voted Aye on roll call numbers 159, 160 and nay on roll call vote 161.

IN RECOGNITION OF THE BARNES AT HAMILTON STATION VINEYARDS

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 16, 2017

Mrs. COMSTOCK. Mr. Speaker, I rise today to celebrate and commend my constituents, Andrew and Maryann Fialdini, and their winery, the Barnes at Hamilton Station Vineyards, on receiving the Governor's Cup in the 2017 Governor's Cup Wine Competition. This win not only speaks to the hard work, entrepreneurship and expertise of Andrew and Maryann, but also the growing and transforming Loudoun County wine industry.

Since opening 8 years ago, their hard work has certainly come to fruition. Andrew, Maryann, and the vineyard's Wine Maker, Michael Shaps, have worked diligently to produce local, yet authentic-tasting, French-style wines on their eleven acre vineyard located in Hamilton, Virginia. And this year, two of their wines, the 2014 Meritage and 2014 Cabernet Sauvignon, were named gold medalists in the Governor's Cup Wine Competition.

The judges of this year's competition reviewed 494 bottles from 102 different wineries, and only 23 bottles were named gold medalists. Impressively of those 23 bottles, Andrew and Maryann's 2014 Cabernet Sauvignon was named the best wine and awarded the Governor's Cup—a recognition that a Loudoun

winery has never before received in the 37 years of this stringent and prestigious competition.

Risk-taking small businesses have always been the life blood of the Loudoun County economy and our national economy and entrepreneurial families like the Fialdini's have been leaders in fostering strong, local economies that will continue to thrive and grow for years to come.

Mr. Speaker, I ask my colleagues to join me in applauding Andrew and Maryann Fialdini and Michael Shaps for their successful small business and their special awards at the 2017 Governor's Cup Wine Competition. I also wish them and their family the best in all of their future endeavors.

HONORING THE SERVICE OF CHARLES HUNNICUTT

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 16, 2017

Mr. COSTA. Mr. Speaker, I rise today to recognize Mr. Charles Hunnicutt for his outstanding work and to congratulate him on his retirement after 45 years of dedicated public service.

Charles began his career with the United States Air Force, honorably serving his country from June 1972 to June 1976. He was then hired to work for the Internal Revenue Service (IRS) as a Criminal Investigations and Collections Officer from 1976 to 1987.

In 1988, Charles joined the Fresno County Department of Social Services and remained there until 2005. That same year, he was offered the position as Fresno County Veterans Service Officer. In 2010, Charles was asked to also serve as the Madera County Veterans Service Officer. Charles has remained with both counties and has served Fresno County Veterans and Madera County Veterans with great passion and honor.

It is with great pleasure that I applaud Charles Hunnicutt for his many years of tireless work on behalf of veterans and our community. His ongoing dedication to public service is extremely commendable.

Mr. Speaker, it should be noted that in addition to his countless gifts to veterans and our community, Charles has been a true champion for my constituents where he serves on my 16th District Veterans Advisory Board and has assisted my staff with service academy nominations. In my office, a majority of our constituent casework involves assisting veterans. These are sensitive cases that can sometimes take a great deal of time to resolve. Charles is someone that my staff and I can always count on to work together on behalf of veterans.

I have personally worked with Charles for over 13 years in my capacity as a Member of Congress and I can proudly call him my friend. In his capacity as Veterans Service Officer, Charles is always available to discuss cases and work together on issues of concern. I ask my colleagues to join me today in recognizing the commitment, dedication and success of Charles Hunnicutt and wish him well as he embarks on new endeavors.

BRAIN AWARENESS WEEK

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 16, 2017

Mr. BLUMENAUER. Mr. Speaker, this week commemorates Brain Awareness Week, which presents an important opportunity to educate lawmakers, students, and the broader public about brain science, and its many impacts and benefits. This is critical when you consider that brain disorders and diseases affect the lives of nearly 100 million Americans—from Alzheimer's to ALS to mental illness.

Neurological and neurodegenerative disorders are among the leading causes of disability in the United States and around the world—greater than heart disease and cancer put together. As society ages, this number will increase exponentially as will the cost to the healthcare system and to the economy. Yet, the underlying causes of most neurological diseases remain unknown.

Neuroscience is the next great frontier. Research and work being done in this field needs to be front and center in both the private world and Congress.

The bipartisan Congressional Neuroscience Caucus' mission is to build awareness of the intrinsic role brain research plays in understanding ourselves and our society. As the Co-Founder and Co-Chair, I am committed to working on these important issues and hope my colleagues will join our efforts as members of the Congressional Neuroscience Caucus.

MR. JOSEPH ROBERGE

HON. LEE M. ZELDIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 16, 2017

Mr. ZELDIN. Mr. Speaker, I rise today to honor Joseph Philip Roberge. Immediately following his graduation from High School in 1942, Joseph enlisted in the U.S. Army Air Corps and became a Navigator on a B-17 bomber with the 398th Bomb Group located at Nuthampstead Air Base in England.

Joseph flew 35 missions over Europe, including being part of air support at Omaha Beach on D-Day. Throughout his time in service, he earned the Distinguished Flying Cross, European Theater of Operations Ribbon, two Bronze Stars, and Air Medal with 3 Oak Leaf Clusters.

Our country owes a debt of gratitude to Joseph for his selfless actions taken to protect his homeland. It is important we honor these types of individuals as best we can and I hope that many will follow in his footsteps and give back to our country as graciously as he did. People like him are a rare breed and they help make not only our country, but our world a much safer and better place.

PERSONAL EXPLANATION

HON. STEVE RUSSELL

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 16, 2017

Mr. RUSSELL. Mr. Speaker, due to travel delays caused by Winter Storm Stella, I was unable to attend votes.

Had I been present, I would have voted YEA on Roll Call No. 159, YEA on Roll Call No. 160, and YEA on Roll Call No. 161

TRAVELING WALL THAT HEALS IN MENA, ARKANSAS

HON. BRUCE WESTERMAN

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 16, 2017

Mr. WESTERMAN. Mr. Speaker, I rise today to recognize the opening ceremonies of the Traveling Wall That Heals in Mena, Arkansas. The Traveling Wall is a replica of the Vietnam Memorial in Washington and brings the names of the fallen to cities across our great nation. According to Mena VFW Post 4451 Commander Linda Johnson, "Bringing the Wall to communities across the country spreads its healing legacy to millions."

I want to thank Commander Johnson, members of VFW Post 4451, and the citizens of Mena for their leadership in bringing this important piece of history to the Fourth Congressional District of Arkansas. May the lives of those killed during the Vietnam War never be forgotten.

HONORING THE LIFETIME ACHIEVEMENTS OF MR. JIM PARDINI

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 16, 2017

Mr. COSTA. Mr. Speaker, I rise today to honor my dear friend, Jim Pardini of Pardini's Banquet and Catering for being awarded the Lifetime Achievement Award by the Central California Restaurant Association—Fresno Chapter. For the past thirty-six years, Pardini's Banquet and Catering has dedicated their facility to providing the utmost exquisite food service to all in the community. Jim is a pillar in the Central Valley, known not only for his success as a restaurateur, but also for his generous and giving spirit.

Jim was born to Albert and Mary Jane Pardini in Santa Cruz, California. The Pardinis would make Fresno their home in 1952. Jim graduated from San Joaquin Memorial High School in 1964 and went on to earn his Bachelor's degree in Social Science from Fresno State in 1968. Following in the hard working footsteps of his father, Jim carried on the family restaurant business started in 1948 by Al. By 1981, Jim and his wife Marie opened Pardini's Banquet and Catering and went on to acquire a Rubio's and four Tony Roma res-

taurants. Over time, Pardini's Catering has become the well-respected caterer of the Big Fresno Fair, the Fresno Convention Center and Fresno State's Bulldog Stadium.

To further his statewide impact in the restaurant industry, Jim helped to create the restaurant Political Action Committee. Then, as the president of the California Restaurant Association, he aided in developing the Grass-roots Program. Jim's accomplishments created new ways for restaurant owners to truly connect with law makers in California.

In addition to his impact on the restaurant industry, Jim has dedicated his time to philanthropy work within the community. He is a longtime supporter of the Big Brothers Big Sisters Program and the Boys and Girls Club. In addition, he was presented with the honor of the Humanitarian of the Year Award from the Muscular Dystrophy Association. With his many accomplishments thus far, Jim's success was fittingly recognized when he was inducted into the California Restaurant Association Foundation Hall of Fame. Through relentless hard work and dedication, Jim Pardini continues to leave a substantial mark in the restaurant industry and within our community.

Mr. Speaker, I ask my colleagues to join me in recognizing the lifelong achievements of Jim Pardini. I congratulate Mr. Pardini for this great achievement and ask that you join me in wishing him and his family continued success.

IN HONOR OF GARY SCHNIEDERS

HON. ROD BLUM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 16, 2017

Mr. BLUM. Mr. Speaker, I rise today to honor a remarkable teacher and citizen from Waterloo, Iowa. Mr. Gary Schnieders has taught History, Social Studies, and Economics at Waterloo Columbus Catholic High School for 39 years. Over those 39 years, Mr. Schnieders has made an enormous impact on the lives of his students and members of the community.

Mr. Schnieders's devotion goes beyond the classroom with his annual trip to the hallowed ground of Europe's battlefields. This trip is no European vacation. Students walk the trenches of the Western Front and explore battlefields with a twelve-mile hike one day and twenty-mile bike ride another day. Prior to their departure, students are given reading assignments and must complete a 20-page essay. While in Europe, the students have nightly homework assignments. This annual trip is highly anticipated and one that many Waterloo Columbus students work toward their entire high school career.

The itinerary also includes visits to several American cemeteries and memorials honoring our fallen heroes, and a wreath-laying ceremony at the Meuse-Argonne American Cemetery. On the final day, the students visit the Normandy American Cemetery and Memorial where they clean the grave markers, plant an American flag, and lay a rose on the grave of every Iowan. At the end of the day, students lay their final wreath of the trip at Normandy as Taps sounds in the background.

Upon their return to Iowa, the students give presentations to their families, fellow students, and residents of Waterloo and Cedar Falls, with a special invitation extended to the local Veteran community.

Over the past 39 years, Mr. Schnieders has shown his students what cannot be taught in a classroom—the meaning of sacrifice and love of country. Today, we honor his devotion that extends far beyond the classroom and helps to ensure the preservation of American values for generations to come.

TRIBUTE TO ROBERT ANDEWEG

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 16, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Robert Andeweg of Urbandale, Iowa, for being named the 2017 Forty under 40 Alumnus of the Year.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines Area that are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious honor based on a combined criteria of community involvement and success in their chosen career field. Robert was a member of the 2002 class and has not only continued being an active member of his community but he has expanded upon it since being honored in 2002.

Robert is known for being a leader within his community, which is why in 2005 he was elected Mayor of the City of Urbandale. He has been committed to overseeing the economic growth and development of Des Moines' largest suburb. When Robert isn't busy leading his community, he works as a lawyer at Nyemaster Goode P.C. He also works to improve his community by dedicating his time and serving on the Greater Des Moines Partnership Board, the Greater Des Moines Convention and Visitors Bureau, the Bravo Greater Des Moines Board and the Metropolitan Advisory Council.

Mr. Speaker, it is a profound honor to represent leaders like Robert in the United States Congress and it is with great pride that I recognize and applaud him for utilizing his talents to better both his community and the great state of Iowa. I ask that my colleagues in the United States House of Representatives join me in congratulating Robert on receiving this outstanding award and wishing him nothing but continued success.

PERSONAL EXPLANATION

HON. BRENDA L. LAWRENCE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 16, 2017

Mrs. LAWRENCE. Mr. Speaker, unfortunately, on March 10, 2017, I was not able to cast my vote on final passage of H.R. 720.

Had I been in attendance, I would have voted NO on H.R. 720—Lawsuit Abuse Reduction Act of 2017.

PERSONAL EXPLANATION

HON. ANTHONY G. BROWN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 16, 2017

Mr. BROWN of Maryland. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted YEA on Roll Call No. 159, YEA on Roll Call No. 160, and YEA on Roll Call No. 161.

IN RECOGNITION OF MR. BRETT FRENCH

HON. JACK BERGMAN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 16, 2017

Mr. BERGMAN. Mr. Speaker, it's an honor to recognize Mr. Brett French as this year's individual recipient of the Distinguished Service Award (DSA). The Lake Superior Community Partnership's Distinguished Service Award is extended to businesses and individuals who support economic development in Marquette County.

After earning bachelor's and master's degrees from Central Michigan University, French served as a public policy and environmental consultant before settling in Ishpeming and beginning his career with American Transmission Co. (ATC), a high-voltage electric transmission system company. As the external affairs manager for ATC, French contributes to Marquette County's development by streamlining and enhancing access to affordable electricity for hundreds of communities across Michigan's Upper Peninsula. Having been with ATC for 16 years now, French is responsible for developing, coordinating, and managing relationships between ATC and the Michigan-based customers and stakeholders who make ATC's work possible.

French participates in numerous community development organizations and remains devoted to improving American infrastructure and the quality of life in the Upper Peninsula. His commitment to economic development is exemplified through his service with Marquette County's Economic Development Corp., Dickinson Economic Development Alliance, and Operation Action U.P., where he works to identify and address regional opportunities that advance economic development in our state's most rural areas. French also understands the importance of learning the skills needed to succeed in today's economy. In conjunction with the Midwest Skills Development Center Advisory Board and NICE Community Schools, he has provided the guidance to equip the next generation of great leaders with the skills they need to succeed. French's commitment to his profession, community, and neighbors has been essential to his success, and I am confident that he will continue to inspire others in the community to take an ac-

tive role in improving the quality of life in the Upper Peninsula.

Mr. Speaker, French's accomplishments in service to the Upper Peninsula cannot be understated, and his family and community can take pride in knowing that Northern Michigan is a better place thanks to his work. On behalf of Michigan's First Congressional District, I congratulate Mr. Brett French and wish him well as he continues to make a difference in the lives of others.

TRIBUTE TO CHRIS COFFELT

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 16, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Chris Coffelt, Superintendent of Central Decatur Community School District, for being named one of Education Week's 2017 "Leaders to Learn from."

Each year, Education Week searches across the country for some of the most innovative and forward thinking educators our schools have to offer. Chris certainly fits that mold. His tireless dedication to educational excellence has given rise to a new culture of student growth and success in the Central Decatur Community School District.

Prior to Chris's arrival, the school district had a difficult time retaining high-quality teachers for extended periods of time, which contributed to lower student achievement. Since taking over, Chris has made Central Decatur a destination for some of Iowa's best teachers. His innovative programs have helped turn the school district around and for the first time in years they are seeing student tests scores grow in a number of key areas. Chris' ability to empower teachers in his district has brought about a new level of success for not only his teachers, but the students as well.

Mr. Speaker, it is a profound honor to represent leaders like Chris in the United States Congress and it is with great pride that I recognize and applaud him for utilizing his talents to better his students, teachers, community and the great state of Iowa. I ask that my colleagues in the United States House of Representatives join me in congratulating Chris on receiving this outstanding recognition and wishing him nothing but continued success.

HONORING THE LIFE OF CARMEN DELGADO VOTAW

HON. JAMIE RASKIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 16, 2017

Mr. RASKIN. Mr. Speaker, I rise today to honor and commemorate the remarkable life of Carmen Delgado Votaw, one of my constituents who passed away on February 18, 2017 at the age of 82. Ms. Votaw was a civil and human rights giant and passionate participant in the global women's rights activist community.

Ms. Votaw, who was born in Yabucoa, Puerto Rico, spent her career acting upon a vision of empowerment and inclusion for all women, especially in Latin America. She was a born community organizer, using immense tact, intellect, and grace to educate and enlighten others in order to open up cultural and political avenues for the advancement of women. Due to her years of work and advocacy in Latin America, she is credited with an increase in the number of countries that have signed the U.N. Convention on the Elimination of Discrimination Against Women; a greater number of women in political and appointed offices; improved access to technology for rural women; and a higher literacy rate among women and girls.

Ms. Votaw received on multiple occasions presidential appointments in recognition of her outstanding abilities, including being appointed as Deputy Chair to the National Advisory Committee for Women. She served as Chief of Staff to Jaime Fuster of Puerto Rico in the House of Representatives, marking the first time a Hispanic woman had held that title. She was a founding member and President of the National Conference of Puerto Rican Women and a board member of the Congressional Hispanic Caucus Institute. Ms. Votaw traveled around the globe to promote her agenda of civil and human rights. She visited 70 countries to participate in and speak at women's rights forums, including five United Nations World Conferences on Women. She is a published author, most notably having written the biographies of other distinguished Puerto Rican woman.

Among the organizations that have honored Ms. Votaw for her contributions to women's rights are the U.S. Marshals Service, the Instituto de Puerto Rico of New York, the National Institute for Women of Color, Hispanic USA Magazine, Federally Employed Women (FEW), and the National Conference of Puerto Rican Women. She has received the Hispanic Heritage Award for Education, a Civil Rights Award from NASA, MANA's Las Primeras Award, the National Cuban American Women's Association Award, and the National Council of Hispanic Women's Outstanding Achievement Award. She was inducted into the Maryland Women's Hall of Fame.

Even with her chock-full schedule of global engagement and leadership, Ms. Votaw was deeply devoted to her family and to her role as a grandmother. Please join me in extending condolences to her family and expressing gratitude for her life of dedication to helping all people find their voices. She made tangible contributions to the civil and human rights movements, the effects of which will be felt for generations to come.

COMMEMORATING THE 20TH ANNIVERSARY OF CAMP FIRE'S ABSOLUTELY INCREDIBLE KID DAY

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 16, 2017

Ms. JACKSON LEE. Mr. Speaker, I rise to commemorate the 20th year of Camp Fire's

Absolutely Incredible Kid Day, which observed the third Thursday in March and is devoted to sending uplifting messages to the youth in their lives.

Founded in 1910, by Luther Gulick, M.D., and his wife, Charlotte Gulick, Camp Fire is a leading national youth development organization that guides “young people on their journey to self-discovery.”

As founder and Co-Chair of the Congressional Children’s caucus, I understand the importance of encouraging and supporting our youth to grow and thrive in this world.

Camp Fire’s Absolutely Incredible Kid Day honors our nation’s youth by asking adults to write letters of encouragement and inspiration to the incredible kids in their lives.

This is a simple and impactful way to let the youth know how much people care and support them.

There are numerous ways for adults to participate in this call to action including using social media to tag, tweet, post, and write letters of love and support to kids.

The campaign has received the critical acclaim of child and family care experts, award winning authors, noted psychologists, and adults and kids everywhere, including Dr. Stephen R. Covey, author of *The 7 Habits of Highly Effective Families*; Tipper Gore, who is a leading child advocate; and the famous Astronaut, the late U.S. Senator John Glenn.

Celebrities such as Oprah Winfrey, Jim Carrey, and Cindy Crawford have also given their support to Absolutely Incredible Kid Day.

In Houston, Texas we know that it truly takes an entire community to raise a child.

Houston has a distinct history of uplifting the youth in our community so they can excel in any area they choose.

A few examples of Houstonians who have benefited from community support are: the entertaining Beyoncé Knowles Carter; the hilarious Jim Parsons, from the *Big Bang Theory*; the talented actor Isaiah Washington, from *Grey’s Anatomy*; and Simone Biles, who set the record for the most gold medals in women’s gymnastics at a single Olympic games.

I rise to reaffirm my support for our youth and commend the Camp Fire organization on their Absolutely Incredible Kid Day initiative which reminds adults to let children know that they are loved and supported by their families and members of their community.

HOUSE OF REPRESENTATIVES—*Friday, March 17, 2017*

The House met at 9 a.m. and was called to order by the Speaker.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Merciful God, thank You for giving us another day.

Your care and wisdom are shown to us by the way You extend Your kingdom into our world down to the present day. Your Word reveals every aspect of Your saving plan. You accomplish Your designed purpose in and through the hearts of the faithful who respond to You.

Today, convert our minds and hearts that we may become the great Nation You hope us to be.

Help the Members of the people's House to seek Your presence in the midst of their busy lives. Animate them with Your spirit, and help them to perform their appointed tasks to come to solutions that will redound to the benefit of our Nation.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Mississippi (Mr. HARPER) come forward and lead the House in the Pledge of Allegiance.

Mr. HARPER led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to five requests for 1-minute speeches on each side of the aisle.

TIMBER INNOVATION ACT

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, last week, with Representative SUZAN DELBENE, I introduced the Timber Innovation Act to help find new and innovative uses for wood as a building material.

Proudly, the Allegheny National Forest is a part of the Fifth Congressional District of Pennsylvania. Communities in my district depend on the revenue from high-value timbering and forest products that are generated by the forest as well as privately held lands throughout the Commonwealth.

This bipartisan legislation encourages the advancement of tall wood building construction along with research and development.

Mr. Speaker, since our earliest days, we have used wood as a building material. New technology will help expand and develop the use of wood in larger construction projects. Currently, most wood buildings do not exceed three to four stories in height, but we hope to change that.

There is so much potential for mass timber, and this bill truly encourages new advancements of wood construction. This bill is good for both consumers and the industry, and I encourage my colleagues to support this bipartisan bill and advance the sustainable forest management and opportunities in our rural communities.

FIGHTING FOR RIGHTS AND EQUALITY

(Mr. LOWENTHAL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LOWENTHAL. Mr. Speaker, since 2013 I have flown the pride flag outside my D.C. office in solidarity with the LGBT community. According to the House historian, I was the first to do so, a fact that I am very proud of.

Yesterday, outside my office in Washington, D.C., a man took that flag out of its holder, threw it on the ground, and stomped on it. He called the flag disgusting and immoral.

This flag is a symbol of pride for the LGBT community—an international symbol of love, understanding, equality, and hope.

The shadows of intolerance have grown longer in recent days: bomb threats called into Jewish community centers, desecrations of Jewish cemeteries, hate crimes against minorities and the transgender community, horrifically racist statements from a Member of this body.

To all our brothers and sisters who endure through these hateful acts, we stand with you, and we will continue to fight for your rights and your equality.

LISTENING TO EVERYBODY'S VOICE

(Mr. BOST asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BOST. Mr. Speaker, you can learn a lot when you listen. During times like these, when political infighting makes it difficult to hear everyone's voice, we need to try even harder.

Today I would like to encourage all of my constituents in the Illinois 12th District to visit bost.house.gov/yourstory to share your personal perspective on the Affordable Care Act. Again, that is bost.house.gov/yourstory.

If the law has helped you and your family receive care you needed, I want to hear about it. If the law has put you in a situation where you don't have insurance or have higher premiums, I want to hear about that, too.

It is important that we deal with this healthcare issue and reform it so that it works for all people. And for the people of southern Illinois, I want to hear your story.

HEALTH CARE IS COMPLICATED

(Mr. HUFFMAN asked and was given permission to address the House for 1 minute.)

Mr. HUFFMAN. Mr. Speaker, President Trump has made some implausible statements recently, but one that certainly takes the cake on the issue of health care is when he said that nobody knew that health care could be so complicated.

Well, for President Trump and those who are attacking the Affordable Care Act, I would like to talk about one little boy who challenges this claim.

This week, of course, we know from the nonpartisan CBO just how devastating the Trump-Ryan repeal would be for millions of Americans, including Rhett Krawitt, a 9-year-old boy who lives in my district.

Rhett battled and won a tough fight with leukemia. He spoke to a townhall in my district on Monday, where he said: "Thanks to the Affordable Care Act, my parents don't have to worry about losing coverage because I have a preexisting condition. My family knows exactly how much money our health care will cost. I can stay on my parents' plan and get medical insurance when I go to college and medical school."

And he added one more thing. He said: "I may only be 9 years old, but I have known for a long time that health care is complicated."

Mr. Trump, if only you had spoken to this 9-year-old before trying to gut health care for millions of Americans.

Let's not go backward on health care in this country.

REMEMBERING CAPTAIN ANDREW BECKER AND FIRST LIEUTENANT FREDERICK "DREW" DELLECKER

(Mr. DESANTIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DESANTIS. Mr. Speaker, I rise to express my condolences to the families of the three Air Force officers who were killed in a plane crash earlier this week in New Mexico. Two of these officers had strong ties to the Sixth Congressional District in Florida, and particularly Volusia County.

Captain Andrew Becker graduated from Embry-Riddle Aeronautical University in Daytona Beach in 2007. He was a great student, a real world beater. He did what many graduates of Riddle do. He served our country with honor and distinction, and we are thankful for his service to this country. We send our condolences to his wife.

First Lieutenant Drew Dellecker graduated from the Air Force Academy in 2013 after growing up in Volusia County. This special guy dedicated his life to serving our country and defending our freedoms. The Volusia County community is saddened by his loss; and his parents, Bill and Karen, are in our thoughts and prayers.

May God bless these fine young men, and may God bless their memory in the United States of America.

IRISH LESSONS

(Mrs. CAROLYN B. MALONEY of New York asked and was given permission to address the House for 1 minute.)

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, today I join with millions around the globe to celebrate St. Patrick's Day. The United States of America would not be the country we are today without the enormous contributions of millions of Irish immigrants and their descendants.

From serving in every war our country has ever faced and leading our country at every level of government, Irish Americans have done it all. Today, more than 33 million Irish Americans claim Irish ancestry.

Tragically, our country didn't always welcome the Irish. During the late 19th and 20th centuries, Irish arriving on our shores were met with contempt, disdain, and with signs that read, "Irish need not apply." But they persisted, and our country is all the better for it.

So, today, St. Patrick's Day, I thank you and say thank you to all the Irish men and women who helped shape the great country we are today.

Thank you, and happy St. Patrick's Day.

PROVIDING FOR THE EXPENSES OF CERTAIN COMMITTEES OF THE HOUSE OF REPRESENTATIVES IN THE 115TH CONGRESS

Mr. HARPER. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 173 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 173

Resolved,

SECTION 1. COMMITTEE EXPENSES FOR THE ONE HUNDRED FIFTEENTH CONGRESS.

(a) IN GENERAL.—With respect to the One Hundred Fifteenth Congress, there shall be paid out of the applicable accounts of the House of Representatives, in accordance with this primary expense resolution, not more than the amount specified in subsection (b) for the expenses (including the expenses of all staff salaries) of each committee named in such subsection.

(b) COMMITTEES AND AMOUNTS.—The committees and amounts referred to in subsection (a) are: Committee on Agriculture, \$11,437,517; Committee on Armed Services, \$16,188,340; Committee on the Budget, \$10,380,424; Committee on Education and the Workforce, \$14,454,212; Committee on Energy and Commerce, \$20,531,442; Committee on Ethics, \$6,681,326; Committee on Financial Services, \$16,580,450; Committee on Foreign Affairs, \$15,673,986; Committee on Homeland Security, \$15,007,846; Committee on House Administration, \$10,343,130; Permanent Select Committee on Intelligence, \$12,100,000; Committee on the Judiciary, \$15,350,572; Committee on Natural Resources, \$13,758,344; Committee on Oversight and Government Reform, \$18,259,682; Committee on Rules, \$6,460,562; Committee on Science, Space, and Technology, \$10,969,956; Committee on Small Business, \$6,287,037; Committee on Transportation and Infrastructure, \$17,416,000; Committee on Veterans' Affairs, \$7,958,062; and Committee on Ways and Means, \$17,940,692.

SEC. 2. FIRST SESSION LIMITATIONS.

(a) IN GENERAL.—Of the amount provided for in section 1 for each committee named in subsection (b), not more than the amount specified in such subsection shall be available for expenses incurred during the period beginning at noon on January 3, 2017, and ending immediately before noon on January 3, 2018.

(b) COMMITTEES AND AMOUNTS.—The committees and amounts referred to in subsection (a) are: Committee on Agriculture, \$5,699,668; Committee on Armed Services, \$8,094,170; Committee on the Budget, \$5,190,212; Committee on Education and the Workforce, \$7,146,429; Committee on Energy and Commerce, \$10,265,721; Committee on Ethics, \$3,340,663; Committee on Financial Services, \$8,290,225; Committee on Foreign Affairs, \$7,836,993; Committee on Homeland Security, \$7,503,923; Committee on House Administration, \$5,021,565; Permanent Select Committee on Intelligence, \$6,050,000; Committee on the Judiciary, \$7,625,286; Committee on Natural Resources, \$6,879,172; Committee on Oversight and Government Reform, \$9,129,841; Committee on Rules, \$3,230,281; Committee on Science, Space, and Technology, \$5,484,978; Committee on Small Business, \$3,037,400; Committee on Transportation and Infrastructure, \$8,655,500; Committee on Veterans' Affairs, \$3,979,031; and Committee on Ways and Means, \$8,954,346.

SEC. 3. SECOND SESSION LIMITATIONS.

(a) IN GENERAL.—Of the amount provided for in section 1 for each committee named in subsection (b), not more than the amount specified in such subsection shall be available for expenses incurred during the period beginning at noon on January 3, 2018, and ending immediately before noon on January 3, 2019.

(b) COMMITTEES AND AMOUNTS.—The committees and amounts referred to in subsection (a) are: Committee on Agriculture, \$5,737,849; Committee on Armed Services, \$8,094,170; Committee on the Budget, \$5,190,212; Committee on Education and the Workforce, \$7,307,783; Committee on Energy and Commerce, \$10,265,721; Committee on Ethics, \$3,340,663; Committee on Financial Services, \$8,290,225; Committee on Foreign Affairs, \$7,836,993; Committee on Homeland Security, \$7,503,923; Committee on House Administration, \$5,321,565; Permanent Select Committee on Intelligence, \$6,050,000; Committee on the Judiciary, \$7,725,286; Committee on Natural Resources, \$6,879,172; Committee on Oversight and Government Reform, \$9,129,841; Committee on Rules, \$3,230,281; Committee on Science, Space, and Technology, \$5,484,978; Committee on Small Business, \$3,249,637; Committee on Transportation and Infrastructure, \$8,760,500; Committee on Veterans' Affairs, \$3,979,031; and Committee on Ways and Means, \$8,986,346.

(c) REVIEW OF USE OF FUNDS IN FIRST SESSION.—

(1) REVIEW.—None of the amounts provided for in section 1 for a committee named in subsection (b) may be available for expenses of the committee after March 15, 2018, unless the chair or ranking minority member of the committee appears and presents testimony at a hearing of the Committee on House Administration held prior to such date to review the committee's use of the amounts provided for in section 1 during the first session of the One Hundred Fifteenth Congress and to determine whether the amount specified in subsection (b) with respect to the committee should be updated on the basis of the review.

(2) WAIVER.—The Committee on House Administration may waive the application of

paragraph (1) to any or all of the committees named in subsection (b).

SEC. 4. VOUCHERS.

Payments under this resolution shall be made on vouchers authorized by the committee involved, signed by the chairman of such committee, and approved in the manner directed by the Committee on House Administration.

SEC. 5. REGULATIONS.

Amounts made available under this resolution shall be expended in accordance with regulations prescribed by the Committee on House Administration.

SEC. 6. RESERVE FUND FOR UNANTICIPATED EXPENSES.

(a) ESTABLISHMENT.—There is hereby established a reserve fund for unanticipated expenses of committees for the One Hundred Fifteenth Congress.

(b) AMOUNT.—The reserve fund under this section shall have a balance of \$2,500,000, of which—

(1) \$1,250,000 shall be available for unanticipated expenses incurred during the period beginning at noon on January 3, 2017, and ending immediately before noon on January 3, 2018; and

(2) \$1,250,000 shall be available for unanticipated expenses incurred during the period beginning at noon on January 3, 2018, and ending immediately before noon on January 3, 2019.

(c) ALLOCATION TO COMMITTEES.—Amounts in the reserve fund under this section shall be paid to a committee pursuant to an allocation approved by the Committee on House Administration.

SEC. 7. ADJUSTMENT AUTHORITY.

The Committee on House Administration shall have authority to make adjustments in amounts under section 1, if necessary to comply with an order of the President issued under section 251A or 254 of the Balanced Budget and Emergency Deficit Control Act of 1985 or to conform to any change in appropriations for the purposes of such section 1.

Mr. HARPER (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading of the resolution.

The SPEAKER pro tempore (Mr. SIMPSON). Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The SPEAKER pro tempore. The gentleman from Mississippi is recognized for 1 hour.

Mr. HARPER. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Pennsylvania (Mr. BRADY), the ranking member of the Committee on House Administration, pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. HARPER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include extraneous material on House Resolution 173.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. HARPER. Mr. Speaker, I rise today in support of House Resolution 173, a resolution which authorizes House Committee budget levels for the 115th Congress.

Each Congress, the House looks to the Committee on House Administration to carry out the responsibility of determining the amount needed to fund standing House committees for this year and next.

Our committee began this process by holding a hearing to receive input from the chairmen and ranking members of the various standing committees.

I thank each of them and their staffs for providing us and our colleagues with the information needed to help our committee determine the appropriate funding levels.

I also want to extend my sincere thanks for the collaborative manner in which the chairmen and ranking members worked together to create a budget request that is really targeted to meet their legislative and important oversight responsibilities.

My colleagues and I took the priorities laid out in the hearing we held into account; and together, our committee passed, by unanimous voice vote, the bipartisan funding resolution that is before us today.

Mr. Speaker, I reserve the balance of my time.

Mr. BRADY of Pennsylvania. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I rise today in support of the resolution before us.

The credit for this bipartisan legislation goes to my colleague and friend, the gentleman from Mississippi. I want to thank Chairman HARPER for his bipartisan cooperation in developing this agreeable legislation. All committees should follow our lead.

I also want to thank our staffs, the Democratic and the Republican sides, for putting together the bill that we have on the floor today.

Mr. Speaker, I support this legislation we are considering now.

Mr. Speaker, I yield back the balance of my time.

Mr. HARPER. Mr. Speaker, I yield myself such time as I may consume.

I want to express my appreciation to the ranking member of the committee, Mr. BRADY. The cooperation that we have had, I think, is a good model to follow. I thank him for that support.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

IMPROVING AUTHORITY OF SECRETARY OF VETERANS AFFAIRS TO HIRE AND RETAIN PHYSICIANS AND OTHER EMPLOYEES

The SPEAKER pro tempore (Mr. HARPER). Pursuant to House Resolution 198 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 1367.

Will the gentleman from Idaho (Mr. SIMPSON) kindly take the chair.

□ 0915

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 1367) to improve the authority of the Secretary of Veterans Affairs to hire and retain physicians and other employees of the Department of Veterans Affairs, and for other purposes, with Mr. SIMPSON (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole House rose on Thursday, March 16, 2017, all time for general debate had expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

It shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115-6. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 1367

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

- Sec. 1. Table of contents.
- Sec. 2. Modification to annual determination of staffing shortages in Veterans Health Administration.
- Sec. 3. Executive management fellowship program.
- Sec. 4. Accountability of leaders for managing the Department of Veterans Affairs.
- Sec. 5. Modification to veterans preference.
- Sec. 6. Reemployment of former employees.
- Sec. 7. Recruiting database.
- Sec. 8. Human resources academy.
- Sec. 9. Promotional opportunities for technical experts.
- Sec. 10. Comptroller General study on succession planning.
- Sec. 11. Information on hiring effectiveness.
- Sec. 12. Employment of students and recent graduates.
- Sec. 13. Exit surveys.

SEC. 2. MODIFICATION TO ANNUAL DETERMINATION OF STAFFING SHORTAGES IN VETERANS HEALTH ADMINISTRATION.

Section 7412(a) of title 38, United States Code, is amended—

(1) by striking “the five occupations” and inserting “the five clinical occupations and the five nonclinical occupations”; and

(2) by striking “throughout the Department” and inserting “with respect to each medical center of the Department.”.

SEC. 3. EXECUTIVE MANAGEMENT FELLOWSHIP PROGRAM.

(a) FELLOWSHIP PROGRAM.—Chapter 7 of title 38, United States Code, is amended by adding at the end the following new subchapter:

“SUBCHAPTER III—EXECUTIVE MANAGEMENT FELLOWSHIP PROGRAM “§ 741. Executive Management Fellowship Program

“(a) FELLOWSHIP PROGRAM.—There is in the Department an Executive Management Fellowship Program. The purpose of the program shall be to provide—

“(1) eligible employees of the Veterans Benefits Administration and the Veterans Health Administration with training and experience in the private sector; and

“(2) eligible employees of a private-sector entity with training and experience in the Department of Veterans Affairs.

“(b) FELLOWSHIP.—(1) A fellowship provided under this section is a one-year fellowship during which—

“(A) with respect to a Department participant, the participant receives training and experience at a private-sector entity that is engaged in the administration and delivery of health care or other services similar to the benefits administered by the Secretary; and

“(B) with respect to a private-sector participant, the participant receives training and experience at the Veterans Benefits Administration or the Veterans Health Administration.

“(2) The Secretary shall enter into such agreements with private-sector entities as are necessary to carry out this section.

“(c) SELECTION OF RECIPIENTS.—(1) In August of each year, the Secretary shall select—

“(A) not fewer than 18 and not more than 30 eligible employees of the Veterans Benefits Administration and the Veterans Health Administration to receive a fellowship under this section; and

“(B) not fewer than 18 and not more than 30 eligible employees of private-sector entities to receive a fellowship under this section.

“(2) To the extent practicable, the Secretary shall select eligible employees under subparagraphs (A) and (B) of paragraph (1) from among eligible employees who are veterans in a manner that is reflective of the demographics of the veteran population of the United States.

“(d) ELIGIBLE EMPLOYEES.—For the purposes of this section, an eligible employee is—

“(1) with respect to an employee of the Veterans Benefits Administration or the Veterans Health Administration, an employee who—

“(A) is compensated at a rate of basic pay not less than the minimum rate of basic pay payable for grade GS-14 of the General Schedule and not more than either the minimum rate of basic pay payable to a member of the Senior Executive Service under section 5382 of title 5, United States Code, or the minimum rate of basic pay payable pursuant to chapter 74 of this title, as the case may be;

“(B) enters into an agreement with the Secretary under subsection (e); and

“(C) submits to the Secretary an application containing such information and assurances as the Secretary may require; and

“(2) with respect to an employee of a private-sector entity, an employee who—

“(A) is employed in a position whose duties and responsibilities are commensurate with an employee of the Department described in paragraph (1);

“(B) enters into an agreement with the Secretary under subsection (e); and

“(C) submits to the Secretary an application containing such information and assurances as the Secretary may require.

“(e) AGREEMENTS.—(1) An agreement between the Secretary and a Department participant shall be in writing, shall be signed by the participant, and shall include the following provisions:

“(A) The Secretary’s agreement to provide the participant with a fellowship under this section;

“(B) The participant’s agreement—

“(i) to accept the fellowship;

“(ii) after completion of the fellowship, to serve as a full-time employee in the Veterans Benefits Administration or the Veterans Health Administration for at least two years as specified in the agreement; and

“(iii) that, during the two-year period beginning on the last day of the fellowship, the participant will not accept employment in the same industry as the industry of the private-sector entity at which the participant accepts the fellowship.

“(C) A provision that any financial obligation of the United States arising out of an agreement entered into under this subchapter, and any obligation of the participant which is conditioned on such agreement, is contingent upon funds being appropriated.

“(D) A statement of the damages to which the United States is entitled under this subchapter for the participant’s breach of the agreement.

“(E) Such other terms as the Secretary determines are required to be included in the agreement.

“(2) An agreement between the Secretary and a private-sector participant shall be in writing, shall be signed by the participant, and shall include the following provisions:

“(A) The Secretary’s agreement to provide the participant with a fellowship under this section.

“(B) The participant’s agreement to accept the fellowship.

“(C) Such other terms as the Secretary determines are required to be included in the agreement.

“(f) TREATMENT OF RECIPIENTS.—(1) A Department participant shall be considered an employee of the Department for all purposes, including for purposes of receiving a salary and benefits, and shall remain eligible for all promotion and incentive programs otherwise available to such an employee.

“(2) A private-sector participant shall be considered an employee of the private-sector entity that employs the participant for all purposes, including for purposes of receiving a salary and benefits, and during the fellowship shall be treated as a contractor of the Department.

“(g) REPORTS.—Not later than 60 days after completing a fellowship under this section, a recipient of the fellowship shall submit to the Secretary a report on the fellowship. Each such report shall describe the duties of the recipient during the fellowship and any recommendations of the recipient for the application by the Secretary of industry processes, technologies, and best practices. Not

later than seven days after receiving each such report, the Secretary shall submit to the Committees on Veterans’ Affairs of the Senate and House of Representatives such report without change.

“(h) DEFINITIONS.—In this section:

“(1) The term ‘Department participant’ means an employee of the Veterans Benefits Administration or the Veterans Health Administration who is participating in the fellowship under this section.

“(2) The term ‘private-sector entity’ includes an entity operating under a public-private partnership.

“(3) The term ‘private-sector participant’ means an employee of a private-sector entity who is participating in the fellowship under this section.”.

(b) DEADLINE FOR IMPLEMENTATION.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall implement the Executive Management Fellowship Program required under section 741 of title 38, United States Code, as added by subsection (a).

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 7 of title 38, United States Code, is amended by adding at the end the following new items:

“SUBCHAPTER III—EXECUTIVE MANAGEMENT FELLOWSHIP PROGRAM

“741. Executive Management Fellowship Program.”.

SEC. 4. ACCOUNTABILITY OF LEADERS FOR MANAGING THE DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Chapter 7 of title 38, United States Code, is amended by inserting after section 717 the following new section:

“§ 719. Annual performance plan for political appointees

“(a) IN GENERAL.—The Secretary shall conduct an annual performance plan for each political appointee of the Department that is similar to the annual performance plan conducted for an employee of the Department who is appointed as a career appointee (as that term is defined in section 3132(a)(4) of title 5) within the Senior Executive Service at the Department.

“(b) ELEMENTS OF PLAN.—Each annual performance plan conducted under subsection (a) with respect to a political appointee of the Department shall include an assessment of whether the appointee is meeting the following goals:

“(1) Recruiting, selecting, and retaining well-qualified individuals for employment at the Department.

“(2) Engaging and motivating employees.

“(3) Training and developing employees and preparing those employees for future leadership roles within the Department.

“(4) Holding each employee of the Department that is a manager accountable for addressing issues relating to performance, in particular issues relating to the performance of employees that report to the manager.

“(c) DEFINITION OF POLITICAL APPOINTEE.—In this section, the term ‘political appointee’ means an employee of the Department who holds—

“(1) a position which has been excepted from the competitive service by reason of its confidential, policy-determining, policy-making, or policy-advocating character; or

“(2) a position in the Senior Executive Service as a noncareer appointee (as such term is defined in section 3132(a) of title 5).”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 7 of such title is amended by inserting after the item relating to section 717 the following new item:

"719. Annual performance plan for political appointees."

SEC. 5. MODIFICATION TO VETERANS PREFERENCE.

(a) **ACTIVE DUTY REQUIREMENT.**—Section 2108(1)(B) and (D) of title 5, United States Code, are amended by striking "consecutive" in each instance it appears and inserting "cumulative".

(b) **EXPANSION OF ELIGIBILITY OF RETIRED VETERANS.**—Section 2108(4) of title 5, United States Code, is amended to read as follows:

"(4) 'preference eligible' includes a retired member of the armed forces; and".

SEC. 6. REEMPLOYMENT OF FORMER EMPLOYEES.

(a) **IN GENERAL.**—The Secretary of Veterans Affairs may noncompetitively appoint a qualified former employee to any position within the competitive service or any excepted service position under chapter 74 of title 38, United States Code, at the Department of Veterans Affairs that is one grade higher than the grade of the position at the Department most recently occupied by the employee.

(b) **LIMITATION.**—The Secretary may not appoint a qualified former employee to a position that is more than one grade (or equivalent) higher than the position at the Department most recently occupied by the employee.

(c) **DEFINITION OF QUALIFIED FORMER EMPLOYEE.**—For purposes of this section, the term "qualified former employee" means any individual who—

(1) formerly occupied any position at the Department of Veterans Affairs within two years before applying for reemployment at the Department;

(2) voluntarily left such position, or was subject to a reduction in force, and had a satisfactory performance record while occupying such position; and

(3) since leaving such position has maintained licensing requirements, related to the position, if any, and gained skill, knowledge, or other factors related to the position.

SEC. 7. RECRUITING DATABASE.

(a) **ESTABLISHMENT.**—The Secretary of Veterans Affairs shall establish a single database that lists each vacant position in the Department of Veterans Affairs that the Secretary determines is critical to the mission of the Department, difficult to fill, or both.

(b) **QUALIFIED APPLICANT.**—If the Secretary determines that an applicant for a vacant position listed in the database established under subsection (a) is qualified for such position but does not select the applicant for such position, the Secretary, at the election of the applicant, shall consider the applicant for other similar vacant positions listed in the database for which the applicant is qualified.

(c) **PROLONGED VACANCIES.**—If the Secretary does not fill a vacant position listed in the database established under subsection (a) after a period determined appropriate by the Secretary, the Secretary—

(1) shall ensure that applicants described in subsection (b) are considered for such position; and

(2) shall use the database established under subsection (a) to assist in filling such position.

(d) **REPORT.**—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the use and efficacy of the database established under subsection (a).

SEC. 8. HUMAN RESOURCES ACADEMY.

(a) **IN GENERAL.**—The Secretary of Veterans Affairs shall provide to human re-

sources professionals of the Veterans Health Administration of the Department of Veterans Affairs training on how to best recruit and retain employees of the Veterans Health Administration, including with respect to any recruitment and retention matters that are unique to the Veterans Health Administration pursuant to chapter 74 of title 38, United States Code, or other provisions of law. The Secretary shall provide such training in a manner that the Secretary determines appropriate in light of budget, travel, and other constraints.

(b) **AMOUNT OF TRAINING.**—The Secretary shall ensure that each human resources professional of the Veterans Health Administration receives the training described in subsection (a)—

(1) as soon as practicable after being hired by the Secretary as a human resource professional; and

(2) annually thereafter.

(c) **CERTIFICATION.**—The Secretary shall require that each human resources professional of the Veterans Health Administration, upon the completion of the training described in subsection (a), certifies that the professional received the training and understands the information provided by the training.

(d) **ANNUAL REPORT.**—The Secretary shall submit to the Committees on Veterans' Affairs of the House of Representatives and the Senate an annual report on the training described in subsection (a), including the cost of providing such training and the number of human resources professionals who received such training during the year covered by the report.

SEC. 9. PROMOTIONAL OPPORTUNITIES FOR TECHNICAL EXPERTS.

Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall establish a promotional track system for employees of the Department of Veterans Affairs that the Secretary determines are technical experts pursuant to regulations prescribed by the Secretary for purposes of carrying out this section. Such system shall—

(1) provide any such employee the opportunity to advance within the Department without being required to transition to a management position; and

(2) for purposes of achieving career advancement—

(A) provide for the establishment of new positions within the Department; and

(B) notwithstanding any other provision of law, provide for increases in pay for any such employee.

SEC. 10. COMPTROLLER GENERAL STUDY ON SUCCESSION PLANNING.

(a) **STUDY.**—The Comptroller General of the United States shall conduct a study on each of the following:

(1) The succession planning at each medical facility of the Department of Veterans Affairs.

(2) The succession planning at the Veterans Benefits Administration and the National Cemetery Administration of the Department.

(b) **ELEMENTS.**—The study under subsection (a) shall include, for each entity studied under the study, the following:

(1) A determination of the mission-critical positions within the entity and the vacancy risk of such positions.

(2) An analysis of the future needs for mission-critical positions and gaps within the existing talent pool of the entity.

(3) A description of strategies to close skill gaps through the use of training for existing staff, targeted recruitment, and hiring.

(4) A plan to regularly evaluate progress of staff and update existing succession plans using clear and measurable metrics and benchmarks.

(5) A demonstration of the capacity of the entity to execute succession plans with successful succession management strategies.

(6) Any other matters the Comptroller General determines appropriate.

(c) **REPORT.**—Not later than one year after the date of the enactment of this Act, the Comptroller General shall submit to the Committees on Veterans' Affairs of the House of Representatives and the Senate a report containing each study conducted under subsection (a).

SEC. 11. INFORMATION ON HIRING EFFECTIVENESS.

(a) **IN GENERAL.**—The Secretary of Veterans Affairs shall measure and collect information on indicators of hiring effectiveness as follows:

(1) With respect to recruiting and hiring—

(A) the ability to reach and recruit well-qualified talent from diverse talent pools, including sources of candidates for mission-critical occupations;

(B) the use and impact of special hiring authorities and flexibilities to recruit most qualified applicants, including the use of student internships as a talent pool for permanent hires;

(C) the use and impact of special hiring authorities and flexibilities to recruit diverse candidates, including veteran, minority and disabled candidates;

(D) the use and impact of special hiring authorities and flexibilities to recruit candidates for mission-critical occupations and occupations with shortages;

(E) the age, educational level, and source of applicants;

(F) the length of time between the date on which a position is advertised and the date on which a first offer of employment is made;

(G) the length of time between the date on which a first offer of employment for a position is made and the date on which a new hire starts in that position;

(H) the number of internal and external applicants for positions; and

(I) the number of offers accepted compared to the number of offers made for permanent positions.

(2) With respect to the hiring authority—

(A) the satisfaction of the hiring authority with—

(i) the quality of new hires;

(ii) the match between the skills of newly hired individuals and the needs of the Department;

(iii) the hiring process and hiring outcomes after the first year of the employment of a new hire; and

(iv) the length of time that elapses to fill a position and for a new hire to begin working in a new position; and

(B) mission-critical deficiencies filled by new hires and the connection between mission-critical deficiencies and annual agency performance.

(3) Satisfaction of employment applicants with the hiring process, including with respect to the clarity of job announcement, reasons for withdrawal of applications, user-friendliness of the application process, communication regarding status of application, and timeliness of hiring decision.

(4) With respect to a newly hired employee—

(A) the satisfaction of the employee with the hiring process as described in paragraph (3);

(B) the satisfaction with the process of joining and becoming oriented with the Department, including with respect to the timeliness of such process after the hiring decision, the orientation process, and being provided with timely and useful new employee information and assistance after the hire is made but before the new hire starts in that position and after the new hire has begun;

(C) attrition and reasons for leaving;

(D) investment in training and development for the employee during the first year of employment; and

(E) significant barriers to the effective recruitment, selection, joining and becoming oriented with the Department, and retention of employees.

(b) **DISAGGREGATION OF DATA.**—To the extent practicable and in a manner which protects personally identifiable information of applicants and employees, the Secretary shall collect and report data collected under subsection (a) disaggregated by facility or Veterans Integrated Service Network.

(c) **REPORTS.**—

(1) **IN GENERAL.**—On an annual basis, the Secretary shall submit to the Committees on Veterans' Affairs of the House of Representatives and the Senate a report of the information collected under subsection (a).

(2) **AVAILABILITY OF RECRUITING AND HIRING INFORMATION.**—On an annual basis, the Secretary shall make publicly available the information collected under subsection (a) in a consistent and machine-readable format to allow for a comparison of hiring effectiveness and experience by Veterans Integrated Service Network or comparable public or private sector organization.

SEC. 12. EMPLOYMENT OF STUDENTS AND RECENT GRADUATES.

(a) **IN GENERAL.**—The Secretary of Veterans Affairs shall prescribe regulations to allow for excepted service appointments of students and recent graduates leading to conversion to career or career conditional employment of a student or recent graduate of a qualifying educational institution, as defined by the Department.

(b) **APPLICABILITY.**—The conversion authority described in subsection (a) shall be applicable to individuals in good standing who—

(1) are employed in a qualifying internship or fellowship program at the Department;

(2) are employed in the Department in a volunteer capacity and performing substantive duties comparable to those of individuals in internship or fellowship programs and meet the required number of hours for conversion; or

(3) are employed in the Department under a contract or agreement with an external nonprofit organization and performing substantive duties comparable to those of individuals in internship or fellowship programs.

(c) **UNIFORMITY.**—For the purposes of subsections (b)(2) and (b)(3), hours of work performed by an individual employed shall be considered equal to those performed by an individual employed in a qualifying internship or fellowship program by the Department.

SEC. 13. EXIT SURVEYS.

(a) **IN GENERAL.**—The Secretary of Veterans Affairs shall develop and carry out a standardized exit survey to be voluntarily completed by career and noncareer employees and executives of the Department of Veterans Affairs who voluntarily separate from the Department. Such exit survey shall be developed in consultation with an appropriate non-Department entity with experience developing such surveys.

(b) **SURVEY CONTENT.**—The survey shall include, at a minimum—

(1) reasons for leaving the Department;

(2) efforts made by the supervisor of the employee to retain the individual;

(3) the extent of job satisfaction and engagement during the employment;

(4) the intent of employee to either remain employed within the Federal Government or to leave employment with the Federal Government; and

(5) such other matters as the Secretary determines appropriate.

(c) **ANONYMITY OF SURVEY CONTENT.**—The Secretary shall ensure that, to the extent possible, data collected under subsection (a) is anonymized and personally identifiable information is removed.

(d) **SHARING OF SURVEY DATA.**—The Secretary shall ensure that the results of the survey required by subsection (a) are shared on an annual basis with directors and managers of facilities of the Department and the Veterans Integrated Service Networks.

(e) **REPORT.**—Not later than one year after the date of the enactment of this Act, and annually thereafter, the Secretary shall submit to the Committees on Veterans' Affairs of the House of Representatives and the Senate a report containing the aggregate results of the exit survey under subsection (a) covering the year prior to the report. The report shall include—

(1) an analysis of the most common reasons employees choose to leave the Department;

(2) steps the Secretary is taking to improve retention, particularly for mission-critical occupations;

(3) the demographic characteristics of employees choosing to leave the Department;

(4) any legislative barriers to improving employee retention; and

(5) the number of employees who took the exit survey under subsection (a).

The Acting CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part B of House Report 115-39. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. WENSTRUP

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in part B of House Report 115-39.

Mr. WENSTRUP. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 8, line 8, strike "90 days" and insert "one year".

Page 12, line 12, strike "shall" and insert "may".

Page 12, line 19, strike "shall" and insert "may".

Page 12, line 21, strike "shall" and insert "may".

Page 13, strike lines 11 through 13 and insert "such training virtually..".

Page 16, line 9, strike "one year" and insert "two years".

Page 16, beginning line 14, strike section 11.

The Acting CHAIR. Pursuant to House Resolution 198, the gentleman from Ohio (Mr. WENSTRUP) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. WENSTRUP. Mr. Chair, my manager's amendment makes a number of minor technical changes to the reported version of the bill and would significantly reduce discretionary costs while maintaining the overall intent of the bill.

The biggest change that would be made in the manager's amendment is the removal of section 11 of the bill, which would require the Department of Veterans Affairs to track a number of hiring effectiveness metrics.

That section alone scored at \$6 million because the Congressional Budget Office expected that the VA would have to hire an additional employee in each Veterans Integrated Service Network in order to gather that information. I disagree with that assertion and I intend to continue working on that provision to, hopefully, include it in future legislation in some form.

In addition, the manager's amendment would authorize but not require the VA to track and match qualified job applicants for vacant positions using the recruiting database that the bill would establish. The CBO estimated that the VA would have to hire up to 40 additional employees with an average compensation of \$100,000 per year to accomplish that task, meaning that provision in total would cost \$19 million. Again, I disagree with the assertion that such a task could not be accomplished using existing staff.

The Subcommittee on Health, which I am proud to chair, is holding an oversight hearing next week where I intend to ask the VA how the Department would utilize the recruiting database and whether it would entail additional employees. Should it appear that the VA would not use the recruiting database to identify qualified candidates for open positions in a timely manner and to promptly fill prolonged vacancies, I will certainly reconsider mandating that in future legislation.

The manager's amendment would also stipulate that the additional human resources training that the bill would require be done virtually. Finally, it would extend the timeline to implement the executive management fellowship program from 90 days to 1 year, which would provide the VA additional time to set up this important new leadership development program and would extend the GAO reporting deadline from 1 to 2 years, which would provide the GAO additional time to complete their investigation into the VA succession planning.

Mr. Chair, I urge the adoption of the amendment, and I reserve the balance of my time.

Mr. WALZ. Mr. Chairman, I claim the time in opposition, although I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman from Minnesota is recognized for 5 minutes.

There was no objection.

Mr. WALZ. Mr. Chairman, as mentioned last night during general debate on the underlying bill, the VA has experienced a shortage of medical providers. This shortage impacts not only a veteran's access to care, but also the quality of care a veteran may receive.

Dr. Wenstrup's amendment is smart. It would allow the VA more authority, information, and resources, all of which they need to compete with non-VA facilities. The honorable Member from Ohio has worked hard to ensure that what we are proposing with this legislation is reasonable from all sides. I am grateful for that. I do not object to the various changes he is proposing with this amendment to the timeline, to the GAO reporting deadline, and to the establishment of a recruiting database from a "shall" to a "may" authority. This is exactly what we should be doing, putting forward good pieces of legislation, making sure that the VA gets the best possible people, keeps them there, and care for our veterans. I fully support the gentleman's amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. WENSTRUP. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Ohio (Mr. WENSTRUP).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MS. MENG

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in part B of House Report 115-39.

Ms. MENG. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 2, line 2, strike "the five clinical" and insert "at a minimum, the five clinical".

The Acting CHAIR. Pursuant to House Resolution 198, the gentlewoman from New York (Ms. MENG) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New York.

Ms. MENG. Mr. Chair, I thank Representative WENSTRUP for his thoughtful amendment, and I thank Chairman ROE and Ranking Member WALZ for bringing it to the floor today.

Clearly, there are staffing shortages within the Department of Veterans Affairs, and, clearly, something must be done. Personally, I think this legislation is a good first step toward improv-

ing the VA's ability to identify staffing shortages, recruit and retain high-quality employees, and onboard new hires.

The amendment I am offering today speaks to the identification of staffing shortages portion of this bill. Under current law, 38 U.S.C. 7412 to be exact, the inspector general of the VA is required to submit a report to the VA Secretary annually highlighting the five personnel occupations with the largest staffing shortages throughout the Department. After receiving this report, the Secretary is then permitted to recruit and directly appoint qualified individuals to fill those vacancies.

Section 2 of the bill before us does something important to current law. It will require the IG to report on not just the five occupations with the largest staffing shortages, it will require the IG to report on the five clinical and five nonclinical occupations with the largest shortages in the VA. Additionally, it will require this reporting to be done for each medical center. Mr. Chair, I think this is a wonderful change, one that is sorely needed.

What my amendment would do is add to this expanded reporting requirement a simple clarification: the IG must report on, at minimum, the five clinical and nonclinical occupations with the largest staffing shortages at each facility. It would allow the IG to report on more than the five occupations with the largest shortages, should his findings require it.

This amendment is not an additional reporting requirement. It simply makes clear that should the IG find additional staffing shortages, he may highlight those so that the Secretary may fill them more quickly. It is a simple attempt to avoid the necessity of passing similar legislation 2, 3, or even 4 years from now.

Our veterans need the care that they have earned and that they deserve. They need it now. The first step in that endeavor is making sure that the VA staffing levels are adequate.

Again, Mr. Chair, I am pleased to see this amendment on the floor today and to do my small part in ensuring that veterans get the care they need. I urge my colleagues to support this amendment, which would allow the VA inspector general to highlight additional staffing shortages within the Department.

Mr. Chair, I reserve the balance of my time.

Mr. WENSTRUP. Mr. Chairman, I ask unanimous consent to claim the time in opposition, although I am not opposed to the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Acting CHAIR. The gentleman from Ohio is recognized for 5 minutes.

Mr. WENSTRUP. Mr. Chair, I yield myself such time as I may consume.

Mr. Chairman, I rise in support of Representative MENG's amendment, which would stipulate that the annual determination of Veterans Health Administration staffing shortages must include at least five clinical occupations and five nonclinical occupations within each VA medical center.

This amendment rightfully recognizes that some VA medical centers may have staffing challenges that extend beyond just 10 occupations and provides sufficient flexibility for this reporting requirement—which triggers the VA's direct hiring authority—to accommodate that by reporting more than five clinical and five nonclinical occupations, as needed.

I urge all of my colleagues to join me in supporting this amendment. I thank Representative MENG for submitting it.

Mr. Chairman, I reserve the balance of my time.

Ms. MENG. Mr. Chairman, I urge support for this amendment, and I yield back the balance of my time.

Mr. WENSTRUP. Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from New York (Ms. MENG).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MS. SEWELL OF ALABAMA

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part B of House Report 115-39.

Ms. SEWELL of Alabama. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, line 2, before the period insert the following: "and that whenever practicable provides a preference to such employees who represent or service rural areas".

The Acting CHAIR. Pursuant to House Resolution 198, the gentlewoman from Alabama (Ms. SEWELL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Alabama.

Ms. SEWELL of Alabama. Mr. Chair, today I rise in support of bipartisan work to enhance recruitment and retention strategies at VA medical centers. While we focus on strengthening the VA workforce, we must also focus on making sure the geographic diversity of our VA workforce is reflective of the veteran patient population and that rural populations are adequately represented.

I thank Chairman ROE and Ranking Member WALZ for working with me on this critically important amendment and for their dedication to our Nation's veterans.

My amendment is simple. It allows the Secretary to select eligible employees for the fellowship program who represent or service rural communities in order to alleviate the systemic burdens

of rural healthcare workforce shortages for our Nation's veterans. In order to best serve our Nation's heroes from rural America, we must invest in training VA workers who understand the unique needs of rural America.

This amendment would help ensure that veterans who are serviced by rural VAs have access to the most cutting-edge healthcare industry procedures and practices. My amendment also helps address an issue that is indicative of a larger systemic issue in rural America where healthcare workforce recruitment is a barrier to improved population health. Workforce shortages, especially in health care, permeate every aspect of rural life, aggregating already long driving distances and minimal access to care.

There is significant evidence that increased recruitment and retention of professionals to underserved areas can exist if we recruit people from rural areas to come into our healthcare profession. To help address concerns of veterans' access to care, Congress established the Office of Rural Health within the VA in 2007. This office has done outstanding work over the years to recruit, train, and retain rural healthcare professionals. Everything we do in Congress in relation to the VA workforce must complement that work.

Approximately 25 percent of our Nation's veterans live in rural communities and comprise nearly 11 percent of the adult rural population. Rural veterans account for 36 percent of all VA enrollees. 43 percent of rural veterans earn an annual income of less than \$26,000, and more than 40 percent do not have access to broadband internet. This limits the accessibility of our rural veterans to online healthcare services.

According to the Census, the rates of uninsurance, disability, poverty, and unemployment among veterans all increase as the levels of rurality increase. Four in ten have at least one service-connected disability. The Seventh Congressional District of Alabama is home to more than 36,000 veterans and over 5,000 VA employees at eight facilities. I visited with the VA staff at several of these facilities, and I am always impressed with the work that they do every day on behalf of our Nation's veterans. With all of the negativity surrounding our VA employees over the past several years, I want to take this opportunity to commend those public servants who rise every morning to help our veterans lead productive and healthy lives.

I hope my colleagues, both urban and rural, will work with me to ensure that rural veterans thrive in their communities and rural Americans are included in this outstanding VA workforce recruitment bill. I urge my colleagues to support this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. WENSTRUP. Mr. Chair, I ask unanimous consent to claim the time in opposition, although I am not opposed to the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Acting CHAIR. The gentleman from Ohio is recognized for 5 minutes.

Mr. WENSTRUP. Mr. Chair, I rise in support of Representative SEWELL's amendment, which would authorize the Secretary in selecting employees to participate in the executive management fellowship program established by section 3 of the bill, to provide a preference for employees in rural areas.

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According to VA's Office of Rural Health, there are currently 3 million veterans living in rural communities across the country who rely on the VA healthcare system for their care.

It is critical that VA medical facilities in rural areas are given access to leadership development opportunities like the executive management fellowship program so that rural veterans benefit from them.

I urge all of my colleagues to join me in supporting this amendment, and I thank Representative SEWELL for submitting it.

Mr. Chairman, I reserve the balance of my time.

Ms. SEWELL of Alabama. Mr. Chairman, I want to thank the gentleman for supporting this amendment, and I urge all of my colleagues to support it as well.

Mr. Chairman, I yield back the balance of my time.

Mr. WENSTRUP. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Alabama (Ms. SEWELL).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MS. HANABUSA

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in part B of House Report 115-39.

Ms. HANABUSA. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 6.

The Acting CHAIR. Pursuant to House Resolution 198, the gentlewoman from Hawaii (Ms. HANABUSA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Hawaii.

Ms. HANABUSA. Mr. Chairman, I rise to speak on my amendment to strike Section 6, Reemployment of Former Employees.

Mr. Chairman, I understand the value of rehiring competent and capable

former employees who left and want to return to serve our veterans at the Department of Veterans Affairs. However, the current text would allow the Secretary to rehire a former employee without the former employee going through any competitive process. And the current text allows the Secretary to hire them at a grade higher than when they were previously in the department.

So, I asked my colleagues, what about the hardworking, competent employees who chose not to leave the Department of Veterans Affairs and who dedicated their lives to serving veterans? Is it fair to them for former employees to reenter civil service without going through the competitive selection process and be rewarded with an automatic pay grade increase?

My amendment supports the retention of a Federal hiring process that is fair and time-tested.

Mr. Chairman, I urge my colleagues to support my amendment, and I yield back the balance of my time.

Mr. WENSTRUP. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Ohio is recognized for 5 minutes.

Mr. WENSTRUP. Mr. Chairman, I rise in opposition to Representative HANABUSA's amendment, which would strike section 6 of the bill.

Section 6 would allow the VA to non-competitively reappoint a former VA employee to a position not more than one grade higher than their former position, as long as the employee left voluntarily within the prior 2 years, had a satisfactory performance record, and maintained necessary licensures and credentials.

The former employees who would be helped by this section had performed admirably, left voluntarily, and gone on to gain relevant education or experience that the VA needs. They should be encouraged to come back to the VA and put their new skills to work for our veterans, not required to go through a lengthy competitive selection process at the VA for the second time.

Striking this provision would deprive the VA of an authority that could be used to address access and other challenges by recruiting high-performing former employees back to VA employment.

I urge all of my colleagues to join me in opposing this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Hawaii (Ms. HANABUSA).

The amendment was rejected.

AMENDMENT NO. 5 OFFERED BY MR. BUCK

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in part B of House Report 115-39.

Mr. BUCK. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 11, line 2, strike "The Secretary" and insert "Notwithstanding sections 3309 through 3318 of title 5, United States Code, the Secretary".

Page 11, line 3, insert "career or career conditional" after "former".

Page 11, beginning on line 4, strike "or any excepted service position under chapter 74 of title 38, United States Code,".

Page 11, line 7, insert "or equivalent" after "grade" both places it appears.

Page 11, line 16, insert "career or career conditional" before "position".

The Acting CHAIR. Pursuant to House Resolution 198, the gentleman from Colorado (Mr. BUCK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. BUCK. Mr. Chairman, I rise today in support of my amendment to H.R. 1367.

First, I thank Chairman ROE and Representative WENSTRUP for bringing this bill before us today and for consideration of my amendment.

As Americans, as Members of Congress, our job is to serve and care for our veterans once they return home. That is what H.R. 1367 does.

My amendment strengthens this important bill, guaranteeing that the Department of Veterans Affairs can employ the best people to care for our veterans.

My amendment makes clear that former political appointees at the VA are not eligible for direct hire authority for competitively selected positions without first going through the proper civil service hiring process.

America's veterans deserve the top care from people who are devoted to serving them. The VA is run by hard-working civil servants, men and women hired in a competitive, merit-based process that assessed their skill and their passion for serving our Nation's veterans.

Political appointees, on the other hand, are meant to serve their appointing President's agenda for a temporary period of time. Part of their duty to the Nation is to know when it is time to step down from their position of power.

My amendment prevents former VA political appointees from using their political connections to jump ahead of other qualified individuals, burrowing into a high-paying career position at the VA.

Along with my friend and colleague Representative LIEU, I have already introduced a bill to address the problem of political burrowing.

H.R. 1132 would prevent political appointees from burrowing into the civil service across the government for 2 years after leaving their political position. Until that bill is enacted, this amendment will ensure that the most qualified workers are filling the crucial

jobs at the VA, providing our veterans the treatment they deserve.

We must protect the independence of our merit-based civil service, we must employ the best people in the VA, and we must guard our veterans from the failed policies and practices of administrations past.

I urge a "yes" vote on my amendment, and I reserve the balance of my time.

Mr. WALZ. Mr. Chairman, I claim the time in opposition, even though I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman from Minnesota is recognized for 5 minutes.

There was no objection.

Mr. WALZ. Mr. Chairman, we must enable the VA to recruit and retain the most capable people to serve our Nation's veterans.

We also know that one size does not fit all when considering an applicant's background and experience. If an individual has gained valuable experience over many years at an agency, we don't want to eliminate them as an option. Federal hiring officials need the most complete list of options available to select the most highly qualified employees.

I do not object to requiring former political appointees at the VA go through the proper selection process when they apply for nonpolitical, competitively selected positions.

I truly appreciate the spirit and intent of the gentleman from Colorado's amendment. I support it, and I yield back the balance of my time.

Mr. BUCK. Mr. Chairman, I yield 1 minute to the gentleman from Ohio (Mr. WENSTRUP), my friend and colleague.

Mr. WENSTRUP. Mr. Chairman, I rise in support of Representative BUCK's amendment, which would prevent former VA political appointees from receiving nonpolitical, competitively selected positions pursuant to section 6 of the bill without going through the proper competitive selection process.

This amendment would prevent political appointees from inappropriately burrowing in across VA, and I am in full support of it.

I thank Representative BUCK for submitting this amendment, and I urge all of my colleagues to join me in supporting it.

Mr. BUCK. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. BUCK).

The amendment was agreed to.

AMENDMENT NO. 6 OFFERED BY MS. SHEA-PORTER

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in part B of House Report 115-39.

Ms. SHEA-PORTER. Mr. Chairman, I rise today to offer an amendment to H.R. 1367.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 12, strike lines 2 through 6 and insert the following:

(a) ESTABLISHMENT.—The Secretary of Veterans Affairs shall establish a single database that lists—

(1) each vacant position in the Department of Veterans Affairs that the Secretary determines is critical to the mission of the Department, difficult to fill, or both; and

(2) each vacant position in the Department of Veterans Affairs for a mental health professional.

The Acting CHAIR. Pursuant to House Resolution 198, the gentlewoman from New Hampshire (Ms. SHEA-PORTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New Hampshire.

Ms. SHEA-PORTER. Mr. Chairman, under this legislation, the VA would create a database to help match qualified job applicants to critical open positions in order to more quickly fill those vacancies.

My amendment is simple. It requires the VA to include mental health positions in that database, allowing it to better serve veterans with critical needs by ensuring that the VA uses all available tools to recruit and hire qualified mental health professionals in a timely and effective manner.

The VA faces a critical shortage of mental health professionals, including psychiatrists, psychologists, mental health counselors, and peer support specialists. These providers care for our veterans with behavioral health needs that include post-traumatic stress disorder, military sexual trauma, and substance use disorder. Too many of our veterans must wait to receive the mental health care we have promised to them, and some might never receive needed care at all.

In my home State of New Hampshire, we are fighting a fentanyl, heroin, and prescription opioid crisis that is disproportionately affecting the veteran community. Rates of opioid-use disorder among veterans rose 55 percent between 2010 and 2015, and overdose rates for prescription opioids are twice as high as the national average among veterans getting care at the VA. Increasing mental health provider capacity will allow more of these veterans to enter treatment and, ultimately, recover.

Our veterans deserve to be treated by professionals who fully understand the veteran experience and veteran-specific mental health conditions. That is why it is so important for veterans to have the option to receive specialized mental health care from VA mental health professionals who have the training that will allow them to build trust.

In fact, only 13 percent of non-VA mental health providers meet the criteria to deliver veteran-centric mental

health care, according to RAND. That is why it is so important to hire and retain mental health professionals within the VA.

Right now, there are several open mental health positions at our local VA Medical Center. They seek to hire clinical staff and a mental health service line manager, but are finding it hard to locate qualified applicants. My amendment will make it easier for the VA to find such applicants and match them with the open positions that we need filled.

There is an urgent need to address this problem. Every day, 20 veterans commit suicide. MST, opioid, PTSD—these are all crises we need to address. The time to act is now. Please vote “yes” on this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. WENSTRUP. Mr. Chairman, I ask unanimous consent to claim the time in opposition, although I am not opposed.

The Acting CHAIR. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Acting CHAIR. The gentleman from Ohio is recognized for 5 minutes.

Mr. WENSTRUP. Mr. Chairman, I rise in support of Representative SHEA-PORTER's amendment, which would require the VA to ensure that the recruiting database established by section 7 of the bill includes a list of open mental health positions.

Though I am glad to report that, as of January, only 3,469 of VA's 45,360 vacant positions were specific to mental health, it is critical that the VA closely track to mental health vacancies on an ongoing basis so that they can be prioritized and filled to prevent any disruptions in care to our most vulnerable veterans.

I am fully supportive of this amendment and grateful to Representative SHEA-PORTER for submitting it.

Mr. Chairman, I yield back the balance of my time.

Ms. SHEA-PORTER. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Hampshire (Ms. SHEA-PORTER).

The amendment was agreed to.

AMENDMENT NO. 7 OFFERED BY MS. BROWNLEY OF CALIFORNIA

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in part B of House Report 115–39.

Ms. BROWNLEY of California. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 15, line 9, insert “, including each medical center, domiciliary facility, outpatient clinic, community-based outpatient clinic, and vet center” after “Affairs”.

The Acting CHAIR. Pursuant to House Resolution 198, the gentlewoman from California (Ms. BROWNLEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. BROWNLEY of California. Mr. Chairman, I rise to offer an amendment to H.R. 1367.

I thank my friend and colleague, the chairman of the Subcommittee on Health, for introducing this bill to make important reforms to the VA's hiring and retention systems.

My amendment makes a small, but important, change to clarify a provision in the bill.

As long as I have served on the Veterans' Affairs Committee, we have seen and heard that retaining high-quality candidates has been a real challenge. I can speak from experience on this.

In the greater Los Angeles region, which serves my constituents, there has been significant turnover of senior leadership at all of our local facilities, including our community clinic in Oxnard. These changes and uncertainty have, in my view, been harmful to the quality of care that our veterans receive.

That is why I am so pleased the bill directs the Comptroller General to review succession planning at VA medical facilities.

Effective succession planning, understanding what positions are mission critical, ensuring better training, and closing the skills gap will help the VA become a healthier organization, and help ensure that the VA accomplishes its mission—serving our Nation's veterans.

My amendment clarifies that a medical facility includes all VHA facilities, including medical centers, outpatient clinics, community-based outpatient clinics, and vet centers.

We must ensure each local facility has a strong workforce and a succession plan for the future. Because without strong leadership, we cannot provide the high-quality care that veterans have earned and deserve.

I urge my colleagues to support this commonsense amendment, and I reserve the balance of my time.

Mr. WENSTRUP. Mr. Chairman, I ask unanimous consent to claim the time in opposition, although I am not opposed.

The Acting CHAIR. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Acting CHAIR. The gentleman from Ohio is recognized for 5 minutes.

Mr. WENSTRUP. Mr. Chairman, I rise in support of Representative BROWNLEY's amendment, which would stipulate that the Government Accountability Office report on VA succession planning should include an assessment of succession planning at VA

medical centers, domiciliary facilities, outpatient clinics, community-based outpatient clinics, and vet centers.

I appreciate this clarifying amendment and my friend and colleague Representative BROWNLEY, the ranking member of the Subcommittee on Health, for submitting it.

Mr. Chairman, I reserve the balance of my time.

Ms. BROWNLEY of California. Mr. Chairman, I thank the Chair for accepting my amendment, and I look forward to our continued bipartisan work together to provide high-quality care for our veterans.

I yield back the balance of my time.

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Mr. WENSTRUP. Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Ms. BROWNLEY).

The amendment was agreed to.

AMENDMENT NO. 8 OFFERED BY MR. WELCH

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in part B of House Report 115–39.

Mr. WELCH. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 16, after line 6, insert the following:

(6) An analysis of succession planning and hiring as it relates to rural areas.

Page 16, line 7, strike “(6)” and insert “(7)”.

Page 17, line 21, strike “and”.

Page 17, line 24, strike the period and insert “; and”.

Page 17, after line 24, insert the following: (J) the ability to recruit and hire in rural areas.

The Acting CHAIR. Pursuant to House Resolution 198, the gentleman from Vermont (Mr. WELCH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Vermont.

Mr. WELCH. Mr. Chair, my amendment has one goal: to ensure that rural America is very much a part of the conversation on improving the Veterans Administration.

This very good, bipartisan bill that is before us will help the VA improve its ability to recruit, hire, train, promote, and retain physicians and other employees at the VA, but it could be slightly changed to help veterans in rural America. And, by the way, a significant number of veterans are in rural America, including Vermont.

My amendment would add two provisions. First, the underlying bill requires the GAO to conduct a study on succession planning at the VA. That is intended to try to better understand the problem the agency has to have a pipeline of qualified candidates to assume critical roles that are open.

My amendment would require the GAO to study and analyze succession planning and hiring in rural areas. The vast majority of our country is rural, so we have got to put an emphasis on that. The challenges in rural America are different than in the urban areas.

Second, the underlying bill also requires the VA to collect information on hiring effectiveness: the time it takes to fill a vacant position, the attrition rate, the reason staff leaves, investment in training and development, and other barriers to recruitment and training. My amendment would require that study to focus on the rural challenges that are different, significantly, than in the urban areas.

The lack of qualified candidates that the VA can recruit and, ultimately, fill open positions with is a real problem. But we have to recognize that that is even more difficult in rural America.

In Vermont, we have 50,000 veterans living in the State and only nine VA facilities to help them. These are some of the satellite facilities that are quite small. Our largest facility is White River Junction, the VA Medical Center there that we are very proud of. It provided medical care for over 26,000 of those veterans in 2016. The director there has indicated to me that it is a real struggle to find qualified candidates to fill mission-critical positions.

We had, at that facility, a wonderful neuropsychologist—desperately needed—but that person was married, had children, and due to the inability of her husband to find a job within his field of work, they have left the VA there to go to an urban area. This is one variation of the problem we face—to recruit, to hire, and to retain critical personnel—that needs to be addressed in rural areas.

My amendment will help us better understand the unique challenges rural America faces dealing with the critical staff shortages at our veterans facilities and sets the stage for us to fix the problem.

Mr. Chair, I ask Members to support my amendment, and I yield back the balance of my time.

Mr. WENSTRUP. Mr. Chairman, I ask unanimous consent to claim the time in opposition, although I am not opposed.

The Acting CHAIR. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Acting CHAIR. The gentleman from Ohio is recognized for 5 minutes.

Mr. WENSTRUP. Mr. Chair, I rise in support of Representative WELCH's amendment, which would ensure that the GAO report on VA succession planning includes an analysis of succession planning in rural areas.

Rural facilities undoubtedly face unique challenges in recruiting and retaining employees and in planning ef-

fectively to ensure leadership continuity as employees retire or depart. I am glad that, with the adoption of this amendment, GAO will be reviewing these issues specifically and will be able to offer recommendations as to how VA can improve succession planning in rural areas where approximately 40 percent of our veterans reside.

I appreciate Representative WELCH for submitting this amendment, and I ask all of my colleagues to join me in supporting it.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Vermont (Mr. WELCH).

The amendment was agreed to.

AMENDMENT NO. 9 OFFERED BY MR. GOTTHEIMER

The Acting CHAIR. It is now in order to consider amendment No. 9 printed in part B of House Report 115-39.

Mr. GOTTHEIMER. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 21, line 10, strike "or".

Page 21, line 15, strike the period and insert a semicolon.

Page 21, insert after line 15 the following:

(4) have received educational assistance under chapter 33 of title 38, United States Code; or

(5) graduated from a qualifying educational institution, as defined by the Department, and have not reached 30 years of age.

The Acting CHAIR. Pursuant to House Resolution 198, the gentleman from New Jersey (Mr. GOTTHEIMER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. GOTTHEIMER. Mr. Chairman, I want to thank the chairman and ranking member of the Veterans' Affairs Committee and Representative WENSTRUP for their work on this important bill.

This legislation empowers the Secretary of Veterans Affairs with the authority to hire the best and brightest employees.

We can all agree that you can't have a top-notch VA without employing young veterans who want to continue serving their country after they return from the front lines. Each and every day, our brave men and women in uniform put their lives on the line for us, and we owe it to them to ensure that, when they return home, they have the best care at the VA and that they also have the best career opportunities available to them.

This legislation is about veterans serving veterans. Young veterans in the Fifth District of New Jersey, where I live, tell me that they face significant challenges when they return home, even though many of them have a desire to help serve other veterans.

I was lucky enough to hire one such veteran on my team, Mike DeVilliers, who served in the U.S. Army. Mike is committed to helping other veterans and has, at a local community college, where he ran a program for student veterans. He now serves my constituents, including our veterans and across the four counties in the Fifth District.

We should be encouraging talented and qualified young veterans like Mike to put their skills to use and give back to their fellow servicemen and -women. The VA is one place those skills are sorely needed to best serve the 473,000 veterans who live in New Jersey and the many other veterans across our country.

Mr. Chairman, approximately 60 percent of VA employees are over the age of 45, and the Department has struggled to develop an adequate pipeline for younger employees and emerging leaders to fill crucial and critical roles. We have seen the negative effects of not having the right team in place to support our veterans. While programs like Pathways at the VA are a step in the right direction, we can do more to improve the process and give a leg up to all veterans who wish to bring their skills to the VA.

More than half of the post-9/11 veterans are 34 years of age or younger, and approximately 30 percent have bachelor's or advanced degrees; yet the Department of Labor reported that post-9/11 vets face a higher unemployment rate than other veterans. That is simply unacceptable.

The VA should draw from their excellent source of talent to strengthen the care all of our veterans receive by considering more young veterans for excepted service appointments. That is why my amendment would make sure that the VA Secretary includes recipients of the post-9/11 GI Bill and younger veterans who have recently graduated from college as a distinct category qualifying for excepted service appointments to the Department of Veterans Affairs.

Mr. Chairman, the mission statement of the VA is inscribed outside the Department's headquarters. It reads: "To care for him who shall have borne the battle, and for his widow, and his orphan." This is President Lincoln's promise to serving and honoring the men and women who are America's heroes, and it should and must be our same commitment today. I know of no one who stands more willing and able to serve fellow veterans and their brothers and sisters in arms than the veterans themselves.

There is nothing partisan about serving our veterans. This is a common-sense solution without any new costs, and it is a perfect example of working across party lines to help get the backs of those who have served our country.

I urge my colleagues to join me in standing up for our veterans by supporting this win-win solution.

Mr. Chair, I yield back the balance of my time.

Mr. WENSTRUP. Mr. Chairman, I ask unanimous consent to claim the time in opposition, although I am not opposed.

The Acting CHAIR. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Acting CHAIR. The gentleman from Ohio is recognized for 5 minutes.

Mr. WENSTRUP. Mr. Chair, I rise in support of Representative GOTTHEIMER's amendments which would ensure that veterans who are recent graduates and/or recipients of the post-9/11 GI Bill are also eligible for expected service appointments under section 12 of the bill.

As a veteran and as the former chairman of the Subcommittee on Economic Opportunity, there are few things I support as strongly as assisting veterans in seeking and receiving employment opportunities, particularly in the Federal Government.

The skill sets and commitment to service that veterans display while in uniform often make them particularly suited to government work once they transition to civilian life. The adoption of this amendment would provide yet another tool to support veterans looking to continue their service to our Nation, and I am grateful to Representative GOTTHEIMER for submitting it.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. GOTTHEIMER).

The amendment was agreed to.

AMENDMENT NO. 10 OFFERED BY MS. HERRERA BEUTLER

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in part B of House Report 115-39.

Ms. HERRERA BEUTLER. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 22, line 18, strike “, to the extent possible,”.

Page 22, beginning on line 19, strike “and personally identifiable information is removed” and insert “, including through the use of a location that allows for privacy, is not directly visible by another employee, and does not require the departing employee to input any personally identifiable data”.

Page 22, line 23, insert “are aggregated at the Veterans Integrated Service Network level and” after “subsection (a)”.

The Acting CHAIR. Pursuant to House Resolution 198, the gentlewoman from Washington (Ms. HERRERA BEUTLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Washington.

Ms. HERRERA BEUTLER. Mr. Chairman, I want to commend Dr. WENSTRUP

and the chairman and ranking member for their work on this bill.

Today I am offering this amendment that will help get to the root of one of the big problems within the VA that leads to high turnover by providers and compromises care for our veteran heroes. Specifically, my amendment strengthens anonymity protections for VA employees who fill out exit surveys and requires that this exit survey data be more localized so that the agency can better solve region-specific problems.

High staff turnover is an ongoing problem in our VA and it negatively affects our veterans. High turnover leads to staff shortages and results in veterans having to wait longer to see their doctor or their specialist, and it also means that there are issues with continuity of care for veterans.

Over the last few years, I have asked the VA why healthcare providers are leaving. The VA took some educated guesses as to why but could not provide hard data or facts.

Two years ago I inserted a directive into the MILCON VA approps bill requiring the VA to begin offering exit surveys to collect data on why healthcare providers are leaving. I also required that the VA develop a detailed plan to address the primary reasons these providers were leaving. While that report has provided some insights, we found that it is failing to take a few important steps that would make sure we are receiving honest feedback from these exiting providers.

For instance, the Portland VA employees who fill out the survey have to fill it out at a kiosk in the HR office where the HR staff can see them doing it. While the survey, itself, is anonymous, departing employees have to log into the kiosk with their employee identification number. The fear of being identified is a big deterrent for providers filling out this voluntary but critical survey. Only if VA providers are telling the honest truth about what they saw, heard, and experienced in their workplace can the VA then fix the problems that plague its facilities.

Therefore, we have to make this exit survey as easy and confidential to fill out as possible, and that is what my amendment requires. It requires these surveys to be conducted at a location that allows for privacy, not directly visible by another VA employee, and it does not require the departing employee to put in any personal, identifiable information. It also requires the exit survey data to be compiled at the regional level to identify and acknowledge local needs.

What needs to be changed in southwest Washington may not be the same as what is happening in Texas or Virginia or Florida, and this amendment will help the VA identify the right region-specific solutions.

With that, I urge Members to support my amendment so we can better serve

and support our veterans by retaining their healthcare providers.

Mr. Chair, I yield the balance of my time to the gentleman from Minnesota (Mr. WALZ).

Mr. WALZ. Mr. Chairman, I do not oppose this amendment. It is smart.

I have seen how important employee exit surveys can be in facilitating and understanding how an organization can be improved, made more efficient, or take constructive criticism. It makes absolute sense that employees filling them out know that they can provide honest responses because their anonymity will be protected by law, not by a promise or regulation.

Ensuring that exit data is collected on the VISN level will give VA leadership the most accurate look at where in the country higher retention policies are working and where they are not. That is just good, best practice.

Mr. Chair, I support the gentlewoman's smart amendment.

Ms. HERRERA BEUTLER. Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Washington (Ms. HERRERA BEUTLER).

The amendment was agreed to.

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AMENDMENT NO. 11 OFFERED BY MS. HANABUSA

The Acting CHAIR (Mr. HULTGREN). It is now in order to consider amendment No. 11 printed in part B of House Report 115-39.

Ms. HANABUSA. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 23, line 16, strike “the number of employees who” and insert the following: “the total number of employees who voluntarily separated from the Department and the number and percentage of whom”.

The Acting CHAIR. Pursuant to House Resolution 198, the gentlewoman from Hawaii (Ms. HANABUSA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Hawaii.

Ms. HANABUSA. Mr. Chairman, I rise to speak on my amendment to ensure certain types of information are added to the Department of Veterans Affairs survey data that this bill requires the Department to create and report to the House and Senate Committees on Veterans' Affairs.

This bill instructs the Secretary of Veterans Affairs to develop and carry out a standardized exit survey to be voluntarily completed by career and noncareer employees and executives of the Department of Veterans Affairs who voluntarily separate from the Department.

The bill currently requires the Department to report to Congress the following types of information on an annual basis: first, an analysis of the

most common reasons employees choose to leave; second, steps the Secretary is taking to improve retention; third, the demographic characteristics of employees choosing to leave; fourth, the legislative barriers to improving employee retention; and, fifth, the number of employees who took the survey.

Mr. Chairman, there is important information missing that must be gathered by the Department: one, the total number of employees who voluntarily exited the Department during the reporting period; and, two, the percentage of those employees who actually responded to the survey.

Without this critical information, Congress will be unable to assess the value of the reported data relative to the total number of employees who departed the Department.

Mr. Chairman, I am asking that we get a full picture, and my amendment will help us do that.

I urge my colleagues to support my amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. WENSTRUP. Mr. Chairman, I ask unanimous consent to claim the time in opposition, although I am not opposed to the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Acting CHAIR. The gentleman from Ohio is recognized for 5 minutes.

Mr. WENSTRUP. Mr. Chair, I rise in support of Representative HANABUSA's amendment, which would tweak the report on exit surveys the VA is required to submit in section 13 of the bill to stipulate the VA provide the total number of employees who voluntarily separated from VA service and the percentage of those who took an exit survey.

This information will be very helpful for Congress to receive in order to track how many employees are choosing to voluntarily leave the VA and are taking advantage of the opportunity to complete an exit survey prior to their departure.

I urge all my colleagues to join me in supporting this amendment, and I am grateful to Representative HANABUSA for submitting it.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Hawaii (Ms. HANABUSA).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. WALZ. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Hawaii will be postponed.

AMENDMENT NO. 12 OFFERED BY MS. MENG

The Acting CHAIR. It is now in order to consider amendment No. 12 printed in part B of House Report 115-39.

Ms. MENG. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill insert the following:

SEC. 14. ENCOURAGING TRANSITION OF MILITARY MEDICAL PROFESSIONALS INTO EMPLOYMENT WITH VETERANS HEALTH ADMINISTRATION.

The Secretary of Veterans Affairs shall establish a program to encourage an individual who serves in the Armed Forces with a military occupational specialty relating to the provision of health care to seek employment with the Veterans Health Administration when the individual has been discharged or released from service in the Armed Forces or is contemplating separating from such service.

The Acting CHAIR. Pursuant to House Resolution 198, the gentleman from New York (Ms. MENG) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Ms. MENG. Mr. Chairman, this amendment would require the VA Secretary to establish a program encouraging members of our Armed Forces serving as health professionals to pursue jobs with the Veterans Health Administration upon discharge or separation from the military.

As we all know, the VHA has existing shortages of health professionals. We also know that our servicemen and -women sometimes have difficulty transitioning back to civilian life after serving.

What would be better than having a servicemember with healthcare training and experience transition into employment with the VHA serving their brothers and sisters?

Mr. Chair, I believe that everyone wins with this amendment. This program would be completely optional to participate in, would help reduce staffing shortages at the VHA, and would provide job opportunities to recently discharged servicemembers.

I urge support for this commonsense amendment, and I yield back the balance of my time.

Mr. WENSTRUP. Mr. Chairman, I ask unanimous consent to claim the time in opposition, although I am not opposed to the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Acting CHAIR. The gentleman from Ohio is recognized for 5 minutes.

Mr. WENSTRUP. Mr. Chairman, I rise in support of Representative MENG's amendment, which would encourage military medical professionals who are transitioning out of the Armed

Forces to seek employment within the Veterans Health Administration.

Wherever possible, the VA should be filling vacant positions at VA medical facilities with eligible, qualified veterans. And I am fully supportive of any amendment like this one that recognizes the highly specialized skills that many veterans gained while in uniform, skills that, in this case, could be used in service to fellow veterans by addressing access to care challenges across the country.

I am grateful to Representative MENG for this important amendment, and I urge all of my colleagues to join me in supporting it.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Ms. MENG).

The amendment was agreed to.

AMENDMENT NO. 13 OFFERED BY MR. BOST

The Acting CHAIR. It is now in order to consider amendment No. 13 printed in part B of House Report 115-39.

Mr. BOST. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following new section:

SEC. 14. PLAN TO HIRE DIRECTORS OF MEDICAL CENTERS OF DEPARTMENT OF VETERANS AFFAIRS.

(a) PLAN.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall develop and implement a plan to hire highly qualified directors for each medical center of the Department of Veterans Affairs that lacks a permanent director as of the date of the plan. The Secretary shall prioritize the hiring of such directors for the medical centers that have not had a permanent director for the longest periods.

(b) MATTERS INCLUDED.—The plan developed under subsection (a) shall include the following:

(1) A deadline to hire the directors of the medical centers of the Department as described in such subsection.

(2) Identification of the possible impediments to such hiring.

(3) Identification of opportunities to promote and train candidates from within the Department to senior executive positions in the Department, including as directors of medical centers.

(c) SUBMISSION.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall submit to the Committees on Veterans' Affairs of the House of Representatives and the Senate the plan developed under subsection (a).

(d) SEMIANNUAL REPORTS.—Not later than 180 days after the date of the enactment of this Act, and each 180-day period thereafter until January 1, 2018, the Secretary shall submit to the Committees on Veterans' Affairs of the House of Representatives and the Senate a list of each medical center of the Department that lacks a permanent director as of the date of the report.

The Acting CHAIR. Pursuant to House Resolution 198, the gentleman from Illinois (Mr. BOST) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. BOST. Mr. Chair, I rise today in support of my amendment to H.R. 1367.

My simple and straightforward amendment would require the Department of Veterans Affairs to develop and implement a plan to hire permanent directors for each medical center of the VA. It also specifies that the Secretary should prioritize the hiring of directors for locations that have spent the longest amount of time without one.

Mr. Chairman, last Congress it was brought to my attention that the VA medical center that many of my constituents utilize had not had a permanent director in almost 3 years. This is simply unacceptable when we have veterans needing quality care and are demanding reform to the current healthcare system.

After reaching out to the Department, I came to realize that this is a common problem around the country, which led to my introduction of the amendment.

Under the current VA system, the Secretary is allowed to appoint an interim director at facilities, but those individuals can only serve a maximum of 240 days. This is simply far too short a period of time to properly get to know the staff at the centers and the needs of the location, let alone implement new reforms.

This commonsense bipartisan amendment is identical to a bill I introduced earlier in this Congress with Members of both parties supporting the legislation. It is also identical to legislation that this body passed last Congress with strong bipartisan support.

Mr. Chairman, I urge my colleagues to support this commonsense amendment, and I reserve the balance of my time.

Mr. WALZ. Mr. Chairman, I claim the time in opposition, although I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman from Minnesota is recognized for 5 minutes.

There was no objection.

Mr. WALZ. Mr. Chair, every Member of Congress has heard directly from their constituents who receive health care from the VA that it is understaffed. This is true at all levels, but it is vital to both the workforce and the veterans served that each medical center have permanent leadership.

I think all of us know—and there is an old saying—if you have been to one VA facility, you have been to one VA facility. Again, it may seem like the easiest thing to say that leadership matters at these facilities. Nothing matters more.

When a VA facility is moving in the right direction, it can always be traced to strong, directed leadership. In almost every case each one of us has worked on, whether it is weak leader-

ship or lack of leadership, those situations go awry.

I have a situation in Minnesota where we have been waiting for leadership for a year. We were notified, I believe, a week or so ago that we are finally getting that.

I enthusiastically endorse Mr. BOST's amendment, which would require the Department to get these things done, develop and implement a plan within 120 days of enactment to hire a permanent director for each medical center which does not have one.

As the gentleman from Illinois (Mr. BOST) says in his amendment, a new director may well be identified from senior executives already within the Department, or he or she may be someone from outside the agency who meets the qualifications and wants to work at the VA.

What is necessary is that filling these open directorships be made a priority. Requiring the VA to show us the plan to do so and provide regular updates as that plan is implemented is a way to set this priority.

I commend the gentleman from Illinois (Mr. BOST) for getting at the heart of this. This will be about accountability. It will put the right people in place to make the right decisions and get the care for our veterans.

Mr. Chairman, I strongly support it, and I yield back the balance of my time.

Mr. BOST. Mr. Chair, I yield 1 minute to the gentleman from Ohio (Mr. WENSTRUP).

Mr. WENSTRUP. Mr. Chairman, I rise in support of Representative BOST's amendment, which would require the Department of Veterans Affairs to develop and implement a plan to hire directors at each VA medical center that lacks a permanent director.

Twenty-five percent of current VA medical center directors are eligible to retire, and the VA testified last year that it can take more than 6 months and multiple reannouncements to recruit new VA medical center directors.

The VA must begin planning now to ensure that leadership at VA medical centers across the country remain stable and that medical center director vacancies are closely monitored and prioritized.

The text of this amendment passed the House last year with unanimous support, and I am grateful to Representative BOST for submitting this amendment again this year to H.R. 1367.

I urge all of my colleagues to join me in supporting it.

Mr. BOST. Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Illinois (Mr. BOST).

The amendment was agreed to.

AMENDMENT NO. 14 OFFERED BY MR. O'ROURKE

The Acting CHAIR. It is now in order to consider amendment No. 14 printed in part B of House Report 115-39.

Mr. O'ROURKE. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following new section:

SEC. 14. RECRUITMENT OF PHYSICIANS IN DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Section 7402(b)(1) of title 38, United States Code, is amended—

(1) by inserting “or to be offered a contingent appointment to such position,” after “position,”; and

(2) by striking subparagraph (B) and inserting the following new subparagraph (B):

“(B)(i) have completed a residency program satisfactory to the Secretary; or

“(ii) with respect to an offer for a contingent appointment upon the completion of a post-graduate training program, complete such a residency program by not later than two years after the date of such offer; and”.

(b) OVERSIGHT OF GRADUATE MEDICAL EDUCATION PROGRAMS.—The Secretary shall—

(1) ensure that a recruiter or other similar official of each Veterans Integrated Service Network visits, not less than annually, each allopathic and osteopathic teaching institution with a graduate medical education program within the Network to recruit individuals to be appointed to positions in the Veterans Health Administration; and

(2) submit to Congress an annual report on the implementation of paragraph (1), including the success of such recruiting efforts.

The Acting CHAIR. Pursuant to House Resolution 198, the gentleman from Texas (Mr. O'ROURKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. O'ROURKE. Mr. Chairman, I would like to begin by recognizing the incredibly important work of my colleague from Ohio (Mr. WENSTRUP) in ensuring that we bring more physicians and care providers into the VA so that more veterans can get access to quality, timely care, producing better outcomes for them.

Of course, our veterans have served this country so honorably and have put their lives on the line, and now it is our turn to fulfill our obligation. Dr. Wenstrup's underlying legislation is going to ensure that we get a step closer to doing that. He will agree with me, I hope, that one of our challenges is recruiting the right talent into the VA out of residency programs across the country.

Right now, the VA is operating with one hand tied behind its back because it limits itself to the last year of a medical residency before it begins talking to that resident to try to recruit them to serve at the VA.

Meanwhile, most residents begin making career decisions a year or two earlier than that. And private sector clinics, hospitals, other public institutions are talking to those residents, trying to recruit them, and successfully bringing them to places other than the VA.

This amendment will allow the VA to begin recruiting and offering conditional job offers with 2 years left in a residency. It will help us to address the fact that today there are 43,000 authorized funded positions that are open in the VA where we don't have the doctors, the psychiatrists, the primary care providers, the medical professionals we need to provide the care that veterans need.

We need to begin recruiting earlier, more effectively, and more successfully. This amendment to the underlying legislation will allow us to do that.

I hope that I will have the support of my friend from Ohio (Mr. WENSTRUP), of the ranking member of the full committee, and of my colleagues here in the Chamber.

Mr. Chairman, I yield back the balance of my time.

Mr. WENSTRUP. Mr. Chairman, I ask unanimous consent to claim the time in opposition, although I am not opposed to the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Acting CHAIR. The gentleman from Ohio is recognized for 5 minutes.

Mr. WENSTRUP. Mr. Chairman, I rise in support of Representative O'ROURKE's amendment, which would allow the VA to offer physicians conditional job offers 2 years prior to the completion of their residency, and also require VA recruiters or other officials to visit each teaching institution with a residency program at least once a year. It is a great idea and one that I greatly appreciate.

The VA's existing workforce is increasingly retirement-eligible, and, historically, the VA has performed poorly in comparison to other Federal agencies when it comes to hiring younger employees.

By creating a pipeline of young, up-and-coming physicians willing to practice in VA medical facilities and committed to VA service, this amendment would help ensure that the VA healthcare system is fully staffed to care for our veterans for years to come.

The text of this amendment passed the House last year as an amendment to H.R. 5620, and I am grateful to Representative O'ROURKE for submitting it as an amendment to H.R. 1367 today.

I urge all of my colleagues to join me in supporting this amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. O'ROURKE).

The amendment was agreed to.

Mr. WENSTRUP. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. COL-

LINS of Georgia) having assumed the chair, Mr. HULTGREN, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1367) to improve the authority of the Secretary of Veterans Affairs to hire and retain physicians and other employees of the Department of Veterans Affairs, and for other purposes, had come to no resolution thereon.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 10 o'clock and 15 minutes a.m.), the House stood in recess.

□ 1102

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SIMPSON) at 11 o'clock and 2 minutes a.m.

IMPROVING AUTHORITY OF SECRETARY OF VETERANS AFFAIRS TO HIRE AND RETAIN PHYSICIANS AND OTHER EMPLOYEES

The SPEAKER pro tempore. Pursuant to House Resolution 198 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 1367.

Will the gentleman from Illinois (Mr. HULTGREN) kindly resume the chair.

□ 1103

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 1367) to improve the authority of the Secretary of Veterans Affairs to hire and retain physicians and other employees of the Department of Veterans Affairs, and for other purposes, with Mr. HULTGREN (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, amendment No. 14 printed in part B of House Report 115-39, offered by the gentleman from Texas (Mr. O'ROURKE), had been disposed of.

AMENDMENT NO. 11 OFFERED BY MS. HANABUSA

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, the unfinished business is the demand for a recorded vote on amendment No. 11 printed in part B of House Report 115-39 offered by the gentlewoman from Hawaii (Ms. HANABUSA) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 400, noes 8, not voting 21, as follows:

[Roll No. 170]

AYES—400

Abraham	Conyers	Guthrie
Adams	Cook	Hanabusa
Aderholt	Cooper	Harper
Aguilar	Correa	Hartzler
Allen	Costa	Hastings
Amash	Costello (PA)	Heck
Amodei	Courtney	Hensarling
Arrington	Cramer	Herrera Beutler
Babin	Crawford	Hice, Jody B.
Bacon	Crist	Higgins (LA)
Banks (IN)	Cuellar	Hill
Barletta	Culberson	Himes
Barr	Cummings	Holding
Barton	Curbelo (FL)	Hollingsworth
Bass	Davidson	Hoyer
Beatty	Davis (CA)	Hudson
Bera	Davis, Rodney	Huffman
Bergman	DeFazio	Huizenga
Beyer	DeGette	Hultgren
Biggs	Delaney	Hunter
Billirakis	DeLauro	Hurd
Bishop (GA)	DelBene	Issa
Bishop (MI)	Demings	Jayapal
Bishop (UT)	Denham	Jenkins (KS)
Black	Dent	Jenkins (WV)
Blackburn	DeSantis	Johnson (GA)
Blum	DeSaulnier	Johnson (LA)
Blumenauer	DesJarlais	Johnson (OH)
Blunt Rochester	Diaz-Balart	Johnson, E. B.
Bonamici	Dingell	Johnson, Sam
Bost	Doggett	Jones
Boyle, Brendan	Donovan	Joyce (OH)
F.	Doyle, Michael	Kaptur
Brady (PA)	F.	Katko
Brady (TX)	Duffy	Keating
Brat	Duncan (SC)	Kelly (IL)
Bridenstine	Duncan (TN)	Kelly (MS)
Brooks (AL)	Dunn	Kennedy
Brooks (IN)	Ellison	Khanna
Brown (MD)	Emmer	Kihuen
Brownley (CA)	Engel	Kildee
Buchanan	Eshoo	Kilmer
Buck	Espallat	Kind
Bucshon	Esty	King (IA)
Budd	Evans	King (NY)
Burgess	Farenthold	Kinzinger
Bustos	Faso	Knight
Butterfield	Ferguson	Krishnamoorthi
Byrne	Fitzpatrick	Kuster (NH)
Calvert	Fleischmann	Kustoff (TN)
Capuano	Flores	Labrador
Carbajal	Fortenberry	LaHood
Cárdenas	Foster	LaMalfa
Carson (IN)	Fox	Lamborn
Carter (GA)	Frankel (FL)	Lance
Carter (TX)	Franks (AZ)	Langevin
Cartwright	Frelinghuysen	Larsen (WA)
Castor (FL)	Fudge	Larson (CT)
Castro (TX)	Gabbard	Latta
Chabot	Gallagher	Lawrence
Chaffetz	Galleo	Lawson (FL)
Cheney	Garamendi	Lee
Chu, Judy	Garrett	Levin
Cicilline	Gibbs	Lewis (GA)
Clark (MA)	Gohmert	Lewis (MN)
Clarke (NY)	Goodlatte	Lieu, Ted
Clay	Gosar	Lipinski
Cleaver	Gottheimer	LoBiondo
Clyburn	Gowdy	Loeb
Coffman	Granger	Loeb
Cohen	Graves (GA)	Lofgren
Cole	Graves (LA)	Long
Collins (GA)	Graves (MO)	Loudermilk
Collins (NY)	Green, Al	Love
Comer	Green, Gene	Lowenthal
Comstock	Griffith	Lowe
Conaway	Grijalva	Lucas
Connolly	Grothman	Luetkemeyer

Lujan Grisham, M.
Luján, Ben Ray
Lynch
MacArthur
Maloney, Carolyn B.
Maloney, Sean
Marchant
Marshall
Massie
Mast
Matsui
McCarthy
McClintock
McCollum
McGovern
McHenry
McKinley
McMorris
Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mitchell
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Newhouse
Noem
Nolan
Norcross
Nunes
O'Halleran
O'Rourke
Olson
Palazzo
Pallone
Palmer
Panetta
Pascarell
Paulsen
Pearce
Perlmutter
Peters
Peterson
Pingree

Pittenger
Pocan
Poliquin
Polis
Posey
Price (NC)
Quigley
Raskin
Ratcliffe
Reed
Reichert
Renacci
Rice (NY)
Rice (SC)
Richmond
Roby
Roe (TN)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Rosen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Ruiz
Ruppersberger
Russell
Rutherford
Ryan (OH)
Sánchez
Sanford
Sarbanes
Scalise
Schiff
Schneider
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Smith (MO)
Smith (NE)

Smith (NJ)
Smith (TX)
Smith (WA)
Smucker
Soto
Speier
Stefanik
Stivers
Suozi
Swallow (CA)
Takano
Tenney
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOES—8

Gaetz
Harris
McCaul

Perry
Poe (TX)
Rogers (AL)

Stewart
Taylor

NOT VOTING—21

Barragán
Crowley
Davis, Danny
Deutch
Gonzalez (TX)
Gutiérrez
Higgins (NY)

Jackson Lee
Jeffries
Jordan
Kelly (PA)
Marino
McEachin
Payne

Pelosi
Roybal-Allard
Rush
Schakowsky
Serrano
Slaughter
Vargas

□ 1128

Mses. TENNEY, JENKINS of Kansas, Mrs. NOEM, Messrs. SMITH of Missouri, STIVERS, MEADOWS, GALLAGHER, BURGESS, LAMALFA, WEBER of Texas, TIPTON, SMITH of Texas, CARTER of Texas, ROTHFUS, BABIN, GARRETT, DUNCAN of South Carolina, WESTERMAN, RODNEY DAVIS of Illinois, and Mmes. BLACKBURN and BLACK changed their vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Ms. BARRAGÁN. Mr. Chair, I was unavoidably detained. Had I been present, I would have voted “yea” on rollcall No. 170.

Ms. SCHAKOWSKY. Mr. Chair, I was unavoidably detained. Had I been present, I would have voted “yea” on rollcall No. 170.

Mr. GUTIÉRREZ. Mr. Chair, I was unavoidably absent in the House chamber for a rollcall vote on Friday, March 17, 2017. Had I been present, I would have voted “yea” on rollcall vote 170.

The Acting CHAIR. The question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. FLEISCHMANN) having assumed the chair, Mr. HULTGREN, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1367) to improve the authority of the Secretary of Veterans Affairs to hire and retain physicians and other employees of the Department of Veterans Affairs, and for other purposes, and, pursuant to House Resolution 198, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. WENSTRUP. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 5-minute vote on passage of the bill will be followed by a 5-minute vote on agreeing to the Speaker's approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—yeas 412, nays 0, not voting 17, as follows:

[Roll No. 171]

YEAS—412

Abraham
Adams
Aderholt
Aguilar
Allen

Amash
Amodei
Arrington
Babin
Bacon

Banks (IN)
Barletta
Barr
Barragán
Barton

Bass
Beatty
Bera
Bergman
Beyer
Biggs
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan F.
Brady (PA)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (MD)
Brownley (CA)
Buchanan
Buck
Bucshon
Budd
Burgess
Bustos
Butterfield
Byrne
Calvert
Capuano
Carbajal
Cárdenas
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Cheney
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Correa
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crist
Cuellar
Culberson
Cummings
Curbelo (FL)
Davidson
Davis (CA)
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Diaz-Balart
Dingell
Doggett
Donovan

Doyle, Michael F.
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Ellison
Emmer
Eshoo
Español
Esty
Evans
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foster
Fox
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gaetz
Gallagher
Gallego
Garamendi
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gottheimer
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guthrie
Gutiérrez
Hanabusa
Harper
Harris
Hartzer
Hastings
Heck
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Himes
Holding
Hollingsworth
Hoyer
Hudson
Huffman
Huizenga
Hultgren
Hunter
Hurd
Issa
Jackson Lee
Jayapal
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (LA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Joyce (OH)
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger
Knight

Krishnamoorthi
Kuster (NH)
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lewis (MN)
Lieu, Ted
Lipinski
LoBiondo
Loebach
Loftgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham, M.
Luján, Ben Ray
Lynch
MacArthur
Maloney, Carolyn B.
Maloney, Sean
Marchant
Marshall
Massie
Mast
Matsui
McCarthy
McCaul
McClintock
McCollum
McGovern
McHenry
McKinley
McMorris
Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mitchell
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Newhouse
Noem
Nolan
Norcross
Nunes
O'Halleran
O'Rourke
Olson
Palazzo
Pallone
Palmer
Panetta
Pascarell
Paulsen
Pearce
Perlmutter
Perry
Peterson
Pingree
Pittenger
Pocan
Poe (TX)
Poliquin
Polis
Posey

Price (NC) Schweikert Torres
 Quigley Scott (VA) Trott
 Raskin Scott, Austin Tsongas
 Ratcliffe Scott, David Turner
 Reed Sensenbrenner Upton
 Reichert Serrano Valadao
 Renacci Sessions Vargas
 Rice (NY) Sewell (AL) Veasey
 Rice (SC) Shea-Porter Vela
 Richmond Sherman Velázquez
 Roby Shimkus Visclosky
 Roe (TN) Shuster Wagner
 Rogers (AL) Simpson Walberg
 Rogers (KY) Sinema Walden
 Rohrabacher Sires Walker
 Rokita Smith (MO) Walorski
 Rooney, Francis Smith (NE) Walters, Mimi
 Rooney, Thomas Smith (NJ) Walz
 J. Smith (TX) Wasserman
 Ros-Lehtinen Smith (WA) Schultz
 Rosen Smucker Waters, Maxine
 Roskam Soto Watson Coleman
 Ross Speier Weber (TX)
 Rothfus Stefanik Webster (FL)
 Rouzer Stewart Welch
 Roybal-Allard Stivers Wenstrup
 Royce (CA) Snozzi Westerman
 Ruiz Swalwell (CA) Williams
 Ruppertsberger Takano Wilson (FL)
 Russell Taylor Wilson (SC)
 Rutherford Tenney Wittman
 Ryan (OH) Thompson (CA) Womack
 Sanford Thompson (MS) Woodall
 Sarbanes Thompson (PA) Yarmuth
 Scalise Thornberry Yoder
 Schakowsky Tiberi Yoho
 Schiff Tipton Young (AK)
 Schneider Titus Young (IA)
 Schrader Tonko Zeldin

NOT VOTING—17

Brady (TX) Higgins (NY) Payne
 Crowley Jeffries Pelosi
 Davis, Danny Jordan
 Deutch Kelly (PA) Sánchez
 Engel Marino Slaughter
 Gonzalez (TX) McEachin

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
 The SPEAKER pro tempore (Mr. HULTGREN) (during the vote). There are 2 minutes remaining.

□ 1136

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. ENGEL. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted “yea” on rollcall No. 171.

Mr. BRADY of Texas. Mr. Speaker, on rollcall No. 171 I was unavoidably detained to cast my vote in time. Had I been present, I would have voted “yes.”

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. ROE of Tennessee. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 246, noes 143, answered “present” 2, not voting 38, as follows:

[Roll No. 172]

AYES—246

Abraham Frelinghuysen Nadler
 Adams Gabbard Newhouse
 Aderholt Gallego Noem
 Allen Garamendi Norcross
 Arrington Garrett Nunes
 Babin Goodlatte O'Rourke
 Bacon Gowdy Olson
 Banks (IN) Granger Palmer
 Barletta Green, Al Panetta
 Barr Griffith Perlmutter
 Barton Grijalva Perry
 Beatty Guthrie Pingree
 Bilirakis Hanabusa Pocan
 Bishop (MI) Harris Poliss
 Bishop (UT) Hartzler Posey
 Black Hastings Richmond
 Blumenauer Heck Roby
 Blunt Rochester Hensarling Roe (TN)
 Bonamici Higgins (LA) Rogers (AL)
 Brady (TX) Himes Rogers (KY)
 Brat Hollingsworth Rooney, Francis
 Bridenstine Huffman J.
 Brooks (AL) Hultgren Ros-Lehtinen
 Brooks (IN) Hunter Rothfus
 Buchanan Issa Royce (CA)
 Budd Jayapal Ruppertsberger
 Bustos Johnson (GA) Russell
 Butterfield Johnson (LA) Rutherford
 Byrne Johnson, E. B. Sanford
 Calvert Johnson, Sam Scalise
 Carter (TX) Kaptur Schiff
 Cartwright Keating Schneider
 Castro (TX) Kelly (IL) Schweikert
 Chabot Kelly (MS) Scott (VA)
 Cheney Kennedy Scott, Austin
 Chu, Judy Khanna Scott, David
 Cicilline Kildee Sensenbrenner
 Clark (MA) Kind Serrano
 Clay King (IA) Sessions
 Cleaver King (NY) Sewell (AL)
 Clyburn Krishnamoorthi Shea-Porter
 Cole Kuster (NH) Sherman
 Collins (NY) Kustoff (TN) Shimkus
 Comer Labrador Shuster
 Comstock Lamborn Sinema
 Connolly Larson (CT) Smith (NE)
 Conyers Latta Smith (NJ)
 Cook Lawton (FL) Smith (TX)
 Cooper Lewis (GA) Smith (WA)
 Correa Lewis (MN) Smucker
 Courtney Lipinski Soto
 Cramer Lofgren Speier
 Crawford Long Stefanik
 Cuellar Loudermilk Stewart
 Culberson Love Suozzi
 Davidson Lowenthal Swalwell (CA)
 Davis (CA) Lucas Takano
 DeGette Luetkemeyer Taylor
 DeLauro Lujan Grisham, M.
 DelBene M. Thornberry
 Demings Maloney, Tiberi
 Dent Carolyn B. Titus
 DeSaulnier Marshall Torres
 DesJarlais Massie Trott
 Diaz-Balart McCarthy Trost
 Dingell McCaul Tsongas
 Doggett McClintock Vela
 Donovan McCollum Velázquez
 Duncan (SC) McHenry Walker
 Dunn McMorris Walorski
 Ellison Rodgers Walters, Mimi
 Emmer McNerney Walz
 Engel Meadows Wasserman
 Eshoo Meehan Schultz
 Espallat Meeks Waters, Maxine
 Esty Meng Welch
 Farenthold Messer Wenstrup
 Faso Mitchell Williams
 Ferguson Moolenaar Wilson (FL)
 Fleischmann Mooney (WV) Wilson (SC)
 Fortenberry Moore Womack
 Foster Moulton Yarmuth
 Frankel (FL) Mullin Young (IA)
 Franks (AZ) Murphy (FL) Zeldin

NOES—143

Aguilar Gosar Pallone
 Amash Gottheimer Paulsen
 Barragán Graves (GA) Pelosi
 Bass Graves (MO) Peters
 Bera Green, Gene Peterson
 Bergman Gutiérrez Pittenger
 Beyer Herrera Beutler Poe (TX)
 Biggs Hice, Jody B. Poliquin
 Bishop (GA) Hill Price (NC)
 Blum Holding Raskin
 Bost Hoyer Ratcliffe
 Boyle, Brendan Hudson Reed
 F. Huizenga Reichert
 Brady (PA) Hurd Rice (NY)
 Brownley (CA) Jackson Lee Rohrabacher
 Buck Jenkins (KS) Rokita
 Burgess Jenkins (WV) Rosen
 Capuano Johnson (OH) Rouzer
 Carbajal Jones Roybal-Allard
 Cárdenas Kihuen Ruiz
 Carson (IN) Kilmer Ryan (OH)
 Carter (GA) Kinzinger Sánchez
 Castor (FL) Knight Sarbanes
 Chaffetz LaHood Schakowsky
 Clarke (NY) Lance Schrader
 Coffman Langevin Sires
 Cohen Lawrence Smith (MO)
 Collins (GA) Lee Stivers
 Conaway Levin Thompson (CA)
 Costa Lieu, Ted Thompson (MS)
 Costello (PA) LoBiondo Thompson (PA)
 Crist Loebach Tipton
 Crowley Lowey Turner
 Cummings Luján, Ben Ray Upton
 Curbelo (FL) Lynch Valadao
 Davis, Rodney MacArthur Vargas
 DeFazio Maloney, Sean Veasey
 Denham Marchant Visclosky
 DeSantis Mast Walberg
 Duffy Matsui Walden
 Evans McGovern Watson Coleman
 Fitzpatrick McKinley Weber (TX)
 Flores McSally Westernman
 Foxx Murphy (PA) Wittman
 Fudge Neal Woodall
 Gaetz Nolan Yoder
 Gallagher O'Halleran Yoho
 Gibbs Palazzo Young (AK)

ANSWERED “PRESENT”—2

Rice (SC) Tonko

NOT VOTING—38

Amodei Grothman Pascrell
 Blackburn Harper Payne
 Brown (MD) Higgins (NY) Pearce
 Bucshon Jeffries Quigley
 Davis, Danny Jordan Renacci
 Delaney Joyce (OH) Roskam
 Deutch Katko Ross
 Doyle, Michael Kelly (PA) Rush
 F. LaMalfa Simpson
 Duncan (TN) Larsen (WA) Slaughter
 Gohmert Marino Tenney
 Gonzalez (TX) McEachin Wagner
 Graves (LA) Napolitano Webster (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. DUNN) (during the vote). There are 2 minutes remaining.

□ 1144

So the Journal was approved.

The result of the vote was announced as above recorded.

Stated for:

Mr. GRAVES of Louisiana. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted “yea” on rollcall No. 172.

PERSONAL EXPLANATION

Ms. SLAUGHTER. Mr. Speaker, I was unavoidably detained and missed rollcall vote Nos. 170, 171, and 172. Had I been present, I would have voted Aye on roll call vote Nos. 170 and 171. I would have voted “nay” on rollcall vote No. 172.

LEGISLATIVE PROGRAM

(Mr. HOYER asked and was given permission to address the House for 1 minute.)

Mr. HOYER. Mr. Speaker, I rise for the purpose of inquiring of the majority leader the schedule for the week to come, and it is my pleasure to yield to the gentleman from California (Mr. MCCARTHY), the majority leader.

Mr. MCCARTHY. Mr. Speaker, before I begin, I do want to wish everybody a happy St. Patrick's Day.

Mr. Speaker, on Monday, the House will meet at noon for morning hour and 2 p.m. for legislative business. Votes will be postponed until 6:30.

On Tuesday and Wednesday, the House will meet at 10 a.m. for morning hour and noon for legislative business.

On Thursday, the House will meet at 9 a.m. for legislative business. Mr. Speaker, late votes are likely in the House on Thursday, and Members are advised to adjust their schedules accordingly.

Mr. Speaker, the House will consider a number of suspensions next week, a complete list of which will be announced at close of business today.

In addition, the House will consider several critical pieces of the Republican plan to repeal and replace ObamaCare:

First, H.R. 372, the Competitive Health Insurance Reform Act, sponsored by Representative PAUL GOSAR, creates competition in the healthcare market by eliminating antitrust protection for insurance providers.

Next, H.R. 1101, the Small Business Health Fairness Act, sponsored by Representative SAM JOHNSON of Texas, allows small businesses to pool together and purchase plans, an important step toward purchasing health care across State lines.

Finally, Mr. Speaker, we will consider the FY 2017 reconciliation bill, also known as the American Health Care Act. This bill eliminates the many taxes and mandates of ObamaCare. It gives patients enhanced tools to take control of their healthcare decisions, and it expands choice so Americans are free to pick the plan that is best for themselves and their families.

Mr. Speaker, it is known that ObamaCare is failing, and we have a responsibility to provide Americans relief. These bills are the result of much deliberation and hard work, and their passage will help create a competitive marketplace that provides high-quality care at an affordable cost.

Mr. HOYER. Mr. Speaker, I must hasten to add that the gentleman from California added a little comment that "it is known." I don't share that view, Mr. Speaker, that it is known that the Affordable Care Act is failing.

In fact, we had a hearing yesterday when the former Director of the Congressional Budget Office appointed by

Democrats testified on the Affordable Care Act and testified on the American Health Care Act. Lo and behold, Mr. Speaker, Mr. Elmendorf agreed with the present CBO Director. In other words—and everybody in America ought to be pleased on this because they all are asking for bipartisan—the former Director appointed by Democrats of the CBO agrees with the Republican Director of the CBO, who just came down with his advice and counsel to the Congress just a few days ago.

That ought to give pause to those who are pressing to pass a bill, which would result in the loss by 24 million Americans of their insurance and would result in the increased costs to almost every American of their insurance.

Now, yes, there are some Americans who would choose not to have health care. Then they would get sick or they would get in an automobile accident or something else would happen where they would require medical care, and they would not be able to pay for it. Guess what? We would all pay for it.

That is what was happening before the Affordable Care Act. It is still happening with some who choose either to pay their contribution toward health—some people call it a penalty; I call it a contribution—to meet their personal responsibility, as the Heritage Foundation suggested, of having provisions that, if they get sick, they will be able to pay for it.

Now, last week, Mr. Speaker, the majority leader had some quotes from people who did not like the Affordable Care Act. At this hearing that we had, we had a number of people, and I want to quote some of them:

I certainly never imagined I would have a child who would rely so much on a government program like Medicaid.

This child, Mr. Speaker, suffers from Rett syndrome, which is a neurology disorder that strikes mostly young girls with normal development for the first 18 or 24 months of their life. Then their development is arrested and, in fact, in some respects, there is a retreat in their abilities.

She went on to say:

Medicaid provides skilled nursing care, which allows us to raise our daughter, Caroline, in our home instead of a hospital or institution.

Of course, a hospital or institution would be far more expensive, Mr. Speaker.

She went on to say:

This allows my husband and me to hold jobs and take care of other family needs. The House Republican plan for Medicaid would put my daughter's life at risk, and my family is terrified.

That was Marta Conner, mother of a child with Rett syndrome covered under Medicaid.

I titled yesterday's hearing: The hearing that the Republicans refused to have on the American Health Care Act or the Affordable Care Act itself.

This quote is by a doctor:

In public debate in Congress, the actual people can be obscured by graphs and numbers. But, ladies and gentlemen, every day in clinic, I am one-on-one with the real people, real Americans who could take steps closer to health or suffer more with this Congress' decision. I urge you and your colleagues to reject the American Health Care Act and, instead, strengthen the Affordable Care Act.

To that extent, Mr. Speaker, as the majority leader knows, that testimony joined hundreds in the medical field: The American Medical Association, associations of physicians with particular skill sets, of hospitals, of insurance companies, of patients, of providers, of urban hospitals, suburban hospitals, rural hospitals, and literally hundreds of people intimately involved in the healthcare system who are urging us not to pass the American Health Care Act and to leave in place but improve the Affordable Care Act.

Mr. Speaker, I have indicated to many on this side of the aisle that we are prepared to work to improve any piece of legislation that has been passed and particularly a piece of legislation which affects so many Americans. Unfortunately, we have not had that opportunity since this bill, the Affordable Care Act, was first considered and passed.

This week, the Congressional Budget Office released their estimate and impacts of the House Republicans' bill to repeal the Affordable Care Act.

Mr. Speaker, as the majority leader knows, President Trump, in this body and at that rostrum, promised insurance for everybody that is much less expensive and much better. He has not offered such a bill. The American Health Care Act certainly does not provide that.

In fact, the CBO—both Republican and Democratic directors—opined at least 24 million people will lose their insurance and, by 2026, there will be 58 million people in America without health insurance.

Mr. Speaker, the majority leader has indicated this bill will be on the floor next week. I hope that everybody takes the opportunity to read the CBO report and the testimony given in yesterday's hearing on the bill. It was the first and only hearing that was held on the bill that will be on the floor. Previous hearings on the Affordable Care Act are not good, and previous hearings that there are alternatives out there don't deal with the bill that is going to be on the floor next Wednesday or Thursday.

Senator SUSAN COLLINS has said of the bill that is going to be on the floor:

It should prompt the House to slow down and reconsider certain provisions of the bill.

She was referring, of course, to the CBO report.

Senator BILL CASSIDY from that liberal leftwing bastion of Louisiana said:

Can't sugarcoat it. Doesn't look good. The CBO score was, shall we say, an eyepopper. I also hope it was a thought provoker.

And Senator ROB PORTMAN, who served in this body for many years, said:

I am concerned about the Medicaid population. That is the biggest part of coverage for Ohio.

That is why their Governor, a Republican, and ROB PORTMAN, a Republican who served on the Ways and Means Committee, is urging caution and has great reservations about the bill that has been announced to come to the floor.

□ 1200

Mr. Speaker, I would like to ask the majority leader whether or not he can confirm whether changes will be made to the repeal bill, that is the American Health Care Act, that was reported out of the Budget Committee, whether he can confirm whether or not the repeal bill will be changed before it comes to the floor.

Mr. Speaker, I yield to my friend.

Mr. MCCARTHY. Mr. Speaker, I thank the gentleman for yielding.

And his question, based upon scheduling, and I know there were a lot of questions in there, so please let me work through and try to answer all of his questions.

The last question was in regard to the bill itself, and we are working through the process. It will be in the Rules Committee. As the legislative process works, there are always ways that you refine the bill, and I expect that there will be some elements that get refined inside the Rules Committee before it comes to the floor.

You had about five different questions there if I may follow all the way through. First, you talked about, and I was happy to hear—I wrote it down—you are glad to work to help to improve the bill—because when we were in the more than 26 hours of Energy and Commerce, the amendments the Democrats offered, we spent a couple of hours on just the one amendment about a hashtag of renaming the bill. So there is a change in attitude. I appreciate that from the other side of the aisle because we are always willing to work with you.

Mr. HOYER. Reclaiming my time, just to clarify, Mr. Speaker, that the bill to which he is referring is not the bill to which I was referring. I am referring to the Affordable Care Act and improvement of the Affordable Care Act.

He is now referring to the American Health Care Act which, we think, bears no resemblance to the Affordable Care Act.

Mr. MCCARTHY. But you are not willing to help with it, then?

Mr. HOYER. Of course, with the Affordable Care Act. We think the bill that has been, as I said, Mr. Speaker, offered will devastate many individuals, millions and millions and millions of people in this country. We have said that pretty clearly.

But more importantly, the CBO Director, appointed by Republicans, said that in his report, which was, by the way, Mr. Speaker, given after, after it was considered in either one of the committees, either the Energy and Commerce Committee or the Ways and Means Committee.

They did not wait for the CBO report. My opinion, Mr. Speaker, they did not wait for the CBO report because they knew how devastatingly negative the CBO report would be to the legislation they were considering.

Mr. Speaker, I yield to my friend.

Mr. MCCARTHY. Mr. Speaker, I thank the gentleman for yielding to me, and I ask if he would let me finish through.

Mr. HOYER. I certainly will do that.

Mr. MCCARTHY. It seems as though the gentleman has a little short-term memory of how they brought the Affordable Care Act and the CBO report when it came before us. It was not brought before us until it came right before the floor.

But let me follow through on all your questions because my response back was, I was actually excited to hear that Democrats wanted to work with us, that their attitude has changed from when we were in committee and they had amendments going forward, that it was no longer going to be hashtag amendments, it was actually going to be productive amendments; and I thank you for having that change of attitude.

Mr. Speaker, I am proud of the transparent process we have taken in the House, and I think this needs to be reminded to all the American public.

As I mentioned last week, our healthcare bill is the result of 113 hearings. I know the gentleman on the other side of the aisle, he is proud of the 72 hearings they had before they did the Affordable Care Act.

We have now marked up this bill in three separate committees, with over 18 hours of debate in Ways and Means, and over 27 hours of debate in Energy and Commerce, and the countless amendments from both Republicans and Democrats.

By the time we vote on the floor, this bill will have been publicly available online for 3 weeks. Now, it is only 127 pages. That is a far contrast to the 2,700-plus pages, if you want to compare it to ObamaCare.

So far, nearly 590,000 people have visited our website, and over 200,000 have downloaded this legislative text.

So, Mr. Speaker, that means more people have read our healthcare bill than went to Woodstock. I call that transparency. Republicans have been committed to repealing and replacing ObamaCare for years, and so now I think it is time to act.

The gentleman also commented about the CBO. Well, I am actually excited that you had another person who

confirmed what the CBO said because what the CBO says about this bill is it will lower the deficit by \$337 billion.

It will also reduce premiums by 10 percent by 2026, and it will secure major entitlement reform by capping Medicaid spending, giving States certainty and flexibility, saving taxpayers \$880 billion, and making the program solvent for future generations, because that was a concern in one of the letters.

Now, Mr. Speaker, those are the facts. With regard to the coverage numbers, the CBO reports that most of that increase would stem from repealing the penalties associated with individual mandates. Let me repeat that. Most of the increase would stem from repealing the penalties associated with the individual mandate.

Now, that makes sense to me, because if we no longer force Americans to buy something they do not want, one-size-fits-all health care, they will naturally choose not to buy it.

But, Mr. Speaker, I know the gentleman across the other side of the aisle argues with me about the knowledge that everybody knows ObamaCare is failing. I would ask the gentleman to visit one-third of the counties in this country that only have one option.

Or why don't you go to Tennessee, where the President just was because, you know, 16 counties in Tennessee have no option. But ObamaCare will penalize you for not having health care when you can't even buy it.

But if ObamaCare was working so well, why do more people accept the penalty or the exemption than actually buy ObamaCare? That is a number that is quite interesting. That is why I am encouraged to see our plan will decrease the average premiums that people have been asking for.

Now, our goal is not just to sign up people for insurance. Our goal is to get America better health care.

Now, the gentleman also commented and had letters—and I love to read letters. I love to listen to constituents because that is what our work should be. And you read a letter when it came to Medicaid. And I would not scare people, I would actually talk to that individual.

Medicaid is on an unsustainable path. In one 10-year window, it will cost \$1 trillion.

Mr. Speaker, the gentleman on the other side knows what \$1 trillion is because that is about the entire amount we spend on discretionary spending. From all of the appropriations that we go through, that would take up everything we have.

Well, we know that is not sustainable, so we should do something about it. That is why we had a meeting with 18 Governors, Republicans and Democrats. And the number one thing they told us, give us flexibility to be able to manage. That is exactly what this bill does.

But I like to read some letters. Here is one from Colleen from Annapolis:

I just received the notice for my 2017 health insurance policy. It will skyrocket, not by the advertised Maryland State average of 20 to 25 percent but, rather, by 60 percent. In addition, my deductible is going up 45 percent. Since the inception of ObamaCare, my policy has increased 75 percent.

I am a 63-year-old female in excellent health who takes no medication. My only benefit from the ACA has been two mammograms, which I paid \$12,600 in premiums to get. What a disaster of a program.

I will be voting Republican this year, in the hope of finally getting the ACA repealed. I just hope it happens before my checkbook goes on life support.

Or the letter to the editor from Carl in Lusby, Maryland:

I can't afford my health insurance now under ObamaCare. It's been a burden on our joint income, which is just above the limit for qualifying for subsidies; and for 2017, I am facing a 61 percent rate increase.

I'm faced with either paying a premium that will bankrupt me and my wife, or paying the tax penalty at the end of the year, which will also be unaffordable. And there are probably several million Americans who are in the same boat as I am.

You know what, Carl? We listened to you. We listened, and now we are going to lead. We have moved a bill from the legislative process to the rules, what it says, for reconciliation. We have done hours of debate in three other committees. We will continue the process, as the rules say. We will go to the Rules Committee and then we will come to this floor. And for those who have written, change will come.

Yes, the Republican-appointed CBO Director and the Democratic CBO Director, as the gentleman, Mr. Speaker, from across the aisle says, agree that the premiums will go down, as so many Americans have asked for. We will put Medicaid on a sustainable path.

We will give Republican and Democrat Governors flexibility so they can manage their States in a better form. And most importantly, we will give America exactly what they asked for, the freedom to choose their own health care, the options of having more so they can direct what they want and desire, at the same time, having a lower cost.

So I welcome the gentleman for his questions. I know that wasn't about scheduling, but I think this is too important, because those 113 hearings we listened to the people before us, and we promised we would act, and we are keeping that promise as we move forward.

Mr. HOYER. Mr. Speaker, I thank the gentleman for his information. People, I am sure, listening to this colloquy must get confused because they hear one representation from somebody who sounds pretty reasonable, my friend, Mr. McCARTHY, and then they hear exactly the opposite from me. So they will have to make a judgment.

The bill that is going to be on this floor next week was introduced a week ago Monday. It was marked up less than 42 hours later.

My friend, the majority leader, Mr. Speaker, said: I love to listen to constituents. Not a single constituent on his side of the aisle or my side of the aisle, Mr. Speaker, had the opportunity to testify on this bill. Not a single one of my constituents, or the majority leader's constituents, had the opportunity to know what the CBO said was going to happen; that 24 million people would lose their insurance, 14 million next year; that Medicare would be put at risk; and Medicaid would be gutted by 2021. Not a single constituent was listened to because they had no opportunity to come and say: this is what I think.

The testimony to which I referred was yesterday. I don't know the dates on the letters that the gentleman just read, but perhaps they were just within the last few days.

But I will tell that 63-year-old woman that what this bill does, if you got a 60 percent increase, will up that by 66 percent because you are going to go from a 3-to-1 ratio to a 5-to-1 ratio on which seniors, and 63 years of age, regrettably, from my standpoint, are referred to as seniors. The bill that is going to be considered will allow the insurance company to do a 5-to-1 ratio, rather than a 3-to-1 ratio, so that 60 percent is going to go up by 40, maybe get to 100 percent.

Mr. Speaker, the American people know about transparency. That means they can see something.

The gentleman says: Well, now it is online. Yes, they had 40 hours, give or take, to see this bill from Monday night to Wednesday, when it was marked up, and it was marked up and passed in the Ways and Means Committee in the dead of night, sort of like they passed the prescription drug bill, at 5:59 in the morning. The majority leader wasn't here. I was here. Perhaps there is a predilection to middle of the night. By the time the Energy and Commerce Committee passed it, they had been in session for over 24 hours and were bleary-eyed.

As I told him last week, Mr. Speaker, my folks were not up at 4 a.m. watching the Energy and Commerce Committee. And I would tell him further that—he said the bill was now online and people had an opportunity to read it. Perhaps, Mr. Majority Leader, Mr. Speaker, that is why the Affordable Care Act has now got more support from the country than it has had at any time since its existence; where there are 49 percent of Americans who now like the Affordable Care Act. Perhaps the reason that is happening now is because they have had the opportunity to see the alternative that the Republicans have offered and are offering on Wednesday.

□ 1215

This bill that they offered is going to significantly raise—I will tell Colleen—her out-of-pocket expenses.

And, yes, under their bill, the CBO says that perhaps the premiums will go down. Why will the premiums go down? Why does insurance go up and down? Because the risk goes up and down; and the greater the risk, the more the cost. But if you don't allow people who are sick people to get into the system because they can't afford it, then the risk goes down. When the risk goes down and you shut people out of the system and 24 million people are out of the system, yes, of course, the rates go down because you are insuring the healthy.

Now, Americans know that very well because they know they have automobile insurance—which, by the way, they are mandated to have in almost every State, if not every State. Why are they mandated to have it? So the rest of us are protected when we have an accident or we are protected from our rates going up because there is not a broad spectrum of the insured so that the risk can be minimal for the insurance company.

So I say to my friend that CBO has told the truth. The Americans are seeing that, and they don't like that. I would urge those on the other side of the aisle to be very careful when they vote either Wednesday or Thursday on this bill because this bill is going to have a very detrimental effect on the American people.

Now, I understand there are going to be two other bills. There are going to be four bills on the floor, as I understand it. Can the gentleman inform us of when we will see the details of this additional legislation?

I yield to the gentleman.

Mr. MCCARTHY. I ask the gentleman which bills he is referring to?

Mr. HOYER. The third bill and the fourth bill.

Mr. MCCARTHY. Those will be later in the month. Next week we will have two of those up that you referred to.

Mr. HOYER. Are they available now to be reviewed prior to them coming up later in the month?

I yield to the gentleman.

Mr. MCCARTHY. Yes. The committee has marked them up.

Mr. HOYER. Lastly—and I know you are glad to hear that comment, as are the folks waiting to do 1-minutes—we have received a letter from Secretary Mnuchin on March 8. It was directed to the Speaker, Mr. Leader, and like most Secretaries of the Treasury, he is hoping that we will pursue financially responsible and confidence-building policies.

I won't read the whole letter, but he says in the last paragraph: "As I said in my confirmation hearing, honoring the full faith and credit of our outstanding debt is a critical commitment. I encourage Congress to raise the

debt limit at the first opportunity so that we can proceed with our joint priorities."

Mr. Speaker, I ask the majority leader whether that is going to be scheduled in the near term because, on March 15, we met the debt-limit extension. This administration and every previous administration have taken steps to prolong the time before we default by using extra mechanisms so that we are, in effect, not investing in the retirement system or something else and paying our debts.

I have indicated publicly, Mr. Speaker, and I reiterate here, that I will urge my side to support a debt-limit extension if it is clean. What I mean by "clean," if it does not incorporate something that is not agreed to and there is not a consensus on. By that I mean, simply, if there are things that we have a consensus on that need to be passed, certainly including those in the debt-limit extension would not be objectionable. But if there are items in that bill designed to force us to vote for what is a responsible policy but takes something that we obviously very strongly disagree with, we will not do so.

So my questions to the majority leader are: A, can we expect a clean debt-limit extension? B, can we expect that in the near term, as Secretary Mnuchin requests, so that we can put that matter behind us and not undermine confidence in our fiscal posture as a nation?

I yield to my friend.

Mr. MCCARTHY. I think we both agree that responsible fiscal policy is important to our country's ability to succeed, and that includes honoring the full faith and credit of the United States. We expect to continue working closely with Secretary Mnuchin to ensure that America is on the right path to a strong fiscal future.

We know the amount of debt that has been added in the last 8 years has been tremendous. I know that the gentleman, when he looks to what we do next week—to be able to lower premiums, save more than \$300 billion of the deficit, and let people have more choice—that is also a first step.

Now, I do not have any immediate action to announce, but we will relay any information to the Members as we move forward.

I thank the gentleman.

Is that going to be your last question?

Mr. HOYER. It will probably be my last question. I have an additional observation.

Mr. MCCARTHY. Before I depart, though, I would like, Mr. Speaker, to wish my friend from the other side of the aisle a very happy St. Patrick's Day. I do apologize. I feel bad, when we look at the basketball round, what happened to Maryland; but if you look at NIT, Cal State Bakersfield is still on

the march, so I have another team you can root for.

Mr. HOYER. Mr. Speaker, I ask that the gentleman's words be taken down. I have never had such a vicious attack made on me.

But I must admit I was deeply disappointed last night. My congratulations to the young men at Xavier and their coach, but my, my, my, I was disappointed in the quality of our play. We have got a great group of young people playing, but it was not their night.

I am sure that I will pick another team sometime as the March Madness continues. What I would hope, though, is we would not have March Madness on this floor next week.

Mr. Speaker, I yield to the gentleman.

Mr. MCCARTHY. There will be no upsets.

Mr. HOYER. I guess the answer to that question, Mr. Speaker, is what will determine an upset. Will the American people be upset? Will the Republicans be upset? The answer to that question remains in the hands of our Republican colleagues, because what I want to do in observation, I disagree with all three of the propositions that the majority leader said in his closing statement.

This is not going to reduce the budget. Yes, on its face, they give a \$600 billion tax cut to the wealthiest in America. Where do they take it from? Medicaid, some of the poorest people in America. That is where that money comes from.

Premiums are going to go up. Deductibles are going to go up. You can quote me on this 2, 3 years from now. I don't think your bill is going to pass. But if it did pass, that is what would happen. You won't be able to test me because I don't think the bill is going to pass. It may pass this floor, but it will not become law.

The majority leader's statement, Mr. Speaker, that that is what the American people are expecting, I disagree with that. What the President of the United States said he was going to give to the American people is insurance for everybody. The majority leader ignores the 24 million. He hasn't spoken about that. He spoke about some other observations in the CBO report, as did Speaker RYAN. I don't blame him. I would try to point to some positive indicators myself.

I think this is going to up the deficit, it is going to up costs, and it will decrease the insured and make hospitals have more uncompensated care. We will have this debate next week, Mr. Speaker.

But on the last issue, I would hope, Mr. Leader, that we do agree on fiscal responsibility. I happen to believe, as you know, the debt limit issue is a phony issue, a totally political issue. It has been used as a political issue on

both sides of the aisle. There should be no question but of course the United States is going to pay its debt, of course the United States is going to pay people whom it has bought things from, and of course it is going to pay people moneys that they have been promised. Of course it is going to do that. This is not about new spending. It is about spending that we have already incurred.

I would urge the majority leader to bring a clean bill to the floor. I will work with him. We will get the overwhelming majority of Democrats to vote for that. Let's not blame one another for the debt. There is plenty of opportunity to do that, and both sides are guilty of that result.

Mr. Speaker, if the gentleman has nothing further he wants to say, I yield back the balance of my time.

ADJOURNMENT FROM FRIDAY, MARCH 17, 2017, TO MONDAY, MARCH 20, 2017

Mr. MCCARTHY. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet on Monday, March 20, 2017, when it shall convene at noon for morning-hour debate and 2 p.m. for legislative business.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

WELFARE REFORM

(Mr. DAVIDSON asked and was given permission to address the House for 1 minute.)

Mr. DAVIDSON. Mr. Speaker, I rise to talk about Welfare BRAC, an opportunity to reorganize our 92 social safety net programs.

Mr. Speaker, I call attention to the 92 programs that, over time, since the Great Society, our country has launched. I call attention to Ronald Reagan's prescient quote about the near eternity of government programs. It is very hard to take a program away once it is launched, and this plan acts on The Brookings Institution's data, which has rarely been accused of being on the right side of the political ideology.

It says that if we do three things, we will eliminate 80 percent of poverty: graduate high school, work full-time at any wage, and have no kids outside of marriage.

This program that I am proposing in this bill, H.R. 1469, the Welfare Benefit Reform and Alignment Commission, would nominate four Republicans and four Democrats. They would have 1 year to work together until September 30, 2018, to prioritize not taking any money away, but taking the 92 programs and making them fewer.

So if you think about the social worker out in the country trying to

help somebody who is in a social safety net, each of these programs may have a 4-inch binder. I don't think we need 92. Maybe it is 6; maybe it is 12. It is not 92.

I encourage my colleagues to support this and work together to make this a more efficient program so we can help meet their needs.

THE HEALTHCARE BILL

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Mr. Speaker, just a little bit of history.

Let me, first of all, say happy St. Patrick's Day. Many know that the Irish fled in the 1800s, if my history is correct, because of the potato famine. We welcomed them as immigrants, and as an early member of the Immigration and Border Security Subcommittee, I remember the Irish sitting in our hearing room saying: Remember the Irish as relates to immigration.

We all have come from someplace to do better. This last week, I sat in the Budget Committee listening to debate on the healthcare bill. I stand here today to argue vigorously against the Medicaid changes: \$880 billion taken away from Medicaid for low-income, hardworking Americans; the language that was added to the bill to instruct that we should not incentivize or that we should make sure that able-bodied men do not get Medicaid.

Well, let me say this. In the spirit of those who have come to this Nation, this bill cannot stand because it ignores the vulnerable and the people who need health insurance, who are, themselves, either addicted or have families.

I want to stand for what America is right for: its values. Let us vote down a healthcare bill that does not help America become un-sick.

□ 1230

RECOGNIZING TODD ZOBRIST

(Mr. SHIMKUS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SHIMKUS. Mr. Speaker, I rise today to recognize Todd Zobrist, a paramedic with Highland EMS in Highland, Illinois.

Yesterday afternoon, Todd was the first to arrive on the scene after receiving a call of a vehicle in Silver Lake with a person possibly inside. When he saw the vehicle partially submerged, he swam out in the cold water to search for anyone inside. He found an unresponsive baby boy, rescued him from the vehicle, and immediately began CPR on the roof of the vehicle. Todd was able to revive the 3-month-old at the scene and the baby was transported

to a St. Louis hospital where he is expected to make a full recovery.

I would like to commend Todd for his heroic and lifesaving actions. It is a great tribute to a southern Illinoisan.

HEALTHCARE PLAN BAD FOR THE MIDDLE CLASS

(Mr. AGUILAR asked and was given permission to address the House for 1 minute.)

Mr. AGUILAR. Mr. Speaker, here are the facts: the Affordable Care Act covered over 20 million Americans. The House Republicans' bill will strip 24 million people of their health care.

I have received thousands of calls, emails, and social media messages regarding this topic from constituents opposing a repeal and sharing their stories of how the Affordable Care Act has helped them and how terrified they are of losing their coverage. I would like to share just one of those stories.

Daria from Redlands wrote to me about how Medi-Cal, California's Medicaid program, is called a lifeline in her family. Daria, who suffers from a debilitating and rare disease, closed her letter by saying: "There are tens of millions more like me. American citizens, Moms and dads. Working hard, struggling with illness. Loving our families through hardship and disease. All of us—these tens of millions of American families, would be absolutely devastated by the loss of our insurance coverage."

Mr. Speaker, what would you say to Daria about your plan that would cut Medicaid and raise the cost of insurance on families like hers while giving tax breaks to the uberwealthy?

Instead of working with Democrats to improve the bill, Republicans drafted it in secret, rushed it through committee in the dead of night, and are now ramming it through Congress. This plan is bad for the middle class.

FATHER TRAFFICKS DAUGHTER

(Mr. POE of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE of Texas. Mr. Speaker, it is said that there is no need in childhood as strong as the need for a father's protection. That is a father's job.

Recently, a Texas father arrogantly violated all of his responsibilities. He forcibly sex trafficked his teenage daughter. In the milky darkness of night, he would take her to truck stops and coerce her to have sex so he could pocket the filthy lucre.

The 16-year-old was sold to multiple customers in a single night. Every dollar the deviant collected was stolen at the expense of his daughter's childhood. His evil and greed were so boundless that this so-called father placed ads on the internet to sell his daughter.

She was sold on the marketplace of sex trafficking. But the girl was rescued. The defendant was convicted and put in the deepest bowels of a Texas prison.

America cannot turn our back on the scourge of sex slavery. Mr. Speaker, our children, our daughters, are not for sale.

And that is just the way it is.

WE CAN'T GO THERE

(Mr. MEEKS asked and was given permission to address the House for 1 minute.)

Mr. MEEKS. Mr. Speaker, the camera of history is rolling, and here on the House floor it is recorded. So I want to make sure that we are clear.

When I think about going back into the nineties, it was Bill and Hillary Clinton that put forward a healthcare plan. My colleagues on the other side had the goal of stopping it. And they did. We had nothing.

For 6 of the 8 years that I was here—from 2000 until 2006—they controlled both the House, the Senate and the Presidency, and they did nothing in reference to health care. It took 2008 and Barack Obama to come up with the Affordable Care Act, which gave 20 million Americans health care that didn't have it. It made sure that those that had a preexisting condition could continue to make sure that there was no discrimination against women and girls, so as to make sure they had equal health care. It also made sure that you removed the caps so that Americans would not be caught, as they were beforehand, going bankrupt, disturbing families and separating families who did not know how to make it until tomorrow. It was the Affordable Care Act.

Yet, here, history will record that our colleagues are prepared to vote on Thursday to take those 20 million Americans that did not have access to health care away from health care and back to the bad, old days. We can't go there.

VA ACCOUNTABILITY

(Mr. LAMALFA asked and was given permission to address the House for 1 minute.)

Mr. LAMALFA. Mr. Speaker, I rise today to recognize the House's efforts this week to improve the employment standards at the Department of Veterans Affairs.

In recent years, complex bureaucratic processes can take up to a year to remove or discipline a VA employee for misconduct or subpar performance. The VA has even had trouble firing one employee who participated in an armed robbery and another who participated in a veteran's surgery while intoxicated.

Just last year, VA Deputy Secretary Sloan Gibson testified at a hearing

that it was too difficult to fire bad employees. That is why I was happy to vote in the House this week for the VA Accountability First Act of 2017. This legislation provides the VA Secretary more flexibility to demote, suspend, or remove employees for misconduct or subpar performance.

Additionally, the House has passed a second bill today to make the hiring process more efficient, allowing the VA to recruit and retain the best in the field. As a result, the VA can fire bad employees and replace them with good ones who have a passion, and we can retain at the agencies we want to work hard for our veterans. This will lead directly to higher quality care for our veterans, which is the whole reason and purpose we do this.

HONORING THE MEMORY OF MICHAEL JAY GROBSTEIN

(Mr. SHERMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SHERMAN. Mr. Speaker, I rise today in honor of the memory of my good friend of nearly three decades, Michael Jay Grobstein of Encino, California, who passed away Wednesday, March 8.

Michael died at home, surrounded by his loving family, including his wife of 53 years, Barrie; his children, Marla and Marc; and his grandchildren, Miranda and Avery.

Fifty years ago, as a young and talented CPA, Michael founded a CPA firm which grew to be the largest accounting firm in the San Fernando Valley, Grobstein and Horwath. In that role, he provided financial and strategic advice to businesses throughout southern California, and beyond. There are thousands of people who are employed today at businesses that Michael guided with insight and wisdom.

Michael served as a founding member and president of The Executives, a group of business leaders in the Valley formed to support the Jewish Home for the Aging, where my own mother lives, along with hundreds of those enjoying their senior years. For that effort, Barrie and Michael earned the Circle of Life Award.

As lifelong residents of the Valley, both Michael and Barrie were involved in many charities, including the Junior Blind of America, the Grossman Burn Foundation, City of Hope, Cal State University Northridge, Sherman Oaks Hospital, and the Sheriff's Youth Foundation.

Above all, Michael was an example of one of San Fernando Valley's finest community leaders, and he was a good friend. He will be missed.

WE CANNOT LEAVE OUR VETERANS BEHIND

(Mr. BIGGS asked and was given permission to address the House for 1 minute.)

Mr. BIGGS. Mr. Speaker, I rise today to honor our veterans who have served in our country's Armed Forces.

For over 240 years, millions of brave souls have fought, bled, and some have died, to defend our American freedom. The Bible says: "Greater love hath no man than this, that a man lay down his life for his friends."

Mr. Speaker, the American veteran truly has great love for his fellow man. Because of the great sacrifices of our veterans, we must see to their care and well-being. We have often failed in this obligation. We have left our veterans helpless, suffering through bureaucratic nightmares to get care they desperately need.

The Phoenix Veterans Administration has worked hard to improve its care for veterans, and the newly-opened Southeast Veterans Affairs Health Care Clinic in Gilbert is intent on providing the best possible care for our Nation's finest.

While conditions have been improving in Phoenix and around the Nation, there is still much work to be done. I have made it a priority to provide excellent service to the veterans in my district. They deserve nothing less.

Our veterans did not leave us behind. Mr. Speaker, we cannot leave them behind.

LOSING MEDICAID COVERAGE

(Mr. SABLAN asked and was given permission to address the House for 1 minute.)

Mr. SABLAN. Mr. Speaker, as this week and the week before have passed, I watched Members of Congress on both sides of the aisle debate the better parts of either the Affordable Care Act or its replacement, the American Health Care Act.

For the people I represent, the people of the Northern Marianas and of the insular areas, none of this matters to us. None of those mandates, none of those subsidies ever applied to us. The one thing that did apply to us was Medicaid—not expansion, not the regular program, but the block grant for Medicaid—which has now just been completely taken out of the bill before us.

There are 14,000 participants on Medicaid in the Northern Marianas. Over 10,000 are children and students. Come October 1, 2019, they will no longer have access to health care because they lose their Medicaid coverage.

I CANNOT TELL A LIE

(Mr. COHEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COHEN. Mr. Speaker, I am a proud member of the House of Representatives. Yet, at the same time, I am embarrassed that, in somewhat of a Felliniesque nature, we have followed down the rabbit's hole.

Our current President suggests that President Obama wiretapped Trump Tower. Our President has the FBI and the intelligence agencies at his beck and call. He can easily make a phone call and know whether or not it is true; but, instead, he asks Congress to make an investigation, and Congress agrees.

This is absurd. It didn't happen. In fact, his security adviser called the British to apologize for suggesting that the British were listening in at Trump Tower.

Our Nation needs to be more like it was when George Washington was President. He was known to have said: "I cannot tell a lie."

We need to be straight with the American people. Microwaves cannot take pictures or surveil your house. The past President is an honorable man and committed no crime. He should not be accused of such.

I hope this Fellini movie ends quickly.

The SPEAKER pro tempore. Members are reminded to refrain from engaging in personalities toward the President.

MUSLIM BAN

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes as the designee of the majority leader.

Mr. GOHMERT. Mr. Speaker, happy St. Patrick's Day.

March 17 is St. Patrick's Day—a day that, for so many, has become a reason for frivolity and joy and fun. Some think it is a day just for drinking, but St. Patrick is remembered not because he drank, not because of frivolity, but because he was a dedicated Christian committed to serving the Lord. I think it is good on St. Patrick's Day to remember why he was a saint.

□ 1245

Now going 180 degrees from talking about saints, Mr. Speaker, I think it is worth discussing the decision made by a Federal judge in Hawaii, also in Maryland. We have judges who have become dictators. We have judges who have ceased to abide by the Constitution. They have widely applied themselves as politicians, though they do not run for office.

A true judge, a conscientious and ethical judge, would review a document such as the President's executive order for what it is, what it says, what it does. Intent is not an issue. What does it do?

The President of the United States, Donald J. Trump, was seeking and is

seeking to protect Americans, but we have judges who are not interested in protecting Americans so much as they are patronizing and sucking up to the liberals in the country: those in the media, those in entertainment, those in their highbrow circles. They are not interested in following the Constitution or the law.

We had a hearing in the Committee on the Judiciary on the Ninth Circuit this week. The Ninth Circuit apparently is the most overturned circuit in the country. It has a massive number more cases filed in their circuit than any other circuit. In fact, I have now filed a bill that would divide the Ninth Circuit so that the Ninth Circuit would be comprised of California only, and then all the other States—Arizona, Nevada, Utah, Wyoming I believe is in, Montana, Oregon, Washington, Alaska, Hawaii, and territories—I may have missed a State, but all of the other States and territories would be in a new 12th Circuit. The judges who are currently on the 12th Circuit Court in my bill—who are currently part of the Ninth Circuit would remain with the Ninth Circuit. We would have a new circuit, and the judges would be appointed by the current President.

I know there are a lot of people in California who have great sympathy for that, have been begging for years to be carved out of the Ninth Circuit Court of Appeals because their destructive, unconstitutional decisions are doing great harm to those who believe in the Constitution as written, not as some liberal judge thought it might should be as he tries or she tries to play up to friends at their get-togethers. They would be hailed as being so wise, but the truth is, as Scripture talks about, these are people who are wise in their own eyes, but they are doing great harm to the United States of America.

When anyone in any kind of leadership position loses their common sense, they are educated beyond common sense—they educate common sense completely out of some folks in the United States now—we have problems. And anytime people are educated and taught to believe that what instinctively they knew or were taught was not the right thing to think, and those people become leaders in the country, that country speeds up in its travel down the road to the dustbin of history.

No nation has ever lasted forever. No nation ever will in this world. It is not going to happen. So the question is, from its founding, how long does it go? It depends on how long the leaders of that nation can keep good sense within their consideration in making decisions. That is not happening. Good sense is not being used by judges who have assumed powers they never had, were never given.

Under the Constitution, the powers regarding refugees, immigration, those

decisions are left to the President. Some judge may say, oh, you can't consider religion, but indeed any judge that so says is completely wrong. Thank God religion has been considered many times, as when Jews were being persecuted and killed, it was appropriate to say that we want to welcome Jews out of those horrors as refugees, bring them in. But this Nation is being put at risk by judges who are wise in their own eyes.

Now, there is an article here about the Hawaii judge. It is in *The Guardian*. It was written by Les Carpenter, Oliver Laughland, and Liz Barney. It was written apparently before the decision was made.

“U.S. district judge Derrick Watson is one of several judges hearing arguments over the ban in the final hours before its implementation. He said on Wednesday afternoon after hearing oral arguments that he would issue a written ruling before 6pm Hawaii time. Hawaii was the first state to challenge the second version of Trump's travel ban, after the first was halted by court order.

“The state has argued that the ban is unconstitutional, and that it will suffer damage to its local economy and to various educational and religious institutions. It also argued that some Hawaiians will be prevented from reuniting with family members swept up in the ban.”

That is heart rending, but the fact is none of those are a basis for reversing a Presidential executive order that Congress and the Constitution together gave the President to issue.

We also find from comments that the courts didn't look to the four corners of the document and look what the document says because many of us know that as long as the Constitution is the foundational bedrock for the country, we have a solid foundation. But when we have judges like this Derrick Watson or the judge from Maryland or James Robart, who issued a ban in the first travel order, when they don't pay attention to the Constitution but pay more attention to what they hear from their liberal friends who are disgusted by the elected President of the United States, and they know they will be heroes, and they long for the accolades of the intelligentsia, which actually isn't the intelligent—educated, yes; intelligent, no.

The Constitution gives certain powers to certain parts of the government. Congress has the power to make decisions on immigration, migration, naturalization, but it has the power to delegate those responsibilities as it sees fit to the President, and it has done so. The President has certain powers of his own office, of his own right to protect the United States of America. But these judges think that you should not consider the fact that one of the most educated people in the world on what

Islam is and what it isn't says the Islamic State is Islam. He has a Ph.D. in Islamic studies from the University of Baghdad, as I recall, and he happens to be the head of the Islamic State.

But the judge would have us disregard the fact that a man who spent his life studying Islam, Koran, the Holy Koran because the Koran that is brought around to some of our offices, they take out verses that have to do with violence against those who are not Muslims, but the Holy Koran he spent his life studying, but these judges would say, oh, no, no, you can't consider the fact that these radical Islamists claim to be Muslim or Islamists, you can't consider that.

One article out this week pointed out that somebody should tell these judges that the terrorists coming in from the nations designated by the President are Muslim. They are not Christians. They are not Jews. They are not secularists. They are radical Islamists. It is ridiculous to have to continually state the obvious that we all know, that all Muslims are not a threat to the United States, but it is absurd not to understand that those who in the name of Allah are killing, beheading, torturing, trying to destroy a free society in the name of Allah, they should not be allowed into the United States. If they are U.S. citizens and their goal is to supplant the U.S. Constitution with sharia law, that is treasonous.

That is why I was so pleased with President Sisi, as a Muslim leader, telling a room full of imams: We have got to stand up to the radicals who have hijacked our religion. President Obama didn't know that. He kept continuing to say that, oh, no, the Islamic State, it is not Islamic, these Islamic terrorists are not Islamic, when actually wise Muslim leaders like President Sisi, they understand, yes, these people are Islamic. They claim it in the name of Allah. They claim it in the name of the Holy Koran, but they have hijacked our religion, and it is time to stand up to them. As long as we have world leaders who are, metaphorically speaking, without clothes, and nobody has the nerve among the world leaders to say: you are naked, put on some clothes. Again, for those who are educated beyond their intellectual level, that means you have got to call it like it is and don't just go along to play to the crowd, the media, the Hollywood types. Stand up and call it like it is. We have a President who is trying to do that.

□ 1300

There is no doubt, as Justice Scalia said about one of the ill-advised decisions previously made by the Supreme Court, this will end up costing American lives. These decisions, if they are allowed to stand, by these unconstitutional judges will cost American lives, and the blood will be on the judges' hands in their pursuit of accolades and

popularity among the neo-intellectual elite. They left common sense behind and put our Nation at risk. It is tragic.

I have the two decisions from the courts—one from the District of Hawaii and one from the District of Maryland. But it is interesting. In this article I was reading, Mr. Speaker, it says the judge, within just a matter of brief hours, was going to have this 42- or 43-page decision made. Let's see. This is the Hawaii decision, 43 pages. It seems to me somebody must have been working on that before oral arguments. The decision must have been worked on before that to have a 43-page decision just within a matter of a few hours.

But let's face it, the litigant surely knew before they ever had a hearing what the judge surely knew before the hearing—that he was biased, prejudiced, and was in no way going to have a fair hearing. He was going to end up ridiculing the President of the United States, and unwittingly, witlessly, putting America at risk.

We have testimony here from the FBI Director saying: We will vet these people, but we have nothing against which we can check the information they give us. Yeah, we will vet them, but we got nothing to check their information against.

As Director Comey pointed out: At least in Iraq, we had government records from Iraq, we had the criminal records. But in Syria, since the Obama administration was so diametrically opposed to the Assad administration in Syria, well, the official government certainly wasn't sharing information. And since this administration said we were going to stop the Islamic State—even though we did nothing from the administration decisions, at least, but help the Islamic State grow bigger and stronger, and kept sending weapons, material to what the Obama administration thought or said were our friends and allies, but actually ended up repeatedly allowing the weaponry, the heavy artillery tanks, to fall into the hands of the Islamic State—well, the Islamic State was not sharing the information they had about the people of Syria.

And, in fact, Mr. Baghdadi made clear that they were going to get some of their best warriors mixed in with refugees, and they surely have. When you have judges who close their eyes, wet their finger, and hold it up for liberal friends to blow on so they know which direction they should move, well, we get bad decisions that put the Nation at risk.

For those of us who spent much of our lives studying history, it is very clear. Since you know no nation lasts forever, then you look at important milestones along the rise and along the demise, and these are the kind of decisions that lead to a country's demise. When you refuse to recognize what your enemies say—that they are your

enemies, they are going to destroy your way of life, they are going to get refugees who are terrorists into your country—because you are so stupid you don't know how to defend yourself, you want to pat yourselves on the back for being so open-minded and open-doored that you allow your killer to come in and kill you, just like the proverbial song and tale taking in a snake, warming it, bringing it back to life, and it bites the rescuer; or the tale of the tortoise carrying the scorpion across the water and then getting stung. When people tell you they despise your way of life, they are going to bring your way of life down. When their documents tell you that they believe that you are infidels and need to be destroyed, there has to be somebody at the top of the country's leadership that understands the risk and stands up to protect the country.

And when people like these judges take the Constitution into their own hands, rip it up, and say, "I don't care what restrictions we have on us, I don't have any restrictions, I am a Federal judge for life," well, that is only so long as the judge has good behavior. And these judges have not had good behavior. They have taken powers under themselves—their name might as well be Chavez or Morsi—taking power into their own hands that they were never supposed to have.

But at least in the case of Chavez and, possibly, Morsi, they won elections. There was a great deal of fraud involved in Morsi's election. It was questionable whether he actually won. The threats eliminated any contest to the election results. But the 30 million or so that went to the streets and demanded his ouster in Egypt, the greatest public step in world history, demanded the removal of an unconstitutional leader in world history. There has never been 30 million people go to the streets peaceably. It wasn't all peace. But the part that wasn't peace was caused by the Muslim Brotherhood. That is why they have been labeled as a terrorist organization, and that is why the United States should label them as a terrorist organization.

Regardless of what anybody thinks about President Trump, his order was an attempt to protect Americans against judges who think they are unaccountable because we haven't impeached near enough and who become dictators and seize power that was never given to them.

I have got a bill we are preparing that would eliminate any jurisdiction for any Federal court other than the Supreme Court to take up an issue involving immigration of refugees, other than immigration courts, but not on a constitutional level, not to issue an injunction to stop a congressional action or a Presidential action. That would have to come from the Supreme Court, and that is the way it ought to be.

When the Constitution was written, there was only one Federal court provided for. That was the United States Supreme Court. Any other court that is Federal in this country owes its life, its jurisdiction, to the U.S. Congress. As some have said in other applications, "We brought them into the world and we can take them out," as far as their courts are concerned; and we need to do that. We need to take their courts out of the business of making decisions that overrule congressional and Presidential action on refugees and our national security when it is involved with those refugees.

At a hearing that Dr. Alid Perez and STEVE KING, my friend from Iowa, set up and held yesterday, there were very touching stories of Christians, Yazidis, the persecution of Jews in the Middle East. We heard from people that know what it is to be persecuted by radical Islamists. They see how stupid the policies have been in this country.

We heard from one of the people in the Homeland Security Department that with the massive millions of dollars that Congress appropriated to be used in countering violent extremism, an inarticulate euphemism, that we have spent millions on things like teaching young school choirs Muslim songs. Now, that is one of the contributing factors to the senseless Orlando killings, the San Bernardino killings, the Boston marathon killings—choirs. A contributing factor is that we have wasted millions of dollars, maybe billions, on outreach programs that should not necessarily be the role of some parts of our law enforcement.

I challenged FBI Director Mueller that they had not even gone to the mosque where Tsarnaev went to find out if his pattern had changed, if his behavior had changed, you know, if he was memorizing more and more scripture than he ever had.

We often hear after these shootings, these killings, or these bombings take place: Well, he was becoming more and more religious.

Well, that can be an indication that somebody has become radicalized. There are a number of factors.

Kim Jensen from the FBI, who prepared 700 pages or so on training people how to spot radical Islamists, well, he had his 700 pages purged from training materials for a long period of time. Finally, they realized somebody really needs to know what radical Islam is. They allowed some of the training materials to be used again—maybe all of them—but only for a limited number of FBI agents, as I understand it. We had material that was removed during the purge of our State Department, Homeland Security Department, intelligence departments, agencies, during the purge of their training materials, removed what our Federal agents need to know in order to be able to spot if somebody is no longer a peace-loving

Muslim but now has been radicalized and wants to kill American infidels.

There are things that can be spotted if you know what to look for. We have people that know how to train for those things. Phil Haney with Homeland Security knew. With this scientific methodology of finding the connections between radical Islamists, as we have heard publicly, he had identified 800 who may have terrorist ties—reviewed 400, where nearly every one of them ended up being named on the terrorist watch list, but the other 400 were not ever analyzed.

□ 1315

No telling how many of those potential terrorist individuals may actually kill people, kill Americans some day, if they haven't already.

Although Secretary Napolitano said we get pinged and we connect the dots, yet she was Secretary when somebody high—maybe her, but probably someone else—was eliminating the dots, thousands of pages of dots, dots representing terrorist ties. They wiped them out. They erased them.

Phil Haney saw it as it was happening, was able to capture much that was being deleted, that would allow us to know who in the United States has terrorist ties. Under President Obama, our ability to identify our enemy was greatly weakened, and now we have judges that will put us even further at risk.

But you see it repeatedly through history. When a nation's leaders begin to think they are so wise, so above the fray that they refuse to recognize a direct threat to the nation, then the nation is—it speeds up its trip to that dustbin of history. My continued hope and prayer is that this administration will reverse that slide.

I know there are many that say that you have a cycle—whether it was ancient Greece, Rome, other societies—where they pursue freedom, they have some freedom, they begin to lose freedom, they fall under a dictatorship, a totalitarian regime, and then the cycle goes on. But my reading of history leads me to believe perhaps it is more like, can be like, bell-shaped curves where you can go up, create more and more freedoms, have periods where you lose freedoms, but if you have a generation or two that stands up and recaptures those freedoms, you could have another bell-shaped curve. It doesn't have to be a cycle where you completely lose your freedom. But the way we are headed, this will happen.

I was hearing from my friend Secretary Tom Price yesterday that there are 76,000 employees in Health and Human Services, and we are not talking about people that even put Band-Aids on those who need medical care. We are talking mainly about bureaucrats. That is one of the things that contributed so mightily to the in-

creased cost of health care: so many more bureaucrats were being hired, had to be hired, more and more regulations.

You had IRS agents, by the thousands, that had to be hired in order to implement ObamaCare. They weren't going to help anybody's health. They might actually cause problems with people's health—ulcers, at least.

But this Nation is at risk. We have gotten a reprieve, a chance to catch our breath, restore freedom.

As I have said before, for those who have read "Nineteen Eighty-Four" by George Orwell, the main thing that Orwell got wrong was the date, because we now have eyes in our homes wherever we are that are staring at us, allow the government to stare at us through our own computers, through our own smartphones. When watching the movie of "1984," it actually is an eye like a picture, but what it really is these days, they are computer screens, smartphone screens. The government can watch any time it wants.

We were assured that the government would not be watching like that unless they followed the law or got a FISA court warrant, but Edward Snowden showed that—those of us who heard testimony and heard statements from people in authority about what they would do and not do—has been proven to be false.

That became clear to me when I saw the affidavit seeking a warrant for all of Verizon's data on all of their customers, all of their calls, all of the information, because the Fourth Amendment says it has to be with particularity. You have got to be specific, what it is you are seeking, make sure there is probable cause to believe a crime is being committed and this person committed it, and that there is evidence to show that that is being sought, and then you get the warrant.

That is the way I reviewed applications for warrants repeatedly when I was a judge, but not anymore. No, no. A guy comes in, swears to a FISA court judge that at one time I had great trust in because we were assured, hey, these are appointed—nominated, at least—confirmed Federal judges. They would never violate the Constitution. Well, we found out that is just not true. They became a rubber stamp.

So the particularity in the affidavit we saw was: We need all the information on all the customers Verizon has. The FISA judge, supposedly out there to protect Americans' private information, said: Oh, well, that is particular enough. You want everything, all of the numbers, all of the information. Okay, here is the order. Here is the warrant. Verizon, turn over everything you have got on all the numbers you have.

Well, so much for protection of our rights by the FISA court. We now know we are not protected by the FISA court. We can't trust the FISA court.

As I said in our hearing last week—well, I have said it publicly—unless our intelligence agencies produce the culprits who violated the law and did not follow the law in masking the name, minimizing the transcripts, unless our intelligence agencies can root out the people that have been violating the law, I will vote against a reauthorization of 702.

I know they say: Well, we need all of this power to keep us safe. But we have competing interests here. On the one hand, we have a government that yearns to be bigger and bigger and know more and more until it knows everything about everybody; and on the other hand, we have got people wanting to be safe and wanting their government to protect them. So there has to be a balance.

But when government officials can get every bit of information about your private life, then why do we even need a Congress? You have got bureaucrats making your decisions, know all about you. Might as well let them make the rest of your personal decisions. They know everything else you know.

So we are living in a dangerous time, but the judges have got to be reined in. I hope that my colleagues will join us in restricting the ability of a district or circuit court, any Federal court other than the Supreme Court, taking up these types of national security issues involving refugees or immigrants, because it looks like that is the best thing we can do at this time.

In the meantime, I do intend to review more information about these two judges from Hawaii and Maryland—any others that may join hands as they jump off the cliff—and see if their conduct seems to be sufficiently bad conduct to require their removal from office.

I know this will be looked at as a political thing, but it is not. We are talking about the freedoms of every Democrat, every Republican, everybody that is not identified with a party—every American. The judges have overtaken the Constitution.

In the name of political correctness, we have ended up, apparently, according to the information that is coming out, allowing people who happen to be Muslim to have total access to our congressional computer systems. This article from March 15 in the Conservative Review by Luke Rosiak—and apparently, he has done a great deal of digging on this story. He seems to have more stories about it.

Well, let me touch on the one from March 13:

"Congressional IT staffers who are the subject of a criminal investigation into misusing their positions had full access to Members' 'correspondence, emails, confidential files,' and there was almost no tracking of what they did, a former House technology worker said.

"Imran Awan bullied central IT to bend the rules for him so there wouldn't be a paper trail about the unusually high permissions he was requesting. And their actions were not logged, so Members have no way of knowing what information they may have taken, the central IT employee said.

"Awan ran technology for multiple House Democrats, and soon four of his relatives—including brothers Abid and Jamal—appeared on the payroll of dozens of other Members—of Congress—"collecting \$4 million in taxpayer funds since 2010.

"U.S. Capitol Police named him and his relatives as subjects of a criminal probe on February 2, and banned them from the complex's computer networks. But Members of Congress for whom they worked have downplayed their access or publicly ignored the issue."

And, of course, the reason is no one wants to be seen as a racist. Islam, being Muslim, is not a race; it is a religion. And for some, it is not only a religion, it is a form of government that some—fortunately, a minority—think should replace our own Constitution.

Anyway, the article goes on: "They had access to everything. Correspondence, emails, confidential files—if it was stored on the Member's system, they had access to it," the former House Information Resources technology worker with first-hand knowledge of Imran's privileges told *The Daily Caller News Foundation*.

"Technology employees who work for Members must initially get authority from HIR, a component of the House's chief administrative officer, which maintains campus-wide technology systems.

"There were some things—like access to the House email system that were totally controlled by the technicians at HIR. In order for certain permissions to be granted, a form was required to ensure that there was a paper trail for the requested changes. Imran was constantly complaining that he had to go through this process and trying to get people to process his access requests without the proper forms. Some of the permissions he wanted would give him total access to the Members' stuff."

And again, he used the threat of calling someone bigoted because he was Muslim if he was not given the total access that this person now being investigated as a criminal said he needed.

And it is amazing how many people gave him the full access he wanted without the proper credentials, without the proper background investigation, because no one wanted to be called bigoted since he was Muslim.

□ 1330

"IT staff at HIR can be tracked for every keystroke they make," the work-

er said. But by comparison, "when these guys were granted access to the Member's computer systems there is no oversight or tracking of what they may be doing on the Member's system. For example they could make a copy of anything on the Member's computer system to a thumb drive or have it sent to a private server that they had set up and no one would know."

"That raises questions about why Members are so quick to brush off the seriousness of the investigation."

Mr. Speaker, as you know, we are not hearing a lot of people talk about it. We are not seeing a bunch of stories about it. But this is critical to the ongoing of Congress' actions. You can't have privileged communications that allow us to know what is going on in the departments, agencies, over which we have oversight—you can't have access to that kind of information.

The wrong people know everybody we talk to, everything that is said. They know how to fend off and best come after America. They know how to manipulate us and do so much easier and better. You don't have to be Russian, apparently, to get access to the Democratic National Committee's emails.

I am still really interested to know if any of these five who didn't have proper background investigations, that worked on so many of our Democratic friends' computer systems, if they possibly helped set up the Democratic National Committee's computer system.

"After being notified by the House Administration Committee, Abid was removed from our payroll." This is a quote. "We are confident that everything in our office is secure," Hilarie Chambers, chief of staff for Democratic Representative SANDER LEVIN of Michigan, told *TheDCNF*.

"Multiple House IT workers said it is impossible for Members' offices to make that judgment, and that Capitol Police—who are running an investigation that involves cybercrimes and current and potential international fugitives, despite their primary duties being providing physical security—aren't capable of determining what actually occurred either.

"The Capitol Police web page listing their authority, scope of work, and expertise does not mention the word 'computers.'

"A Fairfax County, Virginia, police report shows that the brothers' stepmother called the police on them in January, and a relative said Imran has been out of the country attempting to access assets stored in Pakistan in his deceased father's name. The relative said they forced her to sign power of attorney documents against her will.

"After naming them as suspects in a criminal investigation, the Capitol Police have not taken their passports or arrested them. The brothers previously took a \$100,000 loan from a fugitive

wanted by U.S. authorities, Dr. Ali Al-Attar, who has fled to Iraq and been linked to Hezbollah."

Just gives you a warm, fuzzy feeling, Mr. Speaker, that we have got people with ties owing money to known associates of the Hezbollah terrorist organization and their having full access to Members' computers.

This says: "Imran ran technology for Florida Rep. DEBBIE WASSERMAN SCHULTZ—who resigned as head of the Democratic National Committee after a disastrous email hack that was blamed on Russians—and had the password to an iPad used for DNC business.

"Politico described the investigation this way: 'Five House staffers are accused of stealing equipment from Members' offices without their knowledge and committing serious, potentially illegal, violations on the House IT network.'

"But it later said Hill staffers were downplaying the information security component, writing, 'Sources close to the House investigation said the former staffers, while able to view some Member data, did not have access to any classified information.'

"That description rankled multiple House IT workers, who told *TheDCNF* those semantics misleadingly made it seem like they didn't have access to extremely sensitive information.

"Classified' is a terminology used by spy agencies and other executive branch agencies, not generally Congress, with the exception of the Intelligence Committee. The full email correspondence and hard drives of Members of Congress are nonetheless sensitive, extremely private, and likely to contain privileged information of the utmost import.

"And an email need not deal with national security to open that Member to blackmail or extortion. All a rogue IT staffer would need to do was threaten to release emails that were politically embarrassing.

"The central IT staffer said any suggestion that the brothers' access didn't span the full gamut of congressional intrigue was silly because they were the ones giving out permissions.

"When a new Member begins, they guide them on everything from which computer system to purchase to which constituent management system to go with and all other related hardware purchases. Then they install everything and set up all the accounts and grant all the required permissions and restrictions," the staffer said.

"In effect, they are given administrative control of the Members' computer operations. They then set up a remote access so they can connect from wherever they are and have full access to everything on the Member's system."

Numerous Members of Congress who employed the suspects wouldn't say whether they've been fired or what

steps they've taken to examine whether their information is safe."

Spokesmen for a number of Members of Congress "all ignored requests or refused to say.

"The central IT worker said they were ignoring the problem in the hopes that it will go away, but that their apathy speaks to the problem.

"Unfortunately, as the recent election has shown, security of computer systems on the Hill is not really taken seriously."

So we are told now, this article from March 15, says that the Capitol Police are getting outside help. We will see.

Might I inquire how much time I have?

The SPEAKER pro tempore. The gentleman from Texas has 5 minutes remaining.

Mr. GOHMERT. Mr. Speaker, in my remaining time, I want to address the question of ObamaCare.

Two years ago when Joe Biden was Vice President, making him President of the Senate, there was a compromise. Instead of doing complete and full repeal of ObamaCare as Republicans have been promising for years, there was a compromise: All right. We will take out all but the regulatory authority, those things that actually caused the greatest increase and expense.

But it didn't change the fact, Mr. Speaker, that we had made a pledge to America that I didn't help write but our leaders of the Republican Party in the House did, and it said: Because the new healthcare law kills jobs, raises taxes, increases the cost of health care, we will immediately take action to repeal this law. Then it goes into some detail about that.

Then we know we had A Better Way, Speaker RYAN, our leadership, current leadership's Better Way. And this was from June 22 of 2016.

The plan begins by laying out five principles. It begins by repealing ObamaCare. That is all of it as its first principle. And the last sentence of the paragraph says: "We need a clean start in order to pursue the patient-centered reforms the American people deserve."

That is exactly right, and I was glad that our leadership of our party put that in there because we needed a full repeal.

But 2 years ago, it wasn't a complete repeal. More so than what is being done now, in what we are being told is the new bill. It was more repeal then. But even then we wanted to do a full repeal, but we were told because Joe Biden could come over from the White House, come down Pennsylvania Avenue and take the presiding officer's seat straight down the hall, that he would likely rule that other part was not in compliance with the Byrd rule.

In essence, the Byrd rule basically means, if something is merely incidental in its effect on the budget instead of a direct effect on the budget,

then it may not be considered under the procedure that was being used, and that procedure only requires 51 votes.

So the thing that everybody knew back then is, if it were a Republican in the presiding officer's seat, of course, would say all of this, especially the part that was taken out, would survive the Byrd rule because it is not just an incidental effect on the budget. It is the most dramatic effect on the budget of most any bill that Congress has ever taken up—dramatic and not incidental, dramatic.

And so now we are told: Look, everybody needs to get on board with this new bill that doesn't go as far as the one 2 years ago, and it leaves all these regulations and things, all that power. 1,400 times it says the Secretary will make the rules, regulations to implement the bill. But we are being told it is okay; you don't have to knock those out because now we have Secretary Price that can do that.

Well, for one thing, if he could, then that would mean when the next Secretary of Health and Human Services comes along and it is a Democrat, you can put them all back. We hadn't done anything. We didn't accomplish anything. We just had a little breather.

But we are also told the prices will likely continue up. There may be a 10 percent drop of the two to four times the healthcare costs, health insurance costs, at least, are increasing.

But since we know it will be a Republican in the chair, then the Republican in the chair in the Senate will be free to do the right thing and say, honestly, truthfully, absolutely, the repeal of all this regulatory massive mess is dramatically going to affect the budget, not incidentally. So it survives the Byrd rule. It stays in.

There are things that are in the new bill that probably won't survive that analysis that have been added.

Why don't we do what we promised for 7 long years, repeal all of ObamaCare? But we are told there is a second bucket, a second stage, where Secretary Tom Price—in whom I have got great faith because he knows health care, he knows healthcare law—can change those regulations.

Well, we also know that this is going to be taken to court very quickly. And even I, as the conservative appellate chief justice that I was at one time, would probably look at that and say wait a minute.

The law gives you the power to create regulations to implement the bill; it doesn't give you the power to make regulations that will destroy the bill. So it won't have to be a liberal judge that can knock down regulations.

I remember my late friend Justice Scalia not talking about a particular case, but talking about the issue of when Congress doesn't do something and has a lawsuit to do it instead, Justice Scalia said: If you guys in Con-

gress don't have the guts to stop something you have the power to stop, don't come running over to the Supreme Court to demand we do it. You do your job. That is not our job.

□ 1345

And this is the case with ObamaCare. It needs to be repealed—as MITCH MCCONNELL said, root and branch. And it survives the Byrd Rule, and then we really help America.

Mr. Speaker, I yield back the balance of my time.

PRESIDENT TRUMP'S BROKEN HEALTHCARE PROMISES TO THE AMERICAN PEOPLE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentleman from Arizona (Mr. GALLEGOS) is recognized for 60 minutes as the designee of the minority leader.

Mr. GALLEGOS. Mr. Speaker, I am going to cut directly to the chase. The Trump-Ryan healthcare bill betrays every single promise Donald Trump made about health care, and does it all for the sake of an enormous tax cut for those who need it least.

The first promise that Donald Trump made to the American people was that everyone would have health insurance. Although the ACA expanded health coverage to more than 20 million Americans, Donald Trump said repeatedly that he didn't think the ACA provided enough people with coverage. He said: "We're going to have insurance for everybody," and "I'm not going to leave the lower 20 percent that can't afford health insurance."

What does the Trump-Ryan bill do?

According to the Congressional Budget Office, 14 million people would immediately lose coverage next year, and 24 million people would lose coverage by 2027. That is outrageous. But it gets worse.

According to the White House's own estimate, 26 million people, not 24 million people, will lose coverage under the Trump-Ryan bill.

The second promise that Donald Trump made to the American people was that their health insurance would be cheaper. Donald Trump said that his plans would have "much lower deductibles."

Secretary Tom Price said last week that under the Trump-Ryan proposal "nobody will be worse off financially."

What does the Trump-Ryan bill actually do?

In my home State, Arizonans will get hit hard, very hard. In 2020, under the Trump-Ryan plan, Arizonans will receive on average \$3,500 less in subsidies than ObamaCare, meaning they are going to be forced to spend more money out of pocket to continue getting care.

The Trump-Ryan bill will stick it to older Americans. It peels back an

ObamaCare rule that protects older people from higher costs. The Trump-Ryan bill green-lights insurance companies to charge older Americans 66 percent more.

According to the Congressional Budget Office, a typical, low-income, 64-year-old's out-of-pocket costs would increase from less than \$2,000 a year to almost \$15,000 a year by 2026. So if you are an older American and you don't like ObamaCare, let me tell you this right now: You are going to hate TrumpCare.

The third promise that Donald Trump made to the American people was that Americans would enjoy better health care. As a candidate, Donald Trump said that ObamaCare was "horrible health care." He promised that "everybody's going to be taken care of much better than they're taken care of now."

So what does the Trump-Ryan bill do?

Well, if you are lucky enough to still have health insurance under the Trump-Ryan plan, it will provide you even worse coverage. The bill does nothing to increase the quality of your care. It will cut some of the healthcare services you receive now.

In his speech before Congress less than 3 weeks ago, Donald Trump said that "we will expand treatment for those who have become so badly addicted."

At a time when opiate overdoses kill more Americans than car accidents, we absolutely should be expanding treatment. But what does the Trump-Ryan bill do?

It does the opposite by cutting addiction services and mental health treatment under Medicaid.

Donald Trump's fourth promise to the American was that he would not cut Medicaid. During the Republican presidential primary, he bragged that he was the first and only potential GOP candidate to state that there will be no cuts to Social Security, Medicare, and Medicaid.

What does the Trump-Ryan bill do?

It cuts Medicaid more than it has ever been cut before. According to the Center on Budget and Policy Priorities, it cuts Medicaid funding by \$370 billion over 10 years.

The Trump-Ryan bill will permanently and radically weaken this critical safety net for the working poor. It freezes enrollment in Medicaid and unravels the Medicaid expansion. If you are worried about what this means for you, your family, and your friends, you should be.

Donald Trump is breaking his promise on Medicaid. Will he break his promise on Medicare, too? Will he break his promise on Social Security? Why is Donald Trump breaking promise after promise he made on health care?

The Trump-Ryan bill takes healthcare coverage away from mil-

lions of people, it raises deductibles and copays, and provides worse coverage for those who are lucky enough to still be able to afford it.

So what are Donald Trump, PAUL RYAN, and House Republicans up to? This bill does a lot of things poorly, but there is one thing, and really only one thing, that this bill does incredibly well. It cuts a whole lot of taxes for the rich.

This Trump-Ryan "healthcare bill" includes a whopping \$600 billion in tax cuts, almost all for the wealthy. The single biggest tax cut in the bill repeals a 3.8 percent tax on investors who make more than \$250,000.

This tax cut will not put a single dollar back in the pocket of any family who makes less than \$250,000. But if you are the top one-tenth of 1 percent, which means that you make at least \$3.75 million per year, then you will get on average a \$165,000 tax cut. This is outrageous.

The Trump-Ryan bill also repeals a nearly 1 percent tax on families making over \$250,000. Again, if you are in the top one-tenth of 1 percent, you are going to do great under the Trump-Ryan bill. You will get an average tax cut of over \$30,000.

But, if you are in the bottom 90 percent, if you are an average, hard-working American, you will get nothing from this tax cut.

Who are Donald Trump, PAUL RYAN, and House Republicans looking out for? If you are an out-of-work steelworker in Youngstown, it is not you. If you are a struggling farmer in rural Alabama, it is not you. If you are working at Target, Walmart, or McDonald's, you are out of luck, too. Heck, even if you are making a decent living as an auto worker or a truck driver, it is not you.

Two nights ago, Donald Trump even admitted this. In an interview on FOX News, Tucker Carlson pointed out to Donald Trump that the rich do a lot better under the Trump-Ryan healthcare bill than working and middle class people, many of whom supported him in this election.

What did Donald Trump say in response? "Oh, I know."

Donald Trump, PAUL RYAN, and House Republicans are looking out for the richest of the rich. They are putting the pinch to you, hardworking Americans, to give their rich friends and supporters a giant tax break, and they are willing to wreck our healthcare system and take healthcare insurance away from 24 million Americans to do it.

Two years ago, MARCO RUBIO called out Donald Trump as a con artist. The Trump-Ryan healthcare bill is one big con on the American people.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Members are reminded to avoid engaging in personalities toward the President.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MCEACHIN (at the request of Ms. PELOSI) for today.

ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 1362. An act to name the Department of Veterans Affairs community-based outpatient clinic in Pago Pago, American Samoa, the Faleomavaega Eni Fa'aua'a Hunkin VA Clinic.

JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on March 16, 2017, she presented to the President of the United States, for his approval, the following joint resolutions:

H.J. Res. 57. Providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Education relating to accountability and State plans under the Elementary and Secondary Education Act of 1965

H.J. Res. 58. Providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Education relating to teacher preparation issues

H.J. Res. 44. Disapproving the rule submitted by the Department of the Interior relating to Bureau of Land Management regulations that establish the procedures used to prepare, revise, or amend land use plans pursuant to the Federal Land Policy and Management Act of 1976

H.J. Res. 37. Disapproving the rule submitted by the Department of Defense, the General Services Administration, and the National Aeronautics and Space Administration relating to the Federal Acquisition Regulation

ADJOURNMENT

Mr. GALLEGO. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 53 minutes p.m.), under its previous order, the House adjourned until Monday, March 20, 2017, at noon for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

802. A letter from the Assistant General Counsel for Regulatory Affairs, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Paying Benefits received March 15, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110

Stat. 868); to the Committee on Education and the Workforce.

803. A letter from the Acting Chairman, Federal Energy Regulatory Commission, transmitting the Commission's Twenty-third Report to Congress on Progress Made in Licensing and Constructing the Alaska Natural Gas Pipeline, pursuant to 42 U.S.C. 16523; Public Law 109-58, Sec. 1810; (119 Stat. 1126); to the Committee on Energy and Commerce.

804. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Limited Federal Implementation Plan; Prevention of Significant Deterioration Requirements for Fine Particulate Matter (PM_{2.5}); California; North Coast Unified Air Quality Management District [EPA-R09-OAR-2016-0727; FRL-9960-32-Region 9] received March 16, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

805. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Technical Correction to the National Ambient Air Quality Standards for Particulate Matter [EPA-HQ-OAR-2016-0408; FRL-9958-29-OAR] (RIN: 2060-AS89) received March 16, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

806. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Further Delay of Effective Date for the Final Rule Entitled "Accidental Release Prevention Requirements: Risk Management Programs Under the Clean Air Act" Published by the Environment Protection Agency on January 13, 2017 [EPA-HQ-OEM-2015-0725; FRL-9959-57-OLEM] (RIN: 2050-AG82) received March 16, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

807. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Delay of Effective Date for Partial Approval and Partial Disapproval of Attainment Plan for the Idaho Portion of the Logan, Utah/Idaho PM_{2.5} Nonattainment Area Published by the Environmental Protection Agency on January 4, 2017 [EPA-R10-OAR-2015-0067; FRL-9960-35-Region 10] received March 16, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

808. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval; Georgia; Atlanta; Requirements for the 2008 8-Hour Ozone Standard [EPA-R04-OAR-2015-0248; FRL-9957-89-Region 4] received March 16, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

809. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Alabama: Final Authorization of State Hazardous Waste Management Program Revisions [EPA-R04-RCRA-2016-0497; FRL-9959-14-Region 4] received March 16, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

810. A letter from the Director, Regulatory Management Division, Environmental Pro-

tection Agency, transmitting the Agency's direct final rule — Approval and Promulgation of Implementation Plans; Louisiana; Volatile Organic Compounds Rule Revision and Stage II Vapor Recovery [EPA-R06-OAR-2013-0167; FRL-9958-60-Region 6] received March 16, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

811. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval and Promulgation of Implementation Plans; New Mexico; Albuquerque/Bernalillo County; Inspection and Maintenance Program Error Correction [EPA-R06-OAR-2011-0695; FRL-9957-41-Region 6] received March 16, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

812. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval and Promulgation of Implementation Plans; Texas; El Paso Carbon Monoxide Limited Maintenance Plan [EPA-R06-OAR-2016-0550; FRL-9957-56-Region 6] received March 16, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

813. A letter from the Executive Director, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Annual Update of Filing Fees [Docket No.: RM17-00006-000] received March 15, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

814. A letter from the Chair, Medicaid and CHIP Payment and Access Commission, transmitting the March 2017 Report to Congress on Medicaid and CHIP, pursuant to 42 U.S.C. 1396(b)(1)(C); Aug. 14, 1935, ch. 531, title XIX, Sec. 1900 (as amended by Public Law 111-148, Sec. 2801(a)(1)(A)(iv)); (123 Stat. 91); to the Committee on Energy and Commerce.

815. A letter from the Assistant General Counsel for Regulatory Affairs, Office of the General Counsel, Consumer Product Safety Commission, transmitting the Commission's direct final rule — Revisions to Safety Standard for Toddler Beds [Docket No.: CPSC-2017-0012] received March 15, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

816. A letter from the Deputy Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting the Department's final rule — Temporary General License: Extension of Validity [Docket No.: 160106014-7155-06] (RIN: 0694-AG82) received March 15, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Foreign Affairs.

817. A letter from the Associate General Counsel for General Law, Department of Homeland Security, transmitting a notification of a federal nomination, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

818. A letter from the Acting Director, Office of Communications and Legislative Affairs, Equal Employment Opportunity Commission, transmitting the Commission's Annual Sunshine Act Report for 2016, pursuant to 5 U.S.C. 552b(j); to the Committee on Oversight and Government Reform.

819. A letter from the Acting Chairman, Federal Mine Safety and Health Review

Commission, transmitting the FY 2016 No FEAR Act report, pursuant to 5 U.S.C. 2301 note; Public Law 107-174, 203(a) (as amended by Public Law 109-435, Sec. 604(f)); (120 Stat. 3242); to the Committee on Oversight and Government Reform.

820. A letter from the Chairman, National Transportation Safety Board, transmitting the Board's FY 2016 No FEAR Act report, pursuant to 5 U.S.C. 2301 note; Public Law 107-174, 203(a) (as amended by Public Law 109-435, Sec. 604(f)); (120 Stat. 3242); to the Committee on Oversight and Government Reform.

821. A letter from the Deputy Chief, National Forest System, Department of Agriculture, transmitting the final map and perimeter boundary description for the Ontonagon Wild and Scenic River, in Michigan, pursuant to 16 U.S.C. 1274(b); Public Law 90-542, Sec. 3(b) (as amended by Public Law 100-534, Sec. 501); (102 Stat. 2708); to the Committee on Natural Resources.

822. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2016 Commercial Accountability Measure and Closure for South Atlantic Vermilion Snapper [Docket No.: 130312235-3658-02] (RIN: 0648-XE910) received March 15, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

823. A letter from the Deputy General Counsel, Office of the General Counsel, Small Business Administration, transmitting the Administration's interim final rule — Civil Monetary Penalties Inflation Adjustments (RIN: 3245-AG83) received March 15, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

824. A letter from the Acting Assistant Secretary of the Army, Civil Works, Department of Defense, transmitting a report on the Fargo-Moorhead Metropolitan Area Flood Risk Management Project, pursuant to the Clean Water Act, Sec. 404(r); to the Committee on Transportation and Infrastructure.

825. A letter from the Attorney-Advisor, CG-LRA, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's interim rule — Drawbridge Operation Regulation; Sturgeon Bay, Sturgeon Bay, WI [Docket No.: USCG-2017-0050] (RIN: 1625-AA09) received March 15, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

826. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary interim rule — Safety Zone; Columbia River, Sand Island, WA [Docket No.: USCG-2017-0118] (RIN: 1625-AA00) received March 15, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

827. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Special Local Regulation; Black Warrior River; Tuscaloosa, AL [Docket No.: USCG-2017-0032] (RIN: 1625-AA08) received March 15, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

828. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland

Security, transmitting the Department's temporary final rule — Safety Zone; Loop Parkway Bridge — Long Creek, Hempstead, NY [Docket No.: USCG-2017-0019] (RIN: 1625-AA00) received March 15, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

829. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Special Local Regulation; Black Warrior River; Tuscaloosa, AL [Docket No.: USCG-2017-0034] (RIN: 1625-AA08) received March 15, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

830. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Further Delay of Effective Dates for Five Final Regulations Published by the Environmental Protection Agency Between December 12, 2016 and January 17, 2017 [FRL-9960-28-OP] received March 16, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Energy and Commerce and Agriculture.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Ms. FOXX. Committee on Education and the Workforce. H.R. 1101. A bill to amend title I of the Employee Retirement Income Security Act of 1974 to improve access and choice for entrepreneurs with small businesses with respect to medical care for their employees; with an amendment (Rept. 115-43). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. WILLIAMS:

H.R. 1593. A bill to repeal the corporate average fuel economy standards; to the Committee on Energy and Commerce.

By Mr. CARTWRIGHT (for himself, Ms. NORTON, and Mr. CONNOLLY):

H.R. 1594. A bill to ensure that the percentage increase in rates of basic pay for prevailing wage employees shall be equal to the percentage increase received by other Federal employees in the same pay locality, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. ROTHFUS (for himself and Mr. STIVERS):

H.R. 1595. A bill to amend the Federal Deposit Insurance Act to allow mutual capital certificates to satisfy capital requirements for mutual depositories; to the Committee on Financial Services.

By Mr. BYRNE (for himself, Mr. KING of New York, Mr. NEAL, Mr. MEEHAN, Mr. MURPHY of Pennsylvania, Mr. FITZPATRICK, Mr. LYNCH, and Mr. MCGOVERN):

H.R. 1596. A bill to establish the Commission to study the potential creation of a National Museum of Irish American History,

and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BRAT (for himself, Mrs. MURPHY of Florida, and Mr. KNIGHT):

H.R. 1597. A bill to amend the Small Business Act to clarify the responsibilities of commercial market representatives, and for other purposes; to the Committee on Small Business.

By Mr. GOHMERT (for himself and Mr. DUNCAN of South Carolina):

H.R. 1598. A bill to amend title 28, United States Code, to divide the ninth judicial circuit of the United States into 2 circuits, and for other purposes; to the Committee on the Judiciary.

By Mr. SAM JOHNSON of Texas:

H.R. 1599. A bill to prohibit the provision of performance awards to employees of the Internal Revenue Service who owe back taxes; to the Committee on Ways and Means.

By Mr. POE of Texas:

H.R. 1600. A bill to amend the Internal Revenue Code of 1986 to make permanent the work opportunity tax credit for veterans and to allow an exemption from an employer's employment taxes in an amount equivalent to the value of such credit in the case of veterans; to the Committee on Ways and Means.

By Ms. SINEMA (for herself and Mr. ZELDIN):

H.R. 1601. A bill to amend the Elementary and Secondary Education Act of 1965 to clarify when certain academic assessments shall be administered; to the Committee on Education and the Workforce.

By Mr. LEWIS of Georgia:

H.R. 1602. A bill to amend the Internal Revenue Code of 1986 to provide an exclusion from gross income for AmeriCorps educational awards; to the Committee on Ways and Means.

By Ms. BASS:

H.R. 1603. A bill to amend the Higher Education Act of 1965 to improve education opportunities for physician assistants, and for other purposes; to the Committee on Education and the Workforce.

By Ms. BASS:

H.R. 1604. A bill to amend title XIX of the Social Security Act to extend to physician assistants eligibility for Medicaid incentive payments for the adoption and use of certified electronic health records, whether or not such physician assistants practice at a rural health center or Federally qualified health center; to the Committee on Energy and Commerce.

By Ms. BASS:

H.R. 1605. A bill to amend the Public Health Service Act to provide loan repayment incentives for physician assistants, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARTER of Georgia (for himself, Mr. LOEBACK, Mr. THOMPSON of Mississippi, Mr. MULLIN, Mr. GOSAR, and Mr. PITTSINGER):

H.R. 1606. A bill to amend title XXVII of the Public Health Service Act to improve health care coverage under vision and dental plans, and for other purposes; to the Committee on Energy and Commerce.

By Mr. DEUTCH (for himself and Mr. THOMAS J. ROONEY of Florida):

H.R. 1607. A bill to establish the National Criminal Justice Commission; to the Committee on the Judiciary.

By Mr. ESPAILLAT (for himself, Mr. GRIJALVA, Mr. CORREA, Mrs. TORRES, Mr. SABLAN, Mr. GUTIERREZ, Mr. SOTO, Mr. CÁRDENAS, Mr. COSTA, Mr. SERRANO, Mr. GALLEGO, Mrs. NAPOLITANO, Mr. VARGAS, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. MCGOVERN, Ms. JUDY CHU of California, Mr. DANNY K. DAVIS of Illinois, Ms. BONAMICI, Ms. VELÁZQUEZ, Mr. CARBAJAL, Ms. NORTON, Mr. BLUMENAUER, Ms. MOORE, Mr. BEYER, Ms. JACKSON LEE, Mr. O'ROURKE, and Mr. JOHNSON of Georgia):

H.R. 1608. A bill to require agents and officers of U.S. Immigration and Customs Enforcement and U.S. Customs and Border Protection to wear body cameras, and for other purposes; to the Committee on Homeland Security, and in addition to the Committees on the Judiciary, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LANGEVIN (for himself, Mr. ALLEN, Mr. JOHNSON of Georgia, Mr. AGUILAR, Mr. RATCLIFFE, and Mr. TED LIEU of California):

H.R. 1609. A bill to amend title 10, United States Code, to support meeting the increasing needs of the United States for a cybersecurity and information assurance workforce by reinvigorating and modifying the Information Assurance Scholarship Program of the Department of Defense, and for other purposes; to the Committee on Armed Services.

By Ms. MICHELLE LUJAN GRISHAM of New Mexico (for herself and Mr. CONYERS):

H.R. 1610. A bill to amend title XXVII of the Public Health Service Act, and title XVIII of the Social Security Act, to direct the Secretary of Health and Human Services to conduct audits of medical loss ratio reports submitted by health insurance issuers, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. CAROLYN B. MALONEY of New York (for herself, Mrs. DINGELL, Ms. JENKINS of Kansas, and Mr. BEYER):

H.R. 1611. A bill to require the Securities and Exchange Commission to establish a Gender Diversity Advisory Group to study and make recommendations on strategies to increase gender diversity among the members of the board of directors of issuers, to amend the Securities Exchange Act of 1934 to require issuers to make disclosures to shareholders with respect to gender diversity, and for other purposes; to the Committee on Financial Services.

By Mrs. CAROLYN B. MALONEY of New York (for herself, Mr. BLUMENAUER, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. CICILLINE, Mr. COHEN, Mr. CONYERS, Mr. CROWLEY, Mr. CUMMINGS, Ms. DELAURO, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. ENGEL, Mr. GRIJALVA, Mr. KEATING, Mr. LANGEVIN, Mr. LYNCH, Ms. MCCOLLUM, Mr. MCGOVERN, Mr. MEEKS, Mr. NADLER, Ms. NORTON, Mr. O'ROURKE, Ms. PINGREE, Mr. POCAN,

Mr. QUIGLEY, Mr. VARGAS, Ms. KELLY of Illinois, Mr. SERRANO, Mrs. WATSON COLEMAN, Ms. WASSERMAN SCHULTZ, and Mrs. LOWEY):

H.R. 1612. A bill to require criminal background checks on all firearms transactions occurring at gun shows; to the Committee on the Judiciary.

By Mr. MCKINLEY (for himself and Mr. WELCH):

H.R. 1613. A bill to amend the Surface Mining Control and Reclamation Act of 1977 to transfer certain funds to the Multiemployer Health Benefit Plan, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POCAN (for himself, Mr. CONYERS, Mr. MEEKS, Mr. ELLISON, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. RUSH, Ms. BROWNLEY of California, Mr. HIGGINS of New York, Mr. CARTWRIGHT, Mr. BEYER, Ms. MOORE, Mr. TED LIEU of California, Mr. LOWENTHAL, Mr. LOESACK, Mr. WELCH, Mr. NOLAN, Mr. SCHRADER, Mr. THOMPSON of Mississippi, Ms. SLAUGHTER, Ms. WILSON of Florida, Ms. CLARKE of New York, Mrs. NAPOLITANO, Mr. KIND, Ms. MCCOLLUM, Mr. KILMER, Mr. PAYNE, Ms. CASTOR of Florida, Mr. SWALWELL of California, Mr. MCGOVERN, Mr. GROTHMAN, Ms. JUDY CHU of California, and Mr. PERLMUTTER):

H.R. 1614. A bill to authorize borrowers of loans under the William D. Ford Federal Direct Loan Program to modify the interest rate of such loans to be equal to the interest rate for such loans at the time of modification; to the Committee on Education and the Workforce.

By Mr. RASKIN (for himself, Mrs. BEATTY, Mr. BROWN of Maryland, Ms. CLARK of Massachusetts, Mr. CLAY, Mr. COHEN, Mr. CONYERS, Mr. COOPER, Mr. DOGGETT, Mr. ESPAILLAT, Mr. EVANS, Mr. GRIJALVA, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. HIGGINS of New York, Ms. JAYAPAL, Mr. JEFFRIES, Mr. JOHNSON of Georgia, Ms. KAPTUR, Mr. KIHUEN, Ms. LEE, Ms. LOFGREN, Mr. MCNERNEY, Ms. NORTON, Mr. O'ROURKE, Mr. SARBANES, Mr. SOTO, and Mr. WELCH):

H.R. 1615. A bill to amend the Federal Election Campaign Act of 1971 to apply the ban on contributions and expenditures by foreign nationals under such Act to foreign-controlled, foreign-influenced, and foreign-owned domestic corporations, and for other purposes; to the Committee on House Administration.

By Mr. RATCLIFFE (for himself and Mr. PALMER):

H.R. 1616. A bill to amend the Homeland Security Act of 2002 to authorize the National Computer Forensics Institute, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. REED (for himself and Mr. BLUMENAUER):

H.R. 1617. A bill to amend title XVIII of the Social Security Act to permit nurse practitioners and physician assistants to satisfy the documentation requirement under the

Medicare program for coverage of certain shoes for individuals with diabetes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RUIZ:

H.R. 1618. A bill to amend title 38, United States Code, to clarify that caregivers for veterans with serious illnesses are eligible for assistance and support services provided by the Secretary of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. RUIZ:

H.R. 1619. A bill to authorize assistance and training to increase maritime security and domain awareness of foreign countries bordering the Persian Gulf, the Arabian Sea, or the Mediterranean Sea in order to deter and counter illicit smuggling and related maritime activity by Iran, including illicit Iranian weapons shipments; to the Committee on Armed Services, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RUIZ:

H.R. 1620. A bill to amend the Family and Medical Leave Act of 1993 and title 5, United States Code, to permit leave to care for an adult child, grandchild, or grandparent who has a serious health condition, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Oversight and Government Reform, and House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RUIZ:

H.R. 1621. A bill to amend title XVIII of the Social Security Act to distribute additional information to Medicare beneficiaries to prevent health care fraud, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RUIZ (for himself, Mr. MCGOVERN, Mr. CONYERS, Mr. WALZ, Mr. LANGEVIN, Mr. COHEN, Mr. TAKANO, Mr. RYAN of Ohio, Mr. PRICE of North Carolina, and Mr. STEWART):

H.R. 1622. A bill to provide for a lifetime National Recreational Pass for any veteran with a service-connected disability, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RUSSELL:

H.R. 1623. A bill to repeal the Advanced Technology Vehicles Manufacturing Incentive Program; to the Committee on Energy and Commerce.

By Mr. LEWIS of Georgia (for himself and Mr. TIBER):

H. Con. Res. 34. Concurrent resolution recognizing the 100th anniversary of the charitable contribution deduction; to the Committee on Ways and Means.

By Mr. CARTER of Georgia (for himself, Mrs. MCMORRIS RODGERS, Mrs.

WATSON COLEMAN, Ms. WASSERMAN SCHULTZ, Ms. SINEMA, Ms. KAPTUR, Mr. ARRINGTON, Mr. TED LIEU of California, Ms. MOORE, Mr. JODY B. HICE of Georgia, Ms. ESTY, and Ms. TENNEY):

H. Res. 206. A resolution recognizing Girl Scouts of the United States of America on its 105th birthday and on the 100th anniversary of the Girl Scout Cookie Program; to the Committee on Oversight and Government Reform.

By Mr. KEATING (for himself, Mr. NEAL, Mr. CROWLEY, Mr. MEEKS, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. KING of New York, and Mr. CONNOLLY):

H. Res. 207. A resolution expressing the continued support of the House of Representatives for the Good Friday Agreement (the Belfast Agreement); to the Committee on Foreign Affairs.

By Mr. RUIZ (for himself, Ms. LEE, and Ms. ROS-LEHTINEN):

H. Res. 208. A resolution supporting the goals and ideals of "National Latino AIDS Awareness Day" on October 15, 2017, and for other purposes; to the Committee on Energy and Commerce.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

8. The SPEAKER presented a memorial of the Legislature of the State of Louisiana, relative to House Concurrent Resolution No. 4, to memorialize the United States Congress to recognize that the Louisiana coastal area as an area in crisis and to enact federal regulatory reform and disaster recovery regulations that minimize delays in the processes by which the state of Louisiana responds to the crises that we face as a result of coastal land loss and natural disasters; to the Committee on Transportation and Infrastructure.

9. Also, a memorial of the General Assembly of the State of Colorado, relative to House Joint Resolution HJR17-1006, recognizing the bravery and sacrifice of the crew of the U.S.S. Pueblo; jointly to the Committees on Foreign Affairs and Armed Services.

10. Also, a memorial of the Senate of the State of Louisiana, relative to Senate Concurrent Resolution No. 4, to memorialize the Congress of the United States to extend Louisiana's seaward boundary in the Gulf of Mexico to three marine leagues; jointly to the Committees on the Judiciary and Natural Resources.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. WILLIAMS:

H.R. 1593.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 ("To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes").

By Mr. CARTWRIGHT:

H.R. 1594.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8; Clause 1 of the Constitution states The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States . . .

By Mr. ROTHFUS:

H.R. 1595.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution of the United States “[t]o regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.”

By Mr. BYRNE:

H.R. 1596.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the U.S. Constitution.

By Mr. BRAT:

H.R. 1597.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 gives Congress power to raise revenue for spending on the general welfare. Pursuant to Article 1, Section 8, Clause 18, it is necessary and proper that Congress provides guidelines for the manner in which public funds are spent.

By Mr. GOHMERT:

H.R. 1598.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8
“The Congress shall have Power . . . To constitute Tribunals inferior to the supreme Court”

By Mr. SAM JOHNSON of Texas:

H.R. 1599.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. POE of Texas:

H.R. 1600.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the Constitution, which states that “the Congress shall have power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States . . .”

By Ms. SINEMA:

H.R. 1601.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. LEWIS of Georgia:

H.R. 1602.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Ms. BASS:

H.R. 1603.

Congress has the power to enact this legislation pursuant to the following:

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

By Ms. BASS:

H.R. 1604.

Congress has the power to enact this legislation pursuant to the following:

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

By Ms. BASS:

H.R. 1605.

Congress has the power to enact this legislation pursuant to the following:

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

By Mr. CARTER of Georgia:

H.R. 1606.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. DEUTCH:

H.R. 1607.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the U.S. Constitution and Clause 18 of Section 8 of Article I of the U.S. Constitution.

By Mr. ESPAILLAT:

H.R. 1608.

Congress has the power to enact this legislation pursuant to the following:

Article One of the United States Constitution, section 8, clause 18:

The Congress shall have Power—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof or

Article One of the United States Constitution, Section 8, Clause 3:

The Congress shall have Power—To regulate Commerce with foreign Nations, and among the several States, and with the Indian tribes;

By Mr. LANGEVIN:

H.R. 1609.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to clause 16 of section 8 of article 1 of the United States Constitution.

By Ms. MICHELLE LUJAN GRISHAM of New Mexico:

H.R. 1610.

Congress has the power to enact this legislation pursuant to the following:

Article One, Section 8, Clause 18 of the United States Constitution, “The Congress shall have Power . . . To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof”

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 1611.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3, the Commerce Clause

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 1612.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3, the Commerce Clause

By Mr. MCKINLEY:

H.R. 1613.

Congress has the power to enact this legislation pursuant to the following:

According to Article I, Section 8, Clause 3 of the Constitution: The Congress shall have power to enact this legislation to regulate commerce with foreign nations, and among

the several states, and with the Indian tribes.

By Mr. POCAN:

H.R. 1614.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. RASKIN:

H.R. 1615.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: “[The Congress shall have the power] to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes . . .”

Article I, Section 8, Clause 18: “[The Congress shall have the power to] make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. RATCLIFFE:

H.R. 1616.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. REED:

H.R. 1617.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

By Mr. RUIZ:

H.R. 1618.

Congress has the power to enact this legislation pursuant to the following:

clause 18 of section 8 of article I of the Constitution

By Mr. RUIZ:

H.R. 1619.

Congress has the power to enact this legislation pursuant to the following:

clause 18 of section 8 of article I of the Constitution

By Mr. RUIZ:

H.R. 1620.

Congress has the power to enact this legislation pursuant to the following:

clause 18 of section 8 of article I of the Constitution

By Mr. RUIZ:

H.R. 1621.

Congress has the power to enact this legislation pursuant to the following:

clause 18 of section 8 of article I of the Constitution

By Mr. RUIZ:

H.R. 1622.

Congress has the power to enact this legislation pursuant to the following:

clause 18 of section 8 of article I of the Constitution

By Mr. RUSSELL:

H.R. 1623.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 38: Mr. LOUDERMILK and Mrs. BLACKBURN.
H.R. 60: Ms. SPEIER, Mr. GENE GREEN of Texas, Mr. PERLMUTTER, Mr. TAKANO, Ms. TENNEY, Mr. SMUCKER, Mr. CÁRDENAS, Ms. BROWNLEY of California, Mr. DEUTCH, Mr. SHIMKUS, Mr. STIVERS, Mr. JOHNSON of Ohio, Mr. HULTGREN, Mr. REED, Mr. DUNCAN of Tennessee, Mr. PETERSON, Mr. CRAMER, Mr. MOONEY of West Virginia, Mr. GUTHRIE, and Mr. POE of Texas.
H.R. 84: Mr. WILLIAMS.
H.R. 103: Mr. LOEBSACK.
H.R. 147: Mrs. HARTZLER.
H.R. 250: Mr. DUNCAN of South Carolina.
H.R. 355: Mr. FERGUSON.
H.R. 368: Mr. JONES.
H.R. 392: Ms. TENNEY, Mr. UPTON, Ms. BROWNLEY of California, Mr. GOTTHEIMER, Mr. KNIGHT, Mr. ROKITA, and Mr. RODNEY DAVIS of Illinois.
H.R. 395: Mr. NEWHOUSE.
H.R. 442: Mr. MARSHALL and Mr. GARRETT.
H.R. 453: Mr. DESJARLAIS and Mr. BISHOP of Michigan.
H.R. 490: Mr. GIBBS and Mr. JONES.
H.R. 510: Mr. BARR and Mr. BISHOP of Michigan.
H.R. 530: Mr. HIMES.
H.R. 532: Mr. DESAULNIER.
H.R. 544: Mr. THOMAS J. ROONEY of Florida.
H.R. 553: Mr. MESSER.
H.R. 630: Mr. CÁRDENAS.
H.R. 669: Mr. KILDEE.
H.R. 732: Mr. FRANCIS ROONEY of Florida.
H.R. 747: Mr. KING of New York.
H.R. 772: Mr. GRIFFITH.
H.R. 790: Mr. WALZ and Mr. DOGGETT.
H.R. 825: Ms. ROSEN.
H.R. 846: Ms. BROWNLEY of California, Mr. GOODLATTE, Mr. BARLETTA, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. TAYLOR, Ms. BORDALLO, Mr. HILL, Mr. WALZ, and Mr. O'ROURKE.
H.R. 849: Mr. BABIN, Mrs. NOEM, and Mr. GIBBS.
H.R. 860: Mr. GRIFFITH.
H.R. 866: Ms. MOORE and Mrs. LOWEY.
H.R. 909: Mr. SMUCKER and Mr. SCHNEIDER.
H.R. 914: Mr. NORCROSS.
H.R. 919: Ms. ESHOO, Mr. PRICE of North Carolina, and Ms. DELAURO.
H.R. 930: Mr. ROSS, Ms. BONAMICI, Mr. SMUCKER, Mr. DESANTIS, Ms. KAPTUR, Mr. DOGGETT, and Mr. SCHRADER.

H.R. 931: Mr. CICILLINE, Mr. GENE GREEN of Texas, Mr. MARSHALL, Mr. DESAULNIER, Ms. LOFGREN, and Mrs. DEMINGS.
H.R. 953: Mr. BROOKS of Alabama.
H.R. 975: Mr. LEWIS of Minnesota and Mr. HECK.
H.R. 976: Mr. WOMACK.
H.R. 1005: Mrs. LOWEY.
H.R. 1022: Mr. LEVIN, Ms. CLARK of Massachusetts, Ms. FRANKEL of Florida, Ms. MENG, and Mr. JEFFRIES.
H.R. 1036: Mr. HURD.
H.R. 1049: Ms. GABBARD and Mr. BROWN of Maryland.
H.R. 1057: Mr. ALLEN, Mr. SESSIONS, Mr. HUDSON, Mr. VALADAO, Mr. GALLAGHER, Mr. UPTON, and Mr. GUTHRIE.
H.R. 1136: Mr. KELLY of Pennsylvania, Mr. HARRIS, and Mr. CLAY.
H.R. 1148: Mr. AMODEI and Mr. LONG.
H.R. 1155: Mr. RUSH.
H.R. 1239: Mr. HIMES.
H.R. 1240: Mr. BROWN of Maryland, Ms. BROWNLEY of California, Mr. DESAULNIER, and Mr. LOWENTHAL.
H.R. 1242: Ms. JACKSON LEE.
H.R. 1243: Ms. ROSEN, Ms. JUDY CHU of California, Ms. BROWNLEY of California, Mr. GOTTHEIMER, and Mr. CUMMINGS.
H.R. 1251: Ms. SPEIER.
H.R. 1267: Ms. LOFGREN.
H.R. 1299: Mr. MCGOVERN.
H.R. 1304: Mr. MESSER.
H.R. 1313: Mr. MESSER.
H.R. 1315: Mr. VALADAO and Mr. FASO.
H.R. 1338: Mr. PALAZZO.
H.R. 1361: Mr. KELLY of Pennsylvania and Mr. CARTWRIGHT.
H.R. 1384: Mr. GOODLATTE, Mr. LOBIONDO, Mr. LOEBSACK, Mr. COURTNEY, Ms. MCCOLLUM, Mr. BLUMENAUER, Ms. BORDALLO, Ms. ESHOO, Mr. CLEAVER, Mr. VEASEY, Mr. BISHOP of Georgia, Mr. LANGEVIN, and Mr. O'ROURKE.
H.R. 1405: Mr. RUSH, Mr. HASTINGS, Mr. CORREA, Ms. HANABUSA, Ms. VELÁZQUEZ, Mrs. NAPOLITANO, Mrs. WATSON COLEMAN, Mr. RASKIN, and Ms. MCCOLLUM.
H.R. 1421: Mr. LOEBSACK.
H.R. 1426: Mr. STIVERS.
H.R. 1438: Ms. CASTOR of Florida and Mr. MICHAEL F. DOYLE of Pennsylvania.
H.R. 1447: Mr. DENT and Mr. BEYER.
H.R. 1448: Mr. O'ROURKE.

H.R. 1452: Ms. SHEA-PORTER.
H.R. 1456: Mr. KNIGHT and Ms. LOFGREN.
H.R. 1466: Mr. MCNERNEY, Mr. GALLEG0, and Ms. JACKSON LEE.
H.R. 1475: Ms. NORTON.
H.R. 1512: Mr. NUNES and Ms. JENKINS of Kansas.
H.R. 1533: Mr. MEEHAN.
H.R. 1561: Mr. GARAMENDI and Ms. JACKSON LEE.
H.R. 1566: Mrs. BEATTY.
H.R. 1588: Ms. JACKSON LEE.
H.J. Res. 6: Mr. JOHNSON of Louisiana.
H.J. Res. 33: Mr. SHERMAN and Ms. BROWNLEY of California.
H. Res. 92: Mrs. TORRES, Mr. BIGGS, Mr. POLIS, and Mrs. MCMORRIS RODGERS.
H. Res. 133: Mr. DENT, Mr. MCGOVERN, Mr. SEAN PATRICK MALONEY of New York, Ms. SLAUGHTER, Mr. POLIQUIN, and Ms. JENKINS of Kansas.
H. Res. 152: Mrs. BROOKS of Indiana and Mr. DAVIDSON.
H. Res. 178: Mr. VEASEY and Ms. LOFGREN.
H. Res. 188: Mr. COFFMAN.
H. Res. 193: Mr. TED LIEU of California.
H. Res. 204: Ms. LOFGREN.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

28. The SPEAKER presented a petition of the City Commission of Miami, FL, relative to Resolution R-17-0023, urging the President, the United States Congress, and the EPA to continue supporting the Clean Power Plan, including the requirements for states to implement individual plans to comply with the Clean Power Plan's emission standards under the current established timeframes; to the Committee on Energy and Commerce.

29. Also, a petition of the Pascua Yaqui Tribe of Tucson, AZ, relative to Resolution No. C02-36-17, regarding the hiring freeze for the Indian Health Service; to the Committee on Oversight and Government Reform.

EXTENSIONS OF REMARKS

HONORING THE ROTARY
FOUNDATION

HON. JARED HUFFMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 17, 2017

Mr. HUFFMAN. Mr. Speaker, I rise today to recognize The Rotary Foundation's 100th anniversary as the Rotary International District 5150 celebrates the occasion on March 18, 2017.

Founded in 1917 by Rotary International's sixth president, Arch C. Klump, with an initial contribution of \$26.50 as an endowment fund for the Rotary to support and grow community services throughout the world, The Rotary Foundation has grown to \$4 billion in contributions from all over the world and now provides humanitarian services, encourages high ethical standards, and builds goodwill throughout the world.

One of the world's largest nongovernmental organizations with 1.2 million members and activities in more than 200 countries, The Rotary Foundation has provided more than \$3.8 billion focusing on six specific sustainable programs: promoting peace, fighting disease, providing clean water, improving health care for mothers and children, supporting education, and growing local economies. Among its many contributions felt around the globe is its partnership with the Gates Foundation, the World Health Organization, and other governments to eradicate 99.9 percent of Polio worldwide.

Locally, The Rotary International District 5150 currently oversees 42 Rotary Clubs, serving Marin, San Francisco, and San Mateo. The three county clubs consist of nearly 2,000 members who volunteer their time raising money and doing good in their communities and around the world. On Saturday, March 18, 2017, District 5150 will hold its annual Learning and Development Assembly at Redwood High School in Marin County to provide training opportunities for hundreds of Rotarians, Rotaractors, Interactors and guests in the District.

Mr. Speaker, The Rotary Foundation's commitment to providing important services that enrich our community and beyond is exceptional. It is therefore fitting to honor and thank The Rotary Foundation for a century of success in adhering to its motto of "doing good in the world" and The Rotary International District 5150 for its important service, and to offer both best wishes on 100 more years of good work.

RECOGNIZING NICHOLAS
CARUSELLE

HON. DANIEL M. DONOVAN, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, March 17, 2017

Mr. DONOVAN. Mr. Speaker, I rise today to thank Nicholas Caruselle for his lifelong commitment to providing quality hospital care to the community.

Born on December 10, 1954, to Anna Maria and Paul Caruselle, Nicholas has lived on Staten Island his whole life. In 1974, he began working at Staten Island University Hospital (SIUH) as an oxygen technician, where he would spend the next 42 years of his life. It was there where he met his sweetheart, Janice, whom he later married on November 23, 1979. They have been happily married for 37 years with three wonderful children, all of whom were born at SIUH.

Nick's dedication to patient-centered care is evidenced by how long he has worked at SIUH. After serving as an oxygen technician, he later went on to serve in various positions providing excellent cardiopulmonary care from 1977 to 1996. Later on, he served as Senior Vice President of Operations and retired as Deputy Executive Director and South Site Administrator for SIUH.

Nicholas Caruselle has achieved numerous accomplishments throughout his career at SIUH. In the aftermath of Superstorm Sandy, he tirelessly fought to obtain \$40 million in government funding to rebuild crucial hospital infrastructure. Furthermore, he was instrumental in the development of the Sleep Medicine Institute, the Elizabeth A. Connelly Emergency and Trauma Center, the Regina McGinn, MD Education Center, and the Heart Tower. The enormous impact Nick has had on improving SIUH and the care of its patients is truly immeasurable.

Mr. Speaker, Nicholas Caruselle has spent his entire career improving the lives of others. I thank him for his devotion to his community of work and I wish him a very happy retirement.

RECOGNIZING BETTY DEFOREST
ON HER PASSING

HON. ERIC SWALWELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 17, 2017

Mr. SWALWELL of California. Mr. Speaker, I rise to recognize Hayward resident Betty DeForest following the occasion of her passing on March 10, 2017.

Betty was a dedicated advocate and servant to the Hayward community, where she had lived since 1952. She devoted her life to fight-

ing discrimination and seeking justice for persons of color as well as our poor, homeless, immigrant, and LGBTQ communities.

Betty was a member of the Westminster Hills Presbyterian Church and was instrumental in the formation of its interfaith assemblage, the South Hayward Parish, which provides food for individuals and families in need, along with housing and healthcare resources. She quickly became an integral component of the group's efforts to advocate for the rights of all persons, regardless of sexual orientation, religion, or race.

Betty was deeply committed to our children and their education, serving two terms on the Hayward School Board, as well as Executive Director of the Eden Youth and Family Center, which provides an assortment of services to children and families across Alameda County.

She also was a champion for the LGBTQ community. As President of her local PFLAG chapter and proud mother of a gay son, Betty helped establish the annual Hayward Gay Prom in 1995, creating an atmosphere for LGBTQ youth to feel safe and protected, without fear of judgement or reprisal.

I had the privilege of working personally with Betty on numerous occasions. Betty devoted not only her time, but also precious resources, to accommodate interfaith meetings addressing gun violence within our community. Most recently, Betty allowed me the honor of participating in the South Hayward Parish's Martin Luther King Jr. Day March, an annual event highlighting the strides our country has made and bringing focus to the work yet ahead.

Betty's commitment to the Hayward community touched the lives of countless individuals and was truly extraordinary. I want to acknowledge Betty's remarkable accomplishments and pass along my condolences to her family and friends—our community will certainly feel her absence.

PERSONAL EXPLANATION

HON. PETER T. KING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, March 17, 2017

Mr. KING of New York. Mr. Speaker, I was not present for recorded votes on the evening of March 16, 2017. Had I been present, I would have voted YEA on Roll Call No. 165, NAY on Roll Call No. 166, NAY on Roll Call No. 167, YEA on Roll Call No. 168, and NAY on Roll Call No. 169.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

PERSONAL EXPLANATION

HON. DIANE BLACK

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, March 17, 2017

Mrs. BLACK. Mr. Speaker, on Roll Call No. 166 on Agreeing to the Takano Amendment for H.R. 1259, which took place Thursday, March 16, 2017, I am not recorded because I was unavoidably detained.

Had I been present, I would have voted Nay on Roll Call No. 166 on Agreeing to the Takano Amendment for H.R. 1259.

IN RECOGNITION OF REGINALD SIMMS

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 17, 2017

Mrs. COMSTOCK. Mr. Speaker, I rise today to commend my constituent, Reginald "Reggie" Simms, on his exhibit in the Purcellville Art Council's Black History Month Celebration, located at the historic Purcellville Train Station. Mr. Simms, now retired, dedicated his career to the arts, while also maintaining a deep love for African American history, and is deserving of this unique recognition.

As a child and teenager, Mr. Simms attended Carver Elementary School in Arlington, Virginia and Douglas High School in Leesburg, Virginia, both historic African American schools in Northern Virginia. During his youth, segregation prevented him from using public libraries and local resources, but he was able to obtain copies of National Geographic magazines. These magazines created a new lens through which Mr. Simms understood and viewed the world around him and also sparked his interest in art—specifically photo realism.

After attending the National Art School in Washington, D.C., he entered the Air Force at the age of 21 where he was stationed in Korea. After his time in the Air Force, Mr. Simms moved to New York where he took classes at Newark Fine Industrial Arts and also worked for a slew of graphic design and silkscreen companies. Finally, it was a position in the graphics department of the Washington Metro that brought Mr. Simms and his wife, Marion, back to Loudoun County, and he has lived at his home in Purcellville, Virginia ever since.

It is important to note that throughout his illustrious career, Mr. Simms never lost sight of his love for art or appreciation for history. At his home, his finished basement, which doubles as his studio, is filled with water color paintings, oil paintings, sculptures, refurbished toys, and more, which he has painted, sculpted, and collected for years. Last month's exhibit was a compilation of his artistic works, books, and memorabilia which he and his brother, Larry, have obtained over the years. To this day, Mr. Simms enjoys painting his favorite National Geographic covers.

Mr. Speaker, I ask my colleagues to join me in applauding Reginald Simms for his impres-

sive career, dedication to the African American community, and his most recent exhibit in Purcellville, Virginia. I wish him, his wife, Marion, and their family the best in all of their future endeavors.

IN RECOGNITION OF STANLEY WALESKI, RECIPIENT OF THE GREATER PITTSSTON FRIENDLY SONS OF SAINT PATRICK 2017 ACHIEVEMENT AWARD

HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 17, 2017

Mr. CARTWRIGHT. Mr. Speaker, I rise today to honor Stanley Waleski, who will receive the 2017 Achievement Award from the Greater Pittston Friendly Sons of St. Patrick. Stan will be honored by the Friendly Sons during the 103rd annual dinner on March 17.

Stan is a former educator in the Pittston Area School District. He served as a teacher, coach, and principal for over 35 years, retiring in 2012. He holds a Bachelor of Science degree from East Stroudsburg University with a teaching certification in Health and Physical Education. Stan received a Masters of Arts degree from Marywood University with certifications in Elementary Education, Elementary and Secondary School Administration, and a Superintendent's Letter of Intent. While attending Scranton Preparatory School, Stan was an outstanding athlete and a member of the 1973 PCIAA state champion basketball team.

For 51 years, Stan has been an active member of the Avoca Jolly Boys, a civic and community service organization, serving on its board of directors and at one time as president. The organization provides the community with athletic programs for youth and adults, as well as social events and picnics. The Jolly Boys sponsor the popular Avoca Basketball League, which Stan has served as the director of for the past 22 years. The league plays annually with over 450 players and 75 coaching volunteers.

It is an honor to recognize Stanley Waleski for his lifelong service to the Pittston community, and I congratulate him for receiving the Greater Pittston Friendly Sons of St. Patrick Achievement Award. I am grateful for his contributions to his community, and I wish him continued success in the future.

RUTH WATERS, IN RECOGNITION OF 40 YEARS OF SERVICE TO THE ARTS IN SAN MATEO COUNTY

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 17, 2017

Ms. SPEIER. Mr. Speaker, I rise to honor Ruth Waters, a remarkable artist and arts activist who has been sculpting for six decades and supporting the arts on the San Francisco Peninsula for four decades. This week, Ruth will be honored by her peers and the institu-

tion that she leads will celebrate its fourth year at its present location in Burlingame, offering art and artist studies to the community.

I first met Ruth in the 1980s when I served on the San Mateo County Board of Supervisors and when Ruth was the founder and director of the Twin Pines Art Center in Belmont. Her passion for the arts and promoting public art in particular, led me to create a County Arts Task Force. Ruth's passion continues to this very day. She is a prolific artist and has exhibited solo in at least 25 exhibits and at dozens of regional and national juried shows.

In addition to being a talented sculptor and arts advocate, Ruth is an amazing administrator and organizer. She founded the Peninsula Museum of Art in 2004 and serves as its Executive Director. The museum moved to its current location in Burlingame in 2013. The museum's mission is to enhance the region and enrich lives through art and education. It offers five exhibition galleries, an art reference library, gift shop, and working studios for 30 professional-level artists. The inclusion of the artist studios in the space is a deliberate effort to bridge the gap between the creative community, professional artists and the community at large.

The current museum grew from the Twin Pines Art Center, which operated from 1977 to 1985 in Belmont. During this time, Ruth was also the co-founder and president of the Peninsula Sculptors' Guild, and she co-founded and served on the board of the Peninsula Arts Council from 1992 to 2008.

The accomplishments of Ruth Waters have been recognized on many occasions, including but not limited to the President's Award from the National Conference of the Women's Caucus for Art, and through her listings in the Dictionary of International Biography, Who's Who in Art, Architecture and Design, and the International Who's Who of Professional & Business Women.

Mr. Speaker, it is a rare person who personifies a profession that itself lends beauty to this world. Ruth personifies the world of art and sculpting, and we are fortunate to have the beauty that she continues to create around us. We should all be grateful for her leadership in promoting the arts and art appreciation. Beauty can neither be denied nor muzzled, and in Ruth Water's work we see beauty abound while a passionate voice for the arts proclaims its presence in service to us all.

REMEMBERING THE LIFE OF PHILIP T. KALAYIL

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, March 17, 2017

Ms. SCHAKOWSKY. Mr. Speaker, I rise today to recognize the life and many accomplishments of Philip T. Kalayil, a leader in Chicago and in the Indian-American community.

Mr. Kalayil lived a life of purpose, spent enriching the lives of those he met and those he served. We in Chicago are indeed fortunate that he settled here, coming from his state of Kerala in India to pursue his studies at Loyola

University and staying to promote diversity, opportunity and understanding.

Philip Kalayil was always a scholar, earning a double master's in sociology and industrial relations and receiving the Heart of Asian American Community Award from the Association for Asian American Studies in 2008. His research helped him understand the disparities and discrimination facing members of the Asian American community, and it led him to a lifetime of work to tear down barriers so others could also succeed. He was a scholar with a vision and he put that vision to use to improve our entire community.

His career was multifaceted. He was a social worker for Catholic Charities. He served as Assistant Director of Emergency Services at the Department of Human Services.

Mr. Kalayil was also an outstanding and passionate advocate. Among the many organizations he helped build and foster are the Indian Catholic Association of America, the Asian Forum, and the Indo-American Democratic Organization (IADO). Each was designed to help members of the Indian-American and the greater Asian-American community not just thrive individually but become active participants in the broader society.

Philip Kalayil showed us the importance of working together across racial, ethnic and religious lines. He knew that many things were possible if we learned to work and engage together. He was a teacher, a doer and an inspiration.

He was also a devoted family member, and I know that his children—Tom, Sales and Ann, my dear friend—are mourning his loss. I hope that they will take comfort in knowing how much their father is missed and how many lives he touched throughout his life.

IN RECOGNITION OF THE MOORE
COUNTY CHAMBER OF COM-
MERCE'S 50TH ANNIVERSARY

HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 17, 2017

Mr. HUDSON. Mr. Speaker, I rise today to recognize the Moore County Chamber of Commerce as we celebrate its 50th Anniversary. Thanks to the hard work of the countless individuals involved with this organization, Moore County has never been a better place to live, work, or visit.

Established in 1967 as the Southern Pines Area Chamber of Commerce, this organization has long stood for the advancement of civic, cultural, and economic prosperity. By engaging with local leaders, the chamber has created a successful model for integrating businesses and the community they serve. Members continually choose to invest their time and money into the development of a better business environment for current and future generations.

There is no doubt in my mind that Moore County is a better place today thanks to their Chamber of Commerce. The hardworking men and women at the Chamber have continued to provide their members with the resources they need to grow and thrive in an ever-changing

economic climate. As a result, businesses continue to choose Moore County as the place they want to reside in order to be successful. I look forward to maintaining a close relationship with the Chamber and its members as we work together to create a better future for all folks across Moore County.

Mr. Speaker, please join me today in recognizing the Moore County Chamber of Commerce on its 50th anniversary and wishing them continued success in the years to come.

IN RECOGNITION OF JASON
KLUSH, GREATER PITTS-
TOWN FRIENDLY SONS OF SAINT PAT-
RICK 2017 "MAN OF THE YEAR"

HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 17, 2017

Mr. CARTWRIGHT. Mr. Speaker, I rise today to honor Jason Klush, Mayor of Pittston, Pennsylvania. On March 17, Mayor Klush will receive the "Man of the Year" Award from the Greater Pittston Friendly Sons of St. Patrick during their 103rd annual banquet.

Jason was elected as Pittston's Mayor in 2009 and re-elected in 2013. He is the youngest mayor in the city's history. Under his leadership, Pittston has seen a revitalization of its downtown and other key neighborhoods, improvements to infrastructure including an \$11 million sewer improvement project, and increased funding and development for the Pittston Memorial Library.

Jason is a graduate of East Stroudsburg University with a Bachelor of Arts in Sociology with a concentration in Criminal Justice. In addition to serving as Pittston's Mayor, Jason is a foreman and site supervisor for Hadley Construction. He has served on the boards of several non-profits and is a current member of the Northeast Pennsylvania Land Bank Authority, the Greater Pittston Compost Commission, and the Pittston City Festivals Association Board.

It is an honor to recognize Jason for his contributions to his community and I congratulate him on being the Greater Pittston Friendly Sons of St. Patrick "Man of the Year". I wish him all the best in the future.

HONORING TOWN OF BOONTON'S
150TH ANNIVERSARY

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, March 17, 2017

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor the historic Town of Boonton, located in Morris County, New Jersey, on the occasion of its 150th Anniversary. From humble beginnings, this town's birth from a house and barn has grown to be a thriving community of over 8,300 residents today.

Boonton's history began in 1740 with a simple house and barn—the first house recorded in Boonton. It was originally part of a 231 acre plot that was purchased for £85. Over the

years, three families have owned this historic landmark. Each family maintained and built onto the house until it was listed on the New Jersey Register of Historic Places; Boonton's population steadily grew thanks to an iron forge, which attracted local workers to establish their lives and provide for their families. This forge served as a central source of supplies for the military during the American Revolutionary War.

The town was named "Boone-Towne" after the late Colonial Governor Thomas Boone in the year 1761. In March of 1867, Boonton incorporated as a town by the New Jersey State Legislature. The first of what would be many tests of Boonton's fortitude came in 1876 when the town faced an economic crisis, due to iron deposits found in the Great Lakes. The iron company shut down and workers left the town. The leaders of Boonton were strong and resilient and the town recovered by opening a silk, brass, knife, and many other factories. A diversified economic landscape prevented a depression from happening again.

The Town of Boonton has also shown its resilience in not only handling economic hardship, but also during natural disasters. The blizzard of 1888 hit the town of Boonton hard for 36 brutal hours, covering the town with 15 feet of snow. This was a significant moment in defining the strong character of Boonton.

Over the years, Boonton has grown and thrived into a tightly knit community. It has developed a booming Main Street that portrays its local community through a variety of schools, businesses, houses of worship, and other services meeting the needs of its diverse population. Boonton still attracts more and more people every year and has continuously seen a growing population.

Mr. Speaker, I ask that you and our colleagues join me in congratulating the Town of Boonton on the occasion of its Sesquicentennial Anniversary.

CELEBRATING THE 100TH CLASS
FOR THE DEPARTMENT OF
HOMELAND SECURITY'S INDUS-
TRIAL CONTROL SYSTEMS CY-
BERSECURITY TRAINING COURSE

HON. RAÚL R. LABRADOR

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Friday, March 17, 2017

Mr. LABRADOR. Mr. Speaker, today, March 17, 2017, the 100th class for the Department of Homeland Security's Industrial Control Systems Cybersecurity training course will be completed in Idaho Falls, Idaho. It is my honor to congratulate the graduates and recognize this milestone for the Idaho National Laboratory. INL hosts this training in support of the National Cybersecurity and Communications Integration Center for DHS where up to date information about current security issues, vulnerabilities, and exploits are provided to government agencies, states, and the private sector.

This course provides hands-on training in discovering who and what is on the network, identifying vulnerabilities, learning how those vulnerabilities may be exploited, and learning

defensive and mitigation strategies for control system networks in an actual control systems environment. The training offers the opportunity to network and collaborate with other colleagues involved in operating and protecting control system networks.

The Idaho National Laboratory, Department of Energy and Department of Homeland Security are working together to advance cybersecurity for critical infrastructure. Idaho has a longstanding leadership role to establish cybersecurity best practices and innovative technologies for government and industry partners. Under the guidance of the National Cybersecurity and Communications Integration Center the Industrial Controls Systems Cyber Emergency Response Team in collaboration with Idaho National Laboratory has successfully illustrated the demand and importance of advanced training for cybersecurity professionals within the critical infrastructure sectors through the instruction of over 4 thousand industry professionals and students.

Congratulations to the graduates of the 100th Industrial Control Systems Cybersecurity training course and thank you to these men and women whose hard work and dedication will make our critical infrastructure safer and more secure.

PERSONAL EXPLANATION

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, March 17, 2017

Ms. SLAUGHTER. Mr. Speaker, I was unavoidably detained and missed Roll Call vote numbers 165, 166, 167, 168, and 169. Had I been present, I would have voted Aye on roll call votes number 165, 166, 167. I would have voted Nay on roll call votes 168 and 169.

IN RECOGNITION OF JOSEPH D. BURKE, RECIPIENT OF THE GREATER PITTSBURGH FRIENDLY SONS OF SAINT PATRICK SWINGLE AWARD

HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 17, 2017

Mr. CARTWRIGHT. Mr. Speaker, I rise today to honor Joseph D. Burke, Esq. Today, Mr. Burke will receive the Swingle Award from the Greater Pittsburgh Friendly Sons of St. Patrick during their 103rd annual banquet.

Joe is a partner at Burke Vullo Reilly Roberts. He has practiced law for thirty-two years focusing on commercial law and civil litigation. Joe is admitted to practice before the United States and Pennsylvania Supreme Courts, the Third Circuit Court of Appeals, and the United States District Court for the Middle District of Pennsylvania. He has been named a Pennsylvania Super Lawyer four times by Thomson Reuters. He has been recognized by the Martindale Hubbel Bar Register of Preeminent Lawyers for the past seventeen years. He is a Fellow of the American and Pennsylvania Bar

Foundations, as well as the Litigation Counsel of America. He is also a member of the Pennsylvania Bar Association's Professionalism Committee.

An alumnus of Scranton Preparatory School and Lehigh University, Joe graduated with a Bachelor of Arts Degree in Economics and Government. He received his Juris Doctorate from Delaware Law School of Widener University. While at Widener he was a member of the law review, The Delaware Journal of Corporate Law, and received the 1982 Moot Court Competition Best Advocate Award.

Joe has a long record of service to the community throughout his professional career. He currently serves on the Board of Directors of the Jesuit Center for Spiritual Growth. He is the former President of the Greater Pittston Chamber of Commerce. He is a past member of the Board of Trustees of the Scranton Preparatory School and Chair of its Ignatian Identity and Mission Committee. He also served as Co-Chair of the North Penn Legal Services Campaign and for eight years as Lawyers Division Chair of the United Way of Wyoming Valley.

He and his wife Kathleen have been blessed with three children, Elizabeth Davis (Christian), Joseph Jr., and Michael, and two grandchildren, Burke Christian Davis and Whitney Elizabeth Davis. Joe and Kathleen actively support the work of the Children's Hospital of Philadelphia Foundation, Coaches vs. Cancer, Endure for the Cure, the Catherine McAuley Center, St. Joseph's Center, and Marley's Mission.

It is an honor to recognize Joseph D. Burke, Esq. as the Greater Pittston Friendly Sons of St. Patrick Swingle Award recipient. He is well deserving of praise for his service to Northeastern Pennsylvania.

PERSONAL EXPLANATION

HON. MICHAEL E. CAPUANO

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, March 17, 2017

Mr. CAPUANO. Mr. Speaker, this week I missed Roll Call Number 168. Had I been present, I would have voted: Roll Call No. 168—No.

PERSONAL EXPLANATION

HON. GARRET GRAVES

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 17, 2017

Mr. GRAVES of Louisiana. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted YEA on Roll Call No. 162.

RECOGNIZING THE LIFE OF FALLEN MISSISSIPPI SOLDIER ARMY SERGEANT FIRST CLASS (SFC) CLINT DANIEL FERRIN

HON. TRENT KELLY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Friday, March 17, 2017

Mr. KELLY of Mississippi. Mr. Speaker, today I rise in memory of Army Sergeant First Class (SFC) Clint Daniel Ferrin who paid the ultimate sacrifice defending our great nation March 13, 2004, during Operation Iraqi Freedom III. SFC Ferrin was killed along with three other soldiers when their Humvee struck a roadside bomb in Baghdad, Iraq.

SFC Ferrin was assigned to the 1st Battalion, 504th Infantry Regiment, 82nd Airborne Division, Fort Bragg, N.C. SFC Ferrin grew up in North Ogden, Utah and later moved to Mississippi where he attended his senior year of high school in Picayune. He joined the Army after graduation. SFC Ferrin's father, Dan, says Clint became interested in military service after hearing the stories about his grandfathers who fought in WWII in the U.S. Navy and the U.S. Army. When he decided to join, SFC Ferrin wanted to be a paratrooper even though he had a fear of heights. He was able to overcome that fear and distinguished himself as a soldier during his 12 years of service.

During his funeral, The Church of Jesus Christ of Latter Day Saints area president said SFC Perrin loved his country, his family, and his God. SFC Ferrin was given a 21-gun salute at the cemetery in front of approximately 100 family members and friends. SFC Ferrin was posthumously awarded the Bronze Star, Purple Heart, and the Army Good Conduct Medal.

"His son Zachary would always tell his friends that his dad was a hero," Dan said. "He was a very good soldier and a very good dad. I'm so proud of him."

SFC Ferrin is survived by parents, Dan and Rosemary Ferrin; brother, Army Specialist John D. Ferrin; wife Melinda; and their children, Zachary and Madison.

IN RECOGNITION OF BILL JONES, "MAN OF THE YEAR" GREATER WILKES-BARRE FRIENDLY SONS

HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 17, 2017

Mr. CARTWRIGHT. Mr. Speaker, I rise today to honor Bill Jones of Mountaintop, Pennsylvania as he is honored by the Greater Wilkes-Barre Friendly Sons of St. Patrick "Man of the Year" during their 72nd annual banquet on March 17.

Bill Jones currently serves as President and CEO of the United Way of Wyoming Valley. Since joining the organization in January 2012, he has led the local United Way in making transformational and historic changes in the way the organization serves the community. Under his administration, the United Way has become a leading and passionate voice

on critical issues related to childhood poverty in the Wyoming Valley.

Prior to the United Way, Bill served as Vice President and Chief Operating Officer of Volunteers of America of Pennsylvania. During his twelve-year tenure he was involved in growing and developing programs that served children and youth, the elderly, the homeless, those with mental illness, and families in poverty. He also spent fifteen years in the banking industry and was Vice President and Community Development Manager for PNC Bank.

Bill is a Summa Cum Laude graduate of Misericordia University and earned his Master of Business Administration degree from Wilkes University. In addition, he graduated "With Distinction" from the Stonier School of Banking at the University of Delaware.

I join with the Friendly Sons of St. Patrick in congratulating Bill on becoming their "Man of the Year." I congratulate him on his achievements, and I wish him the very best for the future.

TRIBUTE TO ADAM KOCH

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 17, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Adam Koch and his teammate Tyler Cooney, both students at Dallas Center Grimes High School in Grimes, Iowa, for winning second prize in C-SPAN's national 2017 StudentCam competition.

Since 2006, C-SPAN has been partnering with local cable affiliates across the country to work with middle school and high school students to create documentaries on issues important to the nation. For this year's competition, students were asked to address the question: "What is the most urgent issue for the new President and Congress to address?"

Adam and Tyler decided to focus on energy issues and made a documentary titled, "Powerhouse of the Prairie." The short film zeroed in on the important role that wind energy and ethanol production plays, not only in Iowa's economy, but the economy throughout the entire country. I was fortunate enough to contribute to their project by discussing the importance of energy independence as it pertains to our country's national security. Their documentary will premiere on C-SPAN at 6:50 a.m. E.T. on April 7 and will play throughout the day.

Mr. Speaker, I applaud and congratulate Adam and Tyler for earning this outstanding award. The experience and knowledge they gained working on this project will be invaluable for years to come as they move forward with their education. It is because of young Iowans like them that I'm proud to represent our great state in Congress. I ask that my colleagues in the United States House of Representatives join me in congratulating Adam and Tyler and in wishing them nothing but continued success.

PERSONAL EXPLANATION

HON. BRENDAN F. BOYLE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 17, 2017

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Speaker, on March 2, 2017, I missed roll call votes Nos. 122 through 123 on the floor of the House of Representatives. Had I been present, I would have voted yea and nay, respectively.

RECOGNIZING THE ASIAN TRADE, FOOD FAIR, AND CULTURAL SHOW

HON. LOIS FRANKEL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 17, 2017

Ms. FRANKEL of Florida. Mr. Speaker, I rise today to recognize the Asian Trade, Food Fair, and Cultural Show that will take place this weekend in West Palm Beach, Florida. The Asian Fair has brought our community together to celebrate Asian culture for 24 years now, and I look forward to seeing what this year has in store.

The Bangladesh Association of Florida organizes this annual event to celebrate the contributions of the Asian community in America. This year, 48 countries will be represented through live music, dance performances, and authentic cooking demonstrations.

I'd like to recognize the Bangladesh Association of Florida for their hard work on this event and for their dedication to promoting cultural diversity in our community.

RECOGNIZING THE LIFE OF FALLEN MISSISSIPPI SOLDIER ARMY SERGEANT (SGT) LERANDO J. BROWN, JR.

HON. TRENT KELLY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Friday, March 17, 2017

Mr. KELLY of Mississippi. Mr. Speaker, today I rise in memory of fallen Mississippi soldier Sergeant (SGT) Lerando J. Brown, Jr., who died while in service to our great nation on March 15, 2008, during Operation Iraqi Freedom III. SGT Brown gave his life while deployed in Balad, Iraq.

SGT Brown, of Gulfport, was assigned to the 288th Sapper Company, 223rd Engineer Battalion, Mississippi Army National Guard based in Houston, Mississippi. At the time of his death, SGT Brown was the 48th Mississippian to die in Iraq since March 2003. SGT Brown served in Iraq beginning in September 2007. He arrived with more than 90 other members of the 288th.

Lieutenant Colonel Tim Powell of the Mississippi Army National Guard said this was Brown's first deployment. SGT Brown's wife, Candice, described her husband as a man who loved to make her laugh. She said SGT Brown constantly told her he loved her through phone calls and e-mails.

SGT Brown's service and sacrifice will always be remembered.

SUPPORTING VT HALTER MARINE, INC. OF PASCAGOULA, MS

HON. STEVEN M. PALAZZO

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Friday, March 17, 2017

Mr. PALAZZO. Mr. Speaker, I would like to bring to the attention of the House an injustice served upon a Mississippi shipbuilding company in my district by a number of Democratic senators on March 7, 2017 during the Senate debate over H.J. Res. 37, the Congressional Review Act repeal of OSHA's rule implementing the Obama Administration's Fair Play and Safe Workplaces executive order. During the debate, these senators accused VT Halter Marine, Inc. of Pascagoula, MS of disregarding the safety of its workers, citing examples of long-past accidents. I know for a fact that this couldn't be further from the truth.

The company has enlisted the services of safety experts to develop a new safety management system to improve upon its culture of safety. Since 2011, VT Halter has been guided by its 5-Year Safety Strategic Plan. The plan promotes a comprehensive, all hazards management approach to every aspect of the shipbuilding process. Activities include a safety stand-down at all facilities for a full day of re-training; Safety Leadership Training and an OSHA 30-Hour Maritime Course for all key personnel; specific training for new employees; weekly safety meetings; tool tracking systems to ensure proper safety equipment is issued to employees; Confined Space rescue training; safety teams which conduct daily inspection of production areas; and Safety Director attendance at the OSHA 2090 Shipyard Employment, Fall Prevention, and Competent Person Training program. The company has complied with all OSHA safety directives and reporting requirements, and is in good standing with the agency.

V. Halter has worked diligently to obtain both government and commercial shipbuilding and repair work to maintain jobs for more than 900 working class families in my district. The economic impact of Halter's work ripples throughout the local economy through suppliers and other small businesses, and the company is considered a key player in the shipbuilding industrial base.

The accusations made on the Senate floor appear to be motivated by the desire to embarrass Senate Republicans and the President over the decision to repeal the Obama Administration OSHA regulations. In singling out VT Halter as political cannon fodder, the senators making the accusations have unfairly damaged the reputation of the company and have put its Mississippi workers in a state of confusion and anxiety over their future. The commercial shipbuilding market is in a major down cycle, and the Gulf Coast shipbuilding industry is struggling to find enough work to keep their people employed. By professing to speak on behalf of the workers, these senators have in fact jeopardized the company's ability to sustain these good, high-paying jobs. I've been

told that the workers have actually approached Halter's CEO to see if they should circulate a petition to correct the record about Halter's treatment of its workforce. Unlike the Senators in question, I have been to VT Halter Marine and have spoken to these Mississippi workers. VT Halter takes excellent care of its people, striving both to keep them safe and employed, and I am extremely disappointed that certain liberal senators would attempt to construe their safety record just to fit their political aims.

TRIBUTE TO ALISA ROTH

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 17, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Alisa Roth, owner of Bloom Works Floral in Council Bluffs, Iowa, for receiving the 2017 Deb Dalziel Woman Entrepreneurial Award presented annually by Iowa's Small Business Development Centers (SBDC).

Since 1999, the Iowa SBDC has been awarding women entrepreneurs who have made a major impact in their communities and changed the direction of their own lives. The award is named in honor of Deb Dalziel, a longtime advocate of women entrepreneurs and director of America's SBDC Iowa from 1987 to 1999.

Established in 2004, Alisa has built Bloom Works Floral into one of Council Bluffs' premier small businesses. In the first 5 years of operation, she was able to grow the business so much that she had to move to larger locations with bigger storefronts on two separate occasions. Her tireless work ethic and dedication to her craft is unmatched, making her a highly respected entrepreneur in Council Bluffs and a top regional authority in her industry.

Mr. Speaker, I applaud and congratulate Alisa for earning this outstanding award. Her tireless work ethic and dedication to her community have had, and will continue to have, a long-lasting impact. It is because of Iowans like her that I'm proud to represent our great state in Congress. I ask that my colleagues in the United States House of Representatives join me in congratulating Alisa on receiving this esteemed award and in wishing her nothing but continued success.

PERSONAL EXPLANATION

HON. BRENDAN F. BOYLE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 17, 2017

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Speaker, on March 10, 2017, I missed roll-call votes Nos. 153 through 158 on the floor of the House of Representatives. Had I been present, I would have voted yea, yea, yea, yea, yea and nay, respectively.

IN RECOGNITION OF THE 100TH ANNIVERSARY OF MERCED COUNTY FARM BUREAU

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 17, 2017

Mr. COSTA. Mr. Speaker, I rise today in recognition of the 100th anniversary of the Merced County Farm Bureau, an organization that is dedicated to supporting and advocating for Merced County's agriculture industry.

The organization first began as the Merced County Farmers and later became known as the Merced County Farm Bureau in 1917. The high demand for food production during World War I urged the University of California to help in funding farmers around the Central Valley in their efforts to produce agricultural products faster, sending their advisers to local farms in Merced County. On March 7, 1917, the Merced County Farmers, signed a petition requesting a farm advisor from the University of California for Merced County, through the University of California Cooperative Extension program. However, in order to obtain an advisor, the organization needed to become a Farm Bureau first. And so, after changing the name of the organization and complying with necessary requirements to become a farm bureau, the Merced County Farm Bureau had its first meeting on May 17, 1917.

As a result of having an advisor, scientific innovations began to take form in the production of food, dairy, research support and Labor management, and the positive impacts were experienced throughout the county. It began by supporting policies and legislation that protected the natural resources required for the production of agriculture.

As a non-profit organization, the Merced County Farm Bureau contributes to the community by providing scholarship opportunities to the children of farmers who are pursuing higher education. It also provides a program to young adults in Merced County that facilitate professional development and social networking to farmers, ranchers and individuals who work in agriculture between the ages of 18–35. Additionally the Merced County Farm Bureau keeps their farmers and community informed about local agricultural issues as well as state and national legislation through their Merced County Farm Newspaper. Furthermore, the Merced County Farm Bureau hosts local farmers markets to help support farmers around the Central Valley.

Now 100 years after the Merced County Farm Bureau was created, it has become the 6th largest producing agricultural county in California, greatly contributing in the overall economy of our state and making 90% of California's Sweet Potatoes. Thanks to organizations like the Merced County Farm Bureau, the San Joaquin Valley's agriculture industry has become a significant economic contributor to the state.

Mr. Speaker, I urge my colleagues to join me in celebration of the 100th anniversary of the Merced County Farm Bureau. The last 100 years have been a testament of their strong commitment and continued support of our community and agricultural producers.

HAPPY BIRTHDAY RHODORA J. DONAHUE

HON. FRANCIS ROONEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 17, 2017

Mr. FRANCIS ROONEY of Florida. Mr. Speaker, I rise today on behalf of my wife Kathleen and I to wish Mrs. Rhodora J. Donahue a very happy 92nd birthday.

We hope Rhodora is celebrating this very special day surrounded by her loved ones. I believe a loving family is the greatest treasure in life and with 13 married children, 82 grandchildren, and 108 great grandchildren, Rhodora has most certainly attained it. I hope you all can join me in wishing her continued health and happiness throughout the year.

PERSONAL EXPLANATION

HON. RODNEY DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, March 17, 2017

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, on Thursday, March 16, 2017, I was absent from the House due to traffic delays related to motorcade activity. Due to my absence, I did not record any votes for the first vote series of the day. I would like to reflect how I would have voted had I been present for legislative business.

Had I been present, I would have voted "aye" on Roll Call 162, and Roll Call 163.

Had I been present, I would have voted "nay" on Roll Call 164.

TRIBUTE TO TYLER COONEY

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 17, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Tyler Cooney and his teammate Adam Koch, both students at Dallas Center Grimes High School in Grimes, Iowa, for winning second prize in C-SPAN's national 2017 StudentCam competition.

Since 2006, C-SPAN has been partnering with local cable affiliates across the country to work with middle school and high school students to create documentaries on issues important to the nation. For this year's competition, students were asked to address the question: "What is the most urgent issue for the new President and Congress to address?"

Tyler and Adam decided to focus on energy issues and made a documentary titled, "Powerhouse of the Prairie." The short film zeroed in on the important role that wind energy and ethanol production plays, not only in Iowa's economy, but the economy throughout the entire country. I was fortunate enough to contribute to their project by discussing the importance of energy independence as it pertains to our country's national security. Their documentary will premiere on C-SPAN at 6:50

a.m. E.T. on April 7 and will play throughout the day.

Mr. Speaker, I applaud and congratulate Tyler and Adam for earning this outstanding award. The experience and knowledge they

gained working on this project will be invaluable for years to come as they move forward with their education. It is because of young Iowans like them that I'm proud to represent our great state in Congress. I ask that my col-

leagues in the United States House of Representatives join me in congratulating Tyler and Adam and in wishing them nothing but continued success.

SENATE—Monday, March 20, 2017

The Senate met at 10 and 6 seconds a.m. and was called to order by the President pro tempore (Mr. HATCH).

ADJOURNMENT UNTIL 10:30 A.M.
TOMORROW

The PRESIDENT pro tempore. Under the previous order, the Senate stands

adjourned until 10:30 a.m. on Tuesday, March 21, 2017.

Thereupon, the Senate, at 10 and 14 seconds a.m., adjourned until Tuesday, March 21, 2017, at 10:30 a.m.

HOUSE OF REPRESENTATIVES—Monday, March 20, 2017

The House met at noon and was called to order by the Speaker pro tempore (Mr. NEWHOUSE).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
March 20, 2017.

I hereby appoint the Honorable DAN NEWHOUSE to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2017, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 1:50 p.m.

WHAT CONGRESSIONAL BUDGET OFFICE SAYS ABOUT AMERICAN HEALTH CARE ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Connecticut (Mr. COURTNEY) for 5 minutes.

Mr. COURTNEY. Mr. Speaker, after 7 years of railing against the Affordable Care Act, a little less than 2 weeks ago we finally got an opportunity to see what the Republican repeal-and-replace plan actually looks like.

President Trump described it on March 7, again, a little less than 2 weeks ago, as our wonderful new healthcare bill.

The new Secretary of Health and Human Services, Tom Price, solemnly promised that no one will be worse off financially as part of this bill known as the American Health Care Act.

Well, Mr. Speaker, as President John Adams once said a long time ago, facts are stubborn things; and over the last 2 weeks, we have had an opportunity to see what the Congressional Budget Office says about the American Health Care Act. Again, this is the neutral body that advises the Congress and the Nation with budgetary analysis both in

terms of taxes and spending and also in terms of healthcare coverage.

What it has told us is that 24 million Americans will lose their health coverage between now and 2024. In fact, it will go up by 14 million just in the first couple of years under this bill, which, again, after 7 years, we never got a chance to see it, but now we are finally getting that opportunity.

Mr. Speaker, sometimes it is a little sort of too much to talk about these large numbers and top-line numbers. What I want to share with you and my colleagues and also anyone watching this speech is that the Kaiser Family Foundation, which is, again, one of the most respected healthcare, nonprofit, educational institutions in our country, has produced an interactive website which basically gives any American the opportunity to scroll across a map of America, find the county where you live, punch in what their income level and age is, and then compare the existing law with the American Health Care Act. Again, that website is kff.org/interactive/tax-credits. Again, kff.org.

I had an opportunity to use that website for my district in eastern Connecticut, a district I proudly represent, the home of the UConn Women Huskies and the home of the Groton submarine base, the oldest submarine base in America. What it showed is that, for people living in New London County, in Windham County, in Tolland County, in Middlesex County, if you are 60 years old and you are making \$50,000 a year, you lose \$3,230—in terms of premium tax credits compared to existing law—in the proposal which, again, was finally unveiled 2 weeks ago.

If you make only \$30,000 a year and you are 60 years old, you lose \$5,850, a 59 percent reduction in terms of your income assistance to buy health coverage. Again, the prior number was 45 percent.

Unlike what Mr. Price said, this, in fact, is much worse off financially for people in those age groups and where they live. It is far worse off financially in terms of where they stand. In fact, it makes it impossible for people to afford health insurance.

That is why the Congressional Budget Office, looking at that kind of data, has made the conclusion that, if we pass this bill—and the vote is scheduled on Thursday—we will see, again, millions of Americans who will basically be priced out of the opportunity to buy health insurance.

And when you are 60 years old—as someone who is 63, I can tell you—that

is not a good place to be in terms of your health status and the risk that you carry when you get older in life in terms of the need to be able to access healthcare coverage.

Mr. Speaker, it is that reason why, when you look at what the stakeholders that deliver health care in America—the American Nurses Association, the American Hospital Association, the AARP, and, finally, the American Medical Association—who have looked at this bill over the last 2 weeks, they have universally pleaded with Congress to block this measure, to slow down the rush to judgment which is going to deprive people of one of the most elemental, basic needs that all of us share.

We are not immortal. We are not immune to getting illness and disease. It is something that affects every single American.

To pass a bill which will wreak that kind of havoc, again, is irresponsible and takes this country in the absolute wrong direction.

So, again, I would plead with Members and I would ask anybody watching this speech, go to the Kaiser Foundation website, find where you live, think about your uncle or your children or people that you know in your neighborhood, and really plug in that data and information and think about what, in fact, we are being told is, in fact, a wonderful healthcare bill and something that won't hurt people and won't make them worse off financially. Again, the opposite is true. CBO is telling us this, the doctors are telling us this, the nurses are telling us this, the hospitals are telling us this, those who advocate for older Americans are telling us this.

Again, it is not too late. This vote is coming up on Thursday. It is time to listen to the people who are closest to the system and stop this rush to harming millions of Americans.

NATIONAL AGRICULTURE DAY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Minnesota (Mr. EMMER) for 5 minutes.

Mr. EMMER. Mr. Speaker, in recognition of National Agriculture Day, I rise to honor and thank the men and women who feed our Nation.

Agriculture is one of the most important sectors in our economy. It is cultivated and maintained by our Nation's farmers who rise before the sun every day and work long hours 7 days a week so that Americans can have safe, quality food to feed their families. It is not

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

an easy job, but it is certainly an important one.

In order to fully honor and appreciate our farmers and their devotion to the agriculture industry, we must do more than recognize their hard work 1 day a year. We must also invest in and work to better the agriculture industry every day of the year. That is why, for as long as I serve in Congress, I will continue to meet with, work for, and advocate on behalf of our farmers.

Happy National Agriculture Day, and a huge thank-you to every American farmer.

CELEBRATING JEFF AMACHER'S 20 YEARS OF SERVICE WITH THE CENTENNIAL FIRE DISTRICT

Mr. EMMER. Mr. Speaker, I rise today to celebrate Jeff Amacher of Circle Pines, Minnesota, for more than 20 years of service with the Centennial Fire District.

Fighting fires and protecting Minnesotans is not an easy job, but it is one that is absolutely crucial to our community and the safety of our citizens. It takes a special kind of person to rush into a burning building and to put themselves in harm's way to save the life of another.

I commend Jeff for exuding such bravery over the past 20 years. I not only would like to thank Jeff for his commitment to our community, but I want to congratulate him for being recognized for his brave work by the Circle Pines City Council.

Jeff, we wish you a happy and peaceful retirement spent with your family and friends. After a life of service, you deserve it.

RECOGNIZING U.S. BANCORP

Mr. EMMER. Mr. Speaker, I rise today to congratulate U.S. Bancorp on being recently named the World's Most Admired Superregional Bank by Fortune Magazine. This is the seventh consecutive year they have received this honor, which is no small feat by any means.

U.S. Bancorp has also been recognized by Fortune Magazine for ranking among the top ten companies spanning across all industries for upholding four of Fortune's nine key characteristics of reputation. The characteristics that U.S. Bancorp has maintained include: quality of management, long-term investment value, use of corporate assets, and financial soundness.

Minnesotans can be proud of a Minnesota-based company that ranks as one of the world's best performers. This honor is undoubtedly due to the excellent work of the employees, as well as the extraordinary vision and leadership of those who run this fine company.

Congratulations on your incredible accomplishment.

RECOGNIZING THRIVENT FINANCIAL FOR HELPING MINNESOTANS ACQUIRE HOMES

Mr. EMMER. Mr. Speaker, I rise today to recognize Thrivent Financial for this amazing organization's work to help Minnesota families acquire a home.

Thrivent Financial is a longtime partner of Habitat for Humanity. During the partnership, they have given more than \$2 million in grants to build quality low-income housing so that 24 families in our community could afford to buy a home. This year, Thrivent has given another \$66,000, which will be used to build the 25th home, this time for a family right here in St. Cloud, Minnesota.

As a result of their service to Minnesota families, Thrivent has been inducted into the Habitat for Humanity's Business Partner Hall of Fame.

I want to commend both Habitat for Humanity and Thrivent Financial on this excellent partnership, and thank them for their generous service to the residents of Minnesota.

RECOGNIZING RAY YOUNG AND CHARLES "BUCK" VANDERSTEEN

The SPEAKER pro tempore. The Chair recognizes the gentleman from Louisiana (Mr. ABRAHAM) for 5 minutes.

Mr. ABRAHAM. Mr. Speaker, I rise today to recognize two of my constituents, Ray Young of Wisner and Charles "Buck" Vandersteen of Alexandria, for their recent induction into the Louisiana Agriculture Hall of Distinction.

Since growing up on his family farm, Ray Young has dedicated his life and career to farming. After earning a degree in agriculture from Louisiana Tech and a master's in entomology from LSU, Ray went on to pioneer the stale seedbed conservation tillage system, known today as no-till, used across the South to enhance crop production.

In 1989, Ray presented to Congress an application to charter the Federal Land Bank of North Louisiana. He has served on the board of directors for the Federal Land Bank, as a board chairman of the Louisiana Land Bank, and as a leader of numerous State and Federal agricultural organizations.

Ray and his family still farm cotton, soybeans, sweet potatoes, Irish potatoes, corn, vegetables, cattle, hay, wheat, and pine trees.

He is a tremendous example of a Louisiana farmer making his life and a living off his land. His insight is always valuable to me when I am working on agricultural policy for our Nation.

Buck Vandersteen has spent 34 years presiding over the 4,000-plus members of the Louisiana Forestry Association, is a past president of the Southern Forest Heritage Museum and a past president of the National Council of Forestry executives.

During that time, Buck has helped pass the Forest Productivity Program to get part of the State's severance taxes distributed to forest landowners as cost share for replanting. It is recognized as one of the top programs in the Nation. He has been instrumental in

advocating forestry education at the technical school and university levels so that we can have sustainable and productive working forests.

Buck continues to serve the forest industry today, and I look forward to working with him in my role on the Working Forest Caucus on behalf of foresters across the country.

Mr. Speaker, Louisiana is one of the top agricultural States in the Nation, and I am proud to serve on the Agriculture Committee here in Washington to represent our State's farmers, foresters, and ranchers.

But the real contributions to our State agricultural prowess can be traced back to folks like Ray Young and Buck Vandersteen, men who have spent their lives enhancing the industry that is so vital to Louisiana. Congratulations once again for being inducted into the Louisiana Agricultural Hall of Distinction. It is an honor that is well deserved.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 14 minutes p.m.), the House stood in recess.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SMITH of Nebraska) at 2 p.m.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Eternal God, we thank You for giving us another day.

Send Your spirit upon the Members of this people's House to encourage them in their official tasks. As the Members approach the votes they are making in the days to come, may they be imbued with courage and leadership that looks to the health and vibrancy of our great Nation.

Assure them that, in the fulfillment of their responsibilities, You provide the grace to enable them to be faithful in their duties and the wisdom to be conscious of their obligations, and fulfill them with integrity.

May we be faithful stewards not only of Your creation, but also Your desire that all people would be free from whatever inhibits them to be fully alive.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the

last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from South Carolina (Mr. WILSON) come forward and lead the House in the Pledge of Allegiance.

Mr. WILSON of South Carolina led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

HONORING SHAWN T. ANDERSON

(Mr. HIGGINS of Louisiana asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS of Louisiana. Mr. Speaker, I rise today with a saddened heart for my friend and comrade Sergeant Shawn T. Anderson, a veteran and highly decorated police officer, who was shot dead on Saturday evening as he attempted to arrest a rape suspect.

Sergeant Anderson died as he lived: in honorable service to the people of his State, Louisiana, and his city, Baton Rouge, wearing the uniform of my comrade and friend Sheriff Sid Gautreaux of the East Baton Rouge Parish Sheriff's Office.

Mr. Speaker, there are 435 Members of this esteemed body. We wear a small badge upon our lapel to acknowledge our service to the citizens of the country we love.

One million of us across the country wear another badge, resembling this one, of various shapes and colors. We are the thin blue line. When we lose a brethren or sistren, we place a mourning band upon our badge. Over the course of the last decade, it has been difficult to remove my mourning badge because we wear them for 7 days, and I find myself never quite able to get the mourning band removed from the badge that I wear.

My soul and my heart delivers unto my lips constant prayer for the family of my brother Sergeant Anderson, for his fellow deputies, his community, and, indeed, for our Nation.

Our job begins with an oath. That oath is not an oath of allegiance to a sheriff or a chief or a marshal. It is an oath of allegiance to the institutional principles that our badges represent. Sergeant Anderson gave his last life's blood in service to all of us.

I thank the Speaker for allowing me to honor my fallen comrade.

RECOGNIZING MAJOR ERIKA PERRY

(Mr. WILSON of South Carolina asked and was given permission to ad-

dress the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, on February 12, an historic change of command ceremony was held for the South Carolina National Guard 51st Military Police Battalion. Lexington High School math teacher Major Erika Perry became the first female commander of this battalion.

Major Perry comes from a military family, with both her father and grandfather serving in the United States military. She was commissioned as a military police officer in 2001 and became a platoon leader in the 133rd Military Police Company in 2003, being deployed to Iraq.

A recent article in Cola Daily, edited by Terry Ward, detailed: "During her years in the National Guard, Perry served in Iraq and Afghanistan and on the home front during times of crisis, like Hurricane Matthew. She appreciates the LHS administration's support of her military career throughout her 19 years at the school."

Congratulations to the University of South Carolina men's and women's basketball teams on their victories last night, securing their place in the NCAA's Sweet 16 as one of the few universities to have teams in both tournaments simultaneously. Go, Gamecocks.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

KIM JONG-UN IS A TERRORIST

(Mr. POE of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE of Texas. Mr. Speaker, incorrigible little Kim and his minions are rattling their sabers once again.

While U.S.-South Korean exercises were underway, North Korea launched four land-based missiles. The missiles traveled over 600 miles. North Korean Army bases are purposely positioned to strike U.S. bases in Japan and South Korea.

It is time to put an end to North Korea's mischiefmaking. The United States' hopeless appeasement policy with North Korea has not worked.

In 2008, the administration removed the warmonger from the State Sponsors of Terrorism list with little Kim's promise to stop their nuclear weapons program. Well, guess what? Kim Jong-un lied.

We must return North Korea to where it belongs: the State Sponsors of Terrorism list. Senator CRUZ and I have filed legislation to do just that. Then real sanctions and blocking of financial transactions are necessary.

The United States cannot underestimate the war-prone lunacy of Kim Jong-un. He needs a clear message from America to leave us alone and leave our allies alone.

And that is just the way it is.

NATIONAL AGRICULTURE WEEK

(Mr. SMITH of Nebraska asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Nebraska. Mr. Speaker, I rise today in recognition of National Agriculture Week and the farmers and ranchers who have made Nebraska's Third District the top producing agriculture district in the country.

One in four Nebraska jobs is tied to agriculture. The hard work and innovative practices of our producers have made our State a leader in feeding the world.

For too long the heavy hand of the Federal Government has threatened agriculture's future. Thankfully, we have seen important victories under the Trump administration, including the beginning of the end for the EPA's dangerous waters of the U.S. rule, or WOTUS.

Nebraska's farmers and ranchers are committed stewards of our natural resources and take many steps to keep our water resources clean. President Trump ordered a reset on WOTUS, agreeing farmers and ranchers deserve better than to have Washington bureaucrats controlling the water puddles and irrigation ditches on their land.

As founder and co-chairman of the Modern Agriculture Caucus, I will continue to promote policies designed to get the government out of the way and open more markets around the world for Nebraska producers.

RECESS

The SPEAKER pro tempore (Mr. WILSON of South Carolina). Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 3:30 p.m. today.

Accordingly (at 2 o'clock and 10 minutes p.m.), the House stood in recess.

□ 1532

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Ms. CHENEY) at 3 o'clock and 32 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Any record vote on the postponed question will be taken later.

PESTICIDE REGISTRATION ENHANCEMENT ACT OF 2017

Mr. RODNEY DAVIS of Illinois. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 1029) to amend the Federal Insecticide, Fungicide, and Rodenticide Act to improve pesticide registration and other activities under the Act, to extend and modify fee authorities, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1029

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Pesticide Registration Enhancement Act of 2017”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Extension and modification of maintenance fee authority.
- Sec. 3. Reregistration and Expedited Processing Fund.
- Sec. 4. Experimental use permits for pesticides.
- Sec. 5. Pesticide registration service fees.
- Sec. 6. Revision of tables regarding covered pesticide registration applications and other covered actions and their corresponding registration service fees.

SEC. 2. EXTENSION AND MODIFICATION OF MAINTENANCE FEE AUTHORITY.

(a) **MAINTENANCE FEE.**—Section 4(i)(1) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a-1(i)(1)) is amended—

(1) in subparagraph (C), by striking “an aggregate amount of \$27,800,000 for each of fiscal years 2013 through 2017” and inserting “an average amount of \$31,000,000 for each of fiscal years 2017 through 2023”;

(2) in subparagraph (D)—

(A) in clause (i), by striking “\$115,500 for each of fiscal years 2013 through 2017” and inserting “\$129,400 for each of fiscal years 2017 through 2023”; and

(B) in clause (ii), by striking “\$184,800 for each of fiscal years 2013 through 2017” and inserting “\$207,000 for each of fiscal years 2017 through 2023”;

(3) in subparagraph (E)(i)—

(A) in subclause (I), by striking “\$70,600 for each of fiscal years 2013 through 2017” and inserting “\$79,100 for each of fiscal years 2017 through 2023”; and

(B) in subclause (II), by striking “\$122,100 for each of fiscal years 2013 through 2017” and inserting “\$136,800 for each of fiscal years 2017 through 2023”; and

(4) in subparagraph (I), by striking “2017” and inserting “2023”.

(b) **PROHIBITION ON OTHER FEES.**—Section 4(i)(2) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a-1(i)(2)) is amended—

(1) by striking “during the period beginning on the date of enactment of this section and ending on September 30, 2019” and inserting “until September 30, 2025”; and

(2) by inserting after “registration of a pesticide under this Act” the following: “or any other action covered under a table specified in section 33(b)(3).”.

(c) **EXTENSION OF PROHIBITION ON TOLERANCE FEES.**—Section 408(m)(3) of the Federal

Food, Drug, and Cosmetic Act (21 U.S.C. 346a(m)(3)) is amended by striking “2017” and inserting “2023”.

SEC. 3. REREGISTRATION AND EXPEDITED PROCESSING FUND.

(a) **AUTHORIZED USE OF FUND.**—Section 4(k)(2)(A) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a-1(k)(2)(A)) is amended—

(1) in the first sentence, by striking “the fund” and inserting “the Reregistration and Expedited Processing Fund”;

(2) by striking “paragraph (3),” in the first sentence and all that follows through the second sentence and inserting the following: “paragraph (3), to offset the costs of registration review under section 3(g), including the costs associated with any review under the Endangered Species Act of 1973 (16 U.S.C. 1531 et. seq.) required as part of the registration review, to offset the costs associated with tracking and implementing registration review decisions, including registration review decisions designed to reduce risk, for the purposes specified in paragraphs (4) and (5), and to enhance the information systems capabilities to improve the tracking of pesticide registration decisions.”;

(3) in clause (i), by striking “are allocated solely” and all that follows through “3(g);” and inserting the following: “are allocated solely for the purposes specified in the first sentence of this subparagraph.”;

(4) in clause (ii), by striking “necessary to achieve” and all that follows through “3(g);” and inserting the following: “necessary to achieve the purposes specified in the first sentence of this subparagraph.”.

(b) **SET-ASIDE FOR REVIEW OF INERT INGREDIENTS AND EXPEDITED PROCESSING OF SIMILAR APPLICATIONS.**—Section 4(k)(3)(A) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a-1(k)(3)(A)) is amended, in the matter preceding clause (i), by striking “The Administrator shall use” and all that follows through “personnel and resources—” and inserting the following: “For each of fiscal years 2017 through 2023, the Administrator shall use between ½ and ⅓ of the maintenance fees collected in such fiscal year to obtain sufficient personnel and resources—”.

(c) **SET-ASIDE FOR EXPEDITED RULEMAKING AND GUIDANCE DEVELOPMENT FOR CERTAIN PURPOSES.**—Paragraph (4) of section 4(k) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a-1(k)) is amended to read as follows:

“(4) **EXPEDITED RULEMAKING AND GUIDANCE DEVELOPMENT FOR CERTAIN PRODUCT PERFORMANCE DATA REQUIREMENTS.**—

“(A) **SET-ASIDE.**—For each of fiscal years 2017 through 2021, the Administrator shall use not more than \$500,000 of the amounts made available to the Administrator in the Reregistration and Expedited Processing Fund for the activities described in subparagraph (B).

“(B) **PRODUCTS CLAIMING EFFICACY AGAINST INVERTEBRATE PESTS OF SIGNIFICANT PUBLIC HEALTH OR ECONOMIC IMPORTANCE.**—The Administrator shall use amounts made available under subparagraph (A) to develop, receive comments with respect to, finalize, and implement the necessary rulemaking and guidance for product performance data requirements to evaluate products claiming efficacy against the following invertebrate pests of significant public health or economic importance (in order of importance):

“(i) Bed bugs.

“(ii) Premise (including crawling insects, flying insects, and baits).

“(iii) Pests of pets (including pet pests controlled by spot-ons, collars, shampoos, powders, dips).

“(iv) Fire ants.

“(C) **DEADLINES FOR GUIDANCE.**—The Administrator shall develop, and publish guidance required by subparagraph (B) with respect to claims of efficacy against pests described in such subparagraph as follows:

“(i) With respect to bed bugs, issue final guidance not later than June 30, 2017.

“(ii) With respect to pests specified in clause (ii) of such subparagraph—

“(I) submit draft guidance to the Scientific Advisory Panel and for public comment not later than June 30, 2018; and

“(II) complete any response to comments received with respect to such draft guidance and finalize the guidance not later than September 30, 2020.

“(iii) With respect to pests specified in clauses (iii) and (iv) of such subparagraph—

“(I) submit to the Scientific Advisory Panel and for public comment draft guidance not later than June 30, 2019; and

“(II) complete any response to comments received with respect to such draft guidance and finalize the guidance not later than March 31, 2021.

“(D) **REVISION.**—The Administrator shall revise the guidance required by subparagraph (B) from time-to-time, but shall permit applicants and registrants sufficient time to obtain data that meet the requirements specified in such revised guidance.

“(E) **DEADLINE FOR PRODUCT PERFORMANCE DATA REQUIREMENTS.**—The Administrator shall, not later than September 30, 2021, issue regulations prescribing product performance data requirements for any pesticide intended for preventing, destroying, repelling, or mitigating any invertebrate pest of significant public health or economic importance specified in clauses (i) through (iv) of subparagraph (B).”.

(d) **SET-ASIDE FOR GOOD LABORATORY PRACTICES INSPECTIONS.**—Section 4(k) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a-1(k)) is amended—

(1) by redesignating paragraphs (5) and (6) as paragraphs (6) and (7), respectively;

(2) by inserting after paragraph (4) the following new paragraph:

“(5) **GOOD LABORATORY PRACTICES INSPECTIONS.**—

“(A) **SET-ASIDE.**—For each of fiscal years 2017 through 2023, the Administrator shall use not more than \$500,000 of the amounts made available to the Administrator in the Reregistration and Expedited Processing Fund for the activities described in subparagraph (B).

“(B) **ACTIVITIES.**—The Administrator shall use amounts made available under subparagraph (A) for enhancements to the good laboratory practices standards compliance monitoring program established under part 160 of title 40 of the Code of Federal Regulations (or successor regulations), with respect to laboratory inspections and data audits conducted in support of pesticide product registrations under this Act. As part of such monitoring program, the Administrator shall make available to each laboratory inspected under such program in support of such registrations a preliminary summary of inspection observations not later than 60 days after the date on which such an inspection is completed.”; and

(3) in paragraph (7), as so redesignated, by striking “ paragraphs (2), (3), and (4)” and inserting “ paragraphs (2), (3), (4), and (5)”.

SEC. 4. EXPERIMENTAL USE PERMITS FOR PESTICIDES.

Section 5(a) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136c(a)) is amended—

(1) by striking “permit for a pesticide.” and inserting “permit for a pesticide. An application for an experimental use permit for a covered application under section 33(b) shall conform with the requirements of that section.”; and

(2) by inserting “(or in the case of an application for an experimental use permit for a covered application under section 33(b), not later than the last day of the applicable timeframe for such application specified in such section)” after “all required supporting data”.

SEC. 5. PESTICIDE REGISTRATION SERVICE FEES.

(a) **EXTENSION AND MODIFICATION OF FEE AUTHORITY.**—Section 33(b) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136w–8(b)) is amended—

(1) in paragraph (2)—

(A) in the heading, by striking “PESTICIDE REGISTRATION”; and

(B) in subparagraph (A), by inserting “or for any other action covered by a table specified in paragraph (3)” after “covered by this Act that is received by the Administrator on or after the effective date of the Pesticide Registration Improvement Act of 2003”; and

(2) in paragraph (5)—

(A) in the heading, by striking “PESTICIDE REGISTRATION APPLICATIONS” and inserting “COVERED APPLICATION”; and

(B) by striking “pesticide registration application” both places it appears and inserting “covered application”; and

(3) in paragraph (6)—

(A) in subparagraph (A)—

(i) by striking “pesticide registration”; and

(ii) by striking “October 1, 2013, and ending on September 30, 2015” and inserting “October 1, 2019, and ending on September 30, 2021”; and

(B) in subparagraph (B)—

(i) by striking “pesticide registration”; and

(ii) by striking “2015” both places it appears, and inserting “2021”; and

(C) in subparagraph (C), by striking “revised registration service fee schedules” and inserting “service fee schedules revised pursuant to this paragraph”; and

(4) in paragraph (7)—

(A) in subparagraph (A)—

(i) by striking “covered pesticide registration” and inserting “covered application”; and

(ii) by inserting before the period at the end the following: “, except that no waiver or fee reduction shall be provided in connection with a request for a letter of certification (commonly referred to as a Gold Seal letter)”; and

(B) in subparagraph (F)(i), by striking “pesticide registration”; and

(5) in paragraph (8)—

(A) in subparagraph (A), by striking “pesticide registration”; and

(B) in subparagraph (B)(i), by striking “pesticide registration”; and

(C) in subparagraph (C)—

(i) in clause (i), by striking “pesticide registration” and inserting “covered”; and

(ii) in clause (ii)(I), by striking “pesticide registration” and inserting “covered”.

(b) **PESTICIDE REGISTRATION FUND SET-ASIDES FOR WORKER PROTECTION, PARTNERSHIP GRANTS, AND PESTICIDE SAFETY EDUCATION.**—Section 33(c)(3)(B) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136w–8(c)(3)(B)) is amended—

(1) in the heading, by inserting “, PARTNERSHIP GRANTS, AND PESTICIDE SAFETY EDUCATION” after “WORKER PROTECTION”; and

(2) in clause (i)—

(A) by striking “2017” and inserting “2023”; and

(B) by inserting before the period at the end the following: “, with an emphasis on field-worker populations in the United States”; and

(3) in clause (ii), by striking “2017” and inserting “2023”; and

(4) in clause (iii), by striking “2017” and inserting “2023”.

(c) **REFORMS TO REDUCE DECISION TIME REVIEW PERIODS.**—Section 33(e) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136w–8(e)) is amended—

(1) by striking “Pesticide Registration Improvement Extension Act of 2012” and inserting “Pesticide Registration Enhancement Act of 2017”; and

(2) by inserting at the end the following new sentence: “Such reforms shall include identifying opportunities for streamlining review processes for applications for a new active ingredient or a new use and providing prompt feedback to applicants during such review process.”.

(d) **DECISION TIME REVIEW PERIODS.**—Section 33(f) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136w–8(f)(1)) is amended—

(1) in paragraph (1)—

(A) by striking “Pesticide Registration Improvement Extension Act of 2012” and inserting “Pesticide Registration Enhancement Act of 2017”; and

(B) by inserting after “covered pesticide registration actions” the following: “or for any other action covered by a table specified in subsection (b)(3)”; and

(2) in paragraph (3), by striking subparagraph (C) and inserting the following new subparagraph:

“(C) applications for any other action covered by a table specified in subsection (b)(3).”; and

(3) in paragraph (4)(A)—

(A) by striking “a pesticide registration application” and inserting “a covered application”; and

(B) by striking “covered pesticide registration application” and inserting “covered application”.

(e) **REPORTING REQUIREMENTS.**—Section 33(k) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136w–8(k)) is amended—

(1) in paragraph (1) by striking “2017” and inserting “2023”; and

(2) in paragraph (2)—

(A) in subparagraph (D), by striking clause (i) and inserting the following new clause:

“(i) the number of pesticides or pesticide cases reviewed and the number of registration review decisions completed, including—

“(I) the number of cases cancelled;

“(II) the number of cases requiring risk mitigation measures;

“(III) the number of cases removing risk mitigation measures;

“(IV) the number of cases with no risk mitigation needed; and

“(V) the number of cases in which risk mitigation has been fully implemented.”;

(B) in subparagraph (G)—

(i) in clause (i)—

(I) by striking “section 4(k)(4)” and inserting “paragraphs (4) and (5) of section 4(k)”; and

(II) by striking “that section” and inserting “such paragraphs”; and

(ii) by striking clauses (ii), (iii), (iv), (v), and (vi);

(iii) by inserting after clause (i) the following new clause:

“(ii) implementing enhancements to—

“(I) the electronic tracking of covered applications;

“(II) the electronic tracking of conditional registrations;

“(III) the endangered species database;

“(IV) the electronic review of labels submitted with covered applications; and

“(V) the electronic review and assessment of confidential statements of formula submitted with covered applications; and”; and

(iv) by redesignating clause (vii) as clause (iii);

(C) in subparagraph (I), by striking “and” at the end;

(D) in subparagraph (J), by striking the period at the end and inserting a semicolon; and

(E) by adding at the end the following new subparagraphs:

“(K) a review of the progress made in developing, updating, and implementing product performance test guidelines for pesticide products that are intended to control invertebrate pests of significant public health importance and, by regulation, prescribing product performance data requirements for such pesticide products registered under section 3;

“(L) a review of the progress made in the priority review and approval of new pesticides to control vector-borne public health pests for use in the United States, including each territory or possession of the United States, and United States military installations globally;

“(M) a review of the progress made in implementing enhancements to the good laboratory practices standards compliance monitoring program established under part 160 of title 40 of the Code of Federal Regulations (or successor regulations);

“(N) the number of approvals for active ingredients, new uses, and pesticide end use products granted in connection with the Design for the Environment program (or any successor program) of the Environmental Protection Agency; and

“(O) with respect to funds in the Pesticide Registration Fund reserved under subsection (c)(3), a review that includes—

“(i) a description of the amount and use of such funds—

“(I) to carry out activities relating to worker protection under clause (i) of subsection (c)(3)(B);

“(II) to award partnership grants under clause (ii) of such subsection; and

“(III) to carry out the pesticide safety education program under clause (iii) of such subsection;

“(ii) an evaluation of the appropriateness and effectiveness of the activities, grants, and program described in clause (i);

“(iii) a description of how stakeholders are engaged in the decision to fund such activities, grants, and program; and

“(iv) with respect to activities relating to worker protection carried out under subparagraph (B)(i) of such subsection, a summary of the analyses from stakeholders, including from worker community-based organizations, on the appropriateness and effectiveness of such activities.”.

(f) **TERMINATION OF EFFECTIVENESS.**—Section 33(m) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136w–8(m)) is amended—

(1) in paragraph (1), by striking “2017” and inserting “2023”; and

(2) in paragraph (2)—

(A) in subparagraph (A)—

(i) by striking “FISCAL YEAR 2018.—During fiscal year 2018” and inserting “FISCAL YEAR 2024.—During fiscal year 2024”; and

(ii) by striking “2017” and inserting “2023”; (B) in subparagraph (B)—

(i) by striking “FISCAL YEAR 2019.—During fiscal year 2019” and inserting “FISCAL YEAR 2025.—During fiscal year 2025”; and

(ii) by striking “2017” and inserting “2023”; (C) in subparagraph (C), by striking “SEP-

TEMBER 30, 2019.—Effective September 30,

2019” and inserting “SEPTEMBER 30, 2025.—Effective September 30, 2025”; and

(D) in subparagraph (D), by striking “2017” both places it appears and inserting “2023”.

SEC. 6. REVISION OF TABLES REGARDING COVERED PESTICIDE REGISTRATION APPLICATIONS AND OTHER COVERED ACTIONS AND THEIR CORRESPONDING REGISTRATION SERVICE FEES.

Paragraph (3) of section 33(b) of the Federal Insecticide, Fungicide, and Rodenticide

Act (7 U.S.C. 136w-8(b)) is amended to read as follows:

“(3) SCHEDULE OF COVERED APPLICATIONS AND OTHER ACTIONS AND THEIR REGISTRATION SERVICE FEES.—Subject to paragraph (6), the schedule of registration applications and other covered actions and their corresponding registration service fees shall be as follows:

“TABLE 1. — REGISTRATION DIVISION — NEW ACTIVE INGREDIENTS

EPA No.	New CR No.	Action	Decision Review Time (Months) ₍₁₎	FY'17 & FY'18 Registration Service Fee (\$)
R010	1	New Active Ingredient, Food use. (2)(3)	24	753,082
R020	2	New Active Ingredient, Food use; reduced risk. (2)(3)	18	627,568
R040	3	New Active Ingredient, Food use; Experimental Use Permit application; establish temporary tolerance; submitted before application for registration; credit 45% of fee toward new active ingredient application that follows. (3)	18	462,502
R060	4	New Active Ingredient, Non-food use; outdoor. (2)(3)	21	523,205
R070	5	New Active Ingredient, Non-food use; outdoor; reduced risk. (2)(3)	16	436,004
R090	6	New Active Ingredient, Non-food use; outdoor; Experimental Use Permit application; submitted before application for registration; credit 45% of fee toward new active ingredient application that follows. (3)	16	323,690
R110	7	New Active Ingredient, Non-food use; indoor. (2)(3)	20	290,994
R120	8	New Active Ingredient, Non-food use; indoor; reduced risk. (2)(3)	14	242,495
R121	9	New Active Ingredient, Non-food use; indoor; Experimental Use Permit application; submitted before application for registration; credit 45% of fee toward new active ingredient application that follows. (3)	18	182,327
R122	10	Enriched isomer(s) of registered mixed-isomer active ingredient. (2)(3)	18	317,128
R123	11	New Active Ingredient, Seed treatment only; includes agricultural and non-agricultural seeds; residues not expected in raw agricultural commodities. (2)(3)	18	471,861
R125	12	New Active Ingredient, Seed treatment; Experimental Use Permit application; submitted before application for registration; credit 45% of fee toward new active ingredient application that follows. (3)	16	323,690

(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

(2) All requests for new uses (food and/or nonfood) contained in any application for a new active ingredient or a first food use are covered by the base fee for that new active ingredient or first food use application and retain the same decision time review period as the new active ingredient or first food use application. The application must be received by the agency in one package. The base fee for the category covers a maximum of five new products. Each application for an additional new product registration and new inert approval that is submitted in the new active ingredient application package or first food use application package is subject to the registration service fee for a new product or a new inert approval. All such associated applications that are submitted together will be subject to the new active ingredient or first food use decision review time. In the case of a new active ingredient application, until that new active ingredient is approved, any subsequent application for another new product containing the same active ingredient or an amendment to the proposed labeling will be deemed a new active ingredient application, subject to the registration service fee and decision review time for a new active ingredient. In the case of a first food use application, until that first food use is approved, any subsequent application for an additional new food use or uses will be subject to the registration service fee and decision review time for a first food use. Any information that (a) was neither requested nor required by the Agency, and (b) is submitted by the applicant at the applicant's initiative to support the application after completion of the technical deficiency screening, and (c) is not itself a covered registration application, must be assessed 25% of the full registration service fee for the new active ingredient or first food use application.

(3) Where the action involves approval of a new or amended label, on or before the end date of the decision review time, the Agency shall provide to the applicant a draft accepted label, including any changes made by the Agency that differ from the applicant-submitted label and relevant supporting data reviewed by the Agency. The applicant will notify the Agency that the applicant either (a) agrees to all of the terms associated with the draft accepted label as amended by the Agency and requests that it be issued as the accepted final Agency-stamped label; or (b) does not agree to one or more of the terms of the draft accepted label as amended by the Agency and requests additional time to resolve the difference(s); or (c) withdraws the application without prejudice for subsequent resubmission, but forfeits the associated registration service fee. For cases described in (b), the applicant shall have up to 30 calendar days to reach agreement with the Agency on the final terms of the Agency-accepted label. If the applicant agrees to all of the terms of the accepted label as in (a), including upon resolution of differences in (b), the Agency shall provide an accepted final Agency-stamped label to the registrant within 2 business days following the registrant's written or electronic confirmation of agreement to the Agency.

“TABLE 2. — REGISTRATION DIVISION — NEW USES

EPA No.	New CR No.	Action	Decision Review Time (Months) ₍₁₎	FY'17 & FY'18 Registration Service Fee (\$)
R130	13	First food use; indoor; food/food handling. (2)(3)	21	191,444
R140	14	Additional food use; Indoor; food/food handling. (3)(4)	15	44,672
R150	15	First food use. (2)(3)	21	317,104
R155	16 (new)	First food use, Experimental Use Permit application; a.i. registered for non-food outdoor use. (3)(4)	21	264,253

"TABLE 2. — REGISTRATION DIVISION — NEW USES—Continued

EPA No.	New CR No.	Action	Decision Review Time (Months) ₍₁₎	FY'17 & FY'18 Registration Service Fee (\$)
R160	17	First food use; reduced risk. (2)(3)	16	264,253
R170	18	Additional food use. (3)(4)	15	79,349
R175	19	Additional food uses covered within a crop group resulting from the conversion of existing approved crop group(s) to one or more revised crop groups. (3)(4)	10	66,124
R180	20	Additional food use; reduced risk. (3)(4)	10	66,124
R190	21	Additional food uses; 6 or more submitted in one application. (3)(4)	15	476,090
R200	22	Additional Food Use; 6 or more submitted in one application; Reduced Risk. (3)(4)	10	396,742
R210	23	Additional food use; Experimental Use Permit application; establish temporary tolerance; no credit toward new use registration. (3)(4)	12	48,986
R220	24	Additional food use; Experimental Use Permit application; crop destruct basis; no credit toward new use registration. (3)(4)	6	19,838
R230	25	Additional use; non-food; outdoor. (3)(4)	15	31,713
R240	26	Additional use; non-food; outdoor; reduced risk. (3)(4)	10	26,427
R250	27	Additional use; non-food; outdoor; Experimental Use Permit application; no credit toward new use registration. (3)(4)	6	19,838
R251	28	Experimental Use Permit application which requires no changes to the tolerance(s); non-crop destruct basis. (3)	8	19,838
R260	29	New use; non-food; indoor. (3)(4)	12	15,317
R270	30	New use; non-food; indoor; reduced risk. (3)(4)	9	12,764
R271	31	New use; non-food; indoor; Experimental Use Permit application; no credit toward new use registration. (3)(4)	6	9,725
R273	32	Additional use; seed treatment; limited uptake into Raw Agricultural Commodities; includes crops with established tolerances (e.g., for soil or foliar application); includes food and/or non-food uses. (3)(4)	12	50,445
R274	33	Additional uses; seed treatment only; 6 or more submitted in one application; limited uptake into raw agricultural commodities; includes crops with established tolerances (e.g., for soil or foliar application); includes food and/or non-food uses. (3)(4)	12	302,663

(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

(2) All requests for new uses (food and/or nonfood) contained in any application for a new active ingredient or a first food use are covered by the base fee for that new active ingredient or first food use application and retain the same decision time review period as the new active ingredient or first food use application. The application must be received by the agency in one package. The base fee for the category covers a maximum of five new products. Each application for an additional new product registration and new inert approval that is submitted in the new active ingredient application package or first food use application package is subject to the registration service fee for a new product or a new inert approval. All such associated applications that are submitted together will be subject to the new active ingredient or first food use decision review time. In the case of a new active ingredient application, until that new active ingredient is approved, any subsequent application for another new product containing the same active ingredient or an amendment to the proposed labeling will be deemed a new active ingredient application, subject to the registration service fee and decision review time for a new active ingredient. In the case of a first food use application, until that first food use is approved, any subsequent application for an additional new food use or uses will be subject to the registration service fee and decision review time for a first food use. Any information that (a) was neither requested nor required by the Agency, and (b) is submitted by the applicant at the applicant's initiative to support the application after completion of the technical deficiency screening, and (c) is not itself a covered registration application, must be assessed 25% of the full registration service fee for the new active ingredient or first food use application.

(3) Where the action involves approval of a new or amended label, on or before the end date of the decision review time, the Agency shall provide to the applicant a draft accepted label, including any changes made by the Agency that differ from the applicant-submitted label and relevant supporting data reviewed by the Agency. The applicant will notify the Agency that the applicant either (a) agrees to all of the terms associated with the draft accepted label as amended by the Agency and requests that it be issued as the accepted final Agency-stamped label; or (b) does not agree to one or more of the terms of the draft accepted label as amended by the Agency and requests additional time to resolve the difference(s); or (c) withdraws the application without prejudice for subsequent resubmission, but forfeits the associated registration service fee. For cases described in (b), the applicant shall have up to 30 calendar days to reach agreement with the Agency on the final terms of the Agency-accepted label. If the applicant agrees to all of the terms of the accepted label as in (a), including upon resolution of differences in (b), the Agency shall provide an accepted final Agency-stamped label to the registrant within 2 business days following the registrant's written or electronic confirmation of agreement to the Agency.

(4) Amendment applications to add the new use(s) to registered product labels are covered by the base fee for the new use(s). All items in the covered application must be submitted together in one package. Each application for an additional new product registration and new inert approval(s) that is submitted in the new use application package is subject to the registration service fee for a new product or a new inert approval. However, if a new use application only proposes to register the new use for a new product and there are no amendments in the application, then review of one new product application is covered by the new use fee. All such associated applications that are submitted together will be subject to the new use decision review time. Any application for a new product or an amendment to the proposed labeling (a) submitted subsequent to submission of the new use application and (b) prior to conclusion of its decision review time and (c) containing the same new uses, will be deemed a separate new-use application, subject to a separate registration service fee and new decision review time for a new use. If the new-use application includes non-food (indoor and/or outdoor), and food (outdoor and/or indoor) uses, the appropriate fee is due for each type of new use and the longest decision review time applies to all of the new uses requested in the application. Any information that (a) was neither requested nor required by the Agency, and (b) is submitted by the applicant at the applicant's initiative to support the application after completion of the technical deficiency screen, and (c) is not itself a covered registration application, must be assessed 25% of the full registration service fee for the new use application.

"TABLE 3. — REGISTRATION DIVISION — IMPORT AND OTHER TOLERANCES

EPA No.	New CR No.	Action	Decision Review Time (Months) ₍₁₎	FY'17 & FY'18 Registration Service Fee (\$)
R280	34	Establish import tolerance; new active ingredient or first food use. (2)	21	319,072

TABLE 3. — REGISTRATION DIVISION — IMPORT AND OTHER TOLERANCES—Continued

EPA No.	New CR No.	Action	Decision Review Time (Months) ₍₁₎	FY'17 & FY'18 Registration Service Fee (\$)
R290	35	Establish Import tolerance; Additional new food use.	15	63,816
R291	36	Establish import tolerances; additional food uses; 6 or more crops submitted in one petition.	15	382,886
R292	37	Amend an established tolerance (e.g., decrease or increase) and/or harmonize established tolerances with Codex MRLs; domestic or import; applicant-initiated.	11	45,341
R293	38	Establish tolerance(s) for inadvertent residues in one crop; applicant-initiated.	12	53,483
R294	39	Establish tolerances for inadvertent residues; 6 or more crops submitted in one application; applicant-initiated.	12	320,894
R295	40	Establish tolerance(s) for residues in one rotational crop in response to a specific rotational crop application; submission of corresponding label amendments which specify the necessary plant-back restrictions; applicant-initiated. (3)(4)	15	66,124
R296	41	Establish tolerances for residues in rotational crops in response to a specific rotational crop petition; 6 or more crops submitted in one application; submission of corresponding label amendments which specify the necessary plant-back restrictions; applicant-initiated. (3)(4)	15	396,742
R297	42	Amend 6 or more established tolerances (e.g., decrease or increase) in one petition; domestic or import; applicant-initiated.	11	272,037
R298	43	Amend an established tolerance (e.g., decrease or increase); domestic or import; submission of corresponding amended labels (requiring science review). (3)(4)	13	58,565
R299	44	Amend 6 or more established tolerances (e.g., decrease or increase); domestic or import; submission of corresponding amended labels (requiring science review). (3)(4)	13	285,261

(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

(2) All requests for new uses (food and/or nonfood) contained in any application for a new active ingredient or a first food use are covered by the base fee for that new active ingredient or first food use application and retain the same decision time review period as the new active ingredient or first food use application. The application must be received by the agency in one package. The base fee for the category covers a maximum of five new products. Each application for an additional new product registration and new inert approval that is submitted in the new active ingredient application package or first food use application package is subject to the registration service fee for a new product or a new inert approval. All such associated applications that are submitted together will be subject to the new active ingredient or first food use decision review time. In the case of a new active ingredient application, until that new active ingredient is approved, any subsequent application for another new product containing the same active ingredient or an amendment to the proposed labeling will be deemed a new active ingredient application, subject to the registration service fee and decision review time for a new active ingredient. In the case of a first food use application, until that first food use is approved, any subsequent application for an additional new food use or uses will be subject to the registration service fee and decision review time for a first food use. Any information that (a) was neither requested nor required by the Agency, and (b) is submitted by the applicant at the applicant's initiative to support the application after completion of the technical deficiency screening, and (c) is not itself a covered registration application, must be assessed 25% of the full registration service fee for the new active ingredient or first food use application.

(3) Where the action involves approval of a new or amended label, on or before the end date of the decision review time, the Agency shall provide to the applicant a draft accepted label, including any changes made by the Agency that differ from the applicant-submitted label and relevant supporting data reviewed by the Agency. The applicant will notify the Agency that the applicant either (a) agrees to all of the terms associated with the draft accepted label as amended by the Agency and requests that it be issued as the accepted final Agency-stamped label; or (b) does not agree to one or more of the terms of the draft accepted label as amended by the Agency and requests additional time to resolve the difference(s); or (c) withdraws the application without prejudice for subsequent resubmission, but forfeits the associated registration service fee. For cases described in (b), the applicant shall have up to 30 calendar days to reach agreement with the Agency on the final terms of the Agency-accepted label. If the applicant agrees to all of the terms of the accepted label as in (a), including upon resolution of differences in (b), the Agency shall provide an accepted final Agency-stamped label to the registrant within 2 business days following the registrant's written or electronic confirmation of agreement to the Agency.

(4) Amendment applications to add the revised use pattern(s) to registered product labels are covered by the base fee for the category. All items in the covered application must be submitted together in one package. Each application for an additional new product registration and new inert approval(s) that is submitted in the amendment application package is subject to the registration service fee for a new product or a new inert approval. However, if an amendment application only proposes to register the amendment for a new product and there are no amendments in the application, then review of one new product application is covered by the base fee. All such associated applications that are submitted together will be subject to the category decision review time.

TABLE 4. — REGISTRATION DIVISION — NEW PRODUCTS

EPA No.	New CR No.	Action	Decision Review Time (Months) ₍₁₎	FY'17 & FY'18 Registration Service Fee (\$)
R300	45	New product; or similar combination product (already registered) to an identical or substantially similar in composition and use to a registered product; registered source of active ingredient; no data review on acute toxicity, efficacy or CRP — only product chemistry data; cite-all data citation, or selective data citation where applicant owns all required data, or applicant submits specific authorization letter from data owner. Category also includes 100% re-package of registered end-use or manufacturing-use product that requires no data submission nor data matrix. (2)(3)	4	1,582
R301	46	New product; or similar combination product (already registered) to an identical or substantially similar in composition and use to a registered product; registered source of active ingredient; selective data citation only for data on product chemistry and/or acute toxicity and/or public health pest efficacy (identical data citation and claims to cited product(s)), where applicant does not own all required data and does not have a specific authorization letter from data owner. (2)(3)	4	1,897

TABLE 4. — REGISTRATION DIVISION — NEW PRODUCTS—Continued

EPA No.	New CR No.	Action	Decision Review Time (Months) ⁽¹⁾	FY'17 & FY'18 Registration Service Fee (\$)
R310	47	New end-use or manufacturing-use product with registered source(s) of active ingredient(s); includes products containing two or more registered active ingredients previously combined in other registered products; excludes products requiring or citing an animal safety study; requires review of data package within RD only; includes data and/or waivers of data for only: ● product chemistry and/or ● acute toxicity and/or ● child resistant packaging and/or ● pest(s) requiring efficacy (4) - for up to 3 target pests. (2)(3)	7	7,301
R314	48	New end use product containing up to three registered active ingredients never before registered as this combination in a formulated product; new product label is identical or substantially similar to the labels of currently registered products which separately contain the respective component active ingredients; excludes products requiring or citing an animal safety study; requires review of data package within RD only; includes data and/or waivers of data for only: ● product chemistry and/or ● acute toxicity and/or ● child resistant packaging and/or ● pest(s) requiring efficacy (4) - for up to 3 target pests. (2)(3)	8	8,626
R319	49	New end use product containing up to three registered active ingredients never before registered as this combination in a formulated product; new product label is identical or substantially similar to the labels of currently registered products which separately contain the respective component active ingredients; excludes products requiring or citing an animal safety study; requires review of data package within RD only; includes data and/or waivers of data for only: ● product chemistry and/or ● acute toxicity and/or ● child resistant packaging and/or ● pest(s) requiring efficacy (4) - for 4 to 7 target pests. (2)(3)	10	12,626
R318	50 (new)	New end use product containing four or more registered active ingredients never before registered as this combination in a formulated product; new product label is identical or substantially similar to the labels of currently registered products which separately contain the respective component active ingredients; excludes products requiring or citing an animal safety study; requires review of data package within RD only; includes data and/or waivers of data for only: ● product chemistry and/or ● acute toxicity and/or ● child resistant packaging and/or ● pest(s) requiring efficacy (4) - for up to 3 target pests. (2)(3)	9	13,252
R321	51 (new)	New end use product containing four or more registered active ingredients never before registered as this combination in a formulated product; new product label is identical or substantially similar to the labels of currently registered products which separately contain the respective component active ingredients; excludes products requiring or citing an animal safety study; requires review of data package within RD only; includes data and/or waivers of data for only: ● product chemistry and/or ● acute toxicity and/or ● child resistant packaging and/or ● pest(s) requiring efficacy (4) - for 4 to 7 target pests. (2)(3)	11	17,252
R315	52	New end-use, on-animal product, registered source of active ingredient(s), with the submission of data and/or waivers for only: ● animal safety and ● pest(s) requiring efficacy (4) and/or ● product chemistry and/or ● acute toxicity and/or ● child resistant packaging. (2)(3)	9	9,820

TABLE 4. — REGISTRATION DIVISION — NEW PRODUCTS—Continued

EPA No.	New CR No.	Action	Decision Review Time (Months) ₍₁₎	FY'17 & FY'18 Registration Service Fee (\$)
R316	53 (new)	New end-use or manufacturing product with registered source(s) of active ingredient(s) including products containing two or more registered active ingredients previously combined in other registered products; excludes products requiring or citing an animal safety study; and requires review of data and/or waivers for only: • product chemistry and/or • acute toxicity and/or • child resistant packaging and/or • pest(s) requiring efficacy (4) - for greater than 3 and up to 7 target pests. (2)(3)	9	11,301
R317	54 (new)	New end-use or manufacturing product with registered source(s) of active ingredient(s) including products containing 2 or more registered active ingredients previously combined in other registered products; excludes products requiring or citing an animal safety study; and requires review of data and/or waivers for only: • product chemistry and/or • acute toxicity and/or • child resistant packaging and/or • pest(s) requiring efficacy (4) - for greater than 7 target pests. (2)(3)	10	15,301
R320	55	New product; new physical form; requires data review in science divisions. (2)(3)	12	13,226
R331	56	New product; repack of identical registered end-use product as a manufacturing-use product, or identical registered manufacturing-use product as an end use product; same registered uses only. (2)(3)	3	2,530
R332	57	New manufacturing-use product; registered active ingredient; unregistered source of active ingredient; submission of completely new generic data package; registered uses only; requires review in RD and science divisions. (2)(3)	24	283,215
R333	58	New product; MUP or End use product with unregistered source of active ingredient; requires science data review; new physical form; etc. Cite-all or selective data citation where applicant owns all required data. (2)(3)	10	19,838
R334	59	New product; MUP or End use product with unregistered source of the active ingredient; requires science data review; new physical form; etc. Selective data citation. (2)(3)	11	23,100

(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

(2) An application for a new end-use product using a source of active ingredient that (a) is not yet registered but (b) has an application pending with the Agency for review, will be considered an application for a new product with an unregistered source of active ingredient.

(3) Where the action involves approval of a new or amended label, on or before the end date of the decision review time, the Agency shall provide to the applicant a draft accepted label, including any changes made by the Agency that differ from the applicant-submitted label and relevant supporting data reviewed by the Agency. The applicant will notify the Agency that the applicant either (a) agrees to all of the terms associated with the draft accepted label as amended by the Agency and requests that it be issued as the accepted final Agency-stamped label; or (b) does not agree to one or more of the terms of the draft accepted label as amended by the Agency and requests additional time to resolve the difference(s); or (c) withdraws the application without prejudice for subsequent resubmission, but forfeits the associated registration service fee. For cases described in (b), the applicant shall have up to 30 calendar days to reach agreement with the Agency on the final terms of the Agency-accepted label. If the applicant agrees to all of the terms of the accepted label as in (a), including upon resolution of differences in (b), the Agency shall provide an accepted final Agency-stamped label to the registrant within 2 business days following the registrant's written or electronic confirmation of agreement to the Agency.

(4) For the purposes of classifying proposed registration actions into PRIA categories, "pest(s) requiring efficacy" are: public health pests listed in PR Notice 2002-1, livestock pests (e.g., Horn flies, Stable flies), wood-destroying pests (e.g., termites, carpenter ants, wood-boring beetles) and certain invasive species (e.g., Asian Longhorned beetle, Emerald Ashborer). This list may be updated/refined as invasive pest needs arise. To determine the number of pests for the PRIA categories, pests have been placed into groups (general; e.g., cockroaches) and pest specific (specifically a test species). If seeking a label claim against a pest group (general), use the group listing below and each group will count as 1. The general pests groups are: mites, dust mites, chiggers, ticks, hard ticks, soft ticks, cattle ticks, scorpions, spiders, centipedes, lice, fleas, cockroaches, keds, bot flies, screwworms, filth flies, blow flies, house flies, flesh flies, mosquitoes, biting flies, horse flies, stable flies, deer flies, sand flies, biting midges, black flies, true bugs, bed bugs, stinging bees, wasps, yellow jackets, hornets, ants (excluding carpenter ants), fire and harvester ants, wood destroying beetles, carpenter ants, termites, subterranean termites, dry wood termites, arboreal termites, damp wood termites and invasive species. If seeking a claim against a specific pest without a general claim then each specific pest will count as 1.

TABLE 5. — REGISTRATION DIVISION — AMENDMENTS

EPA No.	New CR No.	Action	Decision Review Time (Months) ₍₁₎	FY'17 & FY'18 Registration Service Fee (\$)
R340	60	Amendment requiring data review within RD (e.g., changes to precautionary label statements); includes adding/modifying pest(s) claims for up to 2 target pests, excludes products requiring or citing an animal safety study. (2)(3)(4)	4	4,988
R341	61 (New)	Amendment requiring data review within RD (e.g., changes to precautionary label statements), includes adding/modifying pest(s) claims for greater than 2 target pests, excludes products requiring or citing an animal safety study. (2)(3)(4)	6	5,988

“TABLE 5. — REGISTRATION DIVISION — AMENDMENTS—Continued

EPA No.	New CR No.	Action	Decision Review Time (Months) ₍₁₎	FY'17 & FY'18 Registration Service Fee (\$)
R345	62	Amending on-animal products previously registered, with the submission of data and/or waivers for only: ● animal safety and ● pest(s) requiring efficacy (4) and/or ● product chemistry and/or ● acute toxicity and/or ● child resistant packaging. (2)(3)	7	8,820
R350	63	Amendment requiring data review in science divisions (e.g., changes to REI, or PPE, or PHI, or use rate, or number of applications; or add aerial application; or modify GW/SW advisory statement). (2)(3)	9	13,226
R351	64	Amendment adding a new unregistered source of active ingredient. (2)(3)	8	13,226
R352	65	Amendment adding already approved uses; selective method of support; does not apply if the applicant owns all cited data. (2)(3)	8	13,226
R371	66	Amendment to Experimental Use Permit; (does not include extending a permit's time period). (3)	6	10,090

(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

(2) (a) EPA-initiated amendments shall not be charged registration service fees. (b) Registrant-initiated fast-track amendments are to be completed within the timelines specified in FIFRA Section 3(c)(3)(B) and are not subject to registration service fees. (c) Registrant-initiated fast-track amendments handled by the Antimicrobials Division are to be completed within the timelines specified in FIFRA Section 3(h) and are not subject to registration service fees. (d) Registrant initiated amendments submitted by notification under PR Notices, such as PR Notice 98-10, continue under PR Notice timelines and are not subject to registration service fees. (e) Submissions with data and requiring data review are subject to registration service fees.

(3) Where the action involves approval of a new or amended label, on or before the end date of the decision review time, the Agency shall provide to the applicant a draft accepted label, including any changes made by the Agency that differ from the applicant-submitted label and relevant supporting data reviewed by the Agency. The applicant will notify the Agency that the applicant either (a) agrees to all of the terms associated with the draft accepted label as amended by the Agency and requests that it be issued as the accepted final Agency-stamped label; or (b) does not agree to one or more of the terms of the draft accepted label as amended by the Agency and requests additional time to resolve the difference(s); or (c) withdraws the application without prejudice for subsequent resubmission, but forfeits the associated registration service fee. For cases described in (b), the applicant shall have up to 30 calendar days to reach agreement with the Agency on the final terms of the Agency-accepted label. If the applicant agrees to all of the terms of the accepted label as in (a), including upon resolution of differences in (b), the Agency shall provide an accepted final Agency-stamped label to the registrant within 2 business days following the registrant's written or electronic confirmation of agreement to the Agency.

(4) For the purposes of classifying proposed registration actions into PRIA categories, “pest(s) requiring efficacy” are: public health pests listed in PR Notice 2002-1, livestock pests (e.g., Horn flies, Stable flies), wood-destroying pests (e.g., termites, carpenter ants, wood-boring beetles) and certain invasive species (e.g., Asian Longhorned beetle, Emerald Ashborer). This list may be updated/refined as invasive pest needs arise. To determine the number of pests for the PRIA categories, pests have been placed into groups (general; e.g., cockroaches) and pest specific (specifically a test species). If seeking a label claim against a pest group (general), use the group listing below and each group will count as 1. The general pests groups are: mites, dust mites, chiggers, ticks, hard ticks, soft ticks, cattle ticks, scorpions, spiders, centipedes, lice, fleas, cockroaches, keds, bot flies, screwworms, filth flies, blow flies, house flies, flesh flies, mosquitoes, biting flies, horse flies, stable flies, deer flies, sand flies, biting midges, black flies, true bugs, bed bugs, stinging bees, wasps, yellow jackets, hornets, ants (excluding carpenter ants), fire and harvester ants, wood destroying beetles, carpenter ants, termites, subterranean termites, dry wood termites, arboreal termites, damp wood termites and invasive species. If seeking a claim against a specific pest without a general claim then each specific pest will count as 1.

“TABLE 6. — REGISTRATION DIVISION — OTHER ACTIONS

EPA No.	New CR No.	Action	Decision Review Time (Months) ₍₁₎	FY'17 & FY'18 Registration Service Fee (\$)
R124	67	Conditional Ruling on Pre-application Study Waivers; applicant-initiated.	6	2,530
R272	68	Review of Study Protocol applicant-initiated; excludes DART, pre-registration conference, Rapid Response review, DNT protocol review, protocol needing HSRB review.	3	2,530
R275	69	Rebuttal of agency reviewed protocol, applicant initiated.	3	2,530
R370	70	Cancer reassessment; applicant-initiated.	18	198,250

(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

“TABLE 7. — ANTIMICROBIALS DIVISION — NEW ACTIVE INGREDIENTS

EPA No.	New CR No.	Action	Decision Review Time (Months) ₍₁₎	FY'17 & FY'18 Registration Service Fee (\$)
A380	71	New Active Ingredient; Indirect Food use; establish tolerance or tolerance exemption if required. (2)(3)	24	137,841
A390	72	New Active Ingredient; Direct Food use; establish tolerance or tolerance exemption if required. (2)(3)	24	229,733
A410	73	New Active Ingredient Non-food use. (2)(3)	21	229,733
A431	74	New Active Ingredient, Non-food use; low-risk. (2)(3)	12	80,225

(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

(2) All requests for new uses (food and/or nonfood) contained in any application for a new active ingredient or a first food use are covered by the base fee for that new active ingredient or first food use application and retain the same decision time review period as the new active ingredient or first food use application. The application must be received by the agency in one package. The base fee for the category covers a maximum of five new products. Each application for an additional new product registration and new inert approval that is submitted in the new active ingredient application package or first food use application package is subject to the registration service fee for a new product or a new inert approval. All such associated applications that are submitted together will be subject to the new active ingredient or first food use decision review time. In the case of a new active ingredient application, until that new active ingredient is approved, any subsequent application for another new product containing the same active ingredient or an amendment to the proposed labeling will be deemed a new active ingredient application, subject to the registration service fee and decision review time for a new active ingredient. In the case of a first food use application, until that first food use is approved, any subsequent application for an additional new food use or uses will be subject to the registration service fee and decision review time for a first food use. Any information that (a) was neither requested nor required by the Agency, and (b) is submitted by the applicant at the applicant's initiative to support the application after completion of the technical deficiency screening, and (c) is not itself a covered registration application, must be assessed 25% of the full registration service fee for the new active ingredient or first food use application.

(3) Where the action involves approval of a new or amended label, on or before the end date of the decision review time, the Agency shall provide to the applicant a draft accepted label, including any changes made by the Agency that differ from the applicant-submitted label and relevant supporting data reviewed by the Agency. The applicant will notify the Agency that the applicant either (a) agrees to all of the terms associated with the draft accepted label as amended by the Agency and requests that it be issued as the accepted final Agency-stamped label; or (b) does not agree to one or more of the terms of the draft accepted label as amended by the Agency and requests additional time to resolve the difference(s); or (c) withdraws the application without prejudice for subsequent resubmission, but forfeits the associated registration service fee. For cases described in (b), the applicant shall have up to 30 calendar days to reach agreement with the Agency on the final terms of the Agency-accepted label. If the applicant agrees to all of the terms of the accepted label as in (a), including upon resolution of differences in (b), the Agency shall provide an accepted final Agency-stamped label to the registrant within 2 business days following the registrant's written or electronic confirmation of agreement to the Agency.

TABLE 8. — ANTIMICROBIALS DIVISION — NEW USES

EPA No.	New CR No.	Action	Decision Review Time (Months) ⁽¹⁾	FY'17 & FY'18 Registration Service Fee (\$)
A440	75	New Use, Indirect Food Use, establish tolerance or tolerance exemption. (2)(3)(4)	21	31,910
A441	76	Additional Indirect food uses; establish tolerances or tolerance exemptions if required; 6 or more submitted in one application. (3)(4)(5)	21	114,870
A450	77	New use, Direct food use, establish tolerance or tolerance exemption. (2)(3)(4)	21	95,724
A451	78	Additional Direct food uses; establish tolerances or tolerance exemptions if required; 6 or more submitted in one application. (3)(4)(5)	21	182,335
A500	79	New use, non-food. (4)(5)	12	31,910
A501	80	New use, non-food; 6 or more submitted in one application. (4)(5)	15	76,583

(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

(2) All requests for new uses (food and/or nonfood) contained in any application for a new active ingredient or a first food use are covered by the base fee for that new active ingredient or first food use application and retain the same decision time review period as the new active ingredient or first food use application. The application must be received by the agency in one package. The base fee for the category covers a maximum of five new products. Each application for an additional new product registration and new inert approval that is submitted in the new active ingredient application package or first food use application package is subject to the registration service fee for a new product or a new inert approval. All such associated applications that are submitted together will be subject to the new active ingredient or first food use decision review time. In the case of a new active ingredient application, until that new active ingredient is approved, any subsequent application for another new product containing the same active ingredient or an amendment to the proposed labeling will be deemed a new active ingredient application, subject to the registration service fee and decision review time for a new active ingredient. In the case of a first food use application, until that first food use is approved, any subsequent application for an additional new food use or uses will be subject to the registration service fee and decision review time for a first food use. Any information that (a) was neither requested nor required by the Agency, and (b) is submitted by the applicant at the applicant's initiative to support the application after completion of the technical deficiency screening, and (c) is not itself a covered registration application, must be assessed 25% of the full registration service fee for the new active ingredient or first food use application.

(3) If EPA data rules are amended to newly require clearance under section 408 of the FDCA for an ingredient of an antimicrobial product where such ingredient was not previously subject to such a clearance, then review of the data for such clearance of such product is not subject to a registration service fee for the tolerance action for two years from the effective date of the rule.

(4) Where the action involves approval of a new or amended label, on or before the end date of the decision review time, the Agency shall provide to the applicant a draft accepted label, including any changes made by the Agency that differ from the applicant-submitted label and relevant supporting data reviewed by the Agency. The applicant will notify the Agency that the applicant either (a) agrees to all of the terms associated with the draft accepted label as amended by the Agency and requests that it be issued as the accepted final Agency-stamped label; or (b) does not agree to one or more of the terms of the draft accepted label as amended by the Agency and requests additional time to resolve the difference(s); or (c) withdraws the application without prejudice for subsequent resubmission, but forfeits the associated registration service fee. For cases described in (b), the applicant shall have up to 30 calendar days to reach agreement with the Agency on the final terms of the Agency-accepted label. If the applicant agrees to all of the terms of the accepted label as in (a), including upon resolution of differences in (b), the Agency shall provide an accepted final Agency-stamped label to the registrant within 2 business days following the registrant's written or electronic confirmation of agreement to the Agency.

(5) Amendment applications to add the new use(s) to registered product labels are covered by the base fee for the new use(s). All items in the covered application must be submitted together in one package. Each application for an additional new product registration and new inert approval(s) that is submitted in the new use application package is subject to the registration service fee for a new product or a new inert approval. However, if a new use application only proposes to register the new use for a new product and there are no amendments in the application, then review of one new product application is covered by the new use fee. All such associated applications that are submitted together will be subject to the new use decision review time. Any application for a new product or an amendment to the proposed labeling (a) submitted subsequent to submission of the new use application and (b) prior to conclusion of its decision review time and (c) containing the same new uses, will be deemed a separate new-use application, subject to a separate registration service fee and new decision review time for a new use. If the new-use application includes non-food (indoor and/or outdoor), and food (outdoor and/or indoor) uses, the appropriate fee is due for each type of new use and the longest decision review time applies to all of the new uses requested in the application. Any information that (a) was neither requested nor required by the Agency, and (b) is submitted by the applicant at the applicant's initiative to support the application after completion of the technical deficiency screen, and (c) is not itself a covered registration application, must be assessed 25% of the full registration service fee for the new use application.

TABLE 9. — ANTIMICROBIALS DIVISION — NEW PRODUCTS AND AMENDMENTS

EPA No.	New CR No.	Action	Decision Review Time (Months) ⁽¹⁾	FY'17 & FY'18 Registration Service Fee (\$)
A530	81	New product, identical or substantially similar in composition and use to a registered product; no data review or only product chemistry data; cite all data citation or selective data citation where applicant owns all required data; or applicant submits specific authorization letter from data owner. Category also includes 100% re-package of registered end-use or manufacturing use product that requires no data submission nor data matrix. (2)(3)	4	1,278
A531	82	New product; identical or substantially similar in composition and use to a registered product; registered source of active ingredient: selective data citation only for data on product chemistry and/or acute toxicity and/or public health pest efficacy, where applicant does not own all required data and does not have a specific authorization letter from data owner. (2)(3)	4	1,824
A532	83	New product; identical or substantially similar in composition and use to a registered product; registered active ingredient; unregistered source of active ingredient; cite-all data citation except for product chemistry; product chemistry data submitted. (2)(3)	5	5,107

"TABLE 9. — ANTIMICROBIALS DIVISION — NEW PRODUCTS AND AMENDMENTS—Continued

EPA No.	New CR No.	Action	Decision Review Time (Months) ⁽¹⁾	FY'17 & FY'18 Registration Service Fee (\$)
A540	84	New end use product; FIFRA §2(mm) uses only; up to 25 public health organisms. (2)(3)(5)(6)	5	5,107
A541	85 (new)	New end use product; FIFRA §2(mm) uses only; 26-50 public health organisms. (2)(3)(5)(6)	7	8,500
A542	86 (new)	New end use product; FIFRA §2(mm) uses only; ≥ 51 public health organisms. (2)(3)(5)	10	15,000
A550	87	New end-use product; uses other than FIFRA §2(mm); non-FQPA product. (2)(3)(5)	9	13,226
A560	88	New manufacturing use product; registered active ingredient; selective data citation. (2)(3)	6	12,596
A565	89 (new)	New manufacturing-use product; registered active ingredient; unregistered source of active ingredient; submission of new generic data package; registered uses only; requires science review. (2)(3)	12	18,234
A570	90	Label amendment requiring data review; up to 25 public health organisms. (3)(4)(5)(6)	4	3,831
A573	91 (new)	Label amendment requiring data review; 26-50 public health organisms. (2)(3)(5)(7)	6	6,350
A574	92 (new)	Label amendment requiring data review; ≥ 51 public health organisms. (2)(3)(5)(7)	9	11,000
A572	93	New Product or amendment requiring data review for risk assessment by Science Branch (e.g., changes to REI, or PPE, or use rate). (2)(3)(4)	9	13,226

(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

(2) An application for a new end-use product using a source of active ingredient that (a) is not yet registered but (b) has an application pending with the Agency for review, will be considered an application for a new product with an unregistered source of active ingredient.

(3) Where the action involves approval of a new or amended label, on or before the end date of the decision review time, the Agency shall provide to the applicant a draft accepted label, including any changes made by the Agency that differ from the applicant-submitted label and relevant supporting data reviewed by the Agency. The applicant will notify the Agency that the applicant either (a) agrees to all of the terms associated with the draft accepted label as amended by the Agency and requests that it be issued as the accepted final Agency-stamped label; or (b) does not agree to one or more of the terms of the draft accepted label as amended by the Agency and requests additional time to resolve the difference(s); or (c) withdraws the application without prejudice for subsequent resubmission, but forfeits the associated registration service fee. For cases described in (b), the applicant shall have up to 30 calendar days to reach agreement with the Agency on the final terms of the Agency-accepted label. If the applicant agrees to all of the terms of the accepted label as in (a), including upon resolution of differences in (b), the Agency shall provide an accepted final Agency-stamped label to the registrant within 2 business days following the registrant's written or electronic confirmation of agreement to the Agency.

(4)(a) EPA-initiated amendments shall not be charged registration service fees. (b) Registrant-initiated fast-track amendments are to be completed within the timelines specified in FIFRA Section 3(c)(3)(B) and are not subject to registration service fees. (c) Registrant-initiated fast-track amendments handled by the Antimicrobials Division are to be completed within the timelines specified in FIFRA Section 3(h) and are not subject to registration service fees. (d) Registrant initiated amendments submitted by notification under PR Notices, such as PR Notice 98–10, continue under PR Notice timelines and are not subject to registration service fees. (e) Submissions with data and requiring data review are subject to registration service fees.

(5) The applicant must identify the substantially similar product if opting to use cite-all or the selective method to support acute toxicity data requirements.

(6) Once a submission for a new product with public health organisms has been submitted and classified in either A540 or A541, additional organisms submitted for the same product before expiration of the first submission's original decision review time period will result in reclassification of both the original and subsequent submission into the appropriate new category based on the sum of the number or organisms in both submissions. A reclassification would result in a new PRIA start date and require additional fees to meet the fee of the new category.

(7) Once a submission for a label amendment with public health organisms has been submitted and classified in either A570 or A573, additional organisms submitted for the same product before expiration of the first submission's original decision review time period will result in reclassification of both the original and subsequent submission into the appropriate new category based on the sum of the number or organisms in both submissions. A reclassification would result in a new PRIA start date and require additional fees to meet the fee of the new category.

"TABLE 10. — ANTIMICROBIALS DIVISION — EXPERIMENTAL USE PERMITS AND OTHER ACTIONS

EPA No.	New CR No.	Action	Decision Review Time (Months) ⁽¹⁾	FY'17 & FY'18 Registration Service Fee (\$)
A520	94	Experimental Use Permit application, non-food use. (2)	9	6,383
A521	95	Review of public health efficacy study protocol within AD, per AD Internal Guidance for the Efficacy Protocol Review Process; Code will also include review of public health efficacy study protocol and data review for devices making pesticidal claims; applicant-initiated; Tier 1.	4	4,726
A522	96	Review of public health efficacy study protocol outside AD by members of AD Efficacy Protocol Review Expert Panel; Code will also include review of public health efficacy study protocol and data review for devices making pesticidal claims; applicant-initiated; Tier 2.	12	12,156
A537	97 (new)	New Active Ingredient/New Use, Experimental Use Permit application; Direct food use; Establish tolerance or tolerance exemption if required. Credit 45% of fee toward new active ingredient/new use application that follows.	18	153,156
A538	98 (new)	New Active Ingredient/New Use, Experimental Use Permit application; Indirect food use; Establish tolerance or tolerance exemption if required. Credit 45% of fee toward new active ingredient/new use application that follows.	18	95,724
A539	99 (new)	New Active Ingredient/New Use, Experimental Use Permit application; Nonfood use. Credit 45% of fee toward new active ingredient/new use application that follows.	15	92,163
A529	100	Amendment to Experimental Use Permit; requires data review or risk assessment. (2)	9	11,429

“TABLE 10. — ANTIMICROBIALS DIVISION — EXPERIMENTAL USE PERMITS AND OTHER ACTIONS—Continued

EPA No.	New CR No.	Action	Decision Review Time (Months) ₍₁₎	FY'17 & FY'18 Registration Service Fee (\$)
A523	101	Review of protocol other than a public health efficacy study (i.e., Toxicology or Exposure Protocols).	9	12,156
A571	102	Science reassessment: Cancer risk, refined ecological risk, and/or endangered species; applicant-initiated.	18	95,724
A533	103 (new)	Exemption from the requirement of an Experimental Use Permit. (2)	4	2,482
A534	104 (new)	Rebuttal of agency reviewed protocol, applicant initiated.	4	4,726
A535	105 (new)	Conditional Ruling on Pre-application Study Waiver or Data Bridging Argument; applicant-initiated.	6	2,409
A536	106 (new)	Conditional Ruling on Pre-application Direct Food, Indirect Food, Nonfood use determination; applicant-initiated.	4	2,482

(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

(2) Where the action involves approval of a new or amended label, on or before the end date of the decision review time, the Agency shall provide to the applicant a draft accepted label, including any changes made by the Agency that differ from the applicant-submitted label and relevant supporting data reviewed by the Agency. The applicant will notify the Agency that the applicant either (a) agrees to all of the terms associated with the draft accepted label as amended by the Agency and requests that it be issued as the accepted final Agency-stamped label; or (b) does not agree to one or more of the terms of the draft accepted label as amended by the Agency and requests additional time to resolve the difference(s); or (c) withdraws the application without prejudice for subsequent resubmission, but forfeits the associated registration service fee. For cases described in (b), the applicant shall have up to 30 calendar days to reach agreement with the Agency on the final terms of the Agency-accepted label. If the applicant agrees to all of the terms of the accepted label as in (a), including upon resolution of differences in (b), the Agency shall provide an accepted final Agency-stamped label to the registrant within 2 business days following the registrant's written or electronic confirmation of agreement to the Agency.

“TABLE 11. — BIOPESTICIDES DIVISION — NEW ACTIVE INGREDIENTS

EPA No.	New CR No.	Action	Decision Review Time (Months) ₍₁₎	FY'17 & FY'18 Registration Service Fee (\$)
B580	107	New active ingredient; food use; petition to establish a tolerance. (2)(3)	20	51,053
B590	108	New active ingredient; food use; petition to establish a tolerance exemption. (2)(3)	18	31,910
B600	109	New active ingredient; non-food use. (2)(3)	13	19,146
B610	110	New active ingredient; Experimental Use Permit application; petition to establish a temporary tolerance or temporary tolerance exemption. (3)	10	12,764
B611	111	New active ingredient; Experimental Use Permit application; petition to establish permanent tolerance exemption. (3)	12	12,764
B612	112	New active ingredient; no change to a permanent tolerance exemption. (2)(3)	10	17,550
B613	113	New active ingredient; petition to convert a temporary tolerance or a temporary tolerance exemption to a permanent tolerance or tolerance exemption. (2)(3)	11	17,550
B620	114	New active ingredient; Experimental Use Permit application; non-food use including crop destruct. (3)	7	6,383

(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

(2) All requests for new uses (food and/or nonfood) contained in any application for a new active ingredient or a first food use are covered by the base fee for that new active ingredient or first food use application and retain the same decision time review period as the new active ingredient or first food use application. The application must be received by the agency in one package. The base fee for the category covers a maximum of five new products. Each application for an additional new product registration and new inert approval that is submitted in the new active ingredient application package or first food use application package is subject to the registration service fee for a new product or a new inert approval. All such associated applications that are submitted together will be subject to the new active ingredient or first food use decision review time. In the case of a new active ingredient application, until that new active ingredient is approved, any subsequent application for another new product containing the same active ingredient or an amendment to the proposed labeling will be deemed a new active ingredient application, subject to the registration service fee and decision review time for a new active ingredient. In the case of a first food use application, until that first food use is approved, any subsequent application for an additional new food use or uses will be subject to the registration service fee and decision review time for a first food use. Any information that (a) was neither requested nor required by the Agency, and (b) is submitted by the applicant at the applicant's initiative to support the application after completion of the technical deficiency screening, and (c) is not itself a covered registration application, must be assessed 25% of the full registration service fee for the new active ingredient or first food use application.

(3) Where the action involves approval of a new or amended label, on or before the end date of the decision review time, the Agency shall provide to the applicant a draft accepted label, including any changes made by the Agency that differ from the applicant-submitted label and relevant supporting data reviewed by the Agency. The applicant will notify the Agency that the applicant either (a) agrees to all of the terms associated with the draft accepted label as amended by the Agency and requests that it be issued as the accepted final Agency-stamped label; or (b) does not agree to one or more of the terms of the draft accepted label as amended by the Agency and requests additional time to resolve the difference(s); or (c) withdraws the application without prejudice for subsequent resubmission, but forfeits the associated registration service fee. For cases described in (b), the applicant shall have up to 30 calendar days to reach agreement with the Agency on the final terms of the Agency-accepted label. If the applicant agrees to all of the terms of the accepted label as in (a), including upon resolution of differences in (b), the Agency shall provide an accepted final Agency-stamped label to the registrant within 2 business days following the registrant's written or electronic confirmation of agreement to the Agency.

“TABLE 12. — BIOPESTICIDES DIVISION — NEW USES

EPA No.	New CR No.	Action	Decision Review Time (Months) ₍₁₎	FY'17 & FY'18 Registration Service Fee (\$)
B630	115	First food use; petition to establish a tolerance exemption. (2)(4)	13	12,764
B631	116	New food use; petition to amend an established tolerance. (3)(4)	12	12,764

“TABLE 12. — BIOPESTICIDES DIVISION — NEW USES—Continued

EPA No.	New CR No.	Action	Decision Review Time (Months) ⁽¹⁾	FY'17 & FY'18 Registration Service Fee (\$)
B640	117	First food use; petition to establish a tolerance. (2)(4)	19	19,146
B643	118	New Food use; petition to amend an established tolerance exemption. (3)(4)	10	12,764
B642	119	First food use; indoor; food/food handling. (2)(4)	12	31,910
B644	120	New use, no change to an established tolerance or tolerance exemption. (3)(4)	8	12,764
B650	121	New use; non-food. (3)(4)	7	6,383
B645	122 (new)	New food use; Experimental Use Permit application; petition to amend or add a tolerance exemption. (4)	12	12,764
B646	123 (new)	New use; non-food use including crop destruct; Experimental Use Permit application. (4)	7	6,383

(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

(2) All requests for new uses (food and/or nonfood) contained in any application for a new active ingredient or a first food use are covered by the base fee for that new active ingredient or first food use application and retain the same decision time review period as the new active ingredient or first food use application. The application must be received by the agency in one package. The base fee for the category covers a maximum of five new products. Each application for an additional new product registration and new inert approval that is submitted in the new active ingredient application package or first food use application package is subject to the registration service fee for a new product or a new inert approval. All such associated applications that are submitted together will be subject to the new active ingredient or first food use decision review time. In the case of a new active ingredient application, until that new active ingredient is approved, any subsequent application for another new product containing the same active ingredient or an amendment to the proposed labeling will be deemed a new active ingredient application, subject to the registration service fee and decision review time for a new active ingredient. In the case of a first food use application, until that first food use is approved, any subsequent application for an additional new food use or uses will be subject to the registration service fee and decision review time for a first food use. Any information that (a) was neither requested nor required by the Agency, and (b) is submitted by the applicant at the applicant's initiative to support the application after completion of the technical deficiency screening, and (c) is not itself a covered registration application, must be assessed 25% of the full registration service fee for the new active ingredient or first food use application.

(3) Amendment applications to add the new use(s) to registered product labels are covered by the base fee for the new use(s). All items in the covered application must be submitted together in one package. Each application for an additional new product registration and new inert approval(s) that is submitted in the new use application package is subject to the registration service fee for a new product or a new inert approval. However, if a new use application only proposes to register the new use for a new product and there are no amendments in the application, then review of one new product application is covered by the new use fee. All such associated applications that are submitted together will be subject to the new use decision review time. Any application for a new product or an amendment to the proposed labeling (a) submitted subsequent to submission of the new use application and (b) prior to conclusion of its decision review time and (c) containing the same new uses, will be deemed a separate new-use application, subject to a separate registration service fee and new decision review time for a new use. If the new-use application includes non-food (indoor and/or outdoor), and food (outdoor and/or indoor) uses, the appropriate fee is due for each type of new use and the longest decision review time applies to all of the new uses requested in the application. Any information that (a) was neither requested nor required by the Agency, and (b) is submitted by the applicant at the applicant's initiative to support the application after completion of the technical deficiency screen, and (c) is not itself a covered registration application, must be assessed 25% of the full registration service fee for the new use application.

(4) Where the action involves approval of a new or amended label, on or before the end date of the decision review time, the Agency shall provide to the applicant a draft accepted label, including any changes made by the Agency that differ from the applicant-submitted label and relevant supporting data reviewed by the Agency. The applicant will notify the Agency that the applicant either (a) agrees to all of the terms associated with the draft accepted label as amended by the Agency and requests that it be issued as the accepted final Agency-stamped label; or (b) does not agree to one or more of the terms of the draft accepted label as amended by the Agency and requests additional time to resolve the difference(s); or (c) withdraws the application without prejudice for subsequent resubmission, but forfeits the associated registration service fee. For cases described in (b), the applicant shall have up to 30 calendar days to reach agreement with the Agency on the final terms of the Agency-accepted label. If the applicant agrees to all of the terms of the accepted label as in (a), including upon resolution of differences in (b), the Agency shall provide an accepted final Agency-stamped label to the registrant within 2 business days following the registrant's written or electronic confirmation of agreement to the Agency.

“TABLE 13. — BIOPESTICIDES DIVISION — NEW PRODUCTS

EPA No.	New CR No.	Action	Decision Review Time (Months) ⁽¹⁾	FY'17 & FY'18 Registration Service Fee (\$)
B652	124	New product; registered source of active ingredient; requires petition to amend established tolerance or tolerance exemption; requires 1) submission of product specific data; or 2) citation of previously reviewed and accepted data; or 3) submission or citation of data generated at government expense; or 4) submission or citation of scientifically-sound rationale based on publicly available literature or other relevant information that addresses the data requirement; or 5) submission of a request for a data requirement to be waived supported by a scientifically-sound rationale explaining why the data requirement does not apply. (2)(3)	13	12,764
B660	125	New product; registered source of active ingredient(s); identical or substantially similar in composition and use to a registered product. No data review, or only product chemistry data; cite-all data citation, or selective data citation where applicant owns all required data or authorization from data owner is demonstrated. Category includes 100% re-package of registered end-use or manufacturing-use product that requires no data submission or data matrix. For microbial pesticides, the active ingredient(s) must not be re-isolated. (2)(3)	4	1,278
B670	126	New product; registered source of active ingredient(s); requires: 1) submission of product specific data; or 2) citation of previously reviewed and accepted data; or 3) submission or citation of data generated at government expense; or 4) submission or citation of a scientifically-sound rationale based on publicly available literature or other relevant information that addresses the data requirement; or 5) submission of a request for a data requirement to be waived supported by a scientifically-sound rationale explaining why the data requirement does not apply. (2)(3)	7	5,107
B671	127	New product; unregistered source of active ingredient(s); requires a petition to amend an established tolerance or tolerance exemption; requires: 1) submission of product specific data; or 2) citation of previously reviewed and accepted data; or 3) submission or citation of data generated at government expense; or 4) submission or citation of a scientifically-sound rationale based on publicly available literature or other relevant information that addresses the data requirement; or 5) submission of a request for a data requirement to be waived supported by a scientifically-sound rationale explaining why the data requirement does not apply. (2)(3)	17	12,764

“TABLE 13. — BIOPESTICIDES DIVISION — NEW PRODUCTS—Continued

EPA No.	New CR No.	Action	Decision Review Time (Months) ⁽¹⁾	FY'17 & FY'18 Registration Service Fee (\$)
B672	128	New product; unregistered source of active ingredient(s); non-food use or food use requires: 1) submission of product specific data; or 2) citation of previously reviewed and accepted data; or 3) submission or citation of data generated at government expense; or 4) submission or citation of a scientifically-sound rationale based on publicly available literature or other relevant information that addresses the data requirement; or 5) submission of a request for a data requirement to be waived supported by a scientifically-sound rationale explaining why the data requirement does not apply. (2)(3)	13	9,118
B673	129	New product MUP/EP; unregistered source of active ingredient(s); citation of Technical Grade Active Ingredient (TGA) data previously reviewed and accepted by the Agency. Requires an Agency determination that the cited data supports the new product. (2)(3)	10	5,107
B674	130	New product MUP; Repack of identical registered end-use product as a manufacturing-use product; same registered uses only. (2)(3)	4	1,278
B675	131	New Product MUP; registered source of active ingredient; submission of completely new generic data package; registered uses only. (2)(3)	10	9,118
B676	132	New product; more than one active ingredient where one active ingredient is an unregistered source; product chemistry data must be submitted; requires: 1) submission of product specific data, and 2) citation of previously reviewed and accepted data; or 3) submission or citation of data generated at government expense; or 4) submission or citation of a scientifically-sound rationale based on publicly available literature or other relevant information that addresses the data requirement; or 5) submission of a request for a data requirement to be waived supported by a scientifically-sound rationale explaining why the data requirement does not apply. (2)(3)	13	9,118
B677	133	New end-use non-food animal product with submission of two or more target animal safety studies; includes data and/or waivers of data for only: ● product chemistry and/or ● acute toxicity and/or ● public health pest efficacy and/or ● animal safety studies and/or ● child resistant packaging. (2)(3)	10	8,820

(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

(2) An application for a new end-use product using a source of active ingredient that (a) is not yet registered but (b) has an application pending with the Agency for review, will be considered an application for a new product with an unregistered source of active ingredient.

(3) Where the action involves approval of a new or amended label, on or before the end date of the decision review time, the Agency shall provide to the applicant a draft accepted label, including any changes made by the Agency that differ from the applicant-submitted label and relevant supporting data reviewed by the Agency. The applicant will notify the Agency that the applicant either (a) agrees to all of the terms associated with the draft accepted label as amended by the Agency and requests that it be issued as the accepted final Agency-stamped label; or (b) does not agree to one or more of the terms of the draft accepted label as amended by the Agency and requests additional time to resolve the difference(s); or (c) withdraws the application without prejudice for subsequent resubmission, but forfeits the associated registration service fee. For cases described in (b), the applicant shall have up to 30 calendar days to reach agreement with the Agency on the final terms of the Agency-accepted label. If the applicant agrees to all of the terms of the accepted label as in (a), including upon resolution of differences in (b), the Agency shall provide an accepted final Agency-stamped label to the registrant within 2 business days following the registrant's written or electronic confirmation of agreement to the Agency.

“TABLE 14. — BIOPESTICIDES DIVISION — AMENDMENTS

EPA No.	New CR No.	Action	Decision Review Time (Months) ⁽¹⁾	FY'17 & FY'18 Registration Service Fee (\$)
B621	134	Amendment; Experimental Use Permit; no change to an established temporary tolerance or tolerance exemption. (3)	7	5,107
B622	135	Amendment; Experimental Use Permit; petition to amend an established or temporary tolerance or tolerance exemption. (3)	11	12,764
B641	136	Amendment of an established tolerance or tolerance exemption.	13	12,764
B680	137	Amendment; registered sources of active ingredient(s); no new use(s); no changes to an established tolerance or tolerance exemption. Requires data submission. (2)(3)	5	5,107
B681	138	Amendment; unregistered source of active ingredient(s). Requires data submission. (2)(3)	7	6,079
B683	139	Label amendment; requires review/update of previous risk assessment(s) without data submission (e.g., labeling changes to REI, PPE, PHI). (2)(3)	6	5,107
B684	140	Amending non-food animal product that includes submission of target animal safety data; previously registered. (2)(3)	8	8,820
B685	141 (new)	Amendment; add a new biochemical unregistered source of active ingredient or a new microbial production site. Requires submission of analysis of samples data and source/production site-specific manufacturing process description. (3)	5	5,107

(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

(2) (a) EPA-initiated amendments shall not be charged registration service fees. (b) Registrant-initiated fast-track amendments are to be completed within the timelines specified in FIFRA Section 3(c)(3)(B) and are not subject to registration service fees. (c) Registrant-initiated fast-track amendments handled by the Antimicrobials Division are to be completed within the timelines specified in FIFRA Section 3(h) and are not subject to registration service fees. (d) Registrant initiated amendments submitted by notification under PR Notices, such as PR Notice 98-10, continue under PR Notice timelines and are not subject to registration service fees. (e) Submissions with data and requiring data review are subject to registration service fees.

(3) Where the action involves approval of a new or amended label, on or before the end date of the decision review time, the Agency shall provide to the applicant a draft accepted label, including any changes made by the Agency that differ from the applicant-submitted label and relevant supporting data reviewed by the Agency. The applicant will notify the Agency that the applicant either (a) agrees to all of the terms associated with the draft accepted label as amended by the Agency and requests that it be issued as the accepted final Agency-stamped label; or (b) does not agree to one or more of the terms of the draft accepted label as amended by the Agency and requests additional time to resolve the difference(s); or (c) withdraws the application without prejudice for subsequent resubmission, but forfeits the associated registration service fee. For cases described in (b), the applicant shall have up to 30 calendar days to reach agreement with the Agency on the final terms of the Agency-accepted label. If the applicant agrees to all of the terms of the accepted label as in (a), including upon resolution of differences in (b), the Agency shall provide an accepted final Agency-stamped label to the registrant within 2 business days following the registrant's written or electronic confirmation of agreement to the Agency.

"TABLE 15. — BIOPESTICIDES DIVISION — SCLP

EPA No.	New CR No.	Action	Decision Review Time (Months) ⁽¹⁾	FY'17 & FY'18 Registration Service Fee (\$)
B690	142	New active ingredient; food or non-food use. (2)(6)	7	2,554
B700	143	Experimental Use Permit application; new active ingredient or new use. (6)	7	1,278
B701	144	Extend or amend Experimental Use Permit. (6)	4	1,278
B710	145	New product; registered source of active ingredient(s); identical or substantially similar in composition and use to a registered product; no change in an established tolerance or tolerance exemption. No data review, or only product chemistry data; cite-all data citation, or selective data citation where applicant owns all required data or authorization from data owner is demonstrated. Category includes 100% re-package of registered end-use or manufacturing-use product that requires no data submission or data matrix. (3)(6)	4	1,278
B720	146	New product; registered source of active ingredient(s); requires: 1) submission of product specific data; or 2) citation of previously reviewed and accepted data; or 3) submission or citation of data generated at government expense; or 4) submission or citation of a scientifically-sound rationale based on publicly available literature or other relevant information that addresses the data requirement; or 5) submission of a request for a data requirement to be waived supported by a scientifically-sound rationale explaining why the data requirement does not apply. (3)(6)	5	1,278
B721	147	New product; unregistered source of active ingredient. (3)(6)	7	2,676
B722	148	New use and/or amendment; petition to establish a tolerance or tolerance exemption. (4)(5)(6)	7	2,477
B730	149	Label amendment requiring data submission. (4)(6)	5	1,278

(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

(2) All requests for new uses (food and/or nonfood) contained in any application for a new active ingredient or a first food use are covered by the base fee for that new active ingredient or first food use application and retain the same decision time review period as the new active ingredient or first food use application. The application must be received by the agency in one package. The base fee for the category covers a maximum of five new products. Each application for an additional new product registration and new inert approval that is submitted in the new active ingredient application package or first food use application package is subject to the registration service fee for a new product or a new inert approval. All such associated applications that are submitted together will be subject to the new active ingredient or first food use decision review time. In the case of a new active ingredient application, until that new active ingredient is approved, any subsequent application for another new product containing the same active ingredient or an amendment to the proposed labeling will be deemed a new active ingredient application, subject to the registration service fee and decision review time for a new active ingredient. In the case of a first food use application, until that first food use is approved, any subsequent application for an additional new food use or uses will be subject to the registration service fee and decision review time for a first food use. Any information that (a) was neither requested nor required by the Agency, and (b) is submitted by the applicant at the applicant's initiative to support the application after completion of the technical deficiency screening, and (c) is not itself a covered registration application, must be assessed 25% of the full registration service fee for the new active ingredient or first food use application.

(3) An application for a new end-use product using a source of active ingredient that (a) is not yet registered but (b) has an application pending with the Agency for review, will be considered an application for a new product with an unregistered source of active ingredient.

(4) (a) EPA-initiated amendments shall not be charged registration service fees. (b) Registrant-initiated fast-track amendments are to be completed within the timelines specified in FIFRA Section 3(c)(3)(B) and are not subject to registration service fees. (c) Registrant-initiated fast-track amendments handled by the Antimicrobials Division are to be completed within the timelines specified in FIFRA Section 3(h) and are not subject to registration service fees. (d) Registrant initiated amendments submitted by notification under PR Notices, such as PR Notice 98-10, continue under PR Notice timelines and are not subject to registration service fees. (e) Submissions with data and requiring data review are subject to registration service fees.

(5) Amendment applications to add the new use(s) to registered product labels are covered by the base fee for the new use(s). All items in the covered application must be submitted together in one package. Each application for an additional new product registration and new inert approval(s) that is submitted in the new use application package is subject to the registration service fee for a new product or a new inert approval. However, if a new use application only proposes to register the new use for a new product and there are no amendments in the application, then review of one new product application is covered by the new use fee. All such associated applications that are submitted together will be subject to the new use decision review time. Any application for a new product or an amendment to the proposed labeling (a) submitted subsequent to submission of the new use application and (b) prior to conclusion of its decision review time and (c) containing the same new uses, will be deemed a separate new-use application, subject to a separate registration service fee and new decision review time for a new use. If the new-use application includes non-food (indoor and/or outdoor), and food (outdoor and/or indoor) uses, the appropriate fee is due for each type of new use and the longest decision review time applies to all of the new uses requested in the application. Any information that (a) was neither requested nor required by the Agency, and (b) is submitted by the applicant at the applicant's initiative to support the application after completion of the technical deficiency screen, and (c) is not itself a covered registration application, must be assessed 25% of the full registration service fee for the new use application.

(6) Where the action involves approval of a new or amended label, on or before the end date of the decision review time, the Agency shall provide to the applicant a draft accepted label, including any changes made by the Agency that differ from the applicant-submitted label and relevant supporting data reviewed by the Agency. The applicant will notify the Agency that the applicant either (a) agrees to all of the terms associated with the draft accepted label as amended by the Agency and requests that it be issued as the accepted final Agency-stamped label; or (b) does not agree to one or more of the terms of the draft accepted label as amended by the Agency and requests additional time to resolve the difference(s); or (c) withdraws the application without prejudice for subsequent resubmission, but forfeits the associated registration service fee. For cases described in (b), the applicant shall have up to 30 calendar days to reach agreement with the Agency on the final terms of the Agency-accepted label. If the applicant agrees to all of the terms of the accepted label as in (a), including upon resolution of differences in (b), the Agency shall provide an accepted final Agency-stamped label to the registrant within 2 business days following the registrant's written or electronic confirmation of agreement to the Agency.

"TABLE 16. — BIOPESTICIDES DIVISION — OTHER ACTIONS

EPA No.	New CR No.	Action	Decision Review Time (Months) ⁽¹⁾	FY'17 & FY'18 Registration Service Fee (\$)
B614	150	Pre-application; Conditional Ruling on rationales for addressing a data requirement in lieu of data; applicant-initiated; applies to one rationale at a time.	3	2,530
B615	151	Rebuttal of agency reviewed protocol, applicant initiated.	3	2,530

“TABLE 16. — BIOPESTICIDES DIVISION — OTHER ACTIONS—Continued

EPA No.	New CR No.	Action	Decision Review Time (Months) ₍₁₎	FY'17 & FY'18 Registration Service Fee (\$)
B682	152	Protocol review; applicant initiated; excludes time for HSRB review.	3	2,432

(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

“TABLE 17. — BIOPESTICIDES DIVISION — PIP

EPA No.	New CR No.	Action	Decision Review Time (Months) ₍₁₎	FY'17 & FY'18 Registration Service Fee (\$)
B740	153	Experimental Use Permit application; no petition for tolerance/tolerance exemption. Includes: 1. non-food/feed use(s) for a new (2) or registered (3) PIP (12); 2. food/feed use(s) for a new or registered PIP with crop destruct (12); 3. food/feed use(s) for a new or registered PIP in which an established tolerance/tolerance exemption exists for the intended use(s). (4)(12)	6	95,724
B741	154 (new)	Experimental Use Permit application; no petition for tolerance/tolerance exemption. Includes: 1. non-food/feed use(s) for a new (2) or registered (3) PIP; 2. food/feed use(s) for a new or registered PIP with crop destruct; 3. food/feed use(s) for a new or registered PIP in which an established tolerance/tolerance exemption exists for the intended use(s); SAP Review. (12)	12	159,538
B750	155	Experimental Use Permit application; with a petition to establish a temporary or permanent tolerance/tolerance exemption for the active ingredient. Includes new food/feed use for a registered (3) PIP. (4)(12)	9	127,630
B770	156	Experimental Use Permit application; new (2) PIP; with petition to establish a temporary tolerance/tolerance exemption for the active ingredient; credit 75% of B771 fee toward registration application for a new active ingredient that follows; SAP review. (5)(12)	15	191,444
B771	157	Experimental Use Permit application; new (2) PIP; with petition to establish a temporary tolerance/tolerance exemption for the active ingredient; credit 75% of B771 fee toward registration application for a new active ingredient that follows. (12)	10	127,630
B772	158	Application to amend or extend an Experimental Use Permit; no petition since the established tolerance/tolerance exemption for the active ingredient is unaffected. (12)	3	12,764
B773	159	Application to amend or extend an Experimental Use Permit; with petition to extend a temporary tolerance/tolerance exemption for the active ingredient. (12)	5	31,910
B780	160	Registration application; new (2) PIP; non-food/feed. (12)	12	159,537
B790	161	Registration application; new (2) PIP; non-food/feed; SAP review. (5)(12)	18	223,351
B800	162	Registration application; new (2) PIP; with petition to establish permanent tolerance/tolerance exemption for the active ingredient based on an existing temporary tolerance/tolerance exemption. (12)	13	172,300
B810	163	Registration application; new (2) PIP; with petition to establish permanent tolerance/tolerance exemption for the active ingredient based on an existing temporary tolerance/tolerance exemption. SAP review. (5)(12)	19	236,114
B820	164	Registration application; new (2) PIP; with petition to establish or amend a permanent tolerance/tolerance exemption of an active ingredient. (12)	15	204,208
B840	165	Registration application; new (2) PIP; with petition to establish or amend a permanent tolerance/tolerance exemption of an active ingredient. SAP review. (5)(12)	21	268,022
B851	166	Registration application; new event of a previously registered PIP active ingredient(s); no petition since permanent tolerance/tolerance exemption is already established for the active ingredient(s). (12)	9	127,630
B870	167	Registration application; registered (3) PIP; new product; new use; no petition since a permanent tolerance/tolerance exemption is already established for the active ingredient(s). (4)(12)	9	38,290
B880	168	Registration application; registered (3) PIP; new product or new terms of registration; additional data submitted; no petition since a permanent tolerance/tolerance exemption is already established for the active ingredient(s). (6)(7)(12)	9	31,910
B881	169	Registration application; registered (3) PIP; new product or new terms of registration; additional data submitted; no petition since a permanent tolerance/tolerance exemption is already established for the active ingredient(s). SAP review. (5)(6)(7)(12)	15	95,724
B882	170 (new)	Registration application; new (2) PIP; seed increase with negotiated acreage cap and time-limited registration; with petition to establish a permanent tolerance/tolerance exemption for the active ingredient based on an existing temporary tolerance/tolerance exemption; SAP Review. (8)(12)	15	191,444

“TABLE 17. — BIOPESTICIDES DIVISION — PIP—Continued

EPA No.	New CR No.	Action	Decision Review Time (Months) ₍₁₎	FY'17 & FY'18 Registration Service Fee (\$)
B883	171	Registration application; new (2) PIP, seed increase with negotiated acreage cap and time-limited registration; with petition to establish a permanent tolerance/tolerance exemption for the active ingredient based on an existing temporary tolerance/tolerance exemption. (8)(12)	9	127,630
B884	172	Registration application; new (2) PIP, seed increase with negotiated acreage cap and time-limited registration; with petition to establish a permanent tolerance/tolerance exemption for the active ingredient. (8)(12)	12	159,537
B885	173	Registration application; registered (3) PIP, seed increase; breeding stack of previously approved PIPs, same crop; no petition since a permanent tolerance/tolerance exemption is already established for the active ingredient(s). (9)(12)	6	31,910
B886	174 (new)	Registration application; new (2) PIP, seed increase with negotiated acreage cap and time-limited registration; with petition to establish a permanent tolerance/tolerance exemption for the active ingredient. SAP Review. (8)(12)	18	223,351
B890	175	Application to amend a seed increase registration; converts registration to commercial registration; no petition since permanent tolerance/tolerance exemption is already established for the active ingredient(s). (12)	9	63,816
B891	176	Application to amend a seed increase registration; converts registration to a commercial registration; no petition since a permanent tolerance/tolerance exemption already established for the active ingredient(s); SAP review. (5)(12)	15	127,630
B900	177	Application to amend a registration, including actions such as extending an expiration date, modifying an IRM plan, or adding an insect to be controlled. (10)(11)(12)	6	12,764
B901	178	Application to amend a registration, including actions such as extending an expiration date, modifying an IRM plan, or adding an insect to be controlled. SAP review. (10)(11)(12)	12	76,578
B902	179	PIP Protocol review.	3	6,383
B903	180	Inert ingredient tolerance exemption; e.g., a marker such as NPT II; reviewed in BPPD.	6	63,816
B904	181	Import tolerance or tolerance exemption; processed commodities/food only (inert or active ingredient).	9	127,630
B905	182 (new)	SAP Review.	6	63,816
B906	183 (new)	Petition to establish a temporary tolerance/tolerance exemption for one or more active ingredients.	3	31,907
B907	184 (new)	Petition to establish a temporary tolerance/tolerance exemption for one or more active ingredients based on an existing temporary tolerance/tolerance exemption.	3	12,764
B908	185 (new)	Petition to establish a temporary tolerance/tolerance exemption for one or more active ingredients or inert ingredients.	3	44,671

(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

(2) New PIP = a PIP with an active ingredient that has not been registered.

(3) Registered PIP = a PIP with an active ingredient that is currently registered.

(4) Transfer registered PIP through conventional breeding for new food/feed use, such as from field corn to sweet corn.

(5) The scientific data involved in this category are complex. EPA often seeks technical advice from the Scientific Advisory Panel on risks that pesticides pose to wildlife, farm workers, pesticide applicators, non-target species, as well as insect resistance, and novel scientific issues surrounding new technologies. The scientists of the SAP neither make nor recommend policy decisions. They provide advice on the science used to make these decisions. Their advice is invaluable to the EPA as it strives to protect humans and the environment from risks posed by pesticides. Due to the time it takes to schedule and prepare for meetings with the SAP, additional time and costs are needed.

(6) Registered PIPs stacked through conventional breeding.

(7) Deployment of a registered PIP with a different IRM plan (e.g., seed blend).

(8) The negotiated acreage cap will depend upon EPA's determination of the potential environmental exposure, risk(s) to non-target organisms, and the risk of targeted pest developing resistance to the pesticidal substance. The uncertainty of these risks may reduce the allowable acreage, based upon the quantity and type of non-target organism data submitted and the lack of insect resistance management data, which is usually not required for seed-increase registrations. Registrants are encouraged to consult with EPA prior to submission of a registration application in this category.

(9) Application can be submitted prior to or concurrently with an application for commercial registration.

(10) For example, IRM plan modifications that are applicant-initiated.

(11) EPA-initiated amendments shall not be charged fees.

(12) Where the action involves approval of a new or amended label, on or before the end date of the decision review time, the Agency shall provide to the applicant a draft accepted label, including any changes made by the Agency that differ from the applicant-submitted label and relevant supporting data reviewed by the Agency. The applicant will notify the Agency that the applicant either (a) agrees to all of the terms associated with the draft accepted label as amended by the Agency and requests that it be issued as the accepted final Agency-stamped label; or (b) does not agree to one or more of the terms of the draft accepted label as amended by the Agency and requests additional time to resolve the difference(s); or (c) withdraws the application without prejudice for subsequent resubmission, but forfeits the associated registration service fee. For cases described in (b), the applicant shall have up to 30 calendar days to reach agreement with the Agency on the final terms of the Agency-accepted label. If the applicant agrees to all of the terms of the accepted label as in (a), including upon resolution of differences in (b), the Agency shall provide an accepted final Agency-stamped label to the registrant within 2 business days following the registrant's written or electronic confirmation of agreement to the Agency.

“TABLE 18. — INERT INGREDIENTS

EPA No.	New CR No.	Action	Decision Review Time (Months) ₍₁₎	FY'17 & FY'18 Registration Service Fee (\$)
I001	186	Approval of new food use inert ingredient. (2)(3)	13	27,000
I002	187	Amend currently approved inert ingredient tolerance or exemption from tolerance; new data. (2)	11	7,500

TABLE 18. — INERT INGREDIENTS—Continued

EPA No.	New CR No.	Action	Decision Review Time (Months) ₍₁₎	FY'17 & FY'18 Registration Service Fee (\$)
I003	188	Amend currently approved inert ingredient tolerance or exemption from tolerance; no new data. (2)	9	3,308
I004	189	Approval of new non-food use inert ingredient. (2)	6	11,025
I005	190	Amend currently approved non-food use inert ingredient with new use pattern; new data. (2)	6	5,513
I006	191	Amend currently approved non-food use inert ingredient with new use pattern; no new data. (2)	3	3,308
I007	192	Approval of substantially similar non-food use inert ingredients when original inert is compositionally similar with similar use pattern. (2)	4	1,654
I008	193	Approval of new or amended polymer inert ingredient, food use. (2)	5	3,749
I009	194	Approval of new or amended polymer inert ingredient, non-food use. (2)	4	3,087
I010	195	Petition to amend a single tolerance exemption descriptor, or single non-food use descriptor, to add ≤ 10 CASRNs; no new data. (2)	6	1,654
I011	196 (new)	Approval of new food use safener with tolerance or exemption from tolerance. (2)(8)	24	597,683
I012	197 (new)	Approval of new non-food use safener. (2)(8)	21	415,241
I013	198 (new)	Approval of additional food use for previously approved safener with tolerance or exemption from tolerance. (2)	15	62,975
I014	199 (new)	Approval of additional non-food use for previously approved safener. (2)	15	25,168
I015	200 (new)	Approval of new generic data for previously approved food use safener. (2)	24	269,728
I016	201 (new)	Approval of amendment(s) to tolerance and label for previously approved safener. (2)	13	55,776

(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

(2) If another covered application is submitted that depends upon an application to approve an inert ingredient, each application will be subject to its respective registration service fee. The decision review time line for both submissions will be the longest of the associated applications. If the application covers multiple ingredients grouped by EPA into one chemical class, a single registration service fee will be assessed for approval of those ingredients.

(3) If EPA data rules are amended to newly require clearance under section 408 of the FFDCA for an ingredient of an antimicrobial product where such ingredient was not previously subject to such a clearance, then review of the data for such clearance of such product is not subject to a registration service fee for the tolerance action for two years from the effective date of the rule.

(4) Any other covered application that is associated with and dependent on the HSRB review will be subject to its separate registration service fee. The decision review times for the associated actions run concurrently, but will end at the date of the latest review time.

(5) Any other covered application that is associated with and dependent on the SAP review will be subject to its separate registration service fee. The decision review time for the associated action will be extended by the decision review time for the SAP review.

(6) An application for a new end-use product using a source of active ingredient that (a) is not yet registered but (b) has an application pending with the Agency for review, will be considered an application for a new product with an unregistered source of active ingredient.

(7) Where the action involves approval of a new or amended label, on or before the end date of the decision review time, the Agency shall provide to the applicant a draft accepted label, including any changes made by the Agency that differ from the applicant-submitted label and relevant supporting data reviewed by the Agency. The applicant will notify the Agency that the applicant either (a) agrees to all of the terms associated with the draft accepted label as amended by the Agency and requests that it be issued as the accepted final Agency-stamped label; or (b) does not agree to one or more of the terms of the draft accepted label as amended by the Agency and requests additional time to resolve the difference(s); or (c) withdraws the application without prejudice for subsequent resubmission, but forfeits the associated registration service fee. For cases described in (b), the applicant shall have up to 30 calendar days to reach agreement with the Agency on the final terms of the Agency-accepted label. If the applicant agrees to all of the terms of the accepted label as in (a), including upon resolution of differences in (b), the Agency shall provide an accepted final Agency-stamped label to the registrant within 2 business days following the registrant's written or electronic confirmation of agreement to the Agency.

(8) If a new safener is submitted in the same package as a new active ingredient, and that new active ingredient is determined to be reduced risk, then the safener would get the same reduced timeframe as the new active ingredient.

TABLE 19. — EXTERNAL REVIEW AND MISCELLANEOUS ACTIONS

EPA No.	New CR No.	Action	Decision Review Time (Months) ₍₁₎	FY'17 & FY'18 Registration Service Fee (\$)
M001	202	Study protocol requiring Human Studies Review Board review as defined in 40 CFR Part 26 in support of an active ingredient. (4)	9	7,938
M002	203	Completed study requiring Human Studies Review Board review as defined in 40 CFR Part 26 in support of an active ingredient. (4)	9	7,938
M003	204	External technical peer review of new active ingredient, product, or amendment (e.g., consultation with FIFRA Scientific Advisory Panel) for an action with a decision timeframe of less than 12 months. Applicant initiated request based on a requirement of the Administrator, as defined by FIFRA § 25(d), in support of a novel active ingredient, or unique use pattern or application technology. Excludes PIP active ingredients. (5)	12	63,945

"TABLE 19. — EXTERNAL REVIEW AND MISCELLANEOUS ACTIONS—Continued

EPA No.	New CR No.	Action	Decision Review Time (Months) ⁽¹⁾	FY'17 & FY'18 Registration Service Fee (\$)
M004	205	External technical peer review of new active ingredient, product, or amendment (e.g., consultation with FIFRA Scientific Advisory Panel) for an action with a decision timeframe of greater than 12 months. Applicant initiated request based on a requirement of the Administrator, as defined by FIFRA § 25(d), in support of a novel active ingredient, or unique use pattern or application technology. Excludes PIP active ingredients. (5)	18	63,945
M005	206	New Product: Combination, Contains a combination of active ingredients from a registered and/or unregistered source; conventional, antimicrobial and/or biopesticide. Requires coordination with other regulatory divisions to conduct review of data, label and/or verify the validity of existing data as cited. Only existing uses for each active ingredient in the combination product. (6)(7)	9	22,050
M006	207	Request for up to 5 letters of certification (Gold Seal) for one actively registered product (excludes distributor products). (8)	1	277
M007	208	Request to extend Exclusive Use of data as provided by FIFRA Section 3(c)(1)(F)(ii).	12	5,513
M008	209	Request to grant Exclusive Use of data as provided by FIFRA Section 3(c)(1)(F)(vi) for a minor use, when a FIFRA Section 2(II)(2) determination is required.	15	1,654
M009	210 (new)	Non-FIFRA Regulated Determination: Applicant initiated, per product.	4	2,363
M010	211 (new)	Conditional ruling on pre-application, product substantial similarity.	4	2,363
M011	212 (new)	Label amendment to add the DfE logo; requires data review; no other label changes. (9)	4	3,648

(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

(2) If another covered application is submitted that depends upon an application to approve an inert ingredient, each application will be subject to its respective registration service fee. The decision review time line for both submissions will be the longest of the associated applications. If the application covers multiple ingredients grouped by EPA into one chemical class, a single registration service fee will be assessed for approval of those ingredients.

(3) If EPA data rules are amended to newly require clearance under section 408 of the FFDCa for an ingredient of an antimicrobial product where such ingredient was not previously subject to such a clearance, then review of the data for such clearance of such product is not subject to a registration service fee for the tolerance action for two years from the effective date of the rule.

(4) Any other covered application that is associated with and dependent on the HSRB review will be subject to its separate registration service fee. The decision review times for the associated actions run concurrently, but will end at the date of the latest review time.

(5) Any other covered application that is associated with and dependent on the SAP review will be subject to its separate registration service fee. The decision review time for the associated action will be extended by the decision review time for the SAP review.

(6) An application for a new end-use product using a source of active ingredient that (a) is not yet registered but (b) has an application pending with the Agency for review, will be considered an application for a new product with an unregistered source of active ingredient.

(7) Where the action involves approval of a new or amended label, on or before the end date of the decision review time, the Agency shall provide to the applicant a draft accepted label, including any changes made by the Agency that differ from the applicant-submitted label and relevant supporting data reviewed by the Agency. The applicant will notify the Agency that the applicant either (a) agrees to all of the terms associated with the draft accepted label as amended by the Agency and requests that it be issued as the accepted final Agency-stamped label; or (b) does not agree to one or more of the terms of the draft accepted label as amended by the Agency and requests additional time to resolve the difference(s); or (c) withdraws the application without prejudice for subsequent resubmission, but forfeits the associated registration service fee. For cases described in (b), the applicant shall have up to 30 calendar days to reach agreement with the Agency on the final terms of the Agency-accepted label. If the applicant agrees to all of the terms of the accepted label as in (a), including upon resolution of differences in (b), the Agency shall provide an accepted final Agency-stamped label to the registrant within 2 business days following the registrant's written or electronic confirmation of agreement to the Agency.

(8) Due to low fee and short time frame this category is not eligible for small business waivers. Gold seal applies to one registered product.

(9) This category includes amendments the sole purpose of which is to add DfE (or equivalent terms that do not use "safe" or derivatives of "safe") logos to a label. DfE is a voluntary program. A label bearing a DfE logo is not considered an Agency endorsement because the ingredients in the qualifying product must meet objective, scientific criteria established and widely publicized by EPA."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. RODNEY DAVIS) and the gentleman from California (Mr. PANETTA) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. RODNEY DAVIS of Illinois. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. RODNEY DAVIS of Illinois. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, and the gentleman from California (Mr. PANETTA), my good friend and colleague, I rise in strong support as the author of H.R. 1029, the Pesticide Registration Enhancement Act of 2017, also known as

PRIA. It is not every day in Washington that we see a bipartisan bill come to the House floor that is supported by both industry and industry advocates, but PRIA is that bill, Madam Speaker.

PRIA initially passed in 2003, establishing a new section of the Federal Insecticide, Fungicide, and Rodenticide Act, or FIFRA, which put in place a fee schedule for registering pesticides with the EPA. More specifically, PRIA constructed time frames for when the EPA was required to make a determination on pesticide registrations. The goal of PRIA was to create a more predictable and effective evaluation process for pesticide decisionmaking by coupling the collection of fees with specific decision review periods. It also promoted shorter decision review periods for reduced-risk pesticides.

The nature of PRIA is very technical, but the widespread benefits across industries has gained it consistent bipartisan support. PRIA is backed by a broad coalition comprised of the companies that rely on the registration

process and also labor and environmental advocates. Each member of this broad coalition had a seat at the table when the Committee on Agriculture held a roundtable discussing the merits of the bill last month before it passed unanimously out of our House Committee on Agriculture.

This reauthorization bill that we are considering also provides a few modifications, including reasonable increases in registration fees, funding for good laboratory practices, and added efforts to promote transparency. Although it has generally been a 5-year authorization, this bill would extend PRIA for 7 years. A lengthened reauthorization, we believe, is appropriate because PRIA has been proven effective, it has enjoyed widespread, bipartisan support, and to date each reauthorization has only involved minor adjustments.

PRIA expires on September 30 of this year, and I am glad to be presenting this bill well in advance of that expiration date because we need to provide folks with the certainty they need to

conduct their business, educate farmworkers, and keep the communication with EPA open and transparent. This is the fourth time PRIA has come before Congress for reauthorization, and that is because it is working for everyone. It has always been a bipartisan effort, and we hope to continue that tradition. I urge my colleagues to join me in supporting this commonsense reauthorization.

Madam Speaker, I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, March 16, 2017.

Hon. K. MICHAEL CONAWAY,
Chairman, Committee on Agriculture,
Washington, DC.

DEAR CHAIRMAN CONAWAY: I write in regard to H.R. 1029, Pesticide Registration Enhancement Act of 2017, which was referred in addition to the Committee on Energy and Commerce. I wanted to notify you that the Committee will forgo action on the bill so that it may proceed expeditiously to the House floor for consideration.

The Committee on Energy and Commerce takes this action with our mutual understanding that by foregoing consideration of H.R. 1029, the Committee does not waive any jurisdiction over the subject matter contained in this or similar legislation and will be appropriately consulted and involved as this or similar legislation moves forward to address any remaining issues within the Committee's jurisdiction. The Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation and asks that you support any such request.

I would appreciate your response confirming this understanding with respect to H.R. 1029 and ask that a copy of our exchange of letters on this matter be included in your committee's report on the legislation or the Congressional Record during its consideration on the House floor.

Sincerely,

GREG WALDEN,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON AGRICULTURE,
Washington, DC, March 16, 2017.

GREG WALDEN,
Committee on Energy and Commerce,
Washington, DC.

DEAR CHAIRMAN WALDEN: Thank you for your letter regarding H.R. 1029, the "Pesticide Registration Enhancement Act of 2017." I appreciate your support in bringing this legislation before the House of Representatives, and accordingly, understand that the Committee on Energy and Commerce will forgo action on the bill.

The Committee on Agriculture concurs in the mutual understanding that by foregoing consideration of the bill at this time, the Committee on Energy and Commerce does not waive any jurisdiction over the subject matter contained in this bill or similar legislation in the future. In addition, should a conference on this bill be necessary, I would support your request to have the Committee on Energy and Commerce represented on the conference committee.

I will insert copies of this exchange in the Congressional Record during Floor consideration. I appreciate your cooperation regarding this legislation and look forward to continuing to work the Committee on Energy

and Commerce as this bill moves through the legislative process.

Sincerely,

K. MICHAEL CONAWAY,
Chairman.

Mr. PANETTA. Madam Speaker, I yield myself such time as I may consume. I rise in support of H.R. 1029, the Pesticide Registration Enhancement Act of 2017.

Once again, Madam Speaker, I stand before you to urge the passage of H.R. 1029. As we know, the Environmental Protection Agency is responsible for regulating the sale, use, and distribution of pesticides. To facilitate and expedite that pesticide approval process, pesticide manufacturers have long supplemented the EPA's annual budget. This system allows the products to be reviewed in a timely manner, without sacrificing environmental and safety protections. It is truly a win-win for both manufacturers and consumers, and, as you heard Mr. DAVIS speak about, it is a clear example of government at its best. It is exactly why I enjoy working on the Committee on Agriculture. It is exactly why I enjoy working with people such as RODNEY DAVIS. We have a bipartisan, effective, public-private legislative solution for a more predictable pesticide evaluation process that literally helps everybody.

The Pesticide Registration Enhancement Act, H.R. 1029, is an exceptional piece of legislation not only because it is supported by a unique coalition of pesticide registrants, environmental groups, and agricultural labor representatives, but H.R. 1029 provides a more effective, predictable, and transparent pesticide evaluation process. It promotes shorter review periods for reduced-risk pesticides and enhances scientific and regulatory activities related to farmworker protection.

My district on the central coast of California is not only bountiful in its agriculture, it is absolutely beautiful with its environment. Therefore, we on the central coast work hard to find that balance of being known as the salad bowl of the world and one of the most scenic places in the world. That is why our agriculture producers are the most thoughtful stewards of the land and recognize the need to protect the environment and the natural resources.

This legislation facilitates that balance. This legislation provides a unique coalition building and encourages the agriculture industry to work with environmentalists. Thus, H.R. 1029 helps all of us who live and work in our community and, ultimately, our country. That is why I am absolutely honored to speak in this debate, humbled to share the floor with Representative DAVIS, and why I urge all my colleagues to support this bill.

Madam Speaker, I yield back the balance of my time.

Mr. RODNEY DAVIS of Illinois. Madam Speaker, I yield myself the balance of my time.

Madam Speaker, this is exactly why we are here today in a bipartisan way. The gentleman from California (Mr. PANETTA) said it right: this affects his industry, and it affects his home area. As he likes to say, it is the salad bowl of America. I have been there, and I have seen the crops they grow. The crops I grow are much different in central Illinois, the crops that are grown by the farmers that I am proud to represent, but they all have to have a successful PRIA reauthorization to be able to grow those foods that we here in America continue to feed the world with and that we see in our grocery stores and on our supermarket shelves.

Madam Speaker, I want to say thank you because this bill is essential, as we in central Illinois go out and take care of things such as making sure the weeds don't pop up in our yards. Every single small business that decides to put down product and pesticides to ensure that lawns in central Illinois continue to prosper as the spring and summer unfold, this is essential to their success.

This is essential to our farmers, who are looking to get their fields ready to go plant, the stewards of the land, the best stewards of the land, as Congressman PANETTA said. It assures them that they are going to be able to get that seed into the ground and, with the hope and prayers of rain and moisture, that it is going to grow and that we are still going to have a marketplace for those products.

The risk that our farmers take every single year, when they risk and leverage their family incomes in many cases, in hopes that a seed is going to grow and a plant is going to grow, and they are going to be able to sell that, they need the certainty that this bill will actually give them. That is why I am proud to be here as the author, proud to stand with my colleagues.

Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. RODNEY DAVIS) that the House suspend the rules and pass the bill, H.R. 1029, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

100 YEARS OF WOMEN IN CONGRESS ACT

Mr. RODNEY DAVIS of Illinois. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 382) to amend the Department of Agriculture program for research and extension grants to increase participation by women and underrepresented minorities in the fields of science, technology,

engineering, and mathematics to redesignate the program as the “Jeannette Rankin Women and Minorities in STEM Fields Program”.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 382

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “100 Years of Women in Congress Act”.

SEC. 2. FINDINGS.

Congress finds the following:

(1) The first woman elected to Congress, Representative Jeannette Rankin from Montana, was elected on November 7, 1916, almost four years prior to ratification of the 19th Amendment to the U.S. Constitution giving women the right to vote.

(2) Jeannette Rankin was not only a pioneer in national electoral politics, she was also a pioneer as a woman in science, graduating from the University of Montana in 1902 with a Bachelor of Science degree in biology.

(3) 100 years after the swearing-in of Jeannette Rankin, 109 women serve in the 115th Congress, more than at any other time in our Nation's history. While this improvement is commendable, women hold only 20 percent of the seats in Congress, far below their relative share of the American electorate.

(4) According to the U.S. Bureau of Labor Statistics, women make up 47 percent of the total U.S. workforce. Gains have been made in the science, technology, engineering, and mathematics (STEM) fields over time, but women still comprise only 39 percent of chemists and material scientists, 28 percent of environmental scientists and geoscientists, 16 percent of chemical engineers, and 12 percent of civil engineers.

(5) More must be done to encourage women to run for elected office and to enter STEM fields.

SEC. 3. JEANNETTE RANKIN WOMEN AND MINORITIES IN STEM FIELDS PROGRAM.

Paragraph (7) of section 1672(d) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5925(d)(7)) is amended to read as follows:

“(7) JEANNETTE RANKIN WOMEN AND MINORITIES IN STEM FIELDS PROGRAM.—Research and extension grants may be made under this section to increase participation by women and underrepresented minorities from rural areas in the fields of science, technology, engineering, and mathematics, with priority given to eligible institutions that carry out continuing programs funded by the Secretary. Any grant made under this paragraph shall be known and designated as a ‘Jeannette Rankin Women and Minorities in STEM Fields Program Grant’.”

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. RODNEY DAVIS) and the gentlewoman from Delaware (Ms. BLUNT ROCHESTER) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. RODNEY DAVIS of Illinois. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise

and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. RODNEY DAVIS of Illinois. Madam Speaker, I yield myself such time as I may consume.

I am glad to stand here with the gentlewoman from Delaware (Ms. BLUNT ROCHESTER), another one of our new colleagues on the House Committee on Agriculture, in support of H.R. 382, the 100 Years of Women in Congress Act.

This legislation would honor a true pioneer of American politics by naming an important agricultural research program at the U.S. Department of Agriculture as the Jeannette Rankin Women and Minorities in STEM Fields Program. This competitive research grant program is designed to increase participation by women and underrepresented minorities from rural areas in the fields of science, technology, engineering, and mathematics. I can think of no better person to identify with this important program than former Representative Rankin, who was the first woman to serve in this great institution, the United States House of Representatives, an achievement made even more significant by the fact that Ms. Rankin was elected to Congress several years prior to the ratification of the 19th Amendment granting women the right to vote.

I urge all of my colleagues to support this important piece of legislation, and I reserve the balance of my time.

HOUSE OF REPRESENTATIVES, COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY,

Washington, DC, March 16, 2017.

Hon. MICHAEL CONAWAY, Chairman, Committee on Agriculture, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I am writing concerning H.R. 382, the “100 Years of Women in Congress Act,” which was introduced on January 9, 2017.

H.R. 382 contains provisions within the Committee on Science, Space, and Technology's Rule X jurisdiction. In order to expedite this bill for floor consideration, the Committee on Science, Space, and Technology will forego action on the bill. This is being done on the basis of our mutual understanding that doing so will in no way diminish or alter the jurisdiction of the Committee on Science, Space, and Technology with respect to the appointment of conferees, or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation.

I would appreciate your response to this letter confirming this understanding, and would request that you include a copy of this letter and your response in the Congressional Record during the floor consideration of this bill. Thank you in advance for your cooperation.

Sincerely,

LAMAR SMITH,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON AGRICULTURE,
Washington, DC, March 16, 2017.

Hon. LAMAR S. SMITH, Chairman, Committee on Science, Space, and Technology, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 382, the “100 Years of Women in Congress Act.” I agree that the Committee on Science, Space, and Technology has a valid jurisdictional claim to provisions in this legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Science, Space, and Technology is not waiving its jurisdiction. Further, I will include a copy of our exchange in the Congressional Record during the floor consideration.

Sincerely,

K. MICHAEL CONAWAY,
Chairman.

Ms. BLUNT ROCHESTER. Madam Speaker, I yield 3 minutes to my distinguished colleague from the State of New York (Ms. MENG), the sponsor of this legislation.

□ 1545

Ms. MENG. Madam Speaker, I am so pleased to be here today to celebrate the 100th anniversary of women serving in Congress.

I thank the Speaker for allowing this legislation to come to the floor. And I thank my good friend and former colleague, Secretary Zinke, for authorizing this legislation with me. His support has been instrumental in ensuring the consideration of this bill, and I am deeply grateful to him.

One hundred years ago, Jeannette Rankin was sworn in as a Member of the United States House of Representatives. She was the first woman elected to Congress, and was elected before passage of the 19th amendment which granted women the right to vote.

Jeannette Rankin was a trailblazer her entire life. In 1902, she graduated from the University of Montana with a degree in biology. Afterward, she became active in the women's suffrage movement, moving to New York City and assisting in the founding of the New York Women's Suffrage Party and working for the National American Woman Suffrage Association.

Rankin would eventually return to her home State of Montana, and was elected to office in the congressional election of 1916. Upon winning, she declared: “I may be the first woman Member of Congress, but I won't be the last.”

I am happy to say that she was right.

In recognition of Congresswoman Jeannette Rankin's many accomplishments, and in celebration of the centennial anniversary of her service in Congress, Secretary Zinke and I introduced the 100 Years of Women in Congress Act.

Because Jeannette Rankin was a woman of science more than 100 years before our current push to have more

women enter STEM fields, we felt it appropriate to rename the Department of Agriculture's Women and Minorities in STEM Fields Program after her.

This program currently supports collaborative research projects at institutions of higher education, and seeks to increase the participation of women and minorities from rural areas in STEM fields. It will continue to do so in the future, but now it will also recognize the many contributions Jeannette Rankin made to American life.

Madam Speaker, thank you again for allowing this legislation to the floor today, and thank you again to Secretary Zinke for partnering with me on it.

I urge all of my colleagues to support this measure.

Mr. RODNEY DAVIS of Illinois. Madam Speaker, I reserve the balance of my time.

Ms. BLUNT ROCHESTER. Madam Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 382, the 100 Years of Women in Congress Act.

This bipartisan legislation will recognize the work that Jeannette Rankin, the first woman elected to Congress in 1916, accomplished fighting for women's rights. It will rename the USDA's Women and Minorities in STEM Fields Program to the Jeannette Rankin Women and Minorities in STEM Fields Grant Program. In our time, it is critical that we encourage more women to enter STEM fields across this country. In receiving a bachelor's degree in biology before women even had the right to vote, she set an example for those who followed her to follow their passions for science and to achieve impactful leadership roles.

As I travel through Delaware, one of the consistent messages that I hear from businesses and universities is the need for more engineers. We have a wealth of knowledge in our young girls who are demanding rigorous programs that put them in place for rewarding careers. These types of programs match the boundless enthusiasm with concrete steps towards achieving meaningful career goals that benefit our entire country.

My sister, Thea, demonstrates the impact of successful STEM education from organizations like the Forum to Advance Minority Engineers—FAME—for schoolchildren in Delaware, to her attending an HBCU as an engineering major, and in her career spent serving our country as an engineer with the Army.

My late husband Charles received undergraduate and graduate degrees in mechanical and aerospace engineering. Those degrees gave him the opportunity to travel the world as an engineer and give back to the energy sector.

However, my family and I know that the answer doesn't simply end with STEM. It is also about incorporating the arts into one's education in the form of STEAM, where we can see the balance that a quality education provides.

In my experiences, as the first woman elected to Congress from Delaware, I understand the challenges that come with trying to break through barriers. That is why this legislation and the impact of getting more young women to pursue STEM and STEAM careers is so deeply personal to me.

As Congresswoman Jeannette Rankin said before taking her oath of office in 1917—nearly 4 years before women had even gained the right to vote through the 19th Amendment—as you heard before, she said: “I may be the first woman to be a Member of Congress, but I won't be the last.”

I am honored to serve as one of the more than 300 women to follow her lead. When we look to history to guide us in challenging moments, we will look to people like Congresswoman Jeannette Rankin, and I am confident she would be honored to have her name associated with this legislation and its aims.

I thank the sponsors, and I thank my colleagues on the other side of the aisle for this bipartisan work.

Madam Speaker, I reserve the balance of my time.

Mr. RODNEY DAVIS of Illinois. Madam Speaker, I yield myself the balance of my time.

I would be remiss if I didn't thank my colleague, who I was sworn in with in January of 2013 when she raised her right hand, as I did, on this floor to join this great institution, my colleague, GRACE MENG, for being the sponsor of this piece of legislation. I thank GRACE for her leadership, and also Ms. BLUNT ROCHESTER, the first woman elected to serve in this institution from the State of Delaware. It is humbling and an honor for me to be able to stand here and help manage this piece of legislation. She should be very proud of what she is doing today.

Madam Speaker, I urge all Members to join me in support of this bill, and I yield back the balance of my time.

Ms. BLUNT ROCHESTER. Madam Speaker, I urge all Members as well to support passage of H.R. 382, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. RODNEY DAVIS) that the House suspend the rules and pass the bill, H.R. 382.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

TSA ADMINISTRATOR MODERNIZATION ACT OF 2017

Mr. KATKO. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 1309) to streamline the office and term of the Administrator of the Transportation Security Administration, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1309

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “TSA Administrator Modernization Act of 2017”.

SEC. 2. AMENDMENTS TO THE HOMELAND SECURITY ACT OF 2002 AND TITLE 5, UNITED STATES CODE.

(a) HOMELAND SECURITY ACT OF 2002.—Paragraph (1) of section 103(a) of the Homeland Security Act of 2002 is amended—

(1) in subparagraph (I), by striking “12” and inserting “11”; and

(2) by adding at the end the following new subparagraph:

“(L) An Administrator of the Transportation Security Administration, in accordance with section 114 of title 49, United States Code.”.

(b) INCLUSION IN EXECUTIVE SCHEDULE.—Section 5315 of title 5, United States Code, is amended by adding at the end the following: “Administrator of the Transportation Security Administration, Department of Homeland Security.”.

SEC. 3. AMENDMENTS TO TITLE 49, UNITED STATES CODE.

Section 114 of title 49, United States Code, is amended—

(1) in subsection (a), by striking “Department of Transportation” and inserting “Department of Homeland Security”; and

(2) in subsection (b)(1), by striking “Under Secretary of Transportation for Security” and inserting “Administrator of the Transportation Security Administration”; and

(3) by striking “Under Secretary” each place it appears and inserting “Administrator”; and

(4) in subsection (b), in the heading, by striking “UNDER SECRETARY” and inserting “ADMINISTRATOR”; and

(5) in subsection (e)(4), by striking “Secretary of Transportation” and inserting “Secretary of Homeland Security”; and

(6) in subsection (f)—

(A) in paragraph (6), by striking “Federal Security Managers” and inserting “Federal Security Directors”; and

(B) in paragraph (14), by inserting “air carriers or” before “foreign air carriers”; and

(7) in subsection (g)—

(A) by striking “the Secretary” each place it appears and inserting “the Secretary of Homeland Security”; and

(B) in paragraph (3), by striking “The Secretary” and inserting “The Secretary of Homeland Security”; and

(8) in subsection (j)(1)(D), by striking “the Secretary” and inserting “the Secretary of Homeland Security”; and

(9) in subsection (1)—

(A) in paragraph (2)(A), by striking “the Secretary” and inserting “the Secretary of Homeland Security”; and

(B) in paragraph (4)(B), by striking “the Administrator under subparagraph (A)” and inserting “the Administrator of the Federal Aviation Administration under subparagraph (A)”;

(10) in subsection (m)—

(A) in the heading, by striking “UNDER SECRETARY” and inserting “ADMINISTRATOR”; and

(B) in paragraph (1), in the heading, by striking “UNDER SECRETARY” and inserting “ADMINISTRATOR”;

(11) in subsection (n), by striking “Department of Transportation” and inserting “Department of Homeland Security”;

(12) in subsection (o), by striking “Department of Transportation” and inserting “Department of Homeland Security”; and

(13) in subsection (p)(4), by striking “Secretary of Transportation” and inserting “Secretary of Homeland Security”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. KATKO) and the gentlewoman from New York (Miss RICE) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. KATKO. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include any extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KATKO. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise today to ask the House to support H.R. 1309, the TSA Administrator Modernization Act of 2017.

TSA was created within the Department of Transportation in 2001 to address the security vulnerabilities that were exposed in the attacks of 9/11. At that time, the administrator was given a 5-year term. However, when TSA and its functions transferred to the Department of Homeland Security a year later, the 5-year term officially terminated by statute.

Many of the issues and bureaucratic challenges that TSA faces today stem from a lack of consistent leadership at the top. Since I came to Congress in January 2015, TSA has had no less than five different individual administrators, both as appointees and as acting administrators. This is a staggering number in such a brief period of time.

A revolving door of leadership has further exacerbated the numerous problems that plague this young agency. It is unacceptable that this has gone on for more than a decade. The American people deserve better, and that is why we are here today with this bill.

This bill addresses these issues by reestablishing the administrator's position, level, and 5-year term, just as Congress originally intended when it created TSA in the wake of 9/11. Additionally, this bill updates Federal statute to reflect current policy by clarifying TSA's proper role within the Department of Homeland Security.

While this is only one step in addressing the many challenges at TSA, this legislation will provide for more consistent leadership at such a critical security agency.

Ensuring the effectiveness of Federal agencies and the security of the American people is a bipartisan task, and one of which I am happy to be part of. I commend my colleagues on both sides of the aisle for coming together to support this bill. This is exactly what the American people expect from us.

I especially want to thank Chairman McCaul and Ranking Member Thompson for moving this bill swiftly through committee to the floor today. I also thank Congresswoman Rice, who is supporting this bill as well.

Madam Speaker, I reserve the balance of my time.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES,

Washington, DC, March 13, 2017.

Hon. MICHAEL T. McCAUL,
Chairman, Committee on Homeland Security,
Washington, DC.

DEAR CHAIRMAN McCAUL: I write concerning H.R. 1309, the “TSA Administrator Modernization Act of 2017.” This legislation includes matters that fall within the Rule X jurisdiction of the Committee on Transportation and Infrastructure.

In order to expedite Floor consideration of H.R. 1309, the Committee on Transportation and Infrastructure will forgo action on this bill. However, this is conditional on our mutual understanding that forgoing consideration of the bill does not prejudice the Committee with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation that fall within the Committee's Rule X jurisdiction. I request you urge the Speaker to name members of the Committee to any conference committee named to consider such provisions.

Please place a copy of this letter and your response acknowledging our jurisdictional interest in the Congressional Record during House Floor consideration of the bill. I look forward to working with the Committee on Homeland Security as the bill moves through the legislative process.

Sincerely,

BILL SHUSTER,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC, March 15, 2017.

Hon. BILL SHUSTER,
Chairman, Committee on Transportation and Infrastructure, Washington, DC.

DEAR CHAIRMAN SHUSTER: Thank you for your letter regarding H.R. 1309, the “TSA Administrator Modernization Act of 2017.” I appreciate your support in bringing this legislation before the House of Representatives. I understand that the Committee on Transportation and Infrastructure, to the extent it may have a jurisdictional claim, will not seek a sequential referral on the bill; and therefore, there has been no formal determination as to its jurisdiction by the Parliamentarian. We appreciate your cooperation in this matter.

The Committee on Homeland Security concurs with the mutual understanding that the absence of a decision on this bill at this time

does not prejudice any claim the Committee on Transportation and Infrastructure may have held or may have on similar legislation in the future.

I will insert copies of this exchange in the Congressional Record during consideration of this bill on the House floor. I thank you for your cooperation in this matter.

Sincerely,

MICHAEL T. McCAUL,
Chairman,
Committee on Homeland Security.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,

Washington, DC, March 13, 2017.

Hon. MICHAEL T. McCAUL,
Chairman, Committee on Homeland Security,
Washington, DC.

DEAR MR. CHAIRMAN: I write concerning H.R. 1309, the “TSA Administrator Modernization Act of 2017.” This bill amends positions included in executive service (5 U.S.C. §5315) which is within the jurisdiction of the Committee on Oversight and Government Reform. As a result of your having consulted with me concerning the provision of the bill that falls within our Rule X jurisdiction, I agree not to seek a sequential referral so that the bill may proceed expeditiously to the House floor.

The Committee takes this action with our mutual understanding that by foregoing consideration of H.R. 1309 at this time we do not waive any jurisdiction over the subject matter contained in this or similar legislation. We will be appropriately consulted and involved as the bill or similar legislation moves forward so that we may address any remaining issues that fall within our Rule X jurisdiction. Further, I request your support for the appointment of conferees from the Committee on Oversight and Government Reform during any House-Senate conference convened on this or related legislation.

Finally, I would appreciate your response to this letter confirming this understanding and ask that a copy of our exchange of letters on this matter be included in the bill report filed by the Committee on Homeland Security, as well as in the Congressional Record during floor consideration, to memorialize our understanding.

Sincerely,

JASON CHAFFETZ,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC, March 15, 2017.

Hon. JASON CHAFFETZ,
Chairman, Committee on Oversight and Government Reform, Washington, DC.

DEAR CHAIRMAN CHAFFETZ: Thank you for your letter regarding H.R. 1309, the “TSA Administrator Modernization Act of 2017.” I appreciate your support in bringing this legislation before the House of Representatives, and accordingly, understand that the Committee on Oversight and Government Reform will not seek a sequential referral on the bill.

The Committee on Homeland Security concurs with the mutual understanding that by foregoing a sequential referral of this bill at this time, the Committee on Oversight and Government Reform does not waive any jurisdiction over the subject matter contained in this bill or similar legislation in the future. In addition, should a conference on this bill be necessary, I would support your request to have the Committee on Oversight and Government Reform represented on the conference committee.

I will insert copies of this exchange in the Congressional Record during consideration of this bill on the House floor. I thank you for your cooperation in this matter.

Sincerely,

MICHAEL T. MCCAUL,
Chairman,
Committee on Homeland Security.

Miss RICE of New York. Madam Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 1309, the TSA Administrator Modernization Act of 2017.

When the Transportation Security Administration was created after the terrorist attacks of September 11, 2001, Congress intended for the administrator to serve a 5-year term, like the administrator of the Federal Aviation Administration.

However, since TSA moved from the Department of Transportation to the Department of Homeland Security in 2003, there has been a lack of clarity about the length of the administrator's term. The measure before us today clarifies Congress' expectation that TSA administrators serve for 5 years.

In TSA's short history, it has had six Senate-confirmed administrators. None has served more than 4 years. The last TSA administrator, Peter Neffenger, served just 2 years.

Stability at the top is critically important as we push TSA to improve its performance and address ongoing challenges.

For example, after recent covert testing carried out by the Department's inspector general revealed alarming weaknesses in checkpoint screening operations, Administrator Neffenger focused TSA's attention on addressing its detection rate failures, improving training, and reducing vulnerabilities associated with commercial aviation screening. At the same time, Administrator Neffenger worked with Congress to increase TSA staffing levels in response to long wait times at security checkpoints during the peak travel season last summer. Under his leadership, TSA successfully reduced wait times that had reached as long as 3 hours at some airplanes, without compromising the effectiveness of security measures. And while confronting those urgent short-term challenges, Administrator Neffenger was also focused on addressing TSA's longer-term challenges related to employee recruitment, retention, and morale.

I regret, as I know my colleague, Mr. KATKO, does, that Administrator Neffenger did not have the opportunity to stay on and continue making progress within the administration. But I think we can all agree that TSA needs steady leadership in order to continue to evolve and fulfill its mission to protect the traveling public.

We can help ensure that TSA will have that stability and sustained focus at the top by passing this bill today.

I thank my colleague from New York, Representative KATKO, for intro-

ducing this bipartisan legislation, and I urge all of our colleagues to give it their full support.

Madam Speaker, I urge support for H.R. 1309. This bill was unanimously approved by the Committee on Homeland Security earlier this month.

Enacting H.R. 1309 will provide TSA with stable, sustained leadership the administration needs to chart a more consistent course and overcome its longstanding challenges.

I would also like to commend my colleague, Mr. KATKO, who has been absolutely dogged in his support of TSA and ensuring that it has the support and the resources that it needs. I thank him for his work on this bill.

Madam Speaker, I yield back the balance of my time.

Mr. KATKO. Madam Speaker, I yield myself the balance of my time.

I want to recognize Congresswoman RICE's comments. I thought they were excellent, and not just because they were nice for me.

Her comments about Admiral Neffenger, in particular, were very poignant because he was doing a great job at TSA and he was only there 2 years. What he did in 2 years really made a big difference in the trajectory of that agency. Much like other Federal agencies that are empowered to do very important things, like the FBI who has a long-term tenure, I think the same thing needs to be done here.

Admiral Neffenger and people like him should be in control of the agency for extended periods of time because then, and only then, can we make the true changes that we are going to need.

Madam Speaker, I yield back the balance of my time.

□ 1600

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. KATKO) that the House suspend the rules and pass the bill, H.R. 1309.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

TRANSPARENCY IN TECHNOLOGICAL ACQUISITIONS ACT OF 2017

Mr. RUTHERFORD. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 1353) to amend the Homeland Security Act of 2002 to require certain additional information to be submitted to Congress regarding the strategic 5-year technology investment plan of the Transportation Security Administration.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1353

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Transparency in Technological Acquisitions Act of 2017".

SEC. 2. INFORMATION REQUIRED TO BE SUBMITTED TO CONGRESS UNDER THE STRATEGIC 5-YEAR TECHNOLOGY INVESTMENT PLAN OF THE TRANSPORTATION SECURITY ADMINISTRATION.

(a) ADDITIONAL INFORMATION REQUIRED.—Section 1611 of the Homeland Security Act of 2002 (6 U.S.C. 563) is amended—

(1) in subsection (g)—

(A) in the matter preceding paragraph (1), by striking "biennially" and inserting "annually";

(B) in paragraph (1), by striking "and";

(C) in paragraph (2), by striking the period and inserting "; and"; and

(D) by adding at the end the following new paragraph:

"(3) information about acquisitions completed during the fiscal year preceding the fiscal year during which the report is submitted."; and

(2) by adding at the end the following new subsections:

"(h) NOTICE OF COVERED CHANGES TO PLAN.—

"(1) NOTICE REQUIRED.—The Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Homeland Security of the House of Representatives notice of any covered change to the Plan by not later than 90 days after the date on which the change is made.

"(2) DEFINITION OF CHANGE.—In this subsection, the term 'covered change' means an increase or decrease in the dollar amount allocated to the procurement of a technology or an increase or decrease in the number of a technology."

(b) REPORT ON EQUIPMENT IN OPERATION POST-LIFE-CYCLE.—Not later than 90 days after the date of the enactment of this Act, the Administrator of the Transportation Security Administration shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Homeland Security of the House of Representatives a report describing any equipment of the Transportation Security Administration that is in operation after—

(1) the end of the life-cycle of the equipment specified by the manufacturer of the equipment; or

(2) the end of the useful life projection for the equipment under the strategic 5-year technology investment plan of the Transportation Security Administration, as required by section 1611 of the Homeland Security Act of 2002 (6 U.S.C. 563).

(c) NOTICE TO AIRPORTS AND AIRLINES.—Upon the enactment of this Act, the Administrator of the Transportation Security Administration shall notify airports and airlines of any changes to the 5-year technology investment plan of the Transportation Security Administration.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. RUTHERFORD) and the gentlewoman from New York (Miss RICE) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

Mr. RUTHERFORD. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days to revise

and extend their remarks and to include any extraneous material in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. RUTHERFORD. Madam Speaker, I yield myself such time as I may consume.

I rise today in strong support of H.R. 1353, the Transparency in Technological Acquisitions Act of 2017. I commend the gentlewoman from New York (Miss RICE) for introducing this very important bill.

Over the course of the last Congress, the Transportation and Protective Security Subcommittee conducted rigorous oversight of TSA's technology and equipment acquisition process, and they found it fraught with waste and inefficiencies. The committee also found that TSA fails to effectively communicate its procurement needs with the private sector.

Our government relies upon private sector innovation to develop security technologies. However, that innovation comes with a price tag, and we cannot reasonably expect the private sector to spend millions of dollars in research and development of new emerging technologies without greater transparency and communication, both with the TSA and the Department of Homeland Security, as to exactly what their future needs and technology investments will be in the future.

This bill will provide greater transparency into TSA's acquisition plan, allowing for industry to better meet emerging needs, and enable better congressional oversight.

I urge my colleagues to support this important piece of legislation.

Mr. Speaker, I reserve the balance of my time.

Miss RICE of New York. Mr. Speaker, I yield myself such time as I may consume. I rise in support of H.R. 1353, the Transparency in Technological Acquisitions Act of 2017.

Mr. Speaker, last Congress, I served as the ranking member of the Transportation and Protective Security Subcommittee, and we held multiple hearings on TSA's acquisition processes.

In the course of conducting oversight and engaging with stakeholders, we learned that deficiencies in TSA's planning for technology investments were causing serious issues for technology companies who produce products to meet the Agency's needs.

Under the Transportation Security Acquisition Reform Act, TSA was required to develop a 5-year technology investment plan. Stakeholders widely supported this strategy and welcomed the release of TSA's first 5-year plan in August of 2015, but that support eroded when the budget request for the same year did not align with the acquisition schedule in the 5-year plan.

The purpose of the plan was to give businesses the time and certainty they need to align their resources and planning to meet TSA's technology needs. Security technology manufacturers looked at the plan and invested significant resources in the technology that TSA planned to acquire, but then they saw the budget request and found that TSA had shifted direction and no longer planned to procure that technology.

That lost investment of time and resources hurts all technology manufacturers, but it can completely destroy small businesses and discourage small-business owners from working with the Federal Government.

My bill, H.R. 1353, will help solve this problem by requiring TSA to report to Congress on their 5-year plan annually instead of biennially, and it will require TSA to notify Congress and all relevant stakeholders of any changes or updates to the plan.

These commonsense steps will help ensure that there is ongoing engagement between TSA and industry stakeholders so that manufacturers of all sizes can continue to meet TSA's technological needs and continue to innovate and address security vulnerabilities.

Mr. Speaker, I urge Members to support this legislation.

I want to thank Subcommittee Ranking Member BONNIE WATSON COLEMAN, Congressman KEATING, and Subcommittee Chairman JOHN KATKO for being original cosponsors of this bipartisan legislation.

H.R. 1353 was unanimously approved by the full Committee on Homeland Security earlier this month. Enacting my bill will ensure that TSA's technology objectives are more closely aligned with the industry's stakeholders that produce technologies to help TSA meet those objectives.

Mr. Speaker, I thank the Chair for his support, and I yield back the balance of my time.

Mr. RUTHERFORD. Mr. Speaker, I first want to congratulate my colleague, Miss RICE, for what I think is a great bill that is going to bring some accountability to TSA.

Once again, I urge my colleagues to support this bill, and I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, as a senior member of the House Committee on Homeland Security I rise in support of H.R. 1353, the "Transparency in Technological Acquisitions Act."

This bipartisan bill requires the Transportation Security Administration (TSA) to provide more frequent and detailed updates on its strategy to invest in security technology.

The five-year investment plan includes information such as:

1. Transportation security risks and gaps that could be addressed by technology

2. Current and expected trends in domestic and international travel

3. Opportunities for public-private partnerships and collaboration with small and disadvantaged companies, other government agencies, university centers of excellence and national laboratories

4. Resources required to protect technology from cyber theft, diversion, sabotage or attack

5. Potential effects on commercial airline passengers.

This bill would require the updates to be submitted annually and to include information on acquisitions made during the previous fiscal year.

Requiring TSA to provide annual updates on the acquisition plan and to notify Congress and industry stakeholders about any changes to the plan which will provide much-needed clarity, certainty, and transparency.

In 2015, TSA screened more than 708 million passengers, which is more than 1.9 million per day.

Of the 2,653 firearms discovered in carry-on bags, 82.8 percent were loaded.

Houston George Bush Intercontinental Airport ranked 3rd among airports with the most firearms discovered in 2015.

This last January, Esteban Santiago shot and killed five people inside Fort Lauderdale airport using a firearm stored in his luggage.

Terrorism and cyberattacks are likely to remain a reality for the transportation industry for the foreseeable future.

It is absolutely critical that we invest in minimizing transportation safety security risks to keep our citizens safe.

I ask my colleagues to join me in supporting H.R. 1353.

The SPEAKER pro tempore (Mr. FITZPATRICK). The question is on the motion offered by the gentleman from Florida (Mr. RUTHERFORD) that the House suspend the rules and pass the bill, H.R. 1353.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. RUTHERFORD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

REDUCING DHS ACQUISITION COST GROWTH ACT

Mr. RUTHERFORD. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1294) to amend the Homeland Security Act of 2002 to provide for congressional notification regarding major acquisition program breaches, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1294

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Reducing DHS Acquisition Cost Growth Act".

SEC. 2. CONGRESSIONAL NOTIFICATION FOR MAJOR ACQUISITION PROGRAMS.

(a) IN GENERAL.—Subtitle D of title VIII of the Homeland Security Act of 2002 (6 U.S.C.

391 et seq.) is further amended by adding at the end the following new section:

“SEC. 836. CONGRESSIONAL NOTIFICATION AND OTHER REQUIREMENTS FOR MAJOR ACQUISITION PROGRAM BREACH.

“(a) REQUIREMENTS WITHIN DEPARTMENT IN EVENT OF BREACH.—

“(1) NOTIFICATIONS.—

“(A) NOTIFICATION OF BREACH.—If a breach occurs in a major acquisition program, the program manager for such program shall notify the Component Acquisition Executive for such program, the head of the component concerned, the Executive Director of the Program Accountability and Risk Management division, the Under Secretary for Management, and the Deputy Secretary not later than 30 calendar days after such breach is identified.

“(B) NOTIFICATION TO SECRETARY.—If a breach occurs in a major acquisition program and such breach results in a cost overrun greater than 15 percent, a schedule delay greater than 180 days, or a failure to meet any of the performance thresholds from the cost, schedule, or performance parameters specified in the most recently approved acquisition program baseline for such program, the Component Acquisition Executive for such program shall notify the Secretary and the Inspector General of the Department not later than five business days after the Component Acquisition Executive for such program, the head of the component concerned, the Executive Director of the Program Accountability and Risk Management Division, the Under Secretary for Management, and the Deputy Secretary are notified of the breach pursuant to subparagraph (A).

“(2) REMEDIATION PLAN AND ROOT CAUSE ANALYSIS.—

“(A) IN GENERAL.—If a breach occurs in a major acquisition program, the program manager for such program shall submit to the head of the component concerned, the Executive Director of the Program Accountability and Risk Management division, and the Under Secretary for Management in writing a remediation plan and root cause analysis relating to such breach and program. Such plan and analysis shall be submitted at a date established at the discretion of the Under Secretary for Management.

“(B) REMEDIATION PLAN.—The remediation plan required under this subparagraph (A) shall—

“(i) explain the circumstances of the breach at issue;

“(ii) provide prior cost estimating information;

“(iii) include a root cause analysis that determines the underlying cause or causes of shortcomings in cost, schedule, or performance of the major acquisition program with respect to which such breach has occurred, including the role, if any, of—

“(I) unrealistic performance expectations;

“(II) unrealistic baseline estimates for cost or schedule or changes in program requirements;

“(III) immature technologies or excessive manufacturing or integration risk;

“(IV) unanticipated design, engineering, manufacturing, or technology integration issues arising during program performance;

“(V) changes to the scope of such program;

“(VI) inadequate program funding or changes in planned out-year funding from one 5-year funding plan to the next 5-year funding plan as outlined in the Future Years Homeland Security Program required under section 874;

“(VII) legislative, legal, or regulatory changes; or

“(VIII) inadequate program management personnel, including lack of sufficient number of staff, training, credentials, certifications, or use of best practices;

“(iv) propose corrective action to address cost growth, schedule delays, or performance issues;

“(v) explain the rationale for why a proposed corrective action is recommended; and

“(vi) in coordination with the Component Acquisition Executive for such program, discuss all options considered, including the estimated impact on cost, schedule, or performance of such program if no changes are made to current requirements, the estimated cost of such program if requirements are modified, and the extent to which funding from other programs will need to be reduced to cover the cost growth of such program.

“(3) REVIEW OF CORRECTIVE ACTIONS.—

“(A) IN GENERAL.—The Under Secretary for Management shall review the remediation plan required under paragraph (2). The Under Secretary may approve such plan or provide an alternative proposed corrective action within 30 days of the submission of such plan under such paragraph.

“(B) SUBMISSION TO CONGRESS.—Not later than 30 days after the review required under subparagraph (A) is completed, the Under Secretary for Management shall submit to the congressional homeland security committees the following:

“(i) A copy of the remediation plan and the root cause analysis required under paragraph (2).

“(ii) A statement describing the corrective action or actions that have occurred pursuant to paragraph (2)(b)(iv) for the major acquisition program at issue, with a justification for such action or actions.

“(b) REQUIREMENTS RELATING TO CONGRESSIONAL NOTIFICATION IF BREACH OCCURS.—

“(1) NOTIFICATION TO CONGRESS.—If a notification to the Secretary is made under subsection (a)(1)(B) relating to a breach in a major acquisition program, the Under Secretary for Management shall notify the congressional homeland security committees of such breach in the next quarterly Comprehensive Acquisition Status Report, as required by title I of division D of the Consolidated Appropriations Act, 2016, (Public Law 114-113) following receipt by the Under Secretary of notification under such subsection.

“(2) SIGNIFICANT VARIANCES IN COSTS OR SCHEDULE.—If a likely cost overrun is greater than 20 percent or a likely delay is greater than 12 months from the costs and schedule specified in the acquisition program baseline for a major acquisition program, the Under Secretary for Management shall include in the notification required in paragraph (1) a written certification, with supporting explanation, that—

“(A) such program is essential to the accomplishment of the Department's mission;

“(B) there are no alternatives to the capability or asset provided by such program that will provide equal or greater capability in both a more cost-effective and timely manner;

“(C) the new acquisition schedule and estimates for total acquisition cost are reasonable; and

“(D) the management structure for such program is adequate to manage and control cost, schedule, and performance.

“(c) DEFINITIONS.—In this section:

“(1) ACQUISITION.—The term ‘acquisition’ has the meaning given such term in section 131 of title 41, United States Code.

“(2) ACQUISITION PROGRAM.—The term ‘acquisition program’ means the process by

which the Department acquires, with any appropriated amounts, by contract for purchase or lease, property or services (including construction) that support the missions and goals of the Department.

“(3) ACQUISITION PROGRAM BASELINE.—The term ‘acquisition program baseline’, with respect to an acquisition program, means a summary of the cost, schedule, and performance parameters, expressed in standard, measurable, quantitative terms, which must be met in order to accomplish the goals of such program.

“(4) BEST PRACTICES.—The term ‘best practices’, with respect to acquisition, means a knowledge-based approach to capability development that includes—

“(A) identifying and validating needs;

“(B) assessing alternatives to select the most appropriate solution;

“(C) clearly establishing well-defined requirements;

“(D) developing realistic cost assessments and schedules;

“(E) securing stable funding that matches resources to requirements;

“(F) demonstrating technology, design, and manufacturing maturity;

“(G) using milestones and exit criteria or specific accomplishments that demonstrate progress;

“(H) adopting and executing standardized processes with known success across programs;

“(I) establishing an adequate workforce that is qualified and sufficient to perform necessary functions; and

“(J) integrating the capabilities described in subparagraphs (A) through (I) into the Department's mission and business operations.

“(5) BREACH.—The term ‘breach’, with respect to a major acquisition program, means a failure to meet any cost, schedule, or performance threshold specified in the most recently approved acquisition program baseline.

“(6) CONGRESSIONAL HOMELAND SECURITY COMMITTEES.—The term ‘congressional homeland security committees’ means—

“(A) the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate; and

“(B) the Committee on Appropriations of the House of Representatives and of the Senate.

“(7) COMPONENT ACQUISITION EXECUTIVE.—The term ‘Component Acquisition Executive’ means the senior acquisition official within a component who is designated in writing by the Under Secretary for Management, in consultation with the component head, with authority and responsibility for leading a process and staff to provide acquisition and program management oversight, policy, and guidance to ensure that statutory, regulatory, and higher level policy requirements are fulfilled, including compliance with Federal law, the Federal Acquisition Regulation, and Department acquisition management directives established by the Under Secretary for Management.

“(8) MAJOR ACQUISITION PROGRAM.—The term ‘major acquisition program’ means a Department acquisition program that is estimated by the Secretary to require an eventual total expenditure of at least \$300,000,000 (based on fiscal year 2017 constant dollars) over its life cycle cost.”.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 835 the following new item:

“Sec. 836. Congressional notification and other requirements for major acquisition program breach.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. RUTHERFORD) and the gentlewoman from New York (Miss RICE) each will control 20 minutes.

GENERAL LEAVE

Mr. RUTHERFORD. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include extraneous materials in the RECORD on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. RUTHERFORD. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 1294, the Reducing DHS Acquisition Cost Growth Act.

The Department of Homeland Security, DHS, spends over \$7 billion, annually, on major acquisition programs. These programs secure our borders, protect our shores, safeguard our airports, and defend our cyber networks, among other critical missions. Unfortunately, the Government Accountability Office has reported that DHS acquisition management is on its high-risk list, since 2003, of areas most susceptible to waste, fraud, abuse, and mismanagement. Recent watchdog reports have revealed alarming findings regarding DHS' acquisition efforts.

For example, in just 2016 alone, 8 out of 25 major acquisition programs experienced cost growth, schedule slips, or both. These program cost estimates increased by \$1.7 billion, and their schedules slipped by an average of 11 months. Given the enormous threats that are facing our homeland, it is unacceptable to make our frontline operators wait for the tools that they need to secure the homeland.

My bill will require much-needed oversight of DHS' acquisition programs to safeguard tax dollars and hold program managers accountable. When programs incur significant cost, schedule, or requirement problems, my bill requires that DHS leadership be informed. These programs will be required to put a remediation plan in place that corrects the problem and also analyzes the root causes of why the problems occurred in the first place.

The Homeland Security Committee in Congress must also be informed of such significant problems. No longer will the people's representatives in Congress be kept in the dark. These requirements are similar to those used in the Department of Defense and will help DHS better safeguard tax dollars and more effectively secure our homeland.

Mr. Speaker, I urge all Members to join me in supporting this bill, and I reserve the balance of my time.

Miss RICE of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 1294, the Reducing DHS Acquisition Cost Growth Act. Since the Department began its operations in 2002, it has spent tens of billions of dollars to procure goods, services, and supplies in support of DHS' national security efforts. The agency's major acquisitions investments, those that cost at least \$300 million, represent a significant portion of such purchasing.

The Department has worked to improve its acquisition programs in recent years, but DHS still struggles when it comes to major acquisitions. Take, for example, the SBInet—a southwest border infrastructure project—that ballooned in cost to about \$1 billion before it was canceled in 2011, after GAO found that it was ineffective.

More recently, there is the case of the Electronic Immigration System, an automated immigration benefits processing system. According to the Department's inspector general, this U.S. citizenship immigration services program is now on course to be completed 4 years later than originally estimated and at a cost of \$1 billion more than estimated.

The importance and complexity of DHS' mission demands effective oversight of the Department's investments, particularly its major acquisitions. H.R. 1294 seeks to ensure greater congressional oversight of such acquisition programs by requiring the Department to report to Congress when cost, schedule, and performance requirements are not met. Additionally, when such requirements are not met, this bill requires DHS to provide Congress with an analysis explaining the root cause of the failures as well as a remediation plan to mitigate the problems.

The Committee on Homeland Security unanimously approved this measure earlier this month, and similar language was approved by the House in October 2015 as a part of comprehensive DHS acquisition legislation.

I commend my colleague from Florida for his work on this bill.

Mr. Speaker, effective oversight of the Department's acquisitions programs is essential to ensuring optimal program performance. Given DHS' limited budgetary resources and the gravity of its mission, it is critically important that DHS get its major acquisitions right. Enacting this legislation would require a greater level of accountability from DHS and give Congress a greater level of oversight to intercede before programs go off the rails.

Mr. Speaker, I urge support of H.R. 1294, and I yield back the balance of my time.

Mr. RUTHERFORD. Mr. Speaker, once again, I just urge my colleagues to support H.R. 1294.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. EMMER). The question is on the motion offered by the gentleman from Florida (Mr. RUTHERFORD) that the House suspend the rules and pass the bill, H.R. 1294.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

Mr. RUTHERFORD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

□ 1615

QUADRENNIAL HOMELAND SECURITY REVIEW TECHNICAL CORRECTIONS ACT OF 2017

Mr. RUTHERFORD. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1297) to amend the Homeland Security Act of 2002 to make technical corrections to the requirement that the Secretary of Homeland Security submit quadrennial homeland security reviews, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1297

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Quadrennial Homeland Security Review Technical Corrections Act of 2017”.

SEC. 2. TECHNICAL CORRECTIONS TO QUADRENNIAL HOMELAND SECURITY REVIEW.

(a) IN GENERAL.—Section 707 of the Homeland Security Act of 2002 (6 U.S.C. 347) is amended—

(1) in subsection (a)(3)—

(A) in subparagraph (B), by striking “and” after the semicolon at the end;

(B) by redesignating subparagraph (C) as subparagraph (D); and

(C) by inserting after subparagraph (B) the following new subparagraph:

“(C) representatives from appropriate advisory committees established pursuant to section 871, including the Homeland Security Advisory Council and the Homeland Security Science and Technology Advisory Committee, or otherwise established, including the Aviation Security Advisory Committee established pursuant to section 44946 of title 49, United States Code; and”;

(2) in subsection (b)—

(A) in paragraph (2), by inserting before the semicolon at the end the following: “based on the risk assessment required pursuant to subsection (c)(2)(B)”;

(B) in paragraph (3)—

(i) by inserting “, to the extent practicable,” after “describe”; and

(ii) by striking “budget plan” and inserting “resources required”;

(C) in paragraph (4)—

(i) by inserting “, to the extent practicable,” after “identify”;

(ii) by striking “budget plan required to provide sufficient resources to successfully” and inserting “resources required to”; and

(iii) by striking the semicolon at the end and inserting the following: “, including any resources identified from redundant, wasteful, or unnecessary capabilities or capacities that may be redirected to better support other existing capabilities or capacities, as the case may be; and”;

(D) in paragraph (5), by striking “; and” and inserting a period; and

(E) by striking paragraph (6);

(3) in subsection (c)—

(A) in paragraph (1), by striking “December 31 of the year” and inserting “60 days after the date of the submission of the President’s budget for the fiscal year after the fiscal year”;

(B) in paragraph (2)—

(i) in subparagraph (B), by striking “description of the threats to” and inserting “risk assessment of”;

(ii) in subparagraph (C), by inserting “, as required under subsection (b)(2)” before the semicolon at the end;

(iii) in subparagraph (D)—

(I) by inserting “to the extent practicable,” before “a description”; and

(II) by striking “budget plan” and inserting “resources required”;

(iv) in subparagraph (F)—

(I) by inserting “to the extent practicable,” before “a discussion”; and

(II) by striking “the status of”;

(v) in subparagraph (G)—

(I) by inserting “to the extent practicable,” before “a discussion”;

(II) by striking “the status of”;

(III) by inserting “and risks” before “to national homeland”; and

(IV) by inserting “and” after the semicolon at the end;

(vi) by striking subparagraph (H); and

(vii) by redesignating subparagraph (I) as subparagraph (H);

(C) by redesignating paragraph (3) as paragraph (4); and

(D) by inserting after paragraph (2) the following new paragraph:

“(3) DOCUMENTATION.—The Secretary shall retain and, upon request, provide to Congress the following documentation regarding each quadrennial homeland security review:

“(A) Records regarding the consultation carried out the pursuant to subsection (a)(3), including—

“(i) all written communications, including communications sent out by the Secretary and feedback submitted to the Secretary through technology, online communications tools, in-person discussions, and the inter-agency process; and

“(ii) information on how feedback received by the Secretary informed each such quadrennial homeland security review.

“(B) Information regarding the risk assessment required under subsection (c)(2)(B), including—

“(i) the risk model utilized to generate such risk assessment;

“(ii) information, including data used in the risk model, utilized to generate such risk assessment;

“(iii) sources of information, including other risk assessments, utilized to generate such risk assessment; and

“(iv) information on assumptions, weighing factors, and subjective judgments utilized to generate such risk assessment, together with information on the rationale or basis thereof.”;

(4) by redesignating subsection (d) as subsection (e); and

(5) by inserting after subsection (c) the following new subsection:

“(d) REVIEW.—Not later than 90 days after the submission of each report required under subsection (c)(1), the Secretary shall provide to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate information on the degree to which the findings and recommendations developed in the quadrennial homeland security review that is the subject of such report were integrated into the acquisition strategy and expenditure plans for the Department.”.

(b) EFFECTIVE DATE.—The amendments made by this Act shall apply with respect to a quadrennial homeland security review conducted after December 31, 2021.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. RUTHERFORD) and the gentlewoman from New Jersey (Mrs. WATSON COLEMAN) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

Mr. RUTHERFORD. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include any extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. RUTHERFORD. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 1297, the Quadrennial Homeland Security Review Technical Corrections Act of 2017.

Congress mandated through the Implementing Recommendations of the 9/11 Commission Act of 2007 that the Department of Homeland Security conduct a quadrennial Homeland Security review every 4 years. This review is intended to outline DHS’ vision and strategy to effectively implement its mission to protect the homeland. Given the threats that we face from terrorists, it is vital that DHS has a sound strategy to help keep the American public safe.

Last year, the Government Accountability Office reported on opportunities for DHS to improve the QHSR process, and the GAO made four recommendations for executive action. This legislation leverages GAO’s findings to enhance the QHSR and make it better.

Specifically, this legislation requires DHS to conduct a risk assessment to better inform the QHSR, and the bill also mandates that the DHS maintain a paper trail of communications related to the QHSR. This should allow Congress and watchdogs to conduct more effective oversight of DHS.

Mr. Speaker, I thank the gentlewoman from New Jersey for intro-

ducing this legislation, and I urge all Members to join me in supporting this commonsense legislation.

I reserve the balance of my time.

Mrs. WATSON COLEMAN. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 1297.

The Department of Homeland Security’s mission is complex and diverse. Not only is DHS charged with preventing terrorism, but it is the lead Federal agency for immigration enforcement, emergency management, cybersecurity, and border, maritime, and transportation security.

Given the breadth of DHS’ responsibilities, it is essential that its limited resources be aligned with its mission to meet the ever-changing threat landscape. As such, the Quadrennial Homeland Security Review, which DHS undertakes every 4 years, is a critical tool to ensure that the Department is positioned to effectively carry out its multifaceted mission.

To date, DHS has issued two such reviews and is expected to release its third such review in 2018. My legislation seeks to make refinements to the law to address weaknesses identified by the Government Accountability Office in the prior reviews.

Specifically, my bill seeks to ensure more robust consultation with Homeland Security stakeholders, including State and local governments and academic institutions.

It also seeks to ensure that DHS undertakes and documents our risk analysis to inform its policy positions. GAO emphasized that documentation of the review process, including the risk analysis, is essential to ensuring the repeatability of the review process.

Last Congress, this House unanimously approved this measure in July 2016; however, the Senate did not act on the bill. Last week the Committee on Homeland Security, on a bipartisan basis, voted to favorably report this measure to the House.

My legislation is intended to ensure that the Quadrennial Homeland Security Review is a driving vision for the Department of Homeland Security. By enacting this legislation, Congress can guard against it becoming a paperwork exercise that fails to influence the Department’s policies, programs, and priorities.

Given the criticalness of the DHS mission and the increasingly scarce availability of resources, it is essential that DHS produce a risk-informed review that takes into account the diverse views of its Homeland Security partners.

Mr. Speaker, I urge the passage of H.R. 1297, and I yield back the balance of my time.

Mr. RUTHERFORD. Mr. Speaker, I want to congratulate Mrs. WATSON COLEMAN on a very commonsensical bill here that is really going to help

protect tax dollars and help keep our country safe.

Mr. Speaker, I once again urge all my colleagues to support H.R. 1297, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. RUTHERFORD) that the House suspend the rules and pass the bill, H.R. 1297.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. RUTHERFORD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

DHS MULTIYEAR ACQUISITION STRATEGY ACT OF 2017

Mr. FITZPATRICK. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1249) to amend the Homeland Security Act of 2002 to require a multiyear acquisition strategy of the Department of Homeland Security, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1249

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “DHS Multiyear Acquisition Strategy Act of 2017”.

SEC. 2. MULTIYEAR ACQUISITION STRATEGY.

(a) IN GENERAL.—Subtitle D of title VIII of the Homeland Security Act of 2002 (6 U.S.C. 391 et seq.) is amended by adding at the end the following new section:

“SEC. 836. MULTIYEAR ACQUISITION STRATEGY.

“(a) MULTIYEAR ACQUISITION STRATEGY REQUIRED.—

“(1) IN GENERAL.—Not later than one year after the date of the enactment of this section, the Secretary shall submit to the appropriate congressional committees and the Comptroller General of the United States a multiyear acquisition strategy to guide the overall direction of the acquisitions of the Department while allowing flexibility to deal with ever-changing threats and risks, and to help industry better understand, plan, and align resources to meet the future acquisition needs of the Department. Such strategy shall be updated and included in each Future Years Homeland Security Program required under section 874.

“(2) FORM.—The strategy required under paragraph (1) shall be submitted in unclassified form but may include a classified annex for any sensitive or classified information if necessary. The Secretary shall publish such strategy in an unclassified format that is publicly available.

“(b) CONSULTATION.—In developing the strategy required under subsection (a), the Secretary shall, as the Secretary determines appropriate, consult with headquarters, components, employees in the field, and individuals from industry and the academic community.

“(c) CONTENTS OF STRATEGY.—The strategy shall include the following:

“(1) PRIORITIZED LIST.—A systematic and integrated prioritized list developed by the Under Secretary for Management in coordination with all of the Component Acquisition Executives of Department major acquisition programs that Department and component acquisition investments seek to address, including the expected security and economic benefit of the program or system that is the subject of acquisition and an analysis of how the security and economic benefit derived from such program or system will be measured.

“(2) INVENTORY.—A plan to develop a reliable Department-wide inventory of investments and real property assets to help the Department—

“(A) plan, budget, schedule, and acquire upgrades of its systems and equipment; and

“(B) plan for the acquisition and management of future systems and equipment.

“(3) FUNDING GAPS.—A plan to address funding gaps between funding requirements for major acquisition programs and known available resources, including, to the maximum extent practicable, ways of leveraging best practices to identify and eliminate overpayment for items to—

“(A) prevent wasteful purchasing;

“(B) achieve the greatest level of efficiency and cost savings by rationalizing purchases;

“(C) align pricing for similar items; and

“(D) utilize purchase timing and economies of scale.

“(4) IDENTIFICATION OF CAPABILITIES.—An identification of test, evaluation, modeling, and simulation capabilities that will be required to—

“(A) support the acquisition of technologies to meet the needs of such strategy;

“(B) leverage to the greatest extent possible emerging technological trends and research and development trends within the public and private sectors; and

“(C) identify ways to ensure that appropriate technology is acquired and integrated into the Department's operating doctrine to improve mission performance.

“(5) FOCUS ON FLEXIBLE SOLUTIONS.—An assessment of ways the Department can improve its ability to test and acquire innovative solutions to allow needed incentives and protections for appropriate risk-taking in order to meet its acquisition needs with resiliency, agility, and responsiveness to assure homeland security and facilitate trade.

“(6) FOCUS ON INCENTIVES TO SAVE TAXPAYER DOLLARS.—An assessment of ways the Department can develop incentives for program managers and senior Department acquisition officials to—

“(A) prevent cost overruns;

“(B) avoid schedule delays; and

“(C) achieve cost savings in major acquisition programs.

“(7) FOCUS ON ADDRESSING DELAYS AND BID PROTESTS.—An assessment of ways the Department can improve the acquisition process to minimize cost overruns in—

“(A) requirements development;

“(B) procurement announcements;

“(C) requests for proposals;

“(D) evaluation of proposals;

“(E) protests of decisions and awards; and

“(F) the use of best practices.

“(8) FOCUS ON IMPROVING OUTREACH.—An identification and assessment of ways to increase opportunities for communication and collaboration with industry, small and disadvantaged businesses, intra-government entities, university centers of excellence, accredited certification and standards development organizations, and national laboratories to ensure that the Department under-

stands the market for technologies, products, and innovation that is available to meet its mission needs and to inform the Department's requirements-setting process before engaging in an acquisition, including—

“(A) methods designed especially to engage small and disadvantaged businesses, a cost-benefit analysis of the tradeoffs that small and disadvantaged businesses provide, information relating to barriers to entry for small and disadvantaged businesses, and information relating to unique requirements for small and disadvantaged businesses; and

“(B) within the Department Vendor Communication Plan and Market Research Guide, instructions for interaction by acquisition program managers with such entities to—

“(i) prevent misinterpretation of acquisition regulations; and

“(ii) permit, within legal and ethical boundaries, interacting with such entities with transparency.

“(9) COMPETITION.—A plan regarding competition under subsection (d).

“(10) ACQUISITION WORKFORCE.—A plan regarding the Department acquisition workforce under subsection (e).

“(d) COMPETITION PLAN.—The strategy required under subsection (a) shall also include a plan to address actions to ensure competition, or the option of competition, for major acquisition programs. Such plan may include assessments of the following measures in appropriate cases if such measures are cost effective:

“(1) Competitive prototyping.

“(2) Dual-sourcing.

“(3) Unbundling of contracts.

“(4) Funding of next-generation prototype systems or subsystems.

“(5) Use of modular, open architectures to enable competition for upgrades.

“(6) Acquisition of complete technical data packages.

“(7) Periodic competitions for subsystem upgrades.

“(8) Licensing of additional suppliers, including small businesses.

“(9) Periodic system or program reviews to address long-term competitive effects of program decisions.

“(e) ACQUISITION WORKFORCE PLAN.—

“(1) ACQUISITION WORKFORCE.—The strategy required under subsection (a) shall also include a plan to address Department acquisition workforce accountability and talent management that identifies the acquisition workforce needs of each component performing acquisition functions and develops options for filling such needs with qualified individuals, including a cost-benefit analysis of contracting for acquisition assistance.

“(2) ADDITIONAL MATTERS COVERED.—The acquisition workforce plan under this subsection shall address ways to—

“(A) improve the recruitment, hiring, training, and retention of Department acquisition workforce personnel, including contracting officer's representatives, in order to retain highly qualified individuals who have experience in the acquisition life cycle, complex procurements, and management of large programs;

“(B) empower program managers to have the authority to manage their programs in an accountable and transparent manner as such managers work with the acquisition workforce;

“(C) prevent duplication within Department acquisition workforce training and certification requirements through leveraging already-existing training within the Federal Government, academic community, or private industry;

“(D) achieve integration and consistency with Government-wide training and accreditation standards, acquisition training tools, and training facilities;

“(E) designate the acquisition positions that will be necessary to support the Department acquisition requirements, including in the fields of—

- “(i) program management;
- “(ii) systems engineering;
- “(iii) procurement, including contracting;
- “(iv) test and evaluation;
- “(v) life cycle logistics;
- “(vi) cost estimating and program financial management; and
- “(vii) additional disciplines appropriate to Department mission needs;

“(F) strengthen the performance of contracting officers’ representatives (as defined in subpart 1.602-2 and subpart 2.101 of the Federal Acquisition Regulation), including by—

“(i) assessing the extent to which such representatives are certified and receive training that is appropriate;

“(ii) assessing what training is most effective with respect to the type and complexity of assignment; and

“(iii) implementing actions to improve training based on such assessments; and

“(G) identify ways to increase training for relevant investigators and auditors of the Department to examine fraud in major acquisition programs, including identifying opportunities to leverage existing Government and private sector resources in coordination with the Inspector General of the Department.

“(f) DEFINITIONS.—In this section:

“(1) ACQUISITION.—The term ‘acquisition’ has the meaning given such term in section 131 of title 41, United States Code.

“(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ‘appropriate congressional committees’ means—

“(A) the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate; and

“(B) the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate.

“(3) BEST PRACTICES.—The term ‘best practices’, with respect to acquisition, means—

“(A) a knowledge-based approach to capability development that includes identifying and validating needs;

“(B) assessing alternatives to select the most appropriate solution;

“(C) clearly establishing well-defined requirements;

“(D) developing realistic cost assessments and schedules;

“(E) securing stable funding that matches resources to requirements;

“(F) demonstrating technology, design, and manufacturing maturity;

“(G) using milestones and exit criteria or specific accomplishments that demonstrate progress;

“(H) adopting and executing standardized processes with known success across programs;

“(I) establishing an adequate workforce that is qualified and sufficient to perform necessary functions; and

“(J) integrating into the mission and business operations of the Department of Homeland Security the capabilities described in subparagraphs (A) through (I).

“(4) COMPONENT ACQUISITION EXECUTIVE.—The term ‘Component Acquisition Executive’ means the senior acquisition official within a component who is designated in writing by

the Under Secretary for Management, in consultation with the component head, with authority and responsibility for leading a process and staff to provide acquisition and program management oversight, policy, and guidance to ensure that statutory, regulatory, and higher level policy requirements are fulfilled, including compliance with Federal law, the Federal Acquisition Regulation, and Department acquisition management directives established by the Under Secretary for Management.

“(5) MAJOR ACQUISITION PROGRAM.—The term ‘major acquisition program’ means a Department acquisition program that is estimated by the Secretary to require an eventual total expenditure of at least \$300,000,000 (based on fiscal year 2017 constant dollars) over its life cycle cost.”

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 835 the following new item:

“Sec. 836. Multiyear acquisition strategy.”

SEC. 3. GOVERNMENT ACCOUNTABILITY OFFICE REVIEW OF MULTIYEAR ACQUISITION STRATEGY.

(a) REVIEW.—After submission of the first multiyear acquisition strategy in accordance with section 836 of the Homeland Security Act of 2002 (as added by section 2 of this Act) after the date of the enactment of this Act, the Comptroller General of the United States shall conduct a review of such plan within 180 days to analyze the viability of such plan’s effectiveness in the following:

(1) Complying with the requirements of such section 836.

(2) Establishing clear connections between Department of Homeland Security objectives and acquisition (as such term is defined in such section) priorities.

(3) Demonstrating that Department acquisition policy reflects program management best practices (as such term is defined in such section) and standards.

(4) Ensuring competition or the option of competition for major acquisition programs (as such term is defined in such section).

(5) Considering potential cost savings through using already-existing technologies when developing acquisition program requirements.

(6) Preventing duplication within Department acquisition workforce training requirements through leveraging already-existing training within the Federal Government, academic community, or private industry.

(7) Providing incentives for acquisition program managers to reduce acquisition and procurement costs through the use of best practices and disciplined program management.

(b) REPORT.—The Comptroller General of the United States shall submit to the Committee on Homeland Security and the Committee on Appropriations of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report on the review conducted under this section. Such report shall be submitted in unclassified form but may include a classified annex.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. FITZPATRICK) and the gentlewoman from New Jersey (Mrs. WATSON COLEMAN) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. FITZPATRICK. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include any extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FITZPATRICK. Mr. Speaker, I yield myself as much time as I may consume.

I rise today in strong support of H.R. 1249, the DHS Multiyear Acquisition Strategy Act of 2017.

The Department of Homeland Security spends billions of taxpayer dollars annually on a variety of systems to secure our borders, protect our aviation system, safeguard our shores, and shield our cyberspace, among other critical missions. Unfortunately, watchdogs at the Government Accountability Office and the DHS Office of Inspector General have found longstanding problems with how DHS has managed these programs. DHS continues to be on GAO’s high-risk list for acquisition management, meaning these programs are susceptible to fraud, waste, abuse, and mismanagement.

In addition, the Department has failed to have a strategic vision for its major purposes. The result has been wasted effort and taxpayer money gone, with little to show for it. Look at the TSA puffer machines from a few years ago as a past example.

Without a comprehensive strategy, industry also does not have the needed information to best support DHS in making smart investments in executing its mission.

My bill will require DHS to establish this much-needed strategy to ensure taxpayer dollars are safeguarded and frontline operators receive the tools they need to successfully protect Americans.

My bill will also ensure that DHS works collaboratively with the private sector to fully leverage their innovative solutions. As a former FBI agent, I know how important it is to get critical tools out to the field to help agents and officers secure our Nation.

I urge all Members to join me in supporting this bill, and I reserve the balance of my time.

Mrs. WATSON COLEMAN. Mr. Speaker, I rise in support of H.R. 1249, the DHS Multiyear Acquisition Strategy Act of 2017, and I yield myself such time as I may consume.

Safeguarding our country and the American people is the Department of Homeland Security’s most solemn responsibility.

Today, Homeland Security threats are multidimensional and changing at an unprecedented pace. As such, it is critical that DHS’ acquisition programs be targeted to meet the demands

of an ever-evolving threat environment. To ensure long-term strategic planning, H.R. 1249 directs DHS to develop a multiyear acquisition strategy as is currently required at the Transportation Security Administration.

The bill is intended to foster a more strategic approach to how DHS executes and manages procurement. Specifically, it directs DHS, in consultation with industry stakeholders and academia, to develop a prioritized list of major acquisitions together with information on the expected security and economic benefits of these programs.

To guard against wasteful spending on redundant programs, it also directs DHS to work towards developing a DHS-wide inventory of investments and real property. Once DHS has such an inventory, I believe it will find areas for greater efficiency and be able to redirect limited Homeland Security resources to vital programs.

One of the critical features of the strategy is the requirement that DHS have a plan to address funding gaps that may exist in major acquisition programs.

Given that the Trump administration's 2018 budget prioritizes funding the border wall that the President promised during the campaign and amplifying immigration enforcement, there is a real concern that important programs that are desperately needed within DHS will get short shrift.

H.R. 1249 was approved unanimously by the Committee on Homeland Security earlier this month, and similar legislation was approved by a voice vote by the House in October of 2015.

Mr. Speaker, the establishment of the Department-wide acquisition strategy, as H.R. 1249 requires, has the potential of helping the Department achieve economies of scale that result in cost savings and better use of limited Homeland Security resources.

I am particularly pleased that the legislation directs the Department to assess ways it can better test and acquire innovative technologies. Some of the most vexing Homeland Security challenges can only be fully addressed when DHS partners with innovators, particularly small businesses.

I want to congratulate the gentleman, my colleague from Pennsylvania.

Mr. Speaker, I would urge the support of H.R. 1249, and I yield back the balance of my time.

Mr. FITZPATRICK. Mr. Speaker, I once again urge my colleagues to support H.R. 1249, and I want to thank my colleague from New Jersey (Mrs. WATSON COLEMAN) for her bipartisan leadership on a bill that will surely help keep our country safe.

Mr. Speaker, I yield back the balance of my time.

Mr. MCCAUL. Mr. Speaker, I rise in strong support of H.R. 1249, the DHS Multiyear Acquisition Strategy Act of 2017. I thank Rep-

resentative FITZPATRICK for his leadership in championing this important legislation. I also want to commend the other Committee Members, especially the freshmen, on their key bipartisan legislation being considered today.

We are in dangerous times and our homeland faces significant threats. The tools we provide our frontline personnel securing our borders, protecting our airports, and defending our cyber networks need to be delivered on time and properly designed to meet their needs.

Far too often, DHS has mismanaged major acquisition programs and the result has been systems that are late, do less, and cost more to the taxpayer. Representative FITZPATRICK's bill, along with Representatives RUTHERFORD and HIGGINS' bills, is critical in ensuring that DHS better manages these vital acquisition programs. These bills put important safeguards into place to guard against waste, fraud, abuse, and mismanagement.

As we move forward with our Committee's work to reauthorize DHS for the first time ever, we will continue our focus on draining the waste from the Department to ensure our homeland is secured efficiently and effectively. I urge my colleagues to support H.R. 1249.

Ms. JACKSON LEE. Mr. Speaker, as a senior member of the House Committee on Homeland Security I rise in support of H.R. 1249, the "DHS Multiyear Acquisition Strategy Act of 2017", which requires the Department of Homeland Security to develop a multiyear acquisition strategy.

H.R. 1249 seeks to streamline the Department of Homeland Security's acquisition process to promote strategic investment as well as cost savings for taxpayers.

DHS would be required to provide Congress with the new strategy which needs to include:

1. A prioritized list of major acquisition programs
2. An inventory of investments and real estate assets
3. A plan to address funding gaps, prevent wasteful purchases, achieve efficiency, align prices for similar items, and use purchase timing and economies of scale
4. An identification of tests to support the acquisition of technology, leverage emerging trends and incorporate technology into DHS's operating doctrine
5. An assessment of how DHS could encourage appropriate risk-taking and minimize cost overruns, including when the department identifies needs, Develops cost assessments, Secures funding, Demonstrates technology maturity, and establishes its workforce
6. An assessment to improve collaboration with industry, small and disadvantaged businesses, intra-government offices, university centers of excellence, certification organizations, and national laboratories

Although the DHS has taken measures to improve acquisition management, DHS programs still cost taxpayers over \$7 billion per year.

In its 2017 list of "high-risk" areas, GAO reported DHS needed to improve the affordability of its major acquisition programs and address staffing shortfalls.

DHS acquisition programs may continue to be at high risk for waste, fraud, and abuse.

This bill will assist oversight committees in better preparing men and women on the

frontlines securing our borders, protecting our airports, and defending our shores by making sure we know what works and what is needed before taxpayer dollars are spent.

Efficient use of resources within the Department of Homeland Security is crucial to the safety of all Texans, and all Americans especially in regards to border security.

The Texas-Mexico border makes up 1,254 miles of the 1,900-mile-long U.S.-Mexico border.

The more money wasted on unnecessary overhead costs, the less resources the Department has to fulfill its key mission of protecting our border and our homeland.

By passing this bipartisan measure, we can ensure that the DHS operates in a more efficient manner and can better stay ahead of threats to our country.

I ask my colleagues to join me in supporting H.R. 1249.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. FITZPATRICK) that the House suspend the rules and pass the bill, H.R. 1249, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

Mr. FITZPATRICK. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

□ 1630

DHS ACQUISITION AUTHORITIES ACT OF 2017

Mr. HIGGINS of Louisiana. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1252) to amend the Homeland Security Act of 2002 to provide for certain acquisition authorities for the Under Secretary of Management of the Department of Homeland Security, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1252

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "DHS Acquisition Authorities Act of 2017".

SEC. 2. ACQUISITION AUTHORITIES FOR UNDER SECRETARY FOR MANAGEMENT OF THE DEPARTMENT OF HOMELAND SECURITY.

Section 701 of the Homeland Security Act of 2002 (6 U.S.C. 341) is amended by—

(1) redesignating subsections (d) and (e) as subsections (e) and (f); and

(2) inserting after subsection (c) the following new subsection:

“(d) ACQUISITION AND RELATED RESPONSIBILITIES.—

“(1) IN GENERAL.—Notwithstanding section 1702(b) of title 41, United States Code, the Under Secretary for Management is the

Chief Acquisition Officer of the Department. As Chief Acquisition Officer, the Under Secretary shall have the authorities and perform the functions specified in section 1702(b) of such title, and perform all other functions and responsibilities delegated by the Secretary or described in this subsection.

“(2) FUNCTIONS AND RESPONSIBILITIES.—In addition to the authorities and functions specified in section 1702(b) of title 41, United States Code, the functions and responsibilities of the Under Secretary for Management related to acquisition (as such term is defined in section 710) include the following:

“(A) Advising the Secretary regarding acquisition management activities, taking into account risks of failure to achieve cost, schedule, or performance parameters, to ensure that the Department achieves its mission through the adoption of widely accepted program management best practices (as such term is defined in section 710) and standards and, where appropriate, acquisition innovation best practices.

“(B) Leading the Department’s acquisition oversight body, the Acquisition Review Board, and exercising the acquisition decision authority (as such term is defined in section 710) to approve, pause, modify (including the rescission of approvals of program milestones), or cancel major acquisition programs (as such term is defined in section 710), unless the Under Secretary delegates such authority to a Component Acquisition Executive (as such term is defined in section 710) pursuant to paragraph (3).

“(C) Establishing policies for acquisition that implement an approach that takes into account risks of failure to achieve cost, schedule, or performance parameters that all components of the Department shall comply with, including outlining relevant authorities for program managers to effectively manage acquisition programs.

“(D) Ensuring that each major acquisition program has a Department-approved acquisition program baseline (as such term is defined in section 710), pursuant to the Department’s acquisition management policy.

“(E) Ensuring that the heads of components and Component Acquisition Executives comply with Federal law, the Federal Acquisition Regulation, and Department acquisition management directives.

“(F) Ensuring that grants and financial assistance are provided only to individuals and organizations that are not suspended or debarred.

“(G) Distributing guidance throughout the Department to ensure that contractors involved in acquisitions, particularly contractors that access the Department’s information systems and technologies, adhere to relevant Department policies related to physical and information security as identified by the Under Secretary for Management.

“(H) Overseeing the Component Acquisition Executive organizational structure to ensure Component Acquisition Executives have sufficient capabilities and comply with Department acquisition policies.

“(3) DELEGATION OF ACQUISITION DECISION AUTHORITY.—

“(A) LEVEL 3 ACQUISITIONS.—The Under Secretary for Management may delegate acquisition decision authority in writing to the relevant Component Acquisition Executive for an acquisition program that has a life cycle cost estimate of less than \$300,000,000.

“(B) LEVEL 2 ACQUISITIONS.—The Under Secretary for Management may delegate acquisition decision authority in writing to the relevant Component Acquisition Executive for a major acquisition program that has a

life cycle cost estimate of at least \$300,000,000 but not more than \$1,000,000,000 if all of the following requirements are met:

“(i) The component concerned possesses working policies, processes, and procedures that are consistent with Department-level acquisition policy.

“(ii) The Component Acquisition Executive concerned has adequate, experienced, and dedicated professional employees with program management training, as applicable, commensurate with the size of the acquisition programs and related activities delegated to such Component Acquisition Executive by the Under Secretary for Management.

“(iii) Each major acquisition program concerned has written documentation showing that it has a Department-approved acquisition program baseline and it is meeting agreed-upon cost, schedule, and performance thresholds.

“(4) RELATIONSHIP TO UNDER SECRETARY FOR SCIENCE AND TECHNOLOGY.—

“(A) IN GENERAL.—Nothing in this subsection shall diminish the authority granted to the Under Secretary for Science and Technology under this Act. The Under Secretary for Management and the Under Secretary for Science and Technology shall cooperate in matters related to the coordination of acquisitions across the Department so that investments of the Directorate of Science and Technology are able to support current and future requirements of the components of the Department.

“(B) OPERATIONAL TESTING AND EVALUATION.—The Under Secretary for Science and Technology shall—

“(i) ensure, in coordination with relevant component heads, that major acquisition programs—

“(I) complete operational testing and evaluation of technologies and systems;

“(II) use independent verification and validation of operational test and evaluation implementation and results; and

“(III) document whether such programs meet all performance requirements included in their acquisition program baselines;

“(ii) ensure that such operational testing and evaluation includes all system components and incorporates operators into the testing to ensure that systems perform as intended in the appropriate operational setting; and

“(iii) determine if testing conducted by other Federal agencies and private entities is relevant and sufficient in determining whether systems perform as intended in the operational setting.”

SEC. 3. ACQUISITION AUTHORITIES FOR CHIEF FINANCIAL OFFICER OF THE DEPARTMENT OF HOMELAND SECURITY.

Paragraph (2) of section 702(b) of the Homeland Security Act of 2002 (6 U.S.C. 342(b)) is amended by adding at the end the following new subparagraph:

“(J) Oversee the costs of acquisition programs and related activities to ensure that actual and planned costs are in accordance with budget estimates and are affordable, or can be adequately funded, over the life cycle of such programs and activities.”

SEC. 4. ACQUISITION AUTHORITIES FOR CHIEF INFORMATION OFFICER OF THE DEPARTMENT OF HOMELAND SECURITY.

Section 703 of the Homeland Security Act of 2002 (6 U.S.C. 343) is amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by inserting after subsection (a) the following new subsection:

“(b) ACQUISITION RESPONSIBILITIES.—Notwithstanding section 11315 of title 40, United States Code, the acquisition responsibilities of the Chief Information Officer, in consultation with the Under Secretary for Management, shall include the following:

“(1) Oversee the management of the Homeland Security Enterprise Architecture and ensure that, before each acquisition decision event (as such term is defined in section 710), approved information technology acquisitions comply with departmental information technology management processes, technical requirements, and the Homeland Security Enterprise Architecture, and in any case in which information technology acquisitions do not comply with the Department’s management directives, make recommendations to the Acquisition Review Board regarding such noncompliance.

“(2) Be responsible for providing recommendations to the Acquisition Review Board regarding information technology programs, and be responsible for developing information technology acquisition strategic guidance.”

SEC. 5. ACQUISITION AUTHORITIES FOR PROGRAM ACCOUNTABILITY AND RISK MANAGEMENT (PARM).

(a) IN GENERAL.—Title VII of the Homeland Security Act of 2002 (6 U.S.C. 341 et seq.) is amended by adding at the end the following:

“SEC. 710. ACQUISITION AUTHORITIES FOR PROGRAM ACCOUNTABILITY AND RISK MANAGEMENT.

“(a) ESTABLISHMENT OF OFFICE.—Within the Management Directorate, there shall be a Program Accountability and Risk Management office to—

“(1) provide consistent accountability, standardization, and transparency of major acquisition programs of the Department; and

“(2) serve as the central oversight function for all Department acquisition programs.

“(b) RESPONSIBILITIES OF EXECUTIVE DIRECTOR.—The Program Accountability and Risk Management office shall be led by an Executive Director to oversee the requirement under subsection (a). The Executive Director shall report directly to the Under Secretary for Management, and shall carry out the following responsibilities:

“(1) Monitor regularly the performance of Department acquisition programs between acquisition decision events to identify problems with cost, performance, or schedule that components may need to address to prevent cost overruns, performance issues, or schedule delays.

“(2) Assist the Under Secretary for Management in managing the Department’s acquisition programs and related activities.

“(3) Conduct oversight of individual acquisition programs to implement Department acquisition program policy, procedures, and guidance with a priority on ensuring the data the office collects and maintains from Department components is accurate and reliable.

“(4) Serve as the focal point and coordinator for the acquisition life cycle review process and as the executive secretariat for the Acquisition Review Board.

“(5) Advise the persons having acquisition decision authority in making acquisition decisions consistent with all applicable laws and in establishing clear lines of authority, accountability, and responsibility for acquisition decisionmaking within the Department.

“(6) Engage in the strategic planning and performance evaluation process required under section 306 of title 5, United States Code, and sections 1105(a)(28), 1115, 1116, and

9703 of title 31, United States Code, by supporting the Chief Procurement Officer in developing strategies and specific plans for hiring, training, and professional development in order to rectify any deficiency within the Department's acquisition workforce.

“(7) Develop standardized certification standards in consultation with the Component Acquisition Executives for all acquisition program managers.

“(8) In the event that an acquisition program manager's certification or actions need review for purposes of promotion or removal, provide input, in consultation with the relevant Component Acquisition Executive, into the relevant acquisition program manager's performance evaluation, and report positive or negative experiences to the relevant certifying authority.

“(9) Provide technical support and assistance to Department acquisitions and acquisition personnel in conjunction with the Chief Procurement Officer.

“(10) Prepare the Department's Comprehensive Acquisition Status Report, as required by title I of division D of the Consolidated Appropriations Act, 2016 (Public Law 114-113), and make such report available to the congressional homeland security committees.

“(c) RESPONSIBILITIES OF COMPONENTS.—Each head of a component shall comply with Federal law, the Federal Acquisition Regulation, and Department acquisition management directives established by the Under Secretary for Management. For each major acquisition program, each head of a component shall—

“(1) define baseline requirements and document changes to such requirements, as appropriate;

“(2) establish a complete life cycle cost estimate with supporting documentation, including an acquisition program baseline;

“(3) verify each life cycle cost estimate against independent cost estimates, and reconcile any differences;

“(4) complete a cost-benefit analysis with supporting documentation;

“(5) develop and maintain a schedule that is consistent with scheduling best practices as identified by the Comptroller General of the United States, including, in appropriate cases, an integrated master schedule; and

“(6) ensure that all acquisition program information provided by the component is complete, accurate, timely, and valid.

“(d) DEFINITIONS.—In this section:

“(1) ACQUISITION.—The term ‘acquisition’ has the meaning given such term in section 131 of title 41, United States Code.

“(2) ACQUISITION DECISION AUTHORITY.—The term ‘acquisition decision authority’ means the authority, held by the Secretary acting through the Deputy Secretary or Under Secretary for Management to—

“(A) ensure compliance with Federal law, the Federal Acquisition Regulation, and Department acquisition management directives;

“(B) review (including approving, pausing, modifying, or canceling) an acquisition program through the life cycle of such program;

“(C) ensure that acquisition program managers have the resources necessary to successfully execute an approved acquisition program;

“(D) ensure good acquisition program management of cost, schedule, risk, and system performance of the acquisition program at issue, including assessing acquisition program baseline breaches and directing any corrective action for such breaches; and

“(E) ensure that acquisition program managers, on an ongoing basis, monitor cost,

schedule, and performance against established baselines and use tools to assess risks to an acquisition program at all phases of the life cycle of such program to avoid and mitigate acquisition program baseline breaches.

“(3) ACQUISITION DECISION EVENT.—The term ‘acquisition decision event’, with respect to an acquisition program, means a predetermined point within each of the acquisition phases at which the acquisition decision authority determines whether such acquisition program shall proceed to the next acquisition phase.

“(4) ACQUISITION PROGRAM.—The term ‘acquisition program’ means the process by which the Department acquires, with any appropriated amounts, by contract for purchase or lease, property or services (including construction) that support the missions and goals of the Department.

“(5) ACQUISITION PROGRAM BASELINE.—The term ‘acquisition program baseline’, with respect to an acquisition program, means a summary of the cost, schedule, and performance parameters, expressed in standard, measurable, quantitative terms, which must be met in order to accomplish the goals of such program.

“(6) BEST PRACTICES.—The term ‘best practices’, with respect to acquisition, means a knowledge-based approach to capability development that includes—

“(A) identifying and validating needs;

“(B) assessing alternatives to select the most appropriate solution;

“(C) clearly establishing well-defined requirements;

“(D) developing realistic cost assessments and schedules;

“(E) securing stable funding that matches resources to requirements;

“(F) demonstrating technology, design, and manufacturing maturity;

“(G) using milestones and exit criteria or specific accomplishments that demonstrate progress;

“(H) adopting and executing standardized processes with known success across programs;

“(I) establishing an adequate workforce that is qualified and sufficient to perform necessary functions; and

“(J) integrating the capabilities described in subparagraphs (A) through (I) into the Department's mission and business operations.

“(7) BREACH.—The term ‘breach’, with respect to a major acquisition program, means a failure to meet any cost, schedule, or performance threshold specified in the most recently approved acquisition program baseline.

“(8) CONGRESSIONAL HOMELAND SECURITY COMMITTEES.—The term ‘congressional homeland security committees’ means—

“(A) the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate; and

“(B) the Committee on Appropriations of the House of Representatives and of the Senate.

“(9) COMPONENT ACQUISITION EXECUTIVE.—The term ‘Component Acquisition Executive’ means the senior acquisition official within a component who is designated in writing by the Under Secretary for Management, in consultation with the component head, with authority and responsibility for leading a process and staff to provide acquisition and program management oversight, policy, and guidance to ensure that statutory, regulatory, and higher level policy requirements are fulfilled, including compliance with Fed-

eral law, the Federal Acquisition Regulation, and Department acquisition management directives established by the Under Secretary for Management.

“(10) MAJOR ACQUISITION PROGRAM.—The term ‘major acquisition program’ means a Department acquisition program that is estimated by the Secretary to require an eventual total expenditure of at least \$300,000,000 (based on fiscal year 2017 constant dollars) over its life cycle cost.”.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 709 the following new item:

“Sec. 710. Acquisition authorities for Program Accountability and Risk Management.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Louisiana (Mr. HIGGINS) and the gentlewoman from New Jersey (Mrs. WATSON COLEMAN) each will control 20 minutes.

The Chair recognizes the gentleman from Louisiana.

GENERAL LEAVE

Mr. HIGGINS of Louisiana. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include any extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. HIGGINS of Louisiana. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 1252, the Department of Homeland Security Acquisition Authorities Act of 2017.

The Department of Homeland Security has been routinely criticized over the years by watchdogs at the Government Accountability Office and DHS Office of Inspector General for failing to responsibly manage its major acquisition programs. These programs, which secure our borders, safeguard our cyber networks, protect air travelers, defend our shores, among other critical missions, and cost taxpayers billions of dollars every year.

Watchdogs have previously reported how DHS leadership has failed to hold programs accountable to its own acquisition policies. In some cases, these programs have spent billions of dollars of American treasure without having to show what they will ultimately cost, when they will be complete, and what benefits they will deliver to frontline operators. DHS' Under Secretary for Management has not had the force of law to hold these programs accountable until now.

My bill establishes a top cop in the Under Secretary for Management as Chief Acquisitions Officer to oversee these billion-dollar programs. It requires thoughtful management of major acquisition programs based on private sector best practices. My bill

requires strong accountability measures to oversee major acquisition programs so that these critical tools get into the hands of those defending our homeland on time and on budget.

Mr. Speaker, I urge all Members to join me in supporting this bill, and I reserve the balance of my time.

HOUSE OF REPRESENTATIVES, COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY,

Washington, DC, March 10, 2017.

Hon. MICHAEL McCaul,
Chairman, Committee on Homeland Security,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I am writing concerning H.R. 1252, the "DHS Acquisition Authorities Act of 2017," which your Committee ordered reported on March 8, 2017.

H.R. 1252 contains provisions within the Committee on Science, Space, and Technology's Rule X jurisdiction. In order to expedite this bill for floor consideration, the Committee on Science, Space, and Technology will forego action on the bill. This is being done on the basis of our mutual understanding that doing so will in no way diminish or alter the jurisdiction of the Committee on Science, Space, and Technology with respect to the appointment of conferees, or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation.

I would appreciate your response to this letter confirming this understanding, and would request that you include a copy of this letter and your response in the Congressional Record during the floor consideration of this bill. Thank you in advance for your cooperation.

Sincerely,

LAMAR SMITH,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,

Washington, DC, March 10, 2017.

Hon. LAMAR SMITH,
Chairman, Committee on Science, Space, and
Technology, Washington, DC.

DEAR CHAIRMAN SMITH: Thank you for your letter regarding H.R. 1252, the "DHS Acquisition Authorities Act of 2017." I appreciate your support in bringing this legislation before the House of Representatives, and accordingly, understand that the Committee on Science, Space, and Technology will not seek a sequential referral on the bill.

The Committee on Homeland Security concurs with the mutual understanding that by foregoing a sequential referral of this bill at this time, the Committee on Science, Space, and Technology does not waive any jurisdiction over the subject matter contained in this bill or similar legislation in the future. In addition, should a conference on this bill be necessary, I would support a request by the Committee on Science, Space, and Technology for conferees on those provisions within your jurisdiction.

I will insert copies of this exchange in the Congressional Record during consideration of this bill on the House floor. I thank you for your cooperation in this matter.

Sincerely,

MICHAEL T. McCaul,
Chairman.

Mrs. WATSON COLEMAN. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 1252, the DHS Acquisition Authorities Act of 2017.

The Department of Homeland Security has limited acquisition resources and must be effective stewards of taxpayer dollars. As such, DHS' procurement practices must be sound, effective, and adhered to throughout the organization.

Although DHS has come a long way since its inception in 2002, acquisition management remains a challenge for the Department. In fact, a 2015 assessment by the GAO of DHS' largest acquisition programs determined that only 2 of the 22 reviewed programs were on track to meet their initial schedule and cost parameters.

Responsibility for addressing weaknesses in acquisitions management and increasing effectiveness of DHS' major acquisitions begins at the top, with the DHS leadership. To that end, H.R. 1252 codifies that acquisition decision authority rests with the Under Secretary for Management as the Department's Chief Acquisition Officer.

H.R. 1252 authorizes the Under Secretary for Management to mandate acquisition policies, establishes the Under Secretary as lead of the Department's acquisition oversight body, and charges the Under Secretary with advising the Secretary regarding acquisition management activities.

To ensure greater oversight of the Department's procurement activities, H.R. 1252 also establishes acquisition management functions for DHS' Chief Financial Officer, Chief Information Officer, and the Program Accountability and Risk Management Office.

This legislation is intended to clarify roles and responsibilities within DHS acquisition management activities and increase accountability of the Department's procedures, particularly those classified as underperforming.

H.R. 1252 was approved by the House in October 2015, and was approved unanimously by the Committee on Homeland Security just a few weeks ago.

Given the complexity of the organization, it is incumbent upon the Department to tackle its diverse procurement challenges from the top down.

H.R. 1252 codifies the acquisition management roles within the Department and supports enhanced accountability in management of DHS' acquisitions.

By passing this legislation, Congress can take another important step toward increasing efficiency and improving outcomes of DHS' major acquisition programs.

I join in congratulating the gentleman from Louisiana (Mr. HIGGINS) on the good work that he has done here.

Mr. Speaker, I urge support of H.R. 1252, and I yield back the balance of my time.

Mr. HIGGINS of Louisiana. Mr. Speaker, I thank the gentlewoman from New Jersey. I, once again, urge

my colleagues to support H.R. 1252, as amended.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Louisiana (Mr. HIGGINS) that the House suspend the rules and pass the bill, H.R. 1252, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. HIGGINS of Louisiana. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 4 o'clock and 37 minutes p.m.), the House stood in recess.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WOMACK) at 6 o'clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 1294, by the yeas and nays;

H.R. 1249, by the yeas and nays;

H.R. 1252, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

REDUCING DHS ACQUISITION COST GROWTH ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 1294) to amend the Homeland Security Act of 2002 to provide for congressional notification regarding major acquisition program breaches, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. RUTHERFORD) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 408, nays 0, not voting 21, as follows:

[Roll No. 173]

YEAS—408

Abraham	Cummings	Hurd
Adams	Curbelo (FL)	Issa
Aderholt	Davidson	Jackson Lee
Aguilar	Davis (CA)	Jayapal
Allen	Davis, Danny	Jeffries
Amash	Davis, Rodney	Jenkins (KS)
Amodei	DeFazio	Jenkins (WV)
Arrington	DeGette	Johnson (GA)
Babin	Delaney	Johnson (LA)
Bacon	DeLauro	Johnson (OH)
Banks (IN)	DelBene	Johnson, E. B.
Barletta	Demings	Johnson, Sam
Barragán	Denham	Jones
Barton	Dent	Jordan
Bass	DeSantis	Joyce (OH)
Beatty	DeSaulnier	Kaptur
Bera	DesJarlais	Katko
Bergman	Diaz-Balart	Keating
Beyer	Dingell	Kelly (IL)
Biggs	Doggett	Kelly (MS)
Bilirakis	Donovan	Kelly (PA)
Bishop (GA)	Doyle, Michael	Kennedy
Bishop (MI)	F.	Khanna
Bishop (UT)	Duffy	Kihuen
Black	Duncan (TN)	Kildee
Blackburn	Dunn	Kilmer
Blum	Ellison	Kind
Blumenauer	Emmer	King (IA)
Blunt Rochester	Engel	King (NY)
Bonamici	Eshoo	Kinzinger
Bost	Españillat	Knight
Boyle, Brendan	Esty	Krishnamoorthi
F.	Evans	Kuster (NH)
Brady (PA)	Farenthold	Kustoff (TN)
Brady (TX)	Faso	Labrador
Brat	Ferguson	LaHood
Bridenstine	Fitzpatrick	LaMalfa
Brooks (AL)	Fleischmann	Lamborn
Brooks (IN)	Flores	Lance
Brown (MD)	Foster	Langevin
Brownley (CA)	Fox	Larsen (WA)
Buchanan	Frankel (FL)	Larson (CT)
Buck	Franks (AZ)	Latta
Bucshon	Frelinghuysen	Lawrence
Budd	Fudge	Lawson (FL)
Burgess	Gabbard	Lee
Bustos	Gaetz	Levin
Butterfield	Gallagher	Lewis (GA)
Byrne	Gallego	Lewis (MN)
Calvert	Garamendi	Lieu, Ted
Capuano	Garrett	Lipinski
Carbajal	Gibbs	LoBiondo
Cárdenas	Gohmert	Loeb
Carson (IN)	Gonzalez (TX)	Lofgren
Carter (GA)	Goodlatte	Long
Carter (TX)	Gosar	Loudermilk
Cartwright	Gottheimer	Love
Castor (FL)	Gowdy	Lowenthal
Castro (TX)	Granger	Lowe
Chabot	Graves (GA)	Lucas
Chaffetz	Graves (LA)	Luetkemeyer
Cheney	Graves (MO)	Lujan Grisham,
Chu, Judy	Green, Al	M.
Cicilline	Green, Gene	Luján, Ben Ray
Clark (MA)	Griffith	Lynch
Clay	Grijalva	Maloney,
Clyburn	Grothman	Carolyn B.
Coffman	Guthrie	Maloney, Sean
Cohen	Hanabusa	Marino
Cole	Harper	Marshall
Collins (GA)	Harris	Massie
Collins (NY)	Hartzler	Mast
Comstock	Hastings	Matsui
Conaway	Heck	McCarthy
Connolly	Hensarling	McCaul
Conyers	Herrera Beutler	McClintock
Cook	Hice, Jody B.	McCollum
Cooper	Higgins (LA)	McEachin
Correa	Higgins (NY)	McGovern
Costa	Hill	McHenry
Costello (PA)	Himes	McKinley
Courtney	Holding	McMorris
Cramer	Hollingsworth	Rodgers
Crawford	Hudson	McNerney
Crist	Huffman	McSally
Crowley	Huizenga	Meadows
Cuellar	Hultgren	Meehan
Culberson	Hunter	Meeks

Meng	Rogers (AL)	Stivers
Messer	Rogers (KY)	Swalwell (CA)
Mitchell	Rokita	Takano
Moolenaar	Rooney, Francis	Taylor
Mooney (WV)	Rooney, Thomas	Tenney
Moore	J.	Thompson (CA)
Moulton	Ros-Lehtinen	Thompson (MS)
Mullin	Rosen	Thompson (PA)
Murphy (FL)	Roskam	Thornberry
Murphy (PA)	Ross	Tiberi
Nadler	Rothfus	Tipton
Napolitano	Rouzer	Tonko
Neal	Roybal-Allard	Torres
Newhouse	Royce (CA)	Trott
Noem	Ruiz	Turner
Nolan	Ruppersberger	Upton
Norcross	Russell	Vargas
Nunes	Rutherford	Veasey
O'Halleran	Ryan (OH)	Vela
O'Rourke	Sánchez	Velázquez
Olson	Sanford	Visclosky
Palazzo	Sarbanes	Wagner
Pallone	Scalise	Walberg
Palmer	Schakowsky	Walden
Panetta	Schiff	Walker
Pascrell	Schneider	Walorski
Paulsen	Schrader	Walters, Mimi
Pearce	Schweikert	Walz
Pelosi	Scott (VA)	Wasserman
Perlmutter	Scott, Austin	Schultz
Perry	Scott, David	Waters, Maxine
Peters	Sensenbrenner	Watson Coleman
Peterson	Serrano	Weber (TX)
Pingree	Sessions	Webster (FL)
Pittenger	Sewell (AL)	Welch
Pocan	Shea-Porter	Wenstrup
Sherman	Shimkus	Westerman
Shimkus	Shuster	Williams
Simpson	Simpson	Wilson (FL)
Sires	Price (NC)	Wilson (SC)
Smith (MO)	Quigley	Wittman
Smith (NE)	Raskin	Womack
Smith (NJ)	Ratcliffe	Woodall
Smith (TX)	Reed	Yarmuth
Smith (WA)	Reichert	Yoder
Smucker	Rice (NY)	Yoho
Soto	Rice (SC)	Young (AK)
Speier	Richmond	Young (IA)
Stefanik	Roby	Zeldin
Stewart	Roe (TN)	

NOT VOTING—21

Barr	Gutiérrez	Rush
Clarke (NY)	Hoyer	Sinema
Cleaver	MacArthur	Slaughter
Comer	Marchant	Suozi
Deutch	Payne	Titus
Duncan (SC)	Renacci	Tsongas
Fortenberry	Rohrabacher	Valadao

□ 1851

Messrs. WELCH and AL GREEN of Texas changed their vote from “nay” to “yea.”

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

NOTICE OF INTENTION TO OFFER RESOLUTION RAISING A QUESTION OF PRIVILEGES OF THE HOUSE

Mr. POLIS. Mr. Speaker, pursuant to clause 2(a)(1) of rule IX, I rise to give notice of my intention to raise a question of the privileges of the House.

The form of the resolution is as follows:

Expressing the sense of the House of Representatives that the President shall immediately disclose his tax return information to Congress and the American people.

Whereas, in the United States' system of checks and balances, Congress has a responsibility to hold the executive branch of government to the highest standard of transparency to ensure the public interest is placed first;

Whereas, according to the Tax History Project, every President since Gerald Ford has disclosed their tax return information to the public;

Whereas, tax returns provide an important baseline disclosure because they contain highly instructive information including whether the candidate can be influenced by foreign entities and reveal any conflicts of interest;

Whereas, Article I, section 9 of the Constitution states that no person holding any office of profit or trust under them, shall, without the consent of Congress, accept any present, emolument, Office or Title, of any kind whatever from any King, Prince, or foreign State;

Whereas, disclosure of the President's tax returns is important towards investigating Russian influence in the 2016 election, understanding the President's financial ties to the Russian Federation and Russian citizens, including debts owed and whether he shares any partnership interests, equity interests, joint ventures, or licensing agreements with Russia or Russian nationals, formally or informally associated with Vladimir Putin;

Whereas, The New York Times has reported that President Trump's close senior advisers, including Carter Page, Paul Manafort, Roger Stone, and General Michael Flynn, have been under investigation by the Federal Bureau of Investigation for their ties to the Russian Federation;

Whereas, Russian Deputy Foreign Minister Sergei Ryabkov told Interfax, a Russian media outlet, on November 10, 2016, that “there were contacts” with Donald Trump's 2016 campaign, and it has been reported that members of President Trump's inner circle were in contact with senior Russian officials throughout the 2016 campaign;

Whereas, General Michael Flynn, former national security adviser of President Trump, received almost \$68,000 in fees and expenses from Russian entities in 2015, including by an entity recognized by U.S. intelligence agencies as an arm of the Russian Government;

Whereas, FBI Director Comey stated in the Select Intelligence Committee hearing on the Russian interference with the November 2016 election that “there is no information to support those tweets,” relating to President's Trump allegations that President Obama illegally wiretapped the Trump campaign;

Whereas, distracting investigators with dead-end leads and outrageous statements is a common tactic from those with a guilty conscience or in a

deliberate effort to throw off investigators;

Whereas, according to his 2016 candidate filing with the Federal Election Commission, the President has 564 financial positions in companies located in the United States and around the world;

Whereas, according to The Washington Post, the Trump International Hotel in Washington, D.C., has hired a "director of diplomatic sales" to generate high-priced business among foreign leaders and diplomatic delegations;

Whereas, the chairman on the Ways and Means Committee, Joint Committee on Taxation, and Senate Finance Committee have the authority to request the President's tax returns under section 6103 of the tax code;

Whereas, the Ways and Means Committee used IRC 6103 authority in 2014 to make public the confidential tax information of 51 taxpayers;

Whereas, the American people have the right to know whether or not their President is operating under conflicts of interest related to international affairs, tax reform, government contracts, or otherwise;

Now, therefore, be it resolved, that the House of Representatives shall:

One, immediately request the tax return information of Donald J. Trump for tax years 2006 through 2015 for review in closed executive session by the Committee on Ways and Means, as provided under section 6103 of the Internal Revenue Code, and vote to report the information therein to the full House of Representatives;

Two, support transparency in government and the longstanding tradition of Presidents and Presidential candidates disclosing their tax returns.

The SPEAKER pro tempore. Under rule IX, a resolution offered from the floor by a Member other than the majority leader or the minority leader as a question of the privileges of the House has immediate precedence only at a time designated by the Chair within 2 legislative days after the resolution is properly noticed.

Pending that designation, the form of the resolution noticed by the gentleman from Colorado will appear in the RECORD at this point.

The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

PARLIAMENTARY INQUIRIES

Mr. POLIS. Parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Colorado will state his parliamentary inquiry.

Mr. POLIS. Mr. Speaker, previous motions by Ms. ESHOO, Mr. PASCRELL, and Mr. CROWLEY were ruled upon immediately. What is different about today's resolution?

The SPEAKER pro tempore. The Chair will inform the gentleman of the scheduling, as stated earlier, within the limits of rule IX.

Mr. POLIS. Further parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. POLIS. Mr. Speaker, does today's hearing of the Select Committee on Intelligence provide additional relevant information to the Speaker in order to make this decision?

The SPEAKER pro tempore. The leadership will give the gentleman timely notice of the scheduling of his resolution.

Mr. POLIS. Mr. Speaker, one additional parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. POLIS. Mr. Speaker, does delaying consideration of this resolution mean that we won't even vote on whether we can find out if the President has financial ties to a foreign entity for 2 more days?

The SPEAKER pro tempore. Recognition for a parliamentary inquiry is within the discretion of the Chair. The gentleman is no longer recognized.

The Chair is prepared to resume proceedings on votes postponed earlier today.

DHS MULTIYEAR ACQUISITION STRATEGY ACT OF 2017

The SPEAKER pro tempore. Without objection, 5 minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 1249) to amend the Homeland Security Act of 2002 to require a multiyear acquisition strategy of the Department of Homeland Security, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. FITZPATRICK) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 409, nays 0, not voting 20, as follows:

[Roll No. 174]

YEAS—409

Abraham	Barletta	Bishop (MI)	Brady (PA)	Frankel (FL)	Lieu, Ted
Adams	Barragán	Bishop (UT)	Brady (TX)	Franks (AZ)	Lipinski
Aderholt	Barton	Black	Brat	Frelinghuysen	LoBiondo
Aguilar	Bass	Blackburn	Bridenstine	Fudge	Loebsack
Allen	Beatty	Blum	Brooks (AL)	Gabbard	Loftgren
Amash	Bera	Blumenauer	Brooks (IN)	Gaetz	Long
Amodei	Bergman	Blunt Rochester	Brown (MD)	Gallagher	Loudermilk
Arrington	Beyer	Bonomaci	Brownley (CA)	Gallego	Love
Babin	Biggs	Bost	Buchanan	Garamendi	Lowenthal
Bacon	Billirakis	Boyle, Brendan	Buck	Garrett	Lowe
Banks (IN)	Bishop (GA)	F.	Bucshon	Gibbs	Lucas
			Budd	Gohmert	Luetkemeyer
			Burgess	Gonzalez (TX)	Lujan Grisham,
			Bustos	Goodlatte	M.
			Butterfield	Gosar	Luján, Ben Ray
			Byrne	Gottheimer	Lynch
			Calvert	Gowdy	MacArthur
			Capuano	Granger	Maloney,
			Carbajal	Graves (GA)	Carolyn B.
			Cárdenas	Graves (LA)	Maloney, Sean
			Carson (IN)	Graves (MO)	Marino
			Carter (GA)	Green, Al	Marshall
			Carter (TX)	Green, Gene	Massie
			Cartwright	Griffith	Mast
			Castor (FL)	Grijalva	Matsui
			Castro (TX)	Grothman	McCarthy
			Chabot	Guthrie	McCaul
			Chaffetz	Hanabusa	McClintock
			Cheney	Harper	McCollum
			Chu, Judy	Harris	McEachin
			Ciциline	Hartzler	McGovern
			Clark (MA)	Hastings	McHenry
			Clay	Heck	McKinley
			Clyburn	Hensarling	McMorris
			Coffman	Herrera Beutler	Rodgers
			Cohen	Hice, Jody B.	McNerney
			Cole	Higgins (LA)	McSally
			Collins (GA)	Higgins (NY)	Meadows
			Collins (NY)	Hill	Meehan
			Comstock	Himes	Meeks
			Conaway	Holding	Meng
			Connolly	Hollingsworth	Messer
			Conyers	Hudson	Mitchell
			Cook	Huffman	Moolenaar
			Cooper	Huizenga	Mooney (WV)
			Correa	Hultgren	Moore
			Costa	Hunter	Moulton
			Costello (PA)	Hurd	Mullin
			Courtney	Issa	Murphy (FL)
			Cramer	Jackson Lee	Murphy (PA)
			Crawford	Jayapal	Nadler
			Crist	Jeffries	Napolitano
			Crowley	Jenkins (KS)	Neal
			Cuellar	Jenkins (WV)	Newhouse
			Culberson	Johnson (GA)	Noem
			Cummings	Johnson (LA)	Nolan
			Curbelo (FL)	Johnson (OH)	Norcross
			Davidson	Johnson, E. B.	Nunes
			Davis (CA)	Johnson, Sam	O'Halleran
			Davis, Danny	Jones	O'Rourke
			Davis, Rodney	Jordan	Olson
			DeFazio	Joyce (OH)	Palazzo
			DeGette	Kaptur	Pallone
			Delaney	Katko	Palmer
			DeLauro	Keating	Panetta
			DelBene	Kelly (IL)	Pascarell
			Demings	Kelly (MS)	Paulsen
			Denham	Kelly (PA)	Pearce
			Dent	Kennedy	Pelosi
			DeSantis	Khanna	Perlmutter
			DeSaulnier	Kihuen	Perry
			DesJarlais	Kildee	Peters
			Diaz-Balart	Kilmer	Peterson
			Dingell	Kind	Pingree
			Doggett	King (IA)	Pittenger
			Donovan	King (NY)	Pocan
			Doyle, Michael	Kinzing	Poe (TX)
			F.	Knight	Poliquin
			Duffy	Krishnamoorthi	Polis
			Duncan (TN)	Kuster (NH)	Posey
			Dunn	Kustoff (TN)	Price (NC)
			Ellison	Labrador	Quigley
			Emmer	LaHood	Raskin
			Engel	LaMalfa	Ratcliffe
			Eshoo	Lamborn	Reed
			Espallat	Lance	Reichert
			Esty	Langevin	Rice (NY)
			Evans	Larsen (WA)	Rice (SC)
			Farenthold	Larson (CT)	Richmond
			Faso	Latta	Roby
			Ferguson	Lawrence	Roe (TN)
			Fitzpatrick	Lawson (FL)	Rogers (AL)
			Fleischmann	Lee	Rogers (KY)
			Flores	Levin	Rokita
			Foster	Lewis (GA)	Rooney, Francis
			Fox	Lewis (MN)	

Rooney, Thomas J.	Sherman Shimkus	Veasey Vela	Bacon Banks (IN)	DesJarlais Diaz-Balart	Kilmer Kind	Pingree Pittenger	Scalise Schakowsky	Tipton Tonko
Ros-Lehtinen	Shuster	Velázquez	Barletta	Dingell	King (IA)	Pocan Schiff	Schakowsky Torres	Torres
Rosen	Simpson	Visclosky	Barragán	Doggett	King (NY)	Poe (TX)	Schneider Trott	Trott
Roskam	Sires	Wagner	Barton	Donovan	Kinzinger	Poliquin	Schrader	Turner
Ross	Smith (MO)	Walberg	Bass	Doyle, Michael F.	Knight	Polis	Schweikert	Upton
Rothfus	Smith (NE)	Walden	Beatty	Duffy	Krishnamoorthi	Posey	Scott (VA)	Vargas
Rouzer	Smith (NJ)	Walker	Bera	Duncan (TN)	Kuster (NH)	Price (NC)	Scott, Austin	Veasey
Roybal-Allard	Smith (TX)	Walorski	Bergman	Dunn	Kustoff (TN)	Quigley	Scott, David	Vela
Royce (CA)	Smith (WA)	Walters, Mimi	Beyer	Ellison	Labrador	Raskin	Sensenbrenner	Velázquez
Ruiz	Smucker	Walz	Biggs	Emmer	LaHood	Ratcliffe	Serrano	Visclosky
Ruppersberger	Soto	Wasserman	Bilirakis	Engel	LaMalfa	Reed	Sessions	Wagner
Russell	Speier	Schultz	Bishop (GA)	Eshoo	Lamborn	Reichert	Sewell (AL)	Walberg
Rutherford	Stefanik	Waters, Maxine	Bishop (MI)	Esper	Lance	Rice (NY)	Shea-Porter	Walden
Ryan (OH)	Stewart	Watson Coleman	Bishop (UT)	Esper	Langevin	Rice (SC)	Sherman	Walker
Sánchez	Stivers	Weber (TX)	Black	Esty	Larsen (WA)	Richmond	Shimkus	Walorski
Sanford	Swalwell (CA)	Webster (FL)	Blackburn	Evans	Larson (CT)	Roby	Shuster	Walters, Mimi
Sarbanes	Takano	Welch	Blum	Farenthold	Latta	Roe (TN)	Simpson	Walz
Scalise	Taylor	Wenstrup	Blumenauer	Faso	Lawrence	Rogers (AL)	Sires	Wasserman
Schakowsky	Tenney	Westerman	Blunt Rochester	Ferguson	Lawson (FL)	Rogers (KY)	Smith (MO)	Schultz
Schiff	Thompson (CA)	Williams	Bonamici	Fitzpatrick	Lee	Rokita	Smith (NE)	Waters, Maxine
Schneider	Thompson (MS)	Wilson (FL)	Bost	Fleischmann	Levin	Rooney, Francis	Smith (NJ)	Watson Coleman
Schrader	Thompson (PA)	Wilson (SC)	Boyle, Brendan F.	Flores	Lewis (GA)	Rooney, Thomas J.	Smith (TX)	Weber (TX)
Schweikert	Thornberry	Wittman	Brady (PA)	Foster	Lewis (MN)	Ros-Lehtinen	Smith (WA)	Webster (FL)
Scott (VA)	Tiberi	Womack	Brady (TX)	Fox	Lieu, Ted	Rosen	Smucker	Welch
Scott, Austin	Tipton	Woodall	Brat	Frankel (FL)	Lipinski	Roskam	Soto	Wenstrup
Scott, David	Tonko	Yarmuth	Bridenstine	Franks (AZ)	LoBiondo	Ross	Speier	Westerman
Sensenbrenner	Torres	Yoder	Brooks (AL)	Frelinghuysen	Loeb	Rothfus	Stefanik	Williams
Serrano	Trott	Yoho	Brooks (IN)	Fudge	Loftgren	Rouzer	Stewart	Wilson (FL)
Sessions	Turner	Young (AK)	Brown (MD)	Gabbard	Long	Roybal-Allard	Stivers	Wilson (SC)
Sewell (AL)	Upton	Young (IA)	Brownley (CA)	Gaetz	Loudermilk	Ruiz	Swalwell (CA)	Wittman
Shea-Porter	Vargas	Zeldin	Buchanan	Gallagher	Love	Ruppersberger	Takano	Womack
			Buck	Gallego	Lowenthal	Russell	Taylor	Woodall
			Bucshon	Garamendi	Lowe	Rutherford	Tenney	Yarmuth
			Budd	Garrett	Lucas	Ryan (OH)	Thompson (CA)	Yoder
			Burgess	Gibbs	Lujan Grisham, M.	Sánchez	Thompson (MS)	Yoho
			Bustos	Gohmert	Lujan, Ben Ray	Sanford	Thompson (PA)	Young (AK)
			Butterfield	Gonzalez (TX)	Lynch	Sarbanes	Thornberry	Young (IA)
			Byrne	Goodlatte	MacArthur		Tiberi	Zeldin
			Calvert	Gosar	Maloney, Carolyn B.			
			Capuano	Gotthelmer	Maloney, Sean			
			Carbajal	Gowdy	Marino			
			Cárdenas	Granger	Marshall			
			Carson (IN)	Graves (GA)	Massie			
			Carter (GA)	Graves (LA)	Mast			
			Carter (TX)	Graves (MO)	Matsui			
			Cartwright	Green, Al	McCarthy			
			Castor (FL)	Green, Gene	McCollum			
			Castro (TX)	Griffith	McEachin			
			Chabot	Grijalva	McGovern			
			Chaffetz	Grothman	McHenry			
			Cheney	Guthrie	McKinley			
			Chu, Judy	Hanabusa	McMorris			
			Cicilline	Harper	Rodgers			
			Clark (MA)	Harris	McNerney			
			Clarke (NY)	Hartzler	McSally			
			Clay	Hastings	Meadows			
			Clyburn	Heck	Meehan			
			Coffman	Hensarling	Meeks			
			Cohen	Herrera Beutler	Meng			
			Cole	Hice, Jody B.	Messer			
			Collins (GA)	Higgins (LA)	Mitchell			
			Collins (NY)	Higgins (NY)	Moolenaar			
			Comstock	Hill	Mooney (WV)			
			Conaway	Himes	Moore			
			Connolly	Holding	Moulton			
			Conyers	Hollingsworth	Mullin			
			Cook	Hudson	Murphy (FL)			
			Cooper	Huffman	Murphy (PA)			
			Correa	Huizenga	Nadler			
			Costa	Hultgren	Napolitano			
			Costello (PA)	Hunter	Neal			
			Courtney	Hurd	Newhouse			
			Cramer	Issa	Noem			
			Crawford	Jackson Lee	Nolan			
			Crist	Jayapal	Norcross			
			Crowley	Jeffries	Nunes			
			Cuellar	Jenkins (KS)	O'Halleran			
			Culberson	Jenkins (WV)	O'Rourke			
			Cummings	Johnson (GA)	Olson			
			Curbelo (FL)	Johnson (LA)	Palazzo			
			Davidson	Johnson (OH)	Pallone			
			Davis (CA)	Johnson, E. B.	Palmer			
			Davis, Danny	Johnson, Sam	Panetta			
			Davis, Rodney	Jordan	Pascrell			
			DeFazio	Joyce (OH)	Paulsen			
			DeGette	Kaptur	Pearce			
			Delaney	Katko	Pelosi			
			DeLauro	Keating	Perlmutter			
			DeBene	Kelly (IL)	Peters			
			Demings	Kelly (MS)	Peterson			
			Denham	Kelly (PA)				
			Dent	Kennedy				
			DeSantis	Khanna				
			DeSaulnier	Kihuen				
				Kildee				

NOT VOTING—20

Barr	Gutiérrez	Sinema
Clarke (NY)	Hoyer	Slaughter
Cleaver	Marchant	Suozi
Comer	Payne	Titus
Deutch	Renacci	Tsongas
Duncan (SC)	Rohrabacher	Valadao
Fortenberry	Rush	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1906

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

DHS ACQUISITION AUTHORITIES
ACT OF 2017

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 1252) to amend the Homeland Security Act of 2002 to provide for certain acquisition authorities for the Under Secretary of Management of the Department of Homeland Security, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Louisiana (Mr. HIGGINS) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 407, nays 1, not voting 21, as follows:

[Roll No. 175]

YEAS—407

Abraham	Aguilar	Amodei
Adams	Allen	Arrington
Aderholt	Amash	Babin

NAYS—1

Jones

NOT VOTING—21

Barr	Hoyer	Rush
Cleaver	Marchant	Sinema
Comer	Payne	Slaughter
Deutch	Perry	Suozi
Duncan (SC)	Renacci	Titus
Fortenberry	Rohrabacher	Tsongas
Gutiérrez	Royce (CA)	Valadao

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. GALLAGHER) (during the vote). There are 2 minutes remaining.

□ 1913

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. SUOZZI. Mr. Speaker, on rollcall vote 173 H.R. 1294, had I been present, I would have voted "yea." On rollcall vote 174 H.R. 1249 (as amended), had I been present, I would have voted "yea." On rollcall vote 175 H.R. 1252 (as amended), had I been present, I would have voted "yea."

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF
H.R. 372, COMPETITIVE HEALTH
INSURANCE REFORM ACT OF 2017

Mr. BYRNE, from the Committee on Rules, submitted a privileged report (Rept. No. 115-50) on the resolution (H. Res. 209) providing for consideration of the bill (H.R. 372) to restore the application of the Federal antitrust laws to the business of health insurance to protect competition and consumers, which

was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1101, SMALL BUSINESS HEALTH FAIRNESS ACT OF 2017

Mr. BYRNE, from the Committee on Rules, submitted a privileged report (Rept. No. 115-51) on the resolution (H. Res. 210) providing for consideration of the bill (H.R. 1101) to amend title I of the Employee Retirement Income Security Act of 1974 to improve access and choice for entrepreneurs with small businesses with respect to medical care for their employees, which was referred to the House Calendar and ordered to be printed.

□ 1915

REPORT TO ACCOMPANY H.R. 1628, AMERICAN HEALTH CARE ACT OF 2017

Mrs. BLACK, from the Committee on the Budget, submitted a privileged report (Rept. No. 115-52) on the bill (H.R. 1628) to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017, which was referred to the Union Calendar and ordered to be printed.

RECOGNIZING VIZCAYA, A SOUTH FLORIDA NATIONAL TREASURE

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to recognize Vizcaya, an accredited museum and national historic landmark, located in my congressional district and the legacy of visionary James Deering, who created this south Florida gem 100 years ago.

With the help of Deering's nieces, public officials, and private citizens, Vizcaya has been serving as a public resource for more than 60 years now. Today, it is at the origins of modern Miami's interest in art, international culture and innovation, and welcomes over 275,000 guests each year.

Vizcaya will restore several historic village buildings and the surrounding landscape, which will enable them to tell the full story of the estate, including the legacy of its workers, and to accommodate new programs for students and families, including those on urban farming.

Vizcaya's future will be rooted in its history, but directed toward the demands of 21st century Miami.

For 100 years, Mr. Speaker, Vizcaya has been a place for people to gather, to learn, to engage in social activity, and to find inspiration. Its continued evolution will cement its role as Miami's cultural hub.

INVEST IN THE HEALTH OF BOTH OUR PEOPLE AND OUR ECONOMY

(Mr. KRISHNAMOORTHY asked and was given permission to address the House for 1 minute.)

Mr. KRISHNAMOORTHY. Mr. Speaker, the GOP's American Health Care Act would turn back the clock on health care for the American people while driving States toward bankruptcy and devastating our economy.

Under the Affordable Care Act, 1 million people in Illinois gained health insurance. Under this plan, over 1 million would lose it. Millions more across our country currently receiving coverage through their jobs would lose their health care as well.

State and local budgets would face cuts in Federal aid, forcing a choice between cutting coverage and raising taxes. My home State of Illinois alone would lose \$40 billion over the next decade.

And this bill would wreak havoc on the American economy. The American Health Care Act would kill nearly 2 million jobs, while eliminating billions in healthcare funding that would otherwise support hospitals, community health services, and the development of new cures.

We need to invest in the health of both our people and our economy. Unfortunately, this plan does neither.

SPRING CREEK TROUT UNLIMITED CHAPTER

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise to recognize the Spring Creek Trout Unlimited Chapter located in Pennsylvania's Fifth Congressional District for receiving the National 2016 Gold Trout Award as the Nation's most outstanding Trout Unlimited chapter.

The Spring Creek Chapter's conservation and angler science activities this year are world class, with more than 1.5 miles of riparian habitat planted, 13 in-stream structures built, water quality monitoring, redd count and angler surveys totaling more than 4,500 hours. These volunteer efforts are valued at more than \$210,000.

Beyond this outstanding conservation activity, the chapter reaches into the community, hosting events and activities. The Veterans Service Partnership program serves hundreds of veterans, with the power of healing and a sense of community.

Mr. Speaker, I look forward to joining the members of the Spring Creek Trout Unlimited Chapter this Saturday for the 44th annual dinner to celebrate the chapter's gold trout award. It is just 1 of 400 Trout Unlimited chapters across the country. This outstanding achievement shows the power, dedica-

tion, and teamwork from local Trout Unlimited members.

QUESTIONING MR. COMEY

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Mr. Speaker, in a methodical questioning of Mr. Comey today in the Intelligence Committee, let me recount for you and my colleagues the responses of Mr. Comey.

Mr. Trump's tweet, March 4, 2017: Terrible. Just found out that Obama had my wires tapped in Trump Tower just before the victory. Nothing found. This is McCarthyism.

Mr. Comey said: No, it did not happen.

March 4, 2017: Is it legal for a sitting President to be wiretapping a race for President prior to an election? Turned down by court earlier. A new low.

Mr. Comey said: No, it did not happen.

Mr. Comey, the FBI director.

Again on March 4, 2017: I bet a good lawyer could make a great case out of the fact that President Obama was tapping my phones in October, just prior to election.

Again, Mr. Comey said: No.

And then again on March 4, 2017, Mr. Trump said: How low has President Obama gone to tap my phones during the very sacred election process. This is Nixon/Watergate. Bad, or sick, guy.

Mr. Comey, the FBI director, said: No.

Definitively, Mr. Trump did not tell the truth. More investigations deliberately to determine the status of the actions of the President of the United States accusing a former President of a criminal felony which did not happen. It did not happen.

CALIFORNIA'S FIRST CONGRESSIONAL DISTRICT TOWNHALL MEETINGS

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, this past Saturday, in my own First Congressional District of California, we had the first of our series of townhall meetings—this one in Nevada County at the Grass Valley fairgrounds.

It was a good meeting. A bit raucous at times. There was disagreement, and there was some agreement as well. But I think it was a good dialogue to get started with the dialogue we need to have in northern California on the very important issues that we are working on here in Congress.

There was agreement and disagreement on where we should go with the ACA treatment and where we should go with the funding of EPA. But what I am happiest about is that at least we

were able to come together, 1,400 people and me and my staff, and have a dialogue that, again, at times was a little loud, a little raucous, but also people looking forward to being able to hear each other and listen to each other on the issues that are important as we go forward in this Congress.

I commend people in Nevada County for reaching out and for helping us get started with our outreach that we are going to have in northern California. Upcoming next will be Butte County, Shasta County, and the farther reaches a little bit later.

Mr. Speaker, this is a good dialogue I need to have.

DEFENDING PUBLIC BROADCASTING

(Ms. KAPTUR asked and was given permission to address the House for 1 minute.)

Ms. KAPTUR. Mr. Speaker, I rise today to defend public broadcasting and honor the late Fred Rogers, whose birthday is today, March 20. Known fondly by millions simply as Mr. Rogers, his wonderful, beloved presence has reached millions of homes across our Nation captivating generations of children, and even adults.

The Corporation for Public Broadcasting is a vital part of America, including cities, but small towns as well. NPR and PBS stations will be disproportionately impacted by President Trump's proposed budget zeroing out public broadcasting. It is not right.

President Trump's travel bill to Mar-a-Lago and the growing security that the American people are paying for over at his Trump Tower in New York, which reports show to already be in the tens of millions of dollars, will soon swamp the \$200 million America dedicates to public broadcasting annually.

We have been here before. In 1969, President Richard Nixon threatened to slash funding for PBS. Mr. Rogers went before the Senate to defend public broadcasting and its value to our children, especially for learning. I know I am not alone in wishing Mr. Rogers were with us once again to make the case for America's children and public broadcasting.

I hope President Trump and my colleagues will join me in supporting programming that boosts kids' confidence and helps children enjoy learning and the wonder of math, science, and books.

HONORING THE LATE ANTONIO CLAUDIO MARTINEZ

(Mr. ESPAILLAT asked and was given permission to address the House for 1 minute.)

Mr. ESPAILLAT. Mr. Speaker, it is with great honor that I rise today to pay tribute to a community leader, a pioneer, and a humanitarian.

Mr. Antonio C. Martinez was one of the first Dominican-American members of the New York State Bar. He was born in Santiago, Dominican Republic, in 1926, and immigrated to the United States with his mother through Ellis Island. He passed away on December 16, 1999, leaving behind a great legacy.

Antonio attended Hunter College in Manhattan and graduated from Brooklyn Law School in 1956. And when the call to duty came during World War II, Antonio selflessly enlisted in the U.S. Army and served honorably in the Pacific theater.

Antonio dedicated his 43 years of legal career to immigration, assisting thousands of families through the process of legally entering the United States. His efforts and the cases he argued helped improve the law.

I am privileged to speak from my heart about Antonio's great work in the legal field, because my family and I were fortunate enough to have Antonio represent us when we needed to navigate the immigration system here in the United States. Antonio's dedication to our legal system played an important role. I am proud to say that, as the first Dominican-American Congressman, my family and I are very proud of the work he did.

Today, his professional legacy lives on. His son is here in the gallery. I am happy to recognize Antonio's work of many years.

CONGRESSIONAL BLACK CAUCUS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentlewoman from the Virgin Islands (Ms. PLASKETT) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Ms. PLASKETT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include any extraneous material on the subject of this Special Order hour.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from the Virgin Islands?

There was no objection.

Ms. PLASKETT. Mr. Speaker, for the next 60 minutes, it is with great honor that I rise to coanchor this CBC Special Order hour. For the next 60 minutes, we have a chance to speak directly to the American people on the issues of great importance to the Congressional Black Caucus, to Congress, and to constituents who represent all Americans.

At this time, Mr. Speaker, we would like to use this time to talk about the Affordable Care Act. What do you have to lose? What do you have to lose, Mr. Speaker? Such was President Trump's constant refrain to the African-American community when rallying for their support of his administration's various policies.

Mr. Speaker, today, I rise to say that with critical elements of the American healthcare policy on the chopping block, African-Americans have a lot to lose, possibly even their lives.

□ 1930

There is as much at stake if President Trump and the Republican-controlled Congress healthcare policies take shape in their current form.

By illustration, I want to address the impact on low-income families and individuals in the Virgin Islands who rely on Medicaid, and, presently, Medicaid is capped in the Virgin Islands. You can look at our territory as an example of what will happen when there is a cap on services, which could compromise a State or local government's ability to administer those most in need.

Since its inception, Medicaid has been an open-ended program that was intended to expand and contract with need, especially when States and localities face crippling economic downturns of both manmade and natural origins. Medicaid covers one in five Americans, and of those, the majority of enrollees are children and individuals with disabilities.

Under the Affordable Care Act, widely known as ObamaCare, millions of African Americans finally gained access to healthcare coverage. In 2015, approximately 11.2 million African Americans became eligible for Medicaid through the expansion, health care that they previously did not receive and which would have cost this country much more if that early-warning health care was not taken care of.

President Trump and Republicans in Congress propose converting Medicaid from a shared payment program between States and Federal Government to an arrangement much like a block grant, where the Federal Government puts a cap on its payment assistance, creating a huge cost shift to the States. If you want to know what you have to lose if caps on Medicaid are enacted nationwide, look no further than my home, the Virgin Islands. It is a grim outlook.

Federal caps on Medicaid programs in the Virgin Islands are set on a per-enrollee basis. Unlike States in the mainland where Federal Medicaid spending is open-ended depending on the needs of the people, the Virgin Islands can only access Federal dollars up to an annual ceiling. Beyond that cap, the Virgin Islands' government is responsible for the remaining costs. That means many Virgin Islanders who would qualify in other States and in other circumstances don't get the healthcare coverage that they need now.

Under the proposed fiscal arrangement, spending caps don't take into account the cost of providing services or unpredictable changes in a community—such as the closure of a major

employer or a natural disasters—forcing a cost obligation for critical support services onto the already strained budgets of the territory.

As a result, States and local governments, increasingly, would have to make tough choices to either reduce services for recipients of Medicaid or restrict eligibility and enrollment of additional people who may need it. Those are the choices that Virgin Islanders must make. So the most vulnerable of our constituents—in this case, children—who need the safety net that Medicaid, by definition, is supposed to provide have that final option cut out from under them.

When it comes to Medicaid coverage, the Virgin Islands struggles to provide low-income families with Medicaid services for three major reasons:

First, while the Affordable Care Act raised the territory's Federal Medicaid assistance percentage up to 83 percent for newly eligible enrollees, this increase in Federal match funding did not apply to those previously enrolled, which the Federal Government only matched at 55 percent in the Virgin Islands, requiring that the remaining costs be covered by the Virgin Islands government, a government already strained to meet basic needs.

The Virgin Islands and the smaller territories are not included in the Medicaid Disproportionate Share Hospital, DSH, program, which would shoulder the unanticipated costs our hospitals must take on to provide adequate care for individuals who use hospitals for basic services since they have no insurance.

Three, With no Affordable Care Act exchange and no Federal subsidies to create our own health exchange, many Virgin Islanders were only able to obtain coverage through the Medicaid expansion if they met the already strenuous requirements. That means that 30 percent of Virgin Islanders presently have no health insurance.

This is what the rest of the States are going to have if this American Health Care Act, as it stands, is passed. A cap on Medicaid is a cap on medical services that our constituents just can't do without; and in poor communities, it is going to be even more impactful.

When ObamaCare provided increased funding to expand Medicaid, the island of Saint Croix was able to start a monthly homeless clinic at the Frederiksted Health Care Center about 15 months ago. That clinic has been able to serve many people, providing them with medical care, showers, meals, and transportation.

On St. Thomas, with the East End health clinic, they were able to expand their services and increase dental services to people who were sorely in need of that. If this funding decreases or is lost altogether, it is highly unlikely that this initiative can be continued.

Our current healthcare struggle is set to become a future hardship for mainland American States that provide Medicaid to a significant number of their population should the current proposals to cap Medicaid nationwide become law.

How do we avoid this? Do not place a cap on Medicaid. Too many in the African-American community have everything to lose if healthcare policy goes in this direction.

At this time, I yield to my colleague, the distinguished gentleman from Pennsylvania (Mr. EVANS).

Mr. EVANS. Mr. Speaker, I would like to thank the gentlewoman from the Virgin Islands, my good colleague and good friend. I thank her sincerely.

Last summer when speaking to the African-American community at a rally in Philadelphia, President Trump asked the question: What do you have to lose? Yes, he asked that question: What do you have to lose?

President Trump, what don't we have to lose? The programs the President wants to cut is the Community Development Block Grant, Meals on Wheels, and funding for Medicaid. There are programs that help combat poverty by providing the resources for better schools and food nutritional programs. These are the programs that help provide for the most vulnerable Americans who are fighting every day to try to get ahead.

What do we have to lose? Look at what the Republicans are trying to do with the Affordable Care Act. They say they want to cut costs and cover more Americans, but their plan doesn't do that. It does the opposite.

Take, for example, how they want to change the core structure of Medicare. They want to shift the Medicare from an open-ended entitlement program to one with a limited lens that does not take into account individual needs on a case-by-case basis.

What do we have to lose? All of the investments we have made to try to stabilize our cities, the budget cuts will have a direct impact. Take, for example, Temple University Hospital in the heart of the Second Congressional District. Temple University Hospital stands to lose \$45 million in funding. This translates into less jobs for our city and reduces the capacity of quality patient care. The President's proposal takes our city backwards. It unravels all of our hard work to make our communities more stable.

What do we have to lose? Everything that builds a brighter future for our neighborhoods, block by block. It is time step up, speak up, and speak out to hold our President accountable.

President Trump, we have a lot to lose. We are going to make sure you hear our message and our voice.

Ms. PLASKETT. Thank you so much to my distinguished colleague from Philadelphia (Mr. EVANS) and for the information you have shared with us.

Mr. Speaker, I yield to the distinguished gentlewoman from Chicago, Congresswoman ROBIN KELLY, who is also the chair of the Congressional Black Caucus Health Braintrust, so she can expound upon this question: What do we have to lose?

Ms. KELLY of Illinois. Thank you to my distinguished colleague from the Virgin Islands. It is an honor to be with you this evening, and thank you for your hard work and helping us to keep families healthy. Thank you also to CBC Chairman RICHMOND for organizing this important Special Order.

Mr. Speaker, I rise today to speak out for more than 975,000 residents of Illinois, including nearly 240,000 children that my Republican colleagues are plotting to strip of their health insurance.

This bill, the so-called American Health Care Act, ends the guarantee of quality, affordable, and accessible health care. This bill puts politics before people. But it isn't the politics that matters.

Mrs. Johnson affording her cancer treatment matters. A 5-year-old dying because her parents can't afford a transplant matters. Keeping our neighbors healthy no matter what street they live on or what their ZIP Code is will keep us all healthy.

So I must ask: What are my Republican colleagues thinking?

This bill was introduced at night, but the cover of darkness cannot hide the fact that this bill will kill tens of thousands of Americans every year. The dark of night cannot hide the reality that, because of this bad bill, more Americans will die of cancer, nor can it conceal the fact that millions of older Americans will be punished by the Republican's new "age tax."

Conversely, the Affordable Care Act protects older Americans from insurance companies who want to use their age as a reason to charge thousands and thousands more. While this bill from my Republican colleagues was written to empower insurance executives, the Affordable Care Act protects everyone. It includes unprecedented healthcare access safeguards for America's elderly, people living with disabilities, children, and young adults.

Meanwhile, the GOP's American Health Care Act reduces consumer protections. The American people will be left with more expensive healthcare coverage plans, and 24 million will lose their healthcare insurance completely, 14 million next year.

A disproportionate number of those losing insurance will come from African-American, Latino, Asian-American, and Pacific Islander communities. They will be women and children or older Americans, especially those living on the edge.

As chair of the Congressional Black Caucus Health Braintrust, I am working to close the gap in healthcare disparities that is plaguing these communities. This bill will make these disparities even worse.

And for the record, the ACA more than halved the uninsured rate in the African-American community and halved the national uninsured rate.

But the recent Congressional Budget Office report makes it clear that this will not continue in a positive way. In less than 10 years, 52 million Americans will be uninsured under the GPO's plan. The majority of these will be our grandmothers, grandfathers, great-aunts, and great-uncles.

Under the Speaker's plan, my State, Illinois, will have to cut Medicare eligibility. More than 53,000 constituents will lose their health care just because of this provision. The GOP also plans to defund Planned Parenthood, a decision that means 60,000 residents of Illinois will go without lifesaving cancer and STI screenings.

The list of the not very good, very bad things from the Republican healthcare bill go on and on and on. It will make us sicker.

It also raises the national debt, and it kills at least 1.2 million American jobs. And it stops us from reaching what should be our ultimate goal: the ability of every American to live a long, healthy life.

Mr. Speaker, can we finally get serious and call this bill, your GOP healthcare bill, what it really is: the Trump don't care bill.

Well, the Congressional Black Caucus cares. The House Democrats—and hopefully some House Republicans—care, and they will care enough to do the right thing and will oppose this bill.

Ms. PLASKETT. Thank you so much, Congresswoman KELLY, for that information that you are sharing and for the work of the Congressional Black Caucus Health Braintrust and for the information that you are giving in the seminars and the groups, the different experiences that you have had throughout the country.

I yield to the gentlewoman from Illinois (Ms. KELLY) so that she can tell us about some of the places that the Congressional Black Caucus Braintrust has had workshops or townhalls when sharing information with Americans.

Ms. KELLY of Illinois. Besides the District of Columbia, we have been to South Carolina. We have been to a couple of places in Los Angeles as well as Oakland to deal with the issue of AIDS. Also, of course, in my town of Chicago, we have had healthcare seminars; and, actually, we have had big health fairs so we can make sure that people get back-to-school checks, mental health checks, and AIDS checks. We gave food to people that might be in food deserts.

So we really tried to be well-rounded and also tried to educate people. And

going forward this week, we do plan to be on a call with ministers all across the United States so they know exactly what is going on and how they can help their constituents in this fight against this new healthcare bill.

□ 1945

Ms. PLASKETT. Mr. Speaker, I know the work that the gentlewoman from Illinois has done in health disparities that African Americans face. We disproportionately are struck with hypertension, high blood pressure, and diabetes, which are some of the things that we are concerned about. Lapse in coverage under the Affordable Care Act will affect African Americans in a large way because then those will become preexisting conditions, which are not covered under this healthcare plan.

Mr. Speaker, I yield to the gentlewoman from Illinois (Ms. KELLY).

Ms. KELLY of Illinois. Mr. Speaker, actually, of the top 10 diseases African Americans die from, African Americans die more from 8 out of the top 10.

So this new bill is not going to send us in a better direction, and we don't want to keep those statistics. We want to do better, and we were doing better, especially around the area of cancer. We want to keep going in the positive direction, not the negative direction.

So we don't want to see this bill passed, and we want to educate as many people as possible and encourage them to call their Congressperson and Senator.

Ms. PLASKETT. Mr. Speaker, I thank the gentlewoman from Illinois for the information and for being with us.

I also thank Chairman RICHMOND for providing this opportunity for the Congressional Black Caucus to speak before all of you and let you know.

I yield to the gentleman from Texas (Mr. VEASEY), my distinguished co-chair, who has some great information to share with us about what do we have to lose under the new Health Care Act that is being considered by the Republicans at this time.

Mr. VEASEY. Mr. Speaker, I thank the gentlewoman from the Virgin Islands. And I always enjoy hearing from the gentlewoman from the Chicago area, and I appreciate everything that she is doing as well.

It is interesting the President posed that question: What do you have to lose?

What he was referencing to was the African-American community. Instead of offering anything of substance, he just put out that very simple question.

I have got to tell you that it is pretty evident what we have to lose now. It is not only a lot of the gains that were made under the Obama Administration, but something that is near and dear to all of us, and that is health care.

I think about the district that I represent, and 40,000 people or more have

actually been covered because of the Affordable Care Act. They will probably lose that insurance if TrumpCare were to become law. And if you represent low-income families and workers out there, that is a scary prospect.

It is already bad enough that the State of Texas made probably what is considered one of the biggest policy blunders in Texas State legislative history when they decided not to expand Medicaid, which left so many others statewide, including in the district I represent, again, off of the insurance rolls.

What do you have to lose?

God, there are so many ways and so many areas that I can sort of describe what you would have to lose. The first thing I think about is, in the Dallas/Fort Worth area, if you lose your insurance, of course, that means that the burden is going to fall back on John Peter Smith Hospital, which is one of our county hospitals in the north Texas area, and Parkland Hospital in Dallas.

So instead of people having insurance that they pay into, that they have where they can go and see a doctor, they will end up back in the county hospital rolls and, of course, that will end up costing the taxpayers more money.

During President Trump's first 50 days, the Republicans introduced this legislation that, again, will just decimate the progress that so many people around the country have seen under the Affordable Care Act.

This Thursday, as we actually mark the seventh anniversary of the signing of the Affordable Care Act, the House is set to vote on the Republicans' healthcare replacement. Ironically, on a day that we should be celebrating the tremendous progress our country has made since this landmark law's passage, we will be defending the merits in our continued battle to fight its repeal.

So what does the Black community have to lose?

Again, we pose that question. The Congressional Budget Office—and there is a Republican appointee that runs that office, by the way—says that 24 million people are going to lose their healthcare insurance. Of those 24 million who are set to be kicked off of their healthcare plan and sent out to nowhere, African Americans are going to be hit the hardest.

The ACA boosted the African-American insured rate from 79 percent to 88 percent, just slightly below the 91 percent national figure. Some of those gains stem from Medicaid expansion under the ACA, where nearly 15 million of the nearly 40 million African Americans gained coverage.

That is what I was talking about a little bit earlier, Representative PLASKETT. In Texas, we did not get to benefit from that. That would have been a huge benefit to us. Again, it is

really considered one of the biggest policy blunders in the country.

As you see, Republican governors are actually afraid right now that the Medicaid expansion that has benefited their States that they are going to lose out on that because of this repeal that is going to take place. They are pushing back. They are saying this whole TrumpCare and RyanCare plan is a hot mess and that they absolutely want nothing to do with it.

It is also important to remember, under the Republican plan, the decision to cut \$880 billion from Medicaid over the next 10 years will translate into millions of African Americans potentially losing health care. While these numbers are alarming, it is the human impact that cannot be lost on GOP colleagues.

I have heard directly from constituents that I serve how the ACA has improved or saved their lives, and I would like to actually share some of those stories with you today.

One of the constituents that I serve worked for the same company for 35 years but was forced to retire because of declining health before he was eligible for Medicare. He faces drug costs of over \$500 per day and requires a life-saving procedure four times a year that costs \$14,000 per treatment. You can imagine what \$14,000 per treatment would do, and that is four times a year. Overall, his medical costs per month is \$15,000.

With the implementation of the Affordable Care Act, he had access to quality care that helped ease his financial burden. Under the Republican plan, this hardworking man, this taxpayer, this person that has worked hard, that worked for one company for 35 years—that used to mean so much in this country when people would give 35 years to one company and expected to be treated right—under the Republican plan, this hardworking man would pay thousands of dollars in out-of-pocket medical expenses for lifesaving care that would not be covered by this disastrous plan that we are actually going to have to take a vote on on Thursday.

It is stories like that that I think are really sad and why we need to tap the brakes and see what we can do to help make the current healthcare plan that we have, the ACA, stronger and better, to help out people like this gentleman who are going to be left out in the cold.

You have to really be wondering what our Republican colleagues are thinking, because it is not just the constituents that I represent. It is many of the constituents that they represent, too. I can tell you that out in the Dallas/Fort Worth metroplex, while I do represent largely urban areas—Dallas, Fort Worth, Irving, Grand Prairie, Arlington—I know that there are a lot of people that live out in these rural areas, that live outside of Dallas and Fort Worth, that live outside of Dallas

County and Tarrant County. They consider themselves conservatives, and I can tell you that they cannot afford \$14,000 per treatment; but if the Republicans pass their plan, that is what they are going to be left with and they are not going to be able to afford it. They are not going to get the care that they need, and that is what they need to understand tonight and that is what the Republicans need to understand tonight.

The only thing that they can guarantee individuals, like I just talked about, is that they are going to be paying a whole lot more for a lot less coverage. I think that is really a shame.

Another constituent was forced to pay \$100 per month for medically necessary birth control pills after her husband lost his job in 2010. Luckily, the Affordable Care Act provided access to health care, and now her birth control that she needs is covered in full. And that is important, too.

We have actually seen teen pregnancy rates in this country drop all over the country, which is good. Because when people can afford to start a family when they are ready, when they are financially ready to start a family, those kids are more likely to do better in school. They are more likely to be in a stable household. They are more likely to get the education that they need to be able to achieve the things they want to achieve when they leave the house. So there are a lot of these initiatives around the country where we have really seen teen pregnancy rates drop 20, 30 percent or more. It has been great.

I can tell you that in Dallas County, while the teen pregnancy rate is dropping all over the country, we have actually seen it rise at an alarming rate.

So what does that tell me?

That tells me that if you see the teen pregnancy rate going up and that you are going to kick all these people off their health care, that is going to be more of a strain on the social service system.

Republicans used to pretend like they were for people to have an opportunity to get off the system. But once you take people's birth control away and not give them the options that they need for family planning, you are increasing the social services. The Republican CBO report actually points that out, and they are still going ahead with this. So I think that that is really what is sad.

I think overall what we want to get at tonight is that the Affordable Care Act has been a lifeline for African Americans and African-American families. The full repeal will snatch the safety net out from under the Black community.

Despite the lies that our colleagues across the aisle and in the White House want to spread about the ACA, my colleagues and I will continue to defend it

to the very end because it turns out that the Black community has a lot to lose under the Republican healthcare plan.

I am so glad that so many of our colleagues came out tonight. I am glad that you are here helping lead this hour because we need to get the word out. We can stop something really devastating from happening here. The thing about it is that we really need to try to stop something devastating from happening on a bipartisan basis, such as people losing their health care, getting left out in the cold, being kicked off of their health insurance; trying to figure out, if they have a preexisting condition, how they are going to afford being pushed back into a high-risk pool.

What is this going to do to so many Americans? We are here focusing on the African-American community tonight with the Congressional Black Caucus, but what is this going to do to all Americans?

It is going to hurt them. It is going to hurt their bottom line. It is going to hurt their families. It is going to leave them in financial disrepair. I think it is going to be a sad day for our country.

Instead of trying to destroy something, we need to be trying to work together to try to strengthen the current system and make sure that all Americans have the opportunity to be covered.

Ms. PLASKETT. Mr. Speaker, I agree very much with everything that the gentleman from Texas (Mr. VEASEY) has said. I thank him for the stories of individuals because it is individuals that the Affordable Care Act was meant to cover, not groups of people, but everyday Americans, children, disabled, our elderly.

Some of the reports say that TrumpCare would be the largest transfer of wealth from working families to the rich in our Nation's history; that the Republicans are handing \$600 billion in tax breaks to rich and big corporations through this bill while taking money away from those Americans who have been able to have their healthcare needs taken care of in an affordable manner.

You have families that are going to be paying more for less under TrumpCare. Deductibles and out-of-pocket costs are going to skyrocket, leaving sick people unable to afford the care that they need. Premiums will soar and quality coverage is going to be priced out of reach for many families.

We also heard earlier about the middle-aged American paying an age tax that is going to come from this, that older Americans are going to be forced to pay premiums five times higher than what others pay for healthcare coverage.

I yield to the gentlewoman from Florida (Mrs. DEMINGS), the distinguished freshman Congresswoman from the 10th District of Florida, so she can explain to us how TrumpCare and the new Health Care Act is going to affect her constituents and all Americans and, particularly, African Americans in this country.

Mrs. DEMINGS. Mr. Speaker, I thank the gentlewoman from the Virgin Islands (Ms. PLASKETT), Mr. RICHMOND, and all of the distinguished members of the Congressional Black Caucus for leading this very important and critical conversation and discussion this evening.

President Trump said it couldn't get any worse for the African-American community. He asked the question: What did we have to lose by supporting him?

□ 2000

Well, it is even clearer now that we have everything to lose, starting with health care.

Marian Wright Edelman said: "The question is not whether we can afford to invest in every child, but it is whether we can afford not to."

Health care, we all know, is one of the most important investments we can make in our children. Nearly 12 million African Americans are insured through Medicaid. In Florida, 41 percent of children, in my home State of Florida are covered through Medicaid.

This GOP healthcare plan guts Medicaid, cutting funding by \$880 billion over the next 10 years. It also eliminates Medicaid expansion, which covers 1.5 million African Americans.

So what do we have to lose?

Families, children, will lose their health care. For those who do not lose health care, they will be forced to pay higher premiums. That, for some families, could mean the difference between a doctor's visit and food on the table.

Since the ACA was signed into law 7 years ago this Thursday, our community has seen its insured rate increase to the highest number in recent history. For a community that has long faced increased barriers to healthcare access and delayed doctor visits because of the cost, the ACA has meant the difference between life and death.

There is no question, we can make the Affordable Care Act more affordable for all Americans, but this bill doesn't do that.

So what do we have to lose?

President Trump, and to my GOP colleagues, I tell you the stakes could not be higher. Progress will be lost—progress that took many years to make, progress could be lost—by repealing the ACA.

The most vulnerable of people, the people we really should be taking care of in a country that we say is the greatest country in the world—I do believe that to be true—people that we

should be taking care of, including our children, will be hurt the hardest.

Florida has the Nation's highest enrollment number in the ACA, at 1.67 million sign-ups for 2017. But not only does repeal hurt children, but, in my home State of Florida, it also hurts millions of seniors.

A recent analysis from AARP shows that Florida will be "Ground Zero" for the Republicans' health plan's effects. They found that nearly a half a million Floridians between the ages of 50 and 64 would face higher premiums under the GOP plan, more than any other State; the people affected the most, low-income seniors.

So here is what is at risk in Florida's 10th Congressional District. The district's uninsured rate has gone from 22 percent to 15 percent since the ACA was implemented. 343,000 individuals in the district who now have health insurance that covers preventative services like cancer screenings and flu shots, without any copays, coinsurance or deductibles, stand to lose this access if the Republican Congress eliminates the ACA provisions requiring health insurance to cover important preventative services without cost-sharing.

392,000 individuals in the district with employer-sponsored health insurance are at risk of losing important consumer protections. 64,000 individuals in the district who have purchased high-quality marketplace coverage now stand to lose their coverage if the Republican Congress dismantles the marketplaces.

Over 60,000 individuals in the district who received financial assistance to purchase marketplace coverage in 2016 are now at risk of coverage becoming unaffordable if the Republican Congress eliminates the premium tax credits.

So what do we have to lose?

The evidence could not be clearer.

Ms. PLASKETT. Congresswoman DEMINGS, in fact, you do have a lot to lose. We see how Florida, with its elders, its senior citizens, will really take a major hit if this law is passed. And our colleagues have been giving us examples all the time.

I am always trying to let them know that the Virgin Islands stands as an example of what it will look like if the Affordable Care Act is repealed because the Virgin Islands doesn't have the expansion. We were not put in the mandate for the exchange, and that has led to 30 percent of Virgin Islanders having absolutely no health insurance, which then means that our hospitals are strained because the hospitals have to pick up costs for individuals who are without health care.

Listen, if your child is ill or sick, or you are dying, you are going to go to the hospital whether you can take care of it or not, whether you can pay the bill or not; and that has put a tremendous burden on our hospitals for them

to meet the costs of those 30 percent of individuals living in the Virgin Islands who do not have health insurance, are not covered by either the government group insurance for the local government or by the Medicaid money that we utilized because we did not have the expansion.

And even that is scheduled to leave after the fiscal year 2019, and we are going to have to make choices of removing people from Medicaid, of removing care from children, removing care from elderly and from individuals with disabilities. That is not a choice that Americans should have to make in this day and age, that individuals do not receive health care.

I know, Congressman VEASEY, that you are hearing from people in your own district who are giving you these same stories: What is going to happen if I don't have healthcare coverage? What is going to happen to my children if they are not able—they have asthma, they have juvenile diabetes, they have these issues, and I am not going to be able to take care of them because I am not going to have this insurance. Or the Medicaid is going to have to be pulled back in our State because we are going to have it capped; and our State is not a wealthy State and is not going to be able to make up the difference.

I know that the gentleman has examples from other Members who have come and given statements for us to bring to the RECORD about what is going to happen.

Mr. Speaker, I yield to the gentleman from Texas.

Mr. VEASEY. Absolutely, Representative PLASKETT. And one of our colleagues, who also happens to be my neighbor, EDDIE BERNICE JOHNSON, you can easily make the argument that she knows something about health care, considering that she worked in the healthcare arena before she came to Congress. And not only did she work in the healthcare arena, she has a lot of people that were uninsured that live in her district that are now insured because of the Affordable Care Act.

So, again, not only does she have that healthcare experience, she has been out in the community and has met with people for many years now on health care, even before she came to the Congress, when she was in the State Senate; so she has sat down and she has talked to people. She understands why it is important for people to have health care. She understands why it can be financially hard on people when they are hit by a catastrophic illness.

She gave a speech on the House floor—or she has a speech that she is going to submit—where she talks about the fact that the district that she represents, the uninsured rate dropped 27.3, all the way down to 20.8 percent; and that was a huge benefit for the constituents that she serves on a daily basis.

I mentioned Parkland Hospital a little bit earlier. Parkland Hospital is a Dallas County public hospital. Parkland Hospital provided \$1 billion in uncompensated care in 2015—\$1 billion. And if this RyanCare-TrumpCare bill were to become law, you can imagine what a large system like Parkland, that already provides so much in uncompensated care, what they are going to be hit with. It is going to be absolutely devastating.

I already talked about the fact also that Texas—and Representative JOHNSON mentions Medicaid in her letter. I have already talked about the fact that Texas made a big public policy blunder and decided not to take the money that the Federal Government was going to give them to help expand Medicaid coverage. They just prefer to just leave all those people uninsured.

So now one of the things that will happen under this GOP bill that the Congresswoman points out is that the money will be sent to people in a block grant; and you can imagine the shortfalls that that would create, particularly in a large State like Texas, because there are going to be short-comings. So hospital systems like Parkland, like John Peter Smith, they are really going to be hit with a hammer were this ever to pass and become law just because they are already being pushed so much.

Again, what just doesn't make any sense is that the Republicans so prided themselves for so many years about being the party that was about self-empowerment and helping people out, so now they want to kick people off of their insurance and leave them out in the cold and have them start going back to Parkland, start going back to John Peter Smith because they are not going to be able to afford their insurance anymore under this. It doesn't make any sense.

Ms. PLASKETT. From our experience in the Virgin Islands, that is what you do not want to happen.

People talk about: Who is on Medicaid? Who are these types of individuals? Why don't they get jobs?

I mean, in the Virgin Islands, when we had our largest employer, Hovensa, an oil refinery, close, of course, then our unemployment rate went up. And these are families in need, families who need the support.

With a cap on Medicaid, we were only able to have 55 percent of individuals who would qualify for Medicaid with that cap, with that ceiling that was in place from the Federal Government. It means that a tremendous amount of children, homeless individuals, people, families that are out of work for a period of time, are not covered. That, then, creates this huge burden on a hospital for those families to be taken care of, for individual care and individual need.

Particularly in the African-American community, when you have things like

diabetes, hypertension, all of these diseases which need constant monitoring and primary care physicians to take care of and to ensure that they do not become life-threatening, and come to a place where then they are coming to the hospital, it is in the millions of dollars that you are going to need support and care for the servicing of individuals with these diseases.

So I know that we are pushing that there be an expansion of Medicaid, that the cap not be put on Medicaid services, not because we want to coddle people who are poor, but because we know it is necessary. And the cost of not taking care of them on the front end of health care, with Medicaid, is an astronomical cost on the back end when they have diseases that have just gone out of control because they have not been able to go to primary care physicians and get the health care that they need.

Mr. Speaker, I yield to the gentleman from Texas.

Mr. VEASEY. All of those are absolutely good points, and I was talking about the uncompensated costs there for public hospitals. The one thing that I did not mention—and everybody knows this—is that if you don't have insurance and you do find yourself having to depend on the county hospital system or the public hospital system in your area, and those lines get longer and longer, which is what would happen if this bill were repealed—people have to remember that if someone is having an emergency and they know that the lines at the county hospital are just out of control and long, they are going to go to the private hospital.

□ 2015

They are going to go to the nonprofit hospital like in Dallas County that could be Baylor, that could be Huguley, and those hospitals are going to take on uncompensated costs. That is what is going to end up happening. They can't get a regular appointment there without insurance, but if they go to the hospital emergency room, they can't be turned away. Not only is it going to be a burden on our county hospital system, it is going to be a burden on our nonpublic providers as well.

Again, one thing to remember is that, before the Affordable Care Act, we had over 1 million people in Dallas-Fort Worth that did not have insurance. Just in the congressional district, alone, that I represent, I have the largest uninsured rate out of any congressional district in the entire country. That surprises a lot of people just because of the growth and the opportunities that the Dallas-Fort Worth area have been blessed with. But I actually have the largest uninsured rate out of any congressional Member in the country.

So when you think about the district that I represent and then you expand

that across the Dallas-Fort Worth metroplex, you are talking about 1 million people in a very prosperous area that still find themselves without insurance. That is scary.

I mentioned a little bit earlier the district I represent, the uninsured rate has gone from 37.9 percent to 31.4 percent since ACA was implemented; 2,003 individuals in the district now have health insurance that covers preventive services like cancer screenings and flu shots.

When you start talking about kidney dialysis, for instance, I visited a kidney dialysis center in Dallas County shortly after I was first sworn in. I was taking a tour of the kidney dialysis center, and I asked the doctor who was in charge of the center, I said: Wow, there are a lot of younger people in here.

About 60 percent of the patients were African American. About 40 percent were Hispanic. There was one White patient that was in there.

The lady said: It doesn't matter where you go. If you go to visit any of our clinics or any of our kidney dialysis centers, this is what a typical day looks like.

I asked her: Is it hereditary? What is going on? I don't understand what the problem is here.

She said: No. A lot of it is because they weren't receiving the care that they needed.

The sad part about that, she went on to explain to me, is sometimes it can be a person who has high blood pressure issues, and if they had just gotten those high blood pressure issues addressed, it could have been the difference between them taking some high blood pressure medicine instead of them basically having to give up their careers and go and sit in a chair to receive dialysis treatment 3, 4 days a week, 2 to 3 hours each time. That is sad.

She also talked about diabetes and how some people have diabetes, and they don't get that diabetes treated in time. Maybe they didn't even know they had diabetes. Again, type 2 diabetes is something very treatable. You can imagine the difference between treating somebody, giving them a prescription to treat their type 2 diabetes or their high blood pressure versus your earning capacity being greatly diminished by you having to go sit in a chair 2, 3, or more times 3 or 4 days a week versus if they had just been able to go see a primary care physician.

That is the type of thing that the Affordable Care Act is doing, giving people the opportunity to go and get those things treated before they become more costly to the system. That is something that is being missed.

The other thing that I think scares everybody—and it doesn't matter if you, again, live in my district or you live in the one of many districts in the Dallas-Fort Worth metroplex, when

you start talking about people who have preexisting conditions and you start talking about the fact that people are going to lose consumer protections that have been put in place under the Affordable Care Act and that they are going to see those consumer protections killed—like the prohibition on annual and lifetime limits, protection against unfair policy rescissions and coverage of preexisting conditions—again, if you see the ACA repealed, it is people like that who, for the first time, didn't have to worry about those limits, and they are going to see that snatched away from them. That is just really one of the tragedies.

Mr. Speaker, 27,000 people in the district that I represent, again, received financial assistance to purchase marketplace coverage in 2016. Now they are going to risk being uninsured again, and the insurance is going to be unaffordable under the Republican plan. There are just so many stories like that.

One of the things that I didn't point out about some of the people that are going to lose some of these consumer protections is that some of those people have worked really hard on their jobs, they are still working on their jobs, and they are going to be hit with those lifetime limits. It is going to be completely unfair to them while they are out there working hard every day. It was something they didn't have to worry about before, or at least when the ACA was put in place. If the ACA is repealed, they are going to be subject to that, too.

I think the narrative that has been put out there by the Republicans is that, no, it is just people that are taking advantage of the system. But understand, there are people that fall into these categories that we are talking about right now that get up and they go and work hard every day—every single day—and they have health insurance on their jobs, and they are going to be greatly impacted by this.

Speaking of people who go and work hard on their job every day, one of the things that I know that a lot of Democrats would like to see put in place—and even some Republicans have said they would like to see put in place—is they want to see the Cadillac tax repealed. That is not happening under this Republican plan. That is completely out of it.

So, again, there are a lot of problems with this and a lot of unfairness about this, about the people that are going to be harmed and affected. I hope that we can work in a bipartisan manner to really stop this from happening. And again, like we are here talking about tonight, the African-American community, in particular, will really be hit very, very hard.

Ms. PLASKETT. I thank the gentleman for all of the examples that he has given, real-world, real-people ex-

amples. I think it is important that all of us, as Members of Congress, really take to heart the words that we are hearing from Americans that are going to be affected by this.

Particularly in the African-American community, this is going to have a devastating affect on them to have this Affordable Care Act be repealed and this replacement. It does not take into account the lives that people are really living.

This is really a tax break bill. That is what this boils down to in many respects, because the individuals who are going to be displaced from this are those individuals who are the poor.

I just want to thank Congressman VEASEY for the time that he has given us this evening and all of our colleagues who are here and spoke about the Affordable Care Act and what the African-American community and what many Americans have to lose from this bill.

At this time, I conclude this CBC Special Order hour.

Mr. Speaker, I yield back the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise in opposition to the American Health Care Act. As a member of the Congressional Black Caucus, I would like to answer President Trump's repeated question to the black community; "what do we have to lose?" Our healthcare, Mr. President. The Affordable Care Act has been working.

The Affordable Care Act brought my district's uninsured rate from 27.3 percent down to 20.8 percent, and insured 265,600 individuals who didn't have health insurance before. While the main safety net provider in my district, Parkland Hospital, provided \$1 billion in uncompensated care in 2015, Parkland and the other safety net providers faces severe financial burdens in the House GOP proposal. One of my main concerns with this bill is that it punishes people who get their coverage through Medicaid by capping and slashing the program. With 70 million Americans and 5.2 million Texans who currently rely on Medicaid, per capita caps on the program would not meet the needs of the population and people would suffer.

Under the Republican proposal, millions of Americans will lose their coverage and families will pay more for fewer protections. To put this into exact numbers, according to a Congressional Budget Office report, 24 million people would lose coverage by 2026, and 7 million people would lose employer-based coverage. This bill includes an \$880 billion cut to Medicaid, then cuts and caps the program so that it cannot expand and contract as needed. Medicaid covers 1 in 5 Americans and in 2015, Medicaid covered 11.2 million African Americans. This is a 25 percent cut to the program and it is harmful and unsustainable.

This piece of legislation forces Americans to pay more and get less. The average subsidy under the American Health Care Act will likely be about 60 percent of the average subsidy under current law. Deductibles and out-of-pocket spending in the individual market will have to increase due to the elimination of re-

quirements that insurance plans cover a certain value. Americans will pay more for their premiums, more for their care, more on out-of-pocket expenses and deductibles; all the while giving tax breaks to the wealthy and the tanning industry.

I urge my colleagues to consider the harmful effects of this bill. Your constituents are asking you to work with Democrats to repair the Affordable Care Act. We are ready to work.

Ms. LEE. Mr. Speaker, first let me thank Congressman VEASEY for his tireless work to protect healthcare for all people.

Also to Congresswoman PLASKETT, I thank the gentlewoman for continuing to speak out, to organize us, and for her stellar representation of her district.

Let me also thank Congressman RICHMOND, Chair of the CBC, for his steadfast leadership on so many issues.

Mr. Speaker, 2 weeks ago Republicans unveiled their dangerous plan to repeal the Affordable Care Act.

A plan the CBO confirmed would rip healthcare away from 24 million Americans.

This week—on the 7th anniversary of the Affordable Care Act—their terrible plan will make it to the House Floor.

Mr. Speaker, one thing is clear: the proposal Republicans wrote in secret backrooms would be a disaster for struggling families, seniors, and people with disabilities.

Their proposal would mean 24 million fewer people with health insurance and 2 million jobs lost.

Their plan defunds Planned Parenthood and rations healthcare for low-income Americans.

It would make working people sicker, in order to provide a \$600 billion tax giveaway for billionaires.

We know who this plan will devastate the most: communities of color, especially African Americans.

By ending Medicaid as we know it, at least 1.5 million low-income African Americans could lose their coverage.

And millions more would lose access to high-quality healthcare with the elimination of the ACA's marketplace.

Mr. Speaker, this is outrageous.

We know that African Americans already suffer from shocking health disparities, including diabetes, heart disease, and cancer.

And sadly, these disparities are all too often fatal.

Mr. Speaker, when we wrote the ACA, we worked hard to ensure that our healthcare bill would help end these disparities.

I was Chair of the CBC at the time and addressing harmful health disparities—especially for African Americans—was at the top of our priorities in drafting the ACA.

The final legislation was a huge step forward for underserved families—particularly communities of color.

Through the exchanges and Medicaid expansion, millions of African Americans gained the insurance that they needed and they deserved, including those living with pre-existing conditions.

Take the issue of HIV/AIDS for example. Although they represent only 12% of the population, African Americans disproportionately account for 44% of new HIV cases and 40% of those living with HIV in the U.S.

Before the ACA, many African Americans living with HIV didn't have any insurance at all.

Through the exchanges and Medicaid expansion, millions of African Americans gained the insurance that they needed and they deserved.

Let me be clear: For people living with HIV in this country—repealing the ACA could mean a death sentence.

Without the Affordable Care Act, people living with HIV are at risk of losing access to the medicine and doctors that keep them healthy.

Clearly, health insurance is critical to keeping people healthy and reducing health disparities.

Mr. Speaker, we know that the ACA works.

It has provided healthcare for over 20 million Americans—7.8 million of whom are African American—since it was signed into law.

And because of this bill, young people, working class people, and people of color now have high-quality, affordable healthcare.

But Republicans don't seem to care.

They are on a rampage to make America sick again—and we must stand in their way.

Mr. Speaker, millions of Americans are making their voices heard in protests, in town halls and in the streets.

And their message is simple: "Keep your hands off of our healthcare."

I'm standing with the millions of Americans who are in opposition to this disastrous healthcare bill.

The fight to protect affordable healthcare is on.

We will not rest until Republicans and Trump end their cruel campaign to kick American families off their healthcare.

HISTORICAL CONTEXT OF THE AFFORDABLE CARE ACT

The SPEAKER pro tempore (Mr. HOLLINGSWORTH). Under the Speaker's announced policy of January 3, 2017, the gentleman from Texas (Mr. BURGESS) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Mr. BURGESS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on the topic of the Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BURGESS. I thank the Speaker for the recognition.

Mr. Speaker, October of last year, October of 2016, Bill Clinton, speaking in front of a group of people in Michigan, said:

So you have got this crazy system. There are all these people out there who are busting it sometimes 60 hours a week, and they wind up with their premiums doubled and their coverage cut in half. It is the craziest thing in the world.

Mr. Speaker, I don't often agree with former President Bill Clinton, but that quote pretty much sums up why we are here doing what we are doing this week

with trying to fix the problems inherent in the Affordable Care Act.

Now, sometimes people turning in and watching these hours must wonder how can it be we are talking about the same thing where one side says it is good and one side says it is not. Mr. Speaker, it may help to set some of the historical context. I would like to do that tonight. I would like to talk about the beginnings of what we now know as the Affordable Care Act. Some people refer to it as ObamaCare.

This is a bill that was signed into law 7 years ago this month, but it didn't just spring forth. There was a lot of work involved in bringing it forward and getting it heard and getting it voted on on the floor of this House. I was part of the Energy and Commerce Committee that summer, as I still am today. The Energy and Commerce Committee did hear what was then H.R. 3100, several hours of markup in the committee, several days of markup. Other committees marked it up, and H.R. 3100 was a 1,000-page bill that left our committee. I didn't vote for the bill. I didn't think it was a good idea, but it did have Republican amendments at the end of that process.

That bill then went to the Speaker's Office—not to the Budget Committee, but to the Speaker's Office. Speaker PELOSI put it together, and when it emerged, it was a 2,000-page bill that really didn't have much to do with the bill that was marked up in the committee. But, nevertheless, the bill came to the floor of this House; and in November of 2009, after a significant amount of debate, a significant amount of anxiety expressed on the Republican side and even some on the Democratic side, the bill was passed by a very slim majority. The bill went over to the Senate, and that was the end of that bill.

What happened next was there were—it was not exactly a bill—several drafts of several ideas that people had over on the Senate side; and the Senate took up a bill that the House had previously passed, H.R. 3590 was the number of that bill, and the Senate debated and passed that bill on Christmas Eve of 2009. You may remember there was a snowstorm that was descending upon Washington, kind of a familiar story, a snowstorm that was coming to town. The Senators wanted to get home before the snowstorm hit, and they passed H.R. 3590.

Remember, back in those days, the Democrats had a 60-vote majority in the Senate. They were able to cut off debate and pass the bill on a party-line vote with 60 Democratic Senators voting in favor of that bill.

Then something strange happened. The Democrats actually lost a Senate seat in a special election in the State of Massachusetts that they weren't expecting to lose. As a consequence of losing that Senate seat, now, instead of

a 60-vote majority, they had a 59-vote majority, so they actually could not cut off debate. It was not a filibuster-proof majority.

Harry Reid told NANCY PELOSI, who was then the Speaker of the House: Well, I have done everything I can do. You are just going to have to pass our bill as it is. I can't make any changes to it.

Speaker PELOSI wisely said—I am paraphrasing here because I don't remember the exact quote—but I think she said: I haven't got 100 votes for that thing over here in the House.

I think she was right. But they worked on it, and President Obama worked on it, and 3 months later, in March of 2010, indeed, they did bring that vote up in the House, passed exactly what had passed in the Senate. As a consequence, since the Senate bill was actually an amendment to a House bill that didn't have anything to do with health care in the first place, but since it was only an amendment to a House bill that had passed the House, so many as are in favor agree with the amendment to the Senate bill, the number being 218, that bill went down to the President for a signing ceremony that very same week. Thus was born the Affordable Care Act.

Now, what has led us to the point where former President Bill Clinton would say that it is a crazy system? Well, there is a lot of discussion back and forth.

Certainly, Republicans took the majority shortly after that bill was signed into law. I would submit that because that bill was signed into law, Republicans regained the majority in the House of Representatives in 2011 and since that time have had a number of votes either trying to repeal the Affordable Care Act or improve the Affordable Care Act. A number of those votes have, indeed, been bipartisan votes, that is, Democrats have voted with Republicans.

□ 2030

I think the total count is there have been 47 Democratic votes to either repeal, replace, reform, or repair the Affordable Care Act. It really has been a bipartisan effort these past 7 years.

We are where we are today because of the problems that exist in the bill. Despite the talk that we heard in the last hour, people are suffering under this.

There is a gentleman back home in my district. I think he is a plumber by profession. He has previously been diagnosed with bladder cancer. He says, under his Affordable Care Act policy, he gets to go see his primary care doctor once a year. His primary care doctor says, Well, you need to go to a urologist to have your cystoscopy, but his deductible is so high, he doesn't do it. He has got access to insurance, but he doesn't really have access to the kind of care that he needs that could be life-saving and could prevent him from

having a much greater problem down the road.

We can all bring our individual stories out, but the fact of the matter is, access to coverage is not the same thing as access to care.

During the course of the campaign this last fall—and I remember this very specifically because November 1 was the day that the new rates came out—the open enrollment period for the Affordable Care Act opened up on November 1, and people got a glimpse of what their marketplace rates were.

As a consequence of those marketplace rates, people started to pay attention. There was still another week to go before election day, and people started to pay a significant amount of attention to what the rates were.

It isn't just the rates. It is the access. One-third of U.S. counties have only one insurer willing to sell in marketplace in those counties. I think the number is either five or seven States that have entire States with only one insurance company. That is not really choice. That is not really access. That, in fact, is a monopoly.

2017 was a year marked by a sharp rise in premium increases across the country. Seven States saw premium increases of more than 50 percent. Texas was about 25 percent. Some States went up over 100 percent.

The individual mandate, which was part and parcel of the Affordable Care Act, the most coercive Federal legislation passed since the income tax passed 100 years ago—the individual mandate is the reason that the Affordable Care Act has never achieved widespread popularity. But even with the individual mandate—that is, we are going to send the Internal Revenue Service out and make them make you buy health insurance—over 19 million taxpayers elected to pay the mandate penalty or claim a hardship exemption.

There were 6.5 million individuals who paid the penalty and over 12.5 million people claimed a hardship exemption, according to the Internal Revenue Service's own files.

The Centers for Medicare and Medicaid Services reported that 10.5 million individuals enrolled in an exchange plan through the first half of 2016. More than twice that number chose to either exempt themselves through a hardship waiver or just simply pay the fine and walk away from the obligation to purchase insurance.

I am firmly of the belief that the individual mandate has no place in a free society. The one central thesis of the Affordable Care Act that I long to see repealed is the repeal of the individual mandate. While we are at it, we might as well take care of the employer mandate.

By the way, President Obama delayed the employer mandate for 2 full years, not by a House passed bill, but by administrative fiat. He simply de-

cided, prior to the Fourth of July in 2013: You know what? The employer mandate is going to cause trouble in the next congressional election, so I will just suspend it.

In a blog post put up by Valerie Jarrett on the evening of July 2, 2013, the employer mandate was simply suspended for a couple of years because it was felt to be too onerous and because of the effect that they feared it would have on the midterm elections in 2014.

Time after time, the Obama administration took it upon themselves to delay or turn back a portion of their own law, and there were multiple times where there were votes taken on this floor.

I think of the 1099, the paperwork that was going to be required in the business-to-business transactions; the 1099 forms that were required under ObamaCare that were repealed by this House in a bipartisan fashion because it did pass in the Senate, and the Senate was controlled by Democrats at the time.

Also, the CLASS Act, a particularly onerous part of the community living access ostensibly to provide some help with long-term care, except it really didn't. It was in an actuarial death spiral even before it was enacted. It was one of those things in the Affordable Care Act where you paid for 10 years of taxes and got 6 years of benefits. When they got finished collecting the taxes, it was decided they better do away with the benefit because, in fact, there was no benefit there at all.

Time after time, in a bipartisan fashion, this House has taken action to restrict or remodel or repair or repeal portions of the Affordable Care Act. We are now coming up on a time where significant change is going to occur in the issuance of health care in this country. The change is going to be tough. We always knew it would be, but it is the right change.

The Energy and Commerce Committee, the Ways and Means Committee, and the Budget Committee have put together legislation that we will be hearing up in the Rules Committee later this week; the American Health Care Act, which will come to the floor before the end of this week. Let me just make a prediction: it will pass the floor of this House.

I see that I am joined by a colleague this evening. I yield to the gentleman from Georgia (Mr. CARTER) to talk on this issue or any issue that may come to his mind.

Mr. CARTER of Georgia. I thank the gentleman for yielding, my good friend, Representative BURGESS from Texas.

We are very blessed to have Representative BURGESS' leadership on the Energy and Commerce Subcommittee, as he chairs the Health Subcommittee and brings his years of experience. I want to thank him for his leadership and for holding this tonight.

Mr. Speaker, every day, I hear stories from folks all across my district in the First Congressional District of Georgia, in southeast Georgia, who have been forced to choose. They have been forced to choose between paying their monthly insurance premium or buying other essentials for their families.

I want to give you an example of someone who I am talking about—a real life example, someone who has experienced this.

Consider the case of Bob Joiner. Bob Joiner is an independent adviser in south Georgia. His wife, Kim, is an audiologist who works in a small practice that does not provide healthcare benefits.

Bob and Kim exercise regularly. They watch their nutrition. They are fortunate to have no health problems. They also have a 28-year-old son, Wesley. In 2016, Bob's monthly healthcare premium increased 134 percent, and his son's healthcare insurance climbed to an astonishing 190 percent. In total, their 2016 annual premiums were \$4,285 for their son Wesley, and for them it was \$19,026.

The Joiners should have been hopeful that in 2017 they could change their plan for something more affordable. But thanks to ObamaCare, that wasn't the case. You see, what ObamaCare has done is to limit choices.

In 2017, there was only one ObamaCare-compliant plan that was accessible to the Joiners on the healthcare.gov website. An additional policy featuring a higher deductible with lower premiums was available; however, the plan was not ObamaCare compliant, leaving the Joiners subjected to the penalty. Before ObamaCare, the Joiner family's annual premium was \$7,400. At the time, they had access to multiple providers and dozens of plan designs.

Unfortunately, ObamaCare has brought chaos into the healthcare system. The Joiners are not alone. This is just one example of many throughout my district and throughout America of what ObamaCare has done.

ObamaCare has done, essentially, three things. First of all, it has taken away choice. It has limited choices.

Representative BURGESS mentioned the fact that a third of the counties in America right now only have one provider. Only one provider. That is not a choice. Five States only have one provider. That is not a choice. Sixteen counties in Tennessee have no provider. No one. That is not sustainable.

We have a situation that faced us here in the majority party, the Republican Party. We had to decide: What are we going to do? Should we even touch health care or should we just leave it alone?

We did the right thing. We said: We need to rescue the healthcare system here in America. We have got to act, and we have got to act now.

ObamaCare is imploding. We know that. Premiums have gone up, on average this year, 25 percent. In seven States, they have gone up over 50 percent. It is simply not sustainable.

It has decreased choices and increased cost. It has also caused much red tape and many obstacles between patients and their healthcare providers, between patients and physicians, between patients and pharmacists. That is not the way health care is supposed to be in America.

I am a strong believer in health care. I am the only pharmacist currently serving in Congress. My professional career, like Representative BURGESS, has been dedicated to health care. I am just not going to sit around and watch the greatest healthcare system in the world be ruined. That is why we have passed out of three committees thus far the American Health Care Act.

Representative BURGESS mentioned the fact that it has been through the Energy and Commerce Committee, it has been through the Ways and Means Committee, it has been through the Budget Committee. Now it will be on the floor this week.

Thursday will be a historical day for our country. It will be a historical day for health care in America. What are we going to be offering? We are going to be offering a plan that increases choices, that increases accessibility, that cuts red tape, that removes barriers between patients and healthcare professionals, that empowers people. It empowers citizens to be able to make their own healthcare choices.

Instead of having Washington, D.C., in their infinite wisdom, infinite knowledge, tell you what you need to have, you now will decide what you need to have, what is best for you, what is best for your family. That is what it is all about. That is one of the many reasons it is so good.

This plan offers so many good things in it. Health savings accounts. To be able to put more into a health savings account, to be able to roll it over from year to year, to be able to increase the amount in there, and even pass it on to survivors.

We utilize tax credits to make sure that, no, unlike ObamaCare, you are not penalized for not having insurance, but instead, you are rewarded for having insurance. That is what we are going to do.

Of all the bad things that I think ObamaCare has done to the healthcare system in America, first of all, it has taken the free market out of health care. No more competition, as we noted earlier. But the second thing has been this Medicaid expansion. That really is something that I take offense to.

Medicaid is a great program. It is a program that is necessary. It is a safety net program. It is intended to take care of the aged, the blind, the disabled, children and mothers. It was

never intended to be for able-bodied adults. This is not what a safety net program is about.

Under ObamaCare, I hear the other party say: Well, we have added 20 million people onto the insurance roles. Well, let's look at that. 14.5 million of those people were added on to Medicaid expansion. We shouldn't be calling this ObamaCare. We should be calling it ObamaCaid. Able-bodied adults added on to a safety net program. We are revising Medicaid. We are reforming Medicaid.

□ 2045

Medicaid is going to be even better for those people who need it. Instead of diluting that program, we are going to make sure that those people who truly need it—the aged, the blind, the disabled, children, mothers—have more access to it, as they should.

We promised three things among many things, but we promised, hey, we are going to keep a couple of things in here. We are going to make sure that parents can continue to have their children up to age 26 on their insurance. We promised that we were going to make sure that preexisting conditions were going to be included and that you would not be kicked off of your health insurance. We promised that we were going to have a stable transition. We are doing just that.

We are delivering on those promises. We are making sure—I often get asked: What about that 100 to 138 percent of the Federal poverty level? What are you doing for them?

Well, we came up with a refundable tax credit that is actually going to pay their insurance. That will go directly to pay their insurance.

The American Health Care Act delivers on what we promised. What we promised is that we would have more choices. What we promised is that we would have more accessibility. What we promised is that we would empower patients. We are doing that. We are empowering people. We are rescuing health care in America. I intend to vote for this plan Thursday night, and I am going to be very proud to vote for it.

We are going to rescue the healthcare system that I practiced in for over 30 years. I have seen how competition works in the healthcare system. I practiced in it. I have competed in it. I have seen how it lowers costs, and it will lower costs. People now will be empowered to have the ability to choose their own insurance instead of being mandated from Washington, D.C., what kind of insurance they should have.

I thank leadership for what they have done to pull this together. I thank the President. The President is behind this. President Trump made it one of his campaign promises: We are going to repeal and we are going to replace ObamaCare.

You know, it amazes me the media seems to—I get asked quite often: Can you believe he is doing this? Can you believe he is doing that?

I just think: Didn't he tell you he was going to do this? Didn't he tell you he was going to do that?

I think they are just amazed that we actually have somebody in the White House who is delivering on promises that he made, and he is doing just that.

This is a historical week in Congress. Thursday will be a historical day. We are rescuing health care. I am going to be proud to vote for this bill. Again, I thank leadership. I thank the White House. I thank Representative BURGESS, who has been a great leader through all this and has had a big part in this. I thank him for his part in this as well.

Mr. BURGESS. Well, as the gentleman knows, he and I spent—what was it—27½ hours in a committee markup 2 weeks ago getting us to this point. So the gentleman from Texas thanks the gentleman from Georgia for his part and his participation. That was a very long markup, but he stayed attentive and asked good questions and offered good insights all the way to the end. We were very fortunate to have him on the committee. I have been on the committee a few more years, but it was certainly one of the nights on that committee that I will long remember.

Mr. Speaker, I yield to the gentleman.

Mr. CARTER of Georgia. Again, I thank the gentleman from Texas for leading this Special Order here tonight, and I thank everyone who has been involved in this.

Mr. BURGESS. Will the gentleman maintain his position for just a moment so perhaps we can engage in a brief colloquy?

Mr. CARTER of Georgia. Absolutely.

Mr. BURGESS. Of course, the gentleman was not here in 2009–2010 when this thing came down the pike, but you may remember the townhall meetings from that summer, that August of 2009, and they were pretty intense. We hear a lot about townhall meetings today, but I promise you they were every bit, if not more so, intense during August of 2009.

When I look back on that, Mr. CARTER, what I remember is really two things that people were asking. Yes, it wasn't nearly as long as what the Affordable Care Act ended up being, but still a thousand-page bill, people have to dig through it, have to understand it. And the two things that I took away from those townhall meetings back in the district were people were telling us, number one: Don't mess up what we have got. We have something, and it may be imperfect, but by golly, it is working for us and our families right now, so don't hurt that.

The other thing they would ask is: If you are going to do anything at all,

could you please help us with cost, because we are concerned about the cost of these products and we are concerned what the trajectory may be for the costs going up over time?

I will just ask the gentleman from Georgia—since he was a citizen at that time, how does the gentleman from Georgia think we did with those two requests that were coming to us from our constituents?

I use the term “we” advisedly. Obviously, I voted against that bill.

But as things turned out with the Affordable Care Act, how did that turn out for the American healthcare consumer?

Mr. CARTER of Georgia. Well, as we say in south Georgia, the proof is in the pudding, and the proof is right here. Premiums have gone up this year. Look, one thing that amazes me is we have almost created two new classes of uninsured. First of all, through ObamaCare, it has mandated that people have insurance. So you have got a class who have insurance, but their deductibles are so high they can't afford to use it. So there you have a new class of literally uninsured. Then you have another class of people who were able to afford insurance before, but now it has gotten so expensive, they just pay the penalty. They cannot even afford it. I think it has done just the opposite of what it was intended to do.

I have heard this same argument, that we had to do something, that costs were rising. I will agree that we have to address healthcare costs. We do. We are. In fact, we are doing it this week. Remember, this is the first phase. As you pointed out, what we vote on this week is only the first phase. We have got two more phases to go. In those two phases, we intend to do a lot that is going to help control healthcare costs.

I like to give the example, if you will indulge me for just a minute, when I was still practicing pharmacy—and I tell you this to explain just how competition works. When I was still practicing pharmacy, I still had my pharmacy, and I still owned it at the time. This drugstore opened down the street, a tiny company. I am trying to remember the name. Oh, yeah, it was Walmart.

They decided they wanted to be a player in the healthcare system, in the pharmacy system, in the pharmacy market. So they came out with this idea that they were going to sell a 30-day supply of generics for \$4. I thought to myself, they must be crazy, I can't even buy it for that much. I bowed my back and I said: I am not going to do that. I am not going to do that.

Well, guess what. A week later, I was doing it.

I had people leaving my store. And I called my supplier up and I said: You have got to do something here, you have got to help me.

That is the way competition in health care works. When you have got choices, when you have got competition, prices go down, quality goes up. Sometimes we get caught up too much in the numbers game, thinking, oh, we have got all these lives covered. Coverage does not necessarily equate quality health care, as you well understand. We have to be very careful with that.

Now, we want people to have coverage, and we want them more so to have quality health care. This plan addresses that. It addresses it by increasing choices, by increasing competition, by increasing accessibility, and by empowering people. I am very proud. I am going to be very proud to vote for this bill on Thursday.

Mr. BURGESS. Mr. Speaker, I thank the gentleman for participating this evening. It means a lot to me individually that he was willing to come up and stay up late with us tonight yet one more night dealing with the Affordable Care Act.

But the gentleman is quite direct. The journey of a thousand miles starts with the first step. It is a three-part program. This was the first part, the first phase that will happen on Thursday night. This deals with some of the more egregious aspects of the Affordable Care Act, those things that can be tackled through Senate rules of reconciliation that only require 51 Senators to get passed. So that is one part of this.

Another part is the administrative part. And our former colleague from Georgia, Tom Price, a physician, who is now Secretary Tom Price for the Department of Health and Human Services, he has an administrative part that is actually already underway. We don't have to wait for that to happen. It is already occurring.

Then there is the third part, the so-called regular order part, the part that will require 60 votes on the Senate side, the part that is, by its very nature, going to be bipartisan. We have reported two rules out of the Committee on Rules tonight, one on the McCarran-Ferguson changes that I think the gentleman is well aware of. There are already additional bills that will be coming to the floor of the House that are separate and apart from this reconciliation bill, which is just the first step in repealing the Affordable Care Act.

I do want to point out that Secretary Price sent a letter to the Governors last week or a week and a half ago now talking about some of the waivers that he is bringing forward right now, the 1332 waivers, which are waivers for parts of the Affordable Care Act.

Quoting from his letter here: “Under Section 1332 of the ACA, states can apply for State Innovation Waivers and pursue innovative strategies to adapt many of the law's requirements to suit the state's specific needs.”

So many details to receive approval, what a State has to do, but he really stresses in this letter and in one of the last paragraphs: “We encourage states interested in applying for Section 1332 waivers to reach out to the Departments promptly for assistance in formulating an approach that meets the requirements of Section 1332.”

I know the gentleman hasn't served here that long, but I will just tell you, that is a sea change of difference from the Federal agency which time after time told our Governors: No. Stop. Go back to go. Do not collect \$200. You can't do that.

Now we have a Secretary at the agency who is reaching out to the Governors: Governor, we want to help you make this work for you. We are going to provide the flexibility that you need.

One of the things that I think is perhaps most promising is the hybrid, high-risk pool, State-operated reinsurance programs that have been proven in several States already. States that were in a so-called death spiral because of guaranteed issue community rating, the premiums were going up, people were dropping their coverage. And now these States have expanding coverage even without the things that we are providing in the American Health Care Act that we are going to be doing later this week. But already by providing that flexibility at the agency level, States are able to provide some relief for their citizens.

Then, finally, the part three of this. There are going to be some must-pass healthcare bills that will be coming up through our committee. We will have an opportunity to work on those things. We are going to work on the Food and Drug Administration user fee agreement reauthorization. So we will have that, which can happen as a bipartisan exercise in our committee.

I will just stress, the Committee on Energy and Commerce has a history of doing things in a bipartisan fashion. One of the reasons why I enjoy serving on that committee is it is a thoughtful committee and it does do things in a bipartisan fashion. Generally, that is one of the strengths of the committee as it brings legislation to the floor.

This is an important first step. It is a necessary first step. This is the key that gets us through the door of actually making a meaningful impact on cost and coverage in these United States. It has been 7 long years, but I am anxious and eager to get started on the next part of the process.

I thank the gentleman from Georgia for joining me here this evening.

Mr. Speaker, I yield back the balance of my time.

REPLACING THE AFFORDABLE CARE ACT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the Chair recognizes the

gentleman from Texas (Mr. GOHMERT) for 30 minutes.

Mr. GOHMERT. Mr. Speaker, yes, this is an important week. There are a lot of things we are bringing up, but nothing is more important than the bill that is supposed to address the Affordable Care Act, as it was called. But it is kind of tough to call it that since it has been completely unaffordable for so many. So many lost their health insurance and lost their doctor. Some lost medication that they were taking before. It is now no longer approved under their new policy. So it has been a very difficult period of time as ObamaCare has been foisted on the country. It came so close to not passing.

□ 2100

And every Republican that I am aware of has promised: You give us the majority in both Houses and the President and we will repeal it. I believe Majority Leader MCCONNELL said we will repeal it and rip it out root and branch. Republican leaders, I believe, mentioned lock, stock, and barrel. And I have great respect for my friends who were just speaking here, but I have got a real problem with the bill.

We are told there will be three phases, three buckets, three stages, whatever you want to call it. The first will be to pass this bill. It leaves in place the parts of ObamaCare that caused insurance to skyrocket. It is leaving in place the part of ObamaCare that caused deductibles to rise from very little to thousands and thousands of dollars, beyond so many Americans' ability to ever reach. So the insurance, they are paying them money every month, but they realize: I don't have \$5,000, \$6,000, \$7,000, \$8,000 to pay the deductible; therefore, I am really paying for nothing. Especially young people have found this.

We are told that it is because the Senate has what they refer to as the Byrd rule that would not allow us to take the part that is not currently in the bill regarding all of the regulations. We are told that the Byrd rule—and we have looked into it, apparently—if a bill is moving under reconciliation, as this is, then in the Senate, in essence, it must do more than affect the budget incidentally; it must materially affect the budget. And yet we know that if we repeal all of the part that is being put off for stage 2 or 3, but particularly stage 2, the regulations that were put in place by the Obama administration, the regulatory authority that was given to them, by putting that off, it means the prices that dramatically skyrocketed, they are not going to skyrocket down.

We are told, well, they may go up some, but we think there is a good chance they will come down 10 percent. But for my constituents, so many of whom either lost their insurance or are

now paying for skyrocketing prices two, three, four times or more than what they used to pay, a 10 percent drop will not be a help at all. Their deductibles will not be coming down anytime soon.

We are told, though, with the regulatory reform that my good friend Secretary Tom Price will do, that will be the phase, the stage, the bucket, that will drop the prices. But when I read through—and I know some people said 2,700 pages, my two part. And I have gotten two copies, and they are both around 2,500 pages. So unless there are 200 pages I never found, I did read the bill more than once. And someone said 1,400 times. I don't know. I know it is a lot. The Secretary of Health and Human Services is given wide discretion in putting in place rules and regulations to implement the act.

We have heard that there will, no doubt, be, immediately, litigation filed, lawsuits filed, to try to overturn the regulations that are put in place by Secretary Price. Well, since I have had experience in litigation, including Federal litigation, Federal appeals, what would be the issue?

Well, the issue would be whether or not the Secretary of Health and Human Services has authority to create regulations that will, in effect, completely destroy the bill so that eventually the prices will come back down, the deductibles eventually will come back down. That is what we are told. And I trust Secretary Price will do everything within his power to make this happen.

So Secretary Price will come forward with regulations that will emasculate the bill, emasculate ObamaCare. Litigation is filed. Ultimately, at some point, it will come back to a judge, an appellate judge.

As a State district judge, I handled cases and matters that I knew were going to be appealed. As a chief justice of an appellate court, I made those decisions and sat in on discussions with other justices, and so it seems I am in a good position to potentially analyze what would happen on appeal.

We know the Secretary has wide discretion promulgating the regulations, the rules, to bring about the implementation and the intent of the ACA, ObamaCare. But the question will be, on appeal: Does the Secretary of Health and Human Services have the authority, under the bill, to render it meaningless?

Now, I am not aware of justices at the appellate level who are a great deal more conservative than I was, but I believed in following the law even though I, at times, didn't like the law. I would not legislate from the bench. And in a case such as this, you would look, well, yes, the Secretary should have wide discretion to implement the intention of the bill and see that it is carried out.

But it would certainly seem the more powerful argument—perhaps, most

likely, the winning argument—will be, yes, but he doesn't have discretion to kill the bill. He has discretion, wide discretion, to implement the bill and carry out the intent of the bill.

I just can't help but think, again, back to words from my late friend, Justice Scalia. We weren't talking about a specific case, because he never betrayed the trust that he had as Associate Justice of the U.S. Supreme Court. We were talking about things in general. He said at times it bothered him that Congress had the power to end some bill, to change some law, and yet we seem to put a rubber stamp and encourage people to go file a lawsuit to get the law struck down instead of just winning the vote in the House and Senate and repealing the law.

The words that really come back are: If you guys in Congress don't have the guts to do what needs to be done, that you have the power to do and you are supposed to do, don't come running to us over at the Supreme Court expecting us to do your job for you.

He was right. This body, along with the Senate, has the power to do exactly what we have promised for 7 years we would do if we got the House, the Senate, and the Presidency. We would repeal ObamaCare.

Now, I don't know how many there are of us that cannot vote for a bill that will leave in place the regulations and the parts that made our insurance skyrocket, that caused me to lose my insurance. And I wouldn't take the subsidy for 3 years until we got insurance through other means. The law is very clear that, as Members of Congress, we weren't supposed to get that, so I went without insurance for a few years. But we promised our constituents we would repeal ObamaCare.

So what about, we are told, this part that can't make it through the Byrd rule in the Senate? Well, for one thing, 51 votes could change the Byrd rule. For another, there is nothing that is going to more materially affect the budget, in this reconciliation or any other, than bringing the price of health insurance and health care down dramatically. That is more appropriate under the Byrd rule than the whole other part that we are told will make it through the Byrd rule in the Senate.

The most important part is the part being left out. That will bring the prices down. That will give control back to the patients and the doctors. That will allow the States to come up with new ideas and new ways to provide health care and to get it to those who need it. But more important than anything, it restores freedom in America that has been lacking since that bill passed.

When the government is in charge of every Americans' health care, the government has every right to tell people how to live. Those claims from years past—we don't want the government in

our bedroom—became rather hollow when ObamaCare passed and the government came into your bedroom, your dining room, everywhere in the house. It has got to be repealed. As MITCH MCCONNELL has said previously, rip it out root and branch.

Who is going to make the decision on what seems so clear should allow all of ObamaCare to be repealed? Who is going to make that decision in the Senate?

Well, we know the Vice President can come right on down to the Capitol, come down Pennsylvania Avenue and come into the Senate Chamber. He is the President of the Senate, and I couldn't be more thrilled that he is.

If he is unable to come, then the majority leader could sit in the chair, or he could appoint someone to sit in the chair pro tem. But it will be a Republican who decides whether or not all of ObamaCare can be repealed, but especially the part that is left out right now.

Mr. Speaker, I know the President is coming, and I am so glad that we have this chance because he is President. But I believe that the President of the United States who has been sold this bill that won't bring down prices—maybe 10 percent, we are told, some day—he deserves better. He does not deserve to be slapped in the face with a midterm election when prices have not come down, as people pushing this bill know they won't—maybe 10 percent. That is not going to change votes of those who know we promised a full repeal. We have the power to do a full repeal. We have the power to do a full repeal, and we should do a full repeal.

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Let's get freedom back to a doctor-patient relationship. And from what I am told—they certainly haven't called me—I am told that the health insurance lobbyists have been very active, and people in our leadership are listening. But if that is true, these are the same people with Big Pharma that signed off on ObamaCare. It meant they would make billions more than they ever had in the short term, but in the long term, they signed their own death warrant.

We owe it to the American people to make sure that insurance is viable for the future, and the only way to do that is to repeal ObamaCare, rip it out, root and branch. I like MITCH MCCONNELL's expression. That is what needs to happen. And for those of my colleagues who are getting nervous about having pressure from the White House, pressure from the House leaders, pressure from the Senate leaders, it is nothing like the pressure you will get from your constituents when they find out you didn't really do anything to make their lives better because the prices are not coming down; the regulations that require all of those parts and policies that people don't want that they

should have the freedom to choose, they are still there; and in the meantime, the new regulations by the great Secretary of Health and Human Services, in whom I have great faith, they will be tied up in litigation. Maybe they get to the Supreme Court in 2 years. Maybe they don't. Maybe it is longer.

And the American people continue to suffer because we didn't have the guts to do what we should do, what we promised we would do, and that is: Repeal ObamaCare.

I would like to keep the Senate majority in 2018, and I am convinced that the only way we do that is if enough of us endure the name calling in the short term, and stand up and say no on this bill that doesn't keep our promises. It has got some good stuff in it, no question, but it doesn't keep our promises. And if enough of us will do that, then maybe we can get the Senate and the House leadership to agree to do what we promised.

Then the President will be hailed in 2018, as prices of insurance actually come down, people are given their freedom back to choose their doctor, their health insurance, and the short stint of the name calling now ends up paying dividends in a glorious future.

So, Mr. Speaker, thank you for recognizing me. We will see how the week plays out.

Mr. Speaker, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. FORTENBERRY (at the request of Mr. MCCARTHY) for today on account of personal reasons.

Mr. JEFFRIES (at the request of Ms. PELOSI) for March 17.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 18 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, March 21, 2017, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

831. A letter from the Regulations Coordinator, Health Resources and Services Administration, Department of Health and Human Services, transmitting the Department's interim final rule — 340B Drug Pricing Program Ceiling Price and Manufacturer Civil Monetary Penalties Regulation (RIN: 0906-AA89) received March 17, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec.

251; (110 Stat. 868); to the Committee on Energy and Commerce.

832. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's final rule — Adjustments to Civil Penalty Amounts received March 17, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

833. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Helicopters Deutschland GmbH (Previously Eurocopter Deutschland GmbH) Helicopters [Docket No.: FAA-2015-0674; Directorate Identifier 2014-SW-019-AD; Amendment 39-18792; AD 2017-03-01] (RIN: 2120-AA64) received March 17, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

834. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc Turbofan Engines [Docket No.: FAA-2012-0004; Directorate Identifier 2012-NE-01-AD; Amendment 39-18794; AD 2017-03-03] (RIN: 2120-AA64) received March 17, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

835. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc Turbofan Engines [Docket No.: FAA-2016-9510; Directorate Identifier 2016-NE-28-AD; Amendment 39-18780; AD 2017-02-01] (RIN: 2120-AA64) received March 17, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

836. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2015-3984; Directorate Identifier 2015-NM-033-AD; Amendment 39-18803; AD 2017-04-08] (RIN: 2120-AA64) received March 17, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

837. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2016-6896; Directorate Identifier 2016-NM-016-AD; Amendment 39-18805; AD 2017-04-10] (RIN: 2120-AA64) received March 17, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

838. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Learjet Inc. Airplanes [Docket No.: FAA-2016-9388; Directorate Identifier 2016-NM-145-AD; Amendment 39-18810; AD 2017-04-15] (RIN: 2120-AA64) received March 17, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

839. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airspace Designations;

Incorporation by Reference Amendments [Docket No.: 2016-8926; Amendment No.: 71-48] (RIN: 2120-AA66) received March 17, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

840. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Revocation of Class E Airspace; Farmington, MO; and Amendment of Class E Airspace for the following Missouri Towns; Ava, MO; Cameron, MO; Chillicothe, MO; Farmington, MO; and Festus, MO [Docket No.: FAA-2016-6986; Airspace Docket No.: 16-ACE-6] received March 17, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

841. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Wessington Springs, SD [Docket No.: FAA-2016-9193; Airspace Docket No.: 16-AGL-26] received March 17, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

842. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Iron Mountain, MI [Docket No.: FAA-2016-6271; Airspace Docket No.: 16-AGL-15] received March 17, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

843. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bell Helicopter Textron Canada Limited Helicopters [Docket No.: FAA-2017-0154; Directorate Identifier 2016-SW-069-AD; Amendment 39-18814; AD 2017-05-04] (RIN: 2120-AA64) March 17, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

844. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Helicopters Deutschland GmbH (Airbus Helicopters) (Previously Eurocopter Deutschland GmbH) [Docket No.: FAA-2017-0155; Directorate Identifier 2016-SW-051-AD; Amendment 39-18813; AD 2017-05-03] (RIN: 2120-AA64) received March 17, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

845. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace, Weed, CA [Docket No.: FAA-2016-9320; Airspace Docket No.: 15-AWP-2] received March 17, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

846. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2016-7423; Directorate Identifier 2016-NM-034-AD; Amendment 39-18816; AD 2017-05-06] (RIN: 2120-AA64) received March 17, 2017, pursuant to 5 U.S.C. 801(a)(1)(A);

Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

847. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Grand Chenier, LA [Docket No.: FAA-2016-6661; Airspace Docket No.: 16-ASW-10] received March 17, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

848. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2016-4225; Directorate Identifier 2015-NM-139-AD; Amendment 39-18817; AD 2017-05-07] (RIN: 2120-AA64) received March 17, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

849. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Sikorsky Aircraft Corporation Helicopters [Docket No.: FAA-2017-0169; Directorate Identifier 2017-SW-003-AD; Amendment 39-18818; AD 2017-02-51] (RIN: 2120-AA64) received March 17, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

850. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Barter Island, AK [Docket No.: FAA-2016-9173; Airspace Docket No.: 16-AAL-2] received March 17, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

851. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2016-9298; Directorate Identifier 2015-NM-161-AD; Amendment 39-18811; AD 2017-05-01] (RIN: 2120-AA64) received March 17, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

852. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Mapleton, IA [Docket No.: FAA-2016-8834; Airspace Docket No.: 16-ACE-9] received March 17, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

853. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2016-6893; Directorate Identifier 2015-NM-181-AD; Amendment 39-18812; AD 2017-05-02] (RIN: 2120-AA64) received March 17, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

854. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class D and Class E Airspace for the following Texas

Towns; Houston Sugar Land, TX; Alice, TX; Bay City, TX; Brenham, TX; Burnet, TX; Falfurrias, TX; Graford, TX; and Hamilton, TX [Docket No.: FAA-2016-8503; Airspace Docket No.: 16-ASW-11] received March 17, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

855. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pilatus Aircraft Ltd. Airplanes [Docket No.: FAA-2016-9357; Directorate Identifier 2016-CE-030-AD; Amendment 39-18798; AD 2017-04-03] (RIN: 2120-AA64) received March 17, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

856. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; United Instruments, Inc. Series Altimeters [Docket No.: FAA-2016-9345; Directorate Identifier 2016-CE-028-AD; Amendment 39-18801; AD 2017-04-06] (RIN: 2120-AA64) received March 17, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

857. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Air Traffic Service (ATS) Routes; Eastern United States [Docket No.: FAA-2016-0986; Airspace Docket No.: 15-AEA-7] (RIN: 2120-AA66) received March 17, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

858. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace for the Paragould, AR [Docket No.: FAA-2016-8835; Airspace Docket No.: 16-ASW-14] received March 17, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

859. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Air Traffic Service (ATS) Routes; Southwest Oklahoma [Docket No.: FAA-2015-3835; Airspace Docket No.: 14-ASW-13] (RIN: 2120-AA66) received March 17, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

860. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace, Willows, CA [Docket No.: FAA-2016-9138; Airspace Docket No.: 16-AWP-13] received March 17, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

861. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Santa Rosa, CA [Docket No.: FAA-2016-6967; Airspace Docket No.: 16-AWP-7] received March 17, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

862. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace, St. Petersburg, FL [Docket No.: FAA-2017-0015; Airspace Docket No.: 17-ASO-1] received March 17, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

863. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of VOR Federal Airways V-235 and V-293 in the Vicinity of Cedar City, Utah [Docket No.: FAA-2016-9265; Airspace Docket No.: 16-ANM-11] (RIN: 2120-AA66) received March 17, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

864. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Milwaukee, WI [Docket No.: FAA-2016-9491; Airspace Docket No.: 16-AGL-25] received March 17, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

865. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace for the following Ohio Towns; Findlay, OH; Ashland, OH; Celina, OH; Circleville, OH; Columbus, OH; Defiance, OH; Hamilton, OH; Lima, OH; and London, OH [Docket No.: FAA-2016-8839; Airspace Docket No.: 16-AGL-19] received March 17, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MCCAUL, Committee on Homeland Security. H.R. 1353. A bill to amend the Homeland Security Act of 2002 to require certain additional information to be submitted to Congress regarding the strategic 5-year technology investment plan of the Transportation Security Administration (Rept. 115-44). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCCAUL, Committee on Homeland Security. H.R. 1294. A bill to amend the Homeland Security Act of 2002 to provide for congressional notification regarding major acquisition program breaches, and for other purposes (Rept. 115-45). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCCAUL, Committee on Homeland Security. H.R. 1249. A bill to amend the Homeland Security Act of 2002 to require a multiyear acquisition strategy of the Department of Homeland Security, and for other purposes (Rept. 115-46). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCCAUL, Committee on Homeland Security. H.R. 1252. A bill to amend the Homeland Security Act of 2002 to provide for certain acquisition authorities for the Under Secretary of Management of the Department of Homeland Security, and for other purposes;

with an amendment (Rept. 115-47). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCCAUL, Committee on Homeland Security. H.R. 1365. A bill to amend the Homeland Security Act of 2002 to require certain acquisition innovation, and for other purposes; with an amendment (Rept. 115-48). Referred to the Committee of the Whole House on the state of the Union.

Mr. CONAWAY, Committee on Agriculture. H.R. 1029. A bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act to improve pesticide registration and other activities under the Act, to extend and modify fee authorities, and for other purposes; with an amendment (Rept. 115-49, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. COLLINS of Georgia, Committee on Rules. House Resolution 209. Resolution providing for consideration of the bill (H.R. 372) to restore the application of the Federal antitrust laws to the business of health insurance to protect competition and consumers (Rept. 115-50). Referred to the House Calendar.

Mr. BYRNE, Committee on Rules. House Resolution 210. Resolution providing for consideration of the bill (H.R. 1101) to amend title I of the Employee Retirement Income Security Act of 1974 to improve access and choice for entrepreneurs with small businesses with respect to medical care for their employees (Rept. 115-51). Referred to the House Calendar.

Mrs. BLACK, Committee on the Budget. H.R. 1628. A bill to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017 (Rept. 115-52). Referred to the Committee of the Whole House on the state of the Union.

Ms. FOX, Committee on Education and the Workforce. H.R. 1304. A bill to amend the Employee Retirement Income Security Act of 1974, the Public Health Service Act, and the Internal Revenue Code of 1986 to exclude from the definition of health insurance coverage certain medical stop-loss insurance obtained by certain plan sponsors of group health plans; with an amendment (Rept. 115-53, Pt. 1). Ordered to be printed.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on Energy and Commerce discharged from further consideration. H.R. 1029 referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. MESSER (for himself, Mrs. CAROLYN B. MALONEY of New York, Mr. HULTGREN, Mr. MEEKS, Ms. KELLY of Illinois, Ms. SEWELL of Alabama, Ms. SINEMA, Mr. KING of New York, Ms. NORTON, Ms. MOORE, Mr. POLIQUIN, Mr. VEASEY, Mr. SHERMAN, and Mr. KIND):

H.R. 1624. A bill to require the appropriate Federal banking agencies to treat certain municipal obligations as level 2A liquid assets, and for other purposes; to the Committee on Financial Services.

By Mr. ROYCE of California (for himself and Ms. FRANKEL of Florida):

H.R. 1625. A bill to amend the State Department Basic Authorities Act of 1956 to in-

clude severe forms of trafficking in persons within the definition of transnational organized crime for purposes of the rewards program of the Department of State, and for other purposes; to the Committee on Foreign Affairs.

By Mr. MCCAUL:

H.R. 1626. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income certain amounts realized on the disposition of property raised or produced by a student farmer, and for other purposes; to the Committee on Ways and Means.

By Mr. BERGMAN (for himself and Mr. KEATING):

H.R. 1627. A bill to amend the Immigration and Nationality Act to reinstate the returning worker exemption for H-2B visas, and for other purposes; to the Committee on the Judiciary.

By Ms. ADAMS (for herself and Mrs. LOWEY):

H.R. 1629. A bill to restrict the use of steel-jaw leghold traps and Conibear traps on animals in the United States; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BLUMENAUER (for himself and Ms. BONAMICI):

H.R. 1630. A bill to authorize the Secretary of the Interior to assess sanitation and safety conditions at Bureau of Indian Affairs facilities that were constructed to provide affected Columbia River Treaty tribes access to traditional fishing grounds and expend funds on construction of facilities and structures to improve those conditions, and for other purposes; to the Committee on Natural Resources.

By Mr. CRIST:

H.R. 1631. A bill to amend title II of the Social Security Act and the Internal Revenue Code of 1986 to modify the portion of wages and self-employment income subject to payroll taxes, and for other purposes; to the Committee on Ways and Means.

By Mr. DESJARLAIS (for himself, Mr. BARR, Mr. DUNCAN of Tennessee, and Mr. ROE of Tennessee):

H.R. 1632. A bill to prohibit the use of Federal money for print, radio, television or any other media advertisement, campaign, or form of publicity against the use of a food or beverage that is lawfully marketed under the Federal Food, Drug, and Cosmetic Act; to the Committee on Energy and Commerce.

By Mr. FARENTHOLD:

H.R. 1633. A bill to amend the Immigration and Nationality Act to extend the period of time for which a conditional permit to land temporarily may be granted to an alien crewman; to the Committee on the Judiciary.

By Mr. GRIJALVA (for himself, Mr. GARAMENDI, Ms. JACKSON LEE, Ms. ROYBAL-ALLARD, and Mr. RYAN of Ohio):

H.R. 1634. A bill to require the Secretary of Health and Human Services to issue to Federal agencies guidelines for developing procedures and requirements relating to certain primary care Federal health professionals completing continuing medical education on nutrition and to require Federal agencies to submit annual reports relating to such guidelines, and for other purposes; to the Committee on Energy and Commerce.

By Mr. GUTHRIE (for himself and Ms. BONAMICI):

H.R. 1635. A bill to amend the loan counseling requirements under the Higher Education Act of 1965, and for other purposes; to the Committee on Education and the Workforce.

By Mr. LARSEN of Washington (for himself, Mr. COFFMAN, Mrs. BROOKS of Indiana, and Ms. DELBENE):

H.R. 1636. A bill to reauthorize the matching grant program for school security in the Omnibus Crime Control and Safe Streets Act of 1968; to the Committee on the Judiciary.

By Mr. MESSER:

H.R. 1637. A bill to amend the Consumer Financial Protection Act of 2010 to authorize private parties to compel the Bureau to seek sanctions by filing civil actions, and for other purposes; to the Committee on Financial Services.

By Mr. POLIQUIN:

H.R. 1638. A bill to require the Secretary of the Treasury to submit a report to the appropriate congressional committees on the estimated total assets under direct or indirect control by certain senior Iranian leaders and other figures, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SHIMKUS (for himself and Ms. DEGETTE):

H.R. 1639. A bill to amend the Public Health Service Act to provide for the participation of physical therapists in the National Health Service Corps Loan Repayment Program, and for other purposes; to the Committee on Energy and Commerce.

By Ms. VELÁZQUEZ:

H.R. 1640. A bill to amend the Small Business Act to ensure uniformity in procurement terminology, and for other purposes; to the Committee on Small Business.

By Ms. MAXINE WATERS of California (for herself and Ms. VELÁZQUEZ):

H.R. 1641. A bill to amend the Small Business Act to clarify the responsibilities of Business Opportunity Specialists, and for other purposes; to the Committee on Small Business.

By Mr. WELCH:

H.R. 1642. A bill to responsibly pay our Nation's bills on time by temporarily extending the public debt limit, and for other purposes; to the Committee on Ways and Means.

By Mr. YOHO:

H.R. 1643. A bill to amend title 5, United States Code, to provide agency heads with additional authority to discipline Federal employees, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. BARLETTA (for himself and Mr. JOHNSON of Georgia):

H. Con. Res. 35. Concurrent resolution authorizing the use of the Capitol Grounds for the National Peace Officers Memorial Service and the National Honor Guard and Pipe Band Exhibition; to the Committee on Transportation and Infrastructure.

By Mr. HOYER (for himself, Mr. BEYER, Mr. BROWN of Maryland, Mrs. COMSTOCK, Mr. CONNOLLY, Mr. DELANEY, Ms. NORTON, and Mr. RASKIN):

H. Con. Res. 36. Concurrent resolution authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby; to the Committee on Transportation and Infrastructure.

By Ms. LOFGREN (for herself, Mr. SMITH of Washington, Mrs. CAROLYN

B. MALONEY of New York, Mr. CONNOLLY, Mr. GUTIERREZ, Mr. HUFFMAN, Mr. LOWENTHAL, Ms. SPEIER, Mr. CÁRDENAS, Mr. SWALWELL of California, Ms. JUDY CHU of California, and Mr. ELLISON):

H. Res. 211. A resolution recognizing the cultural and historical significance of Nowruz; to the Committee on Foreign Affairs.

By Mr. PANETTA:

H. Res. 212. A resolution expressing the sense of the House of Representatives that any legislation to repeal the Patient Protection and Affordable Care Act should include a replacement for such Act that includes certain health care consumer protections; to the Committee on Energy and Commerce.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. MESSER:

H.R. 1624.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. ROYCE of California:

H.R. 1625.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States

By Mr. MCCAUL:

H.R. 1626.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. BERGMAN:

H.R. 1627.

Congress has the power to enact this legislation pursuant to the following:

Article 1 section 8.

By Ms. ADAMS:

H.R. 1629.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8: to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. BLUMENAUER:

H.R. 1630.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. CRIST:

H.R. 1631.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. DESJARLAIS:

H.R. 1632.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, To regulate Commerce with foreign Nations, and among the several States, and with Indian Tribes;

By Mr. FARENTHOLD:

H.R. 1633.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 4 of the U.S. Constitution

By Mr. GRIJALVA:

H.R. 1634.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. I, §§1 and 8.

By Mr. GUTHRIE:

H.R. 1635.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States

By Mr. LARSEN of Washington:

H.R. 1636.

Congress has the power to enact this legislation pursuant to the following:

As described in Article 1, Section 1 "all legislative powers herein granted shall be vested in a Congress."

By Mr. MESSER:

H.R. 1637.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3; Article I, Section 8, Clause 18; and Article III, Section 1

By Mr. POLIQUIN:

H.R. 1638.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 grants Congress the power to "regulate Commerce with foreign Nations, and among the several states."

By Mr. SHIMKUS:

H.R. 1639.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Ms. VELÁZQUEZ:

H.R. 1640.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power *** To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Ms. MAXINE WATERS of California:

H.R. 1641.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. WELCH:

H.R. 1642.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18: The Congress shall have Power To . . . make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof..

By Mr. YOHO:

H.R. 1643.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 113: Mr. SCHWEIKERT, Mr. SCHNEIDER, Mr. HUFFMAN, Mr. CALVERT, Mr. CUMMINGS, Ms. KAPTUR, and Mr. DENT.

H.R. 173: Mrs. LOWEY and Mr. GOTTHEIMER.
H.R. 305: Mr. KRISHNAMOORTHY.
H.R. 355: Mr. MARCHANT.
H.R. 371: Mrs. BEATTY.

H.R. 392: Mr. CÁRDENAS, Mrs. HARTZLER, and Mr. BARR.

H.R. 426: Mr. BARR.
H.R. 427: Ms. JACKSON LEE.

H.R. 442: Mr. BERGMAN.
H.R. 448: Mr. CÁRDENAS.

H.R. 474: Mr. FARENTHOLD.
H.R. 479: Mr. ISSA.

H.R. 489: Mr. MICHAEL F. DOYLE of Pennsylvania.

H.R. 520: Mr. THOMPSON of Pennsylvania.
H.R. 523: Mr. SAM JOHNSON of Texas.

H.R. 553: Mr. GARRETT.
H.R. 559: Mr. SESSIONS.

H.R. 564: Mr. PEARCE and Mr. MEADOWS.
H.R. 592: Mr. ALLEN, Ms. JENKINS of Kan-

sas, Mr. POE of Texas, Mr. RUIZ, Mr. KILDEE, Mr. MITCHELL, Mr. LOWENTHAL, and Mr. WOMACK.

H.R. 632: Mr. AGUILAR, Mrs. TORRES, and Ms. JUDY CHU of California.

H.R. 664: Mr. BARR.
H.R. 695: Mr. BARR, Mr. RATCLIFFE, and Mr.

WILSON of South Carolina.

H.R. 696: Mr. SMITH of Washington.
H.R. 709: Ms. NORTON, Ms. JACKSON LEE,

Ms. SHEA-PORTER, and Mr. JONES.
H.R. 715: Mr. LEWIS of Minnesota.

H.R. 721: Mr. BACON, Ms. TENNEY, and Mr. THOMPSON of Mississippi.

H.R. 741: Mr. CRAMER.
H.R. 747: Mr. YOUNG of Alaska and Mr.

SWALWELL of California.

H.R. 754: Ms. GRANGER.
H.R. 772: Mr. MITCHELL.

H.R. 800: Ms. JACKSON LEE.
H.R. 804: Ms. MICHELLE LUJAN GRISHAM of

New Mexico and Mr. CUMMINGS.

H.R. 820: Mrs. BEATTY, Mr. WILSON of South Carolina, Mr. WALBERG, Ms. DELAURO, and Mr. LEWIS of Georgia.

H.R. 849: Mr. BARR.
H.R. 852: Mrs. BEATTY and Mr. SMITH of

Washington.

H.R. 866: Mr. KILMER.
H.R. 883: Mr. RATCLIFFE, Mr. MARINO, Mr.

FRANKS of Arizona, Mr. SMITH of Texas, and Mr. SENSENBRENNER.

H.R. 909: Mr. HIMES.
H.R. 919: Ms. DEGETTE, Mr. SUOZZI, and Ms.

ADAMS.
H.R. 959: Mr. GARAMENDI and Mr. YOUNG of

Alaska.

H.R. 960: Mr. BARLETTA, Mr. HUDSON, and Ms. BLUNT ROCHESTER.

H.R. 997: Mr. GROTHMAN, Mr. ROGERS of Kentucky, and Mr. HUDSON.

H.R. 1017: Ms. DELBENE, Ms. BROWNLEY of California, Ms. MCCOLLUM, and Mr. LAMBORN.

H.R. 1031: Mr. YOHO.
H.R. 1038: Mr. ROUZER.

H.R. 1090: Mr. YODER and Mr. KELLY of Pennsylvania.

H.R. 1130: Mr. GRIFFITH and Mr. PALAZZO.
H.R. 1136: Mr. FRANCIS ROONEY of Florida

and Mr. CURBELO of Florida.
H.R. 1143: Mr. JEFFRIES.

H.R. 1148: Ms. SCHAKOWSKY.
H.R. 1155: Mr. CRAMER and Mr. GROTHMAN.

H.R. 1156: Mr. GARRETT.
H.R. 1158: Mr. FASO, Mr. GRAVES of Lou-

isiana, Mr. HURD, and Mr. LYNCH.
H.R. 1160: Ms. KUSTER of New Hampshire.

H.R. 1164: Mr. BABIN.
H.R. 1171: Mr. LANGEVIN, Mr. GRAVES of

Missouri, Ms. CASTOR of Florida, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr.

ROSS, Mr. FITZPATRICK, Mr. CARBAJAL, Ms. MCCOLLUM, Mr. SUOZZI, Mr. BUTTERFIELD,

and Ms. ROS-LEHTINEN.
H.R. 1179: Mrs. HARTZLER.

H.R. 1206: Mr. GIBBS and Mr. DESANTIS.
H.R. 1219: Mr. GOTTHEIMER.

H.R. 1227: Mr. ROHRBACHER.
H.R. 1232: Mr. RYAN of Ohio, Mr. KILMER,

Mr. NADLER, and Mr. QUIGLEY.
H.R. 1253: Mr. CONYERS.

H.R. 1299: Mr. DANNY K. DAVIS of Illinois, Mr. LEWIS of Georgia, Ms. ESHOO, Ms. JUDY

CHU of California, Mr. DEFazio, and Mr. YARMUTH.

H.R. 1313: Mr. GARRETT.
H.R. 1317: Mr. RYAN of Ohio.

H.R. 1318: Mr. COFFMAN and Mr. RUPPERSBERGER.

H.R. 1319: Mr. WOMACK.
H.R. 1326: Mr. COHEN.

H.R. 1346: Ms. SCHAKOWSKY, Mrs. BUSTOS, and Mr. VISCLOSKEY.

H.R. 1363: Mr. GOODLATTE, Mr. TAYLOR, Ms. FRANKEL of Florida, and Mr. PALLONE.

H.R. 1393: Mr. PASCRELL, Mr. LANCE, Mr. SCHNEIDER, and Mr. WEBSTER of Florida.

H.R. 1405: Ms. JACKSON LEE and Mr. ELLISON.

H.R. 1409: Mr. SENSENBRENNER, Mr. PETERS, Mr. FORTENBERRY, and Mr. GRIFFITH.

H.R. 1438: Mr. RUPPERSBERGER and Mr. TAKANO.

H.R. 1452: Mr. POCAN.
H.R. 1472: Mr. WITTMAN, Mr. JONES, Mr.

QUIGLEY, and Mr. PETERS.

H.R. 1485: Mr. MEEHAN.

H.R. 1486: Ms. MCCOLLUM, Mr. LEWIS of Georgia, Ms. JACKSON LEE, Mr. MEEKS, and Mr. PALLONE.

H.R. 1494: Mrs. WATSON COLEMAN, Ms. FRANKEL of Florida, Mr. KENNEDY, Ms.

MCCOLLUM, Ms. CASTOR of Florida, Mr. GRIJALVA, Mr. VEASEY, Mr. HASTINGS, Mr. DONOVAN, Mr. RUPPERSBERGER, Mr. CURBELO of

Florida, Mr. SEAN PATRICK MALONEY of New York, Ms. NORTON, Mr. O'HALLERAN, Ms.

SPEIER, Mr. COSTELLO of Pennsylvania, Mr. SMITH of New Jersey, Ms. CLARK of Massa-

chusetts, Mr. MEEHAN, and Mr. SCHWEIKERT.

H.R. 1542: Mr. ROGERS of Kentucky, and Mr. SENSENBRENNER.

H.R. 1544: Mr. DENT and Ms. LOFGREN.
H.R. 1551: Mr. SCHWEIKERT and Mr.

RENACCI.

H.R. 1555: Ms. SPEIER, Mr. PALAZZO, Mr. WEBER of Texas, Mr. COHEN, Mr. TAKANO, Mr.

CONNOLLY, Ms. NORTON, Mr. MOOLENAAR, Mr. COLE, and Mr. MASSIE.

H.R. 1577: Mr. COLE.

H.R. 1588: Mr. ELLISON, Mr. THOMPSON of California, and Mr. BLUMENAUER.

H.R. 1608: Mr. EVANS, Ms. BROWNLEY of California, Mr. RUSH, and Ms. TSONGAS.

H.R. 1614: Mr. KATKO.
H.J. Res. 53: Mr. CRIST.

H.J. Res. 59: Mrs. NOEM.
H.J. Res. 89: Mr. COLE.

H. Con. Res. 10: Mrs. WAGNER.
H. Con. Res. 13: Mr. MARCHANT, Ms. CLARK

of Massachusetts, Ms. MCSALLY, and Mr. OLSON.

H. Con. Res. 28: Mr. THORNBERRY and Mr. UPTON.

H. Res. 60: Mr. BACON.
H. Res. 69: Mr. KENNEDY.

H. Res. 129: Mr. LONG.
H. Res. 135: Mr. O'ROURKE and Mrs. ROBY.

H. Res. 181: Mr. YOHO, Mr. BARR, Mr. DUNCAN of South Carolina, Ms. JENKINS of Kan-

sas, Mr. WITTMAN, and Mr. JOHNSON of Louisiana.

H. Res. 184: Ms. BROWNLEY of California, Mr. ESPAILLAT, Ms. SÁNCHEZ, Ms. MOORE, Mr.

CORREA, Mr. GALLEGÓ, Ms. LOFGREN, Mr. SCHNEIDER, Ms. KELLY of Illinois, Mr.

KRISHNAMOORTHY, Ms. CASTOR of Florida, and Mr. PAYNE.

H. Res. 186: Mr. TED LIEU of California, Mr. BEN RAY LUJÁN of New Mexico, and Ms. KAP-

TUR.

H. Res. 187: Mr. BLUMENAUER, Mr. RUSH, and Mr. CLEAVER.

H. Res. 197: Mrs. LAWRENCE.

EXTENSIONS OF REMARKS

CONGRATULATING ALEC HAGAN OF EUREKA HIGH SCHOOL ON WINNING THE MISSOURI CLASS 4 WRESTLING STATE CHAMPIONSHIP IN THE 152 POUND WEIGHT CLASS

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, March 20, 2017

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating Alec Hagan of the Eureka High School Wildcats on winning the Class 4 Wrestling State Championship in the 152 pound weight class.

Alec and his coach should be commended for all of their hard work throughout this past year and for bringing home the state championship to their school and community.

I ask you to join me in recognizing Alec Hagan for a job well done.

CONGRATULATING CAMERON RUDY OF FORT ZUMWALT SOUTH HIGH SCHOOL ON WINNING THE MISSOURI CLASS 3 WRESTLING STATE CHAMPIONSHIP IN THE 126 POUND WEIGHT CLASS

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, March 20, 2017

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating Cameron Rudy of the Fort Zumwalt South High School Bulldogs on winning the Class 3 Wrestling State Championship in the 126 pound weight class.

Cameron and his coach should be commended for all of their hard work throughout this past year and for bringing home the state championship to their school and community.

I ask you to join me in recognizing Cameron Rudy for a job well done.

TRIBUTE TO CALIFORNIA HIGHWAY PATROL OFFICER MATTHEW PAUL GISLER

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 20, 2017

Mr. DENHAM. Mr. Speaker, I rise today to acknowledge and honor California Highway Patrol officer Matthew Paul Gisler, who announced his retirement after 28 years of service.

On February 16, 1989, Officer Gisler graduated from the CHP Academy and was as-

signed to the CHP Hayward Area Office. He completed over a year with this department and was then reassigned to the Modesto Area Office in 1990. From 1996 through 2003, Officer Gisler fulfilled his assignment in the CHP Central Division Stanislaus County Auto Theft Task Force. In 2003, Officer Gisler returned to the Modesto Area Office, where he remained for the duration of his career.

Officer Gisler has completed extensive training in law enforcement over the years that allowed him to perform as a professional both on and off duty. He is recognized as an officer with great dedication and has provided tremendous support to keep our community safe.

Officer Gisler has been commended on numerous occasions for his many accomplishments, including the Vehicle Theft Award, Master Vehicle Theft Award, the Commander's Commendation on Weapons Proficiency, and the StanCATT Commendation on Auto Theft Instruction and Investigation. These are only a few of the multiple awards Officer Gisler has received during his service.

In addition to his extensive law enforcement career, he is also a member of various professional societies, including the California Association of Highway Patrolmen, the Stanislaus County Peace Officer Association, and from 1996–2003, the Western States Auto Theft Investigators.

Matthew has two children, Christopher and Joshua, with his wife Karen, as well as two stepdaughters, Brandie and Tahnee.

Mr. Speaker, please join me in honoring the outstanding contributions made to public safety in the state of California by Officer Matthew Gisler as we wish him continued success in his retirement.

RUTH TSEHAYE

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 20, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Ruth Tsehaye for receiving the 2017 Entrepreneurial Spirit Award.

The Entrepreneurial Spirit Award recognizes a company or entrepreneur that demonstrates a pioneer spirit to develop a business start-up, new product development, or a company/product with growth in new markets. Ruth Tsehaye was born in Ethiopia and raised in Eritrea. She immigrated to the United States in 1984 to study pharmacology. As a student at Metropolitan State University, she began working for 7-Eleven as a part-time employee and later became the store's manager, improving the store's profits in the process.

In 2006, Ruth decided to buy into the franchise and began to win corporate awards for her profitability and leadership. Today, Ruth

owns four 7-Eleven stores in Commerce City and employs more than 40 workers. She is set to acquire the newest 7-Eleven location, which is currently being built in Commerce City. 7-Eleven's supply chain reaches into Commerce City with local community suppliers such as Bake Fresh. Her spirit and tenacity exemplify the entrepreneurial spirit.

I extend my deepest congratulations to Ruth Tsehaye for this well-deserved recognition by Commerce City.

JALISCO INTERNATIONAL, INC.

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 20, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Jalisco International, Inc. for receiving the 2017 Commerce City Business on the Move Award.

The Business on the Move Award recognizes businesses bringing new employment, growth in sales, or new capital investment to the city in the last year. Founded in 1985, Jalisco International is a family and minority-owned prime contractor that specializes in the construction of cement roads, bridges, and walls. The company contributed to the E. 104th Avenue and Highway 85 improvements in 2012 through 2013.

In addition, the company is extremely active in charitable giving throughout the metro area. Jalisco International employees volunteer on various community boards and with local organizations and Jalisco International supports Colorado CASA and domestic violence charities women's shelters. Along with these charitable acts, Jalisco International donated playground equipment to local elementary schools in 2016.

I extend my deepest congratulations to Jalisco International for this well-deserved recognition by Commerce City.

SASHCO, INC.

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 20, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Sashco, Inc. for receiving the 2017 Commerce City Business on the Move Award.

The Business on the Move Award recognizes businesses bringing new employment, growth in sales, or new capital investment to the city in the last year. Founded in 1936, Sashco is a third generation family-owned company that has been an innovator in the sealants and caulking manufacturing industry

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

for decades. Founded by Don Burch, the company has continued to grow while adapting to various improvements and innovations such as the first flexible caulking material and caulking gun as well as AcryColor and Lexel, the first clear sealant in a clear cartridge.

Sashco has been in Commerce City for thirty years and today employs 106 people, 15 of whom were added in 2016. Sashco is very involved in the community. Most recently, they hosted students from local high schools to show them their facilities and product development lab during the Small Business Associations Manufacturing Week in May 2016.

I extend my deepest congratulations to the Sashco, Inc. for this well-deserved recognition by Commerce City.

PERSONAL EXPLANATION

HON. A. DONALD McEACHIN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 20, 2017

Mr. McEACHIN. Mr. Speaker, I was unavoidably detained during roll call no. 170, the amendment to H.R. 1367, numbered eleven, offered by Ms. Hanabusa. I was also unavoidably detained during roll call no. 171, the final passage of H.R. 1367. I was also unavoidably detained during roll call no. 172, on approving the Journal.

Had I been present, I would have voted:

Yea on Roll Call No. 170

Yea on Roll Call No. 171

Yea on Roll Call No. 172

CONGRATULATING JACOB WARREN OF WINDSOR HIGH SCHOOL ON WINNING THE MISSOURI CLASS 3 WRESTLING STATE CHAMPIONSHIP IN THE 145 POUND WEIGHT CLASS

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, March 20, 2017

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating Jacob Warren of the Windsor High School Owls on winning the Class 3 Wrestling State Championship in the 145 pound weight class.

Jacob and his coach should be commended for all of their hard work throughout this past year and for bringing home the state championship to their school and community.

I ask you to join me in recognizing Jacob Warren for a job well done.

CONGRATULATING KYLE DICKHAUS OF EUREKA HIGH SCHOOL ON WINNING THE MISSOURI CLASS 4 WRESTLING STATE CHAMPIONSHIP IN THE 182 POUND WEIGHT CLASS

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, March 20, 2017

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating Kyle Dickhaus of the Eureka High School Wildcats on winning the Class 4 Wrestling State Championship in the 182 pound weight class.

Kyle and his coach should be commended for all of their hard work throughout this past year and for bringing home the state championship to their school and community.

I ask you to join me in recognizing Kyle Dickhaus for a job well done.

IN RECOGNITION OF DR. DOROTHY ENOMOTO

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 20, 2017

Ms. MATSUI. Mr. Speaker, it is with profound sadness that I rise to honor the life of my good friend, Dorothy Stevens Enomoto, who passed away on February 14th of this year. I ask my colleagues to join me in tribute to Dorothy's truly remarkable life which she dedicated to civil rights advocacy and public service.

Dorothy Stevens Enomoto was the widow of the late Jerry Enomoto, the first Asian-Pacific American United States Marshal. Dorothy met Jerry during her time in the Department of Corrections, where she became the first African-American woman to manage a department and to hold the position of Deputy Director of the Department of Women's Civil Addict Unit at the California Rehabilitation Center.

Born in Atlanta, Georgia, Dorothy was the granddaughter of a former slave. Dorothy was a classmate and close friend to Martin Luther King, Jr., sharing valedictorian honors with him at Booker T. Washington Senior High School in Atlanta, Georgia. Eighteen years ago, Dorothy cofounded the annual Martin Luther King, Jr. Annual Celebration with her late husband, Jerry, and my late husband, Bob.

After her retirement, Dorothy continued to pursue the fight for equality by serving on the Sacramento Affirmative Action Committee, the Executive Committee of the Sacramento chapter of the NAACP, and numerous other organizations which benefitted from her knowledge and experience. She and Jerry also served on the U.S. Attorney General's Greater Sacramento Area Hate Crimes Task Force.

Mr. Speaker, I ask my colleagues to join me in honoring the life of Dorothy Stevens Enomoto. Her daughters, Yvonne Roby and Marcia Roby Jackson, are living testaments to the positive impact she and Jerry made on our community and world.

UNITED POWER, INC.

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 20, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud United Power, Inc. for receiving the 2017 Economic Development Award for Leadership.

The Economic Development Award for Leadership honors a business or individual that has been a catalyst for economic vitality in Commerce City through creative leadership, innovation, facilitation, collaboration or through contribution of resources. United Power is a community-based, progressive utility cooperative serving 900 square miles along the north central range of the Colorado Rockies. The company has an electric franchise agreement with Commerce City to provide service to the city's growth areas in the northeast. United Power's capital investment in Commerce City includes a Reunion Substation with 37.5MVA (mega volt amp) transformer that is designed to support future expansion.

In addition, United Power provides monetary and volunteer support for community events, non-profit organizations, service groups and chambers. United Power also has a charitable foundation that offers direct grants for 501(c)(3) organizations that provide services to United Power members. Employees at United Power also sit on numerous boards.

I extend my deepest congratulations to United Power, Inc. for this well-deserved recognition by Commerce City.

WOMEN'S DAY

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 20, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and celebrate the 2017 International Women's Day as this is an important time to celebrate women and the great strides made with gender equality. Today is an opportunity to highlight the tremendous accomplishments of women all over the world for their achievements without regard to divisions, whether national, ethnic, linguistic, cultural, economic or political who pave the way for our future generation.

Women's rights are an important issue for our country. As a father of daughters, I value the contributions women make to our country and our communities. That is why I voted for both the Paycheck Fairness Act and the Lilly Ledbetter Fair Pay Act of 2009 to help close the gender gap that currently exists between men and women. We must work to ensure equal pay for equal work and support women and their families in the workplace and at home. On a global scale, the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) is working to ensure the rights of women in every country I support these efforts and all efforts to ensure women are treated equally across our country and the world.

I extend my deepest gratitude to all attendees today for recognizing the contributions of women around the world.

JACK ETHREDGE

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 20, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Jack Ethredge and his 32-year tenure as City Manager with the City of Thornton in Colorado.

Jack Ethredge began serving as City Manager in January 1985 and served in that capacity until his retirement in March 2017. During his tenure, Jack oversaw the construction of many large-scale projects and helped improve the collaboration between City Council and staff to implement Thornton's vision and overall growth of the city.

Specifically, Jack spearheaded several inter-governmental agreements with surrounding cities and school districts, including an agreement with the City of Westminster, which was the first of its kind in Colorado. These agreements helped better coordinate planning in terms of costs, revenue and future growth areas among Thornton's neighboring communities.

In addition, these agreements helped make Thornton's city services more efficient and cost-effective including snow and ice control removal on shared streets, special transit services for seniors and low-moderate income residents, and coordination of transportation planning. The Denver Regional Council of Governments and the Colorado Municipal League have recognized several of these programs virtually every year since 1986.

Jack's vision, leadership, and commitment to public service and his local community has been recognized by a wide variety of organizations and awards including: Metro North Chamber of Commerce's Economic Developer of the Year; Denver Federal Executive Board's Distinguished Local Government Award; and 1986 Man of the Year by the Northglenn-Thornton Sentinel.

I extend my deepest appreciation to Jack Ethredge for his service and commitment to the City of Thornton and I wish him all the best in retirement.

HONORING HARRISBURG FIRE
LIEUTENANT DENNIS DEVOE

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 20, 2017

Mr. BARLETTA. Mr. Speaker, it is with a heavy heart that I honor Harrisburg Fire Lieutenant Dennis DeVoe, and express my deepest condolences to his family, colleagues, and friends.

On March 11, 2017, Lt. DeVoe was on his way to pick up his gear to respond to a house fire when his vehicle was T-boned. Lt. DeVoe sustained fatal injuries in the crash, passing

later that night surrounded by his family. This honorable man lost his life while in the process of saving the lives of others, and the people of Harrisburg, along with myself, are forever grateful for the service he provided his community.

Lt. DeVoe graduated from Kennard-Dale High School in 1989 and later attended Thaddeus Stevens School of Technology, earning an Associate's Degree of Applied Science in Automotive Technology. Lt. DeVoe was a 1996 graduate of the 14th Fire Academy at Harrisburg Area Community College and faithfully served the Harrisburg Fire Department Squad 8 in the 21 years since. Additionally, Lt. DeVoe was a member of the Pennsylvania Search and Rescue and a state Fire Instructor at Harrisburg Area Community College as well as the York County Fire School. Lt. DeVoe was actively involved in the community. Lt. DeVoe volunteered with numerous area fire departments and coached local soccer teams. Lt. DeVoe's colleagues described him as a kind and energetic leader who prioritized community, service to others, and his family above all else.

Lt. DeVoe is survived by his wife, Amy DeVoe, and their four children, Carson, Aliza, Emma, and Jake, his mother, Joyce Webb, and her husband, Robert, and his brother, Brian DeVoe, and his wife, Sheila.

Mr. Speaker, please join me in honoring the life and service of Lt. Dennis DeVoe, for his selfless heroism and dedication to his community and his family.

CONGRATULATING RYAN HERMAN
OF ST. CLAIR HIGH SCHOOL ON
WINNING THE MISSOURI CLASS 2
WRESTLING STATE CHAMPIONSHIP
IN THE 145 POUND WEIGHT
CLASS

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, March 20, 2017

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating Ryan Herman of the St. Clair High School Bulldogs on winning the Class 2 Wrestling State Championship in the 145 pound weight class.

Ryan and his coach should be commended for all of their hard work throughout this past year and for bringing home the state championship to their school and community.

I ask you to join me in recognizing Ryan Herman for a job well done.

RECOGNIZING FIRST ASSEMBLY
OF GOD CHURCH IN SULLIVAN,
MISSOURI ON ITS 100TH ANNIVERSARY

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, March 20, 2017

Mr. LUETKEMEYER. Mr. Speaker, I rise today to honor a church in my district, First

Assembly of God in Sullivan, Missouri, on its 100th anniversary. It will be observing this milestone on October 8, 2017.

First Assembly of God was founded on June 4, 1917 by Reverend R.O. Miller with 42 charter members. The church is known for its long-standing history of providing Christian services in the community. Its first building was dedicated on March 18, 1923 which served the congregation until its relocation on September 14, 1969 to its current home on Elmont Road.

The mission statement of First Assembly of God is to "Exalt the Lord through worship, Equip the saints through discipleship, Evangelize the lost through outreach and missions, Embrace each other through fellowship, and Encourage the hurting through ministry." Throughout the past 100 years this mission statement has been the foundation on which the church stands and shares the love of God with those in the community.

There are various programs offered at First Assembly of God for children, men, and women of all ages. Christian enrichment classes that are offered include Sunday School, Nursery, Kingdom Kids, Girls Club, Royal Rangers, Jr. High, Anchor 5.8, Anchor Youth, Late Night, and Women's/Men's Ministry.

Reverend Kyle Phillips currently serves as the Senior Pastor at First Assembly of God. He has served in this capacity for 10 years. Pastor Phillips serves the church alongside Youth Pastors Reverends Michael and Anna Maschmeyer, Children's Director Cascha Phillips, Executive Assistant and Treasurer Kay and Larry Cunio, and Maintenance Director Robert Davis.

I ask you to join me in recognizing First Assembly of God Church on its 100th anniversary. The commitment this church has shown to the Lord, its parishioners, and the entire community is acknowledged by this milestone anniversary.

HONORING THE NAPA JUNIOR
GIRLS SOFTBALL LEAGUE

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 20, 2017

Mr. THOMPSON of California. Mr. Speaker, I rise today to honor the Napa Junior Girls Softball League (NJGSL) upon the 50th anniversary of its founding. The NJGSL has been a trailblazing community partner and has supported the success of generations of Napa girls.

The NJGSL is a recreational league that offers girls ages 5–12 the opportunity to learn and play softball in a supportive environment. NJGSL participants learn the importance of staying active and healthy and have fun at the same time.

NJGSL participants also learn valuable life lessons that serve them well both on and off the field. Coaches, organizers, and parents focus on building teamwork and sportsmanship skills which will help girls communicate and maintain positive self-esteem throughout their lives. Furthermore, League alumni have even gone on to excel in collegiate softball careers.

Mr. Speaker, the Napa Junior Girls Softball League has been teaching girls in our community both softball and life skills for an impressive five decades. Therefore, it is fitting and proper that we honor the NJGSL here today.

ARDENT MILLS

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 20, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Ardent Mills for receiving the 2017 Commerce City Business of the Year Award.

The Business of the Year Award is given to a Commerce City company with a pioneer spirit that has shown a history of leadership within its industry and the community. Ardent Mills is the independent joint venture of Cargill, ConAgra and Horizon Milling. The company offers a broad range of flours, mixes, blends, and specialty products along with technical support, customer service and the supply assurance of a coast-to-coast network. Ardent Mills operates a network of more than forty community flour mills and bakery mix facilities in the U.S., Canada and Puerto Rico, including one in Commerce City.

Ardent Mills aims to nurture customers and communities with its innovative grain-based solutions in order to create a positive impact with employees, customers, communities and partners. In honor of their 80th anniversary in Commerce City, Ardent Mills hosted its first Community Day in May 2016 and hosted mill tours and demonstrations to show their appreciation to local farmers and customers. Ardent Mills' employees donate their time at the Food Bank of the Rockies and Kids First of Commerce City as well as contributing flour donations to organizations in and around Commerce City.

I extend my deepest congratulations to the Ardent Mills for this well-deserved recognition by Commerce City.

BIRKO CORPORATION

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 20, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Birko Corporation for receiving the 2017 Commerce City Business on the Move Award.

The Business on the Move Award recognizes businesses bringing new employment, growth in sales, or new capital investment to the city in the last year. Birko Corporation is a female-owned business that manufactures more than 400 concentrated food safety solutions and provides safe chemical formulations, state-of-the-art harvest and dispensing equipment, servicing capabilities, and integrated IT solutions for beef, poultry, pork, produce and brewery applications.

Birko Corporation has been in Commerce City for 25 years, growing their workforce by

10 percent in 2016. Birko is also heavily involved in community service both locally and nationally. Their fundraising efforts include donations to the American Red Cross, Girls on the Run of the Rockies, and several scholarship funds for college students.

I extend my deepest congratulations to the Birko Corporation for this well-deserved recognition by Commerce City.

ASAHI FOOD, INC.

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 20, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Asahi Food, Inc. for receiving the 2017 Business on the Move Award.

The Business on the Move Award recognizes businesses bringing new employment, growth in sales, or new capital investment to the city in the last year. Asahi Food was founded six years ago in Commerce City by Owner and President, Paul Guan. The business began with one client, Hapa Sushi in Denver, and today is a leading seafood supplier, delivering fresh-cut fish for more than 200 restaurants in Colorado and surrounding states. Their General Manager is Charlene Thai, founder of the Asian Restaurant Association.

Asahi Food is also extremely involved in the community and is an active member of the Takayama Sister Cities organization, Japan American Society of Colorado, and other Japanese community groups. They are also active with the local Chinese and Taiwanese communities.

I extend my deepest congratulations to the Asahi Food, Inc. for this well-deserved recognition by Commerce City.

TESTIMONY OF SHELTA WILSON ON THE POSITIVE IMPACT OF THE AFFORDABLE CARE ACT

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, March 20, 2017

Ms. DELAURO. Mr. Speaker, it is with great pride that I enter the powerful words of my constituent, Shelta Wilson, who supports the Affordable Care Act and the protections it provides our most vulnerable citizens.

"Let me introduce myself. My name is Shelta Wilson. I am 37 years old, and I operate a home daycare business in New Haven, Connecticut. It would be my pleasure to tell you why affordable healthcare is important to me. A couple of years ago, I was diagnosed with type 2 diabetes. At that time, I have no health insurance, and my health was seriously declining. It was impossible for me to run my business with these health issues.

Through networking, I was informed on where to go for affordable healthcare. It is called Access Health Exchange, and I was approved by them immediately. I was able to get the supplies and medication I needed to

run by business. As of right now, I and 100% free of diabetes and the medication that went with it. I feel good and truly know that without Access Health Exchange and the Affordable Care Act, I would not be able to stand here and talk to you guys today about how important it is to have affordable health care. Having health insurance truly saved my life."

RECOGNIZING DIRK NOWITZKI'S 30,000 POINT MILESTONE

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 20, 2017

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, it is with great pride for my hometown Dallas Mavericks and my good friend Dirk Nowitzki that I celebrate his 30,000th career point. On March 7th, 2017, with a baseline jump shot we have seen so many times, Dirk Nowitzki joined the ranks of NBA legends Kareem Abdul-Jabbar, Karl Malone, Kobe Bryant, Michael Jordan and Wilt Chamberlain in the 30K points club. I could not be happier for my friend.

In 1998, Dirk Nowitzki, who was born in Germany, was drafted into the NBA and immediately traded to the Dallas Mavericks. Since then, he has played 19 seasons with the same team, and in that time won an MVP award, a national championship, and touched the minds and hearts of so many Dallasites, basketball fans and not. His professional dedication to our city is unmatched these days in professional sports, and so is his charm and sense of humor.

But even more important than any basketball achievement, Dirk Nowitzki is a kind and good-natured person. He has made Dallas his home, and does not rest until all of its citizens enjoy better opportunities in their lives. He impresses me on the basketball court, but off the court, with people, is where his true splendor is showcased. Mr. Speaker, may the record celebrate this historic accomplishment for a man who will be destined for history no matter what he does.

PAYING TRIBUTE TO DR. WILBUR WILLIAMS FOR HIS 50 YEARS OF SERVICE

HON. SUSAN W. BROOKS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 20, 2017

Mrs. BROOKS of Indiana. Mr. Speaker, I rise today to celebrate the retirement of Dr. Wilbur Williams from Indiana Wesleyan University in Marion, Indiana. Dr. Williams is a beloved member of the Indiana Wesleyan community, as well as the greater Marion community. Through his 50 years of teaching, he has taught over 17,000 students, led over a hundred trips to the Bible lands, and is an accomplished author. The people of Indiana's Fifth Congressional District are forever grateful for Dr. Wilbur Williams' commitment to educating the next generation of Indiana students to be

knowledgeable, passionate, and active members of their community and the world.

Born in Gas City, Indiana to William and Idelta Williams, Dr. Williams is a life-long Hoosier. He graduated from Fairmount High School and later attended Marion College, now Indiana Wesleyan, for his undergraduate studies. He married Ardelia Lee Williams, another beloved faculty member of Indiana Wesleyan, in 1953. After his undergraduate studies, Dr. Williams was a pastor at Sheridan Wesleyan Church in Sheridan, Indiana from 1953 to 1958. In 1957, during his time as pastor, Dr. Williams earned a Master of Science from Butler University. He then went on to become the Assistant General Manager of the Higley Press and Publishing Company from 1959 to 1960 then Plant Manager at the Economy Printing Concern from 1960 to 1961. Dr. Williams was then the Circulation Manager of the Christian Freedom Foundation from 1961 to 1966 as well as was the Editor of the Evangelical Sunday School commentary from 1960 through 1973. He earned his Master of Arts from New York University in 1965 and shortly thereafter, he came back home to Indiana and began his long career as an associate professor, teaching Old Testament and Archaeology, for Indiana Wesleyan University. Dr. Williams earned his Doctorate of Divinity from Oklahoma Wesleyan University in 1992.

Dr. Williams is perhaps one of the most well-known professors in Indiana Wesleyan history. Many students have taken his course, Old Testament Survey, where he has been known to incorporate his 40 plus years' experience in Israel Archeological excavations into the material he teaches. Not only is he a long serving professor, he is beloved by his students. He has been elected "Professor of the Year" eight times, most recently in 2009 and 2010. Dr. Williams for many years taught for only a \$1 annual salary, so that the money could be dedicated to maintain the Williams Prayer Chapel. The small Gothic-style chapel in the center of campus opened in August 2001, and is designed to provide a place of solitude for students to experience a moment of peace with the Lord amidst their busy schedules. Dr. Williams' wife, Ardelia Williams, who taught for many years within the Indiana Wesleyan Art Department, crafted all of the stained glass windows in the small sanctuary.

In addition to Dr. Williams' time as a faculty member at Indiana Wesleyan, he has been active on Indian archaeological digs throughout the United States. He has been even more active on excavations in Israel and North Africa. He dug for over 40 years in such cities as Arad, Aphek, Jerusalem, Carthage, Lachish, Megiddo, Jezreel and Hazor. In September of 2005, at the Indiana-Israel Dinner of State, Israel Bonds bestowed upon Dr. Williams the honor of "Friend of Israel". Governor Mitch Daniels, who was honorary co-chair of the dinner, also presented Williams a "Distinguished Hoosier" award. Altogether Dr. Williams has been to the Bible lands 156 times, nearly all of which have been to Israel. The Israeli Ministry of Tourism honored Dr. Williams for his many trips to the Holy Land, by presenting him with a sterling silver copy of a 1585 world map depicting Jerusalem as the center of the world.

Dr. Williams is an accomplished author who has published many articles and three books:

one of poetry titled, "From Sand to Glass"; one on the Ten Commandments titled "How To Find Your Maximum Happiness," and the other a Commentary on the book of Genesis. He is currently writing "God's Grand Design and Satan's Counter Plan".

On behalf of all Hoosiers, I wish to extend a heartfelt thank you to Dr. Williams for his many years in education, for his contributions to our Hoosier community, our nation, and the resilient nation of Israel. I want to congratulate Dr. Williams on his remarkable career and I wish the very best to Dr. Williams, to his wife Ardelia, and to their children and their families, in his well-deserved retirement.

PERSONAL EXPLANATION

HON. CHRIS COLLINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 20, 2017

Mr. COLLINS of New York. Mr. Speaker, I was absent from votes March 15 and March 16, 2017. Had I been present, I would have voted: YEA on Roll Call No. 159, YEA on Roll Call No. 160, YEA on Roll Call No. 161, YEA on Roll Call No. 162, YEA on Roll Call No. 163, YEA on Roll Call No. 164, NAY on Roll Call No. 165, NAY on Roll Call No. 166, NAY on Roll Call No. 167, YEA on Roll Call No. 168, YEA on Roll Call No. 169.

TESTIMONY OF MARGARET ADAIR QUINN ON THE POSITIVE IMPACT OF THE AFFORDABLE CARE ACT

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, March 20, 2017

Ms. DELAURO. Mr. Speaker, it is with great pride that I enter the powerful words of my constituent, Maggie Quinn, who supports the Affordable Care Act and the protections it provides our most vulnerable citizens.

"On December 7, 1991 I fell and broke my back in two places. Fortunately I have regained most of my mobility but at the time it ended my career in the professional theatre. I pulled myself together and with my husband started small business which has kept us afloat. I was doubly fortunate during those years to be able to retain vested beyond COBRA medical insurance for both of us through my union, Actor's Equity Association.

Then, in 2000, my husband was diagnosed with rheumatoid arthritis—so we both then had "pre-existing conditions."

The ACA insurance covered his treatment and drugs, we kept our business going, and were proud that we were at no time a burden on our state or society as a whole, but by 2013, the last year of my AEA coverage, our combined premiums and co-pays neared 40% of our net income.

After the Affordable Care Act was passed and Connecticut opened its insurance exchange, my union terminated my insurance eligibility and, because I had an ACA option available in Connecticut, and because my premiums were less than the union's costs to

cover us. At the time, our premiums alone were over 18,000 a year, a severe financial hardship for two self-employed 58 year olds, and I knew even then that we would not be able to sustain them for much longer.

Because of the ACA and the Connecticut exchange, we were able to enroll in a terrific plan, with a reasonable deductible and, with the tax credit figured in, with premiums less than half of what we had been paying. Every year since 2014, our premiums have decreased (they are about 6,000\$ a year now) and our deductibles have not risen commensurately. We have been well cared for, my husband's drug costs, which at retail would be approximately 5,000 a month, have not crippled us, and we have continued to work at our small business, to pay our federal, state, local and corporate taxes, and contribute to the prosperity of our town, our state, and the economy of our nation. We have been able to put money away for our eventual retirement.

Now, with the impending repeal of the ACA, that is all in jeopardy.

My husband's Great Grandmother also had Rheumatoid arthritis, and her obituary in the Waterbury Republican/American says she spent the last ten years of her life in bed.

Ms. DeLauro, I am, quite frankly, terrified that this is the prospect that awaits my husband without the safeties of the ACA. It will mean the end of our business, and the end of our livelihood, the end of our ability to pay taxes and support our customers, our community, and our state.

At nearly 62, with the medical problems we both have, we are not realistically employable by any company large enough to provide medical insurance. If the ACA tax credits and the mandate that preexisting conditions cannot factor in insurance coverage are done away with, we are likely to end up in a high risk pool at best, and what would those self-pay premiums be now, given inflation? \$25,000 a year? \$30,000? We simply cannot afford it. And without the ACA mandated removal of lifetime caps, my husband will surely cap out given his high drug costs. I cannot really express the depths of my fear that we risk becoming burdens on our state and its already stretched social safety net. The ACA has given us the promise of whole, useful working lives without the fear of penury. Please, Ms. DeLauro, help us keep the ACA."

PERSONAL EXPLANATION

HON. BRENDAN F. BOYLE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 20, 2017

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Speaker, on March 9, 2017, I missed roll call vote No. 139 on the floor of the House of Representatives. Had I been present, I would have voted nay.

PERSONAL EXPLANATION

HON. JOSEPH CROWLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 20, 2017

Mr. CROWLEY. Mr. Speaker, on March 17, 2017 I was absent for recorded vote No. 170 and No. 171, as I was delayed while leading

a critical discussion with Secretary of Homeland Security John Kelly in my capacity as Chair of the Democratic Caucus.

I would like to reflect how I would have voted if I were here: On Roll Call No. 170 I would have voted yes. On Roll Call No. 171 I would have voted yes.

RECOGNIZING THE SIGNIFICANT
ACHIEVEMENT OF CHIEF JUSTICE
CAROLYN WRIGHT

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 20, 2017

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, it is with great pride that I wish to recognize the significant career of Chief Justice Carolyn Wright, as well as celebrate her recent reception of the 2017 Texas Women Lawyers Pathfinder Award—an honor given to an individual who has championed the advancement of women in the law, and has shown creativity and leadership within that field. Chief Justice Wright has been a trailblazer for women of color working in the legal field; and therefore, I could not think of anyone more deserving of such an honor.

Along with other positions that were historical firsts for women and minorities in Texas, Chief Justice Wright is the first African-American to be appointed to an intermediate court, as well as the first woman to win a multi-county election for any state elected office. Prior to these esteemed positions, Wright has been a judge with more than 30 years experience in civil, family, criminal, and mediation law. Additionally, she has served as a practicing attorney, Dallas County associate judge, state district judge, as well as a Justice on the Court of Appeals, after being appointed by then-Governor George W. Bush in 1995.

Although her resume is quite significant, none of it is as impressive as she is as a community member. For the entire time that I have known her, Carolyn Wright has been an upstanding citizen and proud Dallasite. Those who know her both in and out of the courtroom can attest to her dedication to her work, but at the same time to her thoughtfulness as a leader and a friend. Mr. Speaker, may the record show that this woman deserves recognition for the incredible career she has made for herself, and the way her life has touched others.

TESTIMONY OF ALEXIS DECECCHI
ON THE POSITIVE IMPACT OF
THE AFFORDABLE CARE ACT

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, March 20, 2017

Ms. DeLAURO. Mr. Speaker, it is with great pride that I enter the powerful words of my constituent, Alexis Dececchi, who supports the Affordable Care Act and the protections it provides our most vulnerable citizens.

“Hi, my name is Alexis Dececchi. I want to thank Congresswoman DeLauro for taking

the time out of her busy schedule to gather us here so we can tell our stories about the ACA. I would not be standing here today if it weren't for the ACA. I think everyone who has developed a major health problem remembers “that day”—the day everything changed. For me, that day was December 28th, 2012. I refer to this as my second birthday.

During the night of the 28th, my body mounted an inflammatory autoimmune attack against my nervous system, causing me to suffer brain damage. When I awoke, portions of my memory, processing, and visual system had been compromised. Months of fearful confusion followed until the cause was discovered: I had a cellular immunodeficiency affecting my natural killer cells. This caused me to be more susceptible to viral and fungal infections. This susceptibility also caused autoimmune inflammation in my nervous system and brain.

Without the protection of the ACA, I would be defined as having a pre-existing condition, and be subject to expensive, high-risk insurance pools, or potentially be uninsured. Without insurance, I would be unable to afford the experimental antivirals and the bi-weekly infusions of immunoglobulin that I need, which currently cost over \$8000 every month. A reinstatement of lifetime policy caps would also endanger my access to this treatment.

Since receiving my infusions, I have seen improvements in my condition. I have fewer seizures and cognitive issues, and I've regained some of my physical strength. This year, I was finally able to return to the workforce and hold down a part-time job. None of this would be possible for me without the ACA. Though I have improved, there is no cure for my condition, and I will require these treatments indefinitely. Without them, I would start to backslide physically and develop dementia-like symptoms.

The chronic illness and disability community is one of the country's biggest minority groups, but one of the most overlooked. Because of the nature of our disabilities, it has been hard for us to organize, especially if each day is a fight for survival. We should have the equal rights and protections of other minority groups in this country. Right now, our current administration is fighting over policies and ideals, but what we are fighting for is survival. That is a very different type of struggle and one that we cannot afford to lose. The ACA was a step in the right direction for millions of Americans. We can't take a step back. I want to continue to move forward in my life, and I want to do the same for other chronically ill individuals. We need to stand together, and stand with our representatives who understand that healthcare is a right, not a privilege.”

THE COLUMBIA RIVER IN-LIEU
AND TREATY FISHING ACCESS
SITES IMPROVEMENT ACT

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, March 20, 2017

Mr. BLUMENAUER. Mr. Speaker, today, I am reintroducing the Columbia River In-Lieu and Treaty Fishing Access Sites Improvement Act. For decades now, the federal government has forgone its obligations to the four Columbia River Treaty Tribes, after flooding tribal

communities, houses, and traditional hunting and fishing sites with the construction of the Bonneville, The Dalles, and John Day dams.

This bill is just part of the work we are pursuing to improve the living conditions at these sites along the Columbia River. This issue deserves significant attention and investment from the federal government. The history of the 31 Columbia River In-Lieu and Treaty Fishing Access Sites dates back decades. Development that began in the 1930s displaced many members of the four Columbia River treaty tribes: the Warm Springs, Umatilla, Nez Perce, and Yakama Nation. Those tribes have a treaty-protected right to fish along the river at their usual and accustomed places that needs to be respected.

The tribes were also promised housing to replace what was inundated after the dams became operational and that promise has largely not been kept. I'm working with my colleagues and the U.S. Army Corps of Engineers (Corps), the Bureau of Indian Affairs (BIA), the Columbia River Inter-Tribal Fish Commission, and the effected tribes to address these unmet needs through the appropriations process and other legislation.

To address fishing access that was wiped out by the dams, the Corps constructed 31 small sites along the Columbia, designed primarily for daily, in-season fishing access and temporary camping. However, largely due to the lack of promised permanent housing and out of a desire to be closer to the Columbia River, their cultural heritage, and traditional fishing areas, many tribal members live in makeshift housing or shelters at these sites. Because they were not designed for longer-term or permanent use, the conditions at these sites are deeply distressing and unsafe, without proper electricity, sewers, or water. I have seen these conditions firsthand on multiple visits, and they have garnered attention from local and national media. The sites are in dire need of urgent upgrades to electrical, sewer, and other infrastructure, beyond their daily operations and maintenance needs.

This legislation calls for BIA to conduct a much-needed assessment of current conditions at the In-Lieu and Treaty Fishing Access sites under BIA ownership on both sides of the Columbia, in coordination with the tribes. It authorizes the BIA to improve existing federal structures and infrastructure, improve sanitation and safety conditions, and improve access to electricity, sewer, and water infrastructure. BIA may contract with tribes and tribal organizations to conduct this important work that will lay a critical foundation for the construction of permanent tribal housing.

This is a significant and meaningful step in improving the living conditions at these sites and should be passed by the House and Senate. Our efforts will not stop here. I will continue working with federal partners and tribal nations to see that the need for more permanent housing is fulfilled and tribal member's treaty rights are respected.

TRIBUTE TO THE BROOKLYN
CHINESE-AMERICAN ASSOCIATION

HON. NYDIA M. VELÁZQUEZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 20, 2017

Ms. VELÁZQUEZ. Mr. Speaker, I rise to congratulate the Brooklyn Chinese-American Association (BCA) as they celebrate the twelfth anniversary of their Sixth Avenue Senior Center.

The Sixth Avenue Center is one of nine locations throughout Brooklyn dedicated to the wellbeing and livelihood of seniors and the people who care about them.

After securing funding from The Aging in New York Fund (DFTA) in 2012, the Center now serves over 200 seniors every day. Whether providing hearty meals, medical screenings, or recreational events like birthday parties and field trips, the Center is an invaluable part of the greater community of Sixth Avenue in Brooklyn.

In the face of uncertain times and proposed budget cuts, creating and maintaining a warm and welcoming space for seniors is a testament to the hard work of the BCA staff. Their presence in the community helps some of our most vulnerable neighbors and makes Brooklyn and all of New York a better place to live.

Mr. Speaker, I thank the staff and all those involved with the Sixth Avenue Senior Center for their dedication to the seniors of Brooklyn. I ask my colleagues to join me in congratulating them on 12 years of service.

TESTIMONY OF DOMINIQUE
THORNTON ON THE POSITIVE IM-
PACT OF THE AFFORDABLE
CARE ACT

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, March 20, 2017

Ms. DeLAURO. Mr. Speaker, it is with great pride that I enter the powerful words of my constituent, Dominique Thornton, who supports the Affordable Care Act and the protections it provides our most vulnerable citizens.

"Thank you Congresswoman DeLauro for giving us this opportunity to tell you how essential the Affordable Care Act is in our lives and what a difference it has made for us not to be denied insurance coverage because of preexisting conditions. First of all I want to remind everyone that the full name of the law is the Patient Protection and Affordable Care Act. One of the most important protections it affords us is the protection not to be denied health insurance coverage due to preexisting conditions. Why would Members of Congress who represent the people of their districts ever seek to repeal patient protections?"

I speak today as a mother of an adult daughter who wanted to be here personally to tell her story but could not be and gave me her permission to share her story. I have been an advocate for mental health for the last 10 years because I found out that my daughter suffers from PTSD, chronic anxiety and depression as well as other psychological

conditions as a result of sexual assault and physical abuse. One in five women experience sexual assault in this country. One in four has experienced domestic violence. Incredibly being the victim of sexual assault or domestic violence and the resulting psychological disorders are considered preexisting conditions by insurance companies for which they will deny coverage and consequently needed treatment. If a woman is brave enough to report the trauma, she will be denied coverage and treatment for it the next time she changes insurance if the Patient Protection and Affordable Care Act is repealed. If a woman is struggling in the aftermath of trauma and seeks treatment she will be penalized by being denied coverage for the conditions she suffers as a result of trauma the next time she changes policies if the ACA is repealed. Her diagnosis will be a part of her permanent health record which insurance companies will use to determine what they will cover and what preexisting conditions will be denied.

Another patient protection that specifically protects women and which will also be eliminated if the ACA is repealed is equal cost for men and women. If the ACA is repealed insurance companies will again be able to charge women more money for the same coverage as policies sold to men. It is discriminatory that women earn only 80% of what men earn at most but it is worse that they will also be charged higher premiums than men for the same coverage through no fault of their own except the immutable characteristic that they were born female.

Women are thus pushed farther and farther into poverty and their only choice is to access the public health system in Medicaid. With State dollars stretched thin and the federal government considering further cuts to Medicaid women's health will be further adversely disproportionately impacted. The wealthy insurance companies who would be required to cover women regardless of preexisting conditions at the same cost will be off the hook and the taxpayers will have to cover the cost of care through our tax dollars. If we the taxpayers are already paying to care for the sick, why don't we have a public option and use the leverage of large numbers. There are 24 million people now covered by the ACA today which can negotiate the cost of health care and prescription drugs down to a more affordable cost. The answers are there to bring the costs of health care down. Will Congress have the courage to stand up for what is right and seek solutions that are fair and equitable for the American people? Do not repeal the Patient Protection and Affordable Care Act. Make changes for the better such as using the buying power of large numbers to reduce costs."

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, March 21, 2017 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MARCH 22

9 a.m.

Committee on Health, Education, Labor, and Pensions

To hold hearings to examine the nomination of R. Alexander Acosta, of Florida, to be Secretary of Labor.

SD-430

10 a.m.

Committee on Commerce, Science, and Transportation

To hold hearings to examine the promises and perils of emerging technologies for cybersecurity.

SD-106

Committee on Foreign Relations

To hold hearings to examine the state of global humanitarian affairs.

SD-419

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine perspectives from the DHS frontline, focusing on evaluating staffing resources and requirements.

SD-342

Committee on Veterans' Affairs

To hold a joint hearing with the House Committee on Veterans' Affairs to examine the legislative presentation of multiple veterans service organizations.

SD-G50

10:30 a.m.

Committee on Appropriations

Subcommittee on Department of Defense

To hold hearings to examine defense readiness and budget update.

SD-192

2:30 p.m.

Committee on Commerce, Science, and Transportation

Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard

To hold hearings to examine the state of the Coast Guard, focusing on ensuring military, national security, and enforcement capability and readiness.

SR-253

Committee on Foreign Relations

Subcommittee on Africa and Global Health Policy

To hold hearings to examine a progress report on conflict minerals.

SD-419

3:30 p.m.

Committee on Armed Services

Subcommittee on Airland

To hold hearings to examine Army modernization.

SR-222

MARCH 23

9:30 a.m.

Committee on Armed Services

To hold hearings to examine United States European Command.

SD-G50

Committee on Banking, Housing, and Urban Affairs	MARCH 29	3 p.m.
To hold hearings to examine the nomina- tion of Jay Clayton, of New York, to be a Member of the Securities and Ex- change Commission.	2:30 p.m. Committee on Homeland Security and Governmental Affairs Subcommittee on Federal Spending Over- sight and Emergency Management	Committee on Small Business and Entre- preneurship To hold hearings to examine how small businesses confront and shape regula- tions.
SD-538	To hold hearings to examine the effect of borrowing on Federal spending.	SR-428A
2:30 p.m. Committee on Armed Services Subcommittee on Personnel	SD-342	
To hold hearings to examine Department of Defense civilian personnel reform.		
SR-232A		